

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 903/2022

Muhammad Saeed Khan, Inspector (Retired), r/o Ouch Tehsil Adenzai, District Dir Lower.....Appellant.

VERSUS.

1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.

2) Regional Police Officer Malakand at Saidu Sharif, Swat..... Respondents.


Khyber Pakhtunkhwa
Service Tribunal

Case No. 4936

19/4/2023

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(SI Zahir Shah)
SI Legal
Dir Lower

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

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VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer Malakand at Saidu Sharif, Swat..... Respondents.

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS.

1. That the service appeal is not maintainable in its present form.
2. That the appellant has not come to this honourable Service Tribunal with clean hands.
3. That the present Service appeal is badly barred by law and limitation.
4. That this honorable Service Tribunal has got no jurisdiction to entertain the present service appeal.
5. That the appellant has suppressed the material facts from this honorable service tribunal.

ON FACTS:

1. Pertains to the service record of the appellant, hence needs no comments.
2. Pertains to the service record of the appellant, hence needs no comments.
3. Pertains to the service record of the appellant, hence needs no comments.
4. Pertains to the service record of the appellant, hence needs no comments.
5. Pertains to the service record of the appellant, hence needs no comments.
6. Pertains to the record of Honorable Service Tribunal, hence needs no comments.
7. Correct to the extent of seniority list in the office of Regional Police Officer Malakand.
8. Incorrect, the appellant was retired from service with effect from 31.03.2020, while DPC, regarding promotion of Inspectors to the rank of DSPs, was conducted on 19.08.2020. Hence, he was already retired, therefore his case was not considered for promotion. (Copy of retirement order is attached as annexure "A").
9. Needs no comments.
10. Pertains to record, needs no comments.
11. Correct but facts explained in para-8 above
12. Incorrect, as already discussed in preceding para, that the appellant retired from service on 31.03.2020, while DPC for promotion to the rank of DSPs was held on 19.08.2020, therefore his name was not considered for promotion.

13. Incorrect, proper DPC for promotion of Inspectors to the rank of DSPs was held on 19.08.2020, on provincial Level to consider the cases of suitable officers for further promotion.
14. Incorrect, the official record is silent, however as per judgment passed by the Honorable Peshawar High Court Mingora Bench Dar- ul- Qaza Swat, his departmental appeal was properly scrutinized and the appellant was heard in person, but his representation was found groundless hence was filed. (Copy enclosed as annexure "B").
15. Correct, hence needs no comments.
16. Correct, hence needs no comments.
17. Correct, hence needs no comments.
18. Incorrect, the appellant has got no cause of action to file the instant service appeal.

GROUNDS

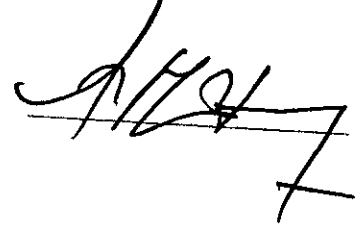
- A) Incorrect, the appellant was not entitled for the promotion as DSP and the order issued by the respondents is legal and based on facts
- B) Incorrect, the process of promotion involve proper procedure and the appellant retired from service prior to conducting of DPC, meeting at provincial Level. .
- C) Incorrect, only fulfilling criteria and courses in not sufficient for promotion to the rank of DSP. All these process are conducted purely on merit of the deserving candidates
- D) Incorrect, the appellant has not been deprived from his legal right, as already discussed, that he was retired from service on 31.03.2020, while DPC for promotion of Inspectors to the rank of DSP, was held on 19.08.2020. Moreover the police are responsible for maintaining law and order and promotion in police department are being made purely on merit. (Copy of minutes of DPC regarding Promotion of Inspectors to the rank of DSsP held on 15.03.2019 and 19.08.2020 enclosed as Annexure "C" & "D").
- E) Incorrect, the appellant was not legally entitle for the said promotion, as he was retired from service prior to conducting of DPC on provincial level. Furthermore no injustice made with appellant in entire proceeding.
- F) The respondents also seek leave of this honorable Tribunal to rely on additional grounds at the time of arguments/ hearing

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PRAYER:

It is therefore humbly prayed that on acceptance of this Para-wise reply, the appeal may graciously be dismissed with cost.

Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.



Regional Police Officer,
Malakand at Saidu Sharif Swat.



Regional Police Officer,
Malakand Region,
Saidu Sharif, Swat.

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
CAMP COURT AT SWAT.

Service Appeal No903/2022

Muhammad Saeed Ex-Inspector , District Dir Lower.....Appellant.

VERSUS.

- 1) Provincial Police Officer, Khyber Pakhtunkhawa Peshawar.
- 2) Regional Police Officer MalakandRespondents

POWER OF ATTORNEY

Mr. Rashid Ahmad DSP- Legal Dir Lower is hereby authorized to file the para wise comments on behalf of respondents before the honorable Service Tribunal Camp court at Swat.


District Police Officer
District Dir Lower
Dir Lower at Timergara

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

CAMP COURT AT SWAT.

Service Appeal No. 903/2022

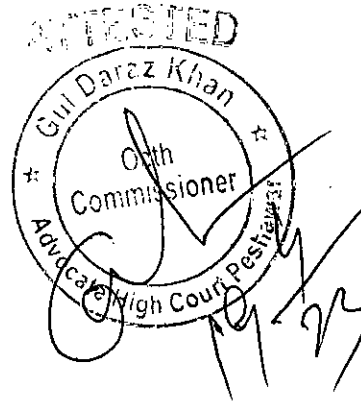
Muhammad Saeed Khan, Inspector (Retired), r/o Ouch Tehsil Adenzai, District Dir
Lower.....Appellant.


VERSUS.

- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.....Respondents.

AFFIDAVIT.

I Rashid Ahmad DSP Legal District Dir Lower do hereby solemnly affirm and declare on oath, that the contents of the Para wise reply is true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.




(Rashid Ahmad)
DSP Legal
Dir Lower



(6)

α A 2

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

PH: 091-9210239 Fax: 091-9210927

Dated Peshawar the July, 10, 2020.

NOTIFICATION

No. 273 /CPO/E-II/retirement:- Without prejudice to the legal remedies available to Provincial Government and in pursuance of judgment of the Peshawar High Court Peshawar dated 19.02.2020 in WP No. 5673-P/2019 Inspector Muhammad Saeed No.317/M of CTD Khyber Pakhtunkhwa shall stand retired from Government service on 31.03.2020, on attaining the age of superannuation, as his date of birth is 01.04.1960 subject to CPLA/Appeal of the Provincial Government against aforementioned judgment of Peshawar High Court and any order contrary as and when issued by the apex Court of Pakistan.

Sd/-

DR. ISHTIAQ AHMAD PSP/PPM
Addl: Inspector General of Police HQrs
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

Endst: No. & date even.

Copy forwarded to the:-

1. Dy: Inspector General of Police CTD w/r to his letter No.6520/EC/CTD, dated 01.07.2020.
2. Office Supdt: Secret Branch, CPO Peshawar.
3. U.O.P File.

(KASHIF ZULFIQAR)PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

Attested
J.R.
Dsp-legal



7

A-I

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

PH: 091-9210239 Fax: 091-9210927
dated Peshawar the 10/07/2020

No. 274 /CPO/E-II/encashment

ORDER

Inspector Muhammad Saeed No.317/M of CTD Khyber Pakhtunkhwa has opted that not to avail LPR at his credit.

And whereas, the AG Office has certified that 365 days leave encashment is admissible to the said officer in Lieu of LPR under the Civil Servant Revised leave Rules, 1981.

Now, therefore, in exercise of the power conferred upon me under rules 20 (2) of the Peshawar Civil Servant Revised Leave Rules 1981, sanction is hereby accorded to the encashment of 365 days leave salary in Lieu of LPR to Inspector Muhammad Saeed No.317/M of CTD Khyber Pakhtunkhwa in terms of Finance Department letter No. SO (FR) FD5-92/2005/Vol-V, dated 13.12.2012.

Sd/-

DR. ISHTIAQ AHMAD PSP/PPM
Addl: Inspector General of Police HQrs
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

Endst: No. & date even.

Copy forwarded to the:-

1. Dy: Inspector General of Police CTD Khyber Pakhtunkhwa w/r to his letter No.6520/EC/CTD, dated 01.07.2020.
2. Office Supdt: Secret Branch, CPO Peshawar.
3. U.O.P File.

(KASHIF ZULFIQAR)PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

Attested

Dep-legal,
Peshawar



8

Annex "B"

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

No. CPO/CPB/ 15

Dated

Peshawar 17 January, 2022

ORDER

This order is amid to dispose off the appeal / representation of the petitioner retired Inspector Muhammad Saeed No. 317 sent by the Honourable Peshawar High Court Mingora Bench/Dar-ul-Qaza Swat in W.P No. 431-M/2020 vide judgment dated 05.10.2021.

2. In compliance with the order of court, the Competent Authority has constituted a Committee under the Chairmanship of Additional Inspector General of Police, Investigation Khyber Pakhtunkhwa to consider the case of notional promotion in respect of the petitioner and dispose off the matter as per law / rules / policy in the light of aforementioned judgment vide Order No. CPO/CPB/488, dated 22.12.2021.

3. On 30.12.2021, the Committee examined the case of petitioner by giving him opportunity of personal hearing. The case was thoroughly discussed. The petitioner was retired from Service vide Notification No. 273/CPO/E-II/Retirement, dated 10.07.2020 w.e.from 31.03.2020 while the DPC meeting regarding promotion of Inspector to the rank of DSP was conducted on 19.08.2020 in which his case was not considered since he was already retired.

4. Keeping in view the recommendations of the Committee duly approved by the Competent Authority, the departmental appeal / representation of petitioner is hereby filed.

(IRFAN TARIQ) PSP

AIG/Establishment

For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

17.01.22

Endst: No. and dated even

Copy of above is forwarded to:-

1. Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa.
2. Additional Inspector General of Police, Headquarter, Khyber Pakhtunkhwa.
3. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
4. Deputy Inspector General of Police, IAB, Khyber Pakhtunkhwa.
5. Additional Registrar, Peshawar High Court Mingora Bench/Dar-ul-Qaza Swat with reference to his office Memo: No. 3152/Writ Petition Branch, dated 13.10.2021/Registrar Peshawar High Court.
6. AIG/Legal, Khyber Pakhtunkhwa.
7. Office Supdt: Secret and E-II CPO Peshawar.
8. Retired Inspector Muhammad Saeed No. M/317.

Approved,

Dep. Legal
Div Lower

(9)

CCY

MINUTES OF THE DEPARTMENTAL SELECTION COMMITTEE MEETING HELD ON 15.04.2019 IN THE CONFERENCE ROOM-II, CENTRAL POLICE OFFICE, PESHAWAR.

1. A meeting of Departmental Selection Committee was held on 15.03.2019 in CPO Conference Room-II under the Chairmanship of Mr. Anjad Khan Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa to discuss the promotion cases of Inspectors BPS-16 (Executive) to the rank of DSsP (BPS-17) on regular basis.

2. The following officers attended the meeting:-

1.	Addl: Inspector General of Police, HQrs., Khyber Pakhtunkhwa.	Chairman
2.	Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa.	Member
3.	Capital City Police Officer, Peshawar	Member
4.	DIG, Crimes Investigation, Khyber Pakhtunkhwa.	Member
5.	DIG/HQrs: Khyber Pakhtunkhwa.	Member
6.	DIG/CTD, Khyber Pakhtunkhwa.	Member
7.	Commandant, FRP, Khyber Pakhtunkhwa.	Member
8.	DIG/Operations Khyber Pakhtunkhwa.	Member
9.	SSP/Special Branch, Khyber Pakhtunkhwa.	Member
10.	AIG/Establishment, Khyber Pakhtunkhwa.	Member
11.	AIG/Legal, Khyber Pakhtunkhwa.	Member

3. The Chair invited AIG/Establishment to present the agenda of meeting.

The AIG/Establishment told the meeting that total eighteen (18) vacancies of DSP (BPS-17) of Executive cadre are available as per following details:

Due to retirement. 08
 New creation for CPEC 10

Out of above total eighteen (18) vacancies, a requisition for seven (07) posts of DSsP under Fast Track Promotion Rules have been sent to Khyber Pakhtunkhwa Public Service Commission.

4. The remaining eleven (11) posts of DSsP (BS-17) are required to be filled by promotion of Inspectors of Executive Cadre as per laid down eligibility criteria:-

- i. Seniority
- ii. Confirmation as Inspector
- iii. Advance Course
- iv. Mandatory Period one (01) year as per amended Police Rules 13.16A/2017
- v. Last five (5) years ACRs
- vi. No Departmental Enquiry
- vii. Medical Fitness Certificate

5. During meeting the Committee members pointed out that mandatory period for promotion to the rank of DSP under Section 13.16-A of amended Police Rule 2017 is necessary to be completed after confirmation in the rank of Inspector or otherwise.

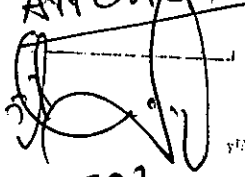
6. Besides above, it was also noticed that Inspector Muhammad Irfan No. 87/K has not completed one year mandatory period because he has served in Investigation for period of eleven (11) months and twenty seven (27) days.

7. The Chair directed that period of Muhammad Irfan No. 87/K may be rechecked and AIG/Establishment may furnish a certificate before finalizing of minutes of meeting.

8. It was unanimously decided by the Committee that before making any recommendations for the approval of the Competent Authority, a sub-committee may examine the case in the light of Rules and Standing Orders whether mandatory period as specified in the amended Police Rules 13.16A is required before confirmation or after confirmation for promotion to the rank of DSP. Therefore, a Sub-Committee comprising the following officers was constituted to submit report:-

AIG/Legal	Chairman
Registrar	Member
Superintendent E-I, Branch	Member
Superintendent CPB Branch	Member

9. A meeting of Departmental Selection Committee was again held on 15.04.2019 in CPO Conference Room-II under the Chairmanship of Mr. Anjad Khan Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa to discuss the promotion cases of Inspectors BPS-16 (Executive) to the rank of DSsP (BPS-17) on regular basis.

Attested

 DSP
 Dir Lower

No: 4588/LB
 7/4/2019

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C-1

10. The following officers attended the meeting:-

1.	Addl: Inspector General of Police, HQrs., Khyber Pakhtunkhwa.	Chairman
2.	Capital City Police Officer, Peshawar	Member
3.	DIG, Crimes Investigation, Khyber Pakhtunkhwa.	Member
4.	DIG/HQrs: Khyber Pakhtunkhwa.	Member
5.	DIG/CTD, Khyber Pakhtunkhwa.	Member
6.	Commandant, FRP, Khyber Pakhtunkhwa.	Member
7.	DIG/Operations Khyber Pakhtunkhwa.	Member
8.	SSP/Special Branch, Khyber Pakhtunkhwa.	Member
9.	AIG/Establishment, Khyber Pakhtunkhwa.	Member
10.	AIG/Legal, Khyber Pakhtunkhwa.	Member

11. The Sub-Committee report was placed before the Committee, and recommendations of the Sub-Committee is reproduced as below:-

"The sub-committee recommends that the cases of Inspectors may be consider for promotion to the rank of DSP, those have completed mandatory period as specified in amended Police Rules 13.16-A and also fulfils the other requirement of promotions because neither any explicit condition was fixed in Standing Order No. 21/2014 nor in the amended Police Rules 13.16-A whether an Inspector shall complete the mandatory period before or after confirmation for promotion to the rank of Inspector".

12. The Committee agreed with recommendation of the sub-committee and discussed cases in light of Khyber Pakhtunkhwa Rules 2007, (Promotion of Superintendent of Police and Deputy Superintendent of Police) and laid down eligibility criteria for promotion of Inspectors BPS-16 (Executive) to the rank of DSP (BPS-17) as spelt in Para-4 and Certificate furnished by AIG/Establishment regarding completion of one year mandatory period by Inspector Muhammad Irfan No. 87/K as per following details:-

S. No	From	To	Unit
1.	25.02.2015	11.06.2015	Investigation, Karak.
2.	12.06.2015	23.02.2016	Investigation, Hangu PS City
3.	03.06.2016	03.08.2016	OH PS Sh: Darra, Inspector HQrs: KBI.
Total Period		1 year 1 month & 27 days	

13. The Committee thoroughly examined the cases of the following Inspectors BPS-16 (Executive) for promotion to the rank of DSSP (BPS-17) in the light of laid down procedure spelt in Para-4 of Police Officers. Recommendations of the Departmental Selection Committee are noted against each officer:-

S.NO.	NAME & NO.	RECOMMENDATION OF THE COMMITTEE
1.	Said Khan No. K/05	The DSC examined his case and recommended him to be superseded because he was awarded major punishment of Reduction in the Rank from DSP to the Rank of Inspector vide CPO order No. S/2960-72/18, dated 17.07.2018.
2.	Muhammad Fayaz No. MR/68	The DSC examined his case and recommended him to be superseded because he was awarded major punishment of Reduction in the Rank from DSP to the Rank of Inspector vide CPO order No. S/2973-84/18, dated 17.07.2018
3.	Fazal Dad No. P/181	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
4.	Muhammad Riaz No. K/107	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017.
5.	Muhammad Ishaq No. P/165	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
6.	Rajab Ali No. P/172	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not qualified Advance Course which is mandatory for promotion in amended Police Rule 13.16A.

7.	Ali Khan No. P/174	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017.
8.	Waheed Ullah No. M/160	The DSC examined his case and recommended him to be superseded from promotion to the rank of DSP (BPS-17) due to Adverse ACR for the period from 01.01.2014 to 31.08.2014, for which he preferred representation to Worthy Inspector General of Police, Khyber Pakhtunkhwa which was filed vide this office order No. S/4911-15 dated 14.12.2018.
9.	Ajmal Khan No. M/151	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
10.	Attiq ur Rehman No. M/261	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017.
11.	Muhammad Saeed No. M/317	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017.
12.	Ghulam Sadique No. M/269	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
13.	Muhammad Irfan No. K/87	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
14.	Saifullah Khan No. K/39	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
15.	Ali Hassan No. K/26	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not qualified Advance Course which is mandatory for promotion in amended Police Rule 13.16A.
16.	Muhammad Iqbal No. K/10	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017.
17.	Hussain Ghulam No. K/87	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989. ...
18.	Muhammad Iqrar No. H/29	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
19.	Farhad Ali No. H/30	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for

		another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
20.	Azam Ali Shah No. H/32	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
21.	Arshad Hussain No. H/33	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

9. Meeting ended with vote of thanks to all.

Chairman,

(AMJAD KHAN)PSP
Addl: IGP/HQrs:
Khyber Pakhtunkhwa

(QAZI JAMIL-UR-REHMAN)
Capital City Police Officer,
Peshawar

(Dr. MUHAMMAD ABIDKHAN)
Deputy Inspector General of Police,
Crime, Investigation
Khyber Pakhtunkhwa

(SHER AKBAR)
Deputy Inspector General of Police
Headquarters, Khyber Pakhtunkhwa

(ABDUL GHAFUOR AFRIDI)
Deputy Inspector General of Police
Counter Terrorism Department
Khyber Pakhtunkhwa

(SAJID ALI)
Commandant, FRP,
Khyber Pakhtunkhwa

(MUHAMMAD IDREES)
Deputy Inspector General of Police
Operations, Khyber Pakhtunkhwa

(ASIF IQBAL MOMAND)
Senior Superintendent of Police
Special Branch, Khyber Pakhtunkhwa

(SADIQ BALOCH)
AIG/Establishment,
Khyber Pakhtunkhwa

(IMTIAZ ALI)
AIG/Legal
Khyber Pakhtunkhwa

Approved.

MUHAMMAD NAEEM KHAN. Dr, PSP
Inspector General of Police
Khyber Pakhtunkhwa

(13)

(D)

MINUTES OF THE DEPARTMENTAL SELECTION COMMITTEE MEETING HELD ON 19.08.2020 IN THE CONFERENCE ROOM-I, CENTRAL POLICE OFFICE, PESHAWAR

A meeting of Departmental Selection Committee was held on 19.08.2020 at 11:00 hours in the Conference Room-I CPO under the Chairmanship of Dr. Ishtiaq Ahmed PSP/PPM, Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa to discuss the promotion cases of Inspectors BPS-16 (Executive) to the rank of DSsP (BPS-17) on regular basis.

2. The following officers attended the meeting:-

1.	Addl: Inspector General of Police, HQrs:, Khyber Pakhtunkhwa.	Chairman
2.	Addl: Inspector General of Police, Investigation Khyber Pakhtunkhwa.	Member
3.	Deputy Inspector General of Police, Special Branch Khyber Pakhtunkhwa	Member
4.	Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa	Member
5.	Commandant, Elite Force, Khyber Pakhtunkhwa.	Member
6.	Deputy Inspector General of Police, Operations Khyber Pakhtunkhwa.	Member
7.	Capital City Police Officer, Peshawar	Member
8.	Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa.	Member
9.	Commandant, FRP, Khyber Pakhtunkhwa.	Member
10.	Asstt: Inspector General of Police, Establishment, Khyber Pakhtunkhwa.	Member
11.	Asstt: Inspector General of Police, Legal, Khyber Pakhtunkhwa.	Member

3. Twenty Seven (27) vacancies of DSsP BPS-17 (Executive) were available which were required to be filled as per following manner:-

- i. 25% by selection on merit from amongst graduate Inspectors on the recommendation of Public Service Commission in the prescribed manner; and
- ii. 75% from Inspectors on the recommendation of Departmental Selection Committee.

4. Out of above total twenty seven (27) vacancies seven (07) posts of DSsP reserved for Fast Track promotion rules in accordance with Section-29 of Police Act 2017.

5. According to Khyber Pakhtunkhwa Rules 2007, (Promotion of Superintendent of Police and Deputy Superintendent of Police) and laid down eligibility criteria are required to be examined for promotion of Inspectors BPS-16 (Executive) to the rank of DSP (BPS-17) as below:-

- i. Seniority
- ii. Confirmation as Inspector
- iii. Advance Course
- iv. Mandatory Period one (01) year as per amended Police Rules 13.16A/2017
- v. Last five (5) years ACRs
- vi. No Departmental Enquiry
- vii. Medical Fitness Certificate

6. The Committee thoroughly examined the cases of the following Inspectors BPS-16 (Executive) for promotion to the rank of DSsP (BPS-17) in the light of laid down procedure spelt in Para-5 Recommendations of the Departmental Selection Committee are noted against each officer:-

S.NO.	NAME & NO.	RECOMMENDATION OF THE COMMITTEE
1.	Mazhar Jehan No. K/19	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 1989.

Accepted
[Signature]
DSP Legal
Dir Lower.

2.	Muhammad Riaz No. K/107	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
3.	Rajab Ali No. P/172	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
4.	Ali Khan No. P/174	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
5.	Waheed Ullah No. M/160	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
6.	Atiq-ur-Rehman No. M/261	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
7.	Ali Hassan No. K/26	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
8.	Muhammad Iqbal No. K/10	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017. Furthermore, the committee directed that the period spent as ASDPO cannot be counted as mandatory period in a specified Unit.
9.	Muhammad Sohail No. H/07	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017. Currently he is serving in ACE, therefore the Committee directed that he will be promoted once he earn good ACR for a calendar from any specified Unit under rule 13.16A dated 16.03.2017.

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10.	Matloob Khan No. H/34	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
11.	Shah Nawaz No. H/35	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
12.	Shad Muhammad No. H/36	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
13.	Raja Mukhtiar No. H/49	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
14.	Fazal Wahab No. H/37	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
15.	Jehanzeb Khan No. H/39	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
16.	Muhammad Amin No. H/42	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) due to under enquiry vide RPO/Hazara letter Memo: No. 14940/E, dated 25.06.2020.
17.	Muhammad Yousaf No. H/46	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
18.	Muhammad Sajjad No. H/47	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

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19.	Fida Muhammad No. H/48	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
20.	Zahoor Ahmed No. M/127	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
21.	Habib Ullah Khan No. M/168	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017. Furthermore, the committee directed that the period spent as ASDPO cannot be counted as mandatory period in a specified Unit.
22.	Abdullah Jan No. P/182	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017. Furthermore, the committee directed that the period spent as ASDPO cannot be counted as mandatory period in a specified Unit.
23.	Naseem Hayat No. P/184	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
24.	Nasrullah Khan No.P/185	The DSC examined his case and recommended him to be deferred from promotion to the rank of DSP (BPS-17) because he has not completed mandatory period in a Unit specified in amended Police Rule 13.16A dated 16.03.2017. Furthermore, the committee directed that the period spent as ASDPO cannot be counted as mandatory period in a specified Unit.
25.	Janan Habib No. P/186	The DSC examined his case and recommended him for promotion to the rank of DSP (BPS-17) on regular basis. He will be on probation for a period of one year extendable for another one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act-1973 read with Rules-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.