# FORM OF ORDER SHEET

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

# Appeal No. 1326/2023

	Ар	peal No. 1326/2023	
S.No.	Date of order proceedings	Order or other proceedings with signature of judge	
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1-	14/06/2023	The appeal of Mr. Shahi Mulk presented tod	() I
		Mr. Baseer Ahmad Shah Advocate. It is fixed for prelim	
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	· · · ·	hearing before Single Bench at Peshawar on	
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1326 /2023

Shahi Mulk

## .....Appellant

## VERSUS

## **PPO & Others**

## .....Respondents

S. No	Description of documents	Annexure	Pages
1.	Service Appeal with Affidavit	***	1-4
2. —	Stay-application-with-affidavit	***	5-6
<b>3.</b>	Copy of Letter/Order dated 11-02- 2019	A	7-12
4	Copy of Letter dated 10-02-2023	В	13-16
5.	Copy of the Letter No 793-97/ES dated 10-02-2023	C	17-17
6.	Copy of departmental appeal	D	19-21
7	Copy of Police Rules 13-18 & Letter dated: 5-5-2023	E&F	22-21
8	Vakalat Nama	***	75

## <u>INDEX</u>

## Dated:-05-06-2023

# Appellant

## Through

BASEER AHMAD SHAH

**IBAD UR REHMAN** 

Advocate,

- **&** -

OFFICE:-Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell # 0320-1946985 Email: ahmedbaseer234@gmail.com

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

#### **PESHAWAR**

Service Appeal No

Shahi Mulk, Officiating Sub Inspector, No 655/MR, PS Sawabi City.

## VERSUS

- 1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Mardan Region Mardan.
- 3. District Police Officer, Mardan.

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER ISSUED VIDE LETTER NO: 783-87/ES DATED 10-02-2023 WHEREBY THE OFFICIATING PROMOTION ORDER OF THE APPELLANT HAS BEEN TERMED AS ADHOC PROMOTION AND AGAINST WHICH DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED SO FAR DESPITE THE LAPSE OF MORE THAN THE STATUTORY PERIOD OF NINETY DAYS.

.....Appellant

#### PRAYER:-

On acceptance of this appeal the impugned Letter/Order issued vide No 783-87/ES dated 10-02-2023 to the extent of the appellant may kindly be set aside and the appellant may kindly be confirmed as Sub Inspector w.e.f 10-02-2021, with all back benefits.

## **Respectfully Submitted:-**

- 1. That the appellant was initially enlisted as Constable in Police department on 15-06-1994, was promoted as Head Constable in the year 2009, and was then promoted as ASI in the year 2017.
- 2. That the appellant during service, qualified various courses including Lower School Course, Intermediate and Upper School Course and is presently serving in police department of Mardan Region. The appellant along with others was confirmed as ASI on list "E" of Mardan Region, upon the recommendations of departmental promotion committee and after being confirmed as ASI on List "E" was accordingly promoted along with others as Officiating Sub Inspectors (BPS 14), upon the recommendations of Departmental Promotion Committee, vide Letter/Order dated 11-02-2019 by the Regional Police Officer Mardan. (Copy of Letter/Order dated 11-02-2019 is enclosed as annexure A).

- **3.** That the appellant since enlistment performed his duties with nonesty and full devotion and to entire satisfaction of his high ups.
- **4.** That strangely the promotion order of the appellant was termed as adhoc promotion vide Letter/Order issued vide No 783-87/ES dated 10-02-2023, without assigning any valid/legal reason by the Regional Police Officer Mardan. **(Copy of Letter dated 10-02-2023 is enclosed as annexure B).**
- 5. That subsequently vide Letter/Order issued vide No 793-97/ES dated 10-02-2023, forty eight of the stated adhoc promotees were regularized as Officiating Sub Inspectors from various dates. (Copy of the Letter No 793-97/ES dated 10-02-2023 is enclosed as annexure C).
- 6. That the appellant preferred departmental appeal before respondent. No 1 on 27-02-2023 and also filed Writ Petition No 837-P/2023 before the honorable Peshawar High Court Peshawar, which was dismissed being barred under Article 212 of the Constitution, however the departmental appeal of the appellant has not been responded despite the lapse of statutory period of ninety days. (Copy of departmental appeal is enclosed as Annexure D).
- 7. That the impugned Letter/Order issued vide-No 783-87/ES dated\_10-02-2023 to the extent of the appellant is against the law, facts and principles of justice on grounds inter-alia as follows:-

#### **GROUNDS:**

- **A.** That the impugned Letter/Order issued vide No 783-87/ES dated 10-02-2023 to the extent of the appellant is illegal, unlawful, without lawful authority hence liable to be set aside.
- **B.** That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules in violation of Article 4 and 25 of the Constitution and law of the land.
- **C.** That the appellant was promoted as Officiating Sub Inspector after due process of law besides upon the recommendations of departmental promotion committee thus the impugned order is illegal and void abinitio being passed ex parte, the appellant has been condemned unheard.

- **D.** That the impugned Letter/Order is in violation of principles of natural justice, as no Charge Sheet and Show Cause Notice was issued to the appellant.
- E. That valuable rights had accrued in favor of the appellant which cannot be snatched for no fault on part of the appellant.
- F. That there is no omission or commission-on part of the appellant and he cannot be punished for fault of others even if any.
- **G.** That the appellant even completed his Pole "A" and Pole :B" period besides various courses, required for confirmation as Sub Inspector, as such was hopeful of his confirmation as Sub Inspector but shockingly the impugned order was passed in violation of law and rules.
- H. That the appellant was entitled for confirmation as Sub Inspector after rendering two year service as officiating SI-as-per-chapter 13-18 of the Police Rules and as per Letter dated 05-05-2023 of respondent no 01; but his officiating promotion was even termed as adhoc. (Copy of Police Rules\_13-18 7 Letter dated 05-05-2023 is enclosed as annexure E & F)
- I. That\_the appellant was promoted as officiating SI against the vacant valid vacancy.
- J. That even there is no eligible candidate in Fast Track quota, as in the year 2022/2023 eleven candidates had applied for promotion in Fast Track quota, of whom six candidates did not appear in exam while the rest five remained unsuccessful in exam, thus too the impugned order is liable to be set at naught.
- K. That the impugned Letter/Order is also not speaking one, as per Section 24-A (2) of the General Clauses-Act 1897, thus too the same is liable to set at naught.
- L. That the appellant has been deprived of his due rights without any omission and commission on his part.
- **M.** That the appellant has about 25 years of service with unblemished service record.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for.

4

Any other relief deemed appropriate in the circumstances of the case and not specifically asked for may also be granted in favor of the appellant.

Dated:05-06-23

Appellant-

&

Advocates

Through

**Baseer Ahmad Shal** Ibad Ur Rehman

## LIST OF BOOKS

- 1. Constitution 1973.
- 2. other books as per need

#### CERTIFICATE:

Certified that as per instructions of my client, no other Service Appeal on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal.

AFFIDAVIT

ADV

I, Shahi Mulk, Officiating Sub Inspector, No 655/MR, PS Sawabi City. do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal:

Identified by

BASEER AHMAD SHAH

**Advocate Peshawar** 



DEPONENT



# BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No\_\_\_\_\_/2023

Shahi Mulk

.....Appellant

## VERSUS

**PPO & Others** 

.....Respondents

Application for the suspension of impugned Letter/Order No 783-87/ES dated 10-02-2023 till the final disposal of titled appeal.

## **Respectfully Submitted:-**

- 1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
- 2. That the appellant was promoted as officiating Sub Inspector according to law and as per Police Rules 13-18 was entitled for confirmation as SI, but strangely his promotion was termed as adhoc in violation of law and rules.
- **3.** That the applicant has got a good prima facie case and is sanguine of its success.
- **4.** That the balance of convenience lies in his favor and if the impugned order/letter is not suspended, the applicant would suffer irreparable loss.

It is therefore prayed that on acceptance of this application, the impugned letter/order issued vide NO 783-87/ES dated 10-02-2023 may kindly be suspended till the final disposal of titled appeal.

Dated:- 05-06-2023

Appellant

Through

**BASEER AHMAD SHAH** 

Show.

ADVOCATE.



# AFFIDAVIT

I, Shahi Mulk, Officiating Sub Inspector, No 655/MR, PS Sawabi City. do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

DEPOMEN

BASEER AHMAD SHAH Advocate Peshawar

Identified by



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Recommended for promotion Conditionally. Der Police Rules 19-35A, earning O2 marks wither der monther

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3. Deputy Inspector General of Police CTD, Khyber Pakhtunkhwa, Peshawar. 2. Capital City Police Officer, Peshawar.

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5. Deputy Commandant Elite Force Khyber Pakhtugkhwa, Peshawar.

4. Deputy Inspector General of Police Traffic, Kyber Pakhtunkhwa, Peshawar.

ROMOTION AS OFFICIATING SUB INSPECTORS



## CLEAR COPY

### Government of Khyber Pekhtunkhwa Office of the Regional Police Officer, Mardan

# Phone No. 0937-9230113, Fax No.0937-9230115

## Email Address: esrpomardan@gmail.com

To:

1. Additional Inspector General of Police Special Branch, Khyber Pakhtunkhwa, Peshawar.

- Capital City Police Officer, Peshawar. 2.
- Deputy Inspector General of Police CTD, Khyber Pakhtunkhwa, Peshawar. 3.
- Deputy Inspector General of Police Traffic, Khyber Pakhtunkhwa, Peshawar. 4.
- Deputy Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
- 5. AIG/BDU Khyber Pakhtunkhwa, Peshawar. 6.
- All District Police Officers, Mardan Region. 7.
- 8. All Head of Investigation in Mardan Region.
- 9. Principal EPTC, Nowshera.

#### No.1190-1204/ES.

### 11, February, 2019.

## Subject:

## PROMOTION AS OFFICIATING SUB INSPECTORS

#### Memo:

Consequent upon recommendation by the Departmental Promotion Committee held in this office on 22.01.2019, the following confirmed ASIs/on list "E" of Mardan Region have been considered suitable for promotion as Offg: Sis in (BPS-14) subject to the condition lay down against each:-

S.No.	Name & Rank	Place of —Posting	Decision
1.	ASI Haroon Khan No. 173/MR	Swabi District	Recommended for promotion Conditional subject to Court Decision. He shall qualit Mandatory Training/Courses as per Police Rule 19-26A; earning 07 marks within six months.
2.	PASI Syed Bahramand Shah No. 309/MR	Charsadda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 02 marks with the months.
3.	PASI Aman Ullah No. 310/MR	Swabi Dístrict	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks within six months.
4.	PASI Sadique Akbar No. 308/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks within six months.
5.	PASI Humair Hussain No. 305/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 04 marks with six months.
6.	PASI Bismillah Jan No. 312/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 05 marks with six months.
7.	PASI Hidayat ULlah No. 306/MR	Charsadda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 04 marks with six months.
8.	PASI Shabbir Ahmad No 315/MR	Mardan District	Recommended for promotion Conditionalt He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 04 marks with six months.



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		Traffic Peshawar
ASI NOTULIS	am No. 560/HR	District
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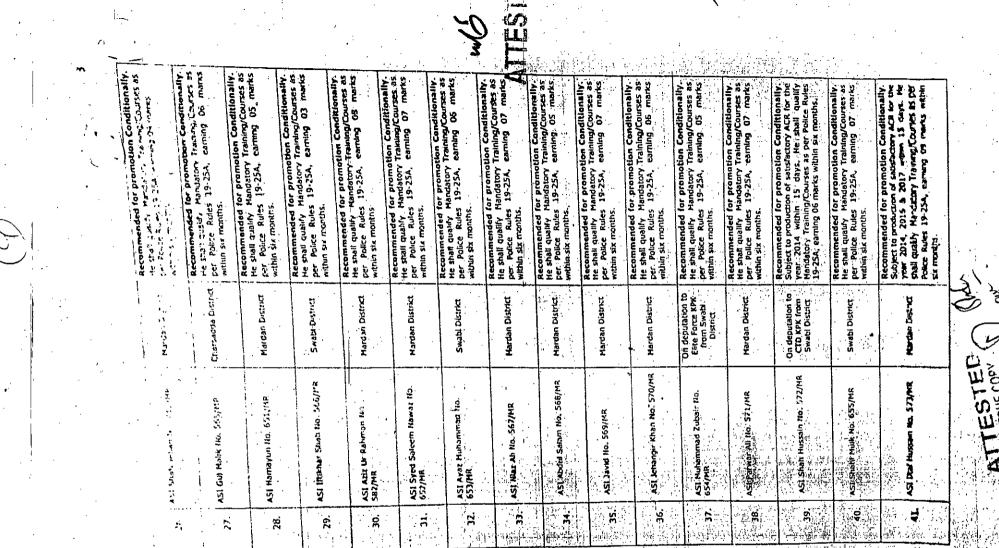
			Recommended for promotion Conditionally.
9.	PASI Zahid Nawaz No. 307/MR	Swabi District	He shall qualify Mandatory Training outputs of per Police Rules 19-25A, earning 09 marks within
	PASI Altaf Hussain No. 314/MR	Swabi District	six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
11.	PASI Baidar Bakht No. 311/MR	Charsadda District	Recommended for promotion Conductionary He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
12.	ASI Ayaz Ali No. 549/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months. Recommended for promotion Conditionally.
13.	ASI Kameen Khan No: 554/MR	Mardan District	he shall qualify Mandatory Training/Courses up per Police Rules 19-25A, earning 07 marks within
14.	ASI Imtiaz Khan No. 555/MR	Mardan District	six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months. Recommended for promotion Conditionally.
15	ASI Waqif Khan No. 556/MR	On deputation to Special Branch from Swabi District	He shall qualify Mandatory Training Consea to per Police Rules 19-25A, earning 09 marks within six months.
16.	ASI Khan Muhammad No. 557/MR	On deputation to CTD KPK from Swabi District	He shall qualify Mandatory training courses as per Police Rules 19-25A, earning 07 marks within six months.
î7.	ASI Farooq Hussain No. 558/MR	On deputation to EPTC Nowshera- from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks within six months.
18.	ASI Qasim Khan No.559/MR	On deputation to CTD KPK frum Swabi District	Recommended for promotion Conditionally. In shell qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months. Recommended for promotion Conditionally
19.	ASI Noorul Islam No. 560/MR	On deputation to Traffi <u>c Pes</u> hawar from Mardan District	subject to production of satisfactory ACRs to una year 2014.8-2017 with 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 10 364 acression 07 marks within six months.
20.	ASI Javid Ahmad No. 711/MR	Mardan District	Recommended for promotion Conditionary He shall quality Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
21	ASI Anees Ahmad No. 561/MR	On deputation to Traffic Peshawar from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25Å, earning 06 marks within six months.
22	ASI Saif Ul Islam No. 562/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months. Recommended for promotion Conditionally.
23.	ASI Bashir Ahmad No. 650/MR	Mardan District	He shall qualify Mandatory Training Courses at per Police Rules 19-25A, earning 07 marks within
24.	ASI Umar Hayat No. 563/MR	On deputation to BDU KPK from Swabi District	Six months. Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
25.	ASI Akhtar Munir No. 564/MR	Swabi District	Six manus. Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.

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	ASI Shah Jehan No. 712/MR	Mardan District	He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 09 marks with
26.		Will dere biobret	a six months
			Decommonded for promotion Conditional
· .		Charsadda District	Line shall qualify Mandatory Iraining/Courses a
27.	ASI Gul Malik No. 565/MR	Charsauda District	per Police Rules 19-25A, earning 06 marks with
			six months. Recommended for promotion Conditional
	1	-	Lie shall qualify Mandainry Training/Courses a
28.	ASI Hamayun No. 651/MR	Mardan District	per Police Rules 19-25A, earning us marks with
			six months.
·			Recommended for promotion Conditional He shall qualify Mandatory Training/Courses
29	ASI Iftikhar Shah No. 566/MR	Swabi District	per Police Rules 19-25A, earning 03 marks with
29			l niv monthe
<u> </u>			Recommended for promotion Conditional He shall qualify Mandatory Training/Courses
:	ASI Aziz Ur Rahman No.	Mardan District	per Police Rules 19-25A, earning 08 marks with
30	582/MR	· ·	eiv months
	· · · · · · · · · · · · · · · · · · ·		Decommended for promotion Conditional
	ASI Syed Saleem Nawaz No.	Mardan District	He shall qualify Mandatory Training/Courses per Police Rules 19-25A, earning 07 marks with
31.	652/MR	Maruan District	six months.
			Recommanded for promotion Conditional
	ASI Ayaz Muhammad No.		Lie chall qualify Mandatory Training/Courses
32 .	653/MR	Swabi District	per Police Rules 19-25A, earning us marks with
,			six months. Recommended for promotion Conditional
,			Like shall qualify Mandatory Training/Courses
33.	ASI Niaz Ali No. 567/MR	Mardan District	per Police Rules 19-25A, earning 07 marks with
			six months. Recommended for promotion Conditional
	······································		Recommended for promotion constantial He shall-qualify Mandatory Training/Courses
34.	ASI Abdul Salam No. 568/MR	Mardan District	per Police Rules 19-25A, earning 05 marks with
J4.			riv months
		•	Recommended for promotion Conditional He shall qualify Mandatory Training/Courses
·	ASI Javid No. 569/MR	Mardan District	per Police Rules 19-25A, earling 07 merks with
35.	ASI JAVIO NO. JOSHVII V		six months
		<u>- , </u>	Recommended for promotion Conditional
		Atendon District	Line chall qualify Mandatory Training/Courses
36.	ASI Jehangir Khan No. 57.0/MR	Mardan District	per Police Rules 19-25A, earning 06 marks with
· · .	· · · · · · · · · · · · · · · · · · ·	,	six months. Recommended for promotion Conditional
	· · · · · · · · · · · · · · · · · · ·	On deputation to Elite Force KPK	Little - holl qualify Mandatory Traintino/Courses
37.	ASI Muhammad Zubair No.	from Swabi	per Police Rules 19-25A, earning 05 marks with
· ·	654/MR	District	six months.
	1		Recommended for promotion Conditional He shall qualify Mandatory Training/Courses
	ASI Parwar Ali No. 571/MR	Mardan District	Per Police Rules 19-25A, earning 07 marks with
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39.		On deputation to	Subject to production of satisfactory ACR for 1 year 2014 within 15 days. He shall qua
	ASI Shah Hussain No. 572/MR	CTD KPK from	Mandatory Training/Courses as per Police Ru
	The chair recount for the	Swabi District	10.254 earning 06 marks within six months.
			Recommended for promotion Conditional
/		Swabi District	Lie shall qualify Mandatory Training/Courses
40	ASI Shahi Mulk No. 655/MR	Swadi District	per Police Rules 19-25A, earning 07 marks with
			six months. Recommended for promotion Conditional
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	ASI litaf Hussain No. 573/MR	Mardan District	Luna pot & 2 2017 within 15 days. He shall gua
41.	ASHILAT HUSSAIN NO. 57 SHAR		Mandatory Training/Courses as per Police Rul 19-25A, earning 09 marks within six months:
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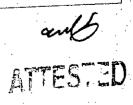
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		AILNIA STAINAR	Swabi District	Recommended_for_promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within
	42.	ASI Janab Ali No. 574/MR —		six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as
ч. Э	43.	ASI Zulfiqar No. 575/MR	Mardan District	per Police Rules 19-25A, earning 05 marks marks six months.
-	44	ASI Shahab Ali No. 576/MR	Swabi District	He shall qualify Mandatory TrainingCourses of per Police Rules 19-25A, earning 09 marks within six months.
	45	ASI Niaz Muhammad No. 577/MR	On deputation to CCP/Peshawar from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months.
· · ·	46.	ASI Muhammad Zahir No. 578/MR	On deputation to CTD KPK from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months. Recommended for promotion Conditionally.
	47.	ASI Ghaffar Ali No. 656/MR	Swabi District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months. I
	48.	ASI Subhan Ullah No. 657/MR	Swabi District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within air months
	49.	ASI Farooq No. 579/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months. Recommended for promotion Conditionally.
	50.	ASI Gul Bahadar No. 580/MR	Mardan District	Recommended for promotion conditionally. Resonance as the shall quality-Mandatory-Training/Courses as per Police Rules 19-25A, earning 07 marks within six months. Recommended for promotion Conditionally.
	51.	ASI Fawad Ali No. 581/MR	Mardan District	He shall dualify Mandatory. Training/Courses as per Police Rules 19-25A, earning 06 marks within six months. Recommended for promotion Conditionally.
	52	ASTBakht Zada No: 583/MR	-Mardan District	He shall qualify Mandatory Training/Courses as per Police Rules-19-25A, earning 07 marks within six months. Recommended for promotion Conditionally.
	53.	ASI Muhammad Tahir No. 718/MR	Mardan District	He shall qualify Mandalory Training/Courses as per Police Rules 19-25A, earning 03 marks within six months. Recommended for promotion Conditionally.
· · · · ·	54.	- ad Ahmad No. 713/MR	Nowshera District	He shall qualify Mandatory training/courses as per Police Rules 19-25A, earning 07 marks within six months.
-	- 55.	e Alam No. 58-	On deputation to CCP/Peshawar from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks within six months.
· ·	56	ASI Wajid Ali No. 585/MR	On deputation to Elite Force KPK from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandalory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months. Recommended for promotion Conditionally.
	57.	ASI Shah Jehan No. 586/MR	On deputation to CTD KPK from Mardan District	He shall qualify Mandatory Training Courses as per Police Rules 19-25A, earning 07 marks within six months.
•	58.	ASI Niaz Muhammad No. 587/MR	On deputation to Elite Force KPK from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.

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	- : - :	453 Barrier 410 450 462	Marter Dazoz	Recommended for promotion Conditionally, ne shall guality Mandatory Training/Courses as per Api ce Rules 19-25A, earning 09 marks when its months:	
6	0.	ASS MENTER ADJECT No. 719/NR	On deputation to CCP/Peshawar from Swabi Distinct	He shall guarry manualon manualon manualon per Police Rules 19-25A, earning OBmarks within six months.	
6	1.	ASBRab.Rawaz Na. S83/MR	Swatt District	Recommended for promotion Conditionally. He shill qualify Mandatory Training/Courses as per Police-Rules 19-25A, earning OS marks within six months.	
	2	ASI Rashid An No. 590/71R	Swabi District	Recommanded for promotion Conditionally. No shall qualify Handatory Training/Courses as per Police Rules-19-25A, earning OSmarks within six months.	
	S S S S S S S	ASI INCER AS NO. 591/MR	Mardan District	Recommended for promotion Conditionally- the shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.	
	S 51	ASS Israr Hussain Ho. 721/HR	Swa3i District	Recommended for promation Conditionally He shot quality Mandatory Training/Courses as per Police Rufes 19-254, earning 05 marks within six months.	
	65	AST Mutaffar Ro. 592/MR	-Charabóda Distriti	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Posce. Rules: 13-254, certaing: 06 merks within six months.	
	<b>8</b>	ASI Abid Uligh Bio, 593/MR	Mardan District	Recommended for promotion Conditionally- He shall qualify. Mandotory Training/Courses as per Police Rules. 19-254, earning 05 marks within six months.	-6
	<b>67.</b>	ASI Raz Muhammad No. 660/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mendolory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months	TTESTE
	<b>3</b>	ASI Fazal Khuda No. 594/MR	Charsadda District	Recommended for promotion Conditionally: He shall qualify Handatory Training/Courses as per Police Rules 19-25A, caming 107 marks within six months	
)	59.	ASI Felek Niez No. 595/HR	Charsadda District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2017 within 15 days. Her shall qualify Handatory Training/Courses as per Police Rules. 19-25A, earning 05 marks within six months.	A gra
	10.	ASLANN AN NG 642/MR	-On-deputation to- Special Branch from Mardan District	Recommended for promotion Conditionally He shall quality Handatory Training/Courses;as: per Police Rules 19-25A, earning 02 marks, within six months	ATTEST
	1	ASI Muhammad (Lyas flo. S96/MR 23	Snadi District	Recommended for promotion Conditionally Subject to production of solts/actory, ACR for the year 2016 within 15 days. He shall qualify Mandetory Training/Courses as per folker Rules; 19-25A, earning 08 marks within slip months for	10.22
	2.	ASI Mujehid No. 722/MR	Charsadue District	Recommended for promotion Conditionally, He shall qualify Handatory Training/Courses as per Police Rules 19-25A, carring 08 marker within six months.	
一世二	<b>3</b> .	SSE Sartaj Khan Ho. S97/HR	tlardan District	Recommended for promotion Conditionally, Subject to production of satisfactory ACR for the year, 2017. within 15 days. He shall qualify Mandedory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.	
		And a second and a s	Harrison, Sitemant	Recommanded for promotion Conditionally. Subject to production of safethetory ACRs for the year 2014 & 2015 within 15 days. He shall cushing Mandatory Training/Courses as per Price 2044 19-254, carving 07 marks within	
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	. –			Recommended for promotion Conditionally.
	59.	ASI Basar No. 659/MR	Mardan Qistrict	He shall qualify Mandatory Training-Courses us per Police Rules 19-25A, earning 09 marks within six months
	<sup>.</sup> 60.	ASI Iftikhar Ahmad No. 719/MR	On deputation to CCP/Peshawar from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
•	61.	ASI Rab Nawa No. 589/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
	: 62.	ASI Rashid Ali No. 590/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
	63.	ASI Intezar Ali No. 591/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
-	64	ASI Israr Hussain No. 721/MR	Swabi District	Recommended_for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within
:	65.	ASI Muzaffar No. 592/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within
. /	66,	ASI Abid Ullah No. 593/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months. Recommended for promotion Conditionally.
	67.	ASI Raz Muhammad No. 660/MR	Swabi District	He shall qualify Mandatory Training/Courses_as. per Police Rules 19-25A, earning 08 marks within six months: Recommended for promotion Conditionally.
: :	68.	ASI Fazal Khuda No. 594/MR	Charsadda District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within a in months.
. ·	69.	ASI Falak Niaz No. 595/MR	Charsadda District	Recommended for promotion Conditionally. Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2017 – within 15 days. He shall qualify- Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
	70.	ASI Abid Ali No. 642/MR	On deputation to Special Branch from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within- six months. Recommended for promotion Conditionally.
	71.	ASI Muhammad ilyas No. 596/MR	Swabi District	Subject to production of satisfactory ACK for the year 2016 within 15 days. He. shall qualify Mandatory Training/Courses as per Police Rules 19.255 earning 08 marks within six months.
х <b>Р</b>	72.	ASI Mujahid No. 722/MR	Charsadda District	Recommended for promotion conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within all months.
· ·	73.	ASI Sartaj Khan No. 597/MR	Mardan District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months. Recommended for promotion Conditionally.
	74.	ASI Maneer Khan No. 714/MR	- Mardan District	Recommended for promotion occurrently, Subject to production of satisfactory ACR for the year 2014 & 2015 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.

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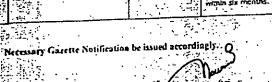
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(76.) . he	ASI Jamsted Knes to. 555/ts	Marden District	Recommended for promotion Conditionality. He shall qualify Handatory Training/Courses as For Police Rules 19-25A, earning 04 marts within Six months.
		· .	Conditionally.
. 17,	ASI Lugman Knen No. 600/HR	Seati Ostria	Recommended for promotion Courses as: He shall quality Mandatory Training/Courses as: per Police Rules 19-254, earning: 02: marks within Ski mentmi:
-f-		ľ .	Conditionally.
78,	AST Ferril Suchan Inc. 601/HR	Serabi Disonce	Recommanded for promotion Conditionally, He shall quality Handatory Training/Courses as per Police Rules, 19-25A - carring 08, mana within size months
1.11	All and a second se		Conditionally.'
- 79.	ASI Jehanger No. 723/HR	Charsedde District	He shall duoliny marked and a shall be
4		L	Conditionally
		Mandan DELINC	He shall qualify Horizana our Police Rules 19-25A, carring-01 mark within -
		·	Recommended for promotion Conditionally.
<b></b> .	ASI Juned Al No: 4/13/HR	Swate District	Recommended for provided the residual sector of the state of the state of the state of the sector of
	- 2017 - P.		Recommended for promotion Conditionally
े संस	ASI Syro ILLAI Hassan IIA.	Smath District	No shah quality manuality carning 07 ments per Police Rules 19-254, earning 07 ments wants six months.
		· · · · · · · · ·	Recommended for promotion Conditionally,
1 / 1 101	ASI NORD US DIA NO. 605/MR -	Hartan District	He shell quality remaining coming (08) marks per Police Rules 19-254 coming (08) marks within six months
			Recommended.for.promotion Conditionally.
04.	AST Abdul Jabbar No. 606/HR	Mardan District	He shall quality Handstory coming 209 ments per Poace Rules 19-25A, coming 209 ments within six menths.

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(Muhammad Ali Khan)PSP Regional Police Officer, Mardan

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<u> </u>			Recommended for promotion Conditionally.
75	ASI Hussain Ali No. 598/MR	Mardan District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months
76.	ASI Jamshed Khan No. 599/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months.
77.	ASI Luqman Khan No. 600/MR	Swabi District -	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months.
78.	ASI Fazal Subhan No. 601/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
 79.	ASt Jehangir No. 723/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
80.	ASI Ghazanfar Mahmood No. 602/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as oper Police Rules 19-25A, earning 01 mark within six months.
81.	ASI Jehad Ali No. 603/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Polica Rules 19-25A, earning 05 marks within six months.
82	ASI Syed Iltaf Hussain No. 604/MR	Swabi District	Recommended for promotion. Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, éaming 07 marks within six months.
83.	ASI Niqab Ud Din No. 605/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify_Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
84.	ASI Abdui Jabbar No. 606/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Qourses as per Police Rules 19-25A, earning 09 marks within six months

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Necessary Gazette Notification be issued accordingly.

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Sd/-(Muhammad Ali Khan) PSP Regional Police Officer, Mardan.

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#### GOVERNMENT OF KHYBER PAKHTUNKHWA, OFFICE OF THE REGIONAL POLICE OFFICER, MARDAN Phone No. 0937-9230113, Fax No.0937-9230115.

Email, earcomardan@gmail.com

To: Ali District Police Officers, in Mardan Region.

No. 783-87 IES.

( D-- February, 2023.

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Subject:

## REVISED PROMOTION IN THE RANK OF OFFICIATING SUB INSPECTORS.

#### Memo:

Pursuant to the report of the committee constituted vide this office order endorsement No. 9891-93/ES dated 16.12.2022 for identifying/examining the cases of those Officiating Sub Inspectors who have been promoted against the vacant post of Sub Inspectors which were purely reserved for "Fast Track Promotion".

The Committee vide its report made the following recommendations:a. In order to rectify the above irregularity, committee unanimously recommended that Offg: promotion of Sub Inspectors of Mardan Region against the vacancies of 25% share (to be filled through competitive examination and on recommendation of Public Service Commission) vide DPCs held on 22.03 2018, 20.06.2018 and 22.01.2019 at Mardan Region Office may be considered as an adhoc promotion till occurrence of vacancy against 75 % share with the condition that promoted officers shall not claim any seniority. However, upon creation of vacancy under 75% share, the same may be considered as regular promotion. Moreover, after completion of 02 years' probation period as prescribed in Police Rules, Chapter-13 Rule-18, they may be confirmed on the basis of requisite criteria already fulfilled during the period of their adhoc promotion subject to the promotion as Offg: Sub Inspectors.

b. 49 vacant posts of Sub Inspectors at Mardan Region may be filled through regularizing the premotion of officers who were earlier promoted against the 25 % share (to be filled through competitive examination and on

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d recommendation of Public Service Commission) from date of creation of vacancies and in order of servicely

Hence, the afcrementioned tecommencations were thoroughly ofscussed in the Departmental Promotion Committee Meeting held in this office on 01.02.2023 and the committee ibid unanimously agreed with the said recommendations.

Keeping in view the above, the promotions of the following Police Officers who got promoted as Officiating Sub Inspectors in the Departmental Promotion Committee vide its meetings held on 22.03.2018, 20.06.2018 and 22.01.2019, therefore, their promotions are hereby termed as adhoc promotions except Police Officers namely Mehboob Khan No. 45/MR, Wali Muhammad No. 519/MR and Azlz Ur Rehman No. 646/MR. As according to this office record, at the time of Departmental Promotion Committee meeting vide date 22.03.2018, -03 vacancies in the rank of Sub Inspector were lying vacant against 75% share.

	Name and Number	Home District
S. No.	Alampir No. 640/MR	Mardam District
1.4	Shahen Shah No.641/MR	Swabi District
2.	Sharen Shar No.0- Mile	Mardan District
··. 3,	Raonawaz No. 528/NR	Mardan District
4.	Mohamanday No. 529/MR	Nowshera District
5.	Akhtar Hussain No. 647/MR	Swabi Cistrict
6.	Abdul Wahab No.530/MR	Mardan District
7.	Hashmat Khan No. 531/MR	Swabi District
8.	Syed Nisar Ahmad No.532/MR	Mardan Cistriot
9.	Abdul Ghaffar No. 533/MR	Mardan District
10.	Nasir Khan No. 535/MR	Mardan District
. 11.	Yaseen Shah No. 537/MR	Swabl Cistrict
, <u>,</u>	Arriad Ali No.538/MR	Mardan District
	Naeem Khan Na SMR	Mardan District
	lehandad No	Mardan District
	anzoor Ali Si ah N 410/MR	Nowshera District
	ukhtiar All N- 54	Mardan District
17.	Ziad Muhammad No. 536/MR	Mardan District
18.	Muhammad Jehangir No. 648/MR	Mardan District
12.	Faiz Muhammad No. 541/MR	Swabi District
· 2C.	Amal Khan No. 542/MR	Mardan District
21.	Amjid Ali No. 544/MR	Swabi District
22.	Fazal Hussain No. 545/MR	Swabi District
23.	Pora Khar No. 546/MR	Swabi District
24.	Muhammad Naeem No. 5477MR	Mardan District
25.	Arta Ur Rahman No. 548/MR	Swabi District
26.	Saidul Amin No. 649/MR	Merdan District
27.	Ali Akhar No. 560/MR	Mardan District
28.	Fazal Dawood No. 551/MK	Mardan District
29.	Fazal Khalig No. 552/MR	Swabi District
30.	Herpon Khan No. 173/MK	Charsadda District
31.	Syec Bahramand Shah No. 309/IV.R	Swabi District
32	Aman Ullah No. 310/MR	Owabi District

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	-4	- 12	- <del></del> .
33	Sad que Akbar No 308/MR	Strab: District	)
<u>در</u> 4ز	Humair Hussain No. 305/IAR	Varcan District	
38	Bismillah Lan No 312/VR	Swadi District	-
	, Hidayat Ullah Nc. 336/MR	Charsadda District	
37	Shabbir Ahmad No. 315/MR	Marcan District	
38.	Zanid Nawaz No. 307/MR	· Swabi District	
39.	Altaf Hussaln No. 314/MR	Swabi District	
40.	Beider Bekht No. 311/MR	Charsadda District	
. 4	Karreen Khan No. 554/MR	Mardan District	. <del>.</del>
42.	Imtiaz Khan Nc. 555/MR.	Marcan District	
43.	Khan Muhammad No. 557/MR	Swabi District	
44.	Faroog Hussain No. 558/MR	Mardan District	
45.	Ossim Khar: No. 559/MR	Swabi District	
46.	Noorul Islam No. 560/MR	Mardan District	
47.	Lavid Ahmad No. 711/MR	Margan District	
48.	Anees Ahmad No. 561/MR	Marcan District	
. 49.	Saf Ul Islam No. 582/MR	Mardan District	
<u> </u>	Umer Hayet No. 563/MR -	Swabi District	
51.	Akhtar Munir No. 564/MR	Swabi District	
52.	Shah Jehan No. 712/MR	Mardan District	
53.	Gul Ma'ik No. 565/MR	Charsadca District	
. 54.	Hamayun No. 651/MR	Mardan District	· •
55.	Ifikhar Shah No. 566/MR	Swabi District	-
<u> </u>	Aziz Ur Rahman No. 582/MR	Mardan District	
57.	Syed Saleem Nawaz No. 652/MR		-
58.	Ayaz Muhammad No. 653/MR	Swabi District	1 =
.59.	Niaz Ali No. 557/MR	Ada ante a Diatrich	<b>1</b> 0
. <u>E0.</u>	Abdul Salam No. 568/MR	Mardan District	STED
<u>61,</u>	Javid No. 569/MR	Mardan District	SIED
62.	Jehangir Khan No. 570/MR Muhammad Zubair No. 654/MR	Swabi District	
63.	Parwar Ali No. 571/MR	Mardan District	
64.	Shah Hussair No. 572/MR	Swabl District	、
<u> </u>	Shahi Mulk No. 655/MR	Swabi District	
67.	Illar Hussain No. 573/MR	Mardan District	C 40
<u> </u>	Janab Ali No. 574/MR	Swabl District	
69.	Zulfigar No. 575/MR	Mardan District	Late
. 70.	Shahab All No. 576/MR	Swahl District	
71.	Niaz Muhammad No. 577/MR		FRUE COP
72.	Muhammad Zahir No. 578/MR	Mardan District 10	BETHNOL
75.	Ghaffar Ali No. 855/MR	Svabi District	N .
74.	Subhan Ulah No. 657/MR	Svabi District	
75,	* Faroog No. 579/MR	Swabl District	
76.	Gul Bahadar No. 580/MR	Mardan District	
77.	Fawad Ali No. 581/MR	Mardan District	
78.	Bakht Zada No. 583/MR	Mardan District	•
. 75.	i Muhammad Tahir No: 718/MR	: Mardan District	•
80.	Saj'ad Ahmad No. 713/MR	Nowshera District	
81.	Fakhre Alam No. 584/MR	Mardan District	
82.	Wajid All No. 565/MR	Mardan District	
83.	Shah Jehan No. 586/MR	Marden District	
<u></u>	Niaz Muhammad Nc. 587/MR	Mardan District	
<u>85.</u>	Basar No 659/MR	Swabi District	
	If khar Ahmac No. 719/MR	Swabi District	
<u>57</u> .: 68.	Rab Nawaz No. 589/MR Rashid Ali No. 390/MR	Swabi District	
	Intezar Ali No. 691/MR	Mardan District	
90.	Israr Hussain No. 721/MR	Swabl District	
		· · · ·	

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	100/142	I Charsadca District
91.	VUZALICE NO. 5521	Mardan District
. 92.	Abid Ullah No. 593/MR	Swabi District
93.	Raz Muhammad No. 860/MR	Charsadda Districi
94.	Fazal Khuda No. 594/MR	Charsadda District
.95.	Falak Niaz No. 595/MR	Mardan District
96.	Abid All No. 642/MR	Maroan District
97.	Muhammad ILyas No. 596/MR	Swabl District
98.	Muighid No. 722/MR	- Charsadda District
99.	Sartal Khan No. 597/MR	Marcian District
100.	Maneer Khan No. 714/MR	Maroan District
101.	Hussaln All No. 598/MR	Mardan District
102.	Jamshed-Khan-No. 599/MR	Mardan District
· C3.	Lugman Khan No. 600/MR	Swabi District
	Fazal Subhan No. 601/MR	Swabi District
<u>C4.</u>	Jehangir No. 723/MR	· Charsadoa District
105.	Jenangii No. 123/MR	Mardan District
106.	Ghazanfar Mahmood No. 602/MR	Swabi District
107.	Jehad All No. 603/MR	Swabi District
108.	Syed ILtaf Hussalr. No. 604/MR	Mardan District
C9,	Nigab Ud Din-No. 605/MR	Mardan District
110.	Abdul Jabbar No. 606/MR	I Marcia i Cistriot

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Moreover, upon creation of vacancy under 75% share, the adhoc promotions in the rank of Sub inspectors will be considered as regularized Officiating Sub inspectors as per order of seniority, from date of creation of vacancy.

It is pertinent to mention here that after promotion as Officiating Subinspector, their cases for confirmation will be dealt as per Police Rules, 1934 Chapter-13 Rule-18, on the basis of requisite criteria already fulfilled during the period of their adhoc promotion.



(MUHAMMAD ALI KHAN)PSP ——Regional Police Officer, Mardan

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#### GOVERNMENT OF KHYBER PAKHTUNKHWA. OFFICE OF THE REGIONAL POLICE OFFICER. MARDAN Phone No. 0937-9230113, Fax No.0937-9230115. Email. <u>esrpomardan@gmail.com</u>

All District Police Officers. in Mardan Region.

# No. 793 -97 JES.

## O , February, 2023.

Subject:

To:

# REVISED PROMOTION IN THE RANK OFFICIATING SUB

Memo: In continuation to this office-Memo: No. 783-87/ES dated 10 02 2022 on the subject\_noted above.

Upon creation of vacancy under 75% share, the achoc promotions in the rank of Sub Inspectors of the following Police Officers of this Region are hereby regularized as Officiating Sub Inspectors from date mentioned against each.

Moreover, the cases of the below mentioned Police Officers for confirmation will be dealt as per Police Rules. 1934 Chapter-13 Rule-18, on the basis of requisite criteria already fulfilled during the period of their adhoc promotion.

S. No.	Name and Number	Home District	Date of Promotion as Offg: Sub Inspector
	Alamgir No. 640/MR	Mardan District	14.04.2018
<u>-</u>	Sashen Shah No.641/MR	J Swabi District	24.04.2018
3	Rabrawaz No. 528/MR	Mardar District	27.07.2018
	Mohamanday Nc. 529/MR	Mardar District	30.07.2018
<u>4.</u> 5.	Achtar Hussain No. 347/MR	Nowshera District	09.10.2018
<u>5.</u> 6.	Abdul Wahab No.530/NR	Swabi District	01.02.2019
	Hashmat Khan No. 531/MR	Mardan District	28.02.2019
8,	Syed Nisar Ahmad No.532/MR	Swabi District	03.04.2019
9.	Abdul Ghaffar No. 533/MR	Mardan District	15.04.2019
10.	Nasir Khan No. 535/MR	Mardan District	20.04.2019
11.	Yaseen Shah No. 537/MR	Mardan District	24.04.2019
12.	Amjad Ali No.538/MR	Swabi District	15.06.2019
13.	Nasem Khan No. 539/MR	Mardan District	05.07.2019
14.	Jehandad No. 540/MR	Mardan District	31.07.2019
15.	Manzoor Ali Shah No. 410/MR	Mardan District	14.10.2019
13.	Mukttiar Ali No. 543 MR	Nowshera District	31.12.2019
17.	Zlad Muhammad No. 536/MR	Mardan District	31.01.2020
15,	Muhammad Jehangir No. 648/MR	Mardan District	03.02.2020
. 19.	Faiz Muhammac No. 541/MR	Mardan District	09.02.2020
20.	Arnal Khen No. 542/MR	Swabi District	31.03.2020
21.	Amjid All No. 544/MR	Mardan District	1 31.03.2920
22.	Fazai Hussain No. 546/MR	- Sweb District	05.04.2020
21	Raza Khan No. 546/MR	Swab District	12.04.2020

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• •	THE THE PARTY AND	Swabl Distric:	30.04.2020
	Muhammad Naeem No. 547/MR	Marcan District	19.05.2020
24		Swabi District	02.05.2020
25.	Colory Amin NO. Consider	Marcian District	30.05.2020
26.		Marcan District	· 31.07.2020
27.	E Easel Dawood No. 35 MMIN	Marcan District	01.03.2020
28.	Fazal Khaliq No. 552,MR		. 01.03.2020
25.	Harocri Khan No.173/MR	Swabi Distric:	02.08.2020
- 3C.	Haroch Islan	Charsacda	
31,	Syed Bahramand Shah No. 3C2/MR	Districi	11.03.2020
	Aman Ulah No. 310/MR	Swabi District	02.09.2020
s 32.	Sadigue Akbar No. 3C8/MR	-Swabi-Distric:	28.09.2020
- 33.	Humsir Hussein No. 305/MR	Mardan District	30.09.2020
r 34:	B smillah Jan No. 312/MR	Swabi District	
35.		Charsadda	15.10.2020
36.	Hideyst Ulah No. 306/MR	District	1 2000
		Mardan District	26.11.2020
. 37.	Shabbir Ahmac No. 315/MR	Swabi District	01.01.2021
- 38.	Zahid Nawaz No. 3C7/MR	Swabi District	10.01.2021
. 39.	A taf Hussain No. 314 NR	Charsadda	12.04.2021
40.	Baidar Bakht No. 311/MR	District	· · · · · · · · · · · · · · · · · · ·
		Mardan District	12.04.2021
41.	Kameen Khan No. 554/MR	Mardan District	29,06.2021
42.	Imtiaz Khan Nc. 555/MR	Swabl District	03.09.2021
43.	Khan Muhammad No. 557/MR		11.03.2022
44.	Qasim Khan No. 539/MR	Swabl District	01.04.2022
45.	Noorul Islam No. 560/MR	Mardan District	02.04.2022
45.	Javid Ahmad No. 711/MR	Mardan District	
the second se	Anees Ahmad No. 561/MR	Mardan District	31.10.2022
47.	Saif Ul Islam No. 582/MR	Mardan District	05.01.2023
	Sal Olisian IV. Comme		



(MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan.

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Diarly No#4942(CPB Dauted 27/02/2023

## Before the Provincial Police Officer Khyber Pakhtunkhwa Peshawar.

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Departmental appeal against the order issued vide Letter No; 783-87/ES dated 10-02-2023 whereby the officiating promotion order of the appellant has been termed as adhoc promotion.

# **Respectfully Submitted:**-

- 1. That the appellant was initially enlisted as Constable in Police department on 15-06-1994, was promoted as Head Constable in the year 2008, was then promoted as ASI in the year 2017 and after being confirmed as ASI was lastly promoted as Officiating Sub Inspector in the year 2019. During service the appellant qualified various courses including Lower School Course, Intermediate and Upper School Course and is presently serving in police department of Mardan Region. The appellant along with others was confirmed as ASI on list "E" of Mardan Region, upon the recommendations of departmental promotion committee in its meeting held on 22-11-2019 and was accordingly promoted along with others as Officiating Sub Inspectors (BPS 14) vide Letter/Order dated 11-02-2019 by the Regional Police Officer Mardan. (Copy of Letter/Order dated 22-11-2019 is enclosed as annexure A).
- **2.** That the appellant since enlistment performed his duties with honesty and full devotion and to entire satisfaction of his high ups.
- **3.** That strangely the promotion order of the appellant was termed as adhoc promotion vide Letter/Order issued vide NO 783-87/ES dated 10-02-2023, without assigning any valid/legal reason by the Regional Police Officer Mardan. (Copy of Letter dated 10-02-2023 is enclosed as annexure B).



**4.** That subsequently vide Letter/Order issued vide No 793-97/ES dated 10-02-2023, forty eight of the stated adhoc promotees were regularized as Officiating Sub Inspectors from various dates. (Copy of the Letter No 793-97/ES dated 10-02-2023 is enclosed as annexure C).

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- **5.** That the impugned Letter/Order issued vide No 483-87/ES dated 10-02-2023 to the extent of appellant is against the law, facts and principles of justice.
- **6.** That the impugned order is illegal and void ab-initio being passed ex parte, the appellant has been condemned unheard.
- 7. That the impugned order is against the principles of natural justice besides in violation of Article 4, 10 and 25 of the Constitution of Pakistan. There is no omission or commission on part of the appellant. No Charge Sheet and Show Cause Notice were issued to the appellant, nor any regular inquiry was conducted in the matter. The appellant was promoted after due process of Taw besides upon the recommendation of departmental promotion committee, as such vested rights had accrued in favor of the appellant from which he cannot be deprived.
- **8.** That the appellant even completed his Pole "A" and Pole :B" period besides various courses, required for confirmation as Sub Inspector, as such was hopeful of his confirmation as Sub Inspector but shockingly the impugned order was passed in violation of law and rules.
- **9.** That the appellant was entitled for confirmation as SI after rendering two year service as officiating SI but his officiating promotion was even termed as adhoc.
- **10.** That the appellant was promoted as officiating SI against the vacant valid vacancy.



11. That even there is no eligible candidate in Fast Track quota, as in the year 2022/2023 eleven candidates had applied for promotion in Fast Track quota, of whom six candidates did not appear in exam while the rest five remained unsuccessful in exam, thus too the impugned order is liable to be set at naught.

It is therefore requested that on acceptance of this appeal, the impugned Letter/Order issued vide No 783-87/ES dated 10-02-2023 to the extent of the appellant may kindly be set aside thereby restoring his officiating promotion order dated 11-02-2019, with all benefits.

Shahi Mulk, Officiating Sub Inspector No 655/MR, PS Swabi City



## CHAPTER XIII --- PROMOTIONS

(3) Superintendents shall submit annually to the Deputy Inspector-General by  $y_{r_{s}}$ 15<sup>5</sup> January confidential reports in form 13.17-A on the working of all gazetted officers  $c_{sr_{s}}$ under them. Deputy Inspector-General will add their own remarks and forward the reports to  $r_{sr_{s}}$ the Inspector-General, on or before the 15<sup>th</sup> February.

The gist of adverse reports shall be communicated in written to the officers concerned subject to the conditions specified in paragraph 7 of Punjab Government Consolidated Circular Ie, 1 and their acknowledgment shall be taken and attached to their personal files.

(4) The names and designation of the officers writing reports shall invariably te typed or written in block letters below their signatures.

(5) Reporting officers shall comment generally on the way in which the officer has carried out his various duties during the year and shall give an estimate of his personality, character and abilities, including detective powers and ability to conduct prosecutions. The report shall contain an opinion on any point specially required at any particular time, e.g. fitness to pass an efficiency bar. Particular mention shall be made of the officer's relations with his fellow officers and general public and his honestly.

#### Comments

Annual Confidential Report. Adverse remarks-Object of conveying adverse remarks to individual Officer explained-Un-conveyed adverse remarks in a Confidential Report are to be ignored for purposes of promotion and also for purposes of retirement."

-Annual Confidential Report. Action on basis bl. Consecutive reports on integrity as "cannot be vouched" "doubtful" and "controversial"-Reports categorised as "B" and, not as "C". Action taken on such reports, held, not valid according to Rules.?

-Reversion from officiating promotion and removal from list "D.'-Head Constable appointed as Officiating Assistant Sub-Inspector-Not found fit to hold such rank due to uneven service record-Reverted but kept on list "C" and given chance to improve his work and conduct by placing him under special report-Subsequently also reported to have doubtful integrity and censured-Reversion as Head Constable and removal from list "D" in circumstances, held, perfectly justified-Appeal dismissed by Service Tribunal-Punjab Service Tribunals Act (IX of 1974), S. 4.<sup>3</sup>

13.18. Probationary period of promotion.— All Police Officers promoted in rank shall be on probation for two years; provided that the appointing authority may, be a special order in each case, permit periods of officialing service to count towards the period of probation. On the conclusion of the probationary period a report shall be rendered to the authority empowered to confirm the promotion who shall either confirm the officer or revert him. In no case shall be period

1988 PLC(CS) 685

1981 PLC(CS) 748

1983 PLC(CS) 631

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# CHAPTER NHI -- PROMOTIONS

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at probation be extended beyond two years and the confirming authority must arrive at a definite decision within that period whether the officer should be confirmed or reverted. While on probation officers may be reverted without departmental proceedings. Such reversion shall not be considered reduction for the purposes of rule 16.4.

This rule shall not apply to constables and Sub-Inspectors promoted to the selection grade, whose case is governed by rules 13.5 and 13.4.

#### Comments

Civil servant had challenged out of turn promotion granted to opposing civil servant by Service Tribunal. Service Tribunal, on appeal filed by opposing civil servant, taking into consideration his satisfactory service record and award of cash and commendation certificates by consideration his satisfactory service record and award of cash and commendation certificates by Authorities, granted him out of turn promotion. Service Tribunal had rightly granted relief prayed for-Authorities, granted him out of principle of consistency. Judgment of Service Tribunal not suffering by opposing civil servant on principle of consistency. Judgment of Service Tribunal not suffering from any detect in law, could not be interfered with. No question of law of public importance being involved to warrant interference, under Art. 212(3) of Constitution of Pakistar (1973), petition filed by civil servant which otherwise was barred by time was dismissed.<sup>1</sup>

Order of probation, cancellation of-Held, and competent authority under Rules is vested with powers to cancel order of probation after giving reasons.<sup>2</sup>

Tribunal had set aside orders passed by Authority relusing to confirm\_appellant/civil servant as 'Inspector' from date of his promotion with a direction to consider his case in terms of 0.13.18 of Punjab Police Rules , 1934 , but orders/judgments of Service Tribunal we're frustrated by the Authority. Orders judgments of Service Tribunal were not challenged by Authority before Supreme Court. Service Tribunal being appellate forum for aggrieved civil servants and being substitute for High Court vide Art. 212 of Constitution of Pakistan (1973), its judgments/orders must receive consideration and respect and Authority was bound to comply with same in its true perspective.<sup>3</sup>

Civil servant had challenged out of turn promotion granted to opposing civil servant by Service Tribunal. Service Tribunal., on appeal filed by opposing civil servant, taking into consideration his satisfactory service record and award of cash and commendation certificates by Authorities, granted him out of turn promotion. Service Tribunal had rightly granted relief prayed for by opposing civil servant on principle of consistency. Judgment of Service Tribunal not suffering from any defect in law, could not be interfered with. No question of law of public importance being involved to warrant interference, under Art. 212(3) of Constitution of Pakistan (1973), petition filed by civil servant which otherwise was barred by time was dismissed.<sup>4</sup>



1999 PLC(CS) 1381 1984 PLC(CS) 625 2000 PLC(CS) 697 1999 SCMR 1594

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#### О<del>грісе о</del>г тик INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Central Police Office, Peshawar. 05 / 05 / 2023. dated the

1538.44/ Legal

Regional Police Officer,

GUIDELINES REGARDING CONFIRMATION IN THE RANK OF ASLAND SI

Memo:

Subject:

10:

Please refer to the subject cited above.

CPO Peshawar vide letter No. CPO/CPB/63 dated 13.02.2023 had e-arveyed to all regithat ASIs promoted from a lower rank shall be confirmed on the termination of 02 years of probaperiod with immediate effect i.e. on the date his probation period actually completes and not from the taof officiating promotion as ASI in the light of Rule, 13,18 of Police Rules, 1934, Similarly, CPO/CPB/64 dated 13.02.2023, it has been conveyed that Assistant Sub Inspectors appointed linear (PASIs) shall be confirmed in their appointments on the termination of three years probationary nerve with immediate effect, not with retrospective effect that is from the date of their appointments by the Range Deputy Inspector General of Police in the spirit of Rules 12.18 and Rules 19.25(5) of Police Rule

1934.

please.

In this regard, the Hon'ble Supreme Court of Pakistan vide its Judgment in Musa Warraich case Vs IGP Punjab (PLD 1985 SC 159), has underlined the difference between the date appointment and date of confirmation and has further held that the final seniority of the Officers we reckoned from the date of confirmation of the Officers, not from the date of appointment.

Moreover, CPO Peshawar letter No. CPO/CPB/68 dated 28.02.2022 is also in field the which directions were issued to all regions which heads of Khyber Pakhtunkhwa Police regarded confirmation in the light of Rule 13.18 of Police Rules, 1934

Therefore, instructions contained in the above letters may be followed in letter and spira.

(SABIR AHMAD) Additional Inspector General of Police. Headquarters, Khyber Pakhtunkinva. Peshawar.

PSO to W/ IGP, Khyber Pakhtunkhwa, Peshiwar, PA to DIG/ HQrs: Khyber Pakhtunkhwa, Peshawar Incharge, CP Branch, CPO, Peshawar



## OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

CLEAN Copy

#### No. 1638-41/Legal

#### dated the 05-05-2023.

The Regional Police Officer. Bannu.

Subject: GUIDELINES REGARDING CONFIRMATION IN THE RANK OF ASLAND SI.

Memo

То

## Please refer to the subject cited above.

CPO Peshawar vide letter No. CPO/CPB(63 dated 13 02.2023 had conveyed to all regions That ASIs promoted from a lower rank shall be confirmed on the termination of 1 year of motion period with immediate effect i.e on the date his probation period actually completes and not from the vide of officiating promotion at ASI in the light of Rule 13.18 of Police Rules, 1934) similarly Vide CPO/CPE/64 dated 13.02.2003, it has been conveyed that Assistant Sub Inspector appointed (PAS) shall be confirmed in their appointments on the termination of three years probationary period with date effect, not with retrospective effect that is from the date of their appointments by the Range Deputy Inspector General of Police in the spirit of Rules 12.18 and Rules 19:25(5) of police Rules 1934.

In this regard, the Hon'ble Supreme Court of Pakistan vide it judgment and Mushtaq Warraich case Vs IGP Punjab (PLD 1985 SC 159), he underlined the difference between the date of appointed and date of confirmation and has further held that the final seniority of the Office of reckoned from the date of confirmation of the Officers, not from the date of appointment.

Moreover, CPD Peshawar letter No CPO CPB/68 dated 28 02 2022 als d directions were issued to all regions unit heads of Khyber Pakhtunkhwa Police regarding conformation in the light of Rule 13.18 of Police\_Rules, 1934

ATTESTED '

Therefore, instructions contained it the above letters may be followed better and spirit, please.

(SABIR AHMAD) <sup>PSP</sup> Additional Inspector General of Police Headquarters, Khyber Pakhtunkhwa, Peshawar.

- PSO to W/IGP, Khyber Pakhtunkhwa, Peshawar.
- PA to DIG/HQr: Khyber Pakhtunkhwa, Peshawar.
- Incharge, CP Branch, CPO, Peshawar.

## VAKALATNAMA

# IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

......Petitioner/Appellant. Sharhi Mulle 

#### VERSUS

Respondents/Defendants.

We the undersigned, do hereby appoint and constitute, BASEER AHMED SHAH Advocate To act, appear and plead in the above-mentioned matter and to withdraw or compromise the said matter or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said matter and to receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said matter.

To draft and sign files at necessary pleadings, applications, objections, affidavits or other documents as shall be deemed necessary and advisable for the prosecution of the said matter at all its stages.

To employ any other Legal Practitioner, authorizing him to exercise the power as conferred on the undersigned Advocate, wherever he-may-thinkfit to do so.

AND we hereby agree to ratify whatever the Advocate or his substitute shall do in the above matter. I/We also hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter in consequence of his absence from the Court when the said matter is called up for hearing. I/We further hereby agree that in the event for the whole or any part of the fee to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the above matter. Received

by me on \_

1.

Client (s

BASEER A

IBAD UR REHMAN Advocates Peshawar

OFFICE:-Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell # 0320-1946985 Email: ahmedbaseer234@gmail.com