

18th July 2022

Learned counsel present. Mr. Noor Zaman, District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 19.09.2022 before D.B at camp court Abbottabad.

*Grievance of Appellant has been Redressed by Respondent. Appeal may be allowed to withdraw.
M. Arshad
adv. of appellant*



(Salah Ud Din)
Member(Judicial)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Appellant present through counsel.

Muhammad Jan, District Attorney alongwith Shamraiz Khan S.I (Legal) for respondents present.

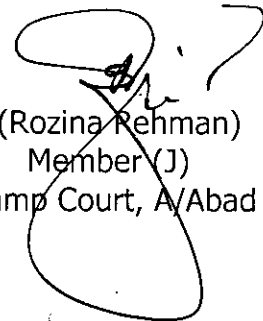
At the very outset representative of respondents submitted order dated 28.07.2021. In response of the same, learned counsel for appellant requested for withdrawal of the instant service appeal. In this regard, his statement was recorded on the margin of order sheet and signature was obtained thereon.

In view of above, instant service stands dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room.

Announced.
19.09.2022



(Fareeha Paul)
Member (E)
Camp Court, A/Abad

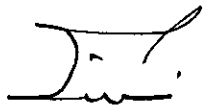


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

22.12.2021

Learned counsel for the appellant present. Mr. Shamraiz Khan, ASI alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.


Respondents have failed to submit their written reply/comments even today. Vide pervious order dated 13.10.2021 it was directed that the respondents shall positively submit reply/comments on the next date failing which their right for submission of reply/comments shall be deemed as struck off. The right of submission of written reply/comments of respondents thus stands struck off. To come up for arguments on 17.03.2022 before the D.B at Camp Court Abbottabad.



(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

19.05.2022

Learned counsel for the appellant present. Syed Naseer Ud Din, Assistant Advocate General alongwith Mr. Shamriaz Khan, SI for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. To come up for arguments before D.B on 18.07.2022 at camp court Abbottabad.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

15.03.2021

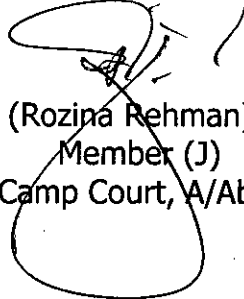
Appellant present through counsel. This case was fixed for 19.03.2021 but on the request of learned counsel for appellant, file was requisitioned for today. Preliminary arguments heard. File perused.

Points raised need consideration. Appeal is admitted to regular hearing subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days.

Appellant
Security
Process Fee
20/3

Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on

12/07/2021 before S.B at Camp Court, Abbottabad.


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

12.07.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 13.10.2021.


Reader

13.10.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Shamraiz Khan, ASI for the respondents present.

Written reply/comments of the respondents is still awaited. Last opportunity is granted to the respondents to furnish reply/comments on next date, otherwise their right for filing of reply shall be deemed as struck off. Case to come up on 22.12.2021 before S.B at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

23.10.2020

Representative of appellant on behalf of appellant present.

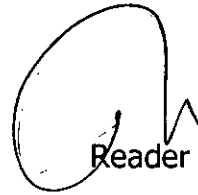
Lawyers are on general strike, therefore, case is adjourned to 17.12.2020 for preliminary hearing before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

17.12.2021

Due to Covid-19, case is adjourned to 19.03.20221 for the same as before.




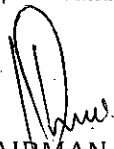
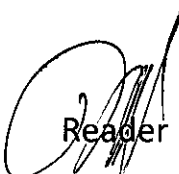
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Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 880 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/02/2020	<p>The appeal of Mr. Muhammad Bashir presented today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR 6/2/2020</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>17-04-2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Due to covid ,19 case to come up for the same on / / at camp court abbottabad.</p> <p style="text-align: right;">Reader</p> <p>Due to summer vacation case to come up for the same on <u>23 / 10 / 20</u> at camp court abbottabad.</p> <p style="text-align: right;"> Reader</p>

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No.....880/20

Mohammad Bashir, Sub Inspector No. 423/H presently posted at Lower Kohistan Palas.

..... (Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

.....(Respondents)

SERVICE APPEAL

INDEX

S/N	Description of Document	Ann- exure	Page No.
1.	Memorandum of appeal.		01-09
2.	Seniority List "E"	"A"	10-17
3.	Order dated 03-12-2019	"B"	18-19
4.	Departmental Appeal dated 30-12-2019	"C"	20-23
5.	Order dated 17-01-2020	"D"	24
6.	Wakalatnama		

Through

S. Ba
Appellant

M. Aslam
(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated: 06-02-2020

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Appeal No.... 880.....

Case No. 1006

Dated 6-2-2020

Mohammad Bashir, Sub Inspector No. 423/H. presently
posted at Lower Kohistan Palas.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

Respondents

Filed to-day

Registrar

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE
TRIBUNAL ACT 1974 AGAINST ORDERS DATED 03-12-2019
AND 17-01-2020 OF THE REGIONAL POLICE OFFICER HAZARA
REGION ABBOTTABAD WHEREBY WHILE IGNORING THE
APPELLANT HIS JUNIORS HAVE BEEN CONFIRMED IN THE
RANK OF SUB INSPECTOR AND HIS DEPARTMENTAL APPEAL
HAS BEEN WITHHELD AND FILED RESPECTIVELY.

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL
IMPUGNED ORDERS DATED 03-12-2019 AND 17-01-2020 MAY
GRACIOUSLY BE MODIFIED/SET ASIDE TO THE EXTENT OF
APPELLANT AND HE BE CONFIRMED IN THE RANK OF SUB
INSPECTOR AT RIGHT PLACE IN SENIORITY FROM THE DATE
WHEN HIS JUNIORS WERE CONFIRMED WITH ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.

Respectfully sheweth:-

1. That appellant was enrolled in the police department on 01-07-1989 and promoted as ASI on 03-04-2009. On successful completion of probation period he was confirmed in the rank of ASI and

Right of
sub-inspector of
Police Service
of Hazara region
dt 22/12/20

6/2/2020



brought on promotion list "E" with effect from 03-04-2012. He was promoted to the rank of officiating Sub Inspector on 01-08-2016. Appellant has successfully completed his probation period. He has also qualified Upper College Course and has served as SHO and other field for the period required for confirmation/next promotion under Rule-13-10(2) of Police Rules-1934.

2. That in aforementioned seniority list of SIs/ASIs issued by Hazara Range Abbottabad for the period ending 31-12-2018, the name of appellant stands at S/No. 72. **(Copy of seniority list "E" as it stood on 31-12-2018 is attached as "A")**.
3. That vide order dated 03-12-2019, the following officiating Sub Inspectors, far juniors to the appellant, have been confirmed in the rank of Sub Inspector while ignoring the appellant illegally, against the departmental rules and regulations, without any reason and justification. The appellant has been treated with discrimination. **(Copy of order dated 03-12-2019 is attached as "B")**. Detail of seniority of these juniors is as under: -

S/No.	Name	Name brought on promotion List "E"	Date of promotion as oftg SI	Period served for next promotion	Upper College Course	Name at S/No in "List E"
1.	SI Ishtiaq Ahmed 12/H	30-10-2012	01-08-2016	1- OII 2- Nil	Qualified	75
2.	SI Mohammad Nawaz 101/H	11-06-2013	01-08-2016	1- SHO 2- Nil	Qualified	82
3.	SI Niaz Akhtar 102/H	30-10-2012	01-08-2016	1- OII 2- Nil	Undergo	83

3

4.	SI Riaz Shah 104/H	11-06-2013	01-08-2016	1- OII 2- PTC	Qualified	85
5.	SI Khurshid 107/H	11-06-2013	01-08-2016	1- OII 2- Nil	Qualified	87
6.	SI Ibrar Ahmed 139/H	11-06-2013	01-08-2016	1- OII 2- Nil	Qualified	91
7.	SI Mohammad Manzoor 143/H	11-06-2013	01-08-2016	1- OII 2- Nil	Undergo	92
8.	SI Abdul Ghafoor 170/H	30-08-2013	01-08-2016	1- SHO 2- Nil	Qualified	94
9.	SI Gul Nawaz 14/H	26-05-2014	01-08-2016	1- SHO 2- Nil	Qualified	96
10.	SI Mohammad Bashir 38/H	26-05-2014	01-08-2016	1- SHO 2- Nil	Undergo	98
11.	SI Mohammad Hassan 51/H	26-05-2014	01-08-2016	1- OII 2- SB	Undergo	99
12.	SI Ghulam Murtaza 114/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo	104
13.	SI Qamar Zaman 82/H	26-05-2014	01-08-2016	1-OII	Undergo	105
14.	SI Ghulam Mustafa 138/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo	106
15.	SI Sadar Ayub 83/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo	107
16.	SI Shamraiz 96/H	26-05-2014	01-08-2016	1- OII 2- Nil	Not qualified	111
17.	SI Mohammad Urfan 176/H	26-05-2014	06-12-2016	1- OII 2- Nil	Not qualified	118
18.	SI Gul Nawaz 231/H	26-05-2014	06-12-2016	1- DNA 2- Nil	Not qualified	126
19.	SI Munir Ahmed 55/H	18-01-2016	06-12-2016	1- OII 2- Nil	Not qualified	128

4. That aforementioned officers were far junior to appellant in the rank of Assistant Sub Inspector and were brought on confirmation list of ASIs subsequent to him. Legally appellant's previous seniority in the rank of ASI must have been kept in line with subsequent confirmation/seniority. The appellant's right of seniority has been seriously damaged.
5. That astonishingly while appellant's above mentioned juniors were given confirmation as Sub Inspector with effect from 03-12-2019 the appellant was not considered for the said same contrary to

4

the rules, regulations and facts. It was mandatory duty of the respondents to have posted appellant to complete his period in other required fields before his juniors were provided chance/posted if there was any requirement of the said posting. Rather his juniors were posted to complete such period so that they could be made senior to him which is an open discrimination and malafide just to damage appellant's service career. The Police Rules-1934 envisages that police officials must be given equal opportunities of posting against the posts to get qualified themselves for next promotion.

6. That in accordance with Police Rule 13:10 (2), on satisfactory completion of probation period and other requisite conditions the appellant was entitled to have been confirmed in the rank of Sub Inspector from the date his juniors were confirmed. Though the appellant during probation period had demonstrated tremendous services and acquired requisite qualifications yet he was not confirmed.
7. That for the foregoing reason as many as appellant's 19 juniors have been made senior to him by confirming them which have caused colossal loss in seniority to him. Nevertheless, the same could be rectified by giving appellant confirmation at right place in seniority.

5

8. That appellant has rendered about 30 years service in the Police Department and always performed his assigned duties with devotion and honesty due to which on occasions he has been awarded with Commendation Certificates and Cash Rewards.
9. That appellant aggrieved of aforementioned order dated 03-12-2019 preferred a departmental appeal dated 30-12-2019 before the worthy Honourable Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar which departmental appeal of the appellant was withheld and filed by the Regional Police Officer Hazara Region Abbottabad vide his order dated 17-01-2020 illegally, against the departmental rules and regulations. **(Copies of departmental appeal & order dated 17-01-2020 are attached as annex-"C&D")**.
10. Hence instant service, inter alia, on the following:-

GROUND:

- a) That both the impugned orders dated 03-12-2019 and 17-01-2020 of respondents are illegal, unlawful against the facts and circumstances of the matter hence are liable to be modified/set aside to the extent of appellant.
- b) That the appellant has not been considered for confirmation in the rank of Sub Inspector when his

6


juniors were confirmed. He has seriously been discriminated.

- c) That even departmental appeal of the appellant addressed to the Appellate authority has illegally and unlawfully against the departmental rules and regulations has been with held and filed by the Regional Police Officer Hazara Region Abbottabad.
- d) That though the appellant had successfully completed his probation period in the rank of Sub Inspector and there was not anything adverse against him. Nor he was ever reverted during his probation period. He also fulfilled all the necessary requirements for confirmation in the rank of Sub Inspector.
- e) That the respondents have not treated the appellant in accordance with law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued impugned orders, which are unjust, unfair hence not sustainable in the eyes of law.
- f) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudication upon the same.

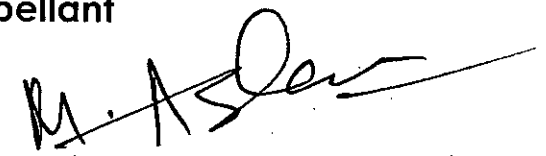
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PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal both the orders dated 30-12-2019 and 17-01-2020 of respondents may graciously be modified/set aside to the extent of appellant and he be confirmed in the rank of Sub Inspector from the date his juniors were confirmed and with all consequential service back benefits. Any other relief which this Honourable Tribunal deems fit and appropriate in circumstances of instant case may also be granted.


Appellant

Through:


(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 06-02-2020

VERIFICATION

It is verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

Dated 06-02-2020


Appellant

8

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Mohammad Bashir, Sub Inspector No. 423/H presently
posted at Lower Kohistan Palas.

..... (Appellant)

VERSUS


1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

.....(Respondents)

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever
been filed in this Honourable Service Tribunal or any other
court prior to instant one.


APPELLANT

Dated: 06-02-2020

9

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Mohammad Bashir, Sub Inspector No. 423/H presently posted at Lower Kohistan Palas.

..... (Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

.....(Respondents)

SERVICE APPEAL

AFFIDAVIT:

I, Mohammad Bashir appellant do hereby solemnly declare and affirm on oath that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Service Tribunal.

Dated: 06-02-2020


Deponent/Appellant

Identified By:


Mohammad Aslam Tanoli
Advocate High Court

At Haripur 06-02-2020



Appellant

HAZARA REGION

POLICE DEPARTMENT

SENIORITY LIST OF OFFICIATING SUB- INSPECTORS AND ASSISTANT SUB-INSPECTORS ON PROMOTION LIST "E" OF HAZARA REGION

Subject:- SENIORITY LIST
The seniority list of the following Officiating Sub-Inspectors and Assistant Sub-Inspectors on Promotion list "E" as it stood 31-12-2018

S#	Name & No	Home District	D/O Birth	D/O Appoint	Edu:	D/O Promotion as ASI	D/O Conf: as ASI	Name brought on promotion List E	D/O Promotion as SI	Place of Posting	Courses qualified as per Standing Order No.03/2018	Period served for next promotion	Contr. No.	Upper College Course
1.	SI Aurangzeb No.204/H	Manshra	06-02-1964	14-11-1982	FA	17-11-2001	06-04-2006	06-04-2006	08-04-2008	Manshra District	Nil	1) Nil 2) PT : Mansra	0337-0545319	Qualified
2.	SI Abdul Khan No.2170/H	Kohistan	01-01-1962	20-07-1983	9 th	25-01-2005	25-01-2007	25-01-2007	13-10-2009	Elke Force	Not willing	1) Nil 2) Nil		Not willing
3.	SI Ali Akbar No.218/H	Kohistan	12-04-1962	02-03-1981	9 th	25-01-2005	25-01-2007	25-01-2007	13-10-2009	Badgama District	Not willing	1) CTD Served 2) Nil	0316-2045402	Not willing
4.	SI Umar Fehman No.221/H	Manshra	04-06-1963	24-07-1985	FA	25-01-2005	25-01-2007	25-01-2007	13-10-2009	Motoway Islamabad	Nil	1) Nil 2) Nil	0301-5110780	Qualified
5.	SI Shamsul Qamar No.239/H	Kohistan	26-12-1962	27-09-1981	10 th	25-01-2005	25-01-2007	25-01-2007	14-02-2012	Motoway Islamabad	Nil	1) Nil 2) Nil	0307-6267800	Qualified
6.	SI Muhammad Shah No.26/H	Manshra	03-04-1960	09-11-1980	9 th	25-01-2005	27-03-2008	27-03-2008	14-09-2008	Special Branch	Not willing	1) Nil 2) SB Served	0340-947376	Not willing
7.	SI Muhammad Paraz No.63/H	A.Abad	15-10-1968	17-01-1988	10 th	08-08-2007	08-08-2009	08-08-2009	15-03-2013	ACE Postwar	Not willing	1) CTD Served 2) Nil	0340-0444700	Not willing
8.	SI AL Sarwar No.110/H	Haripur	02-04-1968	11-12-1988	10 th	20-04-2007	20-10-2009	23-10-2009	15-03-2013	CTD Hazara	1) B. Intel-2 2) P.D&MC-2	1) CTD Served 2) Nil	0321-0461700	Qualified
9.	SI Muhammad Inayat No.124/H	Haripur	01-11-1959	23-04-1978	10 th	25-10-2007	25-10-2009	25-10-2009	15-03-2013	Haripur District	Not willing	1) CTD Served 2) Nil	0307-8104100	Not willing
10.	SI Faisal Ali Shuh No.275/H	Haripur	25-02-1982	14-11-2003	M.A/AMN	11-03-2010	11-03-2010	20-04-2013	09-12-2013	Elke Force	1) B. Intel-2 2) Intel Inar-2 3) C.E.L-2 4) B.C.C-2	1) MO Served 2) Fila Served	0313-8072380	Qualified
11.	SI Haq Nawaz No.277/H	Manshra				11-03-2010	11-03-2010	20-04-2013	03-04-2014	Torghar District	1) T.H&TP-2 2) PD&MC-2 3) H&S-1 4) IT based skill	1) CTD Served 2) Nil	03468999172	Qualified
12.	SI Aurangzeb No.258/H	A.Abad	01-05-1967	20-10-1987	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	CTD Hazara	Not willing	1) CTD Served 2) Nil	0321-1738100	Not willing
13.	SI Zafar Husain No.259/H	Kohistan	01-04-1964	30-04-1987	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	Mardan School	1) PD&MC-2 2) M.L.M-2 3) C.I.S-2	1) Nil 2) T.C Centre	0346-5019970	Qualified
14.	SI Munir Hussain No.290/H	A.Abad	22-03-1965	26-03-1988	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	CTD Hazara	Not willing	1) CTD Served 2) Nil	0313-5062147	Not willing
15.	SI Qazi Sultan No.300/H	A.Abad	01-01-1968	27-03-1986	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	A.Abad District	Not willing	1) Nil 2) Nil	0346-9378185	Not willing
16.	SI Munir Khan No.304/H	A.Abad	03-07-1961	01-09-1979	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	Badgama District	1) B. Intel-2 2) PD&MC-2	1) CTD Served 2) Nil	0347061377	Qualified
17.	SI Aqil Shah No.307/H	Shangla	05-05-1971	01-10-1989	10 th	08-04-2008	08-04-2010	08-04-2010	13-06-2014	UKohistan District		1) CTD Served 2) Nil	0346-9333198	Qualified
										A.Abad	1) T.H & TP-2	1) CTD Served	0346-20121	Qualified

Attested
B. H

Annex-A

10

42.	SI Rustam Khan No.385/H	Kohistan	01-04-1969	01-07-1989	10 th	29-08-2009	29-08-2011	08-09-2015	CTD Hazara	1) B. Intel=2	1) CTD served 2) Nil	0344-9527048	Qualified
43.	SI Muhammad Riaz No.387/H	Kohistan	01-01-1968	01-10-1989	10 th	29-08-2009	29-08-2011	08-09-2015	CTD Hazara	1) B. Intel=2 2) Tech Intel=2	1) CTD served 2) Nil	0346-9891746	Qualified
44.	SI Zahir Khan 388/H	Kohistan	06-04-1971	30-12-1989	10 th	29-08-2009	29-08-2011	08-09-2015	CTD Hazara	1) B. Intel=2	1) CTD served 2) Nil	0348-9858039	Qualified
45.	SI Muhammad Nawaz 390/H	A.Abad	01-01-1967	02-10-1990	10 th	29-08-2009	29-08-2011	08-09-2015	A.Abad District	1) B. Intel=2 2) Intel Awaz=2 3) PD&MC=2 4) B. IT=	1) SHO served 2) Nil	0346-9379859	Qualified
46.	SI Syed Imtiaz, Ali Shah 391/H	Manshra	03-05-1961	28-06-1983	10 th	29-08-2009	29-08-2011	17-03-2016	ACE A.Abad	Nil	1) Nil 2) ACE served	0310-8787094	Qualified
47.	SI Muhammad Shah No.392/H	Battagra	12-07-1964	12-07-1984	10 th	29-08-2009	29-08-2011	17-03-2016	Manshra District	Nil	1) Nil 2) Elite served	0342-9655898	Qualified
48.	SI Ahmed 393/H												
49.	SI Mir Afzal No. 395/H	Kohistan	13-04-1973	11-04-1992	10 th	29-08-2009	29-08-2011	17-03-2016	Special Branch	1) B. Intel=2 2) Nil	1) Nil 2) Nil	0346-0959804	Qualified
50.	SI Faqir Muhd: 396/H	Manshra	12-09-1967	27-03-1986	10 th	29-08-2009	29-08-2011	17-03-2016	Special Branch	1) TH&TP=2 2) B. Intel=2	1) Nil 2) SB served	0309-4035792	Not willing
51.	SI Muhammad Tariq No.397/H	Kohistan	01-01-1973	26-04-1993	10 th	29-08-2009	29-08-2011	17-03-2016	Elite Force	1) TH&TP=2 2) E.C.C=2 3) B. Intel=2	1) SHO served 2) Nil	0313-3935999 0312-3849504	Qualified
52.	SI Dost Muhd: 398/H	Manshra	04-02-1966	23-12-1986	10 th	29-08-2009	29-08-2011	17-03-2016	Torghair District	1) TH&TP=2 2) PD&MC=2 3) B. Intel=2	1) OII served 2) PTC served	03025468538	Qualified
53.	SI Muhammad Mushiq 400/H	A.Abad	12-02-1964	05-02-1984	10 th	29-08-2009	29-08-2011	17-03-2016	Elite Force	1) TH&TP=2 2) Post Blaz=1	1) OII served 2) Nil	0346-715340	Qualified
54.	SI Fazal Rabbi 401/H	Kohistan	10-01-1970	01-10-1989	10 th	29-08-2009	29-08-2011	17-03-2016	A.Abad District	1) TH&TP=2 2) I.L.M=1 3) DNA&MLR=1 4) PD&MC=2	1) OII served 2) Nil	0314-3090428	Qualified
55.	SI Muhammad Arif No. 402/H	Kohistan	03-04-1970	01-10-1992	10 th	29-08-2009	29-08-2011	17-03-2016	PTC Hazara	1) B. Intel=2 2) Interrogation=2 3) CFMC=1 4) Post Blaz=1	1) OII served 2) PTC served	0343-5872162	Qualified
56.	SI Muhammad Younas 403/H	A.Abad	11-01-1964	10-09-1984	10 th	29-08-2009	29-08-2011	17-03-2016	Elite Force	1) B. Intel=2 2) PD&MC=2 3) DNA&MLR=1 4) C.F.C=1 5) Post Blaz=1	1) OII served 2) Nil	0301-8128654 0317-4462474	Qualified
57.	SI Zardad Khan No. 404/H	Haripur	16-09-1961	04-04-1981	10 th	29-08-2009	29-08-2011	17-03-2016	Torghair District		1) Nil 2) PTC served	0313860447 0331-5889449	Qualified
58.	SI Rustam No. 405/H	Haripur	06-09-1963	10-01-1982	10 th	29-08-2009	29-08-2011	17-03-2016	Haripur District	Nil	1) OII served 2) Nil	03105280974	Qualified
59.	SI Ghulam Abbas 406/H	A.Abad	11-01-1964	06-08-1984	10 th	13-10-2009	13-10-2011	17-03-2016	CTD Hazara	1) B. Intel=1 2) Surveillance=2	1) CTD served 2) Nil	0345-9573674	Qualified
60.	SI Muhammad Anwar 407/H	Manshra	04-05-1971	05-10-1989	10 th	13-10-2009	13-10-2011	17-03-2016	Elite Force		1) SHO served 2) Nil	0345-3630344	Qualified
61.	SI Akhtar Hussain 408/H	Haripur	01-01-1968	29-12-1987	10 th	13-10-2009	13-10-2011	17-03-2016	Elite Force		1) OII served 2) Nil		Qualified
62.	SI Sneed-ur-Rehman. 409/H	Haripur	20-04-1962	23-12-1985	10 th	13-10-2009	13-10-2011	17-03-2016	CTD Hazara	1) B. Intel=2 2) Post Blaz=2	1) CTD served 2) Nil	0301-5433167	Not willing

(17)

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13

63	SI Qul Shanzad No. 12/H	Battagram	01-02-1968	08-07-1986	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	Battagram District	1) B. Intel 2) Surveillance			
64	SI Shabbir Zada No. 413/H	Kohistan	05-04-1970	30-12-1989	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	U/Kohistan District	1) PD&MC=2 2) DNA&MLR=1	2)		
65	SI Anwar Khan No. 415/H	A. Abad	13-03-1965	27-03-1986	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	U/Kohistan District		1) SHO 2) Nil		
66	SI Johardad Shah No. 416/H	Kohistan	03-03-1969	30-09-1991	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	Kolal Pallas	1) M.L.M= 2) PD&MC=	1) Off served 2) Nil		
67	SI Asrar Khan No. 417/H	Kohistan	03-06-1968	01-01-1992	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	CTD Hazara	1) B. Intel=2 2) Interrogation=2 3) post brig=1	1) Off served 2) Nil	0340-90305 0313-8323790	
68	SI Muhammad Aslam No. 418/H	Kohistan	15-04-1974	30-08-1993	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	CTD Hazara	1) B. Intel=2 2) Surveillance=2 3) Interrogation=2 4) Tech Intel=2	1) CTD served 2) Nil	0345-9746874	Qualified
69	SI Mubtaj Ali No. 419/H	Haripur	08-04-1963	29-03-1986	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016		1) C.S.M=2			
70	SI Shabbir Khan No. 420/H	Kohistan	04-01-1964	06-08-1985	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	Elite Force	Nil	1) SHO served 2) Nil	0143-0493165	Qualified
71	SI Nawaz No. 421/H	Kohistan	04-01-1964	06-08-1985	10 th	13-10-2009	13-10-2011	13-10-2011	17-03-2016	CTD Hazara	1) B. Intel=2 2) Interrogation=2 3) M.L.M=1	1) CTD served 2) Nil	0342-9514956	Qualified
72	SI Muhammad Bashir No. 423/H	A. Abad	18-03-1969	01-07-1989	10 th	03-04-2009	03-04-2012	03-04-2012	01-08-2016	A. Abad District		1) SHO served 2) Nil	0336-9540977	Qualified
73	SI Habibullah No. 12/H	Haripur	12-04-1970	01-08-1991	FA	08-04-2009	08-04-2012	08-04-2012	01-08-2016	Special Branch	1) TH&TP=2 2) Intel aware=2 3) PD&MC=4 4) J.S.=1 5) C.P.M. 6) C.F.C.L.	1) Off served 2) Nil	0300-8542486	Qualified
74	SI Muhammad Mustaf No. 01/H	Haripur	24-04-1967	07-08-1991	10 th	23-12-2010	06-07-2012	06-07-2012	01-08-2016	Special Branch	1) DNA&MLR=1	1) Off served 2) Nil	0324-6649621	Qualified
75	SI Ishfaq Ahmed No. 12/H	Kohistan	01-03-1977	22-12-1996		30-09-2009	30-10-2012	30-10-2012	01-08-2016	Special Branch		1) Off served 2) Nil	0136-9093285	Qualified
76	SI Haroon Khan No. 13/H	Haripur	23-02-1972	09-08-1994	FA	30-11-2010	11-06-2013	11-06-2013	01-08-2016	A. Abad District	1) Intel Ave=2 2) B. Intel=2	1) SHO served 2) Nil	0102-9195711	Qualified
77	SI Shafaqat Khan No. 32/H	Haripur	01-01-1964	03-01-1982	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Haripur District	Nil	1) SHO served 2) Nil	01434019828	Qualified
78	SI Chulam Mugh No. 34/H	Manshra	02-02-1971	01-07-1989	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Torglar District	1) CSM=	1) SHO served 2) Nil	0340500171	Undergo
79	SI M. Tajoon No. 53/H	Kohistan	24-04-1974	20-03-1994	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Torglar District	1) B. Intel=2 2) TH&TP=2 3) IT Skill=2 4) C.I.S.=2 5) C.P.M.=2 6) Hoopur=	1) Off served 2) Nil	03431073004	Undergo
80	SI Muhammad Nasser No. 81/H	Kohistan	05-12-1973	01-01-1992	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Elite Force	1) TH&TP=2 2) E.C.C=1	1) Nil 2) Elite served	0312-5849634 0345-2374176	Qualified
81	SI Zewar Dad No. 85/H	Manshra	01-10-1966	23-12-1986	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Manshra District		1) Nil 2) PTC served		Qualified
82	SI Muhammad Nawaz No. 101/H	Battagram	01-01-1970	27-06-1990	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Elite Force	1) TH&TP=2	1) SHO served 2) Nil	0346-5629669 0345-9717873	Qualified
83	SI Niaz Akhtar	A. Abad	12-10-1964	26-06-1988	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Special Branch	1) C.I.S.=2 2) C.E.L.=	1) Off served 2) Nil	0310-9137207	Undergo

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14

No.102/H											3) DNA= 4) PD&MC=			
84.	SI Bashir Muhd: 157/H	Mansehra	07-01-1962	28-12-1985	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Mansehra District	1) Intel: Awa=2 2) B. Intel=2	1) SHO served 2) Nil	0345-8994892	Not willing
85.	SI Riaz Shah No. 104/H	Kohistan	01-01-1974	20-03-1994	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	PTC Mangu	1) C.I.S= 2) Intel Awa=2	1) OII served 2) PTC served	0313-8519186	Qualified
86.	SI Hastam Khan No.169/H	A. Abad	17-12-1967	28-12-1986	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Torghar District	1) C.S.M= 3. Post blast=	1) OII served 2) Nil	03459853004	Not willing
87.	SI Khurshid 107/H	Mansehra	07-01-1966	28-12-1986	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	PTS Mansehra	1) Intel Awa=2 2) B. Intel=2 3) PD & MC= 4) M.L.M= 5) Hot spot =	1) OII served 2) Nil	0343-3439652	Qualified
[REDACTED]														
89.	SI Nazeer-ud- Din No.138/H	Kohistan	01-12-1972	11-04-1992	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	U.Kohistan District	1) Intel: Awa=2	1) SHO served 2) Nil	0345-8994892	Qualified
90.	SI Akhtar Nawaz 132/H	Haripur	03-03-1963	18-12-1982	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Special Branch	NIL	1) Nil 2) SB served	0313-5917793	Qualified
91.	SI Ibrar Ahined No.139/H	Mansehra	03-12-1967	22-06-1988	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Elite Force	1) Info Cultiv=2 2) B. Intel=2 3) DNA= 4) C.F.C=1	1) OII served 2) Nil	0348-9877367	Qualified
92.	SI Muhammed Manzoor 143/H	Mansehra	04-04-1975	30-06-1993	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Elite Force		1) OII served 2) Nil		Undergo
93.	SI Dewan Shah 130/H		05-04-1969	30-12-1989	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Upper Kohistan	1) B. Intel=2 2) Tech Intel=2	1) Nil 2) Elite served	0346-0473133	Qualified
94.	SI Abdul Ghaffar 170/H	A. Abad	03-08-1972	30-03-1991	10 th	30-11-2010	11-06-2013	11-06-2013	01-08-2016	Elite Force	1) Intel: Awa=2	1) SHO served 2) Nil	0300-5414393	Qualified
95.	SI Sarfraz No. 179/H	A. Abad	15-03-1969	06-08-1991	FA	02-02-2011	02-02-2014	02-02-2014	01-08-2016	ACE Peshawar	1) B. Intel=2 2) Surveillance=2	1) Nil 2) ACE served	0335-8787687	Not willing
96.	SI Gul Nawaz No. 14/H	Kohistan	10-06-1974	30-06-1993	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Special Branch	1) B. Intel=2	1) SHO served 2) Nil	0346-5032519 0346-8994892	Qualified
97.	SI Muhammad Saeed No. 72/H	A. Abad	18-03-1962	26-12-1987	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Elite Force		1) SHO served 2) Nil		Qualified
98.	SI Muhammad Bashir No. 35/H	Mansehra	18-02-1970	22-06-1988	FA	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Elite Force		1) SHO served 2) Nil	0344-9572907	Undergo
99.	SI Muhammad Hussan 51/H	Kohistan	01-01-1967	18-01-1988	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Rahaym District	Nil	1) OII served 2) SB served	03-6-9-16-7278	Undergo
100.	SI Saifur- Rehman 65/H	Kohistan	02-03-1973	11-04-1992	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	U.Kohistan District		1) SHO served 2) Nil		Undergo
101.	SI Tariq Saeed 70/H	Mansehra	15-04-1966	26-06-1987	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	A. Abad District	1) C.I.S=2 2) C.F.C=1	1) OII served 2) Nil	0332-3467216	Undergo
102.	SI Muhammad Ibrar No. 79/H	A. Abad	03-05-1973	03-10-1992	FA	23-02-2012	26-05-2014	26-05-2014	01-08-2016	U.Kohistan District		1) OII served 2) Nil	0311-1577867	Undergo
103.	SI Muhammad Bandura 112/H	A. Abad	25-12-1963	23-12-1985	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Katal Pallas		1) OII served 2) Nil		Undergo
104.	SI Ghulam Murtaza 114/H	A. Abad	03-03-1967	23-12-1985	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	PTS Mansehra	Nil	1) OII served 2) Nil	0346-5416354 0311-1577867	Undergo
105.	SI Ghulam	Kohistan	11-11-1971	30-06-1993	10 th	23-02-2012	26-05-2014	26-05-2014	01-08-2016	Special		1) OII served	03-1-9691304	Undergo

Attached
3



18

Annex-B

0992-9310021-22

0992-9310023

r.pohazara@gmail.com

0345-9561587

NO: 31815 / E DATED 03 / 12 / 2019

ORDER

As approved by the Departmental Promotion Committee held on 22-10-2019 in the office of the undersigned the following officiating Sub Inspectors who have completed their two years officiating / probation period and fulfilled the laid down criteria for substantive rank under Police Rules. 13-1, 13-10 (2), 13-18 of 1934 and standing orders/ instructions received from CPO are hereby confirmed as Sub Inspectors with immediate effect.

They are allotted new Region numbers as noted against each their names:-

S #	NAME AND NO.	PRESENT POSTING	ALLOTTED NEW REGION NUMBER
01	SI Haq Nawaz No.277/H	Torghar District	H/03
02	SI Munawar Khan No.304/H	Battagram District	H/12
03	SI Kamran Habib No.338/H	Upper Kohistan District	H/20
04	SI Arshad Ali No. 347/H	Mansehra District	H/21
05	SI Muhammad Bilal No.380/H	Torghar District	H/23
06	SI Mir Afzal No. 395/H	Special Branch Khyber Pakhtunkhwa	H/26
07	SI Muhammad Tariq No.397/H	Elite Force Khyber Pakhtunkhwa	H/30
08	SI Dost Muhammad No. 398/H	Mansehra District	H/33
09	SI Muhammad Mushtaq No.400/H	Elite Force Khyber Pakhtunkhwa	H/78
10	SI Muhammad Arif No.402/H	Mansehra District	H/116
11	SI Muhammad Younas No.403/H	Elite Force Khyber Pakhtunkhwa	H/120
12	SI Muhammad Anwar No.407/H	Elite Force Khyber Pakhtunkhwa	H/127
13	SI Akhtar Hussain No.408/H	Elite Force Khyber Pakhtunkhwa	H/130
14	SI Johardad Shah No. 416/H	Special Branch Khyber Pakhtunkhwa	H/143
15	SI Shafiq-ur-Rehman No.420/H	Elite Force Khyber Pakhtunkhwa	H/144
16	SI Ishtiaq Ahmed No.12/H	Special Branch Khyber Pakhtunkhwa	H/145
17	SI Muhammad Nawaz No.101/H	Elite Force Khyber Pakhtunkhwa	H/146
18	SI Niaz Akhtar No.102/H	Special Branch Khyber Pakhtunkhwa	H/150
19	SI Riaz Shah No.104/H	Mansehra District	H/162
20	SI Khurshid No.107/H	PTS Mansehra	H/163

Attest

13/12/19

19

21	SI Ibrar Ahmed No.139/H	Elite Force Khyber Pakhtunkhwa	H/166
22	SI Muhammad Manzoor No.143/H	Elite Force Khyber Pakhtunkhwa	H/182
23	SI Abdul Ghafoor No.170/H	Elite Force Khyber Pakhtunkhwa	H/222
24	SI Gul Nawaz No.14/H	Special Branch Khyber Pakhtunkhwa	H/223
25	SI Muhammad Bashir No.38/H	Elite Force Khyber Pakhtunkhwa	H/224
26	SI Muhammad Hassan No.51/H	Battagram District	H/225
27	SI Ghulam Murtaza No.114/H	PTS Mansehra	H/226
28	SI Qamar Zaman No.82/H	Special Branch Khyber Pakhtunkhwa	H/227
29	SI Ghulam Mustafa No.138/H	Elite Force Khyber Pakhtunkhwa	H/228
30	SI Sadar Ayub No.83/H	Special Branch Khyber Pakhtunkhwa	H/229
31	SI Shamraiz No.96/H	Special Branch Khyber Pakhtunkhwa	H/230
32	SI Muhammad Urjan No.176/H	Elite Force Khyber Pakhtunkhwa	H/231
33	SI Gul Nawaz No.231/H	Elite Force Khyber Pakhtunkhwa	H/232
34	SI Munir Ahmed No.55/H	Elite Force Khyber Pakhtunkhwa	H/233

Dr. Mazhar ul Haq Kakakhei
(PSP/PPM/S.St)

Attested
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20

Annex C

BEFORE HONOURABLE PROVINCIAL POLICE OFFICER
KHYBER PAKHTUNKHWA PESHAWAR

(Through proper channel)

DEPARTMENTAL APPEAL AGAINST ORDER DATED 03-12-2019
PASSED BY THE REGIONAL POLICE OFFICER HAZARA REGION
ABBOTTABAD WHEREBY WHILE IGNORING THE APPELLANT HIS
COLLEAGUES/JUNIORS HAVE BEEN CONFIRMED IN THE RANK OF
SUB INSPECTOR WITH IMMEDIATE EFFECT.

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL
IMPUGNED ORDER DATED 03-12-2019 MAY KINDLY BE MODIFIED
AND APPELLANT BE CONFIRMED IN THE RANK OF SUB
INSPECTOR AT RIGHT PLACE IN SENIORITY FROM THE DATE WHEN
HIS JUNIORS WERE CONFIRMED WITH ALL CONSEQUENTIAL
SERVICE BACK BENEFITS.

Respected Sir,

With most veneration and humble submission it is stated:-

1. That appellant was enrolled in the police department on 01-07-1989 and promoted as ASI on 03-04-2009. On successful completion of probation period he was confirmed in the rank of ASI and brought on promotion list "E" with effect from 03-04-2012. He was promoted to the rank of officiating Sub Inspector on 01-08-2016. He has also qualified Upper College Course and has served as SHO, for the period required for confirmation/next promotion under Rule-13-10(2) of Police Rules-1934.
2. That in aforementioned seniority list of SIs/ASIs issued by Hazara Range Abbottabad for the period ending 31-12-2018, the name of appellant stands in it at S/No. 72. **(Copy of seniority list "E" as it stood on 31-12-2018 is attached as "A")**.
3. That vide order dated 03-12-2019, the following officiating Sub Inspectors, far juniors to the appellant, have been confirmed in

Attested
S/No. 72

21

the rank of Sub Inspector while ignoring the appellant illegally, against the departmental rules and regulations, without any reason and justification. (Copy of order dated 03-12-2019 is attached as "B"). Detail of seniority of these juniors is as under: -

S/ No.	Name	Name brought on promotion List "E"	Date of promotion as offtg SI	Period served for next promotion	Upper College Course
1.	SI Ishtiaq Ahmed 12/H	30-10-2012	01-08-2016	1- OII 2- Nil	Qualified
2.	SI Mohammad Nawaz 101/H	11-06-2013	01-08-2016	1- SHO 2- Nil	Qualified
3.	SI Niaz Akhtar 102/H	30-10-2012	01-08-2016	1- OII 2- Nil	Undergo
4.	SI Riaz Shah 104/H	11-06-2013	01-08-2016	1- OII 2- PTC	Qualified
5.	SI Khurshid 107/H	11-06-2013	01-08-2016	1- OII 2- Nil	Qualified
6.	SI Ibrar Ahmed 139/H	11-06-2013	01-08-2016	1- OII 2- Nil	Qualified
7.	SI Mohammad Manzoor 143/H	11-06-2013	01-08-2016	1- OII 2- Nil	Undergo
8.	SI Abdul Ghafoor 170/H	30-08-2013	01-08-2016	1- SHO 2- Nil	Qualified
9.	SI Gul Nawaz 14/H	26-05-2014	01-08-2016	1- SHO 2- Nil	Qualified
10.	SI Mohammad Bashir 38/H	26-05-2014	01-08-2016	1- SHO 2- Nil	Undergo
11.	SI Mohammad Hassan 51/H	26-05-2014	01-08-2016	1- OII 2- SB	Undergo
12.	SI Ghulam Murtaza 114/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo
13.	SI Qamar Zaman 82/H				
14.	SI Ghulam Mustafa 138/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo
15.	SI Sadar Ayub 83/H	26-05-2014	01-08-2016	1- OII 2- Nil	Undergo
16.	SI Shamraiz 96/H	26-05-2014	01-08-2016	1- OII 2- Nil	Not qualified
17.	SI Mohammad Urfan 176/H	26-05-2014	06-12-2016	1- OII 2- Nil	Not qualified
18.	SI Gul Nawaz 231/H	26-05-2014	06-12-2016	1- DNA 2- Nil	Not qualified
19.	SI Munir Ahmed 55/H	18-01-2016	06-12-2016	1- OII 2- Nil	Not qualified

4. That aforementioned officers were far junior to appellant in the rank of Assistant Sub Inspector and were brought on confirmation list of ASIs subsequent to him. Legally appellant's previous seniority in the rank of ASI must have been kept in line

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with subsequent confirmation/seniority. The appellant's right of seniority has been seriously damaged.

5. That astonishingly while appellant's above mentioned juniors were given confirmation as Sub Inspector with effect from 03-12-2019 the appellant was not considered for the said same contrary to the rules, regulations and facts. Appellant has time and again approached his Officers for his posting to complete his period in other fields but his request was never given a heed. Rather his juniors were posted to complete such period so that they could be made senior to him which is an open discrimination and malafide just to damage appellant's service career. The Police Rules-1934 envisages that police officials must be given equal opportunities of posting against the posts to get qualified themselves for next promotion.
6. That in accordance with Police Rule 13:10 (2), on satisfactory completion of probation period and other requisite conditions the appellant was entitled to have been confirmed in the rank of Sub Inspector from the date his juniors were confirmed. Though the appellant during probation period had demonstrated tremendous services and acquired requisite qualifications yet he was not confirmed.
7. That for the foregoing reason as many as appellant's 19 juniors have been made senior to him by confirming them which have caused colossal loss in seniority to him. Nevertheless, the same could be rectified by giving appellant confirmation at right place in seniority.
8. That appellant has rendered about 30 years service in the Police Department and always performed his assigned duties with devotion and honesty due to which on occasions he has been awarded with Commendation Certificates and Cash Rewards.

13

23

In view of the aforementioned facts, it is earnestly requested that on acceptance instant departmental appeal order dated 03-12-2019 may kindly be modified with the order that appellant be confirmed in the rank of Sub Inspector at right place when his juniors were confirmed with all ensuing consequential service back benefits. Appellant shall be thankful to your Highness for this act of kindness.

Thanking you sir in anticipation.

Your Obedient Servant

S
Ba

(Mohammad Bashir)
Sub Inspector No.423/H
Lower Kohistan Palas.

Dated -12-2019

Attested

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Ba



(24) Annex-D
OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 1746 / E DATED 9/7/01/2009

To: The District Police Officer,
Kolai Pallas Kohistan

Subject: APPLICATION.

Memorandum:

Reference your office Memo: No.2210/SRC dated 30-12-2019.

The request made by SI Muhammad Bashir No.423/H for confirmation to the rank of Sub-inspector was considered and filed.

Attested

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/Ba

Abdul Rauf Babar (PSP)
For Regional Police Officer
Hazara Region, Abbottabad



DBA No: 205
BC No:

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Name of Advocate: محمد اسلم تنزیہ

S.No: 9171

وکالت نامہ



بعدالت: محمد اسلم تنزیہ
عنوان: محمد اسلم تنزیہ
منجانب: محمد اسلم تنزیہ
نوعیت مقدر: سرمد اسلم
باعت تحریر آنکھ: 19/02/2020

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیق مقدمہ بمقام ایسٹریٹس/سٹور کے لیے محمد اسلم تنزیہ اندرون کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر ساختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظریاتی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس کے ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناع یا ترقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ مختانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مزکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

Accepted by
M. Aslam

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: 2020 / 02 / 06 دن 06 ماہ 02 سال

محمد اسلم تنزیہ

Service Appeal No. 880/2020.

Mohammad Bashir, S.I No. 423/H presently posted at Lower Kohistan Palas.

Appellant.

VERSUS

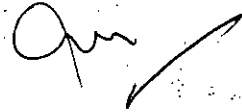
1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

Respondents

Para wise comments on behalf of Respondents.

INDEX

S.No.	Detail of Documents	Annexure	Page No.
1	Reply	-	1 to 3
2	Affidavit	-	4
3	Copy of amendment in Police Rules 13-10 (2)	"A"	5
4	Order No. 16955-75/E dated 28.07.2021	"B"	6 & 7
TOTAL		-	07



DSP Legal, Abbottabad.

①

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

Service Appeal No. 880/2020.

Mohammad Bashir, S.I No. 423/H presently posted at Lower Kohistan Palas.

Appellant.

VERSUS

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.

Respondents

Para-wise comments on behalf of respondent No. 1 & 2.

Respectfully Sheweth;

PRELIMINARY OBJECTIONS:-

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct to file the instant appeal.
3. That the appellant has not come to this Hon'ble Tribunal with clean hands.
4. That the appellant has concealed material facts from this Hon'ble Tribunal.
5. That the instant Service Appeal is not maintainable for non-joinder/miss-joinder of necessary parties.
6. That the instant Service Appeal is barred by law and limitation.

ON FACTS:-

1. Pertains to record: The appellant was appointed as Constable in Police Department on 01-07-1989. He was promoted as officiating ASI in PTC Hangu on 03-04-2009 being cadet, later on he was confirmed as ASI and his name was brought on promotion list "E" on 03-04-2012. He was promoted as officiating Sub Inspector on 01-08-2016. He qualified Upper College Course from PTC Hangu during the term ending 20-12-2018. Cadet fall in Out of Turn Promotion which has been declared illegal by Apex Court vide Judgment dated 13.05.2018.
2. Pertains to record.
3. Incorrect. He was deferred from confirmation as Sub Inspector in the DPC held in the office of Respondent No. 02 on 22-10-2019 as he failed to perform duty in other unit for one year as per CPO instructions issued vide letter No. 113/CPB, dated 07-05-2018 according to amendment in Rule 13-10(2) of Police Rules 1934 dated 16.03.2017. (copy attached as annexure "A"). Later on, he was

confirmed as Sub Inspector after completion of one year period in Elite Force in the DPC held in the office of Respondent No. 02 on 07-05-2021 vide his office Order No. 16955-75/E , dated 28-07-2021(copy attached as Annexure "B").

4. Incorrect, as explained in Para No. 03 above.
5. Incorrect, as explained in Para No. 03 above.
6. Incorrect, as explained in Para No. 03 above.
7. Incorrect, He was deferred from confirmation as Sub Inspector in the DPC held in the office of Respondent No. 02 on 22-10-2019 as he failed to perform duty in other unit for one year as per CPO instructions issued vide letter quoted above, according to amendment in Rule 13-10(2) of Police Rules 1934 dated 16.03.2017.
8. The performance of appellant was not up to the mark.
9. Pertains to record. Departmental appeal of appellant was found meritless thus rejected with cogent reasons.
10. The appeal is not maintainable on following grounds and facts.

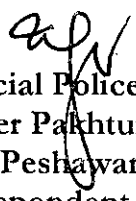
ON GROUNDS:-

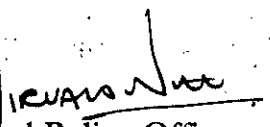
- a. Incorrect. The orders of respondents are legal, lawful based on facts and accordance with rules.
- b. Incorrect. He was deferred from confirmation as Sub Inspector in the DPC held in the office of Respondent No. 02 on 22-10-2019, as he failed to perform duty in the other unit for one year as per laid down criteria in Police Rules 13-10 (2) and CPO instructions issued vide letter No. 113/CPB, dated 07-05-2021. Later on he was confirmed as Sub Inspector after completion of one year period in Elite Force in the DPC held in office of Respondent No. 02 on 07-05-2021 vide his office order No. 16955-75/E, dated 28-07-2021. He has not been discriminated in any way by the respondents.
- c. Incorrect. The order of departmental authority is based on facts and in accordance with law / rules.
- d. Incorrect, as explained in Para-b above.
- e. Incorrect, appellant has been treated in accordance with law/ rules and respondents have never violated any provision of constitution of Islamic Republic of Pakistan 1973.

f. Incorrect. The appeal is badly barred by law and limitation.

PRAYER.

In view of above, it is most humbly prayed that the instant Service Appeal does not hold any legal force which may graciously be dismissed with costs.


Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 1)


Regional Police Officer,
Hazara Region, Abbottabad.
(Respondent No. 2)

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

Service Appeal No. 880/2020.

Mohammad Bashir, S.I No. 423/H presently posted at Lower Kohistan Palas.

Appellant.

VERSUS


- 1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Hazara Region, Abbottabad.

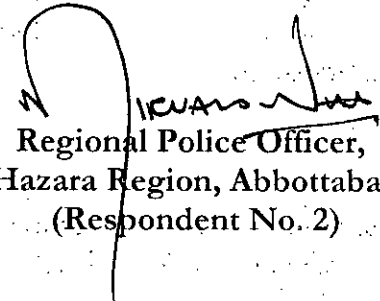
Respondents

AFFIDAVIT.

We, do hereby affirm on oath that the contents of written comments are true to the best of our knowledge & belief and nothing has been concealed from the Honorable Service Tribunal.

Submitted please.


**Provincial Police Officer,
 Khyber Pakhtunkhwa,
 Peshawar.
 (Respondent No. 1)**


**Regional Police Officer,
 Hazara Region, Abbottabad.
 (Respondent No. 2)**

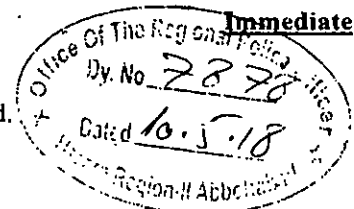


OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR.

No 113 /CPB , dated Peshawar the 07 / 05 / 2018

To:- The Capital City Police Officer, Peshawar.
The Regional Police Officer Mardan Region.
The Regional Police Officer Hazara Region Abbottabad.
The Regional Police Officer Malakand Region.
The Regional Police Officer Kohat Region.
The Regional Police Officer Bannu Region.
The Regional Police Officer D.I.Khan Region.

Subject: **RECOMMENDATION ROLL FOR PROMOTION TO LIST "F"**
Memo:-



Please refer to this office Memo: No. 13/CPB, dated 08.01.2018 on the subject noted above.

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

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

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

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

Keeping in view the requests of Regional Police Officers as well as in the best interest of the force, new Policy for confirmation as Sub-Inspector, as per Police Rules 13.10(2) of 2017 will be effective w.e.f. 30.06.2018.

It is worth mentioning here that on expiry of stipulated period i.e. 30.06.2018, no further extension/relaxation shall be given.

Recommendations for promotion to List "F" have been received and shall be discussed in the meeting of Departmental Promotion Committee shortly.

It is once again intimated that to send remaining cases of confirmed Sub-Inspectors for inclusion their names in List "F" within a week time so that no eligible officer may suffer because after 30.06.2018 new policy shall be implemented in letter and spirit as already intimated vide this office letter No. 794/CPB, dated 14.09.2017.

File
For mg

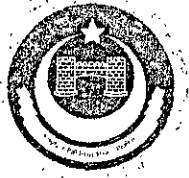
10/5/18

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

Endst: No. and dated even

Copy forwarded to the:-

1. Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police, HQrs., Khyber Pakhtunkhwa, Peshawar.
3. PSO to worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
4. Assistant Inspector General of Police, Establishment, Khyber Pakhtunkhwa, Peshawar.
5. Registrar, CPO Peshawar.
6. Supdts: Establishments-I, II, and III, CPO Peshawar.



Annexus "B" "B" 66
OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 16955-75/E DATED 28/07/2021

ORDER

Consequent upon the recommendation of Departmental Promotion Committee held on 07-05-2021 in the office of the undersigned the following officiating Sub Inspectors who have completed their two years officiating / probation period and fulfilled the laid-down criteria for substantive-rank under Police Rules. 13-1; 13-10 (2), 13-18 of 1934 and standing order No.3/2015 / instructions received from CPO vide letter No.113/CPB dated 07-05-2018 are hereby confirmed as Sub Inspectors with effect from 07-05-2021.

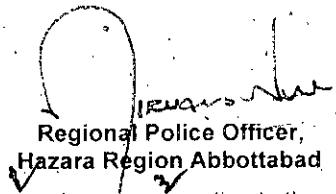
They are allotted new Region numbers as noted against each their names:-

S #	Name and No.	Present Posting	Allotted New Region Number
1.	SI Aqibat Shah No.307/H	Traffic Warden Abbottabad	H/06
2.	SI Muhammad Nazir No.369/H	Abbottabad District	H/11
3.	SI Ejaz Ali No.212/H	Lower Kohistan District	H/34
4.	SI Muhammad Sajid No.392/H	Mansehra District	H/35
5.	SI Fazal Rabbi No.401/H	Upper Kohistan District	H/36
6.	SI Ghulam Abbas No.406/H	PTC Hangu	H/37
7.	SI Shahib Zada No. 413/H	Special Branch Hazara	H/39
8.	SI Anwar Khan No. 415/H	Traffic Warden Abbottabad	H/44
9.	SI Muhammad Aslam No.418/H	Mansehra District	H/45
10.	SI Muhammad Bashir No.423/H	Abbottabad District	H/46
11.	SI Habibullah No.422/H	Haripur District	H/47
12.	SI Haroon Khan No.13/H	Elite Force Hazara	H/48
13.	SI Shafaqat Khan No.32/H	PTS Mansehra	H/49
14.	SI M. Tajoan No.53/H	Upper Kohistan District	H/123
15.	SI Muhammad Naseer No.81/H	CTD Hazara	H/129
16.	SI Naseer-ud-Din No.128/H	Special Branch Hazara	H/134
17.	SI Dewan Shah No.150/H	PTC Hangu	H/147
18.	SI Muhammad Saeed No.22/H	Upper Kohistan District	H/190
19.	SI Tariq Saeed No.70/H	Abbottabad District	H/211
20.	SI Muhammad Ibrar No. 79/H	Abbottabad District	H/234
21.	SI Muhammad Sharin No.146/H	Special Branch Hazara	H/235
22.	SI Abdul Rehman No.98/H	Abbottabad District	H/236
23.	SI Inam-ul-Haq No.73/H	Abbottabad District	H/237
24.	SI Amjad Hussain No.172/H	Mansehra District	H/238
25.	SI Bakht Rawan No.183/H	Upper Kohistan District	H/239
26.	SI Sakhawat Khan No.185/H	Upper Kohistan District	H/240
27.	SI Abid Hussain No.198/H	Torghar District	H/241
28.	SI Muhammad Hamayun No.18/H	Lower Kohistan District	H/242
29.	SI Muhammad Shakeel No.20/H	Abbottabad District	H/243
30.	SI Muhammad Javed No.26/H	Mansehra District	H/244
31.	SI Ibrar Hussain Shah No.27/H	CTD Hazara	H/245
32.	SI Naeem Shah No.33/H	Torghar District	H/246
33.	SI Muhammad Shafiq No.36/H	CTD Hazara	H/247
34.	SI Ibrar Shah No.39/H	Battagram District	H/248
35.	SI Jehanzeb No.41/H	Special Branch Hazara	H/249

9/c

However, the following Sub-Inspectors are hereby deferred due to non completion of their ACRs as they were given sufficient time with the direction to complete the same but they failed to do so:-

S.#	Name and No.	Present Posting
1	SI Zafar Hussain No.259/H	Torghar District
2	SI Basharat Shah No.340/H	PTC Hangu
3	SI Sanawar Shah No.366/H	Special Branch Hazara
4	SI Rustam No. 405/H	Haripur District
5	SI Muhammad Nawaz No.421/H	Special Branch Hazara
6	SI Muhammad Mustafa No.01/H	Special Branch Hazara
7	SI Saif-ur-Rehman No.69/H	Upper Kohistan District
8	SI M. Mustafa No.88/H	Haripur District
9	SI Muhammad Nazir No.175/H	CTD Hazara
10	SI Zulfiqar Ali No.48/H	Special Branch Hazara
11	SI Muhammad Saleem No.64/H	Abbottabad District
12	SI Muhammad Nawab No.75/H	Special Branch Hazara


Regional Police Officer,
Hazara Region Abbottabad

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

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Additional Inspector General of Police, Special Branch Khyber Pakhtunkhwa Peshawar.
3. Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa Peshawar.
4. Commandant, PTC Hangu.
5. Deputy Commandant, Elite Force Khyber Pakhtunkhwa Peshawar.
6. All District Police Officers in Hazara Region.
7. All Superintendents of Police Investigation in Hazara Region.
8. Superintendent of Police, Elite Force Hazara Abbottabad.
9. Superintendent of Police, CTD Hazara Abbottabad.
10. Superintendent of Police, Special Branch Hazara Abbottabad.
11. Director, Police Training School Mansehra.
12. Superintendent of Police, Traffic Warden Abbottabad.
13. OS/AS Region Office Abbottabad.

(Necessary Gazette Notification may be issued accordingly)