

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**Service Appeal No. 840/2018**

**BEFORE:** SALAH-UD-DIN --- MEMBER(J)  
MIAN MUHAMMAD --- MEMBER(E)

Zainullah Sub Inspector (r) CTD Kohat S/o Shah Miran R/o Zarki Nasrati  
Tehsil Tahti Nasrati District Kohat..... **(Appellant)**

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Home Secretary Peshawar
2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
3. Regional Police Officer Kohat, Kohat Cantt.
4. District Police Officer Kohat, Near Police Line Kohat City  
..... **(Respondents)**

**Present:**

MR. SHAHID QAYUM KHATTAK,  
Advocate, --- For Appellant.

MR. NASEER-UD-DIN SHAH,  
Assistant Advocate General --- For respondents.

Date of Institution ... 28.06.2018  
Date of hearing ... 04.07.2022  
Date of Decision ... 05.07.2022

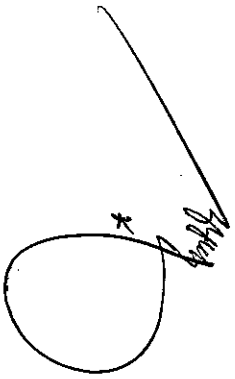
**JUDGEMENT**

**MIAN MUHAMMAD, MEMBER(E):-** The instant service appeal has been instituted invoking Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with the prayer that "on acceptance of the service appeal, the respondent may please be directed to act in the matter in accordance to law and grant promotion to petitioner in the next rank i.e. Inspector by first confirming him as Sub-Inspector in the larger interest of justice with further request that all back benefits of the rank of Inspector may please be granted to him from the date of his eligibility to the post."

02. Brief facts of the case are that the appellant was initially appointed as Constable in 1975 who got step by step promotion after qualifying the requisite courses and lastly promoted to the rank of officiating Sub Inspector on 01.01.2010. The appellant while posted as officiating Sub Inspector investigation Branch CTD Kohat Region retired from service on 19.04.2017 on attaining the age of superannuation. The appellant's confirmation as Sub Inspector was deferred by the Departmental Promotion Committee on the ground of non completion of the mandatory period. The appellant claims that he was eligible for confirmation as Sub Inspector before retirement as he had undergone the mandatory courses and completed mandatory period for such confirmation. He submitted departmental appeal which was not decided. The appellant sought remedy through writ petition No. 1574-P/2017 which was disposed of on the ground of jurisdiction under Article 212 of the constitution with further direction to respondent No. 2 to decide departmental appeal of the petitioner as early as possible vide judgement of the Honourable Peshawar High Court in his Writ Petition on 21.03.2018. The department did not decide his departmental appeal even after direction of the Hon'ble Peshawar High Court whereafter he submitted the instant service appeal on 28.06.2018.

03. On admission of the appeal, the respondents were issued notices to submit reply/Parawise comments. They submitted reply/Parawise comments denying and rebutting assertions made in the service appeal. We have heard arguments of the learned counsel for the appellant as well as learned Additional Advocate General for the respondents and gone through the record with their assistance.

04. Learned counsel for the appellant, at the outset of his arguments, contended that the appellant was serving as officiating Sub Inspector when meeting of the Departmental Promotion Committee was held on 10.03.2016 and the appellant was deferred for confirmation as Sub Inspector on account of non completion of the mandatory period. The appellant however, completed the mandatory period of 2 years as officiating Sub Inspector when posted in investigation branch CTD Kohat Region w.e.f. 22.12.2014 to 12.04.2017 and as such he was eligible to have been confirmed as Sub Inspector and placing of his name in list "F". It was further argued that his two colleagues namely Shoukat Saleem and Aqleem Khan who were confirmed as Sub Inspector in Departmental Promotion Committee Meeting dated 10.03.2016, were subsequently promoted as officiating Inspector vide Notification dated 25.11.2016 but the due rights of the appellant were refused on the ground that he had not completed the mandatory period. It was vehemently contended that the appellant completed the mandatory period on 22.12.2016 and as such he was eligible to have been first confirmed as Sub Inspector and then placing his name in list "F" for further promotion as officiating Inspector as per standing order No. 21/2014 amended on 05.11.2014. To strengthen his arguments, he relied on 2016 SCMR 1254. The appellant was not even considered for promotion on the specific direction of Hon'ble Peshawar High Court that departmental appeal of the appellant be decided as early as possible. The appellant was not treated in accordance with law, particularly Rule 13.10 (2) of Police Rules 1934 and Clause 8 of the standing order No. 21/2014. His legal rights guaranteed under Article 4 and 25 of the constitution have been violated. He, therefore, requested that the appellant may be granted his due rights of

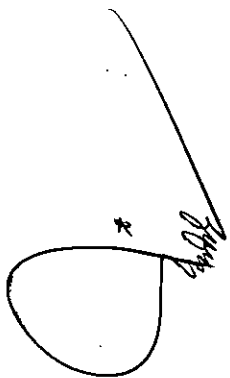


confirmation as Sub Inspector and subsequent promotion as officiating Inspector from due date.

05. Learned Assistant Advocate General, on the other hand, controverted arguments of the learned counsel for appellant and contended that the appellant did not fulfill the requisite criteria for confirmation to the rank of Sub Inspector, therefore, he was deferred for confirmation under amended Rule 13.10 (2). Since he had not completed the mandatory tenure of posting and the mandatory courses as required for confirmation and further promotion to the next high rank at the time of meeting of Departmental Promotion Committee held on 10.03.2016 under the standing order No. 3/2015, therefore, he was not eligible for confirmation as Sub Inspector and further promotion as officiating Inspector. So far the question regarding the promotion of officials mentioned by the appellant in his appeal is concerned, they had already been confirmed in the rank of Sub Inspectors and at the time of their retirement from service were included in list "F", therefore, they were promoted as officiating Inspectors. The appellant had rightly been retired from service as Sub Inspector on attaining the age of superannuation on 19.04.2017. The appeal being devoid of merit/facts might graciously be dismissed, he concluded.

06. Perusal of the record revealed that the appellant was deferred by the Departmental Promotion Committee in its meeting dated 10.03.2016 on the sole ground that he had not completed mandatory period. The appellant remained posted as officiating Sub Inspector Investigation Branch CTD Kohat Region w.e.f. 22.12.2014 to 12.04.2017 and attained the age of superannuation on 19.04.2017. It is not disputed that the appellant had not completed the mandatory period at the time of DPC meeting held on

10.03.2016 but the question is that when the mandatory period was subsequently completed on 22.12.2016, meeting of the Departmental Promotion Committee was either not convened or inadvertently left name of the appellant to be considered for confirmation as Sub Inspector and to be placed in list "F"! His batch mates i.e. Shoukat Saleem and Aqleem Khan who were officiating Sub Inspectors and approved to be confirmed as Sub Inspector "subject to completion of courses", in the same Department Promotion Committee on 10.03.2016, were subsequently recommended as officiating Inspectors by the Departmental Promotion Committee on 15.11.2016 and notified as such on 25.11.016. It is also a matter of record that under circular bearing No. 664-70/CPB dated 09.05.2016 the cases of confirmed Sub Inspector who were due for retirement within next three (03) months, were included in list "F". Had meeting of the Departmental Promotion Committee been held and considered the mandatory period undergone by the appellant which was actually completed on 22.12.2016, he would have been confirmed as Sub Inspector and his name included in list "F" for promotion as officiating Inspector. The deficiency on account of mandatory period as was the cause of deferment on 10.03.2016 remained no longer valid on 22.12.2016, when he completed the mandatory period for confirmation as Sub Inspector. This was in no way attributable reason on part of the appellant but the department at large. It is also reflected on the record that the appellant beside departmental appeal before his retirement, had been requesting for his rights vide applications dated 05.03.2017, 30.03.2017, 11.04.2017 and even after his retirement vide representations dated 05.06.2018, 09.06.2018 and 26.06.2018 but to no avail. In the circumstances, the department was obligated to have submitted his case for

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proforma promotion to have been considered by the Departmental Promotion Committee. Reliance is placed on 2016 SCMR 1254, 2016 SCMR 1784, 2016 PLC (C.S) 408 and 2018 PLC (C.S) Note 170.

07. As a sequel to the above, we are constrained to allow the instant service appeal as prayed for, with the direction to the respondents to place the case of appellant to the Departmental Promotion Committee to be considered for proforma confirmation as Sub Inspector and subsequently officiating Inspector from due date of eligibility with consequential benefits. Parties are left to bear their own costs. File be consigned to the record room.

08. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 05<sup>th</sup> of July, 2022.

  
(SALAH-UD-DIN)  
MEMBER (J)


  
(MIAN MUHAMMAD)  
MEMBER (E)

**ORDER**  
05.07.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah,  
Assistant Advocate General for the respondents present. Arguments heard  
and record perused.

02. Vide our detailed judgment of today, separately placed on file  
containing of (06) pages, we are constrained to allow the instant service  
appeal as prayed for, with the direction to the respondents to place the  
case of appellant to the Departmental Promotion Committee to be  
considered for proforma confirmation as Sub Inspector and subsequently  
officiating Inspector from due date of eligibility with consequential  
benefits. Parties are left to bear their own costs. File be consigned to the  
record room.


03. Pronounced in open court at Peshawar and given under our  
hands and seal of the Tribunal this 05<sup>th</sup> of July, 2022.

  
(SALAH-UD-DIN)  
MEMBER (J)

  
(MIAN MUHAMMAD)  
MEMBER (E)

30-3-2022

Proper DB not available the case is adjourned to  
come up for the same as before on 4-7-2022

  
Reader

04.07.2022

Appellant alongwith his counsel present. Mr. Arif Saleem,  
Steno alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate  
General for the respondents present.

Arguments heard. To come up for order on 05.07.2022  
before the D.B.

(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)



28.01.2021

Due to pandemic of Covid-19, the case is adjourned to 15.04.2021 for the same.



Reader

15.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 02.08.2021 for the same as before.



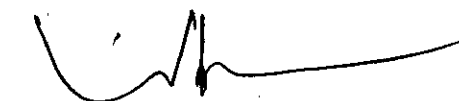
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02.08.2021

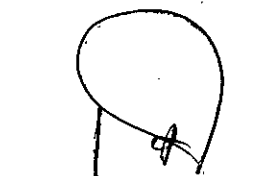
Mr. Khalil Ullah, Advocate, junior of learned counsel for the appellant present.

Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is busy before District Court's Karak. Adjourned. To come up for arguments on 09.12.2021 before D.B.



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



(Rozina Rehman)  
Member (J)

09.12.2021

Counsel for the appellant and Mr. Asif Masood, DDA for the respondents present.

Counsel for the appellant seeks time in order to prepare the brief. Request is accorded. To come up for arguments on 30.03.2022 before the D.B.



(Salah-ud-Din)  
Member(J)



Chairman

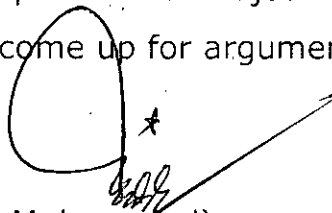
22.06.2020

Due to public holiday on account of COVID-19 the case is adjourned for the same on 09.09.2020 before D.B.

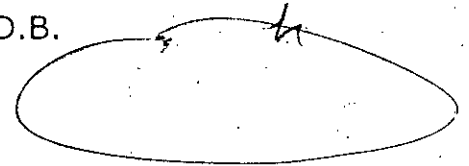
  
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09.09.2020

Miss. Natasha Soman, Advocate for appellant is present. Mr. Usman Ghani, District Attorney alongwith representative of the department Mr. Bilal Ahmad, Head Constable for the respondents are also present. Learned counsel submitted that her senior counsel namely Mr. Shahid Qayum Khattak, Advocate is busy in the Hon'ble Peshawar High Court, Peshawar and cannot attend the Tribunal today. She requested for adjournment. Adjourned to 13.11.2020. File to come up for arguments before D.B.



(Mian Muhammad)  
Member (Executive)



(Muhammad Jamal Khan)  
Member (Judicial)

13.11.2020

Junior to counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Arif Saleem, Steno for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 28.01.2021 for hearing before the D.B.

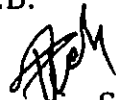


(Atiqur Rahman Wazir)  
Member

  
Chairman

31.12.2019


Mr. Saqib Owais, son of the appellant on behalf of the appellant present. Mr. Usman Ghani, District Attorney for the respondents present. Son of the appellant submitted an application for adjournment on the ground that appellant is ill and his counsel has also gone to Lahore on leave. Application is placed on record. Case to come up for arguments on 19.02.2020 before D.B.


  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

19.02.2020


Clerk to counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Clerk to counsel for the appellant submitted an application for adjournment as learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 30.03.2020 before D.B.

  
Member

  
Member

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 22.06.2020 before D.B.

  
Reader

11.07.2019

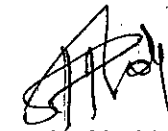
Learned counsel for the appellant Mr. Muhammad Jan learned Deputy District Attorney present. Learned counsel for the appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourn. To come up for arguments on 04.09.2019 before D.B.


  
Member

  
Member

04.09.2019

Learned counsel for the appellant present. Mr. Riaz Khan Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment Adjourned. To come up for arguments on 17.10.2019 before D.B.

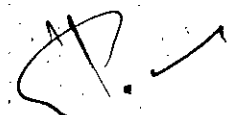
  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

17.10.2019

Appellant in person present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Appellant submitted application for adjournment. Adjourn. To come up for arguments on 31.12.2019 before D.B.

  
Member

  
Member

04.2.2019

Appellant in person and Addl. AG for the respondents present.

Learned AAG requests for adjournment as he has not been contacted by the representative of respondents regarding preparation of requisite reply. Adjourned to 27.03.2019 before the S.B.

  
Chairman

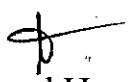
27.03.2019

Appellant with counsel present. Written reply not submitted. Muhammad Faheem H.C representative of the respondent department present and seeks time to furnish written reply/comments. Granted. Adjourn. To come up for written reply/comments on 25.04.2019 before S.B

  
Member

25.04.2019

Counsel for the appellant present. Addl: AG alongwith Faheem, HC for respondents present. Written reply submitted which is placed on file. Case to come up for rejoinder and arguments on 11.07.2019 before D.B.

  
(Ahmad Hassan)  
Member

**Service Appeal No. 840/2018**

**12.12.2018**

Counsel for the appellant Zainullah present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Officiating Sub-Inspector. It was further contended that on 10.03.2016 a Departmental Promotion Committee meeting was held for confirmation of sub-Inspectors to their substantive rank of Sub-Inspectors, the appellant was at serial No. 20 and was differed for the reason that the mandatory period of the appellant was not completed. It was further contended that feeling aggrieved from the said DPC order, the appellant filed application on 05.03.2017 to Inspector General of Police that he has now completed his mandatory period therefore, he may be promoted. It was further contended that the said application was not responded thereafter, the appellant departmental appeal to Inspector General of Police on 06.04.2017 but the same was also not responded. It was further contended that the mandatory period of the appellant was completed on 22.12.2016 therefore, the respondent-department was required to promote the appellant after completion of mandatory period but the respondent-department was reluctant and illegally deprived the appellant from promotion.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 04.02.2019 before S.B.




**Muhammad Amin Khan Kundi**  
**Member**

\*  
Appellant Deposited  
Security & Process Fee

28.08.2018

Learned counsel for the appellant present. Learned counsel for the appellant has filed present service appeal for grant of promotion as Inspector alongwith confirmation as Sub-Inspector. At the very outset his attention invited to section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 and was confronted on the point that the present appeal was not in accordance with the directions contained in the said section. However, he was unable to give any plausible explanation. Let pr-admission notice be issued to the Additional Advocate General to assist the court on above referred point. To come up for further preliminary arguments on 26.10.2018 before S.B.

  
(Ahmad Hassan)  
Member

26-10-18

*Due to Retirement of Honorable  
Chairman the Tribunal is non function  
therefore the case is adjourned to come  
up for the same on 12-12-2018*

*M. A. Raza*

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 840/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/06/2018	<p>The appeal of Mr. Zainullah presented today, by Mr. Shahid Qayyum Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 25/6/18</p>
2-	23.07.2018.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/7/18</u>.</p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
		<p>Learned counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 28.08.2018 before S.B</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>



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

Service Appeal No. 840 /2018

Zainullah ..... **APPELLANT**

**VERSUS**

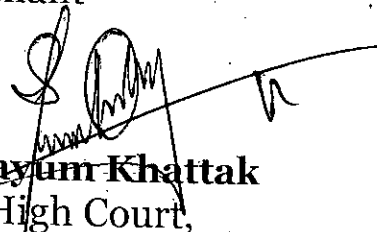
Govt of KPK, & others..... **RESPONDENTS**

**I N D E X**

S. No	Description of Documents	Annex	Pages
1.	Grounds of service appeal & affidavit		1-6
2.	Addresses of Parties		7
3.	Copy of minutes of the meeting f DPC	A	8-10
4.	Copy of standing order	B	12-14
5.	Copy of <del>Certificate</del> 22/2018	C	15
6.	Copy of notification No. 4144/E-III Dated 25/11/2016	D	16-17
7.	Copy of letter dated 09/05/2016	E	18
8.	Copy of High court judgment dated 21/03/2018	F	19-21
9.	Other relevant documents		22-41
10.	Wakalat Nama		42

Through Appellant

Date: 28-June-2018

  
**Shahid Qayum Khattak**  
Advocate High Court,  
Peshawar

①

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1092

Dated 28/6/2018

Service Appeal No. 840 /2018

Zainullah Sub Inspector (r) CTD Kohat S/o Shah Miran R/o  
Zarki Nasrati Tehsil Tahti Nasrati District Kohat

.....**Appellant**

**VERSUS**

1. Govt of KPK, through Home secretary Peshawar
  2. Inspector General of Police Khyber Pakhtunkhwa  
Peshawar
  3. Regional Police Officer Kohat, Kohat Cantt
  4. District Police officer Kohat, Near Police line Kohat  
City .....
- RESPONDENTS**

Filed to-day

Registrar  
28/6/18

**APPEAL U/S 4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT,**  
**1974 AGAINST RESPONDENTS FOR NOT**  
**PROMOTING APPELLANT.**

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**Prayer in Appeal:**

On acceptance of this service appeal, the respondent may please be directed to act in the matter in accordance to law and grant promotion to petitioner in the next rank i.e. inspector by first confirming him as Sub-inspector in the larger interest of justice with further request that all back benefits of the rank of inspector may please be granted to him from the date of his eligibility to the post.

**Respectfully Sheweth:**

Brief facts giving rise to the appeal are as under:

1. That appellant is retired police officials who joined police department as constable with effect from 01/08/1975 and qualified the promotion courses as well as professional courses and gradually earned promotion to the rank of sub Inspector in the year 2009.
2. That appellant was not considered for confirmation in the rank of Sub Inspector despite successfully completion of probation period, for the reason that appellant was not fulfilling the criteria provided in police rules 13.10 (2)
3. That appellant qualified upper college course in the year 2015 and also qualified other professional

2-A

courses required for confirmation and promotion but was deferred from confirmation in the rank of sub inspector during decision made in the meeting of departmental promotion committee headed by regional police officer Kohat, Held on 10/03/2016. the name of the appellant was at S.No. 20 of seniority list, but was deferred due to non completion of mandatory period provided in police rules 13.10. **(Copy of minutes of the meeting of DPC is enclosed as annexure A)**

4. That appellant successfully completed two years period in investigation Branch CTD Kohat as provided in police rules 13.10 and thus became eligible for confirmation within the meaning of clause (8) of standing order No. 21/2014. **(Copy of standing order is attached as annexure B)**
5. That superintendent of police investigation was kind enough by issuing a certificate to the effect that appellant has completed two years period in investigation wing CTD Kohat and the same was produced before the respondent No.3 with requested for confirmation in the rank of SI with other colleague officers who were approved for confirmation on 10/03/2016. **(Copy attached as annexure C)**

③

6. That appellant was not confirmed despite the fact that appellant was fulfilling the criteria required for confirmation in the rank of sub inspector and was also on the verge of superannuation at that time although similarly placed other person were confirmed, thus appellant has been discriminated.
7. That some of colleague officers namely Aqilim Khan S.I , Shoukat Saleem S.I & Zaman Khan S.I District Kohat of appellant were attaining the age of superannuation were promoted to the rank of inspector vide notification No. 4144/E-III dated 25/11/2016 while extending them the benefits of letter No. 664-70/CPB dated 09/05/2016 although they have not completed mandatory cause mentioned in standing order No. 3 and they were exonerated from standing order No. 3 and despite the fact that the appellant has completed all the courses as mentioned in standing order No. 3 and is entitled for the said benefits but due to the colorful exercise of power of respondents he has not been granted his due and vested rights. **(Copy of notification and letter is attached as annexure D & E)**
8. That appellant approaches respondents several time but of no avail and lastly file departmental representation to the respondents but was not replied therefore appellant approached the Hon'ble

(4)

Peshawar High court Peshawar in W.P No. 1574-P/2017 wherein the Hon'ble High court directed vide order dated 21/03/2018 the respondent to decide the departmental appeal as early as possible but still after passage of 90 days the same has not been decided and hence the present appeal, inter alia on the following grounds:

**GROUND S:**

- A. That respondent have not treated the appellant in accordance with law, rules and policy laid down for the promotion to the rank of inspector, and his rights secured and guaranteed under the constitutional have been violated.
- B. That public functionaries were obliged to act in accordance with law which is the mandate of the constitution under article 5(2) therefore the respondent have wrongly denied the due rights of petitioner for promotion to the rank of inspector on flimsy grounds.
- C. That as per rule and regulation appellant is entiled to be confirmed as Sub Inspector and to be promoted to the rank of inspector as appellant fulfilled al the criteria for promotion and the colleague officers were promoted and appellant is being discriminated which is against the dictum of

(4-A)

the constitution of Islamic Republic of Pakistan as provided in Article 4 and 25 of the constitution.

- D. That appellant has unblemished service record to the entire satisfaction of this superior, which is proved from his ACRs from start till date which fully entitled him for the promotion to the rank of inspector.
- E. That appellant has attached a certificate issued by the worthy superintendent of police that petitioner is performing duties in investigation Branch CTD Kohat region, Kohat from 22/12/2014 till date 17<sup>th</sup> April 2018. Clause 8 of standing order no. 21/2014 is very much clear and fully applied to appellant case as appellant has performed duties more than two year in investigation Branch CTD but still appellant has not granted a benefits for which he was legally entitled.
- F. That appellant made several request for granting him his due right but the same were denied to him without passing any speaking order.
- G. That the appellant promotion was denied for no reasons and grounds while the same benefits were allowed to several other college officer thus causing mental agony to the appellant.

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- H. That respondents are not considering theme of letter date 09/05/2016 wherein the benefits to retiring person has been prescribed and petitioner is fully entitled for the same benefits and is liable to be promoted as Off inspector same other colleague mentioned above fact No. 7.
- I. That respondent are legally bound to promote appellant as per policy and rules, appellant is entitled to be treated equally without any discrimination/nepotism.
- J. That the respondent violated the patent rules governing the subject matter thus the accrued right of the appellant was denied.
- K. That malafide of respondent is very much evident that after the direction of Hon'ble Peshawar High court they didn't bother to decide the case of appellant.
- L. That because the impugned actins and inactions are against the principles ordained under article 25 of the constitution of Islamic republic of Pakistan.
- M. That appellant also seek permission of this Hon'ble tribunal to agitate any other grounds at the time of the arguments.



(S-A)

It is, therefore, most humbly prayed that on acceptance of this appeal, the respondent may please be directed to act in the matter in accordance to law and grant promotion to petitioner in the next rank i.e. inspector by first confirming him as Sub-inspector in the larger interest of justice with further request that all back benefits of the rank of inspector may please be granted to him from the date of his eligibility to the post.

**AND**

Any other relief which may be deemed proper in circumstances of the case may also be granted in favour of the appellant.

*Zoimullah*

Appellant

Through

*S/O*

**Shahid Qayum Khattak**  
Advocate High Court,  
Peshawar

Date: 28-June-2018

6

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

Service Appeal No. \_\_\_\_\_/2018

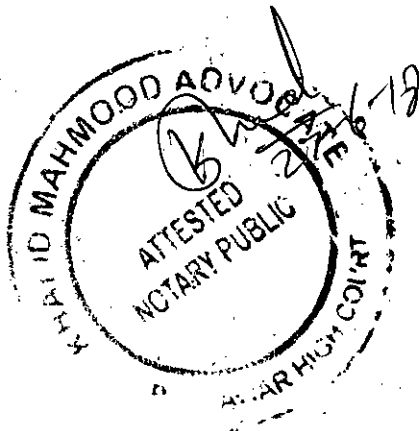
Zainullah ..... **Appellant**

**VERSUS**

Govt of KPK, & others ..... **Respondents**

**AFFIDAVIT**

I, Zain Ullah S/o Shah Miran R/o Zarki Nasrati District Karak, do hereby solemnly affirm and declare that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



*Zain Ullah*  
**DEPONENT**

7

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

Service Appeal No. \_\_\_\_\_/2018

Zainullah .....**APPELLANT**

**VERSUS**

Govt of KPK, & others.....**RESPONDENTS**

**ADDRESSES OF PARTIES**

**APPELLANT**


Zainullah Sub Inspector (r) CTD Kohat S/o Shah Miran R/o  
Zarki Nasrati Tehsil Tahti Nasrati District Kohat

**RESPONDENTS**

1. Govt of KPK, through Home secretary Peshawar
2. Inspector General of Police Khyber Pakhtunkhwa  
Peshawar
3. Regional Police Officer Kohat, Kohat Cantt
4. District Police officer Kohat, Near Police line Kohat  
City

Through

Appellant

  
**Shahid Qayum Khattak**  
Advocate High Court,  
Peshawar

Date: 28-June-2018

(8) Annexure - 'A'

MINUTES OF THE MEETING HELD ON 10.03.2016 IN CONNECTION WITH  
CONFIRMATION OF OFFG: SIs TO THEIR SUBSTANTIVE RANK OF SIs.

Today on 10.03.2016, a DPC meeting regarding confirmation of Offg: Sub-Inspectors, to their substantive rank of Sub-Inspectors chaired by the undersigned was held in Region Police Office, Kohat at 1000 hours and the following Police officers attended the meeting:-

1. Mr. Sohaib Ashraf = District Police Officer, Kohat.
2. Mian Naseeb Jan = District Police Officer, Karak.
3. Mr. Shah Nazar = District Police Officer, Hangu.
4. Mr. Javed Ahmad = Dy: Supdt: of Police, Legal Kohat.

The chaired informed the officers about agenda of the meeting and after threadbare discussion on the issue, the cases of the following senior most / eligible Offg: SIs of Kohat Region were discussed with due deliberation according to Police Rules and prevalent confirmation policy as well as Standing Order Nos. 21/2014 & 03/2015 in addition to other required criteria and the decision arrived as under:-

Sr.#	Rank & Name	Posting / District	Decision
1.	Offg: SI Ali Hassan No. 26/K	A.C.E	Deferred, no knowledge of basic law & Police Rules etc.
2.	Offg: SI Shoukat Saleem No. 31/K	Invest: Karak	Approved, subject to completion of course
3.	Offg: SI Aqleem Khan No. 37/K	Karak district	Approved, subject to completion of courses
4.	Offg: SI Muhammad Zaman No. 40/K	Invest: Karak	Approved, subject to completion of course / ACRs
5.	Offg: SI Amal Khan No. 41/K	Karak district	Deferred, non-completion of courses / ACRs instead of giving 01-months time, but failed to complete.
6.	Offg: SI Mohib Ullah	Karak district	Approved, subject to completion of courses
7.	Offg: SI Faizullah Khan No. 84/K	Invest: Kohat	Approved
8.	Offg: SI Zafar Iqbal 110/K	Traffic KPK	Deferred, due to non-completion of SHO period / courses
9.	Offg: SI Mir Atlas No. 63/K	Karak district	Approved, subject to completion of courses / ACR
10.	Offg: SI Wali Sher No. 66/K	KBI Kohat	Approved, subject to completion of courses
11.	Offg: SI Abdul Latif No.86/K	Karak district	Approved, subject to completion of courses
12.	Offg: SI Rast Ali No.74/K	Invest: Karak	Approved, subject to completion of courses
13.	Offg: SI Gul Faraz No.79/K	CTD	Approved
14.	Offg: SI Ghulam Rasool No.80/K	CTD	Approved
15.	Offg: SI Sami Ullah No.81/K	Kohat district	Deferred, no knowledge of basic law, Police Rules & Police practical work
16.	Offg: SI Muhammad Hashim No. 82/K	CTD	Deferred, no mandatory period
17.	Offg: SI Naimatullah	Karak district	Deferred, no knowledge of basic law, Police Rules & Police practical work. Academically very weak.
18.	Offg: SI Bakhtiar Khan 98/K	CTD	Deferred, mandatory period not completed
19.	Offg: SI Asal Khan No.101/K	Kohat district	Approved
20.	Offg: SI Zainullah No.103/K	CTD	Deferred, mandatory period not completed

**ATTESTED**

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(9)

21.	Offg: SI Nasrullah No.105/K	Special Branch	Approved, subject to completion of courses
22.	Offg: SI Muhammad Iqbal No.106	Invest: Kohat	Deferred, no knowledge basic law, Police Rules Police practical work / not completion of courses
23.	Offg: SI Ayat Ullah No. 11/K	Kohat district	Deferred, mandatory period not completed and not qualified upper college course as well as „C“ Report in A 2011
24.	Offg: SI Jan Ali No. 126/k	Karak district	Deferred, mandatory period not completed
25.	Offg: SI Nazir Muhammad No. 130/k	CTD	Deferred, mandatory period not completed
26.	Offg: SI Nasrullah Khan No. 135/k	Hangu Distt:	Deferred, mandatory period not completed
27.	Offg: SI Zulfat Ali Shah No. 136/k	CTD	Deferred, mandatory period not completed
28.	Offg: SI Faiz Ullah	CTD	Deferred, mandatory period not completed
29.	Offg: SI Sakhi-ur Rehman No. 6/k	Kohat	Approved, subject to completion of courses
30.	Offg: SI Bashir Ahmed Niazi	Invest: Kohat	Deferred, mandatory period not completed, no course
31.	Offg: SI Naeem Ullah	Invest: Kohat	Deferred, no knowledge of basic law, Police Rules & Police practical work.
32.	Offg: SI Abdul Saeed	CTD	Deferred, no knowledge of basic law, Police Rules & Police practical work.
33.	Offg: SI Amir Sultan No. 76/k	Kohat district	Approved, subject to completion of course
34.	Offg: SI Hakim Khan No. 100/k	CTD	Deferred, mandatory period not completed.
35.	Offg: SI Eid Nawaz No. 141/k	CTD	Deferred, mandatory period not completed.
36.	Offg: SI Muammad Ayub	Karak district	Deferred, mandatory period not completed, no courses marks
37.	Offg: SI Khan Ullah No. 144/k	Kohat district	Approved, subject to completion of course

Members

(Mr. Sohaib Ashraf)  
District Police Officer, Kohat

(Mian Naseeb Jan)  
District Police Officer, Karak

(Mr. Shah Nazar)  
District Police Officer, Hangu

(Mr. Javed Ahmed Chughtai)  
DSP Legal, Kohat

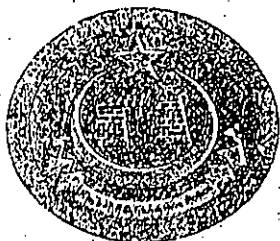
(DR. ISHTIAQ AHMAD MARWAT)  
Regional Police Officer,  
Kohat Region.  
Chairman

**ATTESTED**  
**TESTED**

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(11)

Annexure - B



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

STANDING ORDER NO. 21 /2014

Mandatory Tenure for Upper Subordinates in Investigation Branch,  
CTD, Special Branch and Police Training Institutions

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 12<sup>th</sup> meeting held on 9<sup>th</sup> September 2014.

2. **Aim:-** In order to improve the working of Investigation Branch, Counter Terrorism Department (CTD), Special Branch and the police training institutions, good officers need be encouraged to work in these branches/units/departments. For this purpose, all upper subordinates may be posted on rotation basis in these branches for specific mandatory tenures.

Specific minimum tenure of upper subordinates in the above-mentioned branches/units/departments needs to be linked with promotion to the next rank.

3. **One-Year Mandatory Tenure for promotion as Inspector:-** An upper subordinate shall not be promoted as Inspector unless, in addition to other requirements, he/she has completed at least one year tenure as ASI or SI, excluding the period spent as long leave, either in the Investigation Branch, CTD, Special Branch or any police training institution.

4. **One-Year Mandatory Tenure for Promotion as DSP:-** An Inspector shall not be promoted as DSP unless, in addition to other requirements, he/she has completed one year tenure as Inspector, excluding the period of long leave, either in the Investigation Branch, CTD, Special Branch or any police training institution.

5. This policy shall take effect from 1<sup>st</sup> June 2015. Those officers who have been posted in the branches/units/departments mentioned in sections 3 and 4 above but have r

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

STANDING ORDER NO. 21/2014

Mandatory Tenure for Upper Subordinate in Investigation Branch,  
CTD, Special Branch and Police Training Institutions.

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 12<sup>th</sup> meeting held on 9<sup>th</sup> September 2014.

2. Aim:- In order to improve the working of Investigation Branch, Counter Terrorism Department (CTD), Special Branch and the police training institutions, good officers need be encouraged to work in these branches/units/ departments. For this purpose, all upper subordinates may be posted on rotation basis in these branches for specific mandatory tenures.

Specific minimum tenure of upper subordinates in the above-mentioned branches/units/ departments needs to be linked with promotion to the next rank.

3. One- Year Mandatory Tenure for promotion as Inspector:- An upper subordinate shall not be promoted as inspector unless, in addition to other requirements, he / she has completed at least on year tenure as ASI or SI excluding the period spent as long leave, either in the Investigation Branch CTD Special Branch or any police training institution.

4. One-year mandatory Tenure for Promotion as DSP:- An Inspector shall not be promoted as DSP unless, in addition to other requirements, he/ she has completed one year tenure as inspector, excluding the period of long leave, either in the Investigation Branch CTD, Special Branch or any police training institution.

5. This policy shall take effect from 1<sup>st</sup> June, 2015. Those officers who have been posted in the branches/ units/ departments mentioned in Section 3 and 4 above but have not completed the requisite tenure till 1<sup>st</sup> June 2015 shall be considered for promotion but will be confirmed in the respective ranks only after completing the mandatory tenures.

6. In case of posting in the Investigation Branch, one-month orientation training shall be given to those officers who have not served in the Investigation Branch before. The orientation training shall include the following components.

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**ATTESTED**

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completed the requisite tenure till 1<sup>st</sup> June 2015 shall be considered for promotion but will be confirmed in the respective ranks only after completing the mandatory tenures.

6. In case of posting in the Investigation Branch, one-month orientation training shall be given to those officers who have not served in the Investigation Branch before. The orientation training shall include the following components:

- a. Preservation of Crime Scene (including preservation through photography);
- b. Collection of Evidence from the Crime Scene;
- c. Preparation of Case File; and
- d. Cellular Forensics.

7. In accordance with Standing Order No. 6/2014, "period spent in the Investigation Branch by a Sub Inspector as Officer in Charge Investigation of Police Station shall be considered as holding an independent charge of Police Station, one year of such charge being sufficient for confirmation as Sub Inspector in the substantive rank". This provision shall stand intact.

8. In accordance with Standing Order No.6/2007, for the purpose of promotion as Inspector, three-years posting in Investigation Branch is deemed equivalent to one year posting as SHO. Now onwards, for the same purpose, two years posting in Investigation Branch shall be deemed equivalent to one-year posting as SHO. Standing Order No. 6/2007 shall stand amended accordingly.

9. Power to remove difficulties:- If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

10. Amendment:- All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.

(NASIR KHAN DURRANI)  
Provincial Police Officer  
Khyber Pakhtunkhwa  
Peshawar

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*[Signature]*

*[Signature]*



(12-A)

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- a. Preservation of Crime Scene ( Including preservation through photography)
- b. Collection of Evidence from the Crime Scene;
- c. Preparation of Case File; and
- d. Cellular Forensics

7. In accordance with Standing Order No. 6/2014, Period spent in the Investigation Branch by a Sub Inspector as officer in Charge Investigation of Police Station shall be considered as holding an independent charge of Police Station, one year of such charge being sufficient for confirmation as Sub Inspector in the substantive rank” This provision shall stand intact.

8. In accordance with Standing Order No. 6/2007, for the purpose of promotion as Inspector, three -years posting in Investigation Branch is deemed equivalent to one year posting as SHO. Now onwards, for the same purpose, two years posting in Investigation Branch shall be deemed equivalent to one year posting as SHO. Standing Order No. 6/2014 shall stand amended accordingly.

9. Power to remove difficulties:- If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provision as deemed appropriate.

10. Amendment:- All previous Standing Orders on the subject, to the extent of the provision of this order stand amended.

( Nasir Khan Durrani )

ATTESTED

Zaidi

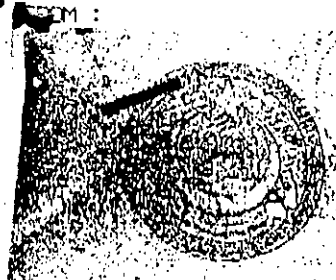
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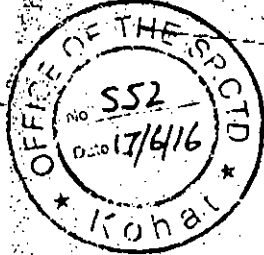
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4080  
15-6-16



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



Amendment in Standing Order No.21/2014

Mandatory Tenure for upper subordinates in Investigation Branch, CTD, Special Branch and Police Training Institution

In continuation of this office Fndst No.1443-1517/GB, dated 5<sup>th</sup> November 2014

In compliance of the decision in 15<sup>th</sup> Police Policy Board meeting held on 28-11-2014 & 21<sup>st</sup> meeting of Police Policy Board held on 19<sup>th</sup> April 2016 and recommendation of the committee constituted vide No.872-75/PA, dated 25.04.2016, the following amendments in Standing Order No.21/2014 are hereby made:-

- i) In Section-3 after the words "Special Branch" the words "Elite Force, Central Police Office and Traffic warden System" shall be added.
- ii) At the end of section 3 the following shall be added:-  
"Provided that all Police Officers serving on deputation to Traffic Warden System will get benefit of Standing Order 21/2014 till 2018 by which time regular incumbents will take charge of the system".
- iii) In section-4, after the words "Special Branch" the words "FRP" be added.
- iv) At the end of Section 4, the following shall be added:-  
"Provided that the term in FRP will be (2) two years for Inspectors for their promotion.
- v) In Section-7, the words "No.7/2014 shall be replaced by the words "6/2007"  
At the end of Section-7, the following shall be added:-  
"Provided that the period of SHO as required under Police Rules 13-10 means Police Station".

Provided further that except Traffic Warden, 01 year mandatory tenure spent officiating Sub Inspectors according to Standing Order No.21/2014 shall also

**AWESOME**  
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confirmation as Sub- Inspector as sub-  
of Police Rules 1934 i.e 3 years in Special Branch, 03 years  
Investigation Officer & 03 years

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

Amendment in Standing Order No. 21/2014

Mandatory Tenure for Upper Subordinate in Investigation Branch,  
CTD, Special Branch and Police Training Institutions.

In continuation of this office Endst No. 1443-1517/GB, dated 5<sup>th</sup> November 2014.

In compliance of the decision in 15<sup>th</sup> Police Policy Board meeting held on 28-01-2015 & 21<sup>st</sup> meeting of Police policy Board held on 19<sup>th</sup> April 2016 and recommendation of the committee constituted vide No. 872-75/ PA, dated 25.04.2016, the following amendments in Standing Order No. 21/2014 are hereby made:-

- i) In Section-3 after the words " Special Branch" the words " Elite Force, Central Police office and Traffic warden System" Shall be added.
- ii) At the end of section 3 the following shall be added:-  
" Provided that all Police officers serving on deputation to Traffic Warden System will get benefit of Standing Order 21/2014 till 2018 by which time regular incumbents will take charge of the system"
- iii) In section -4 after the words " Special Branch" the words " FRP" be added.
- iv) At the end of Section 4, the following shall be added:-  
" Provided that the term in FRP will be (2) two years for Inspector for further promotion:
- v) In Section-7, the words " No. 7/2014 shall be replaced by the words " 06/2007" At the end of Section 7, the following shall be added. " provided that the period of SHO as required under Police Rules 13-10 means any Police Station."

Provided further that except Traffic Warden, 01 year mandatory tenure spent by officiating Sub Inspectors according to Standing Order No. 21 /2014 shall also be counted towards the period required to be spent by Sub Inspector in different units under Standing Order for purpose of confirmation as Sub- Inspector as substitute of the requirement of Rule 13-10 (2) of Police Rules 1934 i.e 3 years in Special Branch, 03 years in CTD, 02 years in Elite Force, 02 years as investigation Officer & 03 years at PTC Hangu.

(NASIR KHAN DURRANI)

14

FAX NO. :

17 Jun. 2016 08

Account towards the period required to be spent by Sub-Inspectors in d  
under Standing Orders for purpose of confirmation as Sub-Inspector as sub  
requirement of Rule-13-10 (2) of Police Rules 1934: 10 3 years in Special  
years in CTD, 02 years in Elite Force, 02 years as Investigation Officer,  
PTC Hangu.

NASIR KHAN DURRA  
Inspector General of Police  
Khyber Pakhtunkhwa  
Peshawar.

No. S27--6271 /GB; dated Peshawar the 02/6/2016.

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

- 1. All Heads of Police Officers in Khyber Pakhtunkhwa.
- 2. PSO to IGP Khyber Pakhtunkhwa.
- 3. PRO to IGP Khyber Pakhtunkhwa.
- 4. Registrar CPO.

(MUTAMMAD ALAM SHINWARI)  
D/O IGP  
For Inspector General of Police  
Khyber Pakhtunkhwa  
Peshawar.

ANNEXED

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PA -  
Circulate to all  
Regions as well as in  
HQs. For information.

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Reader

Circulate to all.

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Addn IGP/CTD.  
16/6

SUPERINTENDENT OF POLICE  
CTD KOHAT REGION  
KOHAT  
17-06-016

(15)

✓ Annex - "C" (15)

CTD DEPARTMENT

KOHAT REGION KOHAT

CERTIFICATE

Certified that Mr. Zain Ullah No. 103/KT is serving in CTD Department as Sub Inspector. He is performing duties in Investigation Branch CTD. Kohat/Region, Kohat from the period from 22.12.2014 till date. He is an efficient and skillful Investigating Officer.

✓  
SUPERINTENDENT OF POLICE  
CTD KOHAT REGION  
KOHAT

SUPERINTENDENT OF POLICE CTD  
KOHAT REGION, KOHAT

19-01-2017

APPROVED  
Zain Ullah

Signature

(D: 8645)  
12/12/16

Signature  
12/12

(16)

Annex - D

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

NOTIFICATION

No. 4414 /E-III, ADMISSION TO LIST "F" & PROMOTION AS OFFG: INSPECTOR Dated: 25/11/2016

As per recommendation of the DPC dated 15.11.2016 duly approved by the worthy Inspector General of Police Khyber Pakhtunkhwa, names of the following confirmed Sub-Inspectors are hereby included in List "F" & promotion as Offg: Inspector with immediate effect:-

S.NO	NAME & NO.	REGION	RECOMMENDATION
1.	SI Said Amin Jan No. P/393	CCP, Peshawar	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 11.12.2016, after attaining the age of superannuation.
2. ✓	SI Anwar Dad Khan No. MR/115	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 01.02.2017, after attaining the age of superannuation.
3.	SI Muhammadiad Zaman No. K/74	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 31.01.2017, after attaining the age of superannuation.
4.	SI Naeem Khan No. 277/M	Malakand	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 01.02.2017, after attaining the age of superannuation.
5.	SI Shoukat Sateem No. K/31	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 04.02.2017, after attaining the age of superannuation.
6. ✓	SI Diyar Khan No. MR/133	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 11.02.2017, after attaining the age of superannuation.
7.	SI Muhammad Waris No. 312/M	Malakand	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 17.02.2017, after attaining the age of superannuation.
8. ✓	SI Aqleem Khan No. K/37	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 25.02.2017, after attaining the age of superannuation.

**ATTESTED**

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16-A

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

NOTIFICATION

No. 444/E III, ADMISSION TO LIST "F" & PROMOTION AS OFFG: INSPECTOR. Dated 23/11/2016

As per recommendation of the DPC dated 15/11/2016 duly approved by the worthy inspector General of Police Khyber Pakhtunkhwa, names of the following confirmed sub-inspectors are hereby included in List "F" & promotion as Offg: Inspector with immediate effect;

S.No	NAME & NO.	REGION	RECOMMENDATION
1.	SI Said Amin Jan No. P/393	CCP, Peshawar	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 11/12/2016, after attaining the age of superannuation.
2.	SI Anwar Dad Khan No. Mr/115	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 01/02/2017, after attaining the age of superannuation.
3 ✓	SI Muahmmad Zuman No. K/74	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 31/01/2017, after attaining the age of superannuation.
4	SI Naeem Khan No. 277/M	Malakan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 01/02/2017, after attaining the age of superannuation.
5 ✓	SI Shoukat Saleem No. K/31	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 04/02/2017, after attaining the age of superannuation.
6	SI Diyar Khan No. MR/133	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 11/02/2017, after attaining the age of superannuation.
7	SI Muhammad Waris No. 312/M	Malakan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 17/02/2017, after attaining the age of superannuation.

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9.	SI Arif-ur-Rahman No. 376/M	Malakand	Recommended for inclusion of his name in List "I" with his colleagues.
10.	SI Muhammad Adnan No. D/37	D.I.Khan	Recommended for inclusion of his name in List "F".
11.	SI Nageeb Ullah No. D/42	D.I.Khan	Recommended for inclusion of his name in List "F".
12.	SI Muhammad Ramzan No. D/44	D.I.Khan	Recommended for inclusion of his name in List "F".
13.	SI Saleem Pervez No. D/06	D.I.Khan	Recommended for inclusion of his name in List "F".
14.	SI Said Marjan No. D/43	D.I.Khan	Recommended for inclusion of his name in List "F".
15.	SI Kashif Sattar No. D/15	D.I.Khan	Recommended for inclusion of his name in List "F".
<b>FSL CASES</b>			
16.	SI Maqbali Khan of Fire Arm Section	FSL	Recommended for promotion as Offg: Inspector.
17.	SI Kafoor Khan of Finger Print Bureau Section	FSL	Recommended for promotion as Offg: Inspector.

Sd/-  
**MIAN MUHAMMAD ASIF**  
 Addl: IGP/HQrs:  
 For Inspector General of Police,  
 Khyber Pakhtunkhwa,  
 Peshawar.

No. 4415-29 /E-III

- Copy of above is forwarded for information to the:-
- i. Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
  - ii. Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa Peshawar.
  - iii. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
  - iv. Capital City Police Officer, Peshawar.
  - v. Regional Police Officers, Mardan, Malakand, Kohat & D.I.Khan Regions.
  - vi. PSO to worthy Inspector General of Police, Khyber Pakhtunkhwa.
  - vii. PRO to worthy Inspector General of Police, Khyber Pakhtunkhwa.
  - viii. Director, FSL, Khyber Pakhtunkhwa Peshawar.
  - ix. Registrar, CPO, Peshawar.
  - x. Office Supdt: Secret CPO, Peshawar.
  - xi. Office Supdt: E-II CPO Peshawar.
  - xii. Office Supdt: CP Branch CPO, Peshawar.

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

**ATTESTED**  
 23/11

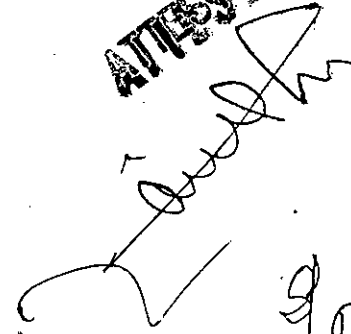
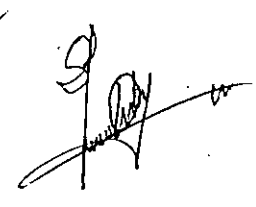
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17-A

	SI Aqleem Khan No. K/37	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 03/2015, because he is retiring on 25/02/2017, after attaining the age of superannuation.
9	SI Arif-ur-Rahman No. 376/M	Malakand	Recommended for promotion of his name in List "F" with his colleagues
10	SI Muhammad Adnan No. D/37	D.I Khan	Recommended for promotion of his name in List "F"
11	SI Naqeeb Ullah No. D/42	D.I Khan	Recommended for promotion of his name in List "F"
12	SI Muhammad Ramzan No. D/44	D.I Khan	Recommended for promotion of his name in List "F"
13	SI Saleem Pervez No. D/43	D.I Khan	Recommended for promotion of his name in List "F"
14	SI Said Marjan No. D/43	D.I Khan	Recommended for promotion of his name in List "F"
15	SI Kashif Sattar No. D/15	D.I Khan	Recommended for promotion of his name in List "F"
FSL CASES			
16	SI Maqbali Khan of Fire Arm Section	FSL	Recommended for promotion AS offg: Inspector
17	SI Kafoor Khan of Finger Print Bureau Section	FSL	Recommended for promotion AS offg: Inspector

MIAN MUHAMMAD ASIF

**ATTENDED**  
  


(18)

3/16  
Annex-5-1/16



INSPECTOR GENERAL OF POLICE, Annx-E  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE,  
PESHAWAR.

No. 424-74/CPB, dated Peshawar the 9 / 05 / 2016

To: The Capital City Police Officer, Peshawar.  
All Regional Police Officers in Khyber Pakhtunkhwa.

Subject: ADMISSION TO LIST "F" AND PROMOTION AS OFFG: INSPECTORS

Memo:-

Please refer to this office Memo: No. 247-53/CPB, dated 09.02 2015 on the subject noted above.

As already intimated that list of the confirmed Sub-Inspectors who are due to be retired in next 06 months must be maintained at CCPO & respective RPOs Offices and cases for inclusion of their names in List "F" and grant of Officiating promotion as Inspector will be forwarded at least 03 months period to their retirement.

It is once again requested that cases of confirmed Sub-Inspectors who are due to be retired within next three (03) months may be sent to this office by 16.05.2016 for inclusion of their names in List "F" and promotion as Offg: Inspector. After target date, cases received will not be considered

(NAJEEB-UR-REHMAN BUGVD)  
AIG/Establishment,  
For Provincial Police Officer,  
Khyber Pakhtunkhwa  
Peshawar.

NAJEEB-UR-REHMAN  
AIG/Establishment

No. 424-74/CPB


5289 94/Ec  
09/05/2016

- 1. Copy of above is forwarded for information to the:-
- 2. Addl. Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
- 3. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
- 4. PSO to Worthy Inspector General of Police Khyber Pakhtunkhwa.
- 5. Incharge, Central Registry Cell, CPO, Peshawar.

All Heads of Police Offices, Kohat Region  
To furnish the requisite details of those confirmed SIs, who are due to be retired within next (3) three months. Report to be submitted by 17/05/2016

SRE  
Distt. Police Officer  
Karak  
17/05/2016

18-A.

BETTER COPY - 

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

No. 664-70/ CPB. dated Peshawar the 09/05/2016

To

The Capital City Police Officer, Peshawar  
All Regional Police Officers in Khyber Pakhtunkhwa

Subject: ADMISSION TO LIST "F" AND PROMOTION AS OFFG:  
INSPECTORS

Memo:-


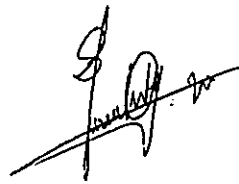
Please refer to this office Memo No. 247-53/CPB, dated 09.02.2015 on the subject noted above .

As already inimated that list of the confirmed Sub-Inspector who are due to be retired in next 06 months must be maintained at CCPO & respective RPOs Officers, and cases for inclusion of their names in List "F" and grant officiating promotion as Inspector will be forwarded at least 03 months to their retirement. )

It is once again requested that cases of confirmed Sub-Inspectors who are due to be retired within next three (03) months may be sent to this office by 16.05.2016 for inclusion of their names in List "F" and promotion as Offg: Inspector. After target date, cases received will not be considered. }

(NAJFEB-UR-REHMAN BUGVI)

**ATTESTED**

19

Annexure - "F"

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

W.P No. 15744/2017



Zainullah ( Sub-Inspector) CTD Kohat S/o Shah Miran  
R/o Zarki Nasrati Tehsil Tahti Nasrati District, Karak.....Petitioner

Versus

1. Government of Khyber Pakhtunkhwa through home secretary, Peshawar
  2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar
  3. Regional Police Officer Kohat, Kohat Cantt.
  4. District Police Officer Kohat, near police line Kohat City
- .....Respondents

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

Respectfully Sheweth:

1. That petitioner joined Police Department as Constable with effect from 01/08/1975 and qualified the promotion courses as well as professional courses and gradually earned promotion to the rank of Sub-Inspector in the year 2009.
2. That petitioner was not considered for confirmation in the rank of Sub-Inspector despite successfully completion of probation period, for the reason that petitioner was not fulfilling the criteria provided in Police Rules 13.10 (2)
3. That petitioner qualified upper college course in the year 2015 and also qualified other professional courses required for confirmation and promotion but was deferred form confirmation in the rank of Sub-Inspector during decisions made in the meeting of Departmental Promotion Committee headed by Regional Police Officer Kohat, Held on 10/03/2016. The name of petitioner was at S. No. 20 of seniority list, but was deferred due to non-completion of

FILED TODAY  
Deputy Registrar  
13 APR 2017

ATTESTED  
Peshawar High Court  
04 APR 2018

WP1574P2017-GROUNDS

IN THE PESHAWAR HIGH COURT  
PESHAWAR  
Judicial Department II



Writ Petition No 1574-PW2017

Zainullah (Sub-Inspector) CTT, Kohat  
 vs. Shab Miran vs. Sako Nasir vs. Tahir Ahmad Nasir  
 District Karak

Petitioner

Vs.

The Govt. of Khyber Pakhtunkhwa  
 Through Home Secretary, Peshawar  
 And others

Respondents

Mr. Shab Miran vs. Sako Nasir vs. Tahir Ahmad Nasir  
 Mr. Sako Nasir vs. Tahir Ahmad Nasir

For Petitioner  
 For Respondents

21.03.2017

Date of hearing

JUDGMENT

ROOH UL AMIN KHAN vs. The Government of Khyber Pakhtunkhwa  
 constitutional jurisdiction of this Court under Article 199  
 of the Constitution of Islamic Republic of Pakistan, 1973  
 Zainullah petitioner seeks issuance of the following writ:-

"That the respondents are directed to confirm his service in the rank of Sub-Inspector, thereafter to promote him to the rank of Inspector and be given all back benefits from the date of his eligibility till the date of his retirement."

To direct the respondents to bring and produce all necessary documents regarding his service and prevalent policy at the relevant time as well as the documents in respect of other employees who had been granted promotion during the period in which his promotion was due.

Any other relief deemed appropriate in the circumstances of the case, if not specially asked for by the petitioner, may also be granted."

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*Handwritten signature*

204

2. As per averments of the writ petition, petitioner was appointed as Constable in Police Force/Department since 01.08.1975. With the passage of time, he got step by step promotion and finally was promoted to the rank of Sub-Inspector in the year 2009. His grievance is that he despite being equipped with the requisite qualification and prescribed courses of police, his case for confirmation as Sub-Inspector was deferred by the Departmental Promotion Committee in its meeting held on 10.03.2016, while his counter parts, having same qualification, experience and courses, were confirmed as Sub-Inspectors and promoted as Inspectors. Alleging the action of the respondents as worst examples of discrimination, the petitioner has filed the instant writ petition.

3. Admittedly, petitioner being an employee of the Police Department/Force falls within the definition of a civil servant. Learned counsel for the petitioner when confronted with a legal proposition as to whether grievance of the petitioner does not fall within the terms and conditions of a civil servant and that in such like matters the jurisdiction of this Court are expressly barred by Article 212 of the Constitution, his response was in the affirmative, however, submitted that since petitioner was at the verge of his retirement and he had already filed a departmental appeal before the Competent Authority, but since the period for decision of his appeal as provided by

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*Handwritten signature*  
**ATTESTED**  
Peshawar High Court  
04 APR 2018

the statute was 90 days, therefore, on the basis of urgency due to his retirement, the petitioner filed the instant writ petition.

3. We are not in agreement with the submission of learned counsel for the petitioner because urgency in a matter cannot be a ground for bypassing the statutory law on the subject. Since, the matter squarely pertains to terms and conditions of service of the petitioner, who is a civil servant, therefore, jurisdiction of this Court are explicitly barred under Article 212 of the Constitution in the matter. In this view of the matter, the petitioner on one hand, having an alternate and efficacious remedy before a proper forum, while on the other hand, this Court lacking the jurisdiction in the matter, this petition being not maintainable is hereby dismissed in limine, however, in the interest of justice, we direct the worthy Inspector General Police, Khyber Pakhtunkhwa/respondent No.2 to decide the departmental appeal of the petitioner as early as possible.

**Announced:**  
21.03.2018

Siraj Afridi P.S.

*[Handwritten signature]*

JUDGE

JUDGE

*[Handwritten initials]*

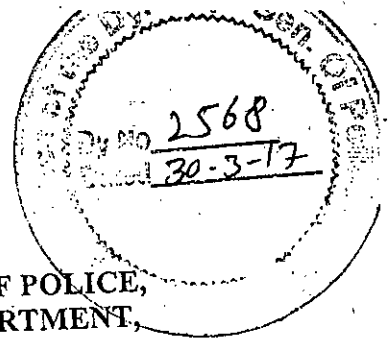
DB of Mr. Justice Rooh-ul-Amin Khan and Mr. Justice Ikramullah Khan.

CERTIFIED TO BE TRUE COPY  
Peshawar Examiner  
Authentication Order No. 27 of  
The Qanun-e-Shahadat Order 1984

04 APR 2018

... of the relevant  
... were also denied to  
2017-0804...

29



OFFICE OF THE,  
SENIOR SUPERINTENDENT OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KOHAT REGION, KOHAT.

No. 353 /CTD, dated Kohat the 30-3 /2017

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

Subject: APPLICATION

Memo: Kindly find enclosed herewith a self explanatory application  
submitted by SI Zain Ullah No.103/K of CTD Kohat Region for consideration.

Encl: 02  
w/gmb  
EC  
30-3-17

*Mazhar*  
SR: SUPERINTENDENT OF POLICE, CTD  
KOHAT REGION, KOHAT

Sir, Mayy call time to office tomorrow?  
Submitted please.

of/WRAO  
Law

*Amir*  
EC 30/3/17  
**ATTESTED**  
*[Signature]*



Phone: 0922-9260212  
Fax: 0922-860074

(23) (23)



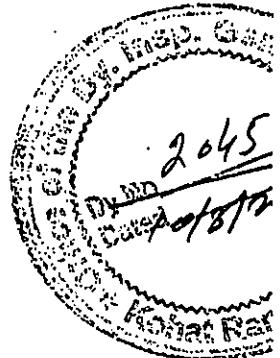
From: The Senior Superintendent of Police CTD,  
Kohat Region, Kohat.

To: The Regional Police Officer,  
Kohat.

No. 289 /CTD dated Kohat 10-03 2017

Subject: APPLICATION

Memo:



Enclosed please find herewith an application preferred by SI Zain Ullah No. 103/K CTD Kohat Region, Kohat which is self explanatory want to appear before your goodself is forwarded for further consideration and necessary action, please.

*Handwritten notes:*  
By A2  
By  
10.3.17

*Signature*  
SR: SUPERINTENDENT OF POLICE, CTD  
KOHAT REGION, KOHAT

*Sir,*  
May call him in OR?

*Submitted please*

*No. 6024*

*At 27.0*

Office of the D.S.P.  
Legal, Kohat  
Dy. No. 229  
Dated 24/3/17

*o/s/wrto*

*Yes*  
*Amal ka*

*Ullah*  
*Amal ka*  
*EE 13/3/17*

*No 2728 120*  
*At 22/03 1017*

*DSP/legal*  
*Comments*

*Short*  
*Comments*

*Amal ka*  
D.S.P. POLICE  
KOHAT  
22/3/17

*Signature*

*w/1019*

*Sir,*  
The applicant <sup>was</sup> deft in the D.P.C held on 20.3 due to incomplete mand period of posting as s/o, in etc. Now he has his period, and eligible confirmation as S.I subject availability of vacancy, if approved please. 23/3/17

*DSP legal*

(23)

(24)

درخواست متعلق اجازت نامہ

جناب عالی!

گزارش ہے کہ سائل جناب DIG صاحب کوہاٹ ریجن کوہاٹ کو برائے عرض معروض پیش ہونا چاہتا ہے  
لہذا استدعا ہے کہ سائل کو پیش ہونے کی اجازت بخشی جاوے۔

عین نوازش ہوگی

تحریر۔ 05.03.2017

العارض

SI زین اللہ/103/K متعینہ انوسٹی گیشن سٹاف CTD کوہاٹ ریجن

*Zain Ullah*

*Amir*  
05

**ATTENDED**

*Zain Ullah*

*9/9*

جناب عالی!

گزارش ہے کہ سائل مورخہ 01-08-1975 کو محکمہ پولیس میں بطور کانسٹیبل ضلع کوہاٹ میں بھرتی ہوا دوران سروس نہایت ہی جان فشانی اور دیانت داری سے خدمات سرانجام دیتے ہوئے سال 2009 میں سب انسپکٹر پروموٹ ہوا اور سال 2015 میں سپیشل اپر کورس ہنگو سے پاس کر چکا ہے اور پولیس انٹیلی جنس سکول ایبٹ آباد اور نوشہرہ کورس ہائے بھی پاس کر چکے ہیں اور بمطابق سٹینڈنگ آرڈر نمبر 21 دو سال انوسٹی گیشن برانچ CTD کوہاٹ میں خدمات سرانجام دے چکا ہے جو سائل کا جملہ کوائف مکمل ہے اور دوران سروس افسران بالا صاحبان سے ACR بھی A کلاس میں حاصل کی ہے۔

چونکہ سائل کا عرصہ ملازمت مورخہ 19-04-2017 کو پورا ہونے والا ہے

بحوالہ نوٹیفیکیشن نمبر پیشین پر جانے سے تین ماہ قبل بطور انسپکٹر پروموشن کا حق دار ہوں

لہذا استدعا ہے کہ من سائل کو کنفرم کر کے F لسٹ پر لانے اور عہدہ انسپکٹر پروموشن کے لیے تحریر کیا جاوے دعا گور ہونگا۔

عین نوازش ہوگی

تحریر۔ 05.03.2017

العارض

SI زین اللہ 103/K متعینہ انوسٹی گیشن سٹاف CTD کوہاٹ ریجن

ATTESTED

*[Handwritten Signature]*

*[Handwritten Signature]*

**MINUTES OF THE 21<sup>st</sup> MEETING OF POLICE POLICY BOARD HELD ON 19.04.2016 IN CONFERENCE ROOM OF CENTRAL POLICE OFFICE UNDER THE CHAIR PERSON OF INSPECTOR GENERAL OF POLICE, KHYBER PAKHTUNKHWA.**

1. The meeting commenced with recitation of Holy Quran.
2. All Addl: IGsP, CCPO, DIG/CTD, and other Senior Officers of CPO participated.
3. The agenda items of the meeting were discussed at length
4. Opening the discussion, Worthy IGP welcomed the participants and invited the DIG/HQrs for presentation on the agenda points.
6. After the discussion, following decisions were unanimously made:-

S.No	Agenda Items	Decisions
1.	a) SMS Request of Syed Kamran Shah brother of Shaheed Constable Syed Zeshan Haider for recruitment as ASI in Shuhada quota  b) Contentious cases of Shuhada sons/ brothers Wards	i) A committee of the following officers headed by Addl IGP/ Investigation is constituted to finalize the proposals relating to the maximum age limit of a candidate to be enlisted against shuhada quota:- 1) Addl:IGP Investigation Chairman. 2) Commandant FRP. Member. 3) DIG/HQ 4) AIG/ Establishment 5) Rep of Law & Estab Deptt: " ii) Letter of Entitlement will be issued by CPO to the heirs of Shaheed Police officers about the Shaheed package to be provided. iii) A Condolence letter from CPO will also be issued to the family of Shaheed. iv) Eldest son of Shaheed officer whether born to the first wife or subsequent wife of the Shaheed officers will have the first right to be enlisted under the Shaheed package if he fulfils the criteria of recruitment. v) There will be no age limit for police officer already serving as constable
2.	DIG CTD has forwarded the application of SI Nazir Khan SHO PS CTD Kohat for considering the period as SHO in his confirmation case.	The board unanimously decided that SHO period so required under Police Rules 13-10 to be considered for any Police Station.
3.	Standing Order No.21/2014 and SHO Period	Time spent in a Unit to meet the requirements of Police Rules 13-10 (whether in case of SHO period will be added to the time period required for next promotion in standing order 21/2014.
4.	Application of S.Is of Traffic Warden Police Peshawar for declaring the period spent in Traffic as period for promotion likewise other units	A Committee of the following officers will submit proposals relating to the period spent in Traffic Police as required in Standing Order No.21/2014 for promotion to the next rank. i) Addl IGP Elite Force Chairman. ii) CCPO, Peshawar Member iii) AIG/Establishment Member iv) SSP/Traffic Pesh Member.
5.	Request of SI Taj uddin Khan of Operation branch for	The applicant is not confirmed Sub Inspector thus his plea was rejected.

ATTENDED

26-A

BETTER COPY

MINUTES OF THE 21<sup>ST</sup> MEETING OF POLICE POLICY BOARD HELD ON 19-04-2016 CONFERENCE ROOM OF CENTRAL POLICE OFFICE, UNDER THE CHAIR PRESIDED BY INSPECTOR GENERAL OF POLICE, KHYBER PAKHTUNKHWA

1. The meeting commenced with recitation of Holy Quran
2. All Addl: IGsP, CCPO, DIG/ CTD, and other Senior Officers of CPO participated.
3. The agenda items of the meeting were discussed at length
4. Opening the discussion, Worthy IGP welcomed the participants and invited the presentation on the agenda points.
5. After the discussion, following decisions were unanimously made:-

S.No	Agenda Items	Decisions
1.	a) SMS Request of Syed Kamran shah brother of Shaheed Constable Syed Zeshan Haider for recruitment as ASI in Shuhada quota.  b) Contentious cases of Shuhada sons/ brothers Wards	i) A committee of the following..... ..... ..... ..... .....
2.	DIG CTD has forwarded the application of SI Nazir Khan SHO PS CTD Kohat for considering the period as SHO in his confirmation case	The board unanimously decided that SHO required under Police Rules 13-10 to be counted any Police Station.
3.	Standing Order No. 21/2014 and SHO Period	Time spent in a Unit to meet the requirement of Police Rules 13-10 ( whether in case of SI will be added to the time period required for promotion in standing order 21/2014
4.	Application..... ..... .....	A committee of the ..... ..... .....
6.	Request of the following S.Is of CTD for confirmation and promotion as Inspector as they are going to retire on superannuation pension. i) SI Rehmat Wali ii) SI Rafiq Gul	Being not confirmed Sub Inspector their plea rejected.
7	Request of SI Muhammad Aslam of Malakand region for confirmation / promotion to the rank of inpector	Referred to DPC
8	Two years of ..... ..... .....	The board..... ..... .....
9	Application of SI Abdur Rashid for promotion as Inspector	Referred to DPC
10	New Police Club in Police Lines Peshawar	The CCPO Peshawar was asked to put up proposal in the next meeting.

**REJECTED**

*(Handwritten signatures and initials)*

The meeting ended with the note of thanks by the Chairman

( Nasir Khan Durrani)

27

29/04/2016 16:26

0092-91-9223480

PSO TO IGP PESHAWAR

PAGE 02

	confirmation/ Promotion	
6.	Request of the following S.Is of CTD for confirmation and promotion as Inspector as they are going to retire on superannuation pension i) SI Rehmat Wali. ii) SI Rafiq Gul	Being not confirmed Sub Inspectors, their plea rejected.
7.	Request of SI Muhammad Aslam of Malakand Region for confirmation/ promotion to the rank of Inspector	Referred to DPC
8.	Two years period of Inspector in FRP for promotion as DSP will equal with one year period of Investigation and other training institutes	The board accepted the proposal and agreed to the proposal of commandant FRP. Amendment in Standing Order 21/2014 to be issued by DIG/HQrs.
9.	Application of SI Abdur Rashid for promotion as Inspector	Referred to DPC.
10.	New Police Club in Police Lines Peshawar	The CCPO Peshawar was asked to put up proposal in the next meeting.

The meeting ended with the note of thanks by the Chairman.

Sd-  
**NASIR KHAN DURRANI**  
 Provincial Police Officer  
 Khyber Pakhtunkhwa.

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

No. 927-80/PA/DIG/HQ dated Peshawar the 28/04/2016.

The above minutes of the 21st Police Policy Board meeting held on 19-04-2016 duly approved by the Inspector General of Police Khyber Pakhtunkhwa are forwarded for necessary action. Compliance report shall be submitted to the undersigned by the concerned officers for the perusal of Inspector General of Police.

1. All Heads of Police offices in Khyber Pakhtunkhwa.
2. AIGs/Establishment, Finance & Legal.
3. Director I.T.
4. PSO to IGP Khyber Pakhtunkhwa.

(Muhammad Alam Shinwari)PSP  
 DIG/HQ,  
 For Inspector General of Police,  
 Khyber Pakhtunkhwa,  
 Peshawar.

ATTACHED  
 [Handwritten signatures and initials]

NOTE SHEET.

Subject:- APPLICATION.

Respected Sir,

It is submitted that SI Zain Ullah No. 103/K of this Region Police, presently posted in CTD has preferred an application, requesting therein for his confirmation as Sub-Inspector under Standing Order No. 21/2014.

His application was endorsed to DSP/Legal Kohat for comments, which are placed at F/A.

It is to mention here that there is a clear cut policy regarding confirmation of Sub-Inspector under Standing Order No. 21/2014 i.e. 03-Years posting in CTD, Special Branch, Training Institute and 02-Years in Investigation, One year as SHO in CTD or Operation & one year as Investigation Incharge of Police Station.

The applicant was deferred from confirmation due to non-completion of mandatory period.

It is to mention here that one year posting as SHO has also been counted in CTD Police Station, but there is no policy / rule for CTD Investigation.

If approved, may write to CPO Peshawar for guidelines as to whether period spent in Investigation CTD is sufficient for confirmation or otherwise?

Submitted for favour of perusal and order please.

Office Supdt:

*Jas*

W/RPO

**RECEIVED**

*Zain Ullah*

*9/10/14*

*Urdu R/W*  
Estt: Clerk  
*28/9*

(26)

درخواست متعلق اجازت نامہ

جناب عالی!

گزارش ہے کہ سائل جناب DIG صاحب کوہاٹ ریجن کوہاٹ کو برائے عرض معروض پیش ہونا چاہتا ہے  
لہذا استدعا ہے کہ سائل کو پیش ہونے کی اجازت بخش جاوے۔

عین نوازش ہوگی

تحریر۔ 30-03-2017

العارض

SI زین اللہ K/103 متعینہ CTD کوہاٹ ریجن

30/3/17  
30/3/17  
30/3/17

ACCEPTED

30/3/17

30/3/17



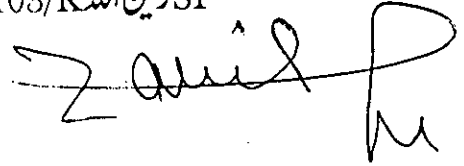
جناب عالی!

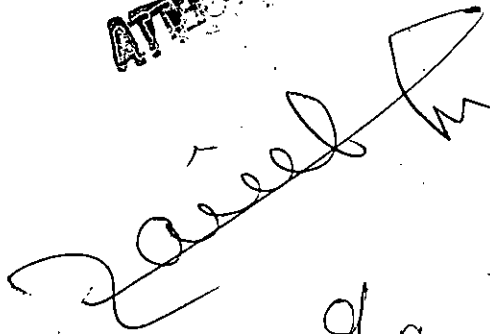
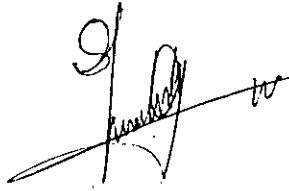
گزارش ہے کہ سائل کا مورخہ 20-04-2017 کو 60 سالہ سروس پورا ہونے والا ہے سائل نے قبل ازیں درخواست برائے کنفرمیشن جناب DIG صاحب کو ہاٹ کو دیا تھا جس پر جناب DIG صاحب نے DSP لیگل سے شارٹ کمنٹس طلب کر کے چونکہ شارٹ کمنٹس بھی تحریر کئے جا کر جو واپس دفتر جناب DIG صاحب ارسال کئے جا چکے ہیں۔ استدعا ہے کہ سائل کو کنفرمیشن کے لئے مناسب حکم صادر فرمادیں۔

عین نوازش ہوگی  
تحریر۔ 30-03-2017

العارض

SI زین اللہ 103/K متعینہ CTD کوہاٹ ریجن



# CERTIFICATE

S. No. 597



This is to certify that


SI, ZAIN ULLAH # 103/K District KOHAT (CTD)


has Participated and Successfully Completed Post Blast Investigation Course Training on

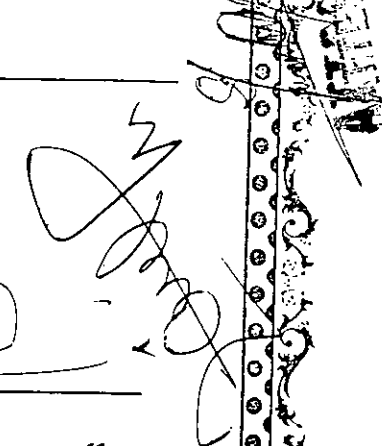
21-12-2015 to 26-12-2015

held at Police School of Explosive Handling, Nowshera.

Dated 26-12-2015

  
Deputy Inspector General of Police,  
Training  
Khyber Pakhtunkhwa, Peshawar

  
Director  
Police School of Explosive Handling  
Nowshera



12

2



**POLICE SCHOOL OF INTELLIGENCE ABBOTTABAD**

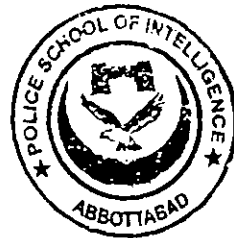


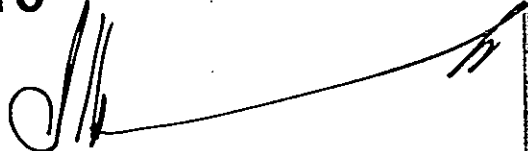
*This is to Certify that*

Mr. SI Zain Ullah No 103/K District CTD Kohat

has participated and successfully completed  
**BASIC INTERROGATION COURSE - 2**

held at Police School of Intelligence Abbottabad  
from 01.08.2016 to 12.08.2016



  
Director  
Police School of Intelligence  
Abbottabad

32

# CERTIFICATE



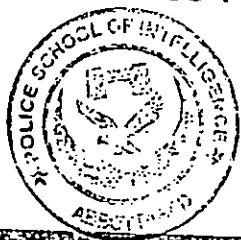
This is to certify that


Mr. SI Zain Ullah No 103/K District: Karak/KoHATCD

has Participated and Successfully Completed  
BASIC INTELLIGENCE COURSE - II

held at Police School of Intelligence Abbottabad

From 08.02.2016 to 04.03.2016



  
Director  
Police School of Intelligence  
Abbottabad

ATTESTED

1

1

1

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34



OFFICE OF THE,  
SENIOR SUPERINTENDENT OF POLICE,  
COUNTER TERRORISM DEPARTMENT,  
KOHAT REGION, KOHAT.

No. 408 /CTD, dated Kohat the 11-04- /2017

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

Subject: APPEAL

Memo:

It is submitted that departmental appeal of Sub Inspector Zain Ullah No. 103/K of CTD Kohat Region is attached herewith for further necessary action, please.

*Ma*

SR: SUPERINTENDENT OF POLICE, CTD  
KOHAT REGION, KOHAT

Encl: 21

*Zain Ullah*

*[Signature]*

ATTESTED

To: The Inspector General of Police  
Khyber Pakhtunkhwa  
Peshawar

Subject: - REPRESENTATION.

With due respect and humble submission appellant approach your good office with following lines for confirmation in the rank of sub-Inspector and promotion to the rank of Inspector before attaining the age superannuation i.e. 19.04.2017.

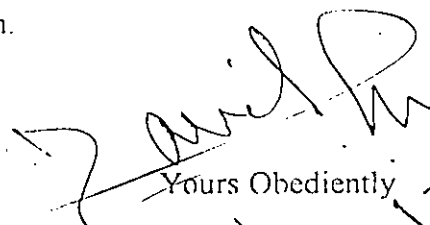
FACTS:-

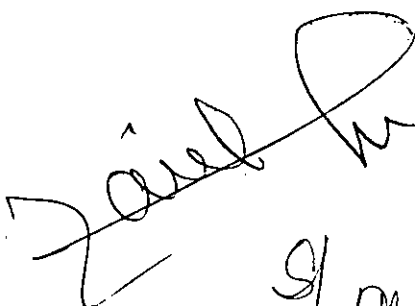

1. That appellant joined Police Department as constable with effect from 01.08.1975 and qualified the promotion courses as well as professional courses and gradually earned promotion to the rank of Sub-Inspector in the year 2009.
2. That appellant was not considered for confirmation in the rank of Sub-Inspector despite successful completion of probation period, for the reason that appellant was not fulfilling the criteria provided in Police Rules 13.10(2).
3. That appellant qualified upper college course in the year 2015 and also qualified other professional courses required for confirmation and promotion, but was deferred from confirmation in the rank of Sub-Inspector during decisions made in the meeting of Departmental Promotion Committee headed by Regional Police Officer Kohat, held on 10.03.2016. The name of appellant was at S.No. 20 of seniority list, but was deferred due to non-completion of mandatory period provided in Police Rules 13.10.
4. That appellant successful completed two years period in Investigation Branch CTD Kohat as provided in Police Rules 13.10 and thus became eligible for confirmation within the meaning of Clause (8) of Standing Order No. 21/2014.

*Zaid A*  
S/D  
**ATTESTED**

5. That Superintendent of Police Investigation was kind enough by issuing a certificate to the effect that appellant has completed two years period in Investigation Wing CTD Peshawar.
6. That the said certificate was produced before the Regional Police Officer Kohat during personal hearing held on 22.03.2017 and request was placed for confirmation in the rank of SI with colleague Officers approved for confirmation on 10.03.2016.
7. That appellant was not confirmed despite the fact that appellant was fulfilling the criteria required for confirmation in the rank of Sub Inspector and was also on the verge of superannuation. Hence this representation on the following grounds.
8. That the colleague officers of appellant who were attaining the age of superannuation were promoted to the rank of Inspector vide notification No. 4414/F-III dated 25.11.2016 while extending them the benefits of letter No. 664-70/CPB dated 09.05.2016.
9. That appellant is being discriminated as confirmation in the rank of Sub-Inspector has been denied to the appellant with no reasons and grounds and appellant is also being deprived of the concession of promotion to the next rank granted to the colleague officers.

It is therefore requested that appellant may be confirmed in the rank of Sub-Inspector and may be promoted to the rank of Inspector before attaining the age of superannuation.

  
Yours Obediently  
6-4-17  
Zainullah  
SI No. 103/K  
CTD Kohat.

**TESTED**



### COMMENDATION CLASS-III

Mr. Zain Ullah Sub Inspector of Investigation staff CTD Kohat Region is hereby awarded a CC-Class-III with cash reward of Rs. 1000 (From Pocket) on the completion of his service in Police Department due to provision of his excellent services.

No. 420

Dated 12-4-017

*(Mr) 201*  
SR: SUPERINTENDENT OF POLICE CTD  
KOHAT REGION, KOHAT

SUPERINTENDENT OF POLICE  
CTD KOHAT REGION  
KOHAT

**ATTESTED**  
**ATTESTED**

*Zain Ullah*

*[Signature]*

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38



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CTD DEPARTMENT

KOHAT REGION KOHAT

CERTIFICATE

Certified that Mr.Zain Ullah No. 103/K Sub Inspector Investigation Branch CTD Kohat Region was Government servant in Police Department Khyber Pakhtunkhwa with effect from 22-12-2014 to till date 12-04-2017. His period remain satisfactory. He has skillful in Investigation and bears good performance.

103/K

SR: SUPERINTENDENT OF POLICE CTD  
KOHAT REGION, KOHAT

SUPERINTENDENT OF POLICE  
CTD KOHAT REGION  
KOHAT

Zain Ullah

ATTESTED

[Signature]

حضور صاحب اسٹیک ہولڈر آف ٹولسیا سپر گزٹو کو آہ لیڈر

25-6-2018

صاحب عالی

آر ایڈنا پیام سائل جو الہ ریڈیشن سٹیشن پر  
1574-P  
2017

عالیہ لیڈر فعال ٹورنگ مشورہ معروفہ خدمات پر  
بورڈ 3/21 کے فعالیہ فی اسٹیک ہولڈر

کام حق دیا جائے۔ سائل نے نہیں پر جانے سے قبل اسٹیک ہولڈر

میرجوسن کیلئے تمام نوافذ کسٹمر سیریاں (ٹرانزیکشن)  
پورا کیا گیا۔ اور اسراران بالا RP کے ٹورنگ کو بار

بار پر جو کسٹمر کا شرعا سے رکھا ہوا۔ سائل  
پر جو کسٹمر کیلئے ٹوٹی اقدام نہیں کیا گیا۔

عالیہ لیڈر فعال ٹورنگ سے حق دینے کیلئے  
شیشن پر 1574-P اسٹیک ہولڈر ہے۔

2017  
جسورہ 3/21 کو حضور فیام سے حق دینے کا  
18

عدلیات پر ہے۔ عدلیہ اسٹیک ہولڈر  
کو اسٹیک ہولڈر پر جو کسٹمر کا حق دیا جا  
ٹورنگ

25-6  
18

اسرار صبا

ہذا کے ساتھ ساتھ  
سٹیم رولنگ ٹورنگ - 3428855-3333

ATTACHED

No. 1198

For Insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgment is due.

Rs. Ps.

4.

Received a registered  
addressed to \_\_\_\_\_

Stamp

Initials of Receiving Officer \_\_\_\_\_  
\*Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for Rs. \_\_\_\_\_ (in words) \_\_\_\_\_

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words) }  
Weight } Kilo  
Grams

Name and  
address  
of sender } \_\_\_\_\_  
\_\_\_\_\_

insured.

طغور صاحب انسداد حشر آقا نور محمد حسن کٹر کو

صاحب عالی

کے بار میں حکیم خدایہ W.P.No 1574-P/2017

معدود صاحب خدمت پر نیک عالم دنیا اور حلال سود  
معدود حکیم خدایہ 21 3/18 کے مطابق صحیح ہے معدود صاحب  
کا حق دیا جائے۔

سائل کے نہیں پر جانے سے قبل انسداد حشر آقا نور محمد حسن  
معدود صاحب کے بار میں تمام تہا تہا کو انسداد حشر  
پورا کیا گیا۔ اور بار بار معدود صاحب کا استدعا  
لے کر فیصلوں کیے گئے۔ لیکن صحیح ہے معدود صاحب نہیں دیا گیا  
معدود خدایہ کے بار میں W.P.No 1574-P/2017 عدالت عالم دنیا اور  
حلال سود کے حق دینے کی استدعا ہے  
عدالت آقا نور محمد حکیم سائل کو یہ وعدہ کیا گیا  
دیا جائے۔  
نوٹ: فیصلہ 2018

سجاد علی  
وکیل - اور  
سجاد علی (پوتے) کے بار میں

دینا اللہ دینا اللہ  
فیصلہ  
W.P.No 1574-P/2017

ATTACHED

حضرت جناب امینک جنرل آف ایسیا حیرہ

جناب عالی

آزاد کشمیر ہائیڈرو پاور ڈیولپمنٹ اتھارٹی  
میں 2017-18 میں بطور ایگزیکٹو ڈائریکٹر  
مقرر ہوئے تھے۔ اس دوران میں ان کی خدمات  
بسیار عمدہ اور موثر رہی ہیں۔

ان کی خدمات کی بنا پر ان کو ایسیا حیرہ  
میں بطور ایگزیکٹو ڈائریکٹر  
مقرر کیا گیا ہے۔

ان کی خدمات کی بنا پر ان کو ایسیا حیرہ  
میں بطور ایگزیکٹو ڈائریکٹر  
مقرر کیا گیا ہے۔

ان کی خدمات کی بنا پر ان کو ایسیا حیرہ  
میں بطور ایگزیکٹو ڈائریکٹر  
مقرر کیا گیا ہے۔

ان کی خدمات کی بنا پر ان کو ایسیا حیرہ  
میں بطور ایگزیکٹو ڈائریکٹر  
مقرر کیا گیا ہے۔

9/6/2018

انعاماً

جناب امینک جنرل آف ایسیا حیرہ  
میں بطور ایگزیکٹو ڈائریکٹر  
مقرر کیا گیا ہے۔  
R-si-9-16-2018

GST No. 12-009808-002-73



CN: 5065325628

Product: G Service Type: 0

Payment Mode: CASH Date/Time: 2018-06-11 10:12

ORG-DEST: OHT-PEW Pieces: 1 Pcs - 0.5  
Staff #: 100908 X26112

Shipper Details  
Name: ZIAN ULLAH  
Contact: 03933428855  
Address: KDHAT

Consignee Details  
Name: IG OF POLICE  
Address: KPK PESHAWAR  
Phone: 03009999999

Insured Value: Rs. 0



Payment Details	
Service CHG	172.0
Other Amount	0.0
VAS	0.0
Insurance CHG	0.0
GST	28.0
<b>TOTAL</b>	<b>200.0</b>

Remarks:

Instructions:

Customer Signature

For Terms & Conditions Visit  
[www.toscouriers.com/tnc](http://www.toscouriers.com/tnc)  
 TCS Headquarters, 101-104, Civil Aviation  
 Road Karachi - 75202, Pakistan  
 Phone: 373456 Web: [tcs.com.pk](http://tcs.com.pk)  
 (Shipper Copy) V-1.31

قیمت 50 روپے	 	42449
ایڈوکیٹ: <u>Shahah Faheem</u>	پشاور بار ایسوسی ایشن، خیبر پختونخواہ	
بار کونسل ایسوسی ایشن نمبر: <u>BC-15-5926</u>		
رابطہ نمبر: <u>0308-5387676</u>		

بعدالت جناب: Service Tribunal Peshawar

مخائب: <u>appellant</u>	دعوی: <u>Appeal</u>
<u>Zamullah</u>	علت نمبر:
بنام	مورخہ:
<u>Police</u>	جرم:
	تھانہ:

**بامث تحریر آتھ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ آن مقام سے کیے گئے۔ مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ آن مقام سے کیے گئے۔ کیلئے مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ آن مقام سے کیے گئے۔ کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم: 28/06/18

العبد ————— واہ شد ————— العبد

مقام Shahah Faheem کے لیے منظور ہے۔

مکمل ہوئی ہے۔  
 مکمل ہوئی ہے۔  
 مکمل ہوئی ہے۔  
 مکمل ہوئی ہے۔  
 مکمل ہوئی ہے۔

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

Service appeal No. 840/2018  
Zainullah

.....Appellant

**VERSUS**

Govt of Khyber Pakhtunkhwa,  
Through Secretary Home & Tribal Affairs  
Department & others

..... Respondents

**INDEX**

S N	Description of documents	Annexure	pages
1.	Parawise comments	-	01-03
2.	Counter affidavit	-	04
3.	Copy of standing order No. 03/2015	A	5-7
4.	Copy of Policy	B	08

  
DISTRICT POLICE OFFICER,  
KOHAT  
(Respondent No. 4)



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 840/2018  
Zainullah

.....Appellant

VERSUS`

Govt of Khyber Pakhtunkhwa,  
Through Secretary, Home & Tribal Affairs  
Department & others

..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS.

Respectively Sheweth:-

Parawise comments are submitted as under:-

Preliminary Objections:-

- i. That the appellant has got no cause of action.
- ii. That the appellant has got no locus standi.
- iii. That the appeal is not maintainable in the present form.
- iv. That the appeal is bad for misjoinder and non-joinder of parties.
- v. That the appellant stood retired from service on superannuation w.e.from 19.04.2017, hence the appeal is not maintainable.
- vi. That the appellant had not completed pre requisite mandatory period for confirmation to the rank of sub inspector.

ON FACTS:-

- 1. The appellant was recruited as constable in Police department, with passage of time, the appellant got step by step promotion after qualifying the requisite courses and lastly promoted to the rank of officiating Sub Inspector on 01.01.2010. The appellant stood retired from service on superannuation w.e.from 19.04.2017.
- 2. The appellant had not fulfilled the requisite criteria for confirmation to the rank of SI, therefore, the appellant was deferred from confirmation. According to amendment in Rule 13-10 (2) of Police Rules 1934, the confirmation criteria in the rank of Sub Inspector is as under

*"No Sub Inspector shall be confirmed in a substantial vacancy unless he has been tasted 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 long leave, deputation or promotion training course i.e. Upper College Course".*

In addition to above, mandatory tenure of posting and qualifying the mandatory courses for confirmation and promotion to the next higher rank are pre requisite as per standing order Nos. 03/2015. Copy is **annexure A**.


3. Incorrect, the appellant had not completed the mandatory period and courses as submitted in Para No. 2. Therefore, the appellant was deferred in DPC held for confirmation in the rank of Sub Inspector.
4. Incorrect, as per standing order No. 03/2015, mandatory training for promotion of upper subordinate is compulsory and the appellant had not completed the said courses at the time of DPC held for the purpose.
5. As submitted in above paras mandatory training / courses are pre requisite for confirmation and promotion to the next higher rank, which were not completed / qualified by the appellant. Therefore, the appellant was not considered for confirmation in view of above criteria.
6. Incorrect, the appellant had not fulfilled the above criteria required for confirmation to the rank of Sub Inspector.
7. The case of appellant is different from the officers mentioned in para No. 7 of the appeal. The officials mentioned in the para were already confirmed in the rank of Sub Inspector and on their retiring from service, they were included in list "F" and promoted as officiating Inspectors, while the appellant was not confirmed and serving as officiating Sub Inspector. The Policy is **annexure B**.
8. The appellant did not fulfill the required criteria for confirmation to the rank of Sub Inspector and promotion to the rank of officiating Inspector. The remaining para pertains to record.


**ON GROUNDS:-**


- A. Incorrect, the appellant did not fulfill the pre requisite criteria for confirmation to the rank of Sub Inspector.
- B. Confirmation and promotion to the next higher rank in Police department is being carried out in accordance with above stated rules, standing order and Policy.
- C. Incorrect, the appellant did not fulfill the require criteria for confirmation to the rank of Sub Inspector and subsequent promotion to the rank of officiating Inspector.
- D. Irrelevant, hence no comments.
- E. The certificate annexed by the appellant with his appeal is not enough to meet the requisite criteria for confirmation as the appellant had not under gone the mandatory training / courses as required under standing order No. 3/2015.
- F. The appellant had not fulfilled the above criteria, hence the appellant was not entitled for confirmation under the rules / standing order.

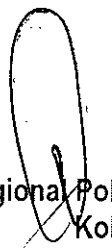
- G. Incorrect, detail reply has been submitted in the above paras.
- H. Incorrect, the appellant case did not fall within the ambit of enclosure B as only confirmed Sub Inspectors are entitled for promotion to the rank of officiating Inspectors on attaining the age of superannuation.
- I. Incorrect, the relevant rules, standing orders and policies are followed accordingly by the respondents.
- J. Incorrect, reply is submitted in para I.
- K. Incorrect, no malafide exists on the part of respondents.
- L. The relevant rules, standing orders and policy are being looked into during confirmation and promotion of the upper subordinates.
- M. The respondents through representative may also be allowed to advance other grounds during hearing.

In view of the above, it is submitted that the appeal is devoid of merits/ facts may graciously be dismissed please.

  
Govt of Khyber Pakhtunkhwa,  
through Secretary Home & TAs Deptt  
(Respondent No. 1)

  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
(Respondent No. 2)

  
District Police Officer,  
Kohat ✓  
(Respondent No. 4)

  
Regional Police Officer,  
Kohat ✓  
(Respondent No. 3)

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

Service appeal No. 840/2018  
Zainullah

.....Appellant

**VERSUS**

Govt of Khyber Pakhtunkhwa,  
Through Secretary Home & Tribal Affairs  
Department & others

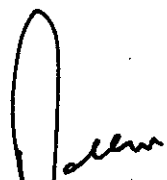
..... Respondents

**COUNTER AFFIDAVIT**

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.



Govt of Khyber Pakhtunkhwa,  
through Secretary Home & TAs Deptt  
(Respondent No. 1)



Inspector General of Police,  
Khyber Pakhtunkhwa,  
(Respondent No. 2)



District Police Officer,  
Kohat  
(Respondent No. 4)



Regional Police Officer,  
Kohat  
(Respondent No. 3)



Amp. A  
P-5

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

STANDING ORDER NO. 3 /2015

Mandatory Trainings in Specialised Schools

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 18th meeting held on 13<sup>th</sup> August 2015.

2. **Aim:** - This Standing Order aims at enhancing the capacity of police officers in such essential skills that would enable them to work effectively and efficiently. KP Police have established a number of specialised schools that are imparting valuable training courses to lower and upper subordinates. It is therefore essential that officers take advantage of these training facilities.

Specific minimum tenure of upper subordinates in the specialised schools needs to be linked with promotion to the next rank.

3. **Mandatory Training for promotion of Upper Subordinates:** - An Upper Subordinate shall not be confirmed and promoted to the next higher rank unless he/she, in addition to other mandatory requirements, completes and qualifies training courses and obtain a total of nine (09) marks in one or more of the following schools:

- A. Police School of Investigation Peshawar.
- B. Police School of Intelligence Abbotabad.
- C. Police School of Tactics Peshawar.
- D. Police School of Explosive Handling Nowshera.
- E. Police School of Information Technology Peshawar.
- F. Police School of Public Disorder and Riot Management Mardan.

4. A training course of one week duration at any of the above schools will carry one (1) mark while a two week course will carry two (2) marks. A candidate has to successfully complete and qualify each of the courses.

5. An upper Subordinate may choose different courses at any school but will not repeat the same course.

*[Signature]*  
Dy: Superintendent  
of Police Legal  
Kohat

30 - 11/15

6. All the above mentioned Schools will keep a complete record of the participants of the courses and the marks obtained by each participant in those courses and it would be the responsibility of the Director of each school to share the record with DIG Training and AIG Establishment.

7. On the completion of any course, the Director of the respective School will also send a report in respect of each participant to the head of the concerned District/Region/Unit who will be responsible to ensure that the result of the course attended and marks obtained is entered in the service roll of the concerned upper subordinate.


8. Directors of each of the above Police Training Schools will issue the details of all courses that are to be offered in the next six months one month in advance. DIG Training will circulate the schedule etc of the courses among the various units.

8. Respective RPOs and DPOs will nominate officers for the above courses. However, once an officer is selected for a course, his name will not be cancelled. In case an officer nominated for a course does not join the course for which he is selected, he will stand suspended and closed to a Region other than where he is serving.

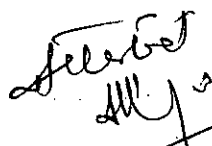
9. **Application:** - This standing Order will be effective with immediate effect. However, those upper subordinates who are to be promoted within six months of the notification of this order will earn two points prior to promotion while those that are to be promoted between 6 months and one year of the notification of the order will earn three marks prior to promotion.

10. **Power to remove difficulties:**-If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

11. **Amendment:** - All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.


  
(NASIR KHAN DURRANI)  
Provincial Police Officer  
Khyber Pakhtunkhwa  
Peshawar

No:- 2361-2430-19B dated Peshawar the 24<sup>08</sup> 2015

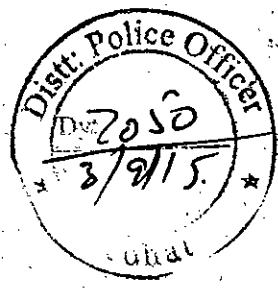
  
Dy. Superintendent  
of Police Legal  
Kohat


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

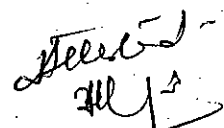
- 1. All Heads of Police Offices in Khyber Pakhtunkhwa;
- 2. PRO to PPO;
- 3. Registrar CPO.

  
 (Muhammad Alam Shinwari) PSP  
 DIG Headquarters  
 Khyber Pakhtunkhwa  
 Peshawar

No 22456-60/03 dt 03/09/2010  
 Cpy to all SDPOs GRE o/c  
 for N/A action and inform all uppe  
 Subordinate of your Sub-Division accordingly.



  
 DPO Kohat

  
 Dy. Superintendent  
 of Police Legal  
 Kohat

*Annex B P-8*

To: The Capital City Police Officer, Peshawar.  
All Regional Police Officers in Khyber Pakhtunkhwa.

Subject: ADMISSION TO LIST "F" AND PROMOTION AS OFFG: INSPECTORS

Memo:-

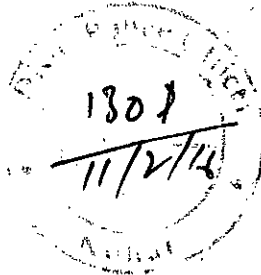
As approved by the Competent Authority, I am directed to convey that in future, promotion cases shall be discussed/considered on quarterly basis as per following schedule:-

1.	Ist Week of March
2.	Ist Week of June
3.	Ist Week of September
4.	Ist Week of December

The authority has further directed that list of the confirmed Sub-Inspector who are due to be retired in next 06 months must be maintained at CCPO & respective RPO Offices and cases for inclusion of their names in List "F" and grant of Officiating promotion, a inspector will be forwarded at least 03 months period to their retirement.

*Najeeb*

(NAJEEB-UR-REHMAN BUGVI)  
AIG/Establishment,  
For Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.



*SRE*  
*check & report*  
*[Signature]*  
No. 254-56 /CPB

Copy of above is forwarded for information to the:-

1. Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
3. Incharge, Central Registry Cell, CPO, Peshawar.

*16/16-18*  
*16* All DPOS/Kohat Region  
*1206* For n/action of report

*[Signature]*  
Dy Superintendent  
of Police Legal  
Kohat

DIG POLICE  
KOHAT  
*[Signature]*  
12/06



BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR

Service Appeal No. 840/2018

Zainullah..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others.....Respondents

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth;

Preliminary objection

That the reply/para-wise comment has not been competently filed and nor any affidavit has been filed in accordance with law nor the same has been properly attested, hence the same has no value in the eyes of law.

Rejoinder to Preliminary objection

Preliminary objection raised by respondents are erroneous, frivolous, based on male fide intention and having no factual and legal backing. Respondents have failed to explain why the appellant has no cause of action; when he has been denied his due right of promotion and filing appeal is his substantive right and he has aggrieved party hence filed this appeal; how the appeal is not maintainable in the present form; who are the other necessary parties to the appeal; This appeal his been filed on the direction of Hon'ble Peshawar High Court and all the pre requisite mandatory period for confirmation has been completed by the appellant. No plausible explanation has been given by the respondents. No specific and due objection regarding the controversial question of facts and law involved in the instant service appeal has provided, therefore, appellant is unable to submit proper rejoinder to the preliminary objection raised by the respondents.

Rejoinder to Facts of Reply/ Parawise comments

1. Needs no reply.

2. Incorrect hence denied. All the relevant documents has already been attached by appellant with the memo of appeal which clearly reflect that appellant has completed all the requisite criteria for confirmation but still he has been denied his due rights which constrained him to filed this appeal.
3. Incorrect hence denied. When the appellant completed his mandatory period and courses he submitted there and then application to the high ups on the ground that he is going to retire therefore, as per rule he may be promoted as the respondents promoted others, but appellant has been treated discriminately and his due rights have been denied to him.
4. Incorrect hence denied. detail has been given in the above paras.
5. Incorrect hence denied. detail has been given in the above paras.
6. Incorrect hence denied. detail has been given in the above paras.
7. Incorrect hence denied. It was the job of respondent to Confirm the appellant as he has completed the requisite qualification for confirmation but his due right has been denied to him.
8. Incorrect hence denied. detail has been given in the above paras.

Rejoinder to the Grounds of Reply/ Parawise comments

- A) Para No. A- C of the reply / parawise comments are incorrect and that of memo of appeal are correct. All the relevant documents has already been attached by appellant with the memo of appeal which clearly reflect that appellant has completed all the requisite criteria for confirmation but still he has been denied his due rights which constrained him to filed this appeal.
- B) Para No. D needs no reply of the reply.
- C) Para No. E-F are incorrect hence denied. The certificate clearly shows that appellant has successfully completed the requisite criteria for confirmation. Denying for experience there own documents clearly show the mala fide on the part of respondents.

D) Para No. H is totally incorrect hence denied. appellant has already completed mandatory period envisages in the rules/ standing order and has completed all the requisite criteria for confirmation but he has not been confirmed on time which fault is on the part of respondents not on the part of appellant and thus the same can not be attributed him. Appellant has timely applied to the respondent for his confirmation and promotion but no timely response was shown by the respondents constrained the appellant to approach Hon'ble Peshawar High Court for his redressal, but being service matter the Hon'ble High Court directed the appellant to approach this Hon'ble Tribunal.

E) Paras No. I-M are incorrect hence denied. detail reply has already been given in the above paras. *page no 23 of apped is very much important.*

It is therefore, most humbly prayed that by accepting this rejoinder and the ground of main appeal the prayed of appellant may please be accepted and he may please be granted anti-dated promotion.

Appellant

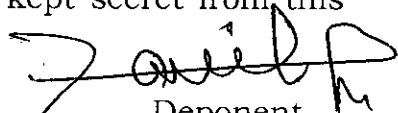
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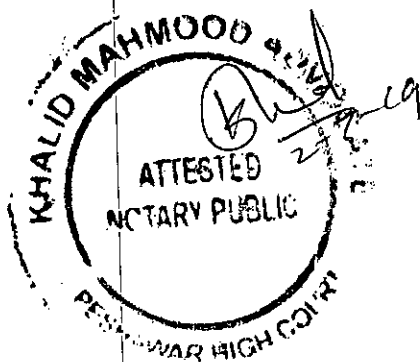
  
Shahid Qayyum Khattak  
Advocate, Supreme Court

Dated: 02/07/2019

Affidavit

I, do hereby solemnly affirm and declare on Oath that the contents of the above rejoinder are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.

  
Deponent



لقدالت جناب سرورس زرينو خيرو مختو محراه ليسانو

سرورس زرينو عر 840/2018

بدره زرين اللهدب السيدر

بنام گورغنت خيرو مختو محراه بم ديگر

صفاي عالي! گزارش في كه سامن با و كين شاهه قيوم ايدو كيت و حضرت

بدره جلدنيا جي. او سامن خود هي سنت بخار مي سنه جي سامن با

بنا شام او سين جافه عدالت هوگا. اسدعا في كه سامن با تاريخ بشي

تبدل و حاكم آسنده تاريخ بشي با حكم صادر و نماين

گوروش

31-12-2019

الفان

زرين اللهدب السيدر و در شاهه ميران

مکنه بروج آبار كوھات

0333-3428855