04.02.2020

Appellant in person present and seeks adjournment as learned counsel for the appellant is not available. Adjourn. To come for preliminary hearing including maintainability of the present service appeal, on 04.03.2020 before S.B at Camp Court, Swat.

Member Camp Court, Swat.

04.03.2020

Appellant with counsel present.

Learned counsel for the appellant seeks withdrawal of the present service appeal. Consequently the present service appeal is hereby dismissed as withdrawn. No order as to costs. File be consigned to the record room.

(Muhammad Hamid Mughal) Member Camp Court, Swat.

<u>ANNOUNCED.</u> 04.03.2020

FORM OF ORDER SHEET

Court of	<u> </u>
Cara Na	in the second second
Case No	1530/ 2019

S.No.	Date of order	Order or other proceedings with signature of judge
	proceedings	
1	2	3.
1-	14/11/2019	The appeal of Mr. Bakht Naeem Khan resubmitted today by Mr.
	•	Muhammad Javaid Khan Advocate may be entered in the Institution
		Register and put up to the Worthy Chairman for proper order please.
		l acm
	,	REGISTRAR WILLIAM
2-	• •	This case is entrusted to touring S. Bench at Swat for preliminary
		hearing to be put up there on $05-12-20/9$
		CHAIRMAN
·	05.12.2019	Learned counsel for the appellant present, heard.
		The order dated 27.03.2019 made impugned in the
		present service appeal was passed in relation to
		implementation of judgment dated 05.07.2018 of this
		Tribunal passed in Service Appeal No.507/2018.
		Learned counsel for the appellant seeks
		adjournment to prepare the brief and also assist this
	,	Tribunal on the issue of maintainability of the present
•		service appeal. Adjourn. To come up for preliminary
		hearing on 0\(\frac{1}{4}\).02.2020 before S.B at Camp Court,
		Swat.
		Member
		Camp Court, Swat.

The appeal of Mr. Bakhat Naeem Khan son of Mirza r/o Cheenar Makhai Tehsil Munda District Dir Lower received today i.e. on 07.11.2019 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 are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 3- Annexures of the appeal may be flagged.
- 4- Annexures of the appeal may be attested.

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Mr. M. Javaid Khan Adv. Swat.

The file's le-submitted after day the weedfull, the file may be process at the earliest.

12.11.2018 ykles M Jav Ase

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. <u>1536</u> ___/2019

VERSUS

INDEX

S.	Description of Documents	Annexures	Pages
#			
1.	Service Appeal		1-6
2	Affidavit		7
-3	Addresses of the Parties		8
4.	Copy of Departmental Appeal along with all annexures including the impugned order Dated: 27/03/2019	A	9-49
5	Wakalat Nama		50

Appellant

Through Counsel

Muhammad Javaid Khan Advocate Supreme Court of Pakistan

Office: Allah-o-Akbar Masjid, College Colony, Saidu Sharif, swat

Cell: 0343-9607492

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. <u>1530</u>/2019

Kayber Pakhtukhwa Service Tribunal

Diary No. 1575

Dated 07/11/2019

Bakht Naeem Khan S/o Mirza Resident of Cheenar Makhai,

Tehsil Munda District Dir Lower

.....Appellant

VERSUS

- 1) Provincial Police Officer Government of Khyber Pakhtunkhwa at Central Police Office (CPO) Peshawar
- Deputy Inspector General of Police / Regional Police Officer
 (RPO) Malakand Region at Swat
- 3) District Police Officer Dir Lower at Timergara Dir Lower

.....Respondents

Filedto-day

Registrar

SERVICE APPEAL UNDER SECTION 4 OF SERVICE
TRIBUNAL ACT READ WITH OTHER RELEVANT
PROVISIONS AGAINST THE IMPUGNED ORDER
NO. 3945-47/E DATED: 27/03/2019, WHEREBY THE

Re-submitted to -d and filed.

Registrar

SERVICE WITHOUT ANY CONDITION WAS NOT

ALLOWED ILLEGALLY, UNLAWFULLY AND

UNCONSTITUTIONALLY, AND THE APPELLANT

WAS ALLOWED TO REJOIN THE SERVICE

CONDITIONALLY AND PROVISIONALLY.

PRAYER:

On acceptance of this service appeal, the condition mentioned in the impugned order No. 3945-47/E Dated: 27/03/2019 of Respondents be rescinded, and the Appellant may be considered to have joined the service from the date, without conditions.

Any other relief, deemed fit in the given circumstances of the case may also be awarded in favor of appellant against respondents.

Respectfully Sheweth:

The appellant submits as under;

- 1. That the appellant was appointed in the police department on 08/07/1991, and is presently serving as Assistant Sub Inspector at Dir Lower.
- 2. That the appellant while serving as ASI in District Dir Lower Police after qualifying 25 years service due to some domestic affairs on written request was granted LPR with effect from 01/09/2016 vide Region Office, Swat Endst No. 7052-53/E, Dated: 24/08/2016.
- 3. That the appellant being a senior member of Police at Regional level, also on list "E" as name mentioned at S/No. 60 in the seniority list of ASIs during LPR Period was called with colleagues to attend meeting on 30/08/2016 vide Region Office, Swat 7246-62/E, Dated: 29/08/2016 in connection with promotion as officiating Sub Inspector for which the appellant was entitled under the rules vide Section Officer (Reg-VI), Government of

KPK, Establishment Department Regulation Wing letter No. SOR-VI/E&AD/1-6/2011, Dated: 17/03/2014, but name of the appellant was ignored from promotion as officiating Sub Inspector and subsequently applicant colleagues were promoted vide order Dated: 7674-90/E, Dated: 09/09/2016.

- 4. That on getting free from the domestic affairs the appellant submitted application Dated: 29/12/2016 under the rules vide Section Officer (RA-4), Government of Pakistna, Finance Division (Regulations Wing) Islamabad, letter No. F.1(1)R-4/2007-Vol-II(PI, Dated: 06/10/2016 later-on also notified by Section Officer (SR-II), Government of KPK, Finance Department vide letter No. FD(SOSR-II)/4-36/2016, Dated: 05/09/2018 for withdrawal of remaining portion of LPR and counting of period of 3 months and 28 days spent on LPR as Earned Leave with request to rejoin service again as routine, but request of the appellant was turned down vide Region Office, Swat Order/ Memo No. 2124/E, Dated: 28/02/2017.
- 5. That the appellant filed Service Appeal No. 507/2017 before Honorable Service Tribunal, Khyber Pakhtunkhwa for rejoining the service again as routine and status quo was also issued on 11/08/2017 and earnestly allowed the appellant to re-join the service as routine, therefore the appellant submitted application Dated: 15/08/2017 duly forwarded by DPO Dir Lower vide his office Memo No. 25103/EC, Dated: 17/08/2017 accordingly in the light of judgment with the request to allow the appellant for Ex-Pakistan Leave to perform "Hajj"", but the same was also

not considered vide Region Office order No. 5309/E, Dated: 07/09/2017, therefore the appellant also submitted application Dated: 12/07/2018 through TCS to worthy Regional Police Officer, Malakand, at Saidu Sharif Swat (Competent Authority) to permit the appellant to re-join service as routine in light of August Court judgment Dated: 05/07/2018, but was also turned down again.

- 6. That this Honorable Tribunal, while deciding the Service Appeal No. 507/2017 of the appellant, allowed the appellant to join the service as routine vide judgment Dated: 05/07/2018, therefore, in light of approval accorded by CPO Peshawar vide Memo: No. 839/Legal, Dated: 21/02/2019 the worthy Regional Police Officer, Malakand at Saidu Sharif Swat vide his office order No. 3945-47/E, Dated: 27/03/2019 allowed the appellant to rejoin service conditionally and provisionally with the directions to the appellant that he will not claim his seniority with colleagues and back benefits until / unless the decision of Honorable Supreme Court in the CPLA.
- 7. That the Appellant then preferred a Departmental Appeal against the impugned order No. 3945-47/E, Dated: 27/03/2019 on 09/07/2019, which has not yet been decided, hence the instant appeal is being filed against the impugned order inter alia on the following grounds. (Copy of Departmental Appeal along with all annexures including the impugned order Dated: 27/03/2019 is attached herewith as annexure "A").

(5)

GROUNDS

- i) That the impugned order Dated: 27/03/2019 is illegal, unlawful and unconstitutional to the extent of the condionality.
- ii) That the impugned portion of the order Dated: 27/03/2019 is against Article 4, 25, 38 of the Constitution of Islamic Republic of Pakistan, 1973.
- iii) That the appellant has not been dealt with in accordance with law and rules regulating service of the appellant.
- iv) That the entire proceeding has been conducted in derogation of law and rules.
- v) That other grounds not specifically raised will be argued with the permission of this Honorable Court at the time of arguments.
- 8. That this service appeal is being filed before this Honorable Tribunal, because the Respondents have not decided the departmental appeal of the appellant Dated: 09/07/2019 uptill now, hence this appeal is within time and this Honorable Tribunal has got the jurisdiction.

It is therefore humbly prayed that on acceptance of this service appeal, the condition mentioned in the impugned order No. 3945-47/E Dated: 27/03/2019 of Respondents be rescinded,

6

and the Appellant may be considered to have joined the service from the date, without conditions.

Any other remedy which is just, appropriate and efficacious may also be awarded in favor of the appellant, please.

Appellant

Through Counsel

Muhammad Javaid Khan Advocate Supreme Court of Pakistan

1

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

新国海绵 斯勒拉洛

Service Appeal No.	/2019
betvice rippedition	

VERSUS

AFFIDAVIT

I, Bakht Naeem Khan S/o Mirza Resident of Cheenar Makhai, Tehsil Munda District Dir Lower, do hereby solemnly affirm and declare on oath that all the contents of this Service Appeal are true and correct to the best of my knowledge and belief, and nothing has been kept concealed from this Honorable Tribunal.

Identified by,

Muhammad Javaid Khan

Advocate Supreme Court

of Pakistan

DEPONENT

Appellant

Bakht Naeem Khan

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Service	Appeal No/2019
	Bakht Naeem Khan S/o Mirza Resident of Cheenar Makhai Tehsil Munda District Dir Lower
	VERSUS
	Provincial Police Officer Government of Khyber Pakhtunkhwa at Central Police Office (CPO) Peshawar and others
	ADDRESSES OF THE PARTIES
Bakht N Munda CNIC: Cell:	SS OF THE APPELLANT Jaeem Khan S/o Mirza Resident of Cheenar Makhai, Tehsi District Dir Lower SSESOF THE RESPONDENTS
1)	Provincial Police Officer Government of Khyber Pakhtunkhwa at Central Police Office (CPO) Peshawar
2)	Deputy Inspector General of Police / Regional Police Office
3)	(RPO) Malakand Region at Swat District Police Officer Dir Lower at Timergara Dir Lower APPELLANT
	Through Counsel .
	Muhammad Javaid Khan

Advocate Supreme Court

of Pakistan



To

The Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar

Through

PROPER CHANNEL

Subject

APPLICATION/REVIEW PETITION

Respected Sir,

It is submitted that:-

- 1. The applicant while serving as ASI in district Dir Lower Police after qualifying 25 years service due to some domestic affairs on written request was granted LPR with effect from 01/09/2016 vide Region Office, Swat Endst No.7052-53/E, dated 24/08/2016.
- 2. The applicant being a senior member of Police at Regional level, also on list "E" as name mentioned at S/No.60 in the seniority list of ASIs during LPR Period was called with colleagues to attend meeting on 30/08/2016 vide Region Office, Swat 46-62/E, dated 29/08/2016 in connection with promotion as officiating Sub Inspector for which the applicant was entitled under the rules vide Section Officer (Reg-VI), Government of Khyber Pakhtunkhwa, Establishment Department (Regulation Wing(letter No.SOR-VI/E&AD/1-6/2011, dated 17/03/2014, but name of the applicant was ignored from promotion as officiating Sub Inspector and subsequently applicant colleagues were promoted vide order dated 7674-90/E, dated 09/09/2016.
- 3. On getting free from the domestic affairs the applicant submitted application dated 29/12/2016 under the rules vide Section Officer (RA-4), Government of Pakistan, Finance Division (Regulations Wing) Islamabad, letter No.F.1(1)R-4/2007-Vol-II(PI), dated 06/10/2016 later-on also notified by Section Officer(SR-II), Government of Khyber Pakhtunkhwa, Finance Department vide letter No. FD(SOSR-II)/4-36/2016, dated 05/09/2018 for withdrawal of remaining portion of LPR and counting of period of 3 months and 28 days spent on LPR as Earned Leave with request to rejoin service again as routine, but request of the applicant was turned down vide Region Office, Swat Order/Memo No.2124/E, dated 28/02/2017.
- 4. Therefore, the applicant filed Service Appeal No.507/2017 before August Service Tribunal, Khyber Pakhtunkhwa for rejoining the service again as routine and status quo was also issued on 11/08/2017 and earnestly allowed the applicant to re-join the service as routine, therefore the applicant submitted application dated 15/08/2017 duly forwarded by DPO Dir Lower vide his office Memo: No.25103/EC, dated 17/08/2017 accordingly in the light of judgment with the request to allowed the applicant for Ex-Pakistan Leave to perform "Hajj, but the same was also not considered vide Region Office order No.5309/E, dated 07/09/2017 therefore, the applicant also submitted application dated 12/07/2018 through TCS to worthy Regional Police Officer, Malakand, at Saidu Sharif, Swat (Competent Authority) to permit the applicant to re-join service as routine in light of August Court judgment dated 05/07/2018, but was also turned down again.

The August Service Tribunal, Khyber Pakhtunkhwa while deciding the Service Appeal No.507/2017 of the applicant allowed the applicant to join the service as routine vide judgment dated 05/07/2018, therefore, in light of approval accorded by CPO Peshawar vide Memo: No.839/Legal, dated 21/02/2019 the worthy Regional Police Officer, Malakand at Saidu Sharif, Swat vide his office order dated 3945-47/E, dated 27/03/2019 allowed the applicant to re-join service conditionally and provisionally with the directions to the applicant that he will not claim his seniority with colleagues and back benefits until / unless the decision of honorable Supreme Court in the CPLA

It is, therefore, humbly request that the order of worthy Regional Police Officer. Malakand at Saidu Sharif, Swat may very kindly be set-a-side and necessary permission may very kindly be accorded for promotion of applicant as Sub Inspector from the date of promotion of colleagues with back benefits, counting of 3 months, 28 days as Earned Leave, remaining period as duty as the applicant in-spite of count judgment and repeated written requests was not allowed to join the service as routine and obliged.

Photo copies of relevant papers are submitted herewith for kind perusal and consideration please.

Encls:- (36) .

Yours Obediently.

(Bakhi Nacem) ASI No.282/M 09/07/2018

Traffic Warden, Dir Lower

He Maffile Dis board

DS P 27.8.2019





OFFICE OF THE DISTRICT POLICE OFFICER DIR LOWER

No. 1970 7/EC, dated 29/08 /2019

To:-

The Regional Police Officer,

Malakand at Saidu-Sharif, Swat

Subject:

APPLICATION

Memorandum:

A self-explanatory application of ASI Bakht Naeem No. 282/M, of this District Police requesting therein for Seniority / Promotion with his Colleagues and back Benefits along-with other related documents is forwarded herewith for onward submission to CPO Peshawar and kind perusal, place:

Ends: (38)

District Police Officer

28/8/2018





OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND REGION SAIDU SHARIF SWAT.

Ph: 0946-9240388 & Fax No. 0946-9240390 Email: ebmalakandregion@gmail.com

No. $9838-39$ /E, dated Saidu Sharif the	11 1 09 12019
	The state of the s

To

The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

Subject:

APPLICATION.

<u>Memorandum:</u>

Enclosed kindly find herewith an application alongwith relevant documents of ASI Bakht Naeem No. 282/M of Dir Lower District is sent herewith for consideration please.

Enels-38

No. 9838-39 /E,

Regional Poller Officer, Malakand Region, Swat

Copy to District Police Officer, Dir Lower for information with reference to his office memo: No. 19707/EC, dated 29/08/2019.

Regional Polity Officer, Malakand Region, Swat

(درخواست بمرادمنظور LPRO) جناب عالى! مودیانه گزارش ہے کہ مائیل مورخہ 1991-07-80 کا جرتی شدہ ہے۔ مائیل دے انتہالی ایماندازی تَكَ الْبِادْيِوَلُ مِرَانِجَامُ دِيا ہے۔ مورخہ 2016-07-07 پر 25 مال ٹوکری پوری کی ہے۔ اب راکل PR وَهَالِثِهُ كَا فُوالِالْ ہِ۔ لَّهْدَا ٱقْتِرَانَ بِاللَّهُ بِذِر لِعِهِ درخُوامت استدعا كِيَالَيْ عَبِيكِرِمَا عَلَى كَامُورُ فِي 2016-09-11PR فِيمُونَ فِي تو عین لوازش ہوگی۔ آسِه كافر ما نبردار بحث نقيم حا<u>ن ASI</u>م شعيند يلزولو الدن و يي-اد سركل جندول forwarded pl spec Jandacol

District Police Officer, The Dir Lower at Timergara

Regional Police Office: Malakand at Saldu Shaitt, Swat (The

MEC, dated Timergara, the 16-8- 12016

REQUEST FOR PROCEEDING ON LPS.

Application of ASI Bakm Niseem No.282/M of this District Police requesting therein for proceeding of 1885 days LPR with leffect from Memorandum 01/09/2016(F.N). His Service Record along will relevant documents, and leaves account form duly completed are submitted herewith for consideration, please.

His service record may kindly be return to this office when Ho

longer required, please.

Encis: (As above)

From:

The District Police Officer,

To

The Regional Police Officer,

Malakand, at Saidu Sharif, Swat.

No. <u>36227</u>

/EC, dated Timergara, the 16/08/2016.

Subject:

REQUEST FOR PROCEEDING ON LPR

Memorandum:

Application of ASI Bakht Naeem No.228/M of this district Police requesting therein for proceeding of 365 days LPR with effect from 01/09/2019(F.N). His Service Record alongwith relevant documents and leave account form duly completed are submitted herewith for consideration please.

His service record may kindly be return to this office when no longer required, please.

Encl: (As above)

Sd/
District Police Officer,
Dir Lower at Timergara

(15)

OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND REGION. AT SAIDU SHARIF SWAT

ORDER:

Having been completed more than 25 years service ASI Bakht Naeem No. 282/M of Dir Lower District is hereby allowed to proceed on 365 days LPR with effect from 01/09/2016 under, Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981.

(AKHTAR HAYAT KHAN) PSP Regional Police Officer, Malakand, at Saldu Sharif Swat

No. 7052-53/E,

Copy for information and necessary action to the:-

1. District Police Officer, Dir Lower with reference to his office merno: No. 36227/EC, dated 16/08/2016. His Service Roll and Service Book received with your memo: under reference are returned herewith for record in your office. The receipt of which may be acknowledged.

2. District Account Officer, Dir Lower.

*****^^^^^^^

Par record

电解表示。

5710

Mary of the state of the state

(b)

3607

Till Regional - - - - - 37. Holakand, al Secul Starif, Swat.

The Addit Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

The Addit Inspector General of Police, Investigation, Knyber Pakhtunkhwa, Peshawar.

The Commandant, PTC, Hangu.

The Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.

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

All District Police Officers and Heads of Investigation Majakand Region.

7246-62 /6 cased Saldu Sharlf, the 29-8 - 2016.

MEETING FOR PROMOTION AS OFFI

Presse direct the following Assistent Fill Inspects
attrict / Unit to att. of the subject meet. Thick is oche
on 1/2016 at 09:00 hours in Region Office Swat for a

Nami & No. 56/14 No. .; Banada 28/M iraliat 10*f /M* Wall Ahmad 431 715/M និងជំនិងន 251 50.7 No Qama: / ASI 6C3/--No. Apdi Tahhar 751 Νo. AMES Misa. 4.2.1 z j ... Zamar khan 0.55° 13.0 JAH Νů, Red outlan - (...) 27% No. Street All 90/in AG. lehan Radshah 662/M No. maciful ab - 90/M Mr. resnort Khan 72: So. JOB/M ragoob Shah 609 M No. .vazar Zada r = Q/M1-4 Faltor Rahman 1271 Sattar Khan 0.1.4119 Aminur Rahman 512/M AS. Sahada Khan

For Was interest to the contract of the contra

Better Copy)

From:

The Regional Police Officer, Malakand, at Saidu Sharif, Swat.

To -

The Addi: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

The Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar.

The Commandant, PTC, Hangu.

The Commandant Elite Force, Knyber Pakhtunkhwa, Peshawar.

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

All District Police Officers and Heads of Investigation, In Malakand Region.

No: 7246-62 /E, dated Saidu Sharif, the 29-8- /2016.

Subject:

MEETING FOR PROMOTION AS OFFG: SUB INSPECTORS.

Memorandum:

Please direct the following Assistant Sub Inspectors of your respective District / Unit to attend the subject meeting which is schedule to be held on 30/08/2016 at 09:00 hours in Region Office Swat for the subject promotion.

c

S.No	Name & No.				Present Posting
1.	ASI	Taj Bahadar	No.	36/M	CTD ·
2.	ASI	Rafiullah	No.	728/M	Dir Upper
3.	ASI	Wali Ahmad	No.	606/M	Chitral
4.	ASI	-Badshah Said	No.	718/M	Swat
5.	ASI	Qamar Ali Shah	No.	607/M	Buner ->
6.	ASI	Abdul Qahhar	No.	608/M	Dir Lower
7.	ASI	Ahmad Nisar	No.	719/M	Swat
8.	ASI	Zaman Khan	No.	661/M	Buner
9.	ASI	Kalimullah	No.	720/M	Shangla
10.	ASI	Sher Ali	No.	721/M	Inv: Shangla
11.	ASI	Jehan Badshah	No.	690/M	Dir Lower
12.	ASI	Hanifullah	No.	662/M	Dir Upper
13.	ASI	Hasham Khan	No.	790/M	CTD
14.	ASI	Yaqoob Shah	No.	663/M	CTD
15.	ASI	Wazir Zada	No.	609/M	PTC Hangu
16.	ASI	Faizur Rahman	No.	610/M	Chitral
17.	ASI	Sattar Khan	No.	691/M	Buner
18.	ASI	Aminur Rahman	No.	611/M	Dir Lower
19.	ASI	Bahadar Khan	No.	612/M	Dir Lower

į.						and the second s	
r		والمراود ومواويتي	No.	664/M		Euner 	· Programme
	ASI A	mir Jamil	The same of the sa	613/M		CTD	-
	ASI H	where the territory	The state of the s	665/M	In	v: Chiral	·
ر و پريمونه (۱۹۱۶) م	.31 Q	urban Panah	No.	614/11		Chical	
		Kbar Aziz	NO.	665/M	ang tier (commence of the land	Chitral	and the same of th
		Vasir All	No.			Inv: Swat	
i.		Andul Bari Shahzada	No.	615/M		Dir Lowers	
)). 	g. No. 2000 - 2000	Pervaiz Knan	No.	692/M		Shang.	
Ö.	a Lilia de La como	Usman Gui	No.	667/M	ļ	Inv: Swet	j
:/.	ASI	A ALLE AND A STATE OF THE ACT OF	No.	146/M		ir Upper/CT	
. C	ASI	Amin	No.	722/1		Dir Upper	
.) ·	451	Shah Jehan	No.	693/		Swat	
<u> </u>	ASI	Muhammad Jamal	No.	694/	M	The second secon	*
	A51	Faza! Rahim	No.	668/	M	Inv: Chitre	المسابق مراجس *
- 7	7	her Nawaz Baig	No.	659/	/M	Buner	and with the
1. Jane		az Khan	No.	570	/M	Swat/CTI	
		ammad Wakil	No	e : 6	/M	5wet	a se se
	M.E.	v. hammad Sadiq	No	217	7/M 1	ZMAT.	•
ar Y.	45				1/M	Inv: Eur	
. 1	1.5	water Munit	فسند ومدوستين وماه مهضوم ومضاح ممضا بالماطان		5/M	Dir Low	st 🗸
		a makin Khan	Till Commence of the Commence	وي مانيومون ام يم	2/M	Chir	,,
		Andur Rahman			96/M	lav:S	•
, 4	ىدىيى سىدىدىدى ئارقۇ	and Khan			18/M		
•	and the second s	97 Ibrahim Jan	N		97/M	Dir Un	ř
		1-1-19 (1)21) 		Name of Street, or other Parks	Inv. B	, es <u>.</u> *
/ 4	** *** * ** *** **** ****	Columb Chicago	·		519/M	Inv: 5	
45		75,214 == 5		, , , , , , , , , , , , , , , , , , , ,	791/M		e e e
		To see a large and		No.	792/M		-
	17			No.	723/M	Trave (e)	
,	15.	ASI Fazal Kanth			724/M_		. /
Ü	47.	ASI All Malang	af	No.	620/M		
	49	ASI Muhammad Yous		No.	725/M		Services
	49.	ASI Sarbali Khan	ويتعدد ويدورهم وووميدس بيهو	No.	726/M	where we are	A Marine
	50.	ASI Shamsud Din	and a little of the late of th	No.	727/M	1	Uppe
	51.	ASI Habib ul Hussair	/ 1	No.	730/M		ALTERNATION CONTRACTOR
•	/52.	ASI Agal Amin		No.	731/N		hitr
V	53.	ASI Bulbul Hassan	مين يسيدرد	No.	732/M	· 1	Tangit.
	. 54	ASI Attaur Rahman		No.	794/N	1 0.1	r upper
		ASI Ahmad All		No.	733/1	4 Di	T LOVE TO THE PARTY OF THE PART
	55	ASI Roldar All	TOTAL	كالكافية والمستوان والمستو	734/		w: 57.31
٢	56.	ASI Javid Iqual		No.	24 C 1	y, 1	110
	57.	AC' GUI NAWAZ	ي منين بدر ما در المدارية المارية	No.	つうだ	,M 1	nv: CPO
	53.	market Millian	ammad	NO.	1 1011		oir Lower
	<u></u>	To I we stand the same of the		No.			DIT LOWER V
	L- 50.	A41174		No.			SWOT
	V 1	Action of the second State of the second State of the second seco	Afzal	No		57	Syveit
	÷2.	det Miller German			737	1 & EVE	The second secon

g Pape-17 Copy)

			0		
20.	ASI	Amir Jamií	No.	664/M	Buner
21.	ASI	Muhammad Hassan	No.	613/M	CTD
22.	ASI	Qurban Panah	No.	665/M	Inv: Chitral
23.	ASI	Akbar Aziz	No.	614/M	Chitral
24.	ASI	Nasir Ali	No.	666/M	Chitral
25.	ASI	Abdul Bari Shahzada	No.	615/M	Inv: Swat
26.	ASI	Pervaiz Khan	No.	692/M	Dir Lower
27.	ASI	Usman Gul	No.	667/M	Shangla
28.	ASI	Amin	No.	146/M	Inv: Swat
29.	ASI	Shah Jehan	No.	722/M	CTD
30.	ASI	. Muhammad Jamal	No.	693/M	Dir Upper
31.	ASI	Fazal Rahim	No.	694/M	Swat
32.	ASI	Sher Nawaz Baig	No.	668/M	Inv: Chitral
33.	ASI	Imtiaz Khan	No.	669/M	Buner
34.	ASI	Muhammad Wakil	No.	670/M	CTD
35.	ASI	Muhammad Sadiq	No.	616/M	Swat
36.	ASI	Sarfaraz	No.	617/M	Swat
37.	ASI	Akhtar Munir	No.	671/M	Inv: Buner
38.	ASI	Jamshid Khan	No.	695/M	Dir Lower
39.	ASI	Abdur Rahman	No.	672/M	Chitral
40.	ASI	Amir Aslam Khan	No.	696/M	Inv:Shangla
41.	ASI	Ibrahim Jan	No.	618/M	CTD
42.	ASI	Badshah Wali	No.	697/M	Dir Upper
43.	ASI	Bakht Sargand	No.	619/M	Inv: Buner
44.	ASI	Dera Wadan	No.	791/M	Inv: Swat
45.	ASI	Azizur Rahman	No.	792/M	Inv: Swat
46.	ASI	Fazal Karim	No.	723/M	Inv: Swat
47.	ASI	Ali Malang	No.	724/M	Inv: Dir Lower
48.	ASI	Muhammad Yousaf	No.	620/M	Dir Lower
49.	ASI	Sarbali Khan	No.	725/M	CTD
50.	ASI	Shamsud Din	No.	726/M	Swat
51.	ASI	Habib ul Hussain	No.	727/M	Dir Upper
52.	ASI	Aqal Amin	No.	730/M	Dir Lower
53.	ASI	Sulbul Hassan	No.	731/M	Chitral
54.	ASI	Attaur Rahman	No.	732/M	Shangla
55.	ASI	Ahmad Ali	No.	794/M	Dir U ppe r
56.	ASI	Roidar Ali	No.	733/M	Dir Lower
57.	ASI	Javid Iqbal	No.	734/M	Inv: Swat
58.	ASI	Gul Nawaz	No.	795/M	СТВ
59.	ASI	Jamshid Muhammad	No.	735/M	Inv: CPO
60.	ASI	Bakht Naeem	No.	282/M	Dir Lower
61.	ASI	Bakht Munir	No.	736/M	Dir Lower
62.	ASI	Muhammad Afzal	No.	789/M	Swat
63.	ASI	Jehan Alam	No.	737/M	Swat

18

er e datu.		3/14	buner
· Cass		,	Chite
5 5 6 1 FT 3 . 1		_ 4/4	Inv: Dir Upp
		740/6	Swat
secuellah	'4\$.	.:63/M i	Sv.
ish amad	No.	741/M	Dir ser 1
ou or us Rauf	Nc.	742/M	Dis Lowe
artmad Zahid	No.	28/M	3unar
at khan	No.	743/M	56
Juhammad CTP	No.	744/M	In Long.
- Immad Javid	No.	796/M	ลิยากา
ad Ranman	l/i	.5/M	<u>.</u>
ad Haleem	No.	746/M	Tan
,.han	No.	384/75	•
iniad	No.	438	- ·
Rabi	No.	515'	
unim Gul	No.	. :	•
: hammad Rafidi	No.	74.4.8	3u;
a. i sra	No.	400/8	1
المستور المستور المستور المستور المستو	Ro	753/8	:
	No.		•

ĕυ. Rehmist Faller 750, Qaoir Khan Νo. nan Bakht S 75 i. No. 752 Mihammad A ilo. No. Anwar Shah 73. Muhar rad Islan No. .~SI 5,1 **5**,111 Ν¢ Khalid Khan 451 /55/^ ŅŲ. ASI ammad Salim 75%; Ro. റ്റൂടേർ നപ്പും. 5⊹^ NO. munemmed Ight: Wall Mohabat No. ::SÌ Miraje' F . NC. ASI No. Muhammad Nacem ASI No. Yazir Badshah

Kifayatullah

regional Pulsaria molakana, at Saicu bita

\$0

No.

(Better Copy)
of Page-18

		The state of the s	24.		, , , , , , , , , , , , , , , , , , ,
64.	ASI	Muhammad Wahab	No.	3/M	Buner
65.	ASI	Sher Wazir Baig	No.	738/M	Chitral
66.	ASI	Tahir Muhammad	No.	739/M	Inv: Dir Upper
67.	ASI	Aurang Zeb	No.	740/M	Swat
68.	ASI	Saeedullah	No.	363/M	Swat
69.	ASI	Sultan Muhammad	No.	741/M	Dir Lower
70.	ASI	Muhammad Rauf	No.	742/M	Dir Lower
71.	ASI	Muhammad Zahid	No.	28/M	Buner
72.	ASI	Yousaf khan	No.	743/M	SB
73.	ASI	Faiz Muhammad	No.	744/M	CTD
74.	ASI	Muhammad Javid	No.	796/M	Buner
75.	ASI	Muhammad Rahman	No.	745/M	Swat
76.	ASI	Muhammad Haleem	No.	746/M	Inv: Swat
77.	ASI	Rasool Khan	No.	384/M	Swat
78.	ASI	Zeb Ahmad	No.	438/M	Buner
79.	ASI	Fazal Rabi	No.	516/M	CTD
80.	ASI	Rahim Gul	No.	393/M	Dir Lower
81.	ASI	Muhammad Rafique	No.	747/M	Buner
82.	ASI	Muhammad Israr	No.	401/M	Chitral
83.	ASI	Abdul Wakeel	No.	798/M	Chitral
84.	ASI	Sher Bahadar	No.	748/M	Inv: Şwat
85.	ASI	Shafiullah	No.	. 749/M	Inv: Swat
86.	ASI	Rahmat Bahadar	No.	404/M	Inv: Chitral
87.	ASI	Qadir Khan	No.	750/M	CTD
88.	ASI	Jehan Bakht Said	No.	751/M	Inv: Dir Lower
89.	ASI	Muhammad Rafique	No.	752/M	CTD
90.	ASI	Anwar Shah	No.	753/M	Chitral
91.	ASI	Muhammad Islam	No.	754/M	Dir Lower
92.	ASI	Khalid Khan	No.	519/M	Elite Force
93.	ASI	Muhammad Salim	No.	755/M	Shangla
94.	ASI	Rahim Baig	No.	756/M	Inv: Chitral
95.	ASI	Muhammad Iqbal	No.	542/M	Dir Lower
96.	ASI	Wali Mohabat	No.	757/M	CTD
97.	ASI	Mirajul Haq	No.	426/M	Dir Lower
98.	ASI	Muhammad Naeem	No.	758/M	Buner
99.	ASI	Wazir Badshah	No.	759/M	Swat
100.	ASI	Kifayatuilah	No.	760/M	Chitral



The Addi: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

The Addi: Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar.

The Commandant, PTC, Hangu.

The Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.

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

All District Police Officers and Heads of Investigation, In Malakand Region.

No. 7278-94/E, dated Saidu Sharif, the 29- 08 /2016.

Subject:

MEETING FOR PROMOTION AS OFFG: SUB INSPECTORS.

Memorandum:

29/08/2016.

In continuation of this office memo: No. 7246-62/E, dated

The DPC in connection with promotion of ASIs as Offg: Sub Inspectors, on 30/08/2016, is hereby postponed. The same will be now held on 01/09/2016 at 09:00 hours. All concerned may kindly be informed accordingly please.

Regional Police Officer, Malakand, at Saldu Sharif Swat កិវេទា ៈ

The Regional Police Officer, Malakand, at Saidu Sharif, Swat.

5年,心理和神事学的影响

To

The Addl: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

The Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar.

The Commandant, PTC, Hangu.

The Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.

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

All District Police Officers, In Malakand Region.

All Heads of Investigation, In Malakand Region.

No. 7353-68 /E, dated Saidu Sharif, the 31-08- /2016.

Subject:

MEETING FOR PROMOTION AS OFFG: SIS / OFFG: ASIS.

In continuation of this office memo: No. 7246-62/E, details <u>Memorandum:</u> 29/08/2016, memo: No. 7278-94/E, dated 29/08/2016 and No. 7310-21 =, dated

The DPC in connection with promotion of ASIs as offg: \$15 and 30/08/2016. HCs as offg: ASIs, which was scheduled to be held on 01/09/2016, is hereby postponed, on account of visit of VVIP. Next date for the subject DPC has been fixed on 05/09/2016 at 09:00 hours. All concerned may kindly be informed accordingly please.

> Regional Police Officer, Malakand, at Saldu Slarif Swat





GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT

(REGULATION WING)

No. SOR-VI/E&AD/1-16/2011 Dated Peshawar, the, 17th March, 2014

10

- The Additional Chief Secretary, Planning & Development Department, Government of Khyber Pakhtunkhwa, Peshawar. 1
- The Additional Chief Secretary (FATA), FATA 2. Secretariat, Peshawar.
- The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
- All the Administrative Secretaries to Government of Khyber , 3. Pakhtunkhwa.
 - All the Divisional Commissioners in Khyber Pakhtunkhwa.
 - All Heads of the Attached Departments in Khyber Pakhtunkhwa. 5.
- All the Deputy Commissioners in Khyber Pakhtunkhwa and 6. Political Agents in FATA.

Subject:

CIVIL SERVANTS IN KHYBER PAKHUTNKHWA <u>AMENDMENT</u> PROMOTION POLICY (PROMOTON DURING LPR).

Dear Sir.

t am directed to refer to the subject noted above and to state that under the existing policy, there is no provision for promotion of officers/officials who are on LPR. The promotion policy has been reviewed and the competent authority has been pleased to direct to add the tollowing provision therein:-

"LPR is one the types of leave to which a government servant is entitled. As he continues to be government servant and can be called even for duty, he can, therefore, be considered for promotion against a higher post during LPR".

These changes will take immediate effect and past cases under the existing policy shall not be re-opened.

AIN) (R (REG-VI) SECTION



GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT (REGULATION WING)

No.SOR-VI/E&AD/1-16/2011 Dated Peshawar, the, 17th March, 2014

To,

- 1. The Additional Chief Secretary, Planning & Development Department, Government of Khyber Pakhtunkhwa, Peshawar
- 2. The Additional Chief Secretary (FATA),FATA Secretariat Peshawar
- 3. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa
- 4. All the Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 5. All the Divisional Commissioners in Khyber Pakhtunkhwa.
- 6. All Heads of the Attached Departments in Khyber Pakhtunkhwa
- 7. All the Deputy Commissioners in Khyber Pakhtunkhwa and Political Agents in FATA.

Subject

AMENDMENT IN KHYBER PAKHTUNKHWA CIVIL SERVANTS PROMOTION POLICY (PROMOTION DURING LPR).

Dear Sir,

I am directed to refer to the subject noted above and to state that under the existing policy, there is no provision for promotion of officers/official who are on LPR. The promotion policy has been reviewed and the competent authority has been pleased to direct to add the following provision therein:-

"LPR is one the type of leave to which a government servant is entitled. As he continues to be government servant and can be called even for duty, he can, therefore, be considered for promotion against a higher post during LPR".

2. These changes will take immediate effect and past cases under the existing policy shall not be re-opened.

Yours faithfully,

Sd (QURRAT-UL-AIN) SECTION OFFICER (REG-VI) From :

The Regional Police Officer, Malakand, at Saldu Sharif, Swat.

To

The Addl: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

1206

The Addi: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawaran

The Commandant Eilte Force, Khyber Pakhtunkhwa Peshawar.

The Commandant PTC, Hangu.

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

All District Police Officer and Head of Investigation, In Malakand Region.

No. 7674-90/E, dated Saldu Sharif, the <u>09-07-</u>/2016.

Şub∕ject:

PROMOTION AS SUB INSPECTORS.

lemorandum:

Consequent upon recommendation by the DPC held in this office on 05/09/2016 and permission accorded by the CPO, Peshawar vide letter No. 3377/E-III, dated 17/12/2015, the following Assistant Sub Inspectors on List-E of your District / Unit are hereby approved for promotion as offg: Sub Inspector conditionally subject to the production of satisfactory ACR for the period and qualifying mandatory training / course according to Standing Order No. 3/2015 as noted against their name:-

9		Name and No.			Present Posting	Recommendation
1.	A5I	Taj Bahadar	No.	36/M	СТО	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 01/08/2014 to 31/12/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
2.	ASI	Raflullah	No.	728/M	Dir Upper	Recommended for promotion as offg: SI amongst with his colleagues conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
A Company	ASI	Wali Ahmad	No.	606/M	Chitral	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	ASI	Badshah Sald	No.	718/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 01/10/2015 to 31/12/2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.

Page 1 of 8

19/20



				;			
5.	ASI	Qamar All Shah	No. 607/	74 1	Buner 6	ecommended for promotion as offg: SI conditionally subject to production of clear occurrence for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 coolnts:	
5.	'ASI	Abdul Qahher	No. 608	/M	Dir	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning O9 points.	
7.	ASI	Ahmad Nisar	No. 715	;/M	Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 06 points.	
8.	ASI Zaman Khan. No. 661/M				Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.	
9.	AS	51 - Kalimullah	No. 72	20/M	Shangla	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, period 07/02/2015 to 13/09/2015 and qualifying mandatory training / Courses according to 50 No. 3/2015, earning 09 points.	
10	0. A	SI Sher All	No.	721/M	Ińv: Shangla	Recommended for promotion as ong: 51 conditionally subject to production of clear ACR for the period from 20/03/2013 to 16/07/2013, year 2014 and qualifying mandatory training / Courses according to 20 No. 3/2015, garning 06 points.	
1		Jehan ASI Badshah	· No.	390/M	Dir Lower	Recommended for promotion as ong: 31 conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 colors	
	-	ASI Hanifullah	No.	662/M	Dir Upper	mandatory training / contract	
}	13. ASI Hasham		han No.	790/M	СТВ	Recommended for promotion as ong: 5 conditionally subject to production of clear conditionally subject to production of clear ACR for the year 2013, period 01/01/2014 to 30/06/2014 and qualifying mandator training: /**Courses** according: to 50 No. 100/16/2014 (1998) and 100	
	14,	ASI Yaqoob Shah No. 663		663/M	ст	Recommended for promotion as one of clear conditionally subject to production of clear ACR for the year 2013 and qualifying mandatory training / Courses according to	
	15.	ASI Wazir Za	zada No. 609,		PTO Han	gu mandatory training / coor points.	
	16. ASI Faizut		No.	610/	4 Chil	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.	

	./	7 .				•	
1	17.	ASI	Sattar Khan	No.	691/M	Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013, period 01/01/2015 to 27/10/2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	18.	ASI	Aminur Rahman	No.	611/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013,2014,2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
	19.	ASI	Bahadar Khan	No.	612/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
*.	20.	ASI	Amir Jamil	No.	664/M	Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
•	21.	ASI	Muhammad Hassan	No.	613/M	СТР	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013, period 01/01/2014 to 12/07/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
5 .	22.	ASI	Qurben Panah	No.	66 5/ M	Inv: Chitral	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 01/01/2015 to 03/04/2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
	23.	ASI	Akbar Aziz	No.	614/M	Chitrel	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
0	24	. A5:	Nasir All	No.	666/M	Chitral	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	25	s. AS	Abdul Barl Shahzada	No.	615/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
	20	6. A5	si Pervalz Khan	No	. 692/ M	Dir Lawer	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 18/07/2013 to 30/10/2013, years 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
•	2	7. A	st Usman Gul	No	. 6 67/M	Shangla	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 06 points.



/ r	,					···	
	28.	ASI	Amin	No.	146/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
	29.	ASI	Shah Jehan	No.	722/M	сто	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period 01/06/2013 to 30/10/2013, 01/01/2014 to 30/06/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	30.	ASI	Muhammad Jamai	No.	693/M	Dir Upper	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	31,	ASI	Fazal Rahim	,No.	694/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period 19/06/2013 to 31/12/2013, year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
	32.	ASI	Sher Nawaz Balg	No.	668/M	Inv: Chitral	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
	33.	ASI	Imtiaz Khan	No.	669/M	Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
. 3	34.	ASI	Muhammad Wakii	No.	670/M	СТЪ	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013, period 01/01/2014 to 12/07/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
3	5.	ASI	Muhammad Sadiq	No.	616/M	Swat	Recommended for promotion as offg: S1 conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
3	6.	ASI	Sarfaraz	No.	617/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period 18/06/2013 to 31/12/2013, year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
3	7.	ASI	Akhtar Munir	No.	671/M	lny: Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 05 points.
3	8.	ASI	Jamshid Khan	No.	695/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period 18/07/2013 to 30/10/2013, years 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
35	э.	ASI	Ibadur Rahman	No.	672/M	Chitral	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.

Page 4 of 8

P			;				
	40.	ASI	Amir Aslam Khan	No.	696/M	Inv: Shangla	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 19/03/2013 to 31/12/2013, year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
	41.	ASI	Ibrahim Jan	No.	618/M	СТР	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 18/07/2013 to 30/10/2013, 01/01/2014 to 30/06/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 05 points.
	42.	ASI	Badshah Wall	No.	697/M	Dir Upper	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 ,2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	43.	ASI	Bakht Sargand	No.	619/M	Inv: Buner	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 05 points.
	44.	ASI	Dera Wadan	No.	791/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 06 points.
	45.	ASI	Azizur Rahman	No.	792/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
	46.	ASI	Fazai Karlm	No.	723/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points:
e*	47.	ASI	Ali Malang	No.	724/M	Inv: Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period 04/05/2013 to 31/12/2013 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
/	48.	ASI	Muhammad Yousaf	No.	620/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
1	45.	ASI	Sarbali Khan	No.	725/M	сто	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 19/03/2013 to 31/12/2013, 01/01/2014 to 30/06/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 05 points.
	50.	ASI	Shamsud Din	No.	726/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	S1 .	ASI	Habib ul Hussain	No.	727/M	Dir Upper	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.

	4					
	52.	ASI Aqal Ami	n No). 730/t	M Di	
	53.	ASI Bulbul Ha	ssan No). 731/	M Chitr	Recommended for promotion as offg: S conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 06 points.
	54.	ASI Attaur Rahman	No.	732/M	Shang	mandatory training / Courses according to SO No. 3/2015, earning 07 points.
	55.	ASI Ahmad All	No.	794/M	Dir Upper	Recommended for promotion as offg: SI conditionally subject to production of clear
	56.	ASI Roidar All	No.	733/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 18/07/2013 to
	57. A	SI Javid Iqbai	No.	734/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
5	8. A	SI Gul Nawaz	No.	795/M	ств	Recommended for promotion as offg: SI- conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
59	9. AS	Jamshid Muhammad	No.	735/M	Inv: CPO	mandatory training / Courses according to SO No. 3/2015, earning 06 points.
60	. AS	·	No.	736/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
51.	AS	Muhammad Afzal	No.	789/M	Swat	Recommended for promotion as offg: 51 conditionally subject to production of clear ACR for the period from 14/05/2014 to 31/12/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points,
62.	ASI	Jehan Alam	No. 7	/37/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
63.	ASI	Muhammad Wahab	No. 3,	/M	Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2013 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.

•					·		
	64	AS	I Sher Wazir Baig	No	. 738/M	. Chitra	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
٠.	65	ASI	Table	No.	739/M	Inv: Di	'IAPP Canada and a la
	66,	ASI	Aurang Zeb	No.	740/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
 	67.	ASI	Saeeduliah	No.	363/M	Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	68.	ASI	Sultan Muhammad	No.	741/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
1	69.	ASI	Muhammad Rauf	No.	742/M	Dir Lower	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the years 2013, 2014, 2015 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 07 points.
1	70.	ASI	Muhammad Zahid	No.	28/M	Suner	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
	71.	ASI	Yousaf khan	No.	743/M	SB	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 03 points.
;	72.	ASI	Faiz Muhammad	No.	744/M	стр	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the period from 01/01/2013 to 30/10/2013, 01/01/2014 to 30/06/2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
7	3.	ASI	Muhammad Javid	No.	796/M	Buner	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
7	4.	ASİ	Muhammad Rahman	No.	745/M	Swat	Recommended for promotion as offg: SI conditionally subject to production of clear ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
7!	5.		Muhammad Haleem	No.	746/M	Inv: Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points.
76	i. /	ASI	Rasool Khan	No.	384/M	Swat	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.

77.	. A	SI Zeb Ahma	d No	. 4	38/M	Buher	Recommended for promotion as offg: SI conditionally subject to qualifying mandatory training / Courses according to SO No. 3/2015, earning 09 points. Recommended for promotion as offg: SI Recommended for promotion of clear
76	3. 1	ası Fazal Rab	ı N	o. !	516/M	СТР	according to SO No. 3/2015, earning 03 points.
\-\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	79.	ASI Rahim G	sul 1	No.	393/M .	Dir Lower	Recommended for promotion as offg: SI Recommended for promotion as offg: SI conditionally subject to production of clear conditionally subject to production of clear ACR for the period 18/07/2013 to ACR for the period 18/07/2013 to 30/10/2013, years 2014, 2015 and 30/10/2013, years 2014, 2015 and qualifying mandatory training / Courses qualifying mandatory training / Courses qualifying mandatory arising 09 points. Recommended for promotion as offg: SI Recommended for promotion as offg: SI
	80.	ASI Rafique	mad	No.	747/M	Buner	ACR for the year 2014 and qualitying ACR for the year 2014 and qualitying mandatory training / Courses according to mandatory training 09 points. SO No. 3/2015, earning 09 points.
	81.	. ASI Muhan	nmad	No.	401/M	Chitra	ACR for the year 2014 and qualifying ACR for the year 2014 and qualifying mandatory training / Courses according to mandatory training 09 points. 50 No. 3/2015, earning 09 points.
	82	2. ASI Abdu	Wakeel	No.	798/M	Chitr	al ACR for the year 2014 and qualifying all ACR for the year 2014 and qualifying mandatory training / Courses according to SO No. 3/2015, earning 08 points.
							er No. 2 will be intact amongst his

- 1. The Seniority of the official at Sr. No. 2 will be intact amongst his colleagues.
- 2. Their Promotion will take effect from the dates the above officers actually take over higher responsibility.
- 3. Necessary gazette notification regarding their promotion be issued accordingly.
- 4. Their posting order is being issued separately.

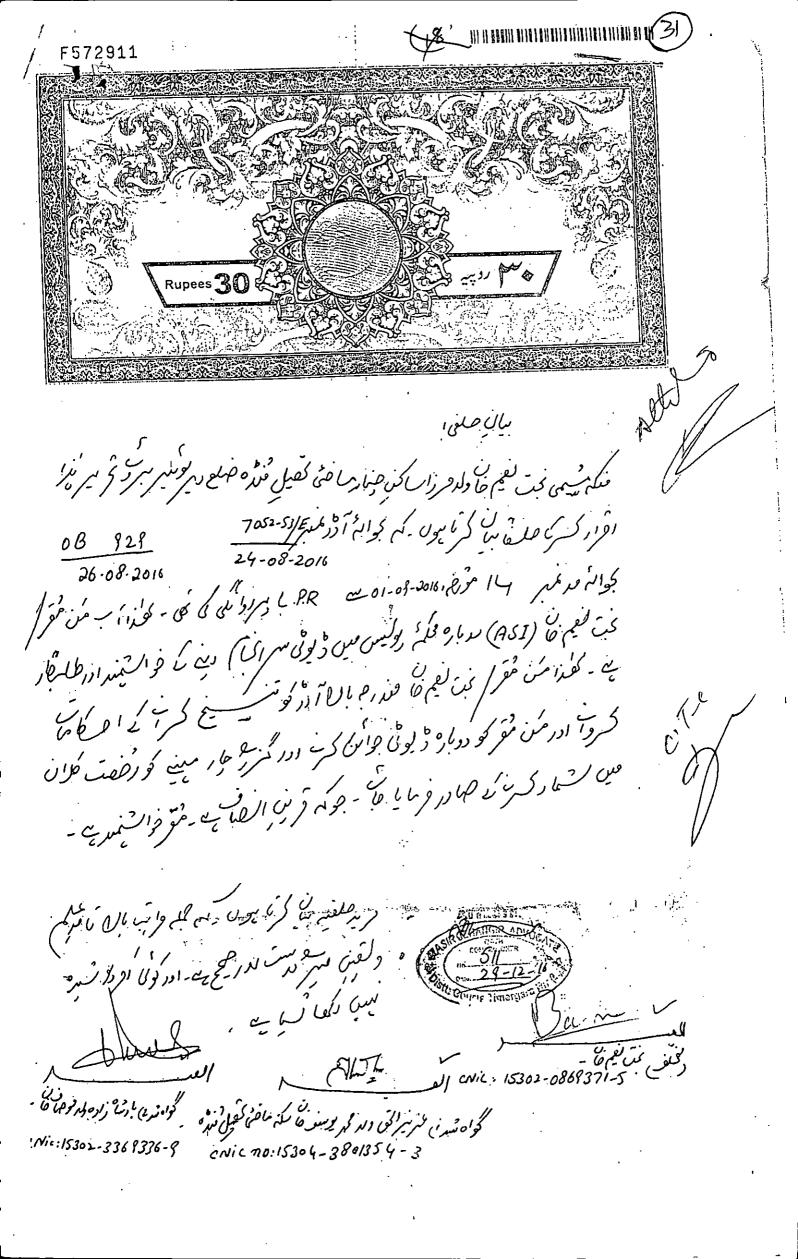
Regional Police Officer, Malakand, at Saidu Sharif Swat

No	_/E,			. !!	Officer.	Khyb
V	Copy	to	Provincial	Police	Officers	

Peshawar for favor of information please.

Regional Police Officer, Malakand, at Saldu Sharlf Swat

كزارش بي كرما يكل بحاله آردر فبرى 7052-53/ مورد 2016-3-4 ي وبه معلى بروط ما پولیس آٹیسرطاکنڈ بمقام سیدوٹر پٹے سوات وOB No.929 مورور 26-08-26 بحوالہ بمبر 14 روزنا بچہ مررط 01-09-2016 قائد رباع سے 365 يوم مطور شده LPR يه جاچكا ہے۔ سائيل نے بحثيب برلس آبسز بهل بھي وُرولُ انجانی ایمانداری سے کی ہے اور اپی باقی ماعدہ زندگی جی بطور پولیس آفیسر لوگوں کے شدمت کے مرق کرتے کا خواہیشم برسائل ایک تکدروست اور اوال شخص باور مریداد کری کرنے کی اہلیت رکتا ہے۔ لہذا آفسران بالا کی خدمت اقدس میں بذریعدرخواست استدعا کیا تی ہے کہا مرائ LPR J آرڈر withdraw كرف اوردو باره محكم بوليس مي فدمات مراجام ويدى احكارات مدادر فرما كمر سنتكور را مرساس العات دعا گوه ريگا۔ دادش بور اکه کافر ما فردار بخت هم خان ASI (which It is submished that the officer entitle to south of som his lph Smelin according to the Got of pamiston finance diptillegue ing Is Comabael Natification No- F-7 (1) R-4/2007/1806-17 (PF) data 6.10-015 (copy allacto) May rafer his application the Rong chief Acr such dien of (Pla Sancion of a pho sin Nº 1990









OFFICE OF THE DISTRICT POLICE OFFICER, DIR LOWER

Ph# 09459250005 Fax# 09459250049 Email: dpolowerdir@gmail.com

/A, dated Timergara the

To :-

The Regional Police Officer,

Malakand Region Saidu Sharif, Swat.

Subject; Memo:

APPLICATION FOR WITH DRAWL OF LPR.

Kindly refer to Region Office Saidu Sharif Swat Order

No.7052-53/E, dated 24/08/2016.

It is submitted that 365 days LPR sanctioned to ASI Bakht Naeem No.282/M of this district Police with effect from 01/09/2016. Now he is submitted the attached application for with drawl/ cancellation of his LPR.

It is therefore requested that his application is submitted herewith for consideration please.

District Police/Officer,

- 1. Honourable Inspector General of Police, KPK, CPO, Peshawar.
- 2. Secretary Finance, KPK, Civil Secretariat, Peshawar.
- The Commandant, Frontier Reserve Police. KPK, Peshawar.
- 3. The Commandant, Frontier Constabulary, KPK, Peshawar.
- 3. The Distt: Police Officer, Upper / Lower Dir, At Timergarah.
- 4. The Distt: Police Officer, Swat, / Kohistan.
- 5. The Distt: Police Officer, Buner / Mardan /Nowshera / Swabi/ Peshawar/Charsadda.
- 6. The Distt: Police Officer, Kohat / Hangu / Karak / Bannu / Lakki Marwat/ D.I. Khan.
- 7. The Distt: Police Officer, Haripur, Abbottabad / Mansehra.

SUBJECT: CLARIFICATION OF WITHDRAWAL OF REQUEST RETIREMENT AFTER SANCTION / NOTIFICATION

R/Sir.

Kindly refer to the subject cited above and find enclosed Office Memorandum No.F.1(R-4/2007-Vol-II(Pt) dated 06.10.2015 issued by Finance Division (Regulations Wing), Government of Pakistan, Islamabad for information and further implementation.

In the said memorandum, in consultation with Establishment Division; if has been decided that a Government Servant can withdraw option of voluntary retirement, during the period for which encashment has been applied / granted subject to certain condition mentioned in the said memorandum.

With best regards.

Encl: (As above)

R/o H, No.114, Federal Government Colony

Shami Road, Peshawar

(3.4)

Government of Pakistan FINANCE DIVISION (Regulations Wing)

>>><<<

No.F.1(1)R-4/2007-Vol-II(Pt)

Islamabad October 6,1201

OFFICE MEMORANDUM

Subject:

i.

CLARIFICATION OF WITHDRAWAL OF REQUEST OF LERE

The undersigned is directed to refer to Finance Divisions O.M.No.F.1(1)R-4/2007- (Vol.II) dated 17-11-2011 on the above subject and to state that it has been decided in consultation with Establishment Division to a Government Servant can withdraw option of voluntary retirement, during the period for which encashment has been applied/granted, subject to the following conditions:-

- He/She may withdraw his/her option of voluntary retirement before retirement matures;
- ii. It is binding on a government servant to return any amount of the pay received by him/her, in lieu of encashment of LPR for that particles
- iii. Later on, on attaining the age of superannuation, if he /she again this for 365 days leave encashment in lieu of 365 days LPR, such opion or an individual may be treated as a fresh case and he /she will be allowed encashment of LPR in toto.

(Myra Javald Khth) Section Office, (R4) Tel 9245872

All Ministries/Division,

Office of the Military Accountant General Mr. Maqbool Hussain Raja, Accounts Officer, Government of Pakistan, Islamabad.

w.r.t their U.O.No.492/AT/PC/7890 XVIII/Part dated 20-11-2014

Copy to Web-master Mr. Faheem Anwar, Finance Division

Government of Pakistan FINANCE DIVISION (Regulation Wing)

>>><<

No.F.1(1)R-4/2007-Vol-II(Pt)

Islamabad October 6/2016.

Subject:

CLARIFICATION OF WITHDRAWAL OF REQUEST OF LPR/RETIREMENT AFTER SANCTION/NOTIFICATION

The undersigned is directed to refer to Finance Division's O.M.No.F.1(1)R-4/2007-(Vol.II), dated 17-11-2011 on the above subject and to state that it has been decided in consultation with Establishment Division that all Government Servant can withdraw option of voluntary retirement, during period for which encashment has been applied / granted, subject to the following conditions:-

- i. He/She may with draw his/her option of voluntary retirement before retirement matures;
- ii. It is binding on a government servant to return any amount of leave pay received by him/her,in lieu of encashment of LPR for that period
- iii. Later on, on attaining the age of superannuation, if he/she again opts for 365 days leave encashment in lieu of 365 LPR such option of an individual may be treated as a fresh case and he/she will be allowed encashment of LPR in toto.

Sd/ (Myra Javaid Khan) Section Officer(R-4), Tel:9245875

All Ministries/Division

Office of the Military Accountant General Mr. Maqbool Hussain Raja, Accounts Officer, Government of Pakistan, Islamabad w.r.t their U.O No.492/AT/PC/ 4890/XVIII/Part, dated 20/11/2014

Copy to Web-master Mr. Faheem Anwar, Finance Division



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

O http://www.falsecok.pg-gov.pk Chropolaningelind Africanomecriso

No.FD(SOSR-II)/4-36/2018

Dated Peshawar the 5/09/2018

To

1. All Administrative Secretaries.

Government of Khyber Pakntunkhiva

- The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- The Principal Secretary to Governor, Knyber Pakhtunkhwa.
- The Principal Secretary to Chief Manister, Khyber Pakhtunkhwa.
- All Commissioners / Ceputy Commissioners of Khyber Pakhtunkhwa.
- Registrar Poshawar High Court
- Chairman Public Service Commission, Khyber Pakhtunkhwa.
- Chairman Service Tribunal, Khyber Pokhlunkhwa.
- All Head of Attach Departments, Khyber Pakhlunkhwa.

Subject:

CLARIFICATION OF WITHDRAWAL OF REQUEST OF LPRIRETIRED AFTER SANCTION / NOTIFICATION.

Dear Sir.

In pursuance of Finance Division Government of Pakistan O.M No.F.1(1)R-4/2007-Vol-It(PI) dated 6.10:2015, the Competent Authority has been please to approve / adopt the Federal Government Policy with regard to the subject issue as agrisaged in the O.M cited above which provides that a Government servant can windraw option of voluntary retirement during the period for which encashment has been applied (granted subject to the following conditions:

- Hu/She may withdraw his/her option of voluntary relicement before relicement matures:
- ũ. It is binding on a government servant to return any amount of leave pay received by him/her, in lieu of encashment of LPR for that period;
- Loter on, on attaining the age of superannuation, if he / she again opts for 365 days leave encashment in lieu of 365 cays LPR, such opplon of an individual may be treated as a fresh case and he / she will be aboved encashment of LPR in 1010.

This supersedes Finance Department, letter No.SOSR-III/4-92/81 dated: 01.10.1981 and the cases already decided thereunder shall not be reopened (reconsidered.)

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

Endst: No. & Oato Even.

Copy is torwarded for information to:

The Secretary to Government of Funjus; Sinon and Batochistif Fenunce Department

The Accountant General, Khyber Palditunkhwa, Pashawar;

(ABDUL MALIKI DEPUTY SECRETARY (REG-II)

Endst: No. & Date Even.

Copy is torworded for information and necessary action to:

- Director Treasuries & Accounts, Khyber Pakhtunkhwa.

- All District Comptroller & Accounts in Knyber Pakhtunktweb
 Director Local Fund, Audit, Myber Pakhtunktweb
 Obrector FAMIU. Finance Department, Knyber Pakhtunktweb
 All Oblight (Agency Accounts Officers in Knyber Pakhtunktweb
 All Species Officers Butdent Officers in Knyber Pakhtunktweb
 All Species Officers i
- All Section Officers/Budget Officers in Finance Organization 6
- The Private Secretary to Minister Finance, Knyber Pathiliphomes.

 The Private Secretary to Secretary / PAs to Special Secretary. Additional Secretaries / Deputy
 Secretaries in Finance Opportunent.
- The Section Officer (Reg-4) Government of Paxistan, Finance Division, (Regulation Wing with reference to his letter referred above HR Finance Department (Assistant Director (Veb).

(NAEEM SECTION OFFICER (SR.II)

1.5

Franc

To

The Regional Police Offic Malakand, at Saidu Sharif, Swat.

The District Police Officer, Dir Lower.

E.

/E, dated Saidu Sharif, the 28-02-

Subject:

APPLICATION FOR WITHDRAWAL OF LPR.

Memoraridum:

Reference your office memo: No. 58921/A, dated 29/12/2016.

As per Government of Khyber Pakhtunkhwa, Finance Department Notification No. FD-SOSR-III/4-92/81, dated 01/10/1981, a Government Servant can withdraw application for LPR/Pre-mature retirement before its acceptance by the competent authority, whereas he is not entitled to withdraw his application after approval has been accorded. The following reported judgments of Supreme Court of Pakistan also hold that LPR once granted cannot be withdraw.

"Civil Servant though had right to withdraw the option of LPR/Pre-Mature retirement before its acceptance but not thereafter since the same had actained finality being a past and closed transactions". 2004 SCMR 1854

"Civil Servant can withdraw his application of retirement before order of the competent authority". 1995 PLC (C.S) 644:1999 PLC (C.S)738

"LPR once grantêd could not be withdrawn"

PLJ1998 Tr.c (Service) 1994 PLC (C.S): 2005 SCMR 1928

Keeping in view the above quoted Notification and reported Judgments of the Supreme Court, LPR granted to ASI Bakht Naeem cannot be cancelled / withdrawn. His application is not in consonance with Law / Rules and Judgments of the Supreme Court, therefore cannot be entertained.

Regional Police Officer. Malakand, at Saidu Sharif Swat

Deserted Profiler Officer. the towns of Timergare

No-7618 /F.C. dt. 10/3 /2017
Copyto Ex. DSI

BEFORE WORTHY REGIONAL POLICE OFFICER, MALAKAND AT SAIDU SHARIF, SWA

Through:

PROPER CHANNEL

Subject

REQUEST FOR IMPLEMENTATION OF ORDER OF AUGUST SERVIC

TRIBUNA<u>L</u>

Respected Sir,

It is submitted that:-

1. The applicant is serving as ASI in district Dir Lower Police and on qualifying of 25 years service on 07/07/2016 due to some domestic problems submitted application for the grant of LPR with effect from 01/09/2016, which was accepted accordingly vide Region Office, Swat Endst: No.7052-53/E, dated 24/08/2016.

2. Later-on getting free from the domestic problems, the applicant submitted application dated 29/12/2016 for with drawl of remaining portion of LPR with request to rejoin service again, but the same was rejected vide Region Office, Swat Memo: No.2124/E, dated 28/02/2017.

- 3. The applicant is sound healthy, jobless and intends to serve in Police Department, therefore, knocked the door of August Service Tribunal by filing service appeal No.508/2017 for re-joining the Police department.
- 4. The August Service Tribunal, Khyber Pakhtunkhwa has very earnestly has admitted the appeal of the applicant to regular hearing and has also passed on status quo order for temporary injunction.

It is, humbly requested that the decision of the August Service Tribunal, Khyber Pakhtunkhwa dated 11/08/2017 may very kindly be implemented in letter and spirit, while the applicant is proceedings for performance of "Hajj" on 26/08/2017 via Saudi Airlines by joining Haji Camp on 24/08/2017 and on repatriation from Hajj the applicant will join duties on 09/10/2017 for which the applicant may kindly be granted Ex-Pakistan Leave and obliged.

Copy of decision of August Service Tribunal, Khyber Pakhtunkhwa dated 11/08/2017 duly attested along-with No Objection / No outstanding due's certificates are submitted herewith for consideration please.

Encls: (06)

Respected SIR!

Yours Obediently,

(BAKHT NAEEM NO.282/M)





OFFICE OF THE DISTRICT POLICE OFFICER DIR LOWER

Ph#.0945-9250005 Fax#. 0945-9250049 E-mail: <u>dpolowerdir@qmail.com</u>

No. 25/03 /EC, dated 17- 08 /2017

To

The Regional Police Officer,

Malakand at Saidu Sharif, Swat

Subject:

APPLICATION

Memorandum:

Kindly refer to Region Office, Swat Endst: No. 2124/E, dated

28/02/2017.

Application of ASI Bakht Naeem No.282/M presently on LPR stating therein that he has filed service appeal No.507/2017 for re-joining the service in the August Service Tribunal, Khyber Pakhtunkhwa and the concerned court has issued status quo in this regard on 11/08/2017, while he is proceeding for performance of "hajj" on 26/08/2017 via Saudi Airlines with joining Haji Camp on 24/08/2017, on repatriation from Hajj will join his duty on 09/10/2017 and has requested for the grant of Ex-Pakistan Leave.

His application along-with August court order along-with no bank default certificates are submitted herewith for consideration please.

Encls:- (07)

District Police Officer, Dir Lower.



REFERENCE ATTACHED

6967

Vide PUC the District Police Officer, Dir Lower vide his officer memo No. 25103/E, dated 17/08/2017 has forwarded application of ASI Bakh Naeem No. 282/M presently on LPR wherein he stating that has filed service appear No. 507/2017 for re-joining the service in the August Service Tribunal, Khybe Pakhtunkhwa and the concerned court has issued status quo in this regard of 11/08/2017, while he is proceeding for performance of "Hajj" on 26/08/2017 vis Saudi Airlines with joining Haji Camp on 24/08/2017, on repatriation from Hajj wi join his duty on 09/10/2017 and has requested for the grant of Ex-Pakistan leave.

Brief facts of the case are that the above named ASI was granted LPR for 365 days with effect from 01/09/2016 on his own request vide this office Order Endst No. 7052-53/E, dated 24/08/2016 at (F/A).

As per Government of Khyber Pakhtunkhwa, Financ Department Notification No. FD-SOSR-III/4-92/81, dated 01/10/1981, Government Servant can withdraw application for LPR/Pre-mature retirement before its acceptance by the competent authority, whereas he is not entitled to withdraw his application after approval has been accorded. The following reported judgments of Supreme Court of Pakistan also hold that LPR once granted cannot be withdraw.

"Civil Servant though had right to withdraw the option of LPR/Pre-Mature retirement before its acceptance but not thereafter since the same had attained finality being a past and closed transactions". 2004 SCMR 1854

"Civil Servant can withdraw his application of retirement before order of the competent authority". 1995 PLC (C.S) 644:1999 PLC (C.S)738

"LPR once granted could not be withdrawn"

PLJ1998 Tr.c (Service) 1994 PLC (C.S): 2005 SCMR 1928

Keeping in view the above quoted Notification and reporte Judgments of the Supreme Court, LPR granted to ASI Bakht Naeem cannot b cancelled / withdrawn. His application is not in consonance with Law / Rules an Judgments of the Supreme Court, therefore cannot be entertained.

Submitted for your kind perusal and further order please.

OS /

W/RPO

opinion

Hay

Regional Police Officer, Majakand at Saidu Sharif, Swat.

7/9

District Police Officer,

Respected Sir,

Perusal of record reveals that ASI Bakht Naeem No.282/M, preferred an application for LPR, which was allowed by Worthy Regional Police Officer, Malakand Swat vide Order No.7052-53/E, dated 24-08-2016. The applicant again moved another application for withdrawal of his previous application on 29-12-2016 after laps of 04 months and few days of acceptance of LPR.

Now at this belated stage, the LPR Order has got finality as per notification NO.FD-SOSR-(iii)/4-92/81, dated 01-10-1991 as well as plethora of superio court judgments.

Report submitted, please

DSP Legal DPO Office
Dir Lower

To,

The worthy Regional Police Officer, Malakand Region at Saidu Sharif, Swat

Subject

REQUEST FOR PERMISSION TO RE-JOIN SERVICE IN LIGHT OF SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR JUDGMENT

Respected Sir,

It is submitted that:-

- The applicant was granted 365 days LPR with effect from 01/09/2016 vide Region Office, Swat Endst: No.7052-53/E, dated 24/08/2016.
- The applicant submitted application on 29/12/2016 for cancellation of remaining portion of un-availed LPR and re-joining service as a routine, which was not entertained vide Region Office, Swat Memo: No.2124/E, dated 28/02/2017.
- 3. Therefore, applicant then approached August Service Tribunal, Khyber Pakhtunkhwa and filed Service Appeal No.**6**07/2017.
- 4. The August Service Tribunal, Khyber Pakhunkhwa, Peshawar has very earnestly decided applicant's Service Appeal on 05/07/2018 and has allowed applicant to join my service as routine.

It is, requested that worthy District Police, Dir Lower may kindly be addressed to allow the applicant to join service as routine and obliged.

Photo copies of relevant papers as well as attested photo copy of judgment dated 05/07/2018 are submitted herewith for favour of perusal please.

Yours Obediently

(BAKHT NAEEM ASI) NO.282/M,

District Dir Lower Police
Dated 12/07/2018



3 2.5

	٠ خو ٠	·		Sales Ta	x Invoice
100	Acct / Coupon	Consignme	nt Note No.	Org.	Dest.
TEST		470° \$	የ1ድዋጎት	11/2	(II_{I})
	Mode of Payment	Insurad	Dimension	Wt. (kgs)	Pcs.
Call: 111-123-456 GST NO.	COOPUR LIFOC CCOD	☐ Yes ☐ No.	L(cm) W(cm) H(cm)	. (.	7 /
12-00-9808-002-73	☐ Account . ☐ Cash	Value		- (\]	
From (Shipper))	· W	To (Consignee) /		Service	Туре
1111 7				/☑ Overnight	☐ Holiday
1111111111 11 11 11 11 11 11 11 11 11 1	CHAIL	11/1/11		/⊈Extra Sp.	☐ Same Day
1 1 1 1	The state of the s	11/2		/□ Second Do	ıy
1 /////////////////////////////////////	2,00	<i></i>	11:12.00	Service (Charges* *
A Vinit	DAM IMIL	/ / / /	1017 6/7	-Weight	
Phone	13.4.	Phone ()	(2)	Handling	1///
) warrang the 'neverted	Up terms and sends lone on the	E-mail o will a	6 A FAI	Oiner	/ / /
herein and two and correct,	furs her cocours that the corners of corners any latter, The same to	Description #	المالا والمالة	GST	
constant in the part of the pa	well, stoppers & SCS (PVT) LTQ.	PICKUP INF	A Comment of the Comm		
8	A STATE OF THE PARTY OF THE PAR	Courier Code 1 D		Insurance Premium	- 1. (A.) A.
6 Bripper's Signature	1. 1	SHORT THE BOOK OF	11 1 11 11	TOTAL ::	<u> </u>
ALPERO ACT USE TOE	MIT HOL CYNAL TELLING SOLLCYMOR	Any suggestions berg	with stood service may be male	d to PO Box # 2042, Ka	rachl.75100.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Diary No. 551

Service Appeal No. 507 /2017

1) Bakht Naeem Khan S/o Mirza Resident of Cheenar Makhai,
Tehsil Munda District Dir Lower

.....Appellant

VERSUS

- 1) Provincial Police Officer Government of Khyber Pakhtunkhwa at Central Police Office (CPO) Peshawar
- 2) Deputy Inspector General of Police / Regional Police Officer
 (RPO) Malakand Region at Swat
- 3) District Police Officer Dir Lower at Timergara Dir Lower

.....Respondents

Filedto-day
Régistraire
23/1/17.

ATTESTED

EXAMINER Khyber Pakhtunkhwa Service Tribunal, Peshawar Service Appeal Under Section 4 of Service Tribunal Act read with other relevant provisions against the impugned order / letter dated: 28/02/2017 along with endorsements passed by respondent No.2, whereby the application of the appellant for withdrawal of LPR has been not entertained.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

CAMP COURT, SWAT.

Service appeal No. 507/2017

Date of institution ...

23.05.2017

Date of decision

05.07.2018

Bakht Naeem Khan son of Mirza Resident of Cheenar Makhai, Tehsil Munda District Dir (Lower).

(Appellant)

<u>Versus</u>

1. Provincial Police Officer, Government of Khyber Pakhtunkhwa at Central Police Office, Peshawar and two others. ... (Respondents)

Present

Mr. Muhammad Javaid Khan,

Advocate

For appellant.

Mr. Muhammad Jan,

Deputy District Attorney

For respondents.

MR. SUBHAN SHER, ... MR. MUHAMMAD HAMID MUGHAL, ...

CHAIRMAN MEMBER.

JUDGMENT

SUBHAN SHER, CHAIRMAN:

EXAMINER Khyber Pakhmakhwa Service Tribunal,

ATTESTED

Short facts relevant for disposal of the appeal in hand as narrated in the appeal are, that the appellant Bakht Naeem joined the Police Department as Constable and during this period, he got promotion to the rank of ASI. In the meanwhile, on completion of service of 25 years, he submitted ar application on 14.07.2016 asking therein L.P.R and wished to avail the benefit of pension w.e.f. 01.09.2016 which was forwarded to the R.P.O Malakand Region. In short, it was allowed to the extent of 365 days L.P.R w.e.f 01.09.2016 but no formal order of his retirement was issued. After lapse of about 3 months, the appellant changed

TIE CO THE

his mind and wished to resume his duty. So he submitted a proper application to the authority on 29.12.2016. Once again it was forwarded to the competent authority i.e R.P.O Malakand but it was not entertained. So being aggrieved of the said order, the appellant approached this Tribunal, through the instant appeal.

Arguments heard and file perused.

Mr. Muhammad Javed Advocate, learned counsel for the appellant contended that before issuance of formal order of retirement, the appellant can withdraw his request for L.P.R and joined his duty as there was no bar on his resumption of duty during the period of LPR and in this respect he referred to a latest notification No. SOR-VI/E&AD/1-16/2011, dated 17.3.2014, issued by the (Provincial Government), (According to the said notification "LPR is one of the types of leave to which a government servant is entitled. As he continues to be government servant and can be called even for duty, he can, therefore, be considered for promotion a higher post during LPR.)" At the end, he requested that on acceptance of this appeal, the appellant may be allowed to resume his remaining duty as regular employee. He placed reliance on 2011-PLC(C.S)546.

Mr. Muhammad Jan, Deputy District Attorney, assisted by Mr. Fazle Mabood, Inspector (Legal) rebutted the arguments of the learned counsel for the appellant and stated that once L.P.R is sanctioned in respect of an civil servant/appellant, it cannot be withdrawn and so he cannot be allowed to resume his remaining service as a regular employee. Lastly he requested this Tribunal to dismiss the appeal. He placed reliance on 2005-SCMR-1928.

With the assistance of the learned counsel for the parties, record was consulted which transpired that from bare reading of the nonlication dated 17.03.2014, mentioned above, three things become crystal clear which cannot be

ATTESTED L.P.R is one of types of leave to which a government servant is

46

entitled. Secondly, the Government can call any government servant during L.P.R even for duty and thirdly, the government servant during period of L.P.R will be entitled for promotion against a higher post. So as per clarification given in the above mentioned notification, the appellant was on leave for all practical purposes and he can cancel his remaining leave and can join his service again.

When learned Deputy District Attorney was asked whether there was any bar on the appellant to revoke his previous request of LPR, he could not cited any law except the above mentioned judgment of the august Supreme Court of Pakistan. But on perusal of the said judgment, factual position was found different in the sense that in that very judgment while granting LPR to the government servant, order of retirement was issued at the same time, whereas in the case of present appellant, no formal order of retirement has yet been issued by the respondents. In the instant case, the judgment reported in 2011-PLC(C.S) 546 as referred to by the learned counsel for the appellant is relevant, wherein the government servant during LPR, even his retirement order was issued, but even then, the Punjab Service Tribunal was pleased to allow him to resume his duty. Even otherwise, when there is no express bar on a thing to be done, then it is presumed to permissible under the law.

The crux of the foregoing limited discussion is that after hearing the arguments of the learned counsel for the parties, consulted the record and taking guidance from the worthy rulings referred to above, and particularly the notification issued by the Provincial Government, this Tribunal reached to the conclusion that the appellant has still the right to move application for cancellation of his LPR and join his service as routine. As such, on acceptance of this appeal, the impugned order dated 28.02.2017 passed by respondent No. 2 is set aside and

ATTESTED

EXAMINER Khyber Pakhtunkhiwa Service Tribunal

44 - 500 2018-

the appellant is allowed to join his service as routine. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.

Soff Suphan Shor, Chairman Campoint Swaf Soff M. Hamid Mughal, Mundels

Certified to be thre copy

Date of Presentation of Application 11-01- 2018
Number of Words 2000
Copying Fee 12:00
Urgant
Total
Name of Convince
Date of Complettion of the state of the stat
11-07-2010



OFFICE OF THE SPECTOR GENERAL OF POLICE KHYDER PAKHTUNKHWA Central Police Office, Peshawar

/Logal dated Peshawar, the 2/ / 02- /2019.

To:

District Police Officer, The Lir Lower.

Subject:-

SERVICE APPEAL NO. 507/2017 IN EXECUTION PETITION

LOWER & OTHERS.

Memo:-

In continuation to this office ender: No.4111 dated 08.11.2017 on the subject cited above.

Competent Authority has directed that the judgment 05.07.2018 of Service Tribunal Khyber Pakhtunkhwa Peshawar may be implemented conditionally and provisionally subject to the outcome of CPLA.

AlG/Legal,

For Inspector General of Police, Khyber Pakhtunkitwa, Peshawar

instector Lagal

Officer, District Police

The petitioner filed Expetition of the petition of the w. p.p.o obirect who we proposed in the work of the work of the period of the work of the period of the wear while the period of the work of the period of the work of the period of the work of the period of the pe

recovered and out or ship we h recreved and on o pringlement
no option of 7. Jule of the K.P. Tribunal Pushawas and tronalle

Subject to the outcome of

was sent he may be direct the her just his dulies as rout



REGIONAL POLICE OFFICER, MALAKAND AT SAIDU SHARIF SWAT.

Ph: 9948-8240388 & Fax No. 0946-9240390 Email: digmalakand@yahoo.com

ORDER:

ASI Bakht Naeem No. 282/M of Dir Lower District who was proceeded on 353 days LPR with effect from 01/05/2016 and subsequently approached to Service Tribunal Khyber Pakhtunkhwa for re-joining of service. On his service appeal No. 507/2017 the Service Tribunal KPK decision dated 05/07/2018 reproduce below:-

"On acceptance of this appeal the impugned order dated 28/02/2017 passed by the respondent No. 2 is set aside and the appellant is allowed to join his service as routine"

In the light of judgment dated 05/07/2018 of Service Tribunal, Khyber Pakhtunkhwa Camp Court at Swat and direction from AIG/Legal KPK, vide CPO Peshawar memo: No. 8:14/Legal, dated 21/02/2018 and No. 1459/Legal, dated 21/03/2019 as per request of DPO, Dir Lower vide his office memo: No. 5612/EC, dated 26/02/2019, ASI Bakht Naeem No. 282/M is hereby allowed to join his service as routine conditionally and provisionally subject to outcome of CPLA.

On rejoining in service he will not claim his seniority with his colleagues and back benefit until/ unless the decision of Honorable Supreme Court in this regard.

(MUMANHAT) SAEED) PSP Regional Police Officer, Malakand, at Saidu Sharif Swat

No. 3945-47 /E,
Dated 27-03- /2019.

Copy for information to the: -

1. Inspector General of Poilca, Khyber Pakhtunkhwa Peshawar.

2. AIG/Legal Khyber Pakhtunkhwa Peshawar with reference to CPO Peshawar memo: No. 834/Legal, dated 21/02/2019, No. 1459/Legal, dated 21/03/2019 and DPO, Dir Lower memo No. 7523/LB, dated 13/03/2019.

3. District Police Officer, Dir Lower for necessary action with reference to his office memo: No. 5512/EC, dated 26/02/2019 and Endst: No. 7524/LB, dated 13/03/2019.

Oistrict Police Officer, Dir Lower at Timergara

OBIECIPO

28-03

大大学 オイン くくくくくく イング マジジャ・マン くくくくくくくくくく オキャギ

باعد الكرياك

مقد مه مند رجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی وکل کا روائی متعلقة آن مقام كيد يكوره سواد يماع فحد والابدخات الرف و وقي المراق ودف كو مقرر کرکے اقرار کیا جاتا ہے کہ صاحب موصوف کومقدمہ کی کل کا روائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کوراضی نامہ وتقرر ثالث وفيصله برحلف دينے جواب دہيا ورا قبال دعويٰ اور درخواست ہرتنم کی تفیدیق زراوراس پردستخط کرنے کا اختيار ہوگا۔ نیز بصور تعدم پیروی یا ڈگری ایک طرف اپیل کی برامدگی اور منسوخ مذکور کے کھمل یا جزویکاروائی کے واسطے اور وکیل یا مختار قانونی کواپنی ہمراہ یا اپنی بجائے تقر ر کا ختیار ہوگا۔اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہوئے اور اسكاساخته برواخته منظور وقبول ہوگا۔اور دوران مقدمہ میں جوخر چہو ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے ستحق ویل صاحب ہوئے۔ نیز بقایا وخرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہویا حدسے باہر ہوتو وکیل صاحب پابند نه ہونگے کی پیروی مقدمہ مذکورلہذاوکالت نامہ لکھ دیا کہ سند رہے اه آنتوبر

العبر العبران كواه شد العبر العبران العبر العبران العبر العبران العبران العبران العبران العبر العبران العبر العبران العبر العبر العبران العبر العبر العبران العبر العبران العبر العبران العبر العبران العبر العبر العبران العبر
Sold and a self sold a self so