



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



No. 4933

/Legal

dated the 3 / 10 / 2022.

To: ✓ The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Subject: SERVICE APPEAL NO. 1637/2019 TITLED EX-
CONSTABLE MUHAMMAD SHAKEEL KHAN VS IGP KP
ETC.

Memo:

Reference of judgment dated 28.06.2022, passed by the Hon'ble Khyber Pakhtunkhwa Service Tribunal Camp Court, DI Khan in the subject cited service appeal.

Enclosed find copy of recommendations of the Committee (In Original), constituted in compliance of judgment dated 28.06.2022, is sent herewith for further necessary action, please.

AIG/ LEGAL

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

30.09.2022

C.C

- AIG/ Establishment, Khyber Pakhtunkhwa, Peshawar.
- District Police Officer, DI Khan.



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

RECOMMENDATIONS OF THE COMMITTEE

The Competent Authority has constituted a committee comprising of the following officers vide Order No. 7891-97/E-IV dated 29.08.2022 in light of the Khyber Pakhtunkhwa Service Tribunal in service appeal No. 1637/2019 dated 28.06.2022 to dispose of the representation of the petitioner ex-Constable Muhammad Shakeel Khan:-

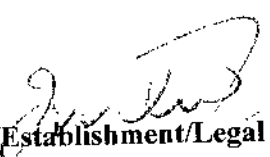
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|--|----------|
| 1. Deputy Inspector General of Police /Headquarter | Chairman |
| 2. Asstt: Inspector General of Police /Establishment | Member |
| 3. Asstt: Inspector General of Police / Legal | Member |
| 4. DSP HQrs: DI Khan | Member |
| 5. OHC, DI Khan | Member |

The committee held its meeting on 06.09.2022 at 1100 hrs in CPO Peshawar and the AIG Establishment thoroughly briefed the committee members as follows:-

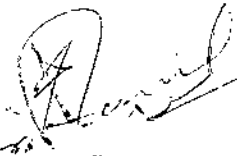
1. The petitioner was enlisted as Constable in District DI Khan on 31.05.2006.
2. He applied for the post of meter reader in WAPDA through departmental permission dated 06.07.2015.
3. In the meanwhile, he was charged in criminal case vide FIR 300 dated 15.10.2015 u/s 302/34 PPC PS Paharpur District DI Khan. Therefore, he was suspended and proceeded departmentally.
4. Later on, he submitted application to relieve him to join new place of posting in PESCO, WAPDA.
5. DPO DI Khan vide OB No. 94 dated 10.01.2017 reinstated him in service with direction to relieve him and join new place of posting.
6. After joining PESCO, WAPDA another FIR vide No. 231 dated 16.04.2018 u/s 53 Child Protection Act/377 PPC at PS DI Khan was lodged against him due to which his contract period was not extended further.
7. He submitted application on 01.03.2019 to re-join Police Department which was filed by the RPO DI Khan. Later on, he submitted another application to CPO, upon which the competent authority has recorded remarks that "Lien was granted for 02 years period which was applicable from 10.01.2017 to 10.01.2019 as per DI Khan order Book No. 94 dated 10.01.2019, he did not apply for extension of his lien which is his fault. Meaning thereby, his lien stood finished on 10.01.2019 from Police Department."

After threadbare discussion, the committee unanimously recommended that the representation of the petitioner may be filed on the following grounds:-


1. He did not apply for extension in his lien period after expiry of two years nor he submitted application before expiry of lien period i.e 10.01.2019 for re-joining Police Department.
2. The PESCO authorities has not extended the contract period of the petitioner and relieved from the post, therefore, he is no more a Govt: employee to apply for re-joining Police Department on the grounds of retain his lien.
3. His application had already been decided and filed by the competent forum being time barred.
4. He is not fit for police service being involved in criminal charges.


AIG/Establishment/Legal
Khyber Pakhtunkhwa


DSP HQrs, DI Khan


OHC DI Khan

(Approved)


Deputy Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa
Peshawar.
(Chairman)



**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NOTIFICATION

Peshawar, dated the 07/10/2022

NO. SOE-V/(E&AD)/5-9/2019/Vol-II:- In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister, Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS


- (a) in rule 5, in sub-rule (1), for clause (b), the following shall be substituted, namely;
- “(b) in the case of posts of Assistant Director, Programmer, LAN Administrator, Web Administrator, Data Processing Officer and Deputy Database Administrator fifty percent by initial recruitment and fifty percent by promotion; and”; and
- (b) In the **APPENDIX**,
- (i) against Serial No. 3, in Column No. 5, in clause (b), the words “Assistant Programmers and” shall be deleted; and
- (ii) Serial No. 4 shall be deleted

**CHIEF SECRETARY,
GOVERNMENT OF KHYBER PAKHTUNKHWA**

NO. SOE-V/(E&AD)/5-9/2019/Vol-II Dated Peshawar, the 07/10/2022

Copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary, Planning & Development Department.
2. The Senior Member of Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries in Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
7. PS to Chief Secretary, Khyber Pakhtunkhwa.
8. PS to Secretary, Law, Parliamentary Affairs & Human Rights Department.
9. The Deputy Director (IT), Establishment & Administration Department with the request to upload the same on the official website.
10. The Registrar, Khyber Pakhtunkhwa Services Tribunal.
11. PS to Secretary, Establishment Department.
12. PS to Special Secretary (Reg), Establishment Department.
13. PS to Special Secretary (Estt), Establishment Department.
14. PA to Additional Secretary (Estt), Establishment Department.
15. PA to Deputy Secretary (Estt), Establishment Department.
16. The Manager, Govt. Printing Press for publication in the Extra Ordinary Gazette. He is requested to furnish 30 copies of the printed Notification to this Department and 10 copies to Law Department.
17. Master File.


SECTION OFFICER (E-V)