FORM OF ORDER SHEET

Appeal No	1227/2022

	Court c	
	Арј	peal No. 1327/2023
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/06/2023	The appeal of Mr. Shahab Khan presented today by
	٠,	Mr. Baseer Ahmad Shah Advocate. It is fixed for preliminary
		hearing before Single Bench at Peshawar on
	'n	
-		By the order of Chairman
	٠	A m
		REGISTRAR
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1327 /2023

Shahab khan

Appellant

VERSUS.

PPO & Others

.Respondents

INDEX

S. No	Description of documents	Annexure	Pages
1.	Service Appeal with Affidavit	***	1-4
2.	Stay application with Affidavit	***	5-6
3.	Copy of Letter/Order dated 11-02- 2019	Α	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	17-18
6.	Copy of departmental appeal	D	19-21
7	Copy of Police Rules 13-18 & Letter dated: 5-5-2023	E&F	22-25
8	Vakalat Nama	***	25

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	/2023	
Shahab Khan, Offi	ciating Sub Inspecto	or, No 576/MR, Incharge PAL Sawab
VE	RSUS	Appellant
1. Provincial Po 2. Regional Police 3. District Police		Pakhtunkhwa, Peshawar. Region Mardan. Respondents

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 FERMED 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.

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 24-09-2002, was promoted as Head Constable in the year 2012, and was then promoted as ASI in the year 2014.
- 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 honesty 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 & 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.
- 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.

(4)

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

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

Through

Baseer Ahmad Sha

&

Ibad Ur rehman

Advocates

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

I, Shahab Khan Officiating Sub Inspector No.576/MR, Incharge PAL Sawabi 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

ATTESTED

ADVOCA

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

	Service Ap	peal No	/2023	
Shahab k	than			Appellant
		VERSUS		Appenant
PPO & Otl	hers			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 SHA

ADVOCATE.



AFFIDAVIT

I, Shahab Khan Officiating Sub Inspector No.576/MR, Incharge PAL Sawabi 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.

Identified by

BASEER AHMAD SHAP

Advocate Peshawar

DEPONENT

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A

Government of Khyber Pakhtunkhwa

Office of the Regional Police Officer, Mardan

Phone No. 0937-9230113, Fax No. 0937-9230115.
Email Address: - esopomardan@omail.com

To:

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

// February, 2019

NO. 1190-1204/ES.

Subject: PROMOTTO

Memo:

Consequent upon recommendation by the Departmental <u>Promotion</u> 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: S1s In (8PS-14). Subject to the condition lay down against each:

5. No.	Name & Rank	Place of Posting	Decision
1.	ASI Haroon Khen No.173/HR	Swabi District	Recommended for promotion Conditionally subject to Court Decision. He shall qualify Nandatory Training/Courses as per Police Rules 19-25A, earning 07 merks within six months.
2.	PASI Syed Bahramand Smah no. 309/MR	Charzaddo Gistrict	Recommended for promotion Conditionally, He shall qualify Mondatory Treining/Courses as per Police Rules 19-25A, earning 02 marks within six months.
3.	PASI Arten Utleh No. 310/HR	Swabi District	Recommended-for promotion Conditionally. He shall quality. Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
4.	PASI Sadique Aktisir No. 306/HR	Swabi District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Ruses 19-25A, earning 07 marks within six months.
5.	PASI Humair Hussain No. 305/HR	Mardan District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, garning 04 marks within six months.
. 6.	PASI Bismitch Jen No. 312/MR .	Swabi District	Recommended for promotion Conditionally. He shall qualify Mendatory Troining/Courses as per Police Rules 19-25A, earning OS marks within six months.
7.	PASI Hidayat Uliah Ho. 306/HR	Chorsadda Olstrict	Recommended for promotion Conditionally. He shall quality Mandatory Training/Courses as per Police Rules 19-25A, coming 04 marks' walkin six months.
#	MAST STUDDER ARMSHOT NO TISHER	Hersen Doorics	Recommended for promotion Conditionally Mt staff quality. Hardstory Training/Charles at our Police Rules. 19-25A, earning Of murbs within six months.

Charles Tres



Government of Khyber Pakhtunkhwa 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.
- 2. Capital City Police Officer, Peshawar,
- 3. Deputy Inspector General of Police CTD, Khyber Pakhtunkhwa, Peshawar.
- 4. Deputy Inspector General of Police Traffic, Khyber Pakhtunkhwa, Peshawar.
- 5. Deputy Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
- AIG/BDU Khyber Pakhtunkhwa, Peshawar.
- 7. All District Police Officers, Mardan Region.
- 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 Conditionally subject to Court Decision. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, 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 as per Police Rules 19-25A, earning 02 marks within six months.
3.	PASI Aman Uliah No. 310/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as 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 as 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 quality Mandatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months.
6.	PASI Bismiliah Jan No. 312/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.
7.	PASI Hidayat ULlah No. 306/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months.
8.	PASI Shabbir Ahmad No. 315/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.



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21	AST Anecs Ahmad No. 561/HR	· · · · · · · · · · · · · · · · · · ·	Ser Police Ruses 10 20A1 enriend the marks
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9.	PASI Zahid Nawaz No. 307/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
10.	PASI Altaf Hussain No. 314/MR	Swabi District	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 Conditionally. 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.
13.	ASI Kameen Khan No. 554/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
14.	ASI Imtiaz Khan No. 555/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.
15.	ASI Waqif Khan No. 556/MR	On deputation to Special Branch from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
16.	ASI Khan Muhammad No. 557/MR	On deputation to CTD KPK from Swabl District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
17	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 from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
19.	ASI Noorul Islam No. 560/MR	On deputation to Traffic Peshawar from Mardan District	Recommended for promotion Conditionally subject to production of salisfactory ACRs for the year 2014 & 2017 with 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
20.	ASI Javid Ahmad No. 711/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify 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 19-25A, earning 06 marks within six months.
22.	ASI Saif UI 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.
23.	ASI Bashir Ahmad No. 650/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
24.	ASI Umar Hayat No. 563/MR	On deputation to BDU KPK from Swabi District	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	Recommended for promotion Conditionally. He shall qualify Mandalory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.

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	ASI GUI Malik NO. SSS/MP	; Charsadda District	per Police Rules 19-25A, earning 06 marks
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28.	ASI Hamayun No. 6512/3R	Mardan District	Cer Police Rules 19-25A, Carring US Heales
1			within six months.
 		<u> </u>	Recommended for promotion Conditionally.
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29.	ASI Initiate Shab No. 566/17R	Swabi District	per Police Rules 19-25A, earning 83 marks
-	•		within six months.
ļ		 	Recommended for promotion Conditionally.
	ASI Aziz Ur Rahman Iki:	Margan District	I was apply accepted. Mandatory Training/LDIG3C3 03 1
30.	\$82/MR	Maioni panax	per Police Rules 19-25A, earning 05 marks within six months
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			Recommended for promotion Conditionally.
	ASI Syed Saleem Nawaz IIa.	Mardon District	He shall quality Handatory Training/Courses as per Police Rules 19-25A, earning 07 marks
31.	652/HR	1	within six months.
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	ASI Ayas Muhammad Ita.		Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as
J2.	653/HR	Swabl District	per Police Rules 19-25A, earning 06 marks
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1			Recommended for promotion Conditionally.
	ASI Niaz Ali No567/MR	Hardan District	He shall qualify Mandatory Training/Courses as
33	137.4	THE GOT DISONG	per Police Rules 19-25A, earning 07 marks
1. J. P	The state of the s	j '	within six months.
	3 to	₹	Recommended for promotion Conditionally
34.	ASI Abdid Salam No. 566/MR	Mardan District	He shall qualify Handatory Training/Courses as From Police Rules 19-25A, earning, 05 marks
	The state of the s		within-six months.
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	ASI Javid Ho. 569/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as:
35.		, university programmer	per Police Rules 19-25A, earning 07 marks
. 4			within six months.
13.4		.7	Recommended for promotion Conditionally.
36.	ASI Jehangir Khan No. 570/HR	Hardan District	He shall qualify Mandatory Training/Courses as cer Police Rules 19-25A, earning 06 marks
	1		within six months.
 		70. 40.	
Arrive and	ASI Muhammad Zubair No.	On deputation to	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as
21 % 37.	654/MR	from Swabl	per Police Rules 19-25A, taming 05 marke
		District	within six months.
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38.	ASEPATWAR ALL ING. STI/HR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as
3	The state of the s		PST FUNCE RUISS 19-25A, earning 07, liter
			within six months.
1	は は は は ない	O- Heart 7 V	Recommended for promotion Conditionally:
2 : 2 : 30	ASI Shah Hussain No. 572/MR	On deputation to CTD KPK from	
39.	The state of the s	Swatt District	Handatory Training/Courses He shall qualify
			19-25A, earning 06 marks within six months.
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40	AST Short Mark No. 655/MR	Swabi District	THE PART OFFICE AND MANUAL PROPERTY OF THE PARTY OF THE P
1800			per Police Rules 19-25A, earning 07 marks within six months.
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			Recommended for promotion Conditionally.
1 4L	ASI Dar Hussam No. 573/HR		TOWARD IN DESCRIPTION AND ASSESSMENT AND ASSESSMENT AND ASSESSMENT AND ASSESSMENT ASSESS
J 3	-	Mardan District	year 2014, 2015 & 2017 womn 15 days. He shall qualify Handstory Training/Courses as per
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26.	ASI Shah Jehan No. 712/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.
27.	ASI Gul Malik No. 565/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
28.	ASI Hamayun No. 651/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.
29.	ASI iftikhar Shah No. 566/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks within six months.
30.	ASI Aziz Ur Rahman No. 582/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.
31.	ASI Syed Saleem Nawaz No. 652/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
32.	ASI Ayaz Muhammad No. 653/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.
33.	ASI Niaz Ali No. 567/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
34. -	ASI Abdul Salam No. 568/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.
; 35.	ASI Javid Np. 569/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
36.	ASI Jehangir Khan No. 570/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
37.	ASI Muhammad Zubair No. 654/MR	On deputation to Elite Force KPK from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
38. 	ASI Parwar Ali No. 571/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
39.	ASI Shah Hussain No. 572/MR	On deputation to CTD KPK from Swabi District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2014 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
40.	ASI Shahi Mulk No. 655/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
41	ASI iltaf Hussain No. 573/MR	Mardan District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2014 & 2017 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.

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	' 43.	ASł Zulfiqar No.:575/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.
1 2 1	. 44 . :	ASI Shahab Ali No. 576/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
•	45.	ASI Niaz Muhammad No. 577/MR	On deputation to CCP/Peshawar from Swabl 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.
-	47.	ASI Ghaffar Ali No. 656/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
	48.	ASI Subhan Ullah No. 657/MR	Swabi District	Recommended for promotion Conditionally, He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six 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.
	50	ASI Gul Bahadar No. 580/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
	51.	ASI Fawad All No. 581/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
	52.	ASI Bakht Zada No. 583/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
,	53.	ASI Muhammad Tahir No. 718/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks within six months.
	54.	ASI Sajjad Ahmad No. 713/MR	Nowshera District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
	.5 5 .	ASI Fakhre Alam No. 584/MR	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 Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months.
-	. 57.	ASI Shah Jehan No. 586/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 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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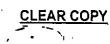
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61.	ASS AND ROWAL NO. 589/HG	Swattl District	Recommended for promotion Conditionally. He shall quality Handatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
62.	ASS RESING AN No. 590/MR	Swabi Distract	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning OBmarks within six months.
, 63.	ASE INDEZER AS NO. 591/HR	Hamlan District	Recommended for promotion Conditionally, rie shall qualify. Handstory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
64.	ASS Israr Hussain No. 721/HR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
65.	ASI MULATAF No. S92/NR	-Otarsadda Ottaric	Recommended for promotion Conditionally. He shall qualify Handstory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
66.	AST Abid Ullah Ko. 593/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Hundatory Training/Courses as per-police Rules 19-25A, earning 05 marks within six months.
67.	AST Raz Muhammad No. 660/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mendatory Training/Courses as per Podca Rules 19-25A, earning 08 market within shr months.
68.	ASI Fazai Khuda No. 594/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, saming 07 marks within shr months.
69.	ASI Folek Niez No. 595/HR	Charsacola District	Recommended for premotion Conditionally. Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
70	ASI Abid AH NO: 642/MR	On-deputation-to- Special Branch from Mardan Oistnet	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as: per Police Rules 19-25A; earning 02 marks within six months.
71. 5	SI Muhammad ILyas IIo. Migyar	Swabi Oistnet	Recommended for promotion Conditionally Subject to production of satisfactory ACR for the year 2016 within 15 days. He shall quality Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months
72. A	SI Hujanid No. 722/HR	hersedde District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, carning 08 marks within six months.
73.	SESATIA) Khan Ho, S97/MR	Inardan District	Recommended for premotion Conditionally, Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning 09 marks within 31x months.
24 45	2	Morelet Objects	Recommended for promotion Conditionally. Subject to production of satisfactory ACRs for the year 2014 & 2015 mema 15 days. He shall subject to production of satisfactory transportures at per perfect places 19-25A, carring Q7 marks within its months.

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59.	ASI Basar No. 659/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.
60.	ASI Iftikhal 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 six months.
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 six months.
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.
ô7.	ASI Raz Muhammad No. 660/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.
68.	ASI Fazal Khuda No. 594/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
69.	ASI Falak Niaz No. 595/MR	Charsadda 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 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.
71.	ASI Muhammad Ilyas No. 596/MR	Swabi District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2016 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
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 six months.
73.	I 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.
74.	ASI Maneer Khan No. 714/MR	Mardan District	Recommended for promotion Conditionally. 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.







	A of stages own day field, 1584,048	Marian Carret	Recommended for promotion Conditionals He that quarty Handstory Transreg/Courses & Let Polce Rules 19-25A, earning 07 mark within Six months.
(8)	ASI Jamshed Khad No. \$95/hr.	Hardan Drawing	Recommended for promotion Conditionally He shall qualify Handstory Transing/Courses a per Police Rules 19-25A, earning 04 mark within six months.
77.	ASI Lugman Fran No. 600/MR	Sweet Ostrica	Recommended for promotion Conditionally He shall qualify Handstory Training/Courses a per Police Rules 19-25A, earning Q2 mark Monin six mentre:
76.	ASI Fazzi Subhan Ro. 601/HP.	Serabi District	Recommended for premotion Conditionally He shall qualify Handsmyr Training/Courses a per Police Rules 19-25A, caming QB-rmirle Within six months
79.	AST Jehanger tro., 723/HR	Charsedda District	Recommended for premetion Conditionally He shall quality. Handstory Training/Courses a DEY Potce Rules 19-25A, earning 05 meric e-thin six months.
80.	ASS Chilberter Mahimood No.	Mardan District	Recommended for promotion Conditionally He shall quality. Handstory Training/Courses as per Police Rules 19-25A, earning 01 mark within six months.
5 4 3 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	ASIJUNA AN NO. SOLYNA	Swabi District	Recommended for premotion Conditionally, He shall qualify Handstory Training/Courses as see Police, Rules 19-25A, earning 05-marks within six months.
192.	ASI Syed ILtal Hussam No.	Snabi Disaricz	Recommended for premotion Conditionally, He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07; maries within six months.
	ASI, MOND LID DIA NO. 505/HR	Planden District	Recommended for promotion Conditionally, He shall qualify "Handatory Training/Courses as per Police Rules 19-25A, earning 406 maries within six months.
		Mardan District	Recommended for presenting Conditionally, fire shall markly Hendstory Training/Courses as per Police Rules 19-25A, serning 209; marks, writin six months.

Necessary Gazette Notification be issued accordingly.

(Muhammad Ali Khan)PSP Regional Police Officer Mardan

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, 75. _. .	ASI Hussain Ali No. 598/MR	Mardan District	Recommended for promotion Conditionally. 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.~	ASI 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 per 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 Police 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, earning 07 marks within six months.
· · 83 _.	ASI Niqeb 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 Abdul Jabbar No. 606/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.

Necessary Gazette Notification be issued accordingly.

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. <u>earnomerdan@gmail.com</u>

To:

All District Police Officers, in Mardan Region.

No. 783-87 /ES.

l D . February, 2023.

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 promotion 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 Commissions from date of creation of vacancies and in order of seniority.

Hence, the afcrementioned recommendations were thoroughly discussed 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 Aziz 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.

			Agrant against 12% 8	Г
•	S. No.	Name and Number	Home District	_
	1.4	Alamair No. 640/MR	Mardan Cistrict	-
	2.	Shahen Shah No.641/MR		_
	3.	Rabnawaz No. 528/MR	Swabi District	_
	4.	Mohamanday No. 529/MR	Mardan District	_
	5.	Akhtar Hussain No. 847/MR	Mardan District	_
	6.	Abdul Wahab No.530/MR	Nowshera District	_
	7.	Hashmat Khan No. 531/MR	Swabi Cistrict	_
ľ	8,	Syed Nisar Ahmad No.532/MR	Mardan District	_
•	9.	Abdul Ghaffar No. 533/MR	Swabi District	
	10.	Nasir Khan No. 535/MR	Mardan Cistriot	_
Ĩ	11	Yaseen Shah No. 537/MR	Mardan District	_
1	. 12.	'Arriad Ali No.538/MR	Mardan District	_
ŀ	:3.	Negative State	Swabi District	_
t	14.	Naeem Khan No. 539/MR	Mardan District	ĩ
H	15.	Jehandad No. 540/MR	Mardan District	1
-	16.	Manzoor Ali Shah No. 410/MR	Mardan District	1
\vdash	17.	Mukhtar Ali No. 543/MR.	Nowshera District	ł
'- -	18.	Ziad Muhammad No. 536/MR	: Mardan District	İ
-	19.	Muham:nad Jehangir No. 648/MR	Mardan District	;
-	2C.	Faiz Muhammad No. 541/MR	Mardan District	•
⊢	21.	A mal Khan No. 542/MR	Swabi District	
<u> </u> -	22.	Amjid Ali No. 644/MR	Mardan District	
-		Fazal Hussain No. 545/MR	Swabi District	
_	23.	Raza Khar. No. 546/MR	Swabi District	
_	24	Muhammad Naeem No. 547/MR	Swabi District	
_	25.	Atta Ur Rahman No. 548/MR	Mardan District	
÷	26.	Saidul Amin No. 649/MR	Swabi District	
_	27.	Ali Akbar No. 650/MR	: Merdan District	
	28.	Fazal Dawood No: 551/MR	Mardan Dietrict	
-	29.	Fazal Knalig No. 552/MR	Mardan District	
_	30.	Haroon Khan No.173/MR	Swabi District	
_	31.	Syec Bahramand Shah No. 309/MR	·Charsadda District	
_	32.	Amen Ullah No. 310/MR	Swabi District	

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33	Sadique Akbar No 308/MR		N/2
34	Humair Hussain No. 305/MR	Swab: District	
3.5	Bismillah Jan No 312/VR	Marcan District	 , , ,
35.	Hidayat Ullah No. 336/MR	S'wabi District	;- /
37	Shabbir Ahmad No 315/MR	Charsadda District	
38.	Zanid Navas No. 303 AMR	Marcan District	
39.	Zanid Nawaz No. 307/MR	Swabi District	
40.	Altal Hussain No. 314/MR	! Swabi District	⊸ i
4'	Beider Bekht No. 311/MR	Charsadda District	
	Karreen Khan No. 554/MR	: Mardan District	<u> </u>
42.	Imtiaz Khan Ne. 555/MR	.Viardan District	_
43.	Khan Muhammad No. 557/MR	Sweet District	
44.	PRIODO HUSSBIN NO ARRIADO	Swabi District	j
45.	1 Cesim Khan No. 559/MP	Mardan District	
46.	Noorul Islam No. 560/MP	Swabi District	
47	Javid Ahmad No. 711/MR	Mardan District	7.
48.	Ariees Ahmad No. 561/MR	: Mardan District	- j
49.	Saif UI Islam No. 562/MR	Mardan District	┥
50.	Umer Hayat No. 563/MR	Mardan District	7
51.	Akatas Musika Sos/MR	Swabi District	-
52.	Akhtar Munir No. 564/MR	Swabi District	' i
53.	Shah Jehan No. 712/MR	Mardan District	┥.
54.	Gul Ma'ik No. 565/MR	Charsadda District	
55.	Hamayun No. 681/MR	Mardan District	-
56.	Ifikhar Shah No. 566/MR	Swabi District	∔ :
57.	Aziz Ur Rahman No. 582/MR	Mardan District	
	3yed Saleem Nawaz No. 662/MD	Mardan District	j
58.	- Ayaz Munammad No. 653/MP	Mardan District	<u>j</u> .
59.	1422 All No. 557/MR	Swabi District	
E0.	Abdul Salam No. 568/MR	Mardan District	. 15
61.	Javid No. 569/MR	Mardan District	
62.	Jehangir Khan No. 570/MR	Mardan District	ESTED
63.	Muhammad Zubair No. 654/MR	Mardan District	COIED
64.	Parwar Ali No. 571/MR	Swabi District	
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91.	Nuzaffar No. 592/MR	Charsadea District
92.	Abid Ullah No. 593/MR	Mardan District
93.	Raz Muhammad No. 660/MR	Swabi District
94.	Fazal Khuda No. 594/MR	Charsadda District
95.	Falak Niaz No. 595/MR	Charsadda District
96.	Abid Ali No. 642/MR	: Mardan District /
97.	Muhammad ILyas No. 596/MR	: Swabl District
9.8.	Mujehid No. 722/MR	Charsadda District
99.	Sartal Khan No. 597/MR	Marcian District
100	Maneer Khan No. 714/MR	Mardan District
101.	Hussaln All No. 598/MR	Mardan District
. 102.	Jamshed Khan No. 599/MR	· Mardan District
103.	Lugman Khan No. 600/MR	Swabi District
	Fazal Subhan No. 601/MR	Swabi District
: :C5	Jehangir No. 723/MR	Charsadoa District
106.	Ghazanfar Mahmood No. 602/MR	Mardan Cistrict
107.		Swabi District
108.	Syed ILtaf Hussain No. 604/MR	Swabi District
1C9.	Nigab Ud Din No. 605/MR	Mardan District
10.	Abdul Jabbar No. 606/MR	Mardan District

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.



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.<u>793 -97</u> jes.

10 February, 2023.

Subject:

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.

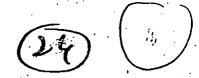
Upon creation of vacancy under 75% share, the achoc promotions in the rank of Sub Inspectors of the following Police Officers of this Region are hereby regularized as Officiating Sub Inspectors from date mentioned against each.

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 if already fulfilled during the period of their adhoc promotion.

S. No.	Name and Number	Home District	Date of Promotion as Offgr Sub Inspector
— ; —	A'amg r No. 640/MR	. Mardan District	14.04.2018
3	Shahan Shah No.841/MR	Swabi District	24.04.2018
4.	Rábnawaz No. 528/MR	Mardar District	27.07.2018
	Mohamanday Nc. 529/MR	Mardar District	30.07.2018
- 5. 6.	Akhtar Hussain No. 647/MR	Nowshera District	
- 3. 7	Acdul Wahab No.530/WR	: Swabi District	09.1C.2018
8.	Hashmat Khan No, 531/MR	· Mardan District	31.02.2019
9.	Syed Niser Ahmad No.532/MR	! Swabi District	28.02.2019
	Abdul Ghaffar No. 533/MR	Mardan District	93.04.2019
10.	Nasir Khan No. 535/MR	Mardan District	15.04.2019
11.	Yaseen Shah No. 537/MR	Maidan District	20.04.2019
12_	Amjad Ali No.538/MR	Mardan District	24.04.2019
13.	Nasem Khan No. 539/MR	Swabi District	15.06.2019
14	Jehandad No. 540/MR	Mardan District	05.07.2019
15.	Manzoor Ali Shah No. 410/MR	¹ Mardan District	31.07.2019
15.	Mukhtiar Ali No. 543/MR	Mardan District	14.1C.2019
17.	Ziad Muhammad No. 536/MR	Nowshera District	
13.	Muhammad No. 536/MR	Merdan District	31.12.2019
. 19.	Muhammad Jehangir No. 648/MR	Mardan District	31.01.2020
20		Mardan District	03.02.2020
21.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Mardan District	09.02.2020
27	Amid All Vo. S44/MR	Swabi District	31.03.2020
23	-azai Hussain No. S45/MR	Mardan District	1 31.63.2526
	Raza Khan No. 546/MR	i Swab' Diatrict	08.04.2020
· ' ·		Swab. District	12.04.2020

ATTESTED

CHARLES (S.E.)



			
24.	Muhammad Naeem No. 547/MR	Swabl Distric:	30.04.2020
25		Marcan District	19.05.2020
26.	CADALE	Swabi District	02.05.2020
27	All Akbar No. 550/MR	Marcan District	30.05.2020
2ξ.	Fazai Dawood No. 551/MR	Marcan District	31.07.2020
25.	Fazai Khaliq No. 552/MR	Marcan District	01.03.2020
- 3C. 1		Swabi Distric:	. 01.03.2020
31.	Syed Bahramand Shah No. 309/MR	Charsaoda District	02.03.2020
₹ 32:	Aman U'lah No. 310/MR	Swabi District	11.03.2020
33.	Sadique Akbar No. 308/MR	Swabi District	02.09.2020
c 34.	Humair Hussain No. 305/MR	Mardan District	28.09.2020
35:	B'smillah Jan No. 312/MR	Swabi.District	30.09.2020
-, 3€/	Hideyat Ulah No. 306/MR	Charsadda District	15.10.2020
37.	Shabbir Ahmac No. 315/MR	Mardan District	26.11.2020
- 38.	Zahid Nawaz No. 3C7/MR	Swabi District	01.01.2021
39.	A taf Hussain No. 314/MR	Swabi District	10.01.2021
1 40.	Baidar Bakht No. 311/MR	Charsadda District	12.04.2021
41.	Kameen Khan No. 554/MR	Mardan District	12.04.2021
42.	Imitiaz Khan Nc. 555/MR	Mardan District	29.06.2021
43.	Khan Muhammad No. 557/MR	Swabi District	03.09.2021
.44.	Qasim Khan'No. 539/MR	Swabl District	11.03.2022
45.	Noorut Islam No. 560/MR	Mardan District	01.04.2022
46.	Javid Ahmad No. 7/11/MR	Mardan District	02.04.2022
47.	Anees Ahmad No. 561/MR	Mardan District	31.10.2022
48 ,	Sair UI Islam No. 582/MR	Mardan District	05.01.2023
	7		1 0010 112020

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

ATTESTED

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Aver D

Diary No# 4942/cp

Before the Provincial Police Officer Khyber Pakhtunkhwa Peshawar.

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 16-02-2002, was promoted as Head Constable in the year 2012, was then promoted as ASI in the year 2014 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).

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- 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).
- **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 law 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.

(21)

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.

Shahab Khan, Officiating Sub Inspector No 576/MR, Incharge PAL Swabi

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CHAPTER XIII — PROMOTIONS

Superintendents shall submit annually to the Deputy Inspector-General Ly Table January confidential reports in form 13.17-A on the working of all gazetted officers served under them. Deputy Inspector-General will add their own remarks and forward the reports to resign the Inspector-General, on or before the 15th February.

The gist of adverse reports shall be communicated in written to the officers concerns, subject to the conditions specified in paragraph 7 of Punjab Government Consolidated Circular III, 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 typed or written in block letters below their signatures.
- 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 personally, 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. filness 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 is 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 officialing promotion and removal from list "D". Head Constable appointed as Officialing 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 justilied-Appeal dismissed by Service Tribunal-Punjab Service Tribunals Act (IX of 1974), S. 4.3

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 officiating 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

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1983 PLC(CS) 631

¹⁹⁸⁸ PLC(CS) 685

^{2. 1981} PLC(CS) 748



CHAPTER XIII — PROMOTIONS

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 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.

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

Tribunal had set aside orders passed by Authority refusing to confirm appellant/civil servant as "Inspector" from date of his promotion with a direction to consider his case in terms of 5.13.18 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.3

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.

1999 PLC(CS) 1381

1984 PLC(CS) 625

2000 PLC(CS) 697 1999 SCMR 1594





OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

Central Police Office, Peshawar.

No.

839-94/ Legal

dated the

8s j. ol: /2023

To:

The

Regional Pubes Officer, ,

Bannu.

Subject:

CHIDELINES RECARDING CONFIRMATION IN THE RANK HE ASI AND ST

Mento

the se refer to the subject cited above.

that ASIs promoted from a lower rank shall be confirmed on the termination of 0.1 years of plant period with immediate effect i.e. on the date his probation period acqually completes and not to it is of officiating promotion as ASI in the light of Rule 13.18 of Police Rules, 1954 Sandar and CPO/CPB/64 dated 13:02.2023, it has been conveyed that Assistant Sub trapectors appointed (PASIs) shall be confirmed in their appointments on the termination of three years probationary part with immediate effect, not with retrospective effect that is from the date of their appointments on 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 its Judgment in V Wannich case Vs IGP Punjab (PLD 1985 SC 159), has underlined the difference between the appointment and date of confirmation and has further held that the final seniority of the Chibert 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 fact which directions were issued to all regions/ unit heads of Khyber Pakhtunkhwa Police regions/ confirmation in the light of Rule 13.13 of Police Rules, 1934.

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

please.

(SABIR AHMAD) "S"

Additional Inspector General of Police. Headquarters, Khyber Pakhtunkhwa.

Peshawar.

· PSO to W/ IGP, Khyber Pakhtunkhwa, Peshawar.

· PA to DIG/ HQrs: Khyber Pakhtunkhwa, Peshawar,

· Incharge, CP Branch, CPO, Peshawari

Older

(MA)

Clear copy

OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

No. 1638-41/Legal

dated the 05-05-2023.

To

The Regional Police Officer. Bannu.

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

Memo

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

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

(SABIR AHMAD) PSP
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.

Office

VAKALATNAMA

IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

	Shel	ار در داران	& Keep		Petitioner/Appellant
,				VERSUS	
:	170		11/2016 2 ·		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.

- 1. 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 think
 fit 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 $\mathcal{R}/\mathcal{L}/\mathcal{L}$

BASEKRIZHMED SHAH

&

IBAD UR REHMAN KHALIL

Advocates Resnawar

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