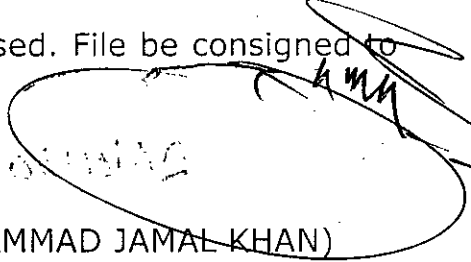


12.01.2021

Mr. Afrasiyab Wazir, Advocate, for appellant is present. He submitted that consequent upon conferment of seniority by the honourable Peshawar High Court, Peshawar, by virtue of notification dated 01.07.2020 appellant intends to withdraw the instant appeal. Application is placed in connected Service Appeal No. 4318/2020 Captioned Sajjad Ahmad Versus the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and two other respondents. The contents of application were reiterated to the learned counsel for appellant which he accepted as correct. Accordingly, the appeal stands disposed of as withdrawn. However, appellant is at liberty to have recourse to this Tribunal in case his grievance remains un-redressed. File be consigned to the record room.

ANNOUNCED  
12.01.2021

  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

## FORM OF ORDER SHEET

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

Case No.- 4326 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/05/2020	<p>The appeal of Mr. Khalid Shah resubmitted today i.e 14.05.2020 by Mr. Noor Muhammad 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;">REGISTRAR 14/5/2020</p>
2-	26/04/20	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>05/08/2020</u>.</p> <p style="text-align: right;">MEMBER</p>
05.08.2020		<p>Mr. Noor Muhammad Khattak, Advocate for appellant is present and requested for adjournment. Adjournment granted. Adjourned to 28.10.2020. File to come up for preliminary hearing before S.B.</p> <p style="text-align: right;">(MUHAMMAD JAMAL KHAN) MEMBER</p>
28.10.2020		<p>Appellant present through representative.</p> <p>Lawyers are on general strike, therefore, case is adjourned to 12.01.2021 for preliminary hearing, before S.B.</p> <p style="text-align: right;">(Rozina Rehman) Member (J)</p>

The appeal of Mr. Khaled Shah Sub-Inspector 568/P received today i.e. on 10.03.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of appointment order dated 2.03.2009 mentioned in para-1 of the memo of the appeal is not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal is incomplete which may be completed.
- 3- Wakalat nama in favour of appellant be placed on it.

No. 532 /S.T,

Dt. 11-03 /2020.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note: All the objections has been removed. Hence resubmitted. Today - 24/3/2020  
At rain's  
ceram  
?

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

APPEAL NO. 4326 /2020

**KHALID SHAH**

**VS**

**POLICE DEPTT:**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
<b>1.</b>	Memo of appeal	.....	1- 3.
<b>2.</b>	appointment order	<b>A</b>	4- 5.
<b>3.</b>	Confirmation order	<b>B</b>	6.
<b>4.</b>	Order	<b>C</b>	7- 8.
<b>5.</b>	Departmental appeal	<b>D</b>	9- 10.
<b>6.</b>	Opinion	<b>E</b>	11.
<b>7.</b>	Order dated 12.1.2013	<b>F</b>	12- 14.
<b>8.</b>	Vakalat nama	.....	15.

**APPELLANT**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

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

Khyber Pakhtunkhwa  
Service Tribunal

APPEAL NO. 4326 /2020

Diary No. 1622

Dated 10/3/2020

Mr. Khalid shah, Sub-Inspector 568/P,  
O/O Capital City Police Officer, Peshawar.

..... **APPELLANT**

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Additional Inspector General (Establishment), Khyber Pakhtunkhwa, Peshawar.
- 3- The Capital City Police Officer, Khyber Pakhtunkhwa, Peshawar.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 11.2.2013 WHEREBY THE APPELLANT WAS CONFIRMED IN THE RANK OF PROBATIONER ASSISTANT SUB INSPECTOR W.E.F. THE DATE OF APPOINTMENT I.E. W.E.F. 21.2.2009 BUT WAS BROUGHT INTO LIST "E" WITH IMMEDIATE EFFECT I.E. W.E.F. 11.2.2013 INSTEAD OF 21.2.2009 THUS BY DEPRIVING THE APPELLANT FROM THE DUE RIGHT OF SENIORITY W.E.F. THE DATE OF AINITIAL APPOINTMENT AS PASI AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WIHTIN THE STATUTORY PERIOD OF INETY DAYS**

Filed to day  
10/3/2020  
Registrar

**PRAYER:**

**That on acceptance of this appeal the impugned order dated 11-02-2013 may very kindly be modified/rectified to the extent of allowing the appellant seniority in the Rank of Probationer Assistant Sub Inspector from the date of initial appointment i.e. w.e.f. 21.2.2009 instead of 11.2.2013 with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.**

Re-submitted to -  
and filed.

Registrar  
14/5/2020

**R/SHWETH:**  
**ON FACTS:**

1. That initially the appellant was appointed as probationer Assistant Sub Inspector in the respondent Department on the proper recommendation of the Khyber Pakhtunkhwa Public service Commission vide office order dated 21.2.2009. Copy of the appointment order is attached as annexure ..... **A.**
2. That in response to the said order the appellant submitted his charge report and started his duty as PASI quite efficiently and up to the entire satisfaction of his superiors.
3. That after successful completion of probationary period of three years the appellant was confirmed by the respondents vide impugned order dated 11.2.2013 w.e.f. 21.2.2009 i.e. from the date of initial appointment but without the due right of seniority w.e.f. the date of initial appointment i.e. 21.2.2009. Copy of the impugned order dated 11.2.2013 is attached as annexure ..... **B.**
4. That it is pertinent to mention that senior colleagues of the appellant who were appointed in the year 2006 have been confirmed and allowed seniority i.e. their names were brought into list "E" w.e.f. the date of initial appointment i.e. 25.2.2006 but in the case of the appellant the appellant was allowed seniority from the date Notification dated 11.2.2013 instead of confirmation/initial appointment. Copy of the order is attached as annexure ..... **C.**
5. That appellant feeling aggrieved time and again visited the concerned quarter but of no avail. That finally the appellant preferred Departmental Appeal to respondent No.3 on 25.10.2019 but till date no reply has been received. Copies of the Departmental appeal and letters/opinions are attached as annexure ..... **D & E.**
6. That it is pertinent to mention here that appellant along with others has been promoted as officiating SI vide order dated 12/11/2013 with immediate effect and still performing his duty as officiating SI. Copy of order dated 12/01/2013 is attached as annexure ..... **F.**
7. That appellant feeling aggrieved and having no other remedy filed the instant appeal on the following grounds amongst the others.

**GROUND:**

- A- That impugned order dated 11.2.2013 issued by the respondents is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified.

- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That, the treatment meted out to the appellant clearly based on discrimination and malafide and as such the respondents violated the principle of natural justice.
- D- That the impugned order dated 11.2.2013 is the clear violation of section 6 & 7 of the Civil servant Act, 1973 read with rule 15 of the appointment, promotion and transfer rules, 1989.
- E- That according to section-8 of the Civil servant Act, 1973 it is well settled principle and section of law that "Seniority in a Rank/scale is to be reckoned from the date of initial regular appointment and not otherwise.
- F- That appellant is fully entitled for his ante dated seniority and officiating promotion to the Rank of Sub Inspector in light of the prevailing Rules.
- G- That the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 11.2.2013.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 3.2.2020

**APPELLANT**

**KHALID SHAH**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

**SHAHZULLAH YOUSAFZAI**

**KAMRAN KHAN & MIR ZAMAN SAFI,  
ADVOCATES**

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

**NOTIFICATION**

Dated Peshawar, the 21/02/2009.

NO: 2424 /EC-I: **APPOINTMENT AS PROBATIONER**

**ASSISTAN SUB INSPECTOR:** Consequent upon recommendations of NWFP Public Service Commission, Peshawar vide Letter NWFP-PSC (ASI)- Interview 2009/05195, dated 04.02.2009 and PPO NWFP, Peshawar letter No. 3867-73/E-II, dated 12.02.2009, the appointment of the following candidates are hereby approved as Assistant Sub Inspectors BPS-09 (3820-230-10720) against 25% quota reserved for direct appointment in Police department vide Govt: of NWFP Home & TAs Deptt: letter No. (Police)HD/03-22/2000, dated 17.10.2003. As such they are appointed as Probationer Assistant Sub Inspectors on 3 years probation period w.e.f. 12.02.2009.

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

S.NO	NAME & ADDRESS OF CANDIDATES	CCP. NO.
1.	PASI Syed Khalid Shah s/o Syed Yaqoub shah r/o Outside Yakatoot Zargar Abad Chowk Distt: Peshawar.	568/P
2.	PASI Irfan s/o Sher Afzal r/o Village Kotla Mohsin Khan Moh: Markazy Distt: Peshawar	569/P
3.	PASI Naeem Haider Khan s/o Ghulam Haider Khan r/o Garhi Atta Muhammad Deh Bahader Kohat Road Peshawar.	570/P
4.	PASI Faisal Rehman s/o Gula Jan r/o House No. 1549 Moh: Garhi Mir Zaman Shah Ilaqa Dabgari Peshawar.	571/P
5.	PASI Khalid Anwar s/o Abdul Malik Khan r/o House No. 86 Sector E-5, Phase-7 Hayatabad, Peshawar.	572/P
6.	PASI Ahmad Rashid s/o Abdul Rashid Arif r/o House No. 205 Moh: Pir Gulab Shah Hashtnagri Peshawar.	573/P
7.	PASI Imran Alam Khan Khalil s/o Mawaz Alam Khan Khalil r/o House No. F/14 St: No. 6 Canal Town Nasirbagh Road Peshawar	574/P
8.	PASI Sajjad Ahmad Khan s/o Amin Ullah Jan r/o Village Opazi Bala P/O Mathra Distt: Peshawar.	575/P
9.	PASI Muhammad Abid Afridi s/o Malik Muhammad Akbar Afridi r/o Azam Service Station Old Bara Near Bara Teh: Khyber Agency	576/P
10.	PASI Shakir Ullah s/o Sharaf Hassan r/o Pajaggi Road Pukh Pul Haji Shad. Khan Qilla P/O Faqir Kalay Distt: Peshawar	577/P

Notification of PASI s/o EC-I

**ATTESTED**



11.	PASI Awal Sher Khan s/o Nadar Sher r/o Village Kala Khel Moh: Babar Khel P/O Mattani Distt: Peshawar.	578/P
12.	PASI Hafeez-ur-Rehman s/o Kamdar Khan r/o Village Wazir Garhi P/O Pabbi Distt: Nowshera.	579/P
13.	PASI Akhtar Naseer s/o Naseer ud Din r/o Village & Post Office Aza khel Bala Moh: Wazir Abad Distt: Nowshera.	580/P
14.	PASI Inamullah s/o Jamshed Khan r/o Moh: Godam Koroona village & P/O Khesghi Payan Teh & Distt: Nowshera.	581/P

**CAPITAL CITY POLICE OFFICER,  
PESHAWAR.**

No: ~~3453~~ EC-I, dated Peshawar the 21 / 07 / 2009.

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

- 1/ The Provincial Police Officer NWFP, Peshawar w/r to his  
office Memo: No. 3867-73/E-II, dated 12.02.2009.
- 2/ The Addl: Inspector General of Police Investigation NWFP,  
Peshawar with 2 spare copies for publication in the NWFP  
Police Gazette Part-II.
- 3/ The Addl: Inspector General of Police Special Branch,  
NWFP, Peshawar.
- 4/ The SSsP/Operation & Investigation, CCP, Peshawar.
- 5/ The District Police Officer, Nowshera.
- 6/ The Commandant Police Training College. Hangu.
- 7/ The Superintendent of Police Hqrs, Peshawar.
- 8/ EC-II Branch, CCP, Peshawar, with Medical Certificates of the  
above P/ASIs.
- 9/ Assistant Secret CCP, Peshawar.
- 10/ Pay Officer CCP, Peshawar.
- 11/ Fauji Missal Branch CCP, Peshawar Application Forms and  
other relevant papers of the above named PASIs for  
record.
- 12/ All Probationer Assistant Sub Inspectors concerned.

**CAPITAL CITY POLICE OFFICER,  
PESHAWAR.**

**ATTESTED**

POLICE DEPTT:

CCP, PESHAWAR.

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II  
ORDERS BY THE CAPITAL CITY POLICE OFFICER KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION.

Dated 11/12/2013

No. 2402/JEC-I, CONFIRMATION IN THE RANK OF P/ASI & PROMOTION TO LIST "E". As approved by the Departmental Promotion Committee meeting held on 12 & 13-12-2012, the following P/ASIs of Capital City Police, Peshawar are hereby confirmed in the rank of P/ASIs from the date of appointment as noted against each after completion of their 03 years probation period under P.R 12.8 and brought their names on promotion to list "E" with immediate effect.

B-6

S.No.	Rank, Name & No	Present Posting	Date of confirmation
1.	P/ASI Hafeez-ur-Rehman No.579/P	Nowshera	02-02-2009
2.	P/ASI S. Khalid Shah No. 568/P	CCP, Peshawar	02-02-2009
3.	P/ASI Irfan No. 569/P	Elite Force	02-02-2009
4.	P/ASI Naeem Haider Khan No. 570/P	CCP, Peshawar	02-02-2009
5.	P/ASI Sajjad Ahmed Khan No. 575/P	Nowshera	02-02-2009
6.	P/ASI Akhtar Naseer No. 580/P	Elite Force	02-02-2009
7.	P/ASI Imran Alam No. 574/P	Nowshera	02-02-2009
8.	P/ASI Inam Ullah No. 581/P	Elite Force	02-02-2009
9.	P/ASI Faisal Rehman No. 571/P	Special Branch	02-02-2009
10.	P/ASI Khalid Arwar No. 572/P	CCP, Peshawar	02-02-2009
11.	P/ASI Ahmed Rasheed No. 573/P	CCP, Peshawar	02-02-2009
12.	P/ASI Muhammad Abid Afridi No. 576/P	Elite Force	02-02-2009
13.	P/ASI Shahid Ullah No. 577/P	Elite Force	02-02-2009
14.	P/ASI Awar Sher Khan No. 578/P	CCP, Peshawar	02-03-2009
15.	P/ASI Aftab Alam No. 582/P	Elite Force	02-03-2009
16.	P/ASI Jawad Khan No. 583/P	Charsadda	02-03-2009
17.	P/ASI Masud Jan No. 584/P	CCP, Peshawar	02-03-2009
18.	P/ASI Akhtar Hussain No. 585/P	Nowshera	02-03-2009
19.	P/ASI Asif Ullah No. 586/P	Elite Force	02-03-2009
20.	P/ASI Syar Khan No. 587/P	Elite Force	02-03-2009
21.	P/ASI Noor Muhammad No. 588/P	Nowshera	02-03-2009
22.	P/ASI Muhammad Asim No. 589/P	Nowshera	02-03-2009

CAPITAL CITY POLICE OFFICER,  
PESHAWAR.

No 2403-12/JEC-I,

Copy of above is forwarded for information and necessary action to

the:-

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Addl: Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, alongwith two spare copies for Publication, KPK, Gazette Notification part-II.
3. Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.
4. Senior Superintendent of Police, Operation, Peshawar.
5. Senior Superintendent of Police, Investigation, Peshawar.
6. Senior Superintendent of Police, Traffic, Peshawar.
7. District Police Officer, Charsadda & Nowshera.
8. Asstt: Secret Branch, CCP, Peshawar.
9. EC-II Branch, CCP Peshawar.

ATTESTED

**FOR PUBLICATION IN THE NWFP POLICE GAZETTE PART-II  
ORDER BY THE CAPITAL CITY POLICE OFFICER, PESHAWAR.  
NOTIFICATION.**

dated Peshawar the 11/11/2010

No. 57 /EC-I. CONFIRMATION IN THE RANK OF P/ASIs. PROMOTION To LIST "E" AND ALSO PROMOTION TO THE RANK OF OFFG: SIs:- In the light of recommendations submitted by Departmental Promotion Committee held on 5.12.2009, the following P/ASIs of Capital City Police Peshawar are hereby confirmed in the rank of P. ASIs and their names brought on promotion list "E" w.e. from the date as noted against each:-

On confirmation, they are allotted New CCP Numbers as noted against their names.

They are also promoted to the rank of Offg: SIs. Their promotion will take effect from the date: they actually take over charge of their higher responsibilities.

S. No	Rank, Name & No.	New CCP Numbers	Date of Confirmation
1	PASI Asif Sharif 185/P PS Gulbahar. CCP Peshawar.	671/P	25.09.2006
2	PASI Muhammad Farooq 181/P CPC/CPO Operation Room.	672/P	25.09.2006
3	PASI Mukhtiar Ali 186/P PS Umer CCP Peshawar	673/P	25.09.2006
4	PASI Tariq Umar 139/P PS Town CCP Peshawar	674/P	25.09.2006
5	PASI Arshad Ahmed Khan 204/MR/NSR Nowshera District	675/P	05.10.2006
6	PASI Muhammad Kamran 205/MR/NSR Nowshera District.	676/P	12.10.2006
7	PASI Sajjad Mumtaz /CHD PS Umerzi Inv: District Charsadda	677/P	21.10.2006
8	PASI Fida Hussain No. 203/MR CCP Peshawar /Operation Room CPO	678/P	21.10.2006
9	PASI Johar Shah 200/MR/CHD PS Sardheri Inv: District Charsadda	679/P	21.10.2006
10	PASI Ijaz Ali 202/MR/CHD PS Shahqader District Charsadda	680/P	21.10.2006
11	PASI Zaka Ullah 225/MR/NSR Traffic Police Peshawar	681/P	28.12.2006
12	PASI Ali Khan 332/MR/CHD Charsadda District.	682/P	28.12.2006
13	PASI Abdur Rasheed 207/MR/CHD Charsadda District.	683/P	28.12.2006
14	PASI Khalid Khan 227/MR/NSR Nowshera District.	684/P	28.12.2006
15	PASI Turab Khan 270/P PS Chamkan	685/P	28.12.2006
16	PASI Shah Jehan Afridi 262/P PS Khazana CCP Peshawar.	686/P	28.12.2006
17	PASI Niaz Muhammad 221/MR/CHD Charsadda District.	687/P	28.12.2006
18	PASI Sardar Gul 261/P PS Daudzai/Inv: CCP Peshawar.	688/P	28.12.2006
19	PASI Sher Afzal 267/P PS W/Canti: CCP Peshawar	689/P	28.12.2006
20	PASI Dad Muhammad 264/P PS Phandu CCP Peshawar.	690/P	28.12.2006
21	PASI Razi Muhammad 263/P PS Banamari CCP Peshawar	691/P	28.12.2006
22	PASI Syed Muzafar Shah 268/P PS Gulberg CCP Peshawar	692/P	28.12.2006
23	PASI Abid-ur-Rehman 269/P OASI CCP Peshawar.	693/P	28.12.2006
24	PASI Taj Muhammad 224/MR/NSR Nowshera District.	694/P	28.12.2006
25	PASI Allama Iqbal 208/MR/CHD Charsadda District.	695/P	28.12.2006

**ATTESTED**

8

	PASI Muhammad Shabir 266/P PS Tehkal CCP Peshawar.	697/P	28.12.2006
	PASI Basheer Ahmed Khan 226/MR/NSR Nowshera District.	698/P	28.12.2006
	PASI Tauheed Ullah 220/MR/CHD Charsadda District.	699/P	28.12.2006
	PASI Ijaz Ali 174/MR/CHD PS Batagram District Charsadda	700/P	28.02.2006
	PASI Muhammad Nacem 176/MR/CHD PS Khazana CCP Peshawar.	701/P	28.02.2006
	PASI Adnan Azam 175/MR/CHD PP Rager District Charsadda	702/P	28.02.2006
	PASI Zahid Alam 172/MR/CHD PS W/Cantt: CCP Peshawar.	703/P	28.02.2006
	PASI Shams-ur-Rehman 49/P PS Gulberg CCP Peshawar	704/P	01.03.2006
	PASI Rahmat Ullah 27/P PS Khazana CCP Peshawar	705/P	01.03.2006
	PASI Sajad Hussain 31/P PS Tehkal CCP Peshawar	706/P	01.03.2006
	PASI Shafqat Hussain 260/P PS Town CCP Peshawar	707/P	01.03.2006

PASI Wariq Shah No P/32 of PS Pishtakhara has been differed due to awaiting major punishment of timescale ASI for a period of 2 years by SSP operations vide OB No 3163 dated 02.10.2009.

PASIs at Serial No 1,2,4,17,18,19,22,25,26,27,29,31,33,34,35,36, & 37 were confirmed in the rank of PASIs, name brought on list E and promoted to the rank of Offg: SIs conditionally subject to receipt of their "D" course satisfactory reports.

PASIs from serial No 30 to 37 of Shuhada sons shall stand junior from the PASIs appointed through Public Service Commission vide PPO letter No 26017/ E-II dated 26.02.2009.

*A. M. M. M. M.*

**CAPITAL CITY POLICE OFFICER,  
PESHAWAR.**

58-75

No. /EC-I.

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

The Provincial Police Officer, NWFP, Peshawar. He is requested to please issue repatriation order of the PASIs at S.No. 2 and 8 from Operation Room CPO Peshawar to Capital City Police Peshawar.

The Additional Inspector General of Police, Investigation, NWFP, Peshawar with two spare copies of the notification for publication in Police Gazette part-II.

The Senior Superintendent of Police/Operation, Investigation, Traffic Peshawar.

The Commandant, CPC Peshawar.

The District Police Officers Nowshera. Please nominate surplus SIs from your strength for further posting.

The District Police Officers Charsadda. Please nominate surplus SIs from your strength for further posting.

EC-II Branch, Pay Officer, Asstt: Secref, CC and FMC.

**ATTESTED**

To,

The Capital City Police,  
Khyber Pakhtunkhwa,  
Peshawar.

D - (9)

Subject: REPRESENTATION FOR SEEKING ADJUSTMENT / REGULARIZATION & CONFIRMATION IN SERVICE IN THE RANK OF PROBATIONER ASSISTANT SUB INSPECTOR WITH EFFECT FROM THE DATE OF JOINING HIS SERVICE WITH SENIORITY BENEFITS.

Respectfully Submitted,

I very humbly submit the following few lines for your kind and sympathetic consideration:

- 1 That the undersigned was initially appointed as Probationer Assistant Sub Inspector on the regular vacancy / rang grade cadre under the signature of CCP on the recommendation of Public Service Commission on 02-02-09.
- 2 That the undersigned successfully completed the probationary period of 03 years on the completion of probationary period vide notification No 2402 dated 11-02-2013, was issued and the undersigned was confirm from the date of appointment, however, the seniority of the undersigned was not effective from the date of joining his service which is Tetley discrimination and against of law.
- 3 That it is pertinent to point out that it remain the practice that whenever Probationer Assistant Sub Inspector were appointed they are confirmed from the date of joining his service and their seniority is also reckoned from the same date. For example our senior probationer Assistant Sub Inspectors batch 2006.

  
**ATTESTED**

10

Respected Sir,

It is submitted that I have been appointed as P- ASI and after coalition 3 years' probation period I have been confirmed from the date of appointment but my seniority is reckoned with immediate effect on issuance of notification i.e 11.02.2013. which is against the police rule.

My seniority be revised and settled from the date of appointment/confirmation. Precedence is as following.

12-02(3) PR "Seniority shall however be finally settled by the date of confirmation"

And 14.1 PR "Sonority in the case of upper subordinates will be reckoned in the first instance from the date of appointment."

Seniority will be finally reckoned from the date of confirmation.

The same benefits have been given to PASI Batch 2006 they are confirmed from the date of appointment and enlisted from the same date in seniority list E. copy attached

And application of one of my bathmat has been submitted and a detailed guide line has been issued in this connection. Copy attached

A committee report of the junior batch has been also attached of the junior patch 2011.

*Whehid Sheh abid*  
*Wb* *Sheh*  
26/11/2019

**ATTESTED**

REFERENCE ATTACHED

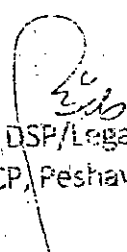
E-11

Sir,

Application of SI Noor Mohammad for giving seniority from the date of appointment gone through which reveals that applicant is aggrieved of not incorporating his name in list "E" from the date of appointment.

Record available with application examined which clearly shows that applicant was confirmed in the rank of ASI after fulfilling the laid down courses vide notification No. 2402/EC-I dated 11.02.2013, wherein his seniority was not properly fixed under Police Rules 12.2(3) & 14.1.

It is therefore suggested, that the concerned staff/dealing hand may be directed to follow the above rules for fixation of his seniority.

  
DSP/Legal  
CCP, Peshawar.

  
**ATTESTED**

POLICE DEPARTMENT

CCP, PESHAWAR.

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II.  
ORDERS BY THE CAPITAL CITY POLICE OFFICER, PESHAWAR.

NOTIFICATION

Dated Peshawar the 12/11/2013.

No. 18491 /EC-I: PROMOTION TO THE RANK OF OFFG; SIS:- As per recommendation of Departmental Promotion Committee held on 03-10-2013 the following "E" list ASIs of Capital City Police Peshawar are hereby promoted to the rank of offg: SIS with immediate effect:-

S.NO	RANK, NAME & NUMBER	PRESENT POSTING
1.	ASI Shahreyar No. 416/P	CCP, Peshawar
2.	ASI Shaheen Ullah No. 489/P	CCP, Peshawar
3.	ASI Karam Elahi No. 1107/P	CCP, Peshawar
4.	ASI Abdul Sattar No. 1108/P	CCP, Peshawar
5.	ASI Khushal Khan No. 6/P	CCP, Peshawar
6.	ASI Murad Ali No. 1042/P	CCP, Peshawar
7.	ASI Amjid Ali No. 1109/P	CCP, Peshawar
8.	ASI Ali Akbar No. 1110/P	CCP, Peshawar
9.	ASI Qaisro Khan No. 1106/P	CCP, Peshawar
10.	ASI Umar Zamin No. 954/P	CCP, Peshawar
11.	ASI Ali Bahader No. 1005/P	CCP, Peshawar
12.	ASI Fazal Rabi No. 1048/P	CCP, Peshawar
13.	ASI Faiz Ullah No. 1049/P	CCP, Peshawar
14.	ASI Ikhtiar Ali No. 1050/P	Investigation KPK
15.	ASI Muhammad Ayaz No. 1052/P	Traffic Peshawar
16.	ASI Gul Nawaz No. 1053/P	CCP, Peshawar
17.	ASI Nasrullah No. 1054/P	CCP, Peshawar
18.	ASI Mian Mohib Jan No. 1055/P	CCP, Peshawar
19.	ASI Iftikhar No. 1056/P	CCP, Peshawar
20.	ASI Nasrullah No. 1057/P	Traffic Peshawar
21.	ASI Jehanzeb No. 1058/P	CCP, Peshawar
22.	ASI Shad Muhammad No. 1059/P	CCP, Peshawar
23.	ASI Khushal Khan No. 1060/P	CCP, Peshawar
24.	ASI Noor Halder No. 1061/P	CCP, Peshawar
25.	ASI Muhammad Zaib No. 1062/P	CCP, Peshawar
26.	ASI Hidayat Ullah No. 1063/P	CCP, Peshawar
27.	ASI Hafeez-ur Rehman No. 1064/P	Traffic Peshawar
28.	ASI Niaz Ullah No. 1065/P	Traffic, Peshawar
29.	ASI Muhammad Ishrat Yar No. 1066/P	CCP, Peshawar
30.	ASI Syed Zaman No. 1067/P	Traffic Peshawar
31.	ASI Abdul Wali No. 1068/P	Traffic Peshawar
32.	ASI Muhammad Nawaz No. 1069/P	Traffic Peshawar
33.	ASI Hidayat Ullah No. 1070/P	CCP, Peshawar

dated 04-11-2013 EC I

ATTESTED



13

34.	ASI Amir Nawab No. 1071/P	Traffic Peshawar
35.	ASI Muhammad Riaz No. 1072/P	Traffic Peshawar
36.	ASI Farrukh Zada No. 1074/P	CCP, Peshawar
37.	ASI Sabz Ali No. 1075/P	CCP, Peshawar
38.	ASI Syed Abid Shah No. 1076/P	Traffic Peshawar
39.	ASI Asmat Ullah No. 1077/P	CCP, Peshawar
40.	ASI Saeed Ullah No. 1078/P	Traffic Peshawar
41.	ASI Muhammad Ali No. 1079/P	Traffic Peshawar
42.	ASI Sabir Shah No. 1081/P	Traffic Peshawar
43.	ASI Fida Muhammad No. 1082/P	CCP, Peshawar
44.	ASI Ahmad Gul No. 1083/P	CCP, Peshawar
45.	ASI Umar Shah No. 1084/P	CCP, Peshawar
46.	ASI S.Sardar Ali Shah No. 1085/P	CCP, Peshawar
47.	ASI Akhtar Hussain No. 1086/P	CCP, Peshawar
48.	ASI Daud Jan No. 1087/P	CCP, Peshawar
49.	ASI Qayum Khan No. 1088/P	CCP, Peshawar
50.	ASI Waris Khan No. 1089/P	CCP, Peshawar
51.	ASI Sehat Ali No. 1090/P	CCP, Peshawar
52.	ASI Muzamil Khan No. 1092/P	CCP, Peshawar
53.	ASI Muhammad Jan No. 1095/P	CCP, Peshawar
54.	ASI Atta-ur-Rehman No. 1096/P	CCP, Peshawar
55.	ASI Feroze Shah No. 1097/P	CCP, Peshawar
56.	ASI Zain Ullah No. 1098/P	CCP, Peshawar
57.	ASI Nasrullah No. 1099/P	Investigation KPK NAB/ CCP, Peshawar
58.	ASI Inayat-ur-Rehman No. 1100/P	CPC Peshawar
59.	ASI Waris Khan No. 1102/P	CCP, Peshawar
60.	ASI Asmat Ullah No. 1104/P	CCP, Peshawar
61.	ASI M.Naeem Khan No. 1314/P	CCP, Peshawar
62.	P/ASI S. Khalid Shah No. 568/P	CCP, Peshawar
63.	P/ASI Irfan No. 569/P	CCP, Peshawar
64.	P/ASI Naeem Haider Khan No. 570/P	Elite Force
65.	P/ASI Imran Alam No. 574/P	Elite Force
66.	P/ASI Faisal Rehman No. 571/P	Elite Force
67.	P/ASI Ahmed Rasheed No. 573/P	CCP, Peshawar
68.	P/ASI Muhammad Abid Afridi No. 576/P	CCP, Peshawar
69.	P/ASI Shahkir Ullah No. 577/P	Elite Force
70.	P/ASI Awal Sher Khan No. 578/P	Elite Force
71.	P/ASI Aftab Alam No. 582/P	CCP, Peshawar
72.	P/ASI Jawad Khan No. 583/P	Elite Force
73.	P/ASI Akhtar Hussain No. 585/P	CCP, Peshawar
74.	P/ASI Asif Ullah No. 586/P	CCP, Peshawar
75.	P/ASI Siyar Khan No. 587/P	Elite Force
76.	P/ASI Noor Muhammad No. 588/P	Elite Force

dated 04-11-2013 EC 1

**ATTESTED**

The following ASIs are deferred from promotion due to reasons mentioned against their names:-

14

S.NO	RANK, NAME & NUMBER	PRESENT POSTING	Reason
1.	ASI Gul Sher No. 971/P	CCP, Peshawar	Deferred due to facing Departmental Enquiry and also absent.
2.	ASI Alamzeb No. 1051/P	CCP, Peshawar	Deferred due to missing ACR for the year 2012.
3.	ASI Shahjee Hussain No.1080/P	Special Branch KPK	Deferred due to Ex-Pak: Leave for Hajj
4.	ASI Sahib Gul No.1094	Traffic, Peshawar	Deferred due to missing ACR for the year 2012.
5.	ASI Abdur Rehman No. 1103/P	CPC U/Campus, Peshawar	Deferred due to missing ACR for the year 2012.
6.	ASI Riaz Ali Shah No. 1007/P	CCP, Peshawar	Deferred due to facing Departmental Enquiry.
7.	PASI Sajjad Ahmad Khan-575/P	CCP, Peshawar	Deferred due to facing Departmental Enquiry.
8.	PASI Khalid Anwar No.572/P	CCP, Peshawar	Deferred due to missing ACR for the year 2012/5 month

Their posting orders will be issued separately after Muharram-ul-Haram.

*[Signature]*  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR.

No. 18505 /EC-I, dated Peshawar the 12/11 /2013.

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

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Addl:Inspector General of Police Investigation, Khyber Pakhtunkhwa, Peshawar with two spare copies of notification for publication in KPK, Police gazette part-II.
3. Addl: Inspector General of Police, Special Branch KPK.
4. Deputy Inspector General of Police, Traffic KPK, Peshawar.
5. Commandant, Elite Force KPK, Peshawar.
6. SSP/Operations, Peshawar.
7. SSP/Investigation, Peshawar.
8. SSP/Traffic Peshawar.
9. Commandant CPC University Campus, Peshawar.
10. EC-II, PO, AS, CC & Computer Cell

Date: 04-11-2013 EC

*[Signature]*

**ATTESTED**

**VAKALATNAMA**

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

\_\_\_\_\_ OF 2020

Muhammad Shah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Police Dept

(RESPONDENT)  
(DEFENDANT)

I/We Muhammad Shah

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

Dated. \_\_\_\_\_/\_\_\_\_\_/2020

Muhammad Shah  
CLIENT

**ACCEPTED**

**NOOR MOHAMMAD KHATTAK**

Shahzullah Yousafzai  
**SHAHZULLAH YOUSAFZAI**

Mir Zaman Safi  
**MIR ZAMAN SAFI**

&

Afrasiab Khan Wazir  
**AFRASIAB/KHAN WAZIR**  
**ADVOCATES**

OFFICE:

Flat No.4, 2<sup>nd</sup> Floor, Juma Khan  
Plaza, near FATA Secretariat,  
Warsak Road, Peshawar.  
Mobile No.0345-9383141