

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 5368/2020

Date of Institution... 05.06.2020

Date of Decision... 03.03.2023

Fazal Dad DSP (BPS-17) Chief Minister Secretariat Peshawar.

... (Appellant)

VERSUS

Provincial Police Officer Khyber Pakhtunkhwa Peshawar and 02 others.

... (Respondents)

MS. ROEEDA KHAN,
Advocate

For appellant.

MR. UMAIR AZAM KHAN,
Additional Advocate General

For respondents.

MR. SALAH-UD-DIN
MS. FAREEHA PAUL

MEMBER (JUDICIAL)
MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Brief facts surrounding the instant service appeal are that the appellant was appointed as Constable in the year 1986, who was promoted to various ranks in the course of his service and is presently serving on the post of DSP. During the course of his service, he was promoted as officiating Sub-Inspector vide Notification dated 21.04.2008, however he was confirmed as S.I on 13.09.2012, while his colleagues including junior to him were confirmed as Sub-Inspectors on 30.07.2010. Being annoyed of the same, the appellant submitted application/departmental appeal, however the same remained unfruitful, therefore, he filed Service Appeal No. 1021/2015 before this Tribunal, which was accepted vide judgment dated

25.04.2017. It was during the Execution proceedings of the afore-mentioned judgment that the respondents produced copy of order dated 12.12.2018, whereby the appellant was granted his due seniority in the concerned seniority list. The appellant then submitted petition before the Provincial Police Officer Khyber Pakhtunkhwa Peshawar requesting therein that he may be granted consequential as well as back benefits with effect from 2010 to 2012 and 2016 till date. The same was declined vide order dated 06.05.2020 passed by Inspector General of Police Khyber Pakhtunkhwa Peshawar, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal.

3. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in his service appeal. On the other hand, learned Additional Advocate General for the respondents has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

4. Arguments have already been heard and record perused.

5. The appellant had previously filed Service Appeal No. 1021/2015 before this Tribunal with the prayer copied as below:-

“on acceptance of this appeal the impugned order of rejection dated 10.08.2015 may please be set-aside and the respondents may please be directed to ante-date confirmation of the appellant as Sub-Inspector with effect from 30.07.2010 i.e the date when his colleagues/junior to him were confirmed as Sub-Inspectors and he

may also be allowed his due seniority in list-F with all back benefits/consequential benefits."

The appeal of the appellant was accepted by this Tribunal vide judgment dated 27.04.2017 in the terms reproduced as below:-

"For the above mentioned reasons we are constrained to accept the present appeal and set-aside the impugned order dated 10.08.2015 and direct that the appellant be granted ante-date confirmation as Sub-Inspector with effect from 30.07.2010 i.e the date on which his junior colleagues were confirmed. Parties are left to bear their own costs."

6. It is thus evident that the previous service appeal of the appellant was not accepted as prayed for rather the same was accepted and directions were issued that the appellant be granted ante-dated confirmation as Sub-Inspector with effect from 30.07.2010. Nothing has been mentioned therein regarding grant of consequential or back benefits. For the sake of arguments, even if it is assumed that the appellant were granted back benefits by accepting his previous service appeal, the same could have been sought through Execution/implementation of the judgment dated 27.04.2017 passed by this Tribunal and not by way of resorting to a new round of litigation by way of filing another departmental appeal.

7. In view of the above discussion, the appeal in hand being devoid of merits stand dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
03.03.2023


(FAREEHA PAUL)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

ORDER
03.03.2023

Appellant in person present. Mr. Ahmad Jan, Sub-Inspector (Legal) alongwith Mr. Umair Azam Khan, Additional Advocate General for the respondents present. Arguments have already been heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand being devoid of merits stand dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
03.03.2023



(Fareeha Paul)
Member (Executive)




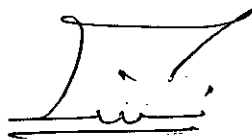
(Salah-Ud-Din)
Member (Judicial)

02.03. 2023

Learned counsel for the appellant present. Mr. Ahmad Jan, S.I (Legal) alongwith Mr. Umair Azam Khan, Additional Advocate General for the respondents present.


Arguments heard. To come up for order on 03.03.2023 before the D.B.



(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

06th Dec. 2022 Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that she has not prepared the case. Last opportunity granted to the appellant to argue the case failing which the case will be decided on the available record. To come up for arguments on 02.03.2023 before the D.B. P.P is given to the parties.


(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman

SCANNED
KPST
Peshawar

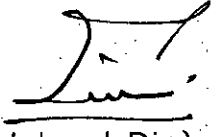
01.07.2022

Learned counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that she has not made preparation for arguments. Adjourned. To come up for arguments on 19.08.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

19-8-22

due to summer vacation the case is adjourned to 7-10-22 for the same.



07.10.2022

Appellant present in person. Mr. Kabir Ullah Khattak, Additional Advocate General for respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 06.12.2022 before D.B.



(Mian Muhammad)
Member (J)



(Kalim Arshad Khan)
Chairman

02.08.2021

Counsel for the appellant and Mr. Kabirullah Khattak,
Addl. AG for the respondents present.


Reply/comments has not been submitted.
Learned AAG is required contact the respondents. They are
required to furnish reply/comments in office within 10
days, positively. If the written reply/comments are not
submitted within the stipulated time, or extension of time
is not sought through written application with sufficient
cause, the office shall submit the file with a report of non-
compliance. File to come up for arguments on 08.12.2021
before the D.B.


Chairman

08.12.2021

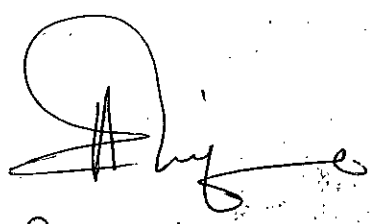
Learned counsel for the appellant present. Mr.
Kabirullah Khattak, Additional Advocate General for the
respondents present.

The Worthy Chairman is on leave, therefore, the
bench is incomplete. Adjourned. To come up for
arguments on 28.03.2022 before the D.B.


(Salah-ud-Din)
Member (J)

28-3-2022

Proper DB not available the case
is adjourned to come up for the same
as before on 1-7-2022

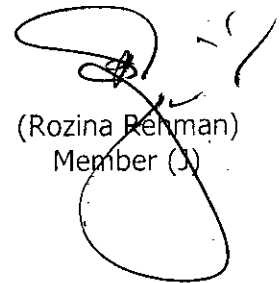

Reader

20.01.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to 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 respondents for written reply/comments. To come up for written reply/comments on 14.04.2021 before S.B.

Appellant Deposited
Security & Process Fee
20



(Rozina Benman)
Member (J)

14.04.2021

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



Reader

03.09.2020

Counsel for the appellant present.

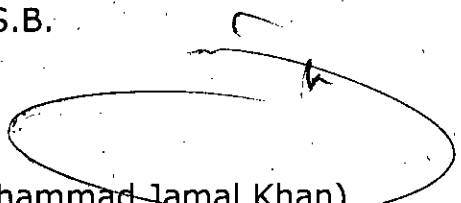
Requests for time to further document the brief.
Adjourned to 04.11.2020 for the purpose.


Chairman

04.11.2020

Junior counsel for appellant is present.

Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned senior counsel for appellant is not available today. Adjourned to 20.01.2021 on which date to come up for preliminary hearing before S.B.





(Muhammad Jamal Khan)
Member (Judicial)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 5368 /2020

1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/06/2020	<p>The appeal of Mr. Fazal Dad Khan presented today by Mr. Roeeda Khan 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</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29/06/20</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	29.06.2020	<p>The Worthy Chairman is on leave, therefore, the case is adjourned. To come up on 03.09.2020 before S.B.</p> <p style="text-align: right;"> Reader</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 5368 /2020

Fazal Dad

VERSUS

Provincial Police Officer & others

INDEX

S#	Description of Documents	Annexure	Pages
1.	Grounds of Appeal		1-5
2.	Affidavit.		6
3.	Addresses of parties		7
4.	Copies of Promotion Order	"A"	8 TO 22
5.	Copies of order dated 30.07.2010	"B"	(23)
6.	Copy of Departmental & Service appeal	"C & D"	24 TO 29
7.	Copy of order dated 12.12.2018	"E"	(30)
8.	Copy of departmental appeal, rejection order & further proceeding order	"F G & H"	31 TO 33
9.	Wakalatnama		

✓
APPELLANT

Through



Roeda Khan

Advocate, High Court
Peshawar.

Dated: 05/06/2020

①

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 5368 /2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4687

Dated 05/6/2020

Fazal Dad DSP BPS (17) Chief Minister Secretariat
Peshawar

Appellant

VERSUS

1. Provincial Police Officer Khyber Pakhtunkhwa
Peshawar.
2. Capital City Police Officer Peshawar.
3. Inspector General of Police Khyber Pakhtunkhwa
Central Police Office, Peshawar.

Respondents

SERVICE APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE ORDER DATED 06/05/2020
WHEREBY THE DEPARTMENTAL APPEAL
DATED 03/01/2020 OF THE APPELLANT FOR
ARREARS WITH EFFECT FROM 2010 TO 2016
WAS REJECTED ON NO GOOD GROUNDS.

Prayer:-

ON ACCEPTANCE OF THIS SERVICE
APPEAL THE IMPUGNED ORDER OF
REJECTION DATED 06/05/2020 MAY
KINDLY BE SET ASIDE AND THE
RESPONDENT DEPARTMENT MAY

Filed to-day
Registrar
05/06/2020

(2)

PLEASE BE DIRECTED TO
AWARD/GRANT ARREARS W.E.F 2010
TO 2016 IN FAVOUR OF THE
APPELLANT AS HIS OTHER
COLLEAGUES HAS BEEN GRANTED.

Respectfully Sheweth,

1. That the appellant was initially appointed as Constable in the Police Department in the year 1986, during the course of his service he gained promotions. He was promoted as Head Constable in 1996, as ASI in the year 2005, as Sub Inspector in the year 2008, promoted as Inspector in the year 2013 and lastly promoted confirm DSP PBS(17) on 16.05.2019. Ever since his appointment the appellant performed his duties as assigned to him with full devotion and honesty and there was no complaint whatsoever regarding his performance. **(Copies of the orders Promotions are attached as Annexure "A").**
2. That appellant has at his credit clean and exemplary service record, his services were always appreciated.
3. That it is pertinent to mention here that the appellant was though promoted as officiating Sub Inspector vide notification dated 21.04.2008, however he was

confirmed as Sub Inspector on 13.09.2012, while his colleagues / juniors were confirmed as such on 30.07.2010 & were assigned seniority in the list F from the accordingly. **(Copies of the order dated 30.07.2010 are attached as Annexure "B").**

4. That the appellant submitted departmental appeal to respondent department which has been rejected on 10.08.2015 and after rejection of departmental appeal the appellant filed service appeal No.1021/15 for antedate confirmation before this Hon'ble Tribunal which has been decided on 25.04.2017 the relevant portion are "as we are constrained to accept the present appeal and set aside the impugned order dated 10.08.2015 and direct that the appellant be granted ante date conformation as Sub Inspector w.e.f 30.07.2010 i.e the date on which his junior colleagues were confirmed." **(Copy of departmental appeal & service appeal are attached as annexure "C & D").**
5. That due to non implementation of the judgment of this Hon'ble Court the appellant filed execution petition in this Hon'ble court and during execution petition, the respondent department issued the order

(4)

dated 12.12.2018 whereby the appellant has been allowed seniority with his colleagues. **(Copy of order dated 12.12.2018 is attached as annexure E”)**.

6. That the appellant filed on departmental appeal on 30.01.2020 to respondent department for arrears w.e.f 2010 to 2016 which has been forwarded for further proceeding and lastly rejected on 06.05.2020. **(Copy of departmental appeal, rejection order & further proceeding order is attached are annexure “F G & H”)**.

7. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

GROUND:-

A. That the appellant has not been treated in accordance with law and hence his rights secured and guaranteed under the Constitution of 1973 were badly violated.

B. That as per law, the respondent department were required to have processed the case of arrears of the appellant, however it was refused, thus the appellant has been deprived of his vested right of consideration for arrears.

C. That the appellant has been discriminated against as similar placed working with the

(5)

appellant were allowed arrears to other colleagues from 2010 but it was refused illegally to the appellant.


D. That the appellant seeks the permission of this Hon'ble Court to rely on additional grounds at the hearing of this appeal.

It is therefore, most humbly prayed that the impugned order of rejection dated 06/05/2020 may kindly be set aside and the respondent Department may please be directed to award/grant arrears w.e.f 2010 to 2016 in favour of the appellant as his other colleagues has been granted.

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

✓
APPELLANT

Through


Roeeda Khan
Advocate, High Court
Peshawar.

Dated: 05/06/2020

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.


Advocate.

(6)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2020

Fazal Dad

VERSUS


Provincial Police Officer & others

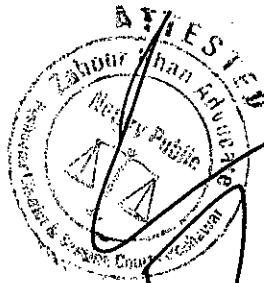
AFFIDAVIT

I, **Fazal Dad DSP BPS (17) Chief Minister Secretariat Peshawar**, do hereby solemnly affirm and declare that all the contents of the **instant appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.


DEPONENT

Identified by:


Roeeda Khan
Advocate High Court
Peshawar.



(7)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2020

Fazal Dad

VERSUS

Provincial Police Officer & others

ADDRESSES OF PARTIES

PETITIONER.

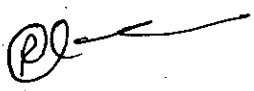
Fazal Dad DSP BPS (17) Chief Minister
Secretariat Peshawar

ADDRESSES OF RESPONDENTS

1. Provincial Police Officer Khyber Pakhtunkhwa
Peshawar.
2. Capital City Police Officer Peshawar.
3. Inspector General of Police Khyber Pakhtunkhwa
Central Police Office, Peshawar..


APPELLANT

Through


Roeda Khan
Advocate, High Court
Peshawar.

Dated: 05/06/2020

5 (A) 8
ANNEX 1

POLICE DEPARTMENT.

PESHAWAR RANGE PESHAWAR.

FOR PUBLICATION IN THE N.W.F.P, POLICE GAZETTE PART-II.
ORDER BY THE DY. INSPECTOR GENERAL OF POLICE, P.R PESHAWAR.

NOTIFICATION.

Dated of PESHAWAR, the 1-7/2000.

No. 4304 /EC, PROMOTION LIST " D ":- The following
Head Constables of Peshawar Range have qualified the Intermediate
School Course Examination in the term ending 20.4.2000, at
P.T.C Hangu, Their names are hereby brought on promotion List "D"
with effect from 21.4.2000:-

S.NO.	NAME &	NUMBERS.	DISTRICTS/UNITS.
	H.C. Zeb	NO. 66	Charsadda
	H.C. Zaid	NO. 160	Charsadda
3.	H.C-Murad Ali	NO. 611	"
4.	H.C-Zakauallah	NO. 194	Peshawar.
5.	Zakir Ullah	NO. 2619	"
6.	H.C-Sartaj Ali	NO. 43	C.P.C.
7.	H.C-Abdullah Jan	NO. 553	Peshawar.
8.	H.C-Bismillah Jan	NO. 2781	"
9.	H.C-Abdul Ghaffar	NO. 2654	"
10.	H.C-Fakhar Alam	NO. 517	Charsadda.
11.	H.C-Liaqat Ali	NO. 415	"
12.	H.C-Schibzada Hazrat	NO. 103	C.P.C.
13.	H.C-Muhammad Gul	NO. 199	Nowshera.
14.	H.C-Muhammad Ali	NO. 209	C.P.C.
15.	H.C-Muhammad Salim	NO. 3436	Peshawar.
16.	H.C-Muhammad Alam	NO. 2572	"
17.	H.C-Abdul Wajid	NO. 491	"
18.	H.C-Inayat Ullah	NO. 1775	"
19.	H.C-Rahat Shah	NO. 2791	"
20.	H.C-Ineamullah	NO. 151	Charsadda.
21.	H.C-Muhammad Sharif	NO. 2140	Peshawar.
22.	H.C-Saif Ali	NO. 2610	"
23.	H.C-Jan Alam	NO. 426	"
24.	H.C-Mir Afzal	NO. 1507	"
25.	H.C-Wajid Ali	NO. 1130	"
26.	H.C-Abdul Wahab	NO. 153	Nowshera.
27.	H.C-Abdul Sattar	NO. 328	Peshawar.
28.	H.C-Hanif Ullah	NO. 390	Nowshera.
29.	H.C-Sabz Ali	NO. 2146	Peshawar.

Contd. Page-2

P.T.O.

TESTED

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91

(2)

30.	H.C-Muhammad Aleem	NO. 315	Peshawar.
31.	H.C-Wilayat Shah	NO. 3240	"
32.	H.C-Maqbali Khan	NO. 4220	"
33.	H.C-Noor Ali	NO. 416	Charsadda.
34.	H.C-Muzafar Khan	NO. 1779	Peshawar.
35.	H.C-Ghani Said	NO. 138	Nowshera.
36.	H.C-Ilyas Khan	NO. 496	Charsadda.
37.	H.C-Muhammad Akbar	NO. 134	Nowshera.
38.	H.C-Muhammad Akbar Khan	NO. 499	Peshawar.
39.	H.C-Gulfaraz	NO. 395	"
40.	H.C-Muhammad Ali	NO. 257	"
41.	H.C-Noor Wali	NO. 2803	"
42.	H.C-Ihsan Ullah	NO. 322	"
43.	H.C-Muhammad Azam	NO. 90	Charsadda.

(M. RAFFAT PASHA)
 DEPUTY INSPECTOR GENERAL OF POLICE,
 PESHAWAR RANGE PESHAWAR.

NO 4305-11/EG,

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

1. The Inspector General of Police, NWFP, Peshawar.
2. The Dy: Inspector General of Police, Crime Branch NWFP Peshawar with two spare copies for publication in the NWFP Police Gazette Part-II.
3. The Director, CPC University Campus, Peshawar.
4. The Senior Superintendent of Police, Peshawar.
5. The Superintendent of Police, Charsadda.
6. The Superintendent of Police, Nowshera.
7. Assistant Secret Range Office, Peshawar with 43 spare copies for placing on their Character Rolls.

M. Raffat Pasha
 (M. RAFFAT PASHA)
 DEPUTY INSPECTOR GENERAL OF POLICE,
 PESHAWAR RANGE PESHAWAR.
 PHONE-9210989
 FAX-9210948

N.JAN

P

RECEIVED

From

The Capital City Police Officer,
Peshawar.

(10)

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To

1. The DIG. Police, Spl. Br: NWFP, Peshawar.
2. The DIG. Police, Region-I, Mardan.
3. The AIG/Traffic, NWFP, Peshawar.
4. The SSP/Operation, Peshawar.
5. The SSP/Investigation, Peshawar.
6. The Commandant, CPCT Int. Campus, Peshawar.
7. The D.P.O Charsadda.
8. The S.P.Hqrs. Peshawar.
9. The Director Co-Ordination City Dept: Govt: Peshawar.

No. ~~702/201~~ 1: C-I Dated Peshawar the ~~20/1/2005~~

Subject:-

PROMOTION TO THE RANK OF OFFIC: ASIS

MEMORANDUM

The following "D" list HC's of Capital City Police, Peshawar are considered suitable for promotion to officiate as ASIS with immediate effect till further orders. On promotion they are posted to the places as noted against each -

S. No	Name & Number	From	To
1	Wilayat Khan No 490	Distt: Charsadda	Operation Wing
2	Ejaz Hussain No 2530	R-DSP/Admin:	Traffic Police
3	Qasim Khan No 4700	City Distt: Govt:	City Distt: Govt:
4	Bahadar Sher No 588	Distt: Charsadda	Investigation Wing
5	Ziaraat Gul No 108	Distt: Charsadda	Operation Wing
6	Dil Akbar Jan No 1465	Police Lines	Traffic Police
7	Behandar No 372	Spl. Br:	SPL Br:
8	Murad Ali No 1784	Spl. Br:	SPL Br:
9	Gohar Zaman No 1505	PS/own	Operation Wing
10	Nasir Khan No 699	Distt: Charsadda	Traffic Police
11	Muhammad Rizq No 442	I/C F.M.C	I/C F.M.C
12	Fazal Rabbani No 770	PS Mathra	Investigation Wing
13	Gohar Ali No 1784/618	PS Badabair	Operation Wing
14	Muhammad Noor No 2310	Traffic Police	Traffic Police
15	Ali Gohar No 948	PS Kotwali	Traffic Police
16	Jehanzada No 234	Distt: Charsadda	Investigation Wing
17	Muhammad Wali No 698	Traffic Police	Traffic Police
18	Noor Zaman No 1809	Spl. Br:	SPL Br:
19	Kishwar Khan No 366	Police Lines	Operation Wing
20	Amir Muhammad No 159	PS Mathra	Investigation Wing

P.T.O

28		Distt: Charsadda	Operation Wing
29	No 69	PS Gulbahar	Operation Wing
30	No 2236	PS Kabuli	Traffic Police
31	No 272	C.P.C	C.P.C
32	Muhammad Iqbal No 23662	PS Town	Traffic Police
28	Zaka Ullah No 194	PS Pishtakhara	Operation Wing
29	Zakir Ullah No 2619	PS Kabuli	C.I.A
30	Sartaj Ali No 43	Traffic Police	Traffic Police
31	Abdullah Jan No 553	Police Line CPO Kot	Traffic Police
32	Bismillah Jan No 2731	Traffic Police	Traffic Police
33	Abdul Ghaffar No 2654	PS Mattani	Investigation Wing Mattani
34	Fakar-e-Alam No 517	Distt: Charsadda	Investigation Wing
35	Liaqat Ali No 415	Distt: Charsadda	Operation Wing

IHCs at SI No 1,4,5,13,16,21,24,30, and 34 have been promoted conditionally subject to the clearance of ACRs.

Necessary Gazetted Notification in this regard may be issued accordingly.

(MOHAMMAD HABIB-UR-RAHMAN)
PPM/PSP
CAPITAL CITY POLICE, OFFICER,
PESHAWAR.

No 7980-86/EC-I.

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

1. Provincial Police Officer, NWFP, Peshawar. He is requested to please issued reversion order of IHC at SI No. 1,4,5,10,16,21,26,34 and 35 on deputation to DPO Charsadda to Capital City Police, Peshawar.
2. EC-II, Branch CCP Peshawar.
3. Asstt. Secret with (35) spare copies for placing in their Gls: Rblis.
4. Officer.
5. FMC, CRC and OSI Branches:

(MOHAMMAD HABIB-UR-RAHMAN)
PPM/PSP
CAPITAL CITY POLICE, OFFICER,
PESHAWAR.

427/19

ATTESTED

The Capital City Police Officer,

Peshawar

(12)

Best Copy

1. The DIG Police, Spl: Br: NWFP, Peshawar
2. The DIG Police, Region-1, Marjan.
3. The AIG traffic, NWFP, Peshawar
4. The SSP/Operation, Peshawar
5. The SSP/Investigation, Peshawar
6. The Commandant CPC um. Campus, Peshawar
7. The D.P.O Charsadda
8. The S.P/Hqrs, Peshawar
9. The Director o-Ordination City Distt: Govt: Peshawar.

No/ 7971-79 / EC-1 Dated Peshawar

28/9/2005

Subject: PROMOTION TO THE RANK OF OFFG: ASIs

MEMORANDUM

The following "D" list HCs of Capital City Police Peshawar are considered suitable for promotion to officiate as ASIs with immediate effect till further orders. Or promotion they are posted to the places noted against each:-

S. NO	NAME & NUMBER	FROM	TO
1.	Wilayat Kahn No 490	Distt: Charsadda	Operation wing
2.	Ejaz Hussain No 2530	R-DSP/Admn	Traffic police
3.	Qasim Khan No 4700	City Distt Govt.	City Distt Govt.
4.	Bahadar Sher No 588	Distt Charsadda	Investigation Wing
5.	Ziarat Gul No 108	Distt Charsadda	Operation Wing
6.	Dil Akbar Jan No 1465	Police Lines	Traffic Police
7.	Jehandari No 322	Spl: Br:	Spl: Br:
8.	Murad Ali No 1784	Spl: Br:	Spl: Br:
9.	Gohar Zaman No 1505	PS/Town	Operation Wing
10.	Nasir Khan No 699	Distt Charsadda	Traffic Police
11.	Muhammad Riaz No 442	I/C F.M.C	I/C F.M.C
12.	Fazal Rabbani No 770	PS Mathra	Investigation Wing
13.	Gohar Ali No 1784/618	PS Badabhair	Operation Wing
14.	Muhammad Noor No 2310	Traffic police	Traffic Police
15.	Ali Gohar No 948	PS Kotwali	Traffic Police
16.	Jehanzada No 234	Distt Charsadda	Investigation Wing
17.	Muhammad Wali No 698	Traffic Police	Traffic Police
18.	Noor Zaman No 1809	Spl: Br:	Spl: Br:
19.	Kishwar Khan No 366	PS Mathra	Investigation Wing
20.	Amir Muhammad No 159	PS Mathra	Investigation wing

Ali

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21.		Distt charsadda	Operation Wing
22.		PS Gulbahar	Operation Wing
23.		PS kabuli	Traffic Police
24.		C.P.C	C.P.C
25.		PS Town	Traffic Police
26.	Rokhandzeb No 663	Distt Charsadda	Traffic Police
27.	Fazal Dad No 863	N.R. CCP	Naib Reader CCp
28.	Zaka Ullah No 194	PS Pishtakhara	Operation Wing
29.	Zakir Ullah No 2619	PS Kabuli	C.I.A
30.	Sartaj Ali No 43	Traffic Police	Traffic Police
31.	Abdullah Jan No. 553	Police line CPO Kot	Traffic Police
32.	Bismillah Jan No 2731	Traffic Police	Traffic Police
33.	Abdul Ghaffar No 2654	PS Mattani	Investigation Wing Mattani
34.	Fakar-e-Alam No 517	Distt Charsadda	Investigation Wing
35.	Liaqat Ali No 415	Distt Charsadda	Operation Wing

IHC's at SI no. 1,4,5,13,16,21,24,30 and 34 have been promoted conditionally subject to the clearance of ACRs.

Necessary Gazetted Notification in this regard may be issued accordingly.

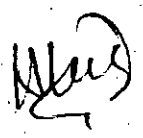
(MOHAMAD HABIB-UR-RAHMAN)
PPM/PSP
CAPITAL CITY POLICE, OFFICER,
PESHAWAR

No. 7980-86/EC-1,

1. Copy of above is forwarded for information and action to the:- Provincial police officer, NWFP, Peshawar. He is requested to please issued revision order IHC at ST No. 1,4,5,10,16,21,26,34 and 35 on deputation to DPC charsadda to capital City Police Peshawar
2. EC-II Branch CCP Peshawar
3. Asstt: Secret with (35) spare copies for planning in their Ch: Rolls
4. Any officer.
5. FMC CRC and OSI Branches

(MOHAMAD HABIB-UR-RAHMAN)
PPM/PSP
CAPITAL CITY POLICE, OFFICER,
PESHAWAR


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NOTIFICATION

NO. 3717/2008 REC-I. CONFIRMATION IN THE RANK OF ASI, ADMISSION TO PROMOTION LIST "E" AND PROMOTION IN THE RANK OF OFFICER: SI - In light of the recommendations submitted by Departmental Promotion Committee, the following Offg: ASIs of Capital City Police Peshawar are hereby confirmed in the rank of ASI and brought their names on promotion list "E" with effect from 05.04.2008. On confirmation, they are allotted new CCP numbers as noted against their names.

They are also promoted to the rank of Offg: SI in the existing vacancies of Traffic Police. Their posting order being are issued separately

S.NO	NAME & NUMBER	New CCP Numbers	PLACE OF POSTINGS
1	Offg: ASI Mubarak Khan 214	344/P	No wshera
2	Offg: ASI Fazal Shah 763	345/P	Nowshera
3	Offg: ASI Arif Ullah 621	346/P	Traffic
4	"" Liaqat Ali 622	347/P	Hashtnagri
5	"" Jan Muhammad 135	348/P	East Cantt
6	"" Yahaya Jan 838	349/P	Town
7	"" Naseer ur Rehman 71	351/P	E/Cantt
8	"" Saad ur Rehman 97/2019	352/P	F/Ahad
9	"" Saad ur Rehman 97/2019	353/P	KRS
10	"" Dost Muhammad 3390	354/P	Khazana
11	"" Farman Ali 1890/1159	355/P	G/Bahar/ P/Pura
12	"" Shujat Ali 346	356/P	Daudzai
13	"" Zarat Gul 333/4-4	357/P	Sarhand
14	"" Muhammad Akram 2748	358/P	Nasirbagh
15	"" Shahbaz Khan 47	360/P	CPC
16	"" Muslim Khan 42	361/P	Tr/B.Mari
17	"" Shah Jehan 348	362/P	Traffic
18	"" Shah Nawaz 1625	363/P	Paharpura
19	"" Zakir ullah 723	364/P	CM House
20	"" Rehman ulla 69	365/P	Mathra
21	"" Fazal Amin 380	366/P	Urner
22	"" Muhammad ullah 730	367/P	Mattani
23	"" Hazrat Ali 69	368/P	H/Mari
24	"" Taza Gul 2829	369/P	W/Cantt
25	"" Rehmat Wali 1415	370/P	M/Way
26	"" Muhammad Sadique 140	371/P	Operation Room
27	"" Muhammad Younas 709	372/P	Traffic
28	"" Jehanzeb 900	373/P	Gulberg
29	"" Mukhtaram Shah 71	374/P	Badaber
30	"" Said Rahim 1496/326	375/P	Traffic
31	"" Shaheen Baidhab 2222	376/P	F/Ahad
32	"" Abdul Rehman 412	377/P	CPC
33	"" Noor Rehman 100	378/P	CPC
34	"" javid Ahmad 500	379/P	Traffic
35	"" Shujat Ali 123/63	380/P	Gulshar
36	"" Faqr Hussain 53/1181	381/P	Urner
37	"" Fazal Sher 3280	382/P	Inv:
38	Offg: ASI Gulzar Khan No. 1775	383/P	Criminal Branch
39	"" Dilar Ali 1499	384/P	Spl./Br:
40	"" Hastam Khan 56	385/P	CPC
41	"" Naseer Khan 82	386/P	H/Mari
42	"" Saif Kamal 2304	389/P	F/CANTT

153/2008

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42	"	"	Amir Farzand 1060	391/P	I/CAN'T
43	"	"	Shahir Azam 193	392/P	R/ASP/Cantt:
44	"	"	Israr Khan 2440	394/P	S/Qabool
45	"	"	Waris Khan 2459	395/P	S/Qabool
46	"	"	Sehat Ullah 670	396/P	Mathra
47	"	"	Shukat Ali 136	397/P	Traffic
48	"	"	Muhammad Ayaz 2748	398/P	CB
49	"	"	Abu Ali Shah 2504	399/P	Traffic
50	"	"	Arshad Iqbal 398	400/P	Inv
51	"	"	Hukam Khan 137	401/P	CPC
52	"	"	M. Dawood Shah 265	402/P	HMC
53	"	"	Zia Ullah 75	403/P	CPC
54	"	"	Yar Muhammad 540	404/P	Traffic
55	"	"	Javid Khan 7	405/P	CPC
56	"	"	Muhammad Ijaz 136	406/P	Inv:
57	"	"	Zahir Shah 44	407/P	Traffic
58	"	"	Shamroz Khan 200/1481	408/P	NAB
59	"	"	Afsar Zaidi 126	409/P	St: DSP/City
60	"	"	Mumtaz Ali 478	410/P	Traffic
61	"	"	Alam Noor 730	411/P	M/Way
62	"	"	Shah Nawaz 43	412/P	CIA
63	"	"	Pir Gul Shah 2742	413/P	S/Qabool
64	"	"	Pir Shamsheer Ali 1784	414/P	Traffic
65	"	"	Shehriyar 804	416/P	KRS
66	"	"	Mumtaz Ali 336	417/P	Traffic
67	"	"	Samin Jan 127	418/P	Guibahar
68	"	"	Arab Nawaz 639/438	421/P	OASJ
69	"	"	Shams ul Qamar 2217	422/P	Traffic
70	"	"	Habib Khan 1428	428/P	Traffic
71	"	"	Ajmal Khan 34	424/P	Traffic
72	"	"	Wilayat Khan 490	426/P	Chamkani
73	"	"	Muhammad Hanif 340	428/P	M/Way
74	"	"	Fazal Amir 68	429/P	M.Way
75	"	"	Muhammad Anwar 625	431/P	SB
76	"	"	Afzal Khan 2689	432/P	Bndber
77	"	"	Raz Muhammad 141	433/P	Traffic Islamabad
78	"	"	Zaher Ullah 2013	434/P	Traffic
79	"	"	Hidayat Ullah 63	435/P	Traffic
80	"	"	Sibghat Ullah 2538	437/P	Traffic
81	"	"	Nazar Ali 504	438/P	PP Airport
82	"	"	Ihsan Ullah 3029	439/P	Tatara
83	"	"	Amir Nawaz 1604	440/P	N/Bagh
84	"	"	S.Nizakat Ali Shah 415	441/P	Traffic
85	"	"	Shahjehan 2859	442/P	B/Mari
86	"	"	S.Israr Ali 4011	443/P	Traffic
87	"	"	Ahmad Khan 254	444/P	Security
88	"	"	Shahjehan 550	445/P	B/Mari
89	"	"	Naushad Ali 1392	446/P	Police lines
90	"	"	Amir Badshah 951	447/P	Traffic Trg.Sch
91	"	"	Nasir Khan	448/P	SB
92	"	"	Shoukat Ali 408	451/P	Traffic
93	"	"	Kiramat Shah 3189	452/P	Traffic
94	"	"	Liaqat Ali 3036	453/P	Daudzai
95	"	"	Khalid Khan 238	454/P	Traffic
96	"	"	Mir Alam 157	455/P	Klazana
97	"	"	Mehar Ali 77	457/P	CPC
98	"	"	Liaqat Ali 400	458/P	Traffic
99	"	"	Mahboob ur Rehman 1617/1321	459/P	SB

(16) *Baur*

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

NOTIFICATION

No. 3717 /EC-1.

**CONFIRMATION IN THE RANK OF ASI, ADMISSION TO PROMOTION LIST "E" AND PROMOTION
IN THE RANK OF OFFG: SI:-**

In light of the recommendations submitted by Department promotion Committee, the following Offg: ASIs of Capital City Police Peshawar are hereby confirmed in the rank of ASI and brought their names on promotion list "E" with effect from 05.04.2008. On confirmation they are allotted new CCP numbers as noted against their names.

They are also promoted to the rank of offg: SI in the existing vacancies of Traffic Police. Their posting order being are issued separately.

S.NO	Name & Number	New CCP Numbers	Place of Postings
1.	Offg: ASI Mubarak Khan 214	344/P	Nowshera
2.	Offg: ASI Fazal Shah 763	345/P	Nowshera
3.	Offg: ASI Arif Ullah 621	346/P	Traffic
4.	Liaqat Ali 622	347/P	Hastnagri
5.	Jan Muhammad 135	348/P	East. Cantt
6.	Yahaya Jan 838	349/P	Town
7.	Naseer ur Rehman 71	351/P	E/Cantt
8.	Saeed Ur Rehman 97/2019	352/P	F/Ahad
9.	Dost Muhammad 3390	353/P	KRS
10.	Farman Ali 1890/1159	356/P	Khazana
11.	Shujat Ali 346	357/P	C/Bahar/P/Pura
12.	Ziarat Gul 333/414	358/P	Daudzai
13.	Muhammad Akram 2718	359/P	Sarband
14.	Shahbaz Khan 47	360/P	Nasirbagh
15.	Muslim Khan 42	361/P	CPC
16.	Shah Jehan 348	362/P	Tr/B.mari
17.	Shah Nawaz 1625	363/P	Traffic
18.	Zakir Ullah 723	364/P	Paharpura
19.	Rehman Ullah 2669	365/P	CM House
20.	Fazal Amin 380	366/P	Mathra
21.	Muhammad ullah 770	367/P	Urmer
22.	Hazrat Ali 69	368/P	Mattani
23.	Taza Gul 2829	369/P	B/Mari
24.	Rehmat Wali 1415	370/P	W/Cantt
25.	Muhammad Sadique 140	371/P	M/Way
26.	Muhammad Younas 709	372/P	Operation Room
27.	Jehanzeb 900	373/P	Traffic
28.	Mukhtaram Shah 371	374/P	Gulberg
29.	Said Rahim 1496/326	375/P	Badabher
30.	Shaheen Badshah 2222	376/P	Traffic
31.	Abdur Rehman 442	377/P	F/Abad
32.	Noor Rehman 400	378/P	CPC
33.	Javid Ahmad 500	379/P	Traffic
34.	Shujat Ali 123/63	380/P	Gulbahar
35.	Faqir Hussain 5371181	381/P	Urmer
36.	Fazal Sher 3280	382/P	Inv:
37.	Offg: ASI Gulzar Khan No. 1775	381/P	Crimes Branch
38.	Didar Ali 1499	385/P	Spl:/Br:
39.	Hasham Kha 56	388/P	CPC
40.	Naseer Khan 482	389/P	B/Mari
41.	Said Kamal 2394	390/P	E/Cantt

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42.	Amir Farzand 060	391/P	E/Cantt
43.	Shabir Azam 193	392/P	R/ASP/Cantt
44.	Israr Khan 2440	394/P	S/Qabool
45.	Waris Khan 2459	395/P	S/Qabool
46.	Sehat Ullah 670	396/P	Mathra
47.	Shaukat Ali 156	397/P	Traffic
48.	Muhammad Ayaz	398/P	CB
49.	Abu Ali Shah 2504	399/P	Traffic
50.	Arshad Iqbal 398	400/P	Inv:
51.	Hukam Khan 137	401/P	CPC
52.	M. Dawood Shah 265	402/P	HMC
53.	Zia Ullah 75	403/P	CPC
54.	Yar Muhammad 540	404/P	Traffic
55.	Javid Khan 7	405/P	CPC
56.	Muhammad Riaz 136	406/P	Inv:
57.	Zahir Shah 414	407/P	Traffic
58.	Shamroz Khan 200/1481	408/P	NAB
59.	Afsar Zada 1726	409/P	Sr: DSP/city
60.	Mumtaz Ali 478	410/P	Traffic
61.	Alam Noor 750	411/P	m/Way
62.	Shah Nawaz 143	412/P	CIA
63.	Pir Gul Shah 2742	413/P	S/Qabool
64.	Pir Shamsher ali 1784	414/P	Traffic
65.	Shehryar 804	416/P	KRS
66.	Mumtaz Ali 336	417/P	Traffic
67.	Samin Jan 127	418/P	Gulbahar
68.	Arab nawaz 639/438	421/P	OASI
69.	Shams Ul Qamar 2217	422/P	Traffic
70.	Habib Khan 1428	423/P	Traffic
71.	Ajmal Khan 34	424/P	Traffic
72.	Wilayat Khan 490	426/P	Chamkani
73.	Muhammad Hanif 340	428/P	M/Way
74.	Fazal Amin 168	429/P	M.Way
75.	Muhammad Anwar. 625	431/P	SB
76.	Afzal khan 2689	432/P	Badabher
77.	Raz Muhammad 141	433/P	Traffic Islamabad
78.	Zaheer Ullah 2013	434/P	Traffic
79.	Hidayat Ullah 63	435/P	Traffic
80.	Sibghat Ullah 2538	437/P	Traffic
81.	Nazar Ali 564	438/P	PP Airport
82.	Ihsan Ullah 3029	439/P	Tatara
83.	Amir Nawaz 1604	440/P	N/Bagh
84.	S.Nizakat Ali Shah 415	441/P	Traffic
85.	Shahjehan 2859	442/P	B/Mari
86.	S.Israr Ali 6011	443/P	Traffic
87.	Ahmad Khan 254	444/P	Security
88.	Shahjehan 1550	445/P	B/Mari
89.	Naushad Ali 1392	446/P	Police Lines
90.	Amir Badshah 951	447/P	Traffic Trg:Seh
91.	Nasir Khan	448/P	SB
92.	Shoukat Ali 408	451/P	Traffic
93.	Kiramat Shah 3189	452/P	Traffic
94.	Liaqat Ali 2036	453/P	Daudzai
95.	Khalid Khan 238	454/P	Traffic
96.	Mir Alam 157	455/P	Khazana
97.	Mehar Ali 44	457/P	CPC
98.	Liaqat Ali 400	458/P	Traffic
99.	Mahboob ur Rehman 1617/1821	459/P	SB

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101	Obaid ul Rehman 15	460/P	CPC
102	Yar Nawab 1859	462/P	Suburb
103	Ijaz Hussain 2530	463/P	Traffic
104	Zia ul Rehman 347/766	464/P	SB
105	Rabul Wali 352	465/P	Chankani
106	Rehman 3061	467/P	SB
107	Muhammad Asraf 150	468/P	Khazana
108	Shafi Ullah 2219	469/P	W/CANTT
109	Said Gul Hussain 3879	471/P	Khyber
110	Qasim Khan 47	472/P	Traffic
111	Badshah Khan 1399	474/P	Traffic
112	Sajwal Khan 60	475/P	SB
113	Obaid ul Rehman 102	476/P	Mardan
114	Gul Araf 369	477/P	Phando/P.Pura
115	Khalid Khan 2572	478/P	Traffic
116	Shahen Ullah 2718	479/P	Badaber
117	Dawan Khan 413	481/P	Pishtakhara
118	Frakher Ali 287	482/P	SB
119	Murad Khan 78	483/P	Pishtakhara
120	Jangraz Khan 2110	484/P	West Cantt
121	Muhammad Zafar 1101	485/P	CIA
122	Aurangzeb 2271	486/P	Badaber
123	Nawab Gul 217	487/P	F/Abad
124	Muqarrab Khan 2724	488/P	Traffic
125	Nasir Khan 3384	489/P	Traffic
126	Balader Sher 538	490/P	M/Gate
127	Mir Alam Khan 1057	491/P	Traffic
128	Muhammad Rafiq 2018	492/P	Traffic
129	Fazal Babu 191	493/P	Traffic
130	Johar Ali 2465	494/P	G/Squad
131	Zayarat Gul 188	495/P	Daudzai
132	Dil Akbar Jan 1465	496/P	Traffic
133	Jehandar Khan 770/301	497/P	Police lines
134	Murad Ali 1784/976	498/P	SB
135	Gohar Zaman 1505	500/P	Tehkal
136	Nasir Khan 699	501/P	Badaber
137	Muhammad Huz 442	502/P	FMC
138	Jehanzeb 31	504/P	M/Way
139	Imran Babani 770	506/P	Investigation
140	Gohar Ali 1784	507/P	Mattani/Radber
141	Muhammad Noor 2310	508/P	KRS
142	Ali Gohar 948	509/P	Civil Quarter
143	Muhammad Wah 698	510/P	W/CANTT
144	Ashraf Jan 2750	511/P	CPO Investigation
145	Noor Zaman 1809	513/P	Special Branch
146	Kishwar Khan 366	514/P	Regi
147	Amir Muhammad 159	515/P	N/Bagh
148	Hazrat Ullah 328	516/P	F/Abad
149	Nasir Khan 1222	517/P	Paharipura
150	Muhammad Iqbal 2362	518/P	Mathra
151	Fazal Walid 69	519/P	CTD
152	Ikram Ullah 2236	520/P	KHS
153	Daryesh Khan 273	521/P	P/Mari
154	Zakir Ullah 2610	525/P	Investigation
155	Abdullah Jan 553	526/P	CPO Kot
156	Bismillah Jan 2781	527/P	Traffic
157	Abdul Wahid 2631	528/P	Mathra



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153	Fakhar Alam 517	529/P	Gullberg Inv
159	Lingga Ali 415	531/P	Charsadda
160	Muhammad Gul 199	532/P	Security
161	Muhammad Ali 209	533/P	M/Way
162	Muhammad Saleem 3436	534/P	Traffic
163	Muhammad Alam 2572	535/P	Police lines
164	Abdul Wajid 491	536/P	Mattani
165	Inayat Ullah 1775	5367/P	Traffic
166	Inam Ullah 151	538/P	Traffic
167	Muhammad Sharif 2140	539/P	R/S/P/City
168	Saif Ali 2610	540/P	OASI Branch
169	Mir A.F. 1507	541/P	Khyber
170	Wajid Ali 1130	542/P	Khazana
171	Abdul Sattar 328	543/P	CB Investigation
172	Sabz Ali 2146	544/P	Police lines
173	Muhammad Alam 315	545/P	Police lines
174	Walayat Shah 3240	546/P	Police lines
175	Maqbul Khan 4220	547/P	ACL
176	Hyas Khan 496	548/P	Mathra
177	Gul Faraz 395	549/P	Traffic
178	Muhammad Ali 257	550/P	Traffic
179	Hisan Ullah 322	551/P	Talara
180	Fazal Siddhan 322/488	552/P	Traffic
181	Shah Jehan 673	553/P	Civil Sectt:

Offg: ASIs at Serial No. 3,13,18,20,30,32,59,63, 74,76,78,80,85,95,108, 117,128,141,142,146,150,151,152,158,163,164,172 &179 were recommended conditionally subject to the clearance of incomplete ACRs within 60-days. Otherwise they will be reverted.

Offg: ASIs at serial No. 1to 14 were given confirmation and list "E" promotion with his colleagues w.e.from 13.12.2007 and also promotion seniority with their colleagues vide Office Notification No. 806-24/P/C-1 dated 26.01.2008.

The following Offg: ASIs were not recommended/ deferred due to the reason mentioned is as under:-

1	ASI Tariq Yous 145/P	Badshah	Deferred due to facing departmental enquiry and non-availability of his ACRs 2004/7 months, 2005, 2006 & 2007.
2	ASI Ishaq Aziz No. 151/P	Gullbazar	Not Recommended due to adverse "C" reports for the year 2003 and incomplete ACRs for the year 2005, 2006 & 2007.
3	ASI Fazal Mir 60/P	Charsadda	Not Recommended due to adverse "C" reports for the year 2003 and incomplete ACRs for the year 2006 & 2007.
4	Offg: ASI Tameezudin 27	Nowshera	Deferred/Absent due to incomplete ACRs for the year 2005, 2006 & 2007.
5	Muhammad Shah 215	KRS Inv	Not Recommended due to adverse "C" reports for the year 2005 and incomplete ACRs for the year, 2003 & 2007.
6	Saleh Muhammad 21	Traffic	Not Recommended due to adverse "C" reports for the year 2006 and non-availability ACR for the year 2004.
7	Misal Khan 2948	Pay Branch	Deferred due to an enquiry pending against him with ASP/Fawa
8	Maqbool Shah 546	Charsadda	Not Recommended due to "C" report for the year 2005 and non-availability of ACRs 2006 & 2007.
9	Saif Muhammad 610	Traffic	Not Recommended due to "C" report 2003.
10	Aurangzeb 3673	Element	Deferred due to facing departmental enquiry.
11	Jehanzeb 265	CPC	Deferred due to non-availability of ACRs from 2003 to 2007.
12	Ali Akbar 2214	security	Deferred due to facing departmental enquiry.


ATTESTED

100.	Obaid ur Rehman 215	460/P	CPC
101.	Yar Nawab 1859	462/P	Suburb
102.	Ijaz hussain 2530	463/P	Traffic
103.	Zia ur Rehman 347/766	464/P	SB
104.	Rahmat Wali 352	465/P	Chamkani
105.	Behramand 306	467/P	SB
106.	Muhammad Ashraf 150	468/P	Khazana
107.	Shafi ullah 2219	469/p	E/Cantt
108.	Said gul hussain 2879	471/P	Khyber
109.	Qasim khan 47	472/P	Traffic
110.	Badshah khan 1399	474/P	Traffic
111.	Sajawal khan 60	475/P	SB
112.	Obaid Ur Rehman 102	476/P	Mardan
113.	Gul Arif 369	477/P	Phando/P.Pura
114.	Khalid khan 2572	478/P	Traffic
115.	Shaheen ullah 2718	479/P	Badabher
116.	Dawai khan 113	481/P	Pishtakhara
117.	Iftikhar Ali 287	482/P	SB
118.	Mursaleen 78	483/P	Pishtakhara
119.	Jangraz Khan 2110	484/P	West Cantt
120.	Muhammad Zafar 1101	485/P	CIA
121.	Aurangzeb 2271	486/P	Badabher
122.	Nawab Gul 217	487/P	F/Ahad
123.	Muqarab Khan 2724	488/P	Traffic
124.	Nasir khan 3384	489/P	Traffic
125.	Badabher sher 538	490/P	M/Gate
126.	Mir Alam Khan 1057	491/P	Traffic
127.	Muhammaf rafiq 2018	492/P	Traffic
128.	Fazal rabbi 191	493/P	Traffic
129.	JOhar Ali 2165	494/P	G/Squad
130.	Ziyarat Gul 188	495/P	Daudzai
131.	Dil akbar jan 1465	496/P	Traffic
132.	Jehandrar khan 770/301	497/P	Police lines
133.	Murad Ali 178/976	498/P	SB
134.	Gohar Zaman 1505	500/P	Tenkai
135.	Nasir khan 699	501/P	Badabher
136.	Muhammad riaz 442	502/P	FMC
137.	Jehanzeb 91	504/p	M/Way
138.	Rabbani 770	506/P	Investigation
139.	Gohar Ali 1784	507/P	Mattani/Badabher
140.	Muhammad nor 2310	508/P	KRS
141.	Ali gohar 948	509/P	Civil quarter
142.	Muhammad wah 698	510/P	E/Cantt
143.	Ahrar jan 2750	511/P	CPO Investigation
144.	Noor zaman 1809	513/P	Special branch
145.	Kishwar khan 336	514/p	Regi
146.	Amir Muhammad 159	515/P	N/Bagh
147.	Hazrat ullah 328	516/P	F/Abad
148.	Ishtar khan 1222	517/P	Paharipura
149.	Muhammad iqbal 2362	518/P	Mathra
150.	Fazal Wahid 69	519/P	CID
151.	Ikram Ullah 2236	520/P	KRS
152.	Darvesh khan 272	521/P	B/Mari
153.			
154.	Zakir ullah 2619	525/P	Investigation
155.	Abdullah jan 553	526/P	CPO Kot
156.	Bismillah jan 2781	527/P	Traffic
157.	Abdul Ghaffar 2651	528/P	Mathra

Ali

[Signature]

(20) Power copy

158.	Fakhar Alam 517	529/P	Gulberg Inv.
159.	Liakat Ali 115	531/P	Charsadda
160.	Muhammad Gul 199	532/P	Security
161.	Muhammad Ali 209	533/P	M/Way
162.	Muhammad Saleem 3136	534/P	Traffic
163.	Muhammad Alam 2572	535/P	Police lines
164.	Abdul Wajid 491	536/P	Mattani
165.	Inayat ullah 1775	537/P	Traffic
166.	Inam ullah 151	538/P	Traffic
167.	Muhammad Sharif 2140	539/P	R/SP/City
168.	Saif Ali 2610	540/P	OASI Branch
169.	Mir Afzal 1507	541/P	Khyber
170.	Wajid ali 1130	542/P	Khazana
171.	Abdul Sattar 328	543/P	CB Investigation
172.	Sabz Ali 5146	544/P	Police Lines
173.	Muhammad Alam 315	545/P	Police Lines
174.	Walayat shah 3240	546/P	Police Lines
175.	Maqbali Khan 4220	547/P	AGL
176.	Ilyas Khan 496	548/P	Mathra
177.	Gul Faraz 395	549/P	Traffic
178.	Muhamad Ali 257	550/p	Traffic
179.	Ihsan Ullah 322	551/p	Tatara
180.	Fazal Subhan 322/488	552/P	Traffic
181.	Shah jehan 673	553/P	Civil Seetta

Offg: ASIs at serial no. 3,13,18,20,30,32,59,63 ; 74,76,78,80,85,95,108,113,138,141,142,150,151,158,163,164,172 & 179 were recommend conditional subject to the clearance in complete ACRs within 60 days. Otherwise they will be reverted.

Offg: ASIs at serial No 14 were given confirmation and list "E" promotion with his colleagues WEF 13.12.2007 and also promotion seniority with their colleagues vide this offi notification no. S06/EC-1 dated 26.01.2008.

The following offg: ASIs were not recommended/deferred due to the reason mentioned is as under:-

i.	ASI Tari Niaz 145/P	Badabher	Deferred to facing department enquiry on non-availability of his ACRs 2004/7 months, 2005, 2006 & 2007.
ii.	ASI Irshad Aziz No. 151/P	Gulbahar	Not recommended due to adverse "C" reports the year 2003 and incomplete ACR for the year 2005,2006 & 2007
iii.	ASI Fazaal Mur 60/P	Charsadda	Not recommended due to adverse "C" reports the year 2003 and incomplete ACR for the year 2006 & 2007
iv.	Offg: ASI Taneezudia 27	Nowshera	Differed/Absent due to incomplete ACRs for the year 2005,2006 & 2007
v.	Mukamil Shah 215	KRS Inc	Not recommended due to adverse "C" reports the year 2005 and incomplete ACR for the year 2003 & 2007
vi.	Saleh Muhammad 21	Traffic	Not recommended due to adverse "C" reports the year 2006 and non availability ACRs for the year 2004
vii.	Misal Khan 2948	Pay Branch	Deferred due to an enquiry pending against him with ASP/Town
viii.	Maqbool Shah 516	Charsadda	Not recommended due to "C" report for the year 2005 and non availability of ACRs 2006 & 2007
ix.	Said Muhammad 610	Traffic	Non Recommended due to "C" report 2006
x.	Aurangzeb 3673	E/Cantt	Deferred due to facing department enquiry
xi.	Jehanzeb 265	CPC	Deferred due to non availability of ACRs for the year 2003 to 2007
xii.	Ali Gohar 2214	Security	Deferred due to facing department enquiry

ACR

411501

9	Zar Wah 2926	Town	Not Recommended due to "C" report 2003 and non availability of ACR for the year 2007.
10	Dady Khan 097	Security	Deferred due to facing departmental enquiry.
11	S Razaan Shah 25	Town	Deferred due to facing departmental enquiry with the DSP/Gulbahar.
12	Fuzat Gul 51	Charsadda	Not Recommended due to "C" report for the year 2005 and incomplete ACR.
13	Muhammad Nawaz 62	PTC-Hangu	Deferred due to non availability of ACRs 2006-2007.
14	Muhammad Rauf 582	Mardan	Absent/Deferred.
15	Sartaj Ali 43	GRR Invt	Deferred due to facing departmental enquiry.
16	Hazrat Ali Nos 1032	Motorway	Deferred due to facing departmental enquiry and non availability of ACRs 2005 & 2007 for 7-months.

A. Ullah
CAPITAL CITY POLICE OFFICER
PESHAWAR

No. 3718-43

REC-1, District Peshawar the 21/10/2008.

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

1. The Provincial Police Officer, NWFP, Peshawar. He is requested to please issue reversion order of ASIs at SI Nos 12, 25, 26, 37, 38, 48, 61, 73, 74, 75, 77, 91, 99, 103, 105, 111, 112, 117, 133, 137, 143, 144, 150, 155, 159, 161 and 171 from various places/units mentioned their names each above to Capital City Police Peshawar.
2. The Additional Inspector General of Police, Investigation NWFP, Peshawar with 02-spare copies for publication in the NWFP Police Gazette Part-II.
3. The Deputy Inspector General of Police, Special Branch NWFP, Peshawar.
4. The Deputy Inspector General of Police, Region-I, Mardan.
5. The Commandant PTC-Hangu.
6. The Assistant Inspector General of Police, Traffic NWFP, Peshawar.
7. The Assistant Inspector General of Police, Highways & Motorways, House No. 7, Main Kaghan Road F-8/3-Islamabad.
8. The Assistant Inspector General of Police, Traffic, NWFP, Peshawar.
9. The Assistant Inspector General of Police, CID Peshawar.
10. The Commandant, Campus Peace Corps Peshawar.
11. The SSP/Operations & Investigations, Peshawar.
12. The Senior Superintendent of Police, Traffic Islamabad.
13. The SSP HQrs, Security, City, Cantt, Rural & Traffic Peshawar.
14. The District Police Officer, Nowshera & Charsadda.
15. DSP/Legal Peshawar.
16. Pay Officer/ EC-II/Asstt. Secret and FMC Branches CCP/Peshawar.

A. Ullah
APPROVED

(23) 10 ANNEX B

**FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE
GAZETTE PART-II, ORDERS BY THE PROVINCIAL POLICE
OFFICE: KHYBER PAKHTUNKHWA.**

NOTIFICATION

Dated: 30/17/2010. 7

No. 18918 E-II, **PROMOTION LIST-F AND PROMOTION
AS OFFG: INSPECTOR:-**

The names of the following confirmed Sub Inspectors of Khyber Pakhtunkhwa Police have been approved as per recommendation of the DPC for inclusion in list -F and promotion to the rank of Offg: Inspectors BPS-16 (6050-470-20150) with immediate effect.

S/NO	NAME & NO.	REGION
1.	SI Shabir Hussain Shah No. B/77	Bannu Region
2.	SI Sena Khan No. K/39	Kohat Region
3.	SI Aqiq Hussain No. K/17	Kohat Region
4.	SI Falak Nawaz No. K/18	Kohat Region
5.	SI Mazhar Jehan No. K/19	Kohat Region
6.	SI Gul Sarwar No. K/23	Kohat Region
7.	SI Shoukat Ali Shah No. K/94	Kohat Region
8.	SI Afsar Khan No. K/59	Kohat Region
9.	SI Khalid Usman No. K/61	Kohat Region
10.	SI Nasir Khan No. P/110	CCP/Peshawar
11.	SI Shahid Hussain No. P/114	CCP/Peshawar
12.	SI Riaz Ali No. P/111	CCP/Peshawar
13.	SI Muhammad Fayaz No. MR/68	Mardan Region
14.	[REDACTED]	[REDACTED]
15.	SI Amir Hussain No. P/119	CCP/Peshawar
16.	[REDACTED]	[REDACTED]
17.	SI Fazal Wahid No. P/116	CCP/Peshawar
18.	SI Gohar Ali No. P/117	CCP/Peshawar
19.	SI Riaz Khan No. P/118	CCP/Peshawar
20.	SI Abid ur Rehman No. P/119	CCP/Peshawar

Their promotion will take effect from the date, they actually take over charge of their higher responsibilities.

Necessary Gazette Notification may be issued accordingly.

Their posting orders will be issued separately.

(ABDUL MAJEED KHAN MARWAT)
PSP

Addl. IGP/Headquarters
For Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.

No. 18919 E-II

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

1. Capital City Police Office Peshawar.
2. Deputy Inspectors General of Police, Bannu, Kohat & Mardan Region.
3. Office Supdt. Secret CPO with 20 spare copies for placing in their original Character Rolls.
4. U.O.P. File.

P C 24 (30)

ANNEX F

The Chairman Departmental
Promotion Committee CCP Peshawar

Subject:- REPRESENTATION

With due respect and humble submission, appellant submits the present representation on the following facts and grounds.

FACTS:-

1. That appellant is presently serving as ASO to Honorable Chief Minister Khyber Pakhtunkhwa. Appellant submitted an application before worthy Inspector General of Police Khyber Pakhtunkhwa for restoration of seniority.
2. That the representation was returned to the office of CCPO Peshawar with remarks that the seniority of appellant could be restored subject to antedating his confirmation in the rank of Sub-Inspector. (F/A)
3. That the confirmation of appellant in the rank of Sub-Inspector was deferred several times as appellant had not completed prescribed period of service in the respective units of Police.
4. That appellant had submitted several application for posting and completion of prescribed period for confirmation in the rank of Sub-Inspector but the applications of appellant were not considered.
5. That eventually appellant was confirmed in the rank of Sub-Inspector with effect from 13.09.2012 instead of actual date with colleague officer with effect from 30.07.2010 when colleague officer namely Rohan Zeb was confirmed.
6. That according to the reported judgment of Service Tribunal Khyber Pakhtunkhwa 1992 PLC (C.S) 944, when chance of serving in the prescribed unit is not given to the concerned Police officer so he has not at fault if he could not meet the requirement for confirmation in the rank of Sub-Inspector. Copy enclosed. (F/B)
7. That according to S&GAD Rules if a person is deferred and is then cleared than he will regain his seniority with colleague officer Copy enclosed. (F/C)
8. That the other region of the Khyber Pakhtunkhwa use to antedate the confirmation of Sub-Inspector in genuine cases. One of the copy of the orders is enclosed for perusal. (F/D)

ATTESTED

/s/

/s/

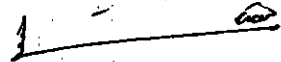
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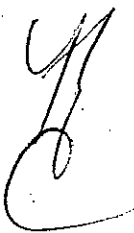
That certain lady Sub-Inspectors were confirmed in the rank of Sub-Inspector in relaxation of the rules. Copy enclosed.

It is therefore, requested that the confirmation of appellant in the rank of Sub-Inspector may be antedate with his colleague officer with effect from 30.07.2010.

Yours Truly,



DSP/ASO
CM Secretariat
Khyber Pakhtunkhwa,
Peshawar.



ATTESTED

(D) 26 7

Date of order/ proceedings

Order or other proceedings with signature of Judge/Magistrate



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1021/2015

Fazal Dad Versus Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and another.

JUDGMENT

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN.

25.04.2017

Counsel for the appellant (Mr. Muhammad Asif Yousafzai, Advocate) and Mr. Muhammad Jan, Government Pleader alongwith Aziz Shah, Head Constable for respondents present. Fresh Wakalatnama submitted by learned counsel for the appellant.

Handwritten signature and date: 25.04.17

2. Mr. Fazal Dad hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against final order dated 10.08.2015 vide which his departmental appeal for ante-date confirmation as Sub Inspector w.e.f. 30.07.2010 was regretted and hence the instant service appeal on 28.08.2015

ATTESTED

Handwritten signature
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

3. Brief facts of the case of the appellant are that the appellant was initially appointed as Constable in the year 1986 and then promoted as Head Constable in the year 1996 and as ASI in the year 2005 and then as S.I in the year 2008 and there-

27

after promoted as Inspector in the year 2013. That he was promoted as Offg. Sub Inspector vide notification dated 21.04.2008 however he was confirmed as S.I on 13.09.2012 while his colleagues including junior to him were confirmed on 30.07.2010 and were assigned seniority in the List "F" accordingly. That the appellant was not confirmed as Sub Inspector as he has not served as SHO. That the appellant submitted written application/departmental appeal but in vain and hence the instant service appeal.

4. Learned counsel for the appellant has argued that the appellant was not assigned the duty to serve as Incharge of Police Station. That the said omission is not attributable to the appellant as he was not afforded opportunity to serve as SHO by the high ups. In support of his claim reliance was placed on judgment of this Tribunal passed in service appeal No. 407/2011, titled "Mr. Nasir Khan Versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others" wherein it was observed that it is the authority to give assignment of SHO to the appellant and when the authority fails to give such an opportunity then the rule of serving as independent SHO for one year would hold no ground. Similar ~~view~~ ^{view} taken by this Tribunal in service appeal No. 1264/2012 decided on 31.01.2013 as well as appeal No. 37/2011 decided on 03.4.2013.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

5. Learned Government Pleader has argued that the appeal

25.04.17

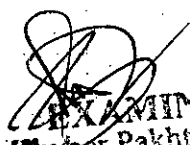
was not maintainable as the same was not within time. In support of his arguments he has placed reliance on judgment of august Supreme Court of Pakistan passed in Civil Petition No. 566/2012 titled "Tariq Habib Khan and others versus the Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others"

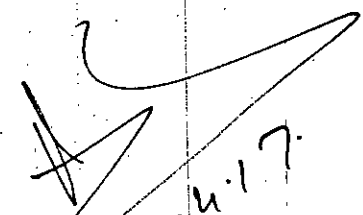
6. We have heard arguments of learned counsel for the parties and perused the record.

7. The impugned final order was passed on 10.08.2015 while the appeal in hand was preferred on 28.08.2015 as such we hold that the appeal is within time. So far as the issue relating to confirmation of the appellant as Sub Inspector w.e.f. 30.07.2010 is concerned the same hold ground as it was not within the authority of the appellant to post himself as SHO of an independent Police Station. Had the relevant authority posted the appellant as SHO and had the appellant failed to perform as SHO despite such posting then the appellant would have not been found entitled to the relief claimed. Since the omission is on the part of the respondents as such the appellant cannot be deprived of his right to ante-date confirmation as Sub Inspector w.e.f. 30.07.2010 i.e. the date on which his colleagues were confirmed.

8. For the above mentioned reasons we are constrained to accept the present appeal and set aside the impugned order

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


25.04.17

dated 10.08.2015 and direct that the appellant be granted ante-date confirmation as Sub Inspector w.e.f. 30.07.2010 i.e the date on which his junior colleagues were confirmed. Parties are left to bear their own costs. File be consigned to the record room.

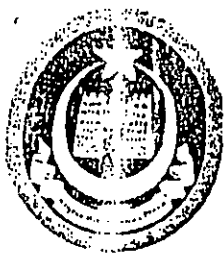
(Signature)
 (Muhammad Azim Khan Afridi)
 Chairman

(Signature) 25.04.17
 (Muhammad Amin Khan)
 Member

ANNOUNCED
 25.04.2017

Certified to be true copy
(Signature)
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

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(E)

30

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

No. 111 /E-II

PH: 091-9210239 Fax: 091-9210927
dated Peshawar the 12 / 12 / 2018

ORDER

Inspector Fazal Dad No. 81/P Acting DSP of CCP Peshawar had filed Service Appeal No. 1021/15 before the Khyber Pakhtunkhwa Service Tribunal Peshawar for ante date confirmation in the rank of Sub-Inspector w.e.f 30.07.2010 on the grounds that he time and again requested that he may be posted SHO. However, he was denied posting as SHO for the reasons best known to the respondents, while his other colleagues were allowed posting as SHO, thus the appellant has been discriminated. The decision of Honorable Service Tribunal Khyber Pakhtunkhwa is reproduced below:-

"We are constrained to accept the present appeal for the mentioned reasons and set aside the impugned order dated 10.08.2015 and directed the appellant be granted ante date confirmation as Sub-Inspector w.e.f. 30.07.2010 i.e. the date on which his junior colleagues were confirmed".

Report of scrutiny committee did not approve his case for filing CPLA. In pursuance of the order passed by the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar, the CCPO Peshawar has revised the confirmation of Fazal Dad in the rank of Sub-Inspector w.e.f 30.07.2010 instead of 13.09.2012.

A sub-committee was constituted to examine the representation cases of Police Officers and submit its reports for further decision in the DPC meeting.

The Sub-Committee recommends that in pursuance of the order passed by the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar, the CCPO Peshawar has revised the confirmation of Fazal Dad in the rank of Sub-Inspector with effect from 30.07.2010 instead of 13.09.2012. Therefore, his seniority in List "F" may be revised at CPO level. The DPC held on 27.11.2018 agreed with the Sub-committee report.

As per recommendation of DPC dated 29.11.2018, the name of Inspector Fazal Dad No. 81 is hereby placed in the seniority list of Inspectors above the name of Inspector Zaka Ullah No. P/184 and below the name of Rokhan Zeb No. P/120 issued vide No. 618-39/E-II, dated 09.06.2018.

ATTESTED

Sd/-
(SALAH-UD-DIN KHAN)PSP
Inspector General of Police,
Khyber Pakhtunkhwa

F

31

To

The Provincial Police Officer,
Peshawar.

Subject:- PROVISION OF AREARS FROM 2010-12 AND 2016-TO DATE

Dear Sir,

It is submitted that the Service Tribunal had accepted my appeal with all back benefits vide Appeal No. 1021/2015 dated 27-04-2017. The prayer of the appeal is as under:-

"On acceptance of this appeal the impugned order of rejection dated 10.08.2015, may please be set aside and the respondents may please be directed to ante-date confirmation of the appellant as Sub Inspector w.e.f 30.07.2010, i.e. the date when his colleagues / juniors to him were confirmed as Sub Inspectors and he may also be allowed his due seniority in List F with all back benefits/consequential benefits." Vide Flag-A.

On 27-04-2017 the Service Tribunal accepted my appeal which is reproduced below:-

"For the above mentioned reasons we are constrained to accept the present appeal and set aside the impugned order dated 10.08.2015 and direct that the appellant be granted ante-date confirmation as Sub Inspector w.e.f 30.07.2010 i.e. the date on which his junior colleagues were confirmed. Parties are left to bear their own costs." Vide Flag-B.

The Department admitted CPLA against the present Service Tribunal order in Supreme Court of Pakistan vide CCPO No. 692/L B dated 04-05-2017 vide Flag-C.

The Supreme Court of Pakistan has given the following remarks on it:-

"It is not a fit case for filing of CPLA, therefore the same is returned." Vide Flag-D.

In this regard a Sub-Committee was constituted and the order was issued vide CPO Order No. 911/E-II dated 12.12.2018 vide Flag-E, according to this seniority my name was brought below the name of Rokhan Zeb No. P/120. It is worth mentioning here that Inspector Rokhan Zeb has been promoted as Inspector on 30-07-2010 and promoted as DSP on 25-03-2016 (promotion orders attached).

Now I have promoted as a confirmed DSP in BPS-17 vide Inspector General of Police Notification No. CPO/E-I/Promotion/588 dated 16-05-2019.

It is requested that in light of Service Tribunal and Supreme Court order, the undersigned may please be given remuneration of DSP with all back benefits, please.

ATTESTED

Yours faithfully,

Dated: 03-01-2020

FAZAL DAD, DSP
CM Secretariat



(32)

**OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR
P. No. 091.9212326, Fax: 091-9210927**

No.CPO/E-I/ 854,

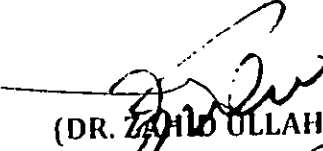
Dated Peshawar 06 May, 2020

To : The Chief of Security Officer to
Chief Minister's Secretariat,
Khyber Pakhtunkhwa

Subject: REQUEST FOR ABREARS FROM 2010-12 AND 2016 TILL DATE
Memo:

Please refer to your office letter No.PA/CSO/CM/Khyber Pakhtunkhwa/74 dated 06.01.2020 on the subject cited above.

According to the opinion of AIG Legal CPO Peshawar, "the judgment of Service Tribunal is clear that appellant was given confirmation as SI from back date 30.07.2010 i.e the date on which his junior colleagues were confirmed, nothing anything is mentioned about financial benefits, ~~it's the case of revised confirmation~~ therefore, ~~no further action is~~ required into the matter.


(DR. ZAHID ULLAH) PSP
AIG Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

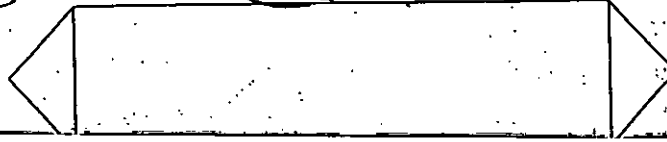
Endst: No. & date even.

Copy forwarded to the:-

1. Additional Inspector General of Police, HQrs, Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police, HQrs, Khyber Pakhtunkhwa.


ATTESTED

بعد الت حساب سو لرا لى و نك
بدر الت حساب سو لرا لى و نك



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**CHIEF MINISTER'S SECRETARIAT
KHYBER PAKHTUNKHWA**

NO.PA/CSO/CMS/Khyber Pakhtunkhwa,
Dated Peshawar, January 6, 2020

174

To

The Inspector General of Police,
Khyber Pakhtunkhwa.

**Subject: REQUEST FOR ARREARS FROM 2010-12 AND 2016 TILL
DATE**

Sir,

Kindly refer to the subject noted above and to forward herewith a self-explanatory application alongwith its enclosures in respect of the undersigned, Assistant Security Officer, Chief Minister's Secretariat, regarding provision of arrears with all back benefits from 2010-12 and 2016 till date as per Supreme Court and Service Tribunal Order, for further necessary action, please.

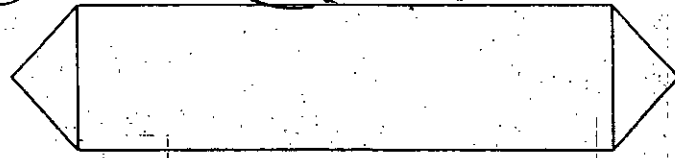
(The judgment of Supreme Court and Service Tribunal are attached)

Yours faithfully

For Chief Security Officer to
Chief Minister, Khyber Pakhtunkhwa

ATTESTED

بعدالت حساب سوسائٹیز ایکٹ 1973



مورخہ

مقدمہ

دعویٰ

جرم

2020ء منجانب

فضل داد صاحب بنام

اسلام آباد

پریسٹ

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و حساب ریکی و کل کارہ انما متعلقہ

آن مقام کے لئے روس کے ایک مقرر

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی نقل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جو اب وہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے

سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں

گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Accepted
Ry
P

2020ء

ماہ نومبر

5

المرقوم

فضل داد صاحب

العبد گواہ العبد

کے لئے منظور ہے۔

سند

مقام

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No.5368/2020.

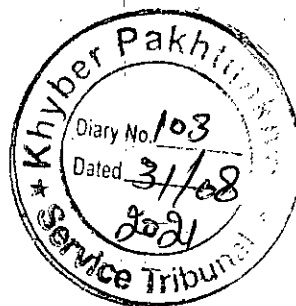
Fazal Dad DSP Peshawar.....**Appellant.**

VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.....**Respondents.**

REPLY BY RESPONDENTS NO. 1&2.

Respectfully Sheweth:-



PRELIMINARY OBJECTIONS:-

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non joinder of necessary and proper parties.
3. That the appellant has not come to this Hon'able Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from this Honorable Tribunal.

FACTS:-

1. Para No.1 relates to record, however the appellant has personally admitted the facts that he was given promotion to the next higher rank on eligibility and own merit. It clearly reflects that no pick and choose formula was followed which speaks of a fair process on the part of respondents.
2. Para for the appellant to prove.
3. Incorrect and misleading. In fact confirmation in the rank of S.I requires completion of eligibility criteria under Rule 13-10 (2) of Police Rules 1934 amended 2017, which provides that "no sub inspector shall be confirmed in a substantive vacancy unless he has been tested for at least a year as an officiating S.I in independent Incharge of PS, a notified post, or as Incharge investigation of a PS or CTD". Furthermore, confirmation in the rank of S.Is is not made on the basis of seniority rather it is done subject to fulfillment of laid down criteria. (copy of rule is annexed as "A")
4. Incorrect. Departmental appeal of the appellant was rejected/filed on the ground that the appellant did not fulfill the laid down criteria mandatory towards confirmation in the rank of SI. Colleagues of the appellant were confirmed in the Rank of SI after completion of their mandatory period. However, the appellant was given anti-dated confirmation as Sub Inspector with his Colleagues in pursuance of the direction of the Honorable Service Tribunal.


5. Incorrect. Para already explained in the above para.
6. Incorrect. Departmental appeal of the appellant was filed /rejected on the ground that the Honorable Service Tribunal did not narrate the words of back benefits in the judgment. In compliance of court direction, the appellant was given anti-dated confirmation with his colleagues and as per judgment nothing/anything is mentioned about back benefits.
7. Appeal of the appellant is not maintainable hence needs to be dismissed. Para wise reply on grounds is as under:-

REPLY ON GROUNDS:-

- A. Incorrect. The appellant has been treated as per law/rules and no Article of Constitution of Pakistan has been violated by the replying respondents. However it is worth to clarify that promotion and confirmation amongst employees of respondent department have been made in accordance with law/rules and seniority cum fitness, no pick and choose formula is followed.
- B. Incorrect. Appellant has been treated strictly in accordance with law/rules and no legal right has ever been violated. The judgment of the Honorable Service Tribunal was passed only for granting anti-dated seniority with his colleagues and not for back benefits, hence plea of the appellant is meaningless.
- C. Incorrect. Appellant has never been deprived of his due right nor treated with discrimination. Replying respondents are duty bound to follow law/rules and no right of the appellant has been violated.
- D. That the respondents may also be permitted to raise additional grounds at the time of arguments.

PRAYERS:-

It is therefore most humbly prayed that in light of above facts and submissions the appeal of the appellant being devoid of merits, legal footing, may be dismissed with costs please.


Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.


Capital City Police Officer,
Peshawar.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No.5368/2020.

Fazal Dad DSP CCP Peshawar..... **Appellant.**

VERSUS

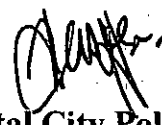
Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others..... **Respondents.**

AFFIDAVIT

We respondents No. 1 , & 2 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.




**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.**


**Capital City Police Officer,
Peshawar.**

10. In rule 13.10, for sub rule (2) the following shall be substituted namely:

“(2) No Sub-Inspector shall be confirmed in a substantive vacancy unless he has been tested for at least a year as an officiating Sub-Inspector in independent charge of a Police Station, a notified Police Post, or as in-charge Investigation of a Police Station or in Counter Terrorism Department:

Provided further that he shall also have to spend one year in any other Unit excluding the period spent on long leave, deputation or promotional training course i.e. upper college course”.

11. After rule 13.16, the following new rule shall be added, namely:

“13.16A. **One year mandatory tenure for promotion to Deputy Superintendent of Police.**—An Inspector shall be promoted to the post of Deputy Superintendent of Police after successful completion of mandatory training i.e. Advance Course and completion of one year tenure as Inspector in the Investigation Branch, or Counter Terrorism Department, or Special Branch, or any police training institution.”.

12. After Form No. 13.7, the following new Appendices shall be added, namely:

“Appendix 13.7A (I)
(See sub-rule (1) of rule 13.7A)

S.No	SUBJECTS	MARKS
1.	Approved Syllabus of Recruit Course	200
2.	Basic General Knowledge (General Knowledge regarding Pakistan & Khyber Pakhtunkhwa)	30
3.	English Communication	20

Appendix 13.7B (I)
(See sub-rule (2) of rule 13.7A)

S.No	SUBJECTS	MARKS
1.	<u>LAWS</u> i. Pakistan Penal Code ii. Criminal Procedure Code iii. Local and Special Laws iv. Qanoon-e- Shahdat v. Khyber Pakhtunkhwa Police Act, 2017 vi. Huddood Laws	60
2.	Police Rules, 1934	50
3.	English Translation	30
4.	General Knowledge	30
5.	Police Initiatives	30

Note: The subjects mentioned at serial No. 1 and 2 shall include selected portion of the relevant laws to be approved by the Provincial Police Officer.”.

13. In rule 19.2, after sub-clause (2), the following new sub-rule shall be added, namely:

“(3) Written examination of recruit course shall be conducted through an accredited testing agency approved by the Provincial Police Officer.”.