

31st Mar, 2023

Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Addl: AG for the respondents present.

Learned counsel for the appellant seeks adjournment. To come up for arguments on 16.05.2023 before D.B. P.P given to the parties.

SCANNED
POSTAL



(Salah Ud Din)
Member (Judicial)




(Kalim Arshad Khan)
Chairman


28.02.2023

Learned counsel for the appellant present. Mr. Shah Fahad, S.I (Legal) alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment for preparation of arguments. Adjourned. To come up for arguments on 14.03.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
K.P.S.T
Peshawar


(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)


14.03.2023

Junior to counsel for the appellant present. Mr. Syed Asif Ali Shah, Deputy District Attorney for respondents present.

Junior to counsel for the appellant requested for adjournment on the ground that his senior counsel is busy in Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 31.03.2023 before D.B. P.P given to the parties.


SCANNED
K.P.S.T
Peshawar



(Salah-Ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman

22nd Nov, 2022 . Learned counsel for the appellant present. Mr. Muhammad Adeel Butt: AG for respondents present.

Learned counsel for the appellant was confronted with the situation that the appellant has prayed for correction in the merit list prepared by respondent No.4 (Director Educational Testing and Evaluation Agency (ETEA), Khyber Pakhtunkhwa), a private entity and annexed with the appeal as annexure-B page-9 & 10 to which he submitted that the merit list prepared by the Director Educational Testing and Evaluation Agency (ETEA), was not according to the criteria and policy prevalent at the relevant point of time but for all intents and purposes this appeal is to seek correction in the merit list prepared by a private entity and not by any of the higher authorities of the appellant. Learned counsel sought some time to assist the court on the point. Adjourned to 19.01.2023 for arguments on the point before D.B.



(Fareeha Paul)
Member(Executive)

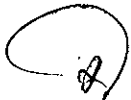

(Kalim Arshad Khan)
Chairman

19th Jan. 2023
SCANNED
KPST
Peshawar

Lawyers are on strike today.

To come up for arguments on 28.02.2023 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

12th Oct. 2022

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

The case was argued at length, where-after it was found that the respondents have not annexed the record on which they rely for the purpose the learned AAG seeks time. This case pertains to 2018 and till the date the department wake up from deep slumber. Even today there is nobody appearing on the behalf of the respondents. The case is adjourned on payment of Rs. 20000/- cost to be recovered personal salary of the respondents on equal shares. To come up for arguments on 22.11.2022 before D.B.


(Farceha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman

27.01.2022

Appellant in person present. Mr. Wisal Ahmad H.C alongwith Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents No.1 to 4 present. Learned counsel for private respondents No.5 to 7 also present.

Appellant requested for adjournment on the ground that his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 29.03.2022 before D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

29-3-2022

Proper DB not available. The case is adjourned to come up for the same as before on 6-7-2022

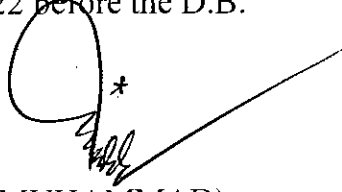


Reader

06.07.2022

Nemo for the appellant. Mr. Wisal Ahmad, Head Constable alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present. Learned counsel for private respondents No. 5 to 7 present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 12.10.2022 before the D.B.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



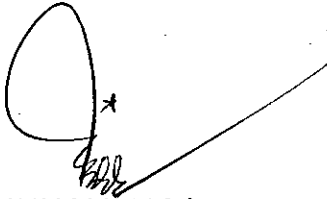
(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Appellant & Counsel was informed telephonically for the date fixed for the 12/10/2022. Due to non-availability of postal tickets they were not put on notice.

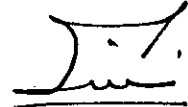
26.10.2021

Learned counsel for the appellant present. Mr. Muhammad Wisal, Head Constable alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for official respondents No. 1 to 4 present. None present on behalf of private respondents No. 5 to 7, therefore, notices be issued to them as well as their counsel and to come up for arguments on 26.11.2021 before the D.B.

Noted
4/11/21



(MIAN MUHAMMAD)
MEMBER (E)



(SALAH-UD-DIN)
MEMBER (J)

26.11.2021

Appellant in person present.

Mr. Javed Ullah, Assistant Additional Advocate General alongwith Mr. Tariq Umer DSP (Legal) for official respondents No. 1 to 4 present. Counsel for private respondents No. 5 to 7 present.

Learned Member Executive (Mr. Atiq-ur-Rehman Wazir), is on leave, therefore, case is adjourned. To come up for arguments on 27.01.2022 before D.B.



(Rozina Rehman)
Member (J)

12.08.2021

Nemo for appellant.

Asif Masood Ali Shah learned D.D.A for respondents present.

Preceding date was adjourned on a Reader's note, therefore, appellant/counsel be put on notice for ~~14/09~~ 14/09.2021 for arguments before D.B.



(Rozina Rehman)
Member (J)




Chairman

14.09.2021

Counsel for appellant present.

Usman Ghani learned District Attorney for the respondents present.

Learned District Attorney made a request for adjournment. Request is acceded. To come up for arguments on 26.10.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

03.11.2020

Junior to counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 13.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member


Chairman

13.01.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Addl. AG for respondents present.

Due to COVID-19, the case is adjourned for the same on 20.04.2021 before D.B.


READER

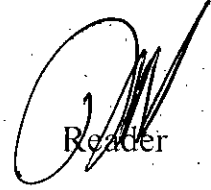
20.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 12.08.2021 for the same as before.


Reader

26.03.2020

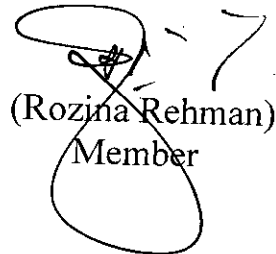
Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before D.B.



Reader

15.06.2020

Appellant with counsel present. Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Mr. Taimoor Ali Khan Advocate present on behalf of private respondents and seeks adjournment. Official respondents are directed to direct the representative to attend the court. Adjourned. To come up for attendance and arguments on 27.08.2020 before D.B.



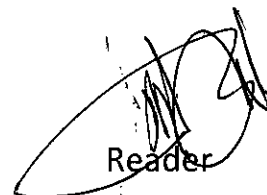
(Rozina Rehman)
Member



(M. Amin Khan Kundi)
Member

27.08.2020

Due to summer vacation, the case is adjourned to 03.11.2020 for the same as before.



Reader

30.10.2019

Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney alongwith Wisal H.C for official respondents present. Learned counsel for private respondents present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 25.11.2019 before D.B.



Member



Member

25.11.2019

Due to general strike of the KP Bar Council, the case is adjourned. To come up on 28.01.2020 before D.B.



Member



Member

28.01.2020

None for the appellant present. Mr. Muhammad Jan, DDA alongwith Mr. Ijaz Hussain, Junior Clerk for respondents present. Due to General Strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the instant case is adjourned. To come up for further proceedings/arguments on 26.03.2020 before D.B. Appellant be put on notice for the date fixed.



Member



Member

02.05.2019

counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Salman, H.C for the official respondents and counsel for private respondents No. 5 to 7 present. None present on behalf of respondent No. 4.

Written reply on behalf of respondents No. 5 to 7 received. Fresh notice be issued to respondent No. 4. Adjourned to ~~20.06.2019~~ but this will be last opportunity to respondent No. 4 for submission of written reply.


Chairman

20.06.2019

Counsel for the appellant, Mr. Kabirullah Khattak, Additional AG alongwith Mr. Suleman, Head Constable on behalf of respondents No. 1 to 3 and private respondents No. 5 to 7 in person present. Written replies on behalf of official respondents No. 1 to 3 as well as private respondents No. 5 to 7 have already been submitted. None present on behalf of respondent No. 4 nor written reply on his behalf submitted therefore, respondent No. 4 is proceeded ex-parte. Case to come up for rejoinder and arguments on 07.08.2019 before D.B.


(Muhammad Amin Khan Kundi)
Member

07.08.2019

Arsalan Advocate counsel as well as brother of the appellant present. Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 30.10.2019 before D.B.


Member


Member

26.02.2019

Clerk to counsel for the appellant and Mr. Kabirullah Khattak Addl; AG alongwith Mr. Salman Head Constable for the respondents No. 1 to 3 present and submitted written reply which is placed on file. Mr. Taimoor Ali Khan Advocate Submitted Wakalat Name on behalf of respondents No, 5 to 7 and request for time to file written reply. Adjourned. To come up for written reply/comments on 02.04.2019 before S.B


(Ahmed Hassan)
Member

02.04.2019

Appellant in person present. Mr. Kabirullah, Addl: AG for official respondents and counsel for private respondents no. 5, 6 and 7 present. None present on behalf of private respondent no.4. Notice be issued to respondent no.4 for submission of respondent no.4. Written reply on behalf of respondents no. 5,6 and 7 also not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments of respondent no. 4 to 7 on 02.05.2019 before S.B.


(Ahmad Hassan)
Member

Service Appeal No.

11.12.2018

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG for official respondents No. 1 to 4 present. None present on behalf of private respondents No. 5 to 7 therefore, fresh notice be issued to them for attendance and filing of written reply. Representative of the official respondents also not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 17.01.2019 before S.B.


Muhammad Amin Khan Kundi
Member

17.1.2019

Counsel for the appellant and Addl. AG alongwith Akhtar Saeed, ASI for the official respondents and private respondents No. 5, 6 and 7 in person present.

Private respondents (5, 6 and 7) request for time to submit reply. Similar request is also made on behalf of respondents No. 1 to 4. Adjourned to 26.02.2019 on which date the respondents shall positively submit their respective replies.

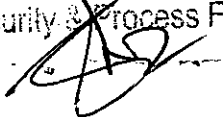

Chairman

29.08.2018

Counsel for the appellant Muhammad Rasheed present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving as Class-IV in Police Department. It was further contended that EATA test was held for promotion among Class-IVs. It was further contended that two marks was fixed for F.A qualification, two marks was fixed for B.A qualification and two marks was fixed for orphan. It was further contended that merit list was prepared wherein according to merit list 30 marks was shown to have been obtained by respondent No. 5 same way 30 marks was shown to have been obtained by respondent No. 6 and 29 marks was shown to have been obtained by respondent No. 7 and the appellant was shown to have been obtained 27 marks. It was further contended that according to merit list private respondent No. 5 has been given 4 extra numbers on higher qualification of B.A same way private respondent No. 6 has been given 4 extra numbers on higher qualification of F.A and being orphan but the appellant has been deprived from 4 numbers for higher qualification of F.A and orphan therefore, the impugned merit list and impugned notification dated 10.11.2017 is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 25.10.2018 before S.B.

Appellant Deposited
Security & Process Fee



MA
(Muhammad Amin Khan Kundi)
Member

25-10-18



*Due to retirement of Honorable Chairman
the Tribunal is non functional therefore the case
is adjourned to come up for the same on
11-12-2018*

*Spatei
Redder*

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 923/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/07/2018	<p>The appeal of Mr. Muhammad Rasheed presented today by Mr. Muhammad Arsalan Afridi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <div style="text-align: right;">  REGISTRAR </div>
2-	24-7-2018	<p>This case is entrusted to for S. Bench for preliminary hearing to be put up there on <u>29-8-2018</u>.</p> <div style="text-align: right;">  CHAIRMAN </div>

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 923 /2018

Muhammad Rasheed Khan..... Appellant

Versus

Inspector General of Police (IGP),
Khyber Pakhtunkhwa & others Respondents

I N D E X

S. No.	Description of documents	Annexure	Page No.
1.	Memo of appeal		1-5
2.	Application for condonation of delay alongwith affidavit		6-7
3.	Copy of impugned Office Order/Notification No. 6881/-90/EV dated 10.11.2017	A	8
4.	Copy of merit list dated 19.08.2017	B	9-10
5.	Copy of applications/representations dated 24.08.2017 to respondent No. 4	C	11
6.	Copy of applications/representations and office letters	D	12-16
7.	Copy of Standing Order No. 07/2014	E	17-18
8.	Copy of F.A (Intermediate) DMC and death certificate of the father of the appellant	F	19-20
9.	Copy of Service Card and CNIC	G	21-22
10.	Copy of the W.P No. 5269-P/2017 along with order dated 25.04.2018	H	23-28
11.	Copy of the Review Petition No. 167-P/2018 along with order dated 19.06.2018	I	29-32
12.	Wakalat Nama		33


Appellant,
Muhammad Rasheed Khan

Through


Muhammad Arsalan Afridi

&


Aimal Khan Barkandi,
Advocates, Peshawar

23/7/18

①

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 923 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1188

Dated 23/7/2018

Muhammad Rasheed Khan s/o Mahabat Khan
r/o Takia Afridi Abad, Shabqadar Road,
Tehsil & District Peshawar..... Appellant

Versus

1. ✓ Inspector General of Police (IGP), Khyber Pakhtunkhwa, Central Police Office, Peshawar
2. Additional Inspector General (AIG)/Establishment, Khyber Pakhtunkhwa, Central Police Office, Peshawar
3. ✓ Superintendent Establishment, Central Police Office, Peshawar
4. Director Educational Testing and Evaluation Agency (ETEA), Khyber Pakhtunkhwa, Sector E-8, Phase 7, Hayatabad, Peshawar
5. Naveed Akhtar s/o Munir Khan, J/C
Central Police Office, Peshawar
6. Ejaz Hussain s/o Muhammad Naseer, J/C
Central Police Office, Peshawar
7. Noor Islam Khan s/o Shams ur Rehman, J/C
Central Police Office, Peshawar..... Respondents

Filed to-day

Registrar

25/7/18

Appeal u/s 4 of the Service Tribunal Act, 1974 against the Office Order/Notification No. 6881-90/E-V, dated 10.11.2017 of respondent No. 1 whereby the appellant was not promoted to the post of Junior Clerk (BPS-11) in disregard of the

law by not awarding the 4 additional marks of F.A and Orphan.

2

Prayer

On acceptance of this appeal the impugned Office Order/Notification No. 6881-90/E-V, dated 10.11.2017 of respondent No. 1 may be set aside and the respondents may be directed to promote the appellant to the post of Junior Clerk (BPS-11) after awarding the 4 marks of F.A and Orphan.

Respectfully submitted;

1. That the appellant was appointed as Class-IV employee in the Frontier Reserve Police, Peshawar on 02.04.2011 and is serving on this post. (Copy of the Service Card is annexed)
2. That respondent No. 4 (ETEA) conducted Selection/Screening Test for promotion of Class-IV employees to the post of Junior Clerk (BPS-11). Respondent No. 4 prepared the merit list dated 19.08.2017 by allocating test and academic marks to the candidates except the appellant who was deprived of 2 marks of F.A (Intermediate) and 2 marks of Orphan. (Copy of the merit list is annexed)
3. That respondents No. 5 to 7 have illegally been promoted to Junior Clerk (BPS-11) vide Office Order/Notification No. 6881-90/E-V, dated 10.11.2017 by respondent No. 1 as compared to the right of the appellant to be promoted and

appointed on one of the Junior Clerk post if the requisite marks are granted to the appellant as per the law and rules.

4. That the appellant submitted application/ representation to respondent No. 4 on 24.08.2017 to grant him 4 marks (F.A and Orphan) to become eligible for promotion to Junior Clerk (BPS-11) but respondent No. 4 did not accept the genuine request and no reply was to the appellant. (Copy of the application dated 24.08.2017 is annexed)
5. That thereafter the appellant submitted two applications to respondents No. 1 and 2 on 05.09.2017 and 22.11.2017 through Deputy Commandant Frontier Reserve Police (FRP), Peshawar for redressal of his grievance. The Deputy Commandant FRP forwarded the said applications to respondent No. 2 vide office letter No. 6563/EC, dated 05.09.2017 and letter No. 8898/EC, dated 22.11.2017. The appellant also submitted application/ representation to respondent No. 2 vide diary No. 2375/ES dated 15.12.2017, however, no decision was taken and the appellant was kept deprived of his legal right. (Copy of the applications and office letters are annexed)
6. That the appellant filed W.P No. 5269-P/2017 in the Peshawar High Court, Peshawar which was dismissed on 25.04.2018 with the observation that the matter is relating to the terms and conditions of a civil servant for which proper forum is the Service Tribunal. (Copy of the order is annexed)


7. That the appellant then filed Review Petition No. 167-P/2018 for the grant of four marks i.e. 2 marks each of F.A and Orphan. The review petition met the same fate and was dismissed with the same observations vide order dated 19.06.2018. (Copy of the order is annexed)
8. That the appellant is now filing this service appeal, along with the application for condonation of the delay in filing this appeal, on the following grounds;

GROUND

- A. That the appellant has illegally been deprived from promotion to Junior Clerk (BPS-11) by not awarding the additional 4 marks of F.A and Orphan to which the appellant is entitled under the law as per the Standing Order No. 07/2014. (Copy of the Standing Order is annexed)
- B. That the respondents have not acted in accordance with the law and have illegally not entertained to the genuine request of the appellant.
- C. That the appellant is qualified and is fit for promotion to the post of Junior Clerk (BPS-11) but the respondents are malafidely not considering the appellant for promotion. This act of the respondents is against the law. (Copy of F.A-Intermediate and death certificate of father of the appellant is annexed)

- D. That respondent No. 4 has not even answered to the applications submitted by the appellant which shows the ill-will of the said respondent.
- E. That there is no legal bar in recommending and promoting the appellant to the post of Junior Clerk (BPS-11) after awarding the requisite marks to the appellant.

It is, therefore, prayed that on acceptance of this appeal the impugned Office Order/Notification No. 6881-90/E-V, dated 10.11.2017 of respondent No. 1 may be set aside and the respondents may be directed to accommodate the appellant by 4 marks of F.A (Intermediate) and Orphan and the appellant may be ordered to be promoted to the post of Junior Clerk (BPS-11) with all back benefits admissible under the rules.


 Appellant
 Muhammad Rasheed Khan

Through



Muhammad Arsalan Afridi

&

 23/7/18
Aimal Khan Barkandi,
 Advocates, Peshawar

VERIFICATION

I do hereby verify that the contents of this appeal are true and correct to the best of my knowledge and belief which has been drafted as per my instructions and nothing has been concealed from this hon'ble Tribunal.


 Deponent

Mohammad Rasheed Khan
 (17301-1508599-7)

(6)

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

In
Service Appeal No. _____/2018

Muhammad Rasheed Khan..... Appellant

Versus

Inspector General of Police (IGP),
Khyber Pakhtunkhwa & others Respondents

Application for condonation of delay
(if any) in filing the titled appeal

Respectfully submitted;

1. That this application is filed along with the above noted appeal in the hon'ble Tribunal.
2. That the appellant is aggrieved from the notification/dated 10.11.2017 and for not awarding the 4 additional marks of F.A and Orphan by the respondents in the merit list dated 19.08.2017.
3. That the appellant submitted application/representation to respondent No.4 on 24.08.2017 to grant him 4 marks (F.A and Orphan) to become eligible for promotion to the Junior Clerk post (BPS-11) but respondent No. 3 did not give any reply or decision on it.
4. That, thereafter, the appellant submitted applications/representations to respondents No. 1 and 2 on 05.09.2017 and 22.11.2017^{and 15.12.2017} for grant of 4 marks as mentioned above but there is no reply till date.
5. That the appellant then filed W.P. No. 5269-P/2017 on 26.12.2017 before the Peshawar High Court, Peshawar which was decided on 25.04.2018 while the Review

Petition No. 167-P/2018 filed by the appellant was also dismissed on 19.06.2018.

- 6. That the time consumed before the hon'ble Peshawar High Court, Peshawar in defending the legal cause of the appellant was with bonafide intention.
- 7. That the appellant was under the impression that the dispute regarding not awarding 4 marks to the appellant could be settled in writ petition but the hon'ble High Court has considered it as a matter of terms and conditions of service which could be resolved by this hon'ble Tribunal.
- 8. That in view of the above, the appeal in hand is well within time, however, to avoid complications this application is filed along with the appeal.

It is, therefore, prayed that the delay, if any, in filing the instant appeal may kindly be condoned and the appeal may be decided on merits.

[Signature]

Applicant/Appellant
Muhammad Rasheed Khan

Through

[Signature]

Muhammad Arsalan Afridi

&

[Signature] 23/7/18

Aimal Khan Barkandi,
Advocates, Peshawar

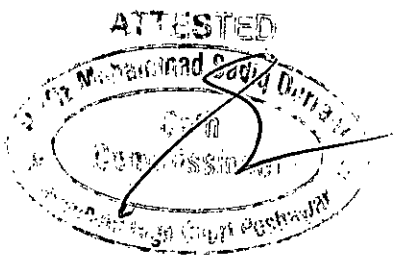
AFFIDAVIT

I do hereby affirm on oath that the paras of the application are true and correct to the best of my knowledge and belied and nothing has been concealed therein.

23 JUL 2018

[Signature]
Deponent

Mohammad Rasheed Khan
(17301-1508599-7)



8

1

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA
POLICE GAZETTE PART-II ORDERS BY THE
INSPECTOR GENERAL OF POLICE, KHYBER
PAKHTUNKHWA, PESHAWAR.

annexe
"A"

NOTIFICATION

Date: 10/11/2017

No. 6881-90/17-V. ABSORPTION/PROMOTION. On the recommendation of Education Testing Evaluation Agency (ETEA) and proper approval of the competent authority, the following Class-IV of Police Department are hereby promoted as Junior Clerk in (BPS-11) with effect from the date they actually take their higher responsibilities subject to the condition that their academic qualification (Degrees, other relevant documents and Orphan Certificates) will be scrutinized and verified by the concerned RPOs/POs/Units from concerned University/Board etc.

Their posting Order will be issued separately.

S.No.	Name & Father Name	Present Unit
1.	Naveed Akhtar s/o Munir Khan	Elite Force
2.	Haz Hussain s/o Muhammad Naseem	Elite Force
3.	Noor Islam Khan s/o Shams-Ur-Rehman	CPO, Peshawar

SALAH-UL-DINKHAN
Inspector General of Police
Khyber Pakhtunkhwa
Peshawar

Encls: No. & date even.

Copy forwarded to the:-

- Addl: Inspector General of Police HQrs: Khyber Pakhtunkhwa, Peshawar.
- Addl: Inspector General of Police Elite Force: Khyber Pakhtunkhwa, Peshawar.
- Accountant General Khyber Pakhtunkhwa.
- Deputy Inspector General of Police, HQrs, CPO Peshawar.
- Assistant Inspector General of Police: East, CPO Peshawar.
- Registrar CPO, Peshawar.
- Office Supdt: Secret CPO Peshawar.
- Accountant, CPO Peshawar.
- In-Charge Central Registry Cell CPO, Peshawar.

A
True copy

(ARIF SHAHEZ KHAN) PSP
AIO/Establishment
Inspector General of Police
Khyber Pakhtunkhwa
Peshawar

BETTER COPY

Office of the
Inspector General of Police
Khyber Pakhtunkhwa
Central Police office
Peshawar.
Phone No. 091-9210545
Fax: 091-9210227

For Publication of Khyber Pakhtunkhwa
Police Gazzett Part II orders By the
Inspector General of Police
Khyber Pakhtunkhwa Peshawar

NOTIFICATION

Dated: 10-11-2017

NO.6881/90 E-V. ABSORPTION/PROMOTION on the recommendation of Education testing evaluation Agency (ETTA) and proper approval of the competent authority, the following Class 4 Police Department are hereby promoted as Junior Clerk in (BPS-11) with effect from the date they actually take their higher responsibilities subject to the condition that their educational (Degrees other relevant documents and orphan certificates) ~~will be~~ scrutinized and verified by the concerned RPO's DPO's/ Units form concerned University Board etc.

Their posting order will be issued separately.

<u>S#</u>	<u>Name and father name</u>	<u>Unit</u>
1.	Naveed Akhtar S/o Munir Khan	Elite Force
2.	Ijaz Hussain S/o Muhammad Naseer	Elite Force
3.	Noor Islam S/o Shamsul Rehman	CPO Peshawar

SALAH-UD-DIN KHAN
Inspector General of Police
Khyber Pakhtunkhwa Peshawar

Endst No.& date even:

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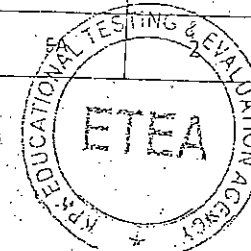
- Addl Inspector General of Police HQrs Khyber Pakhtunkhwa Peshawar.
- Addl Inspector General of Police Elite Force Khyber Pakhtunkhwa Peshawar.
- Accountant General Khyber Pakhtunkhwa.
- Deputy Inspector General of Police, HQrs CPO Peshawar.
- Assistant Inspector General of Police Estt CPO Peshawar.
- Registrar CPO, Peshawar.
- Office Supdt: Secret CPO Peshawar.
- Accountant CPO Peshawar.
- In-Charge Central Registry Cell CPO Peshawar.

ARIF SHAHBAZ KHAN PSP
AIG/Establishment
Inspector General of Police
Khyber Pakhtunkhwa Peshawar

ETEA SCREENING TEST FOR PROMOTION/ABSORPTION OF CLASS-IV EMPLOYEES AS JUNIOR CLERK IN KP-POLICE DEPARTMENT (19-08-2017)
MERIT-LIST OF PASSED CANDIDATES

⑨
annexe
"B"

ROL NO.	NAME	FATHER'S NAME	CNIC NO.	DISTRICT/ OFFICE	DATE OF BIRTH	DATE OF SUBMISSION	WRITTEN TEST MARKS	COMP. TYPIING TEST MARKS	TOTAL MARKS IN ETEA TEST/65	HIGHEST QUALIFICATION	HIGHER QUALIFICATION	CAFIZ-E-DIGIAN	IC (DIPLOMA)	TOT. MARKS
00019	AFZAL SULTAN	MUHAMMAD SULTAN	13101-0189945-1	RPO: ABBOTTABAD	16-05-1990	23-05-2013	27	13	40	BA	4	0	0	② 44
00152	WASIM KHURSHEED	KHURSHEED AHMED	17301-8313076-5	PESHAWAR	10-04-1987	11-11-2013	32	4	36	MSc	6	2	0	② 44
00041	SHAHZEB	AFTAB AHMED	17301-5668818-7	FRONTIER	22-06-1994	20-10-2014	29	9	38	B.COM	4	0	0	③ 42
00153	USMAN	REHMAN GUL	17101-0779693-5	PESHAWAR	24-11-1985	09-07-2013	26	6	32	MBA	6	0	2	④ 40
00069	AKHLAQ HUSSAIN	MUKHTAR HUSSAIN	14301-8542955-3	KOHAT	10-03-1984	30-08-2010	28	9	37	MATRIC	0	0	2	⑤ 39
00115	FATH ULLAH	MUHAMMAD ZAHIR SHAH	15302-9070291-3	DIR LOWER	02-02-1996	04-09-2014	25	7	32	BA	4	0	2	⑥ 38
00081	MUHAMMAD AADIL	MUHAMMAD ISMAIL	17301-1049188-7	CCP: PESHAWAR	10-04-1992	27-09-2013	26	9	35	FA	2	0	0	② 37
00177	MUHAMMAD TARIQ	HUKAM KHAN	16101-4282097-7	MARDAN	09-03-1990	25-02-2010	30	3	33	BA	4	0	0	④ 37
00051	WAQAR AHMAD	SYED GOHAR SHAH	16102-1024412-1	DIG/MARDAN	31-03-1991	11-08-2015	25	4	29	BCS (Hons.)	6	2	0	⑧ 37
00129	MUHAMMAD SOHAIL AKHTAR	MUHAMMAD HASSAN	17301-0294912-7	CPO PESHAWAR	20-04-1985	26-04-2011	28	6	34	D.COM	2	0	0	⑩ 36
00120	ATEEQ UR REHMAN	SHAMS UR REHMAN	15201-6934829-9	CHITRAL	02-02-1993	14-09-2012	26	6	32	BSc	4	0	0	⑪ 36
00127	TARIQ AZIZ	JAFAR SHAH	15401-1383180-7	CCPO	24-04-1992	31-07-2013	24	6	30	BSc	4	2	0	⑫ 36
00022	SYED WAQAR ANJUM BUKHARI	SYED NAJM UL HASSAN BUKHARI	12101-8532892-3	DPO: D.I. KHAN	25-07-1986	10-09-2013	25	3	28	MBA	6	0	2	⑬ 36
00054	ZAIN ULLAH	MANZOOR KHAN	16101-5200570-7	INV: MARDAN	28-03-1981	25-08-2010	23	8	31		0	2	⑰ 35	



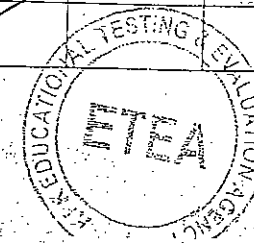
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ETEA SCREENING TEST FOR PROMOTION/ABSORPTION OF CLASS-IV EMPLOYEES AS JUNIOR CLERK IN KP-POLICE DEPARTMENT (19-08-2017)

MERIT-LIST OF PASSED CANDIDATES

10

ROLL NO	NAME	FATHER NAME	CNIC NO.	DISTRICT/ UNIT (DUTY STATION)	DATE OF BIRTH	DATE OF RECRUITMENT	WRITTEN TEST MARKS	COMP: TYPING TEST MARKS/ 15	TOTAL MARKS IN ETEA TEST/ 35	HIGHEST QUALIFICATION	HIGHER QUALIFICATION MARKS/ 06	HAFIZ-E-OURAN	ORPHAN	TOT MAR GET.
00157	MUHAMMAD WISAL	MUHAMMAD IQBAL	17301-6246114-1	PESHAWAR	15-04-1983	31-08-2012	27	4	31	FA	2	2	0	35
00162	WAQAR YOUNIS	MUHAMMAD YOUNIS	13101-9844021-3	ELITE FORCE	18-06-1992	24-12-2013	26	3	29	BA	4	0	2	35
00104	UBAID ULLAH	SHAMSHAD KHAN	15402-5878606-5	FRP MALAKAND	07-03-1991	12-08-2013	20	10	30	BA	4	0	0	34
00076	WAHEED GUL	JANAT GUL	17301-5534301-5	TELECOM	20-09-1994	06-12-2013	24	6	30	FA	2	0	0	32
00097	SAYED ALAM	MUHAMMAD ZADA	15501-7507076-9	SHANGLA	17-03-1988	04-03-2010	23	5	28	FA	2	0	2	32
00046	WALI KHAN	RAJ WALI KHAN	17301-8602769-3	COMDT FRP	18-03-1981	18-02-2011	22	4	26	BA	4	0	2	32
00125	NAVEED AKHTAR	MUNIR KHAN	17101-0926581-1		10-03-1985	13-03-2010	24	2	26	BA	4	0	0	30
00148	IJAZ HUSSAIN	MUHAMMAD NASEER	17201-7387408-7	PESHAWAR	20-04-1990	06-05-2014	24	2	26	FA	2	0	2	30
00128	NOOR ISLAM KHAN	SHAMS UR REHMAN	17301-7905794-3	CPO PESHAWAR	18-03-1992	03-05-2011	20	7	27	FA	2	0	0	29
00075	MUHAMMAD JABRAN	MUHAMMAD NAZAR NIAZI	17201-2320789-7	CTD:HQ PESHAWAR	04-05-1988	10-08-2010	25	2	27	MATRIC	0	2	0	29
00053	SHAHZEB	DOST MUHAMMAD	16101-9876147-1	INV:MARDAN	10-04-1994	17-05-2015	19	7	26	FA	2	0	0	28
00131	INZAMAM UL HAQ	ABDUL MASTAN	17301-9794235-3	CPO PESHAWAR	01-08-1994	01-08-2013	23	3	26	FSc	2	0	0	28
00042	MUHAMMAD RASHEED KHAN	MCHABAT KHAN	17301-1508599-7	P. R. D. D.	08-07-1981	02-04-2011	26	1	27	MATRIC	0	0	0	27



True Copy

annexe
"D"

12



62-1/1

گورنمنٹ آف پاکستان (پبلسک فوڈ اینڈ ایگریکلچرل
سپلائی ڈیپارٹمنٹ) کے ذریعہ EATEA کے ذریعہ
پکٹنگ اور FA اور Orphan کے بارے میں
تفصیلات کے لیے۔

پبلک فوڈ اینڈ ایگریکلچرل ڈیپارٹمنٹ کے Result اور
Orphan کے بارے میں تفصیلات کے لیے اور
FA اور Orphan کے بارے میں تفصیلات کے لیے۔

انٹرنیشنل ایگریکلچرل
ڈیپارٹمنٹ (پبلسک فوڈ اینڈ ایگریکلچرل
سپلائی ڈیپارٹمنٹ) کے ذریعہ

date: 5/9.17

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13

OFFICE OF THE
COMMANDANT
FRONTIER RESERVE POLICE
KHYBER PAKHTUNKHWA, PESHAWAR
Email: comdtfrpofficial@gmail.com
Ph: No. 091-9214114 Fax No. 091-9212602

No. 6563/EC, dated 05/09/2017.

To: - The AIG Establishment,
CPO, Khyber Pakhtunkhwa,
Peshawar.


Subject: - PROMOTION/ABSORPTION OF CLASS-IV EMPLOYEES AS JUNIOR CLERK.

Memo: -

It is communicated that Class-IV Rasheed Khan of FRP HQrs has submitted an application in which he requested that kindly include his 04 marks in his result according to the Standing Order 07/2014, which were not included by ETEA in merit list. All the relevant documents were already submitted vide this office Letter No.4703/EC dated 08.06.2017(Copy Enclosed).

Orphan	02
FA	02
Total	04

True COPY


DEPUTY COMMANDANT,
Frontier Reserve Police,
Khyber Pakhtunkhwa,
Peshawar.
OTC 5.7



کلیه عمل

14

مورد گزارش شده که سطر 1411 در لگن و سطر 1412 در سطر 1413
در لگن سر انجام دیا به سطر 1414 در حال حاضر در لگن
کمیته EPTA که ذریعہ ثبت دیا به سطر 1415 در لگن
و F.A در سطر 1416 در لگن سطر 1417 در لگن
سر انجام در لگن کافی سطر 1418 در لگن
نیابت خوش اسلوبی در لگن دیا به سطر 1419

کمیته EPTA در لگن دیا به سطر 1420
در لگن سطر 1421 در لگن
در لگن سطر 1422 در لگن

سید محمد علی

الاحسن

Date: 22-11-17

م. ک. پ.
گزارش کار با آلیاژ استیل ضد زنگ و غیر مشغول

EC / per m / action. PL

W. W. 22/11

True Copy



15

OFFICE OF THE
COMMANDANT
FRONTIER RESERVE POLICE
KHYBER PAKHTUNKHWA, PESHAWAR
Email: comdtfrpofficial@gmail.com
Ph: No. 091-9214114 Fax No. 091-9212602

No. 8892 /EC, dated 22 / 11 / 2017.

To: - The AIG Establishment,
CPO, Khyber Pakhtunkhwa,
Peshawar.

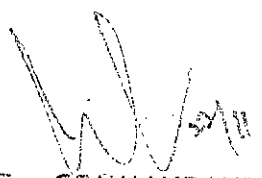
Subject: - PROMOTION/ABSORPTION OF CLASS-IV EMPLOYEES AS JUNIOR CLERK.

Memo: -

It is communicated that Class-IV Rasheed Khan of FRP HQrs has submitted an application in which he requested that kindly include his 04 marks in his result according to the Standing Order 07/2014, which were not included by ETEA in merit list. All the relevant documents were already submitted vide this office Letter No.4703/EC dated 08.06.2017(Copy Enclosed).

Orphan	02
FA	02
Total	04

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For COMMANDANT,
Frontier Reserve Police,
Khyber Pakhtunkhwa,
Peshawar.

Khyber Pakhtunkhwa Educational Testing & Evaluation Agency

NO: ETEA/2-26/2013/Vol-III

Dated: 07/12/2017

To

Syed Zia Ali Shah
Registrar
For Inspector General of Police Khyber Pakhtunkhwa
Central Police Office
Peshawar

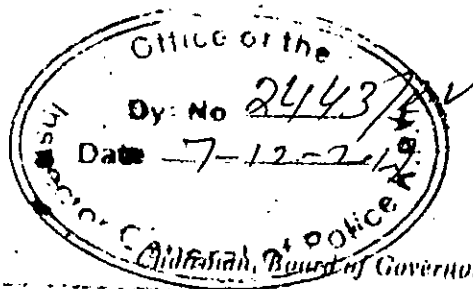
Subject: Promotion/Absorption of Police Class-IV Employees as Junior Clerk.

Sir,

I am directed to refer to your letter No. 7318-19/E-V dated 6/12/2017 on the subject cited above and to state that the complainant has neither indicated that he is orphan in the ETEA application Form nor he has enclosed/attached any documentary proof of his Intermediate / F.A at that time with the Application Form. (Copy of application form duly filled in by the applicant himself and countersigned by the Commandant FRP is attached for ready reference with the remarks that he did not attach copy of F.A DMC with the application form and instead he attached 02 copies of Matric DMC/Certificate. Furthermore, he has marked 'NO' against orphan in the Application Form that is why he has not been awarded the said additional marks by this office.)

Now after receipt of F.A DMC and Death Certificate of his father vide your letter under reference; this office is not in a position to award him 04 additional marks (02 each for orphan and F.A) at this belated stage of almost three months. However, the Police Department may award him the said additional marks if they feel it a genuine/fit case.

Report is submitted for compliance and further n/c action at your end please.



Gani
Deputy Director
ETEA

بخدمت جناب اے آئی جی اسٹیبلشمنٹ سی پی او خیبر پختون خوا پشاور

Gr. Bzamb
Dy 1110 EPO

2375/ES

Date: 15-12-017

درخواست بمراد برائے اپیل مورخہ 10/12/2017-

16

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

مؤدبانہ گزارش ہے کہ سائل FRP-H/Q میں بطور کلاس فورڈیوٹی سرانجام دے رہا ہے سائل نے حال ہی میں پروموشن کیلئے EATEA کے ذریعے ٹیسٹ دیا ہے جس کے رزلٹ میں سائل کو FA اور Orphan / یتیم کے مارکس نہیں دیئے گئے جس کیلئے سائل نے اپنے دفتر FRP/HQ سے نمبر 6563/EC مورخہ 05/09/2017 کو E/5 سپرنٹنڈنٹ کو لیٹر کیا اور اپنے مسئلے سے آگاہ کیا مگر سائل کے درخواست پر کوئی کارروائی نہیں ہوئی اور مورخہ 10/11/2017 کو تین (3) بندوں کا پروموشن آرڈر کیا جس سے EATEA رزلٹ میں سائل کے نمبر زیادہ ہے اس کے علاوہ سروس میں اور عمر میں سب سے سینئر ہے اور آٹھ بچوں کا باپ ہوں اس کے باوجود سائل نے دوبارہ FRP-H/Q سے نمبر 8898/EC مورخہ 22/11/2017 کو دوسرا درخواست کیا جس پر کوئی کارروائی ہوئی اور EATEA کو لیٹر ہوا جس کے جواب میں EATEA نے کہا کہ آپ کے فارم میں FA اور Orphan موجود نہیں اسلئے نمبر نہیں دیئے گئے اب سائل کے پاس FA اور Orphan کا سرٹیفکیٹ موجود ہے اور سٹینڈنگ آرڈر نمبر 7/2014 کے مطابق سائل کے نمبر جمع ہو سکتے ہیں۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائل کے EATEA ٹیسٹ کے رزلٹ میں FA اور Orphan / یتیم کے نمبرات جمع کرانے اور جو نیئر کلرک پروموٹ کرنے کے احکامات صادر فرمایا جاوے نیز دیگر داری جو قرین انصاف ہو وہ بھی مرحمت فرمایا جاوے۔ عین نوازش ہوگی

المرقوم 10/12/2017

SEC - V

15/12

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آپ کا تابعدار محمد رشید خان کلاس فور..... سائل

FRP-H/Q پولیس لائن پشاور۔

موبائل نمبر 0300-9090199



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

17

32

STANDING ORDER NO. 7/2014

annexe
"E.S."

Promotion of Class-IV Staff as Junior Clerks

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 1st meeting held on 19th December 2013.

2. **Aim:-** Presently, there is a lack of proper criteria for promotion of Class-IV staff as junior clerks. This Standing Order is issued to streamline the criteria and procedure of promotion of Class-IV staff of Police Department against the 20% seats of junior clerks as provided in ministerial staff rules.

3. **Eligibility:-** Class-IV Police employees may be eligible for promotion as junior clerks provided that they fulfill the following criteria:

- Matric qualification;
- Computer literacy; and
- English language drafting skills.

4. **Selection Test:-** Eligible Class-IV employees shall qualify a selection test/ promotion exam, to be conducted through EATA. The selection test shall have the following components:

- Written exam in English: 25 marks;
- Computer proficiency: 25 marks; and
- General knowledge: 15 marks.

4.1 Candidates who obtain at least 40% marks in the selection test shall stand qualified in the selection test.

4.2 **Additional Marks:-** The following additional marks shall be added to the marks obtained by a candidate in the selection test:

- FA/FSc or equivalent: 2 marks;
- BA/BSc or equivalent: 2 marks;
- MA/MSc or equivalent: 2 marks;
- Hafiz-e-Quran: 2 marks;
- Orphan: 2 marks. ✓

4.3 Selection tests for the promotion of Class-IV employees as Junior Clerks shall be conducted once in a calendar year.

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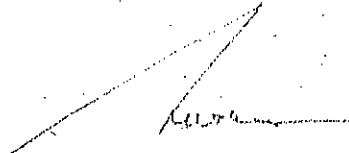
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4.4 The consolidated merit list produced as a consequence of the selection test result and the additional marks shall be valid till 31st December.

5. Those Class-IV employees who qualify the selection test shall be promoted as junior clerks against the 20% vacancies in accordance with their merit position.

6. **Power to remove difficulties:-** If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

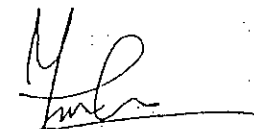
7. **Amendment:-** All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.


(NASIR KHAN DURRANI)
Provincial Police Officer
Khyber Pakhtunkhwa
Peshawar

No:- 492-555/GB dated Peshawar, 14th September 2014

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

1. All Heads of Police Offices in Khyber Pakhtunkhwa;
2. PRO to PPO;
3. Registrar CPO.


(MUBARAK ZEB) PSP
DIG Headquarters
Khyber Pakhtunkhwa
Peshawar

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S.No.PB 8977682
annexe
"F"

19 19

BOARD OF INTERMEDIATE & SECONDARY EDUCATION

PESHAWAR

Roll No: 133054

PESHAWAR

PROVISIONAL AND DETAILED MARKS CERTIFICATE
INTERMEDIATE (ANNUAL) EXAMINATION, 2016
HUMANITIES (Part-II)



Muhammad Rashoed Khan Son / Daughter of Mohabit Khan Afridi
of Peshawar
has secured the marks shown against each subject in the HSSC Examination held in the month of April, 2016 as Private Student

Subjects	Marks	Marks Obtained					
		Part-I		Part-II		Total	Marks in Words
		Theory	Pract	Theory	Pract		
English	200	33	--	37	--	70	Seventy Only
Urdu	200	35	--	34	--	69	Sixty-Nine
Islamic Education	50	31	--	--	--	31	Thirty-One
Pakistan Studies	50	--	--	17	--	17	Seventeen
Islamic History	200	44	--	26	--	70	Seventy Only
Islamic Studies	200	41	--	33	--	74	Seventy-Four
Archaeology	200	33	--	33	--	66	Sixty-Six

Total : 1100

397-E Three Hundred Ninety-Seven Only

Remarks :

Reg: No 05774-B/P-2014

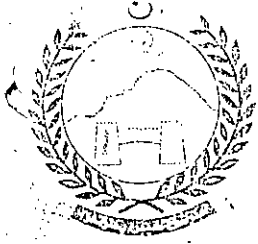
Checked By : _____

Issue Date: 30-07-2016

Controller of Examinations

Note: Error(s)/Omission(s) excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this certificate.

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حکومت خیبر پختونخوا پاکستان

THE GOVT OF KHYBER PAKHTUNKHWA PAKISTAN

وفات سرٹیفکیٹ

20

DEATH CERTIFICATE

CRMS No: D173073-12-0286
NATURE OF DEATH : NORMAL

FORM No: P001584249

درخواست دہندہ کا نام: روشن بی بی
درخواست دہندہ کا شناختی کارڈ نمبر: 1730113489500
پتہ: گاؤں آفریدی آباد ناہاکی، تحصیل: پشاور، ضلع: پشاور

مدت علالت	وجہ موت	تاریخ دفن	جائے وفات	تاریخ پیدائش	والد کا نام	شناختی کارڈ نمبر	مستوفی کا نام	شناختی کارڈ نمبر
	طبعی	18-6-2012	گجر	13-5-1953	مبین خان	13723204603	ماہبات خان	1730113489500

APPLICANT NAME: ROSHAN BIBI
APPLICANT CNIC: 1730113489500 RELATION WITH DECEASED: Husband
ADDRESS: VILLAGE: AFRIDI ABAD NAHAQI,
TEHSIL: PESHAWAR, DISTRICT: PESHAWAR

DECEASED NAME/ CNIC	FATHER NAME/ CNIC	DATE OF BIRTH	SEX	RELIGION	PLACE/DATE OF DEATH	DATE OF BURIAL	REASON OF DEATH	SICKNESS PERIOD
MAHABAT KHAN 1730113489500	MOEEN KHAN 13723204603	13-5-1953	MALE	ISLAM	HOME 18-6-2012	18-6-2012	NATURAL	

BLOOD RELATION PERSON CAUSING DISPOSAL OF BODY

NAME: ARSALA KHAN
CNIC: 1730197416701
GRAVEYARD NAME: SHEIKH BABA
ENTRY DATE: 2-7-2012
ISSUE DATE: 2-7-2012

شہر میں دفن گھر میں دفن

نام: ارسل خان
شناختی کارڈ نمبر: 1730197416701
قبرستان کا نام: شیخ بابا
تاریخ اندراج: 2-7-2012
تاریخ اجراء: 2-7-2012
اسٹامپ: وفات

ADDITIONAL INFORMATION:

دستخط:
سیکرٹری یونین کونسل

437
10-7-2012

گل بیڈ (73) ضلع: پشاور

Secretary
Union Council No. 73
Peshawar


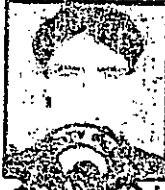
True copy

FRONTIER RESERVE POLICE

Name: M. Saibeed Khan S.O / FRP: 0401

Designation: Class-IV

Valid Upto: 31-12-2019



Issuing Authority

21

Annexure

"G"


KHYBER PAKHTUNKHWA POLICE

C.N.I.C. No: 17301-012630-7

Height: 5-9 Blood Group: A+ve

Personal Contact : 0300-3000199

1. This card is non transferable and is the property of Govt. of Khyber Pakhtunkhwa
2. In the event of loss report immediately to nearest Police Station and the issuing authority giving original number of the card.
3. Finder of the lost card is requested to deposit the card to the nearest Police Station.

Verification Contact No. 

091-5284953

A
True copy

22

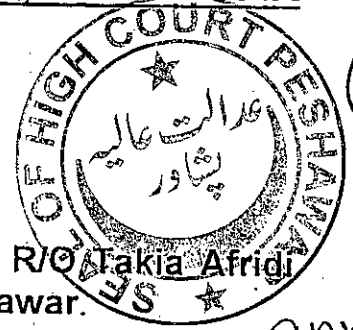
حکومت پاکستان
 قومی شناختی کارڈ
 17301-1508599-7
 محمد علی ارشد
 تاریخ پیدائش: 08/07/1981
 دکنڈہ پورہ، ضلع گوجرانو، سندھ

قومی شناختی کارڈ نمبر: 17301-1508599-7
 نام: محمد علی ارشد
 تاریخ پیدائش: 08/07/1981
 تاریخ رجسٹریشن: 16/05/2011
 تاریخ منسوخ: 30/04/2022
 13781877612

Free Copy

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Writ Petition No. 5269/2017



23

Muhammad Rasheed Khan S/O Mahabat Khan R/O Takiya Afridi
Abad, Shabqadar Road Tehsil and District Peshawar.

annexe

Versus

.....Petitioner

"H"

1. The Inspector General of Police, Khyber Pakhtunkhwa Central Police Office, Peshawar.
2. The Additional Inspector General Establishment, Central Police Office, Peshawar.
3. The Superintendent Establishment, Central Police Office, Peshawar.
4. The Director ETEA, Khyber Pakhtunkhwa, Hayatabad, Peshawar.
5. Naveed Akhtar S/O Munir Khan, Elite Force Central Police Office, Peshawar.
6. Ejaz Hussain S/O Muhammad Naseer, Elite Force Central Police Office, Peshawar.
7. Noor Islam Khan S/O Shams Ur Rehman Central Police Office, Peshawar.

.....Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN TO THE EFFECT THAT THE RESPONDENT NO.4 MAY GRACIOUSLY BE DIRECTED TO AWARD 04 MARKS TO THE PETITIONER AND THE IMPUGNED ORDER DATED 10/11/2017 ISSUED BY THE RESPONDENT NO.1 MAY KINDLY BE SUSPENDED TILL FINAL DISPOSAL OF THIS WRIT PETITION.

ATTESTED
EXAMINER
Peshawar High Court

30 MAY 2018

Respectfully Sheweth:

24

24

1. That the Petitioner is a Law abiding citizen and is permanent resident of Takia Afridi Abad Shabqadar Road, Tehsil and District Peshawar.
(Copy of CNIC of the Petitioner is annexed as Annexure "A")
2. That the Petitioner is serving as Class-IV Employee at the office of Commandant Frontier Reserve Police, Peshawar.
(Copy of Service Card is annexed Annexure "B")
3. That the petitioner has passed F.A from B.I.S.E Peshawar in the Session 2016.
(Copy of educational testimonials of petitioner attached as Annexure "C")
4. That the petitioner's father has been died in the year 2012 hence, the Petitioner is an orphan.
(Copy of Death Certificate is annexed as Annexure "D")
5. That according to the Standing Order No.7 of 2014 the Class-IV employees are eligible for the promotion as Junior Clerks and for this purpose the additional 02 Marks for Higher Qualification and 02 orphan marks shall be added to the marks obtained by a candidate in the selection test.
(Copy of Standing Order No.7 is annexed as Annexure "E")
6. That the Petitioner appeared in the Selection Test for promotion/absorption of Class-IV employees as Junior Clerks in KP Police Department held by the Respondent No.4 and the Merit List of the passed candidates was issued by the Respondent No.4 where the Petitioner was not awarded the 02 Marks of F.A qualification and 02 marks of Orphan hence was placed on serial number 27.
(Copy of Merit List is annexed as Annexure "F").
7. That the Petitioner being aggrieved applied to the Respondent No.4 for adding 04 marks on 24/08/2017 followed by Letter No.6563/EC dated 05/09/2017, Letter No.8898/EC dated 22/11/2017 from the office of (HQ) FRP.

True copy

(Copies of Applications are annexed as Annexure "G" "G1", "G2").

8. That on one hand the Respondent No.4 ignored all the requests of the Petitioner and on the other the Respondent No.1 recommended 03 junior Class-IV employees with less marks than the Petitioner for promotion vide Notification dated 10/11/2017 altogether ignored the Petitioner.

(Copy of Notification is annexed as Annexure "H").

9. That the Petitioner was constrained to serve a Legal Notice upon the Respondent No.4 on 28/11/2017.

(Copy of Legal Notice is annexed as Annexure "I")

10. That the petitioner also submitted an application to the Respondent No.2 on 10/12/2017 for his recommendation as Junior Clerk.

(Copy of Appeal is annexed as Annexure "J")

11. That all the requests of the Petitioner have been put to abeyance and the Respondents have deprived the Petitioner from his due and fundamental rights, hence, petitioner being aggrieved and finding no adequate and efficacious remedy is constrained to file this writ petition on the following amongst other grounds:-.

Grounds:

A- That the respondents No.1 to 4 have not acted in accordance with law and rules on the subject and malafidely ignored the petitioner's request for considering and recommending him against the instant existing post despite of his qualification and orphan marks which act of the Respondents is not sustainable under the law and is liable to be set aside.

B- That the petitioner is otherwise qualified and deserving to be recommended against the existing post but respondents has malafidely ignored the request and is not considering the Petitioner which is unfair and unjust.

C- That the Petitioner being eligible candidate is entitled for his recommendation against the Post and the act of Respondents is against the rules of fair justice and equity.

True copy

D- That the Petitioner being otherwise qualified is deprived from his fundamental rights by the Respondents which is against the spirit of justice.

E- That the petitioner has already intimated the respondents regarding his recommendation, however all his request are not being entertained which is inequitable and unfair.

It is therefore, most humbly prayed that on the acceptance of this Writ Petition, the Respondent No.4 may please be directed to add the due 04 marks in his result while respondents No.1 to 3 be directed to recommend the petitioner for the post of junior clerk in place of respondents No. 5 to 7 with immediate effect or any other relief deemed appropriate in the circumstances may also be granted to the petitioner.

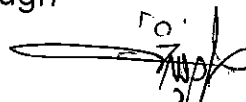
INTERIM RELIEF:

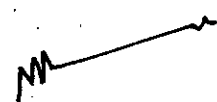
By way of interim relief, the impugned order dated 10/11/2017 may kindly be suspended till the final disposal of this writ petition.

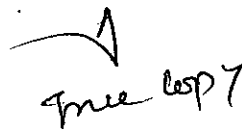
Dated: 26/12/2017


Petitioner

Through


JAVED ALI


Muhammad Arsalan Afridi
Advocates High Court, Peshawar


Free copy

PESHAWAR HIGH COURT, PESHAWAR.

27

FORM 'A'
FORM OF ORDER SHEET

Date of order.	Order or other proceedings with the order of the Judge
25.04.2018	<p><u>W.P.No.5269-P of 2017 with interim relief.</u></p> <p>Present: Mr.Muhammad Arsalan Afridi, advocate for the petitioner.</p> <p>Syed Qaisar Ali Shah, AAG for the respondents.</p> <p>---</p> <p><u>MUHAMMAD AYUB KHAN, J.-</u> This petition is with the prayer to direct respondent No.4 to add the due four marks in his result with further direction to respondents No.1 to 3 to recommend the petitioner for the post of Junior Clerk in place of respondents No.5 to 7.</p> <p>2. As per writ petition, petitioner, being orphan and possess F.A. Certificate, is serving as Class-IV employee at the office of Commandant, Frontier Reserve Police, Peshawar. As per Standing Order No.7 of 2014, the Class-IV employees are eligible for promotion as Junior Clerks. For this purpose, additional two marks for higher qualification and two marks meant for orphan shall be added to the other marks scored by a candidate in the selection test. The petitioner appeared in the selection test for promotion/absorption of Class-IV employees as Junior Clerk in Khyber Pakhtunkhwa Police Department held by respondent No.4. Merit list was issued, wherein, the petitioner was not awarded two marks of F.A. and two marks meant for orphans, hence was placed at Sr.No.27. Feeling aggrieved, he applied for said additional four</p>

Arsalan Afridi

ATTESTED
Peshawar High Court
30 MAY 2018

28

marks from time to time but to no avail. According to the petitioner, respondent No.1 recommended three junior Class-IV employees with less marks than him for promotion vide Notification dated 10.11.2017. Not contented, he preferred an application addressed to respondent No.2 on 10.12.2017 but with no fruitful result, which necessitated the filing of instant petition.

3. Arguments heard and record gone through.

4. Admittedly, petitioner is a civil servant whereas the relief sought for promotion to the post of Junior Clerk, after awarding four additional marks is a matter relating to the terms and conditions of his service. It is well settled that if any matter relating to term and condition of a civil servant is violated, then he can approach the Service Tribunal, constituted for that purpose. Not only the Service Tribunal has been established for dealing with cases relating to the terms and conditions of a civil servant but under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, jurisdiction of this court is barred to entertain any matter relating to the terms and conditions of service of a civil servant, therefore, this petition is not maintainable before this court.

5. For what has been discussed above, this petition is hereby dismissed in limine.


JUDGE


JUDGE

Sadiq Shah, PS (DB) (Hon'ble Mr. Justice Qalandar Ali Khan and Hon'ble Mr. Justice Muhammad Ayub Khan)


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EXAMINER
Peshawar High Court (Peshawar)
Authorised Under Article 8.7 of
The Qanun-e-Shahadat Order 1984

21 JUN 2018

26369

No. 307
 Date of Presentation 2/16/16
 No. of Pages 102
 Copies 102
 Urgent 102
 Total 102
 Date of Issuance 2/16/16
 Date of Return of Book 2/16/16
 Received By J. [Signature]

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BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

29/29

1

annexe

"I"

Review Petition No. 167-P/2018

In

W.P. No. 5269-P/2017



Muhammad Rasheed Khan s/o Mahabat Khan
r/o Takia Afridi Abad, Shabqadar Road,
Tehsil & District Peshawar.....

Petitioner

Versus

1. The Inspector General of Police, Khyber Pakhtunkhwa, Central Police Office, Peshawar
2. The Additional Inspector General Establishment, Central Police Office, Peshawar
3. The Superintendent Establishment, Central Police Office, Peshawar
4. The Director Education Testing Evaluation Agency (ETEA), Khyber Pakhtunkhwa, Hayatabad, Peshawar
5. Naveed Akhtar s/o Munir Khan, Central Police Office, Peshawar
6. Ejaz Hussain s/o Muhammad Naseer, Central Police Office, Peshawar
7. Noor Islam Khan s/o Shams ur Rehman, Central Police Office, Peshawar..... **Respondents**

**APPLICATION FOR REVIEW OF ORDER
DATED 25.04.2018 PASSED IN W.P.
NO. 5269-P/2017 WITH A DIRECTION
TO ACCOMMODATE THE PETITIONER
BY 4 MARKS AS IS, PRAYED FOR IN
THE WRIT PETITION.**

ATTESTED
EXAMINER
Peshawar High Court
22 JUN 2018

30

30

Respectfully submitted;

1. That the petitioner had filed writ petition No. 5269/2017 in this hon'ble Court but it was dismissed in limine on 25.04.2018 with the observation that the prayer of the petitioner relates to terms and conditions of service which is to be dealt with by the Service Tribunal, Khyber Pakhtunkhwa, Peshawar. (Copy of the order is annexed)
2. That in fact the controversy is with regards to the 4 marks on the basis of F.A education and Orphan (two marks each).
3. That these 4 marks are in the power of Director ETEA, Peshawar (respondent No. 4) which is an independent body dealing with the special subject to conduct selection test/ promotion exam and to allocate the marks of F.A and Orphan to candidates and whose action and inaction are amenable to the jurisdiction of this hon'ble Court under Article 199 of the Constitution with which the remaining respondents have no concern.
4. That rest of the said respondents has got no objection on the allocation of these marks and has recommended the petitioner for the said 4 marks.
5. That the subject of availing 4 marks mentioned above has got no concern with the other respondents. The merit list is also prepared by respondent No. 4 (ETE A) after accumulating all the marks of a candidate and the prayer made in the writ petition is not a subject to

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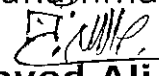
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83

be agitated before the Service Tribunal in the peculiarly circumstances of the case.

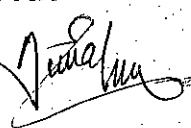
- 6. That the prayer of the petitioner relates to allocation of 4 marks mentioned above and the grievance of the petitioner can be settled by an order to direct respondent No. 4 alone to allocate the subject 4 marks to the petitioner to enable him for onward and action of the department.
- 7. That the writ petition dismissed in limine without ascertaining the controversial point and calling for comments or soliciting the view point of the respondents in the case and it is against the procedure of deciding and knowing the controversial points between the parties.

It is, therefore, prayed that the on acceptance of this review petition the order dated 25.04.2018 may kindly be looked into and respondent No. 4 (Director ETEA) may be directed to allocate the above 4 marks to the petitioner for onward action of the department of Police.

Petitioner
Muhammad Rasheed Khan
Through 
Javed Ali,

Muhammad Arsalan Afridi

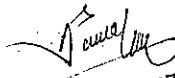
&

Aimal Khan Barkandi
Advocates, Peshawar 

CERTIFICATE

Certified that in view of facts and grounds mentioned in the above review petition, this is a fit case for review.

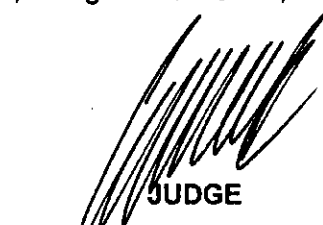
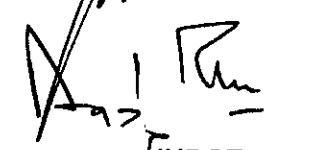
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Advocate 17/5/18

PESHAWAR HIGH COURT, PESHAWAR.

32

FORM 'A'
FORM OF ORDER SHEET

Date of order.	Order or other proceedings with the order of the Judge
19.06.2018	<p><u>Review Petition No.167-P of 2018 in W.P.No.5269-P of 2017.</u></p> <p>Present: M/s Aimal Khan Barkandi and Muhammad Arsalan Afridi, advocates for the petitioner.</p> <p>-----</p> <p><u>MUHAMMAD AYUB KHAN, J.-</u> Petitioner, through the instant petition, seeks review of the judgment dated 25.04.2018 rendered in W.P.No.5269-P of 2017.</p> <p>2. Preliminary arguments heard and record gone through.</p> <p>3. In the writ petition, petitioner had claimed two additional marks of higher qualification and two marks meant for orphan. His grievance was that respondents No.1 to 4 have not acted in accordance with law and ignored his request for considering and recommending him for the post of Junior Clerk. Since it was a case of promotion, therefore, was dismissed after pressing into service Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 for its being not maintainable.</p> <p>4. Learned counsel for the petitioner failed to urge any point, which could warrant review of the impugned judgment. Resultantly, this petition, being misconceived, is hereby dismissed.</p> <p> JUDGE</p> <p> JUDGE</p>

Sadiq Shah, PS (DB) (Hon'ble Mr. Justice Ishaq Ibrahim and Hon'ble Mr. Justice Muhammad Ayub Khan)

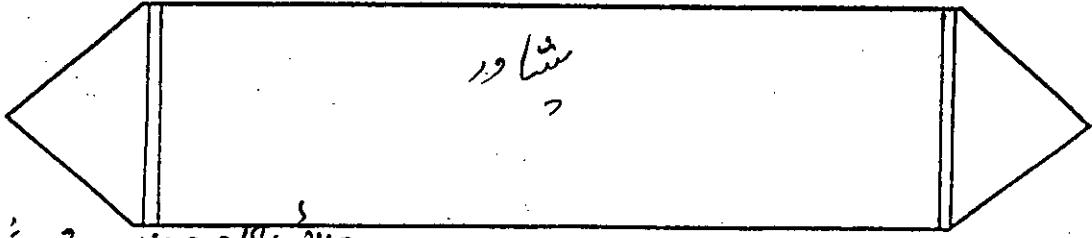
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EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
The Qanun-e-Shanad Order 1984

22 JUN 2018

No. 26300
Date of Presentation 2/16/68
No of Pages 207
Copy 1
Urgent ✓
Title 2016/18
Date of Receipt 2/16/68
Received By [Signature]

بعدالت سروس ٹریبونل، جسپر جٹوخیو،



سناور

23 جولائی 2018ء پنجاب محمد راشد خان ولد

23.07.2018

موزخہ
مقدمہ
دعویٰ
جیم

(محمد راشد خان بنام انسٹیٹیوٹ جنری ریزرو)

سروس ایپل

ہیلت خان ساکن
تعلیم آف میڈی آباد
مشہد رورڈ، سناور

(ایپل کنندہ)

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ
آن مقام سناور کیلئے محمد ارسلان آف میڈی واپل خان بارکزی اینڈ کریس

گورنمنٹ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر حالت ہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا ایپل کی برآمدگی اور منسوخ
نیز دائر کرنے ایپل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب 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 ادکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم 23 ماہ جولائی 2018

واہ العباد

سناور کے لئے منظور ہے۔

Accepted
Tumal
(Aimal Khan Barakandi)
Adri Pesh

محمد راشد خان ولد صاحب خان ساکن تیکہ
آف میڈی آباد مشہد رورڈ سناور
(1508599-7)

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

کتابت شد

No. 574-40 H.V. dated Peshawar the 17/02/2022

- To:
- i) The Capital City Police Officer, Peshawar.
 - ii) All Regional Police Officers, in Khyber Pakhtunkhwa.
 - iii) All Head of Units/Offices, in Khyber Pakhtunkhwa.

1318
18-02-22

Subject: PROMOTION OF CLASS-IV TO THE POST OF JUNIOR CLERK.

Memo:-

Enclosed please find herewith a copy of letter bearing No. ETFA/2-45A/C/2022/6538 dated 07.02.2022 received from Deputy Director (Recruitment), ETFA, which is self explanatory for further necessary action, please.

Application will be available on the ETFA website from 14th February to 28th February, 2022.

(Signature)
 (NADIR ALI KHAN)
 Registrar
 For Inspector General of Police,
 Khyber Pakhtunkhwa,
 Peshawar
 17/2/22

(Handwritten initials and signatures)

mandant FRP

*Sr.
 Please provide the list of those class-IV who have applied online to ETFA and all of their Educational documents duly attested & Bank receipt photo copy. Submission to CPO Peshawar, please.*

1670-75

EC 02/12/22

Copy to the:-	
✓ FRP Peshawar	
✓ FRP Kohat	
✓ FRP D Khan	
✓ FRP Tarnan	
✓ FRP Muzama	
SP FRP Malakand	
DSP HQs	
OSP Admin	
PA Admin	
PA Cominmandant	
PA Dy Cominmandant	
S Legal <input type="checkbox"/> R Auditor <input type="checkbox"/> Accdum <input type="checkbox"/>	
SRC <input type="checkbox"/> PC <input type="checkbox"/> FMC <input type="checkbox"/>	
CC <input type="checkbox"/> SB <input type="checkbox"/> GC <input type="checkbox"/> U <input type="checkbox"/>	




(Handwritten marks and signatures on the form)

EDUCATIONAL TESTING & EVALUATION AGENCY
ONLINE DEPOSIT SLIP

BANK COPY

Branch Code: 0963 Date: 22/2/2022

Branch Name: Shoba Bazar

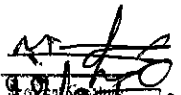
  

KPK EDUCATIONAL TESTING & EVALUATION AGENCY

MCA No: 254731873

Online Application Form for PROMOTION OF CLASS-1V EMPLOYEES TO THE POST OF JUNIOR CLERK (BPS-7) IN KPK POLICE DEPARTMENT - 2022

Consumer No: 194324	
Consumer No: 194324	
Name: Muhammad Rasheed Khan	
CNIC - Post: 1730115085997-Junior Clerk (Bps-7)	
Amount (In Rs):	500/-
	Project Expiry Date: 28-FEBRUARY-2022





Cashier _____ Officer _____
22/2/2022

EDUCATIONAL TESTING & EVALUATION AGENCY
ONLINE DEPOSIT SLIP

CANDIDATE COPY

Branch Code: 0963 Date: 22/2/2022

Branch Name: Shoba Bazar


  

KPK EDUCATIONAL TESTING & EVALUATION AGENCY

MCA No: 254731873

Online Application Form for PPROMOTION OF CLASS-1V EMPLOYEES TO THE POST OF JUNIOR CLERK (BPS-7) IN KPK POLICE DEPARTMENT - 2022

Consumer No: 194324	
Consumer No: 194324	
Name: Muhammad Rasheed Khan	
CNIC - Post: 1730115085997-Junior Clerk (Bps-7)	
Amount (In Rs):	500/-
	Project Expiry Date: 28-FEBRUARY-2022


Applicant Signature _____ Cashier _____ Officer _____
22/2/2022

نوٹ: برائے کرم یہ رسید (ETEVA) آئٹمز نہ بھیجیں اور اس رسید کو اپنے پاس محفوظ رکھیں۔

نوٹ: برائے کرم یہ رسید (ETEVA) آئٹمز نہ بھیجیں اور اس رسید کو اپنے پاس محفوظ رکھیں۔

PRINT THIS FORM



ETE A

KHYBER PAKHTUNKHWA EDUCATIONAL TESTING & EVALUATION
AGENCY

PROMOTION OF CLASS-1V EMPLOYEES TO THE POST OF JUNIOR CLERK (BPS-7) IN KPK POLICE DEPARTMENT - 2022

TOKEN NO. Junior Clerk (Bps-7)-00675 DISTRICT OF DOMICILE: PESHAWAR Zone Of Domicile: Zone 2

NAME : Muhammad Rasheed khan
FATHER / HUSBAND NAME : Muhabat khan afridi
APPLICANT CNIC NUMBER : 1730115085997
DATE OF BIRTH : 8-July-1981
DATE OF Recruitment : 2-April-2011
MOBILE NUMBER : 03009090199
ALTERNATE MOBILE NUMBER : 03149004715
RELIGION : muslim
GENDER : male
MARITAL STATUS : married
HAFIZ-E-QURAN : no
ORPHAN : yes
POSTAL ADDRESS : Nahaqi Dawoodzai Peshawar 24400
PERMANENT ADDRESS : Nahaqi Dawoodzai Peshawar 24400
EDUCATIONAL INFORMATION : FA/FSC



Signature Of The Applicant

Verification by the Concerned Police Head/ Authority and submit the promotion form to HEAD OF DISTRICT/UNIT

Given under my hand office Seal

(Sign/ Stamp Of The Concerned HEAD OF
DISTRICT/UNIT)

**BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No.923/2018

Muhammad Rasheed.....(Appellant)

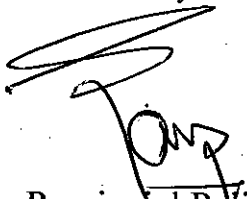
Versus

PPO Khyber Pakhtunkhwa & others.....(Respondents)

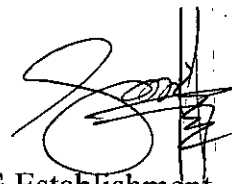
**PARAWISE REPLY TO THE APPLICATION FOR CONDO-NATION OF
DELAY IN FILING OF APPEAL ON BEHALF OF RESPONDENTS NO. 1
AND 2 ARE AS UNDER.**

1. That the application is not maintainable in the present form.
2. Incorrect. The appellant has not enclosed his FA qualification document with his application form nor produced to the ETEA authority as reported by them.
3. Pertain to respondent No. 04.
4. Correct to the extent appellant submitted application /representation, which was sent to ETEA authority for further necessary action and report. The ETEA authority reported that applicant has not enclosed FA qualification documents with his application form nor produced to them at the time of examination therefore, not entitled for the said marks.
5. Pertains to record and need no comments.
6. Incorrect. The application of the appellant is not maintainable being badly time barred.
7. Incorrect. The application of the appellant is badly time barred and not maintainable in the present form.
8. Incorrect. The appeal of the applicant is time barred and not maintainable.

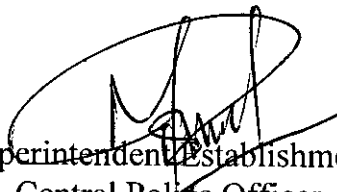
It is therefore, prayed that the instant application being badly time barred may be dismissed and afford may be reject being merit less.



Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.
(Respondents No.01)



AIG Establishment,
Khyber Pakhtunkhwa
CPO Peshawar.
(Respondents No.02)



Superintendent Establishment,
Central Police Officer,
Peshawar
(Respondents No.03)

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNAKHWA PESHAWAR

Service Appeal No. 923/2018

Muhammad Rasheed Khan.....(Appellant)

Versus

PPO Khyber Pakhtunkhwa & others (Respondents)

APPLICATION FOR CONDO-NATION OF DELAY

I, Abdur Rehman DSP Legal CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents 01, to 03 are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Service Tribunal.

DEPONENT



Abdur Rehman,
DSP/Legal
17102-1175519-9

بعدالت

مدرس ٹریڈنگ لیسٹا اور

اعجاز حسین صاحب پنجاب رسپیڈ ٹینس کلب (ایجا، راجپور)
محمد رشید خان بنام محمد ابرار لیسٹا

مورثہ

مقدمہ

دوئی روپوں 8/3/98

جرم

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ مر
آن مقام لیسٹا اور کیلئے ہنموڑنی خان اور اسد محمد اور اسد محمد
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائس 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 باختیارات 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 کالت نامہ لکھد یا کہ سندر ہے۔

Attested &
Accepted

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ماہ

المزقوم

الع د گ و الع

کے لئے منظور ہے۔

مقام

بعدالت

مدرسہ شریعتیہ و عملیہ لیسٹراور

نور الدین، نور اسلام، 2، پنجاب اسپتال، کراچی، (نور الدین)
محمد رشید خان بنام محمد بولیس

مورثہ

مقدمہ

دعویٰ اپیل 928/18

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ سے
آن مقام لیسٹراور کیلئے محمود علی خان نور اسد محمد ایدہ لیسٹراور
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی 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 باختیارات 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 کالت نامہ لکھد یا کہ سندر ہے۔

Attested
&
Accepted

المرقوم

20

ماہ

العبد العبد العبد

کے لئے منظور ہے۔

محمد علی خان

مقام

**BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No.923/2018

Muhammad Rasheed.....(Appellant)

Versus

PPO Khyber Pakhtunkhwa & others.....(Respondents)

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 AND 2

ARE AS UNDER.

PRELIMINARY OBJECTIONS:-

- a) The appeal has not been based on facts.
- b) The appeal is not maintainable in the present form.
- c) The appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) The appellant is stopped to file the appeal.
- e) The appeal is barred by law and limitation.
- f) The appellant has not come to the Honorable Tribunal with clean hands.

FACTS:-

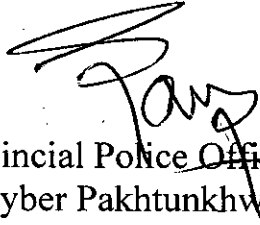
1. Pertains to record and need no comments
2. Pertains to respondent No. 04.
3. Incorrect. The notification for promotion of respondents' No. 5 to 7 have been issued on merit on the recommendation of ETEA authority in accordance with law and rules.
4. Relates to respondent No. 4.
5. Correct to the extent that appellant submitted application for additional marks. But the remaining portion of Para is incorrect. Infact the application /representation of the appellant was sent to ETEA authority for necessary action and report. The ETEA authority responded that appellant claim him orphan in the application form, nor he enclosed his FA qualification documents with his application nor claimed to be FA Qualified. Resultantly he was not allocated two additional marks of FA qualification.
6. Pertains to record and need no comments.
7. Pertains to record and need no comments.
8. The application of the appellant for condonation is not maintainable, further the appellant has not come to this Honorable Tribunal with clean hands.

GROUND:-

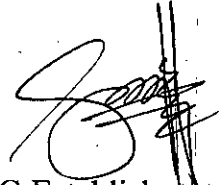
- A. Incorrect. According to report of ETEA authority the appellant has not enclosed FA qualification documents with his application nor produced the same to ETEA authority, nor he has been deprived from promotion.
- B. Incorrect and misleading. As replied above.
- C. Incorrect. The appellant, as per report of ETEA authority, has not enclosed nor produce his FA qualification at the time of examination.
- D. Related to respondent No. 04.

- E. The appellant has not produced FA qualification documents nor enclosed with his application at the time of examination, therefore, not entitled for the said marks.

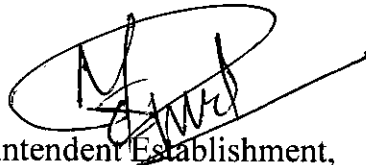
In view of above, it is humbly prayed that on acceptance of Para-wise comments, the instant Service Appeal may kindly be dismissed being meritless and time barred.



Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.
(Respondents No.01)



AIG Establishment,
Khyber Pakhtunkhwa
CPO Peshawar.
(Respondents No.02)



Superintendent Establishment,
Central Police Officer,
Peshawar
(Respondents No.03)

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNAKHWA PESHAWAR

Service Appeal No. 923/2018

Muhammad Rasheed Khan.....(Appellant)


Versus

PPO Khyber Pakhtunkhwa & others (Respondents)

AFFIDAVIT

I, Abdur Rehman DSP Legal CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents 01, to 03 are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Service Tribunal.

DEPONENT


Abdur Rehman,
DSP/Legal
17102-1175519-9

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 923/2018

Muhammad Rasheed

VS

PPO & others

.....

REPLY ON BEHALF OF RESPONDENTS NO.5 to 7

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

1. The appellant has no locus standi and cause of action to file the instant appeal.
2. The appellant has not come to the Honourable Tribunal with clean hands.
3. The appeal estopped by his own conduct to file the appeal.
4. The appeal is barred by law and limitation.
5. The appeal is not maintainable before this august service tribunal in the present form.

FACTS:

1. Pertain to record.
2. Pertain to respondent No.4.
3. Incorrect. The respondents 5 to 7 have been promoted on the merit on the recommendation of ETEA authority in accordance with law and rules.
4. Related to respondent No.4
5. Correct to the extent that the appellant submitted applications for additional marks but the appellant did not mentioned in the application form about his FA qualification and orphan documents (death certificate of his father) due to which the ETEA authority has not allocated additional marks, which means that the appellant himself committed mistake due to which the replying respondents could not be punished. Moreover there is no provision of successive departmental appeals in the rules and hence this appeal is not maintainable and therefore liable to be dismissed.
6. Pertain to record.
7. Pertain to record.

8. Incorrect. The appellant has been estopped by his own conduct to file the instant appeal.

GROUND:

- A. Incorrect. The appellant did not mentioned in the application form about his FA qualification and orphan due to which the ETEA authority has not allocated additional marks and on the basis of merit the ETEA authority issued the recommendation in accordance with law and rules and has not deprived the appellant from promotion.
- B. Incorrect as replied para A above.
- C. Incorrect. As per ETEA authority report, the appellant has not mentioned FA qualification and orphan documents (death certificate of his father) in the prescribed application at the time of examination and ETEA authority made recommendation on the basis of merit in accordance with law and rules.
- D. Related to respondent No.4.
- E. Incorrect. The appellant has not provided FA qualification documents nor enclosed with his application and also not mentioned in the form about orphan, therefore not entitled for the said marks.

It is, therefore, most humbly prayed that the appeal in hand may be dismissed with cost throughout being merit less and devoid of any legal footing.

[Handwritten signature]

Respondents No. 5 to 7

THROUGH:

[Handwritten signature]

**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT**

AFFIDAVIT

It is affirmed and declared that the contents of reply are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.

[Handwritten signature]

DEPONENT



BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 923/2018

Muhammad Rasheed

VS

PPO & others

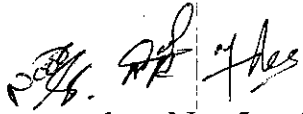
**REPLY TO THE APPLICATION FOR CONDONATION OF
DELAY IN FILLING OF APPEAL ON BEHALF OF
RESPONDENT NO.5 to 7**

RESPECTFULLY SHEWETH:

1. That the application is not maintainable in the present form.
2. Incorrect. The appellant did not mentioned in the application form about his FA qualification and orphan documents (death certificate of his father) due to which the ETEA authority has not allocated additional marks and on the basis of merit the ETEA authority issued the recommendation of the respondents No.5 to 7 in accordance with law and rules.
3. Related to respondent No.4
4. Correct to the extent that the appellant has submitted application /representation, which was sent to ETEA authority for further necessary action and report. The ETEA authority reported that the appellant has not enclosed F.A and orphan documents (death certificate) with his application form nor produced to them at the time of examination therefore not considered for the said marks.
5. Pertain to record.
6. Incorrect. The time consumed before the wrong forum cannot be condoned and hence the present appeal is badly time barred.
7. Incorrect. The promotion is term and condition and could not be resolved in Honourable High courts.
8. Incorrect. The appeal of the appellant is badly time barred and not maintainable.

It is, therefore, most humbly prayed that on the basis of above submission the condonation of delay may not be accepted and the

appeal in hand may be dismissed on limitation only without touching the merit of the case.


Respondent No. 5 to 7

Through:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

AFFIDAVIT

It is affirmed and declared that the contents of reply to condonation are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.


DEPONENT



2/5