

Order

28.06.2019

Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Mr. M. Farooq, Inspector for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in service appeal No. 63/2019 titled "Kifayatulah Khan-vs- Inspector General of Police, Khyber Pakhtunkhwa Peshawar and three others." Parties are left to bear their own cost. File be consigned to the record room.

Announced:  
28.06.2019



(Ahmad Hassan)  
Member



(Muhammad Amin Khan Kundi)  
Member

12.04.2019.

Counsel for the appellant and Addl. AG alongwith  
Yaqub Khan, H.C for the respondents present.

Representative of respondents has submitted  
reply on behalf of all the respondents. The same is  
placed on record. To come up for arguments before  
the D.B on 09.05.2019. The appellant may furnish  
rejoinder within a fortnight, if so advised.

  
Chairman

09.05.2019

Learned counsel for the appellant and Mr. Kabirullah  
Khattak learned Additional Advocate General for the  
respondents present. The learned Member (Executive) Mr.  
Hussain Shah is on leave, therefore, the bench is  
incomplete. Adjourned to 13.06.2019 for arguments before  
D.B.

  
(Muhammad Amin Khan Kundi)  
Member

13.06.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy  
District Attorney alongwith Mr. Muhammad Farooq, Inspector  
(Legal) for the respondents present. Arguments heard. To come up  
for order on 28.06.2019.

  
(AHMAD HASSAN)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

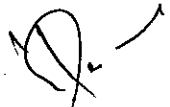
12.02.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant has filed the present service appeal against the adverse remarks in ACR pertaining to the period w.e.f 20.05.2017 to 31.12.2017. The appellant has also challenged the order dated 25.10.2018 through which his departmental appeal was rejected and against the order dated 06.12.2018 issued upon the mercy petition of the appellant.

Points raised need 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 notices be issued to the respondents for written reply. To come up for written reply/comments on 26.03.2019 before S.B.

Appellant Deposited  
Security & Process Fee



Member

26.03.2019

Learned counsel for the appellant present. Written reply not submitted. Asghar H.C representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 12.04.2019 before S.B.





Member

Form- A

FORM OF ORDER SHEET

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

Case No. 48/2019

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

The appeal of Mr. Nazar Hayat Assistant Grade Clerk DPO Office Bannu received today i.e. on 07.01.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Memorandum of appeal may be got signed by the appellant.
- ✓ 2- Annexures of the appeal may be flagged.
- ✓ 3- Annexures of the appeal may be attested.
- ✓ 4- Affidavit may be got attested by the Oath Commissioner.
- 5- Copy of First departmental appeal in respect of appellant mentioned in para-5 of the memo of appeal is not attached with the appeal which may be placed on it.
- 6- Copy of Mercy Petition dated 25.10.2018 mentioned in para-6 of the memo of appeal is not attached with the appeal which may be placed on it.
- 7- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 8- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 47 /S.T,

Dt. 8-1- /2019.

*8/1/19*  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Naila Jan Adv. Peshawar.

*Resubmitted and  
Remanded all the  
objections received above  
appeal has been sign by the  
appellant and attested by the  
oath commissioner and submitted to  
six more copies*

*Naila Jan*  
11/1/2019

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

S.A. 48 /2019

Nazar Hayat

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa and  
others

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*Naila Jan*  
**Appellant**  
Naila Jan Advocate  
Peshawar High Court  
Through *Naila Jan*

*Naila Jan*

Advocate, High Court  
Peshawar.

Dated: 07/01/2019

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

Khyber Pakhtunkhwa  
Service Tribunal

S.A. 48 /2019

Diary No. 28

Dated 7-1-2019

Nazar Hayat, Assistant Grade Clerk, DPO  
Office Bannu.

-----*(Appellant)*

**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Additional Inspector General Establish Khyber Pakhtunkhwa Peshawar.
3. Regional Police officer Bannu Region Bannu.
4. District Police officer Bannu.

-----*(Respondents)*

**Filed to-day**

*R. S. J.*  
**Registrar**

7/1/19

**APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL  
ACT, 1974 AGAINST THE ADVERSE  
REMARKS FOR THE PERIOD W.E.F  
20/05/2017 TO 31/12/2017 COMMUNICATED  
VIDE LETTER DATED 03/07/2018 AND  
ORDER DATED 25/10/2018 WHEREBY  
DEPARTMENTAL APPEAL OF THE  
APPELLANT WAS REJECTED AND ORDER  
DATED 06/12/2018 WHEREBY MERCY  
PETITION OF THE APPELLANT WAS  
REJECTED FOR NO GROUNDS.**

Re-submitted to -day  
and filed.

*R. S. J.*  
**Registrar**

11/1/19

*N. J. J.*  
Nair & Jan Advocates  
Peshawar High Court

*N. J. J.*

PRAYERS:-

ON ACCEPTANCE OF THE INSTANT APPEAL  
THE IMPUGNED ORDERS DATED 03/07/2018,  
25/10/2018 AND ORDER DATED, 06/12/2018  
MAY KINDLY BE SET ASIDE AND THE  
ADVERSE REMARKS MAY KINDLY BE  
EXPUNGED IN THE BEST INTEREST OF  
JUSTICE.

Respectfully Sheweth,

*The appellant submits as under:-*

1. That the appellant was appointed as **Junior Clerk** on **24/02/1988** and since his appointed the appellant performed his duty with great zeal and zeast and enthusiasm and there was no complaint what so ever against the appellant.
2. That due to his outstanding service record and devotion towards his duties the appellant was promoted as Assistant Grade Clerk by the Respondents.

Naila Jan Advocate  
Peshawar High Court

*Naila*

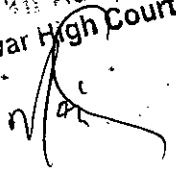


3. That though the service of the appellant was never given any adverse ACR which shows the outstanding and unblemished service of the appellant.

4. That the appellant was surprised to receive the ACR for the period from 20/05/2017 to 31/12/2017 vide letter No.2569/18 dated 03/07/2018 which is based on malafide illegal. (Copy of the impugned ACR is annexed as annexure "A")

5. That feeling aggrieved from the impugned adverse ACR's the appellant filed departmental appeal on dated 17/07/2018. However the same appeal was turned down vide order dated 25/10/2018. (Copy of Departmental appeal and rejection order are annexed as annexure "B" & "C")

6. That the appellant thus filed on individual departmental appeal/ mercy petition on 12/11/2018 which was rejected on

Naila Jan Advocate  
Peshawar High Court  


06/12/2018 received by the Appellant  
10/12/2018.(Copy of mercy petition and  
order are annexed as annexure "D" & "E")

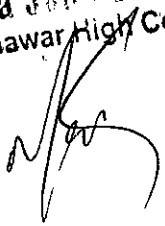
7. That feeling aggrieved from the impugned  
ACRs and orders the appellant filing the  
instant appeal on the following grounds.

***GROUND:-***

A. That the impugned ACRs as well as orders  
are against Law, rules principles of  
Natural Justice and void abinitio hence  
not sustainable under the law.

B. That the Respondent are under legal  
obligation to call the appellant for  
counseling however the opportunity of  
counseling has not been provided to the  
appellant hence the impugned remarks are  
liable to be expunged being contrary to law  
and rules.

Naila Jan Advocate  
Peshawar High Court



C. That throughout the service of the Appellant no complaint or explanation, has been called from the appellant which negate the stance of the Respondent.

D. That neither opportunity of personal hearing has been provided to the appellant hence the appellant has been condemned unheard.

E. That adverse remarks for the same period has been recorded in the ACRs of nine others which was expunged by the Respondent however the appellant was subjected to discrimination hence the Respondents violated Article 25 of the constitutional of Islamic Republic of Pakistan 1973, which makes all the impugned orders as void. **(Copies of ACRs are annexed as annexure "F")**

F. That even no Show Cause Notice has ever been issued to the appellant nor did any

*Naila Jan Advocate  
Peshawar High Court*

*Naila*

complaint has ever been filed against the appellant by anyone.

G. That the appellant has not been provided opportunity of fair trial as guaranteed by Art 10-A of the constitution of Islamic Republic of Pakistan 1973.

H. That the appellant seek permission to adduce other grounds during Arguments.

*It is, therefore, most humbly prayed that the appeal may kindly be accepted as prayed for in the heading of the appeal.*

*Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.*

Through

  
**Appellant**  
Naila Jan Advocate  
Peshawar High Court

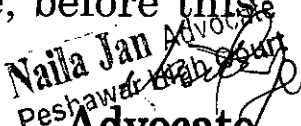
  
Naila Jan

Advocate, High Court  
Peshawar.

Dated: 07/01/2019

**NOTE:-**

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

  
Naila Jan Advocate  
Peshawar High Court  
Advocate

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

S.A \_\_\_\_\_/2019

Nazar Hayat

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa and  
others

**AFFIDAVIT**

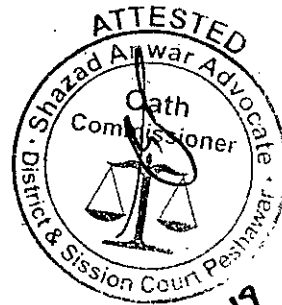
I, **Nazar Hayat, Assistant Grade Clerk, DPO Office Bannu**, do hereby solemnly affirm and declare that all the contents of the **accompanied appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

*Nazar Hayat*  
**DEPONENT**

Identified By;  
*Naila Jan Advocate*  
Peshawar High Court

**NAILA JAN**

Advocate High Court  
Peshawar.



11-01-19

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

S.A \_\_\_\_\_/2019

Nazar Hayat

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa and  
others

**APPLICATION FOR CONDONATION OF DELAY**

**RESPECTFULLY SHEWETH:-**

Applicant submits as under.

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the final impugned order was communicated to the appellant on 10/12/2018 and the instant appeal is within time, however if this it would be considered time bard then the limitation is condonable on the following grounds

**GROUND:**

- A. That the impugned order is void order, because the Respondents violated Article 25 of the

constitution of Islamic Republic of Pakistan 1973, by subjected the appellant to discrimination therefore no limitation runs against such void order.

B. That the final order was communicated to the applicant on 10/12/2018.

C. That there are number of precedents of Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

*It is therefore requested that the limitation period (if any) may kindly be condone in the interest of justice.*

  
**Appellant**

Through

  
**Naila Jan**

Advocate, High Court  
Peshawar.

Dated: 07/01/2019

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

S.A \_\_\_\_\_/2019

Nazar Hayat

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa and  
others

**ADDRESSES OF PARTIES**

***APPELLANT.***

Nazar Hayat, Assistant Grade Clerk, DPO  
Office Bannu.

**RESPONDENTS**

1. Inspector General of Police Khyber  
Pakhtunkhwa Peshawar.
2. Additional Inspector General Establish Khyber  
Pakhtunkhwa Peshawar.
3. Regional Police officer Bannu Region Bannu.
4. District Police officer Bannu.

  
***Appellant***

Through

  
Naila Jan Advocate  
Peshawar High Court

***Naila Jan***

Advocate, High Court  
Peshawar.

Dated: 07/01/2019



11

Annexure

RESTRICTED

(A)

Dup:

**GOVERNMENT OF K.P.K  
POLICE DEPARTMENT.**

**CONFIDENTIAL REPORT**

For the period from 20.05.2017 to 31.12.2017.

**PART - I**

Name:- Nazar Hayat 1(a) Father's Name:- Muhammad Sher.  
Designation:- Assistant Grade Clerk.  
Date of Birth:- 18.04.1962. 3(a) Qualification:- B.A  
Date of Entry into Govt: Service:- 24-02-1988 as a Junior Clerk.  
Section/Branches in which employed during the year, with period:- 20-05-2017 to 31.12.2017.  
Pay Officer, DPO Office, Bannu.

PART-II						
A	PERFORMANCE	A1	A	B	C	D
1	Referencing, paging of notes and correspondence				2	
2	Movement of files & record of suspense cases.				2	
3	Keeping files and papers in tidy conditions.			1		
4	Promptness and accuracy in disposing of work				2	
B	PERSONAL TRAITS					
5	Intelligence				2	
6	Knowledge of procedure and regulations			1		
7	Punctuality		1			
8	Cooperation and tact		1			
9	Amenability of discipline			1		
10	Skill in drafting		1			

11. Integrity

Assessment

I. Incorruptible \_\_\_\_\_  YES

II. Reported to be corrupt \_\_\_\_\_  NO

III. Believed to be corrupt, because of \_\_\_\_\_  NO

(a) Monetary consideration \_\_\_\_\_  NO

(b) Other Consideration \_\_\_\_\_  NO

12. Knowledge of Typing/Computer.  Yes  No

13. Trust worthiness in confidence and secret matters.  Yes  No

14. Any disciplinary action taken during the period under report  Yes  No

Mulla Jan Advocate  
Peshawar High Court

**PART-III**

By Reporting Officer      By Countersigning Officer

- (a) Recommended for accelerated promotion.
- (b) Fit for Promotion.
- (c) Recently promoted/appointed consideration for promotion pre-mature.
- (d) Not yet fit for promotion.
- (e) Unfit for further promotion.

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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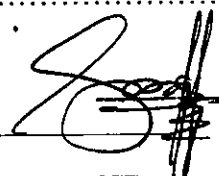
**PART-IV**

General Assessment		By Reporting Officer	By Countersigning Officer
I	Very Good		
II	Good		
III	Average	D	D
IV	Below Average		
V	Poor		

**PEN PICTURE**

The officer is dull minded who does not work by his own will. He is always pushed and pampered. He tries to delay works until and unless his memory button is pressed.

Reporting Officer's Signature



Name (in Block letters)

**(SADIQ BALOCH)**  
PSP

Dated 03 / 01 / 2018

Designation

District Police Officer,  
Bannu.

**CONVEYED AS ADVERSE REMARKS**

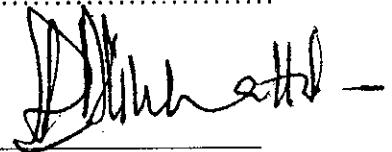
Vide No. SI 2569/18 dated 03/07/18

General Remarks by higher Officer..

I agree

PL Communicate

Countersigning Officer's Signature



Name (in Block letters)

**DAR ALI KHAN KHATTAK, PSP**

Dated     /     / 20   

Designation

Inspector of Police  
Bannu

12

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

No. S/ 2569 /18, Dated Peshawar the 03/07/2018.

Confidential/In-duplicate

To:- The Regional Police Officer,  
Bannu Region, Bannu.

Subject: - ACR/COMMUNICATION OF ADVERSE REMARKS

Memo:

In the Annual Confidential Report on the working of Asstt: Grade Clerk Nazar Hayat, for the period/year 20.05.2017 to 31.12.2017 it has been mentioned that:-

Remarks of the Reporting Officer.

A) PERFORMANCE

1.	Referencing paging of notes and correspondence	"C"
2.	Movement of files and record of suspense cases	"C"
4.	Promptness and accuracy in disposing of work	"C"

B) PERSONAL TRAITS

5.	Intelligence	"C"
12.	Knowledge of Typing	"No"

PART-III

d.	Not yet fit for promotion	"YES"
----	---------------------------	-------

Pen Picture

"The officer is dull minded who does not work by his own will. He is always pushed and pampered. He tries to delay works until and unless his memory button is pushed"

1<sup>st</sup> Countersigning Officer Remarks (RPO)

"I agree"

2<sup>nd</sup> Countersigning Officer Remarks (Addl: IGP/HQrs:/KPK)

"Please communicate as Adverse"

\*\*\*\*

The above adverse remarks may please be conveyed to the official concerned in order that he may remedy the defects. Representation if made should be sent not later than one month from the date of receipt of this communication.

The acknowledgement as token of the receipt of this memo: may be obtained from him on the attached duplicate copy of this communication and returned to this office for record in his Character Roll Dossier.

*[Handwritten signature]*

**Naila Jan Advocate**  
Peshawar High Court

(IRFAN ILLAH KHAN) PSP  
AIG/Establishment

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

*[Handwritten signature]*  
2-7/18

بخدمت جناب اسپیکر جنرل آف پولیس صوبہ خیبر پختونخوا

ACR/COMMUNICATION OF ADVERSE REMARKS

عنوان:

جناب عالی!

گزارش ہے کہ ذیل کلرکل سٹاف بنوں ریج عرض کرتے ہیں کہ ہم ساکنان کو مورخہ 28.04.2017 تا 31.12.2017 کے ACRs میں ہمارے خلاف ADVERSE REMARKS دئے گئے ہیں جن کو دیکھ کر ہم سب حیران اور پریشان ہے کہ نہ تو ہمارے خلاف کوئی Explanation وغیرہ تھی اور نہ ہی ہم سے دوران ڈیوٹی ایسی کوئی کوتاہی ہوئی ہے کہ جس کی بنیاد پر ہمارے خلاف ADVERSE REMARKS آئے ہیں۔ کیونکہ اگر دیکھا جائے تو سارے صوبے میں ایسے انتظامی ACR کسی بھی ایسرنے اپنے ماتحتوں کو نہیں دئے ہیں جو کہ ظلم پر مبنی ہیں۔

جناب عالی!

کیونکہ سالانہ ACRs کی بنیاد پر ہی ہماری کارکردگی اور ترقی کا دارومدار ہوتا ہے اور یہ جاننا ہمارا حق ہے کہ اگر ہمارے خلاف 2017 ACRs میں جو ریمارکس دئے گئے ہیں وہ کس بنیاد پر دئے گئے ہیں کیونکہ ذیل ملازمین میں سے کسی کے خلاف بھی کوئی محکمہ کارروائی جاری نہیں تھی۔ اور نہ ہی کسی کو اس ضمن میں کوئی وارننگ لیٹر جاری ہوا تھا۔ نہ ہی کسی کو ساری سروس میں کوئی خراب ACR دیا گیا ہے۔

جناب عالی!

ہمارے سابقہ ریکارڈ آپ جناب کے دفتر CPO میں موجود ہیں جس سے ہمارے سابقہ کارکردگی جانچی اور پرکھی جاسکتی ہے لہذا استدعا کرتے ہیں کہ ہم جملہ سٹاف بنوں ریج آپ کے حضور پیش ہو کر اپنی عرضداشت بیان کرنا چاہتے ہیں ہمیں پیشی کا موقع فراہم کیا جائے اور ہمارے سابقہ کارکردگی کو دیکھتے ہوئے 2017 ACRs کی Adverse Remarks ختم کی جائے۔ اور EXPUNGE کیا جائے۔

نوٹ:- جملہ سٹاف ٹوٹل 23 سٹاف ممبران (DPO آفس بنوں سٹاف، ریج آفس بنوں سٹاف) کی لسٹ درخواست کے ہمراہ لف ہے۔

مورخہ: 17.07.2018

Naila Jan Advocate  
Peshawar High Court

ساکنان

جملہ سٹاف ممبران (DPO آفس بنوں، ریج آفس بنوں)



No. S/ 4376-79/18, Dated Peshawar the 25/10/2018.

ORDER

This order pertains to the representation preferred by Assistant Grade Clerk Nazar Hayat of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby rejected and remarks maintained.

Sd/-

**Dr. Ishtiaq Ahmad, PSP/PPM**  
Addl: IGP/HQrs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPO/Bxu/CC

To inform the official  
and placed in his  
Character Roll.

*[Signature]*  
RPO/Bxi

29/10

*[Signature]*  
**(ZAIBULLAH KHAN)PSP**  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

*[Signature]*  
Naila Jan Advocate  
Peshawar High Court

رحم درخواست

عنوان:

جناب عالی!

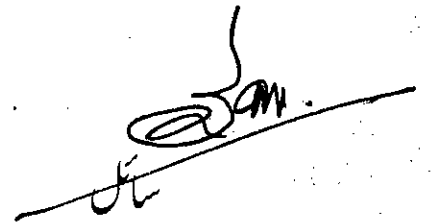
گزارش ہے کہ میں بذریعہ رحم درخواست معروض ہوں کو مجھے سال 2017 کے ACR میں ایڈورسری مارکس Convey کئے گئے ہیں جن کو دیکھ کر میں انتہائی حیران و پریشان ہوا، کہ نہ تو میرے خلاف کوئی Explanation وغیرہ تھی اور نہ ہی دوران ڈیوٹی کوئی ایسا جرم سرزد ہوا ہے۔ جس کی بنیاد پر ایڈورسری مارکس دئے گئے ہیں۔ کیوں کہ اگر دیکھا جائے تو سارے صوبے میں ایسے انتقامی ACRs اتنے بڑے پیمانے پر جملہ ماتحتان کو دئے گئے ہوں۔ جو کہ ظلم پر مبنی ہے کیونکہ سالانہ ACRs کی بنیاد پر ہی ہم سرکاری اہلکاروں کی ترقی کا دار و مدار ہوتا ہے۔ اور یہ جاننا میرا حق ہے کہ میرے خلاف 2017 ACR میں ایڈورسری مارکس کس بنیاد پر دئے گئے ہیں۔ کیونکہ میرے خلاف کوئی بھی محکمانہ کارروائی وغیرہ نہیں تھی۔ اور نہ ہی مجھے کوئی نوٹس وغیرہ جاری ہوا تھا۔ اس سلسلے میں میں پورے وثوق سے کہتا ہوں کہ مجھے ساری سروس میں کوئی بھی خراب ACRs نہیں دئے گئے ہیں۔ اور تقریباً A-1 ACRs حاصل کر چکا ہوں۔ میرا اس سلسلے میں سابقہ ریکارڈ آپ جناب کے دفتر یعنی CPO میں موجود ہے۔ جس سے میری سابقہ کارکردگی جانچی اور پرکھی جاسکتی ہے۔ لہذا استدعا ہے کہ آپ کے حضور پیش ہو کر اپنی آرزوداشت پیش کرنے کا موقع فراہم کیا جائے اور میری سابقہ کارکردگی کو دیکھتے ہوئے 2017 ACRs میں جو ریمارکس دئے گئے ہیں انکو Expunge کیا جاوے۔

جناب عالی!

اس سلسلے میں DPO آفس بنوں اور ریجن آفس بنوں کے جملہ 24 منیسٹریل سٹاف نے ایک متفقہ درخواست آپ جناب کو گزاری تھی اس درخواست میں بھی پیش ہونے کی استدعا کی گئی تھی نتیجاً ان میں سے کچھ اہلکاروں کو ACRs پیشی کر کے Expunge کئے گئے لیکن بقایا کو اس حق سے محروم رکھا گیا اور نہ ہی Expunge کرنے کے لئے سنا گیا۔ میری درخواست کیساتھ جملہ بقایا اہلکاران کی لسٹ بھی لف ہے۔

مورخہ: 12.11.2018

Naila Jan Advocate  
Peshawar High Court



نظریات (اسٹنٹ گریڈ کلرک)

DPO آفس بنوں



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

16 Annexure  
(E)

No. S/ 4844 /18, Dated Peshawar the 06/12/2018.

To: The Regional Police Officer,  
Bannu Region, Bannu.

Subject:- Applications—(Mercy Petitions)

Memo:

Please refer to your office memo: 8571/PA, 8572/PA, 8573/PA, 8574/PA, 8575/PA, 8576/PA, 8577/PA, 8578/PA, 8579/PA, 8580/PA, 8581/PA, 8582/PA, dated 13.11.2018 on the subject cited above.

The competent authority has examined the cases submitted by Ministerial Staff of Bannu Region, as per "Instructions on Performance Evaluation Report (PER)" Article 6.2 (iv), which is reproduced below:-

"According to the existing instructions, there is scope for only one representation against adverse remarks, which should be submitted, if desired, by the officer concerned, within (30 days), of the receipt of those remarks".

There is no provision of Mercy Petition in the rules.

PA

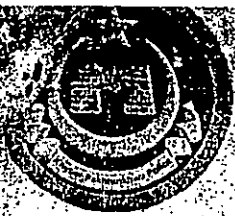
10/12/2018

نظر حیات  
اسٹیشنریٹ کلرک

(SADIQ BALOCH)PSP  
AIG/Establishment

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Naila Jan Advocate  
Peshawar High Court  
Peshawar High Court



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

Central Police Office, Peshawar

No. SI/4368-7/18, Dated Peshawar the 25/12/2018

ORDER

This order pertains to the representation preferred by Senior Clerk Mir Muhammad of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/counter signing officer. Comments were also obtained.

After going through the relevant record, comments and material on ground, the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017, is hereby expunged.

Sc/ [Signature]  
Dr. Ishtiaq Ahmad, PSP/PPM  
Addl: IGP/HQs  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo. No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: 'E-V' Branch, CPO.

cc

Placed on vis  
Character Roll

[Signature]

R.P.O/Bk

29/10

(ZAIBULLAH KHAN) PSP  
AIG/Establishment

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Nalla Jan Advocate  
Peshawar High Court

Nalla Jan Advocate  
Peshawar High Court



No. 4364-67/18 Dated Peshawar 29/10/2018

ORDER

This order pertains to the representation preferred by Senior Clerk Sibghatullah s/o Noor Nawaz Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged.

So,  
Dr. Ishtiaq Ahmad, PSP/PPM  
Addl. ICP/HQs  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/CC dated 18/07/2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt. "E-V" Branch, CPO.

cc  
Placed on file  
Character Roll.

*Handwritten signature*  
RBR/BXU  
29/10

*Handwritten signature*  
(ZAIBULLAH KHAN) PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

*Handwritten signature*  
Main Advocate  
Peshawar High Court



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

No. S/ 4205-08/18, Dated Peshawar the 24/10/2018.

ORDER

This order pertains to the representation preferred by Junior Clerk Waseem Ullah of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-

Sher Akbar, PSP

DIG/HQrs:

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on his

Character Roll.

*[Handwritten Signature]*  
RPO/Bx

29/10

(SYED ANIS-UL-HASSAN)

Registrar

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

*[Handwritten Signature]*  
18/10/18

Naila Jan Advocate  
Peshawar High Court

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

Central Police Office, Peshawar

No. S/ 4197-4200/18; Dated Peshawar, the 21/12/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Muhammad Younas of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-  
Shir Akbar, PSP  
DIG/HQs  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt. "E-V" Branch, CPO.

DPo/BXU/ce

To inform the official concerned and one copy placed on his Character Roll.

*M. A. Khan*

RPO/BXU

29/10

(SYED ANIS-UL-HASSAN)

Registrar  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

High Court  
Peshawar

7/12/18



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

No. S/4201-4204/18, Dated Peshawar the 29/10/2018.

ORDER

This order pertains to the representation preferred by Junior Clerk Farmanullah of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-  
Sher Akbar, PSP  
DIG/HQ  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CO, dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

DPO/BxU/CC

To inform the official  
and placed on his  
Character Roll.

*M.A.A.*  
RPO/BxU  
29/10

*[Signature]*  
(SYED ANIS-UL-HASSAN)  
Registrar  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Advocate  
High Court  
*[Signature]*

ORDER

This order pertains to the representation preferred by Junior Clerk Muhammad Javed Khan of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/counselling officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017, is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-

Sher Akbar, DSP  
DIG/HQs

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/GC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on his  
Character Roll.

RPO/Bnu  
29/10

High Court

(SYED ANIS-UL-HASSAN)  
Registrar  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar



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

No. SI/4209-12/18, Dated Peshawar the 29/10/2018.

ORDER

This order pertains to the representation preferred by Junior Clerk Haroon Rashid of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/controlling officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police, Headquarters Khyber Pakhtunkhwa, Peshawar.

Sd/  
Sher Akbar, PSP  
DIG/HQs  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo. No. 52/CC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on his  
Character Roll.

RPO/Bnu  
29/10

Advocate  
Peshawar High Court

(SYED ANIS-UL-HASSAN)  
Registrar  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.



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

24  
NO. 4217-20 / 29/10

ORDER

ins. under memo No. 2008/2018 dated 18/07/2018. The said entry is recorded in the A/R of the expunction of Adverse Remarks entered in the A/R of the said ins. on 18/07/2018. The said entry is recorded by the undersigned authority in the A/R of the said ins. in the office of the undersigned.

The undersigned authority has also reviewed the records of the said ins. in the A/R of the said ins. recorded in the A/R of the period from 18/07/2018 to 29/10/2018. The said entry was also heard in person by the Deputy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

Sher Akbar, PSP

Deputy Inspector

Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Adst. No. & Date even.

Copies of above are forwarded for information and record.

the

1. Regional Police Officer, Bannu Region with his memo No. 2008/2018 dated 18/07/2018. Necessary entry in this effect may also be made in the A/R of the Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu
3. Superintendent, Bannu, PO

CC

Placed on his  
Character roll.

A  
RPO/Bnu

29/10

(SYED ANIS-U-HASSAN)  
Deputy Inspector

For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

H. Advoca  
High Court



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

No. Si. 4221-24/18, Dated Peshawar the 29/10/2018

ORDER

This order pertains to the representation preferred by Junior Clerk Sulman Khan of Bannu Region for the expungement of Adverse Remarks contained in his ACR for the period from 28.04.2017 to 31.12.2017 recorded by the reporting/countersigning Officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 28.04.2017 to 31.12.2017 is hereby expunged. He was also heard in person by the Deputy Inspector General of Police Headquarters, Khyber Pakhtunkhwa, Peshawar.

Sd/-  
Saeed Akbar, PSP  
DIG/HQs  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo No. 52/EC dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

cc

Placed on Character Roll.

deal  
RPO/RSK

29/10/18

(SYED ANIS-UL-HASSAN)  
Registrar  
For Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar

Advocate  
High Court



DPO OFFICE BANNU, RANGE OFFICE BANNU  
**HAVING ADVERSE REMARKS**

26

S.No	Name & Rank	Place of Posting	Period From	Period To	Signature
1	Asstt: Grade Clerk Ghulam Muhammad	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
2	Asstt: Grade Clerk Nazar Hayat	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
3	Senior Clerk Rahim Ullah Khan	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
4	Senior Clerk Gul Aslam	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
5	Senior Clerk Abdul Malik	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
6	Senior Clerk Shareen Zaman	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
7	Senior Clerk Kifayat Ullah Khan	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
8	Junior Clerk Tariq Hayat	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
9	Junior Clerk Farman Ullah	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
10	Junior Clerk Muhammad Ismail	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
11	Junior Clerk Muhammad Youns	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
12	Junior Clerk Muhammad Asif Qurashi	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
13	Junior Clerk Tariq Hayat	DPO Office Bannu	20.05.2017	31.12.2017	[Signature]
14	Stenographer Muhammad Anwar Shah	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
15	Asstt: Grade Clerk Muhammad Riaz	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
16	Senior Clerk Sibghat Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
17	Senior Clerk Tahseen Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
18	Senior Clerk Mir Muhammad	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
19	Senior Clerk Sibghat Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
20	Junior Clerk Wasim Ullah Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
21	Junior Clerk Haroon Rashid	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
22	Junior Clerk Muhammad javid	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
23	Junior Clerk Saud Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]
24	Junior Clerk Muhammad Sulaman Khan	Range Office Bannu	28.04.2017	31.12.2017	[Signature]

*Naila Jan Advocate  
Peshawar High Court  
[Signature]*

# وکالت نامہ

KF Service Tribunal for award بعدالت  
 Nazam Hayat نام Police  
 7/1/2019 تاریخ appellant منجانب

اپیل نمبر 48/19 باعث تحریر آئیکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام Peshawar کے لئے

## نانکہ جان ایڈوکیٹ ہائی کورٹ انڈیا حیدرآباد

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود، بذریعہ اختیار خاص رو میں عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا اگر پیشی پر من مظهر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پشہری کے کسی اور جگہ سماعت ہونے یا بروڈ تعطیل یا پشہری کے کسی اور جگہ سماعت ہونے یا بروڈ تعطیل یا پشہری کے کسی اور جگہ سماعت ہونے پر من مظهر کو کوئی نقصان پہنچنے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا اختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپرد دہائی و رضی نامہ کو فیصلہ برخلاف کرنے، اقبال و دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا تکلی طبعہ اختیار نامہ ہوگا۔ اس کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اقبال کے واسطے کسی دوسرے وکیل یا ہیر مشرک کو بجائے اپنے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ ہوں گے۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ اختیار نامہ کھد دیا تاکہ سند رہے مورخہ 7/1/2019 مضمون اختیار نامہ ن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

ATTESTED & ACCEPTED

نانکہ جان ایڈوکیٹ ہائی کورٹ ہیدرآباد

Hema Khan

جان

نظر صحت  
 اسٹریٹ ٹریڈنگ

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No.48 /2019**

Nazar Hayat .....Appellant

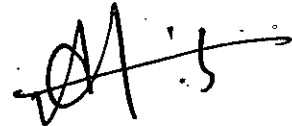
**Versus**

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

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**DEPONENT**

**11101-1483421-1**

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

Appeal No.48 /2019

Nazar Hayat .....Appellant

**Versus**

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

**PARA WISE COMMENTS/REPLY ON BEHALF OF RESPONDENTS NO.1,2,3 & 4**

**Preliminary Objections**

1. That the appeal of the appellant is badly time-barred.
2. That the appeal is not maintainable in its present form.
3. That the appellant has concealed the actual facts from this Honourable Tribunal.
4. That the appeal is bad in law due to non-joinder and mis-joinder of unnecessary parties.
5. That the appellant has approached the Honourable Tribunal with unclean hands.
6. That the appellant has got no cause of action and locus-standi to file the instant appeal.
7. That the appellant has been estopped by his own conduct to file the instant appeal.
8. That the instant appeal is badly time barred.

**OBJECTIONS ON FACTS:**

**Respectfully Sheweth**

1. Pertains to record. Hence, Needs no comments.
2. Pertains to record. However, the appellant has not annexed any document in support of his claim.
3. Pertains to record. Hence, Needs no comments.
4. Incorrect. The Respondent No.3 has the authority to assign performance evaluation report to the appellant on the basis of his performance. Hence, respondent No.3 acted in accordance with law.
5. Correct to the extent that the appellant preferred an appeal before the Respondent No.1. After perusing the relevant record, comments and material on grounds, the adverse remarks recorded in ACR of the appellant for the period w/e from 20.05.2017 to 31.12.2017 the appeal was rejected being devoid of merit. (Copy of the order is annexed as annexure "A").
6. Correct to the extent that the appellant filed an appeal/mercy petition on 12.11.2018 to Respondent No.1 but was rejected according to Police Rules 16-29

(2) "There shall be one appeal only from the original order, and the order of the appellate authority shall be final". As per law and rules.

7. The respondent Department also submit his reply on the following grounds:-

**OBJECTIONS ON GROUNDS**

- A. Incorrect. The impugned ACR as well as ACRs orders issued by the Respondents Department is in according to law/rules.
- B. Incorrect. The appellant was afforded all legal opportunities for his self defense but he badly failed to mend his way.
- C. Pertains to record. Hence, needs no comments.
- D. Incorrect. Reply has already been given in para "B".
- E. Pertains to record. Hence, needs no comments.
- F. Incorrect. The appellant was provided all opportunities of personal hearing and self defense but he badly failed to substantiate stance further there is no need of issuing a show cause before recording adverse remarks.
- G. Incorrect. Reply has already been given in the above para.
- H. That the respondent department may be allowed to advance any other grounds & material as evidence at the time of arguments.

**PRAYER:**

In view of the above replies, it is most humbly prayed that the appeal of the appellant may kindly be dismissed with cost please.

20/2  
District Police Officer,  
Bannu  
(Respondent No.4)

Regional Police Officer  
Bannu Region, Bannu  
(Respondent No.3)

AIG Establishment,  
Khyber Pakhtunkhwa Peshawar  
(Respondent No.2)

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

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

Appeal No.48 /2019

Nazar Hayat .....Appellant

**Versus**

The Inspector General of Police, KPK, Peshawar and others  
..... Respondents


**AUTHORITY LETTER.**

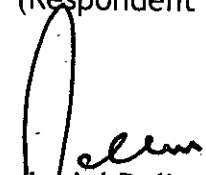
Mr. Muhammad Farooq Khan, Inspector Legal is hereby authorized to appear before The Service Tribunal Khyber PakhtunKhwa Peshawar on behalf of the undersigned in the above cited case.

He is authorized to submit and sign all documents pertaining to the present appeal.

  
District Police Officer,  
Bannu  
(Respondent No.4)

  
Regional Police Officer,  
Bannu Region, Bannu  
(Respondent No.3)

  
AIG Establishment,  
Khyber PakhtunKhwa Peshawar  
(Respondent No.2)

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

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Appeal No.48 /2019**

Nazar Hayat .....Appellant

**Versus**

The Inspector General of Police, KPK, Peshawar and others

..... Respondents

**AFFIDAVIT**

I, **Muhammad Farooq Khan**, Inspector Legal representative for Respondent Nos. 1,2,3 and 4 do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by me are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

  
DEPONENT

11101-1483421-1

(11) Annexure (A) RESTRICTED

**GOVERNMENT OF K.P.K  
POLICE DEPARTMENT.**

**CONFIDENTIAL REPORT**

For the period from 20.05.2017 to 31.12.2017.

**PART - I**

Name:- Nazar Hayat      1(a) Father's Name:- Muhammad Sher.  
 Designation:- Assistant Grade Clerk      3(a) Qualification:- B.A  
 Date of Birth:- 18.04.1962.      24-02-1988 as a Junior Clerk.  
 Date of Entry into Govt: Service:-  
 Section/Branches in which employed during the year, with period:-20-05-2017 to 31.12.2017.  
 Pay Officer, DPO Office, Bannu.

PART-II						
A PERFORMANCE						
		A1	A	B	C	D
1	Referencing, paging of notes and correspondence				2	
2	Movement of files & record of suspense cases.				2	
3	Keeping files and papers in tidy conditions.				2	
4	Promptness and accuracy in disposing of work			2		
B PERSONAL TRAITS						
5	Intelligence				2	
6	Knowledge of procedure and regulations				2	
7	Punctuality			2		
8	Cooperation and tact		2			
9	Amenability of discipline		2			
10	Skill in drafting		2	2		

**11. Integrity**

- I. Incorruptible \_\_\_\_\_
- II. Reported to be corrupt \_\_\_\_\_
- III. Believed to be corrupt, because of
  - (a) Monetary consideration \_\_\_\_\_
  - (b) Other Consideration \_\_\_\_\_

Assessment

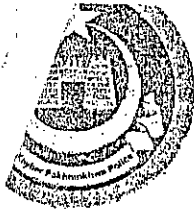
YES  
 NO  
 NO  
 NO  
 NO

- 12. Knowledge of Typing/Computer. \_\_\_\_\_
- 13. Trust worthiness in confidence and secret matters. \_\_\_\_\_
- 14. Any disciplinary action taken during the period under report \_\_\_\_\_

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mulla Jan Advocate  
Peshawar High Court





12  
OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

No. S/ 2569 /18, Dated Peshawar the 03/07/2018.

Confidential/In-duplicate

To:- The Regional Police Officer,  
Bannu Region, Bannu.

Subject: - ACR/COMMUNICATION OF ADVERSE REMARKS

Memo:

In the Annual Confidential Report on the working of Asstt: Grade Clerk Nazar Hayat, for the period/year 20.05.2017 to 31.12.2017 it has been mentioned that:-

Remarks of the Reporting Officer.

A) PERFORMANCE

1.	Referencing paging of notes and correspondence	"C"
2.	Movement of files and record of suspense cases	"C"
4.	Promptness and accuracy in disposing of work	"C"

B) PERSONAL TRAITS

5.	Intelligence	"C"
12.	Knowledge of Typing	"No"

PART-III

d.	Not yet fit for promotion	"YES"
----	---------------------------	-------

Pen Picture

"The officer is dull minded who does not work by his own will. He is always pushed and pampered. He tries to delay works until and unless his memory button is pushed"

1<sup>st</sup> Countersigning Officer Remarks (RPO)

"I agree"

2<sup>nd</sup> Countersigning Officer Remarks (Addl: IGP/HQrs:/KPK)

"Please communicate as Adverse"

\*\*\*\*

The above adverse remarks may please be conveyed to the official concerned in order that he may remedy the defects. Representation if made should be sent not later than one month from the date of receipt of this communication.

The acknowledgement as token of the receipt of this memo: may be obtained from him on the attached duplicate copy of this communication and returned to this office for record in his Character Roll Dossier.

*[Handwritten signature]*

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

2-7/18

*[Handwritten signature]*  
Nasir Jazir Advocate  
Peshawar High Court



No. S/ 4376-79 /18, Dated Peshawar the 25/10/2018.

ORDER

This order pertains to the representation preferred by Assistant Grade Clerk Nazar Hayat of Bannu Region for the expunction of Adverse Remarks contained in his ACR for the period from 20.05.2017 to 31.12.2017 recorded by the reporting/countersigning officer. Comments were also obtained.

After going through the relevant record, comments and material on ground the Adverse Remarks recorded in his ACR for the period from 20.05.2017 to 31.12.2017 is hereby rejected and remarks maintained.

Sd/-  
**Dr. Ishtiaq Ahmad, PSP/PPM**  
Addl: IGP/HQrs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

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

1. Regional Police Officer, Bannu Region w/r to his memo: No. 52/CC; dated 18.07.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll Dossier. The applicant may also please be informed accordingly.
2. District Police Officer, Bannu.
3. Supdt: "E-V" Branch, CPO.

*DPO/Bxu/ce*

(ZAIBULLAH KHAN)PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar JS

*To inform the official  
and placed in his  
Character Roll.*

*delal  
RPO/Bxi*

*Neela Jan Advocate  
Peshawar High Court*

*29/10*