FORM OF ORDER SHEET

Court of _____

Appeal No. 1331/2023

1 14/06/2023 The appeal of Mr. Baswar Khan presented today by Mr. Baseer Ahmad Shih Advocate. It is fixed for prehainary hearing before Single Bench at Peshawar on By the order of Ghairman HREGISTRAR	S.No.	Date of order proceedings	Order or other proceedings with signature of judge
Mr. Baseer Ahmad Shah Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on By the order of Ghairman	1.	2	3
hearing before Single Bench at Peshawar on By the order of Ghairman	1-	14/06/2023	
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No1331 /2023

Baswar Khan

.....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
3.	Copy_of_Letter/Order_dated_11-02- 2019	A	7-12
4	Copy of Letter dated 10-02-2023	B	13-16
5.	Copy of the Letter No 793-97/ES dated 10-02-2023	с ·	5-51
6.	Copy of departmental appeal	D	19-21
7	Copy of Police Rules 13-18 & Letter dated: 5-5-2023	E&F	22-24
8	Vakalat Nama	***	25

INDEX

Dated:-05-06-2023

Through BASEER AHMAD SHAH δ. **IBAD UR REHMAN** Advocate,

Appellant

OFFICE:-Cantonment Plaza Flat 3/B Khyber Bazar Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No 33 /2023

Baswar Khan, Officiating Sub Inspector, No 659/MR, PS Kharki Mardan.

Appellant

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 PAKHTUNKHW/A 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.

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 19-12-1994, was promoted as Head Constable in the year 2008, 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 783-8Z/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.
- 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.

U

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: 05-06-2023

Through

Baseer.ahmad Shah &:

Ibad Ur Rehman Advocates

Appellant

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. ADVOCATE St

AFFIDAVIT

I, Baswar Khan, Officiating Sub Inspector, No 659/MR, PS Kharki Mardan, 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

DERONENT

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No_____/2023

Baswar khan

...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:-

- 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 ADVOCATE. What.



AFFIDAVIT

I, Baswar Khan, Officiating Sub Inspector, No 659/MR, PS Kharki Mardan, 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. DERDMENT

Identified by

Baseer Ahmad Shah

Advocate Peshawar



Government of Khyber Pakhtunkhwa

Office of the Regional Police Officer, Mardan Phone No. 0937-9230113, Fax No. 0937-9230115. Email Address: - espomardan@omail.com

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 Rhyber Pakhtunkhwa, Peshawar.
- 7. All-District-Police-Officers, Mardan Region.
- 8. All Head of Investigation in Mardan Region.
- 9. Pnnopal EPTC, Nowshera.

No. 1190-15041ES.

PROMOTION AS OFFICIATING SUB INSPECTORS. Subject:

Memo:

To:

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) sestingt opents -

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// , February, 2019

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	S. No.	Name & Rank	Place of Posting	Decision
	1.	ASI Haroon Khan No. 173/HR	Swabi District	Recommended for promotion Canditionally subject to Court Decision. He shall qualify Mardatory Training/Courses as per Police. Rules 19-254, earning 07 marks within six months.
•	2.	PASI Syed Bahramand Shah No. 309/MR	Charsadda District	Recommended for promotion Conditionally. He shall quakfy Mandatory Training/Courses as per Police Rules 19-25A, earning O2 marks within six months.
	3.	PASE Arran Glan No. 310/45	Swabi District	Recommended for promotion Conditionally, He shall quakfy Mandatory Training/Courses as per Police Rules 19-254, earning 07 marks within six months.
. 1 .	4.	PASI Sadique Aktiar No. 306/HR	Swatx District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Point Rules 19-25A, earning 07 marks within six months.
	5.	PASI frumair Hussain No. 305/KR	Mardan District	Recommended for promotion Conditionally, He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months.
	6.	PASI Bismillah Jan Ko. 312/14R	Swabi <u>D</u> istrict	Recommended for promotion Conditionally. He shall qualify Mandatory Training(Courses as per Police Rules 19-25A, earning DS marks within six months.
	7.	PASI Hidayat Ullah No. 306/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, eerning 04 marks within six months.
	A ,	1857 Kurden anniat ad 725778	Hersen Destrict	Recommended for promotion Conditionally He shall could y Handatory Training Campel at per Police Rules 19-254, excerning D4 micros within size months.



Government of Khyber Pakhtunkhwa Office of the Regional Police Officer, Mardan

Phone No. 0937-9230113, Fax No.0937-9230115 Email Address: esrpomardan@gmail.com

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- 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.
- 6. 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

PROMOTION AS OFFICIATING SUB INSPECTORS

Memo:

Subject:

To:

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.N <u>o</u> .	Name & Rank	Place of Posting	Decision
<u>1</u> .	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 Ullah 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 qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months.
6.	PASI Bismillah 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.



Swabi District PASI Zahid Nawaz Ho, 307/HR , i 1. PAST ATAL HUSSIN No. 314/MR Swebi District فالمنظ ويوفد ميد PAST BALLY BALLY NO. 311/19 Sec. 5 Marine De

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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 a per Police Rules 19-25A, earning 05 marks withi six months. Recommended for promotion Conditionally
	12.	ASI Ayaz Ali No. 549/MR	Mardan District	He shall qualify Mandatory Training/Courses at 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 Swabi 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.
1	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 satisfactory 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, 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 19-25A, 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.
2	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.
2	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.
2	25.	ASI Akhtar Munir No. 564/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.



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		ASI Hamayun No. 651,71P.	Mardan District	Re shall guardy Handatory	
	- 28.	ASI Hamayon the date of		within Six monuts.	•
			`	Recommended for promotion Conditionally.	. '
•		ASI Internet Shats No. 566/PR	Swapi District	Recommended for promotion control of the shall qualify Mandatory Training/Courses as He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks	· ·
	29.	ASI IRBINIT SAND NO. 300/1 N		within six months.	
	: '	1 1 1	1.	Recommended for promotion Conditionally:	
		ASI Aziz the Rahmon Hat	Hardan District	Recommended for promotion courses as He shall-quality-Handatory-Training/Courses as per Police Rules 19-25A, carning 03 marks	
	- 30,	582/MR	fidiusi bisina	within six months	
			-	Recommended for promotion Conditionally.	
:		ASI Syed Saleem Hawaz Ho.	Narden District	Recommended for promotion courses as He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks	
4	~ 31-	-652/MR	Marcan basilies	within six months.	
	9 - ¹ 4 -		<u> </u>	the second los Canditionally.	
·		ASI Ayaz Hunommad 10.	Swahl District	The second second is the second state of the second s	;
•	32:		Swaarboard	per Police Rules 19-25A, earning 06 marks within six months.	18 .
				Recommended for promotion Conditionally.	WO .
				Line about another Mandatory Training/Louises as L.	
		ASI NEL AN NO. 567/MR	Hardan District	per Police Rules 19-25A, earning 07 marks - within six months.	TTERTE
:::		a a set a			FEOIC
	康 市			Recommended for promotion Conditionally, He shall qualify Nandatory Training/Courses as	Pr.
)		ASLAbdel Salam No. 566/MR	Hardan District	per Police Rules 19-25A, earning 05 marks within six months.	1947 1979 1979
ţ				Recommended for promotion Conditionally:	
		ASL Javid No. 569/MR	Marcan District	He shall quality Mandatory Training/Courses as	
	35.	ASE JOYIC HOL DOSHING		per Police Rules 19-25A, earning D7 marks within six months.	
			· · · ·	Recommended for promotion Conditionally.	
-		ASI Jenangir Khan No. 570/MR	Mardan District	He shall qualify Mandatory Training/Courses as per. Police Rules 19-25A, earning 06 marks	
÷				within six months.	
			Dri deputation to	Recommended for promotion Conditionally.	
		ASI Muhammad Zubair No.	Elite Force KPK-	He shall qualify Mandatory Training/Courses as	
L	37.	654/MR	from Swabl District	per Police Rules 19-25A, earning 05 marks within six months	τ.
	1460 (S. S. S			Recommended for promotion Conditionally	
	38,	ASI:Patwar All No. 571/MR	Hardan District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks	
	13.4 2 9 440			within six months.	:
	ann ann a' stàirteacha Tarr ann ann ann ann ann ann ann ann ann			Recommended for promotion Conditionally	
		ASI Shah Hussain No. 572/HR	On deputation to CTO KPK from	Subject to production of satisfactory ACR for the year 2014 within 15 days. He shall qualify	
1	a 39.		Swabi District	Nandatory Training/Courses as per Police Rules	
				19-25A, earning 06 marks within six months.	· ·
- 		ASI Shall Mulk No. 655/MR		Recommended for promotion Conditionally, He shall qualify Handatory Training/Courses as	·
	40	ADI Shani muk no. 635/mk	Swabi District	per Police Rules 19-25A, earning 07 marks within six months.	
	<u> 2</u> 1 2				
<.	\mathbb{R}_{0} .		· · · ·	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the	
_	1	ASI Dear Hussiam No. 573/MR	Handan Destrict	year 2014, 2015 & 2017 wown 15 days. He	
				shall quality. Mehicatory Training/Courses as per Police Rules 19-25A, earning 99 marks within	
1	4		· · · •	six months:	-

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[Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as
26.	ASI Shan Jehan No. 712/MR	Mardan District	per Police-Rules_19-25A, earning 09 marks within six months
27.	ASI Gul Matik 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 liftikhar 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 pet 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 Rutes 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 Rutes 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 No. 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 Russain 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 litaf Hussain No. 573/MR	Mardan District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2014 & 2017 within T5 days. He shaft qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.

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42.	ASI Janab Ali No. 574/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.
43.	ASI 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.
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 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.
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.
4 <u>8.</u>	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 Ali 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/Çourses 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.
55.	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 Wajîd 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 Dístrict	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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<u>stsati</u>	Recommended for promotion Conditionally per Posce Rules 19-25A, earning 08 marts and 19-25A, earning 08 marts and 19-25A, earning 19-25A, earning 10-25 marts 19-25A, earning 19-25A, earning 19-25 Martin six months	134091Q KU22~5	AN Dentitation 100- MM(033	-69
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	Recommended for premotion Conditionally. He shall quality Handstory Traiming/Courses as per Police Ruics 19-354, caming Go marks mithin six months.	Costant Beaks	ANILER HO. STAR	59
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	Recommended for promotion Conditionally. He show qualify Handeroy Training/Courses as per Police Rules 19-25A, earning 09 maries within six months.	มหายัง กระเจ	5H\192 .cal fA *1304 12A	
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		-	r	Recommended for promotion Conditionally
	59.	ASI Basar No. 659/MR	Mardan District	He shall qualify Mandatory Training/Courses a per Police Rules_19-25A, earning 09 marks with six months.
, .	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 a per Police Rules 19-25A, earning 08 marks within six months.
- - -	61.	AŞI Rab Nawa No. 589/MR	Swabi District	Recommended for promotion Conditionali He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 05 marks with six months. Recommended for promotion Conditionali
	62.	ASI Rashid Ali No. 590/MR	Swabi District	He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 08 marks with six months
	63.	ASI Intezar Ali No. 591/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a 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 Mandalory Training/Courses a per Police Rules 19-25A, earning 05 marks with six months.
	65.	ASI Muzaffar No. 592/MR	Charsadda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rutes 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 a per Police Rules 19-25A, earning 05 marks with six months.
. ·	67.	ASI Raz Muhammad No. 660/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 08 marks with six months.
	68.	ASI Fazal Khuda No. 594/MR	Charsadda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a 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 qualif Mandalory Training/Courses as per Police Rule 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 a 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 qualif Mandatory Training/Courses as per Police Rule 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 a per Police Rules 19-25A, earning 08 marks within six 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 qualif Mandatory Training/Courses as per Police Rule 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 qualif Mandatory Training/Courses as per Police Rule 19-25A, earning 07 marks within six months.
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·	and the second	•	Accoramended for promotion Conditionally. He shall quaky Mandstory Training/Courses as	, f
		Convertient	ter Palce Rules 19-25A, earning 07 marks	
. 1	•		within sia months.	
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. (76.)	ASI Jamsted Khasi No. 555/MR	Hardan District	He shall qualify Handatury carning O4 marks	
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77.	ASI Lugman Phan bo. 650/HR	Swapi Ostrict	Recommended for promotion training/Courses as: He shall quality MonCatory Training/Courses as: per Police Rules 19-25A, carriing 02, marks	<u> </u>
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3 - 7 - 2 - 1			wenia six months.	·· - 71-4
			Recommended for promotion Conditionally-	-5.5
	ASI Charanter Nehmood Ho		Recommended for promotion of the shall quality Handatory Training/Courses as	316
	CO2/NR	Mandan District	per Police Rules 19-204, Carton Police	5
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	ASI Johad Ak No. 503/HR	_ Swabi D.strict	per Palce, Rules 19-20%	福井
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·家门: 第二十	21 S 1		Recommanded for promotion Conditionally.	
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2 29 42 4	AST, Nigab Uo Dia No. 605/HR	Hardan District	He shall questly Handstory coming (08) market per Police Rules 19-254 coming (08) market within she months.	
2 - 63.4			within she months.	
	randiaria	<u> </u>		1912
				STEP -
4.5.4.31	AST ALOUI Jaboar No. 606/NR	Mardan District. :	per Police Rules 19-25A, carrier 203 shall	嘲动
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(Muhammad Ali Khān)PSP Regional Police Officer Mardan 7 1

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			Recommended for promotion Conditionally.
75.	ASI Hussain Ali No598/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 Lugman 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 Fazai 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 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 Abdul Jabbar No. 606/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandalory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.

(24)

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. 0537-9230113, Fax No.0937-9230115. Email.earpomerden@gmail.com

All District Police Officers, in Mardan Region

No. 783 - 87 IES.

(0 , February, 2023.

Subject: <u>REVISED PROMOTION IN THE RANK OF OFFICIATING SUB</u> INSPECTORS.

Memo:

To'

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 vacarcy 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 Offic. 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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recommendation of Public Service Commission) from date of creation of vacancies and in order of seniority

Hence, the accrementioned recommendations 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 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.

		the second s
S. No.	Name and Number	Home District
<u>(1.</u>	Alamair No. 640/WR	Mardan District
2.	Shahen Shah No.641/MR	Swabi District
3.	Rabnawaz No. 528/MR	Mardan District
4.	Mohamanday No. 529/MR	Mardan District
5.	Akhtar Hussain No. 847/MR	Nowshera District
6.	Abdul Wahab No.530/MR	Swabl District
7.	Hashmat Khen No. 531/MR	Mardan District
8.	Syed Nisar Ahmad No.532/MR	Swabi District
	Abdul Ghaffar No. 533/MR	Mardan Cistriot
10	Nasir Khan No: 535/MR	Mardan District
11:	Yaseen Shah No. 537/MR	Mardan District
12.	Arriad Ali No.538/MR	Swabl District
	Nacem Khan No. 539/MR	Mardan District
	Jehandad No. 540/MR	Mardan District
14.	Manzoor Ali Shah No. 410/MR	Mardan District
<u> </u>	Mukhtiar All No. 543/MR	Nowshera District
16.	Ziad Muhammad No. 536/MR	Mardan District
17	Muhammad Jehangir No. 648/MR	Mardan District
18.	Faiz Muhammad No. 541/MR	Mardan District
18.	A mal Khan No. 542/MR	Swabi District
20.	Amjid Ali No. 544/MR	Mardan District
21.	Fazal Hussain No. 545/MR	Swabi District
22.	Raza Khar. No. 546/MR	-Swabi-District
23.	Kaza Mar Nu. Jacom No 547/MR	Swabi District
24.	Muhammad Nasem No. 547/MR	Mardan District
25.	Ata Ur Rahman No. 548/MR	i Swabi District
26.	Saidul Amin No. 649/MR	Mardan District
27.	AILAKUSI NO. OOONNIN	Mardan District
28.		Mardan District
29.	Fazal Khaliq No. 552/MR	Swabi District
30.	Haroon Khan No. 173/MR	Charsadda District
31.	Syec Bahramand Shah No. 309/MR	Swabi District
32.	Aman Ullah No. 310/MR	

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	<u> </u>	- 16, -
33	Sad que Akbar No 308/MR	- Swab: District
54	HumainHussain.No. 305/MR	Marcan District
. 35	Bismillah Jan No. 3 #2/MR	Swabi District
55	Hidayat Ullah Nc. 306/MR	Charsadda District
37	Shabbir Ahmad No. 315/MR	Marcan District
38.	Zahid Nawaz No. 307/MR	I Swabi District
39.	Altal Hussain No. 314/MR	Swabi District
40.	Beidar Bekht No. 311/MR	Charsadda District
41.	Karreen Khan No. 554/MR	Mardan District
42.	Imtiaz Khan Nc. 555/MR	Mardan District
43.	Khan Muhammad No. 557/MR	
		Swabi District
44,	Faroog Hussain No. 558/MR	Mardan District
45.	Qesim Kher. No. 559/MR	Swabi District
46.	Noorul Islam No. 560/MR	Mardan District
47	Javid Ahmad No. 711/MR	Maroan District
48.	Anees Ahmad No. 561/MR	Mardan District
49.	Saf UI Islam No. 502/MR	Mardan District
50.	Umer Hayet No. 563/MR	Swabi District
5	Akhtar Munir No. 564/MR	Swabi District
52.	Shah Jehan No. 712/MR	Mardan District
. 53.	Gul Malik No. 565/MR	Charsadda District
54.	Hamayun No. 651/MR	Mardan District
<u> </u>	Ifikhar Shah No. 566/MR	Swabi District
56.	Aziz Ur Rahman No. 582/MR	Mardan District
57.	Syed Saleem Nawaz No. 652/MR	Mardan District
58.	Ayaz Muhammad No. 653/MR	Swabi District
59	Niaz Ali No. 557/MR	Mardan District
<u> </u>	Abdul Salam No. 568/MR	Mardan District
61	Javid No. 569/MR	Mardan District ATTEST
62.	Jehangir Khan No. 570/MR	Mardan District
63.	Muhammad Zubair No. 654/MR	Swabi District
<u> 64. </u>	Parwar Ali No. 571/MR	Mardan District
65.	Shah Hussair: No. 572/MR	Swabi District
56.	Shahi Mulk No. 655/MR	Swabi District
67.	Iltar Hussaln No. 573/MR	Mardan District
68.	Janab Ali No. 574/MR	Swabl District
69.	Zulfigar No. 575/MR	Mardan District
70.	Shahab All No. 676/MR	Swabi District
71.	Niaz Muhammad No. 577/MR	Swabi District
72.	Muhammad Zahir No. 578/MR	Mardan District
73.	Ghaffar Ali No. 856/MR	Svabi District
74	Subhan Ulah No. 657/MR	Svabi District
75. 1	Faroog No. 579/MR	Swabl District
76.	Gu! Bahadar No. 580/MR	Mardan District
77.	Fawad Ali No. 581/MR	Mardan District
78.	Bakht Zada No. 583/MR	Mardan District
75.	Muhammad Tahir No. 718/MR	Mardan District
80.	Sal'ad Ahmad No. 713/MR	Nowshera District
81.	Fakhre Alam No. 584/MR	Mardan District
82	Wajid Ali No. 585/MR	Mardan District
83 1	Shah Jehan No. 586/MR	Mardan District
<u>84 . </u> 85.	Niaz Muhammad Nc. 587/MR	Mardan District
 .25	Basar No. 659/MR Iftikhar Ahmad No. 719/MR	Swabi District
37	Rab Nawaz No. 559/MR	Swabi District
68.	Rashid Ali No. 390/MR	Swabi District
89.	Intezar Ali No. 590/MR	Mardan District
	Israr Hussain No. 721/MR	Swabl District
90.	13:21 FTUESELF1 /TD. / 2 1/61/C	

		Charsadca District
91	VUZAIIZI NO. 05211.	
92.	Abid Ullah No. 593/MR	Mardan District
93.	Raz Muhammad No. 360/MR	Swabi District
94.	Fazal Khuda No. 594/MR -	Charsadda District
95.	Falak Niaz No. 595/MR	Charsadda District
the second se	Abid All No. 642/MR	Mardan District
96.	Muhammad ILyas No. 596/MR.	Swabl District
97.	Mujahid No. 722/MR	Charsadda District
98.	Sartaj Khan No. 597/MR	Mardan District
99	Maneer Khan No. 714/MR	Marcan District
100.	Hussain All No. 598/MR	Mardan District
101.	HUSSELF AI NO. SOOMIN	Mardan District
	Jamshed Khan No. 599/MR	Swabi District
03.	Lugmar, Khan No. 600/MR	Swabi District
104.	Fazal Subhan No. 601/MR	Charsadoa District
105.	Jehangir No. 723/MR	
106.	Ghazanfar Mahmood No. 602/MR	Mardan District
107.	Jehad All No. 603/MR	Swabi District
108.	Syed ILtef Hussain No. 604/MR	Swabi District
- (Ç9.	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 Sub inspector, 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.

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(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, esroomardan@gmail.com

To: District Police Officers. All in Mardan-Region.

No. 793 -97 JES.

1.0 , February, 2023.

Subject:

REVISED PROMOTION IN THE RANK OFFICIATING SUB

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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 Offg Sub Inspector
1.	Alamgin No. 643/MR	Mardan District	14.04.2018
$-\frac{1}{2}$	Shahen Shah No.641/MR	Swabi District	24.04.2018
3	Rabnawaz No. 528/MR	Mardan District	27.07.2018
4	Mohamanday Nc, 529/MR	Mardan District	30.07.2018
5,	Achtar Hussain No. 647/MR	Nowshera District	<u> </u>
6.	Apdul Wahab No.530/MR	: Swabi District	01.02.2019
7	Hashmat Khan No. 531/MR	Mardan District	28.02.2019
8.	Syed Niser 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	¹ Mardan District	31.07.2019
15.	Manzoor Ali Shah No. 410/MR	Mardan District	14.10.2019
13.	Mukhtiar Ali No, 543/MR	Nowshera District	31,12,2019
17.	Ziad Muhammad No. 536/MR	Mardan District	31.01.2020
18.	Muhammad Jehangir No. 648/MR	Mardan District	03.02.2020
19.	Faiz Muhammac No. 541/MR	Mardan District	09.02.2020
20.	Amal Khan No. 542/MR	Swabi District	31.03.2020
21	Amid Al No. 544/MR	Mardan District	1 31,03,2020
22.	-aza: Hussein No. 545/MR	i Sweb' District	05.04.2020
23.	Raza Khan No. 546/MR	Sweb District	112 04:2020

-			30.04.2020
. •	Muhammad Naeem No. 547/MR	Swabl Distric:	19.05.2020
24.	Muhammad Naeen No. 548/MB	Marcan District	
25.		Swabi District	02.05.2020
26.	Colory Amin ND, Cooling	Marcan District	30.05.2020
27.		Marcan District	31.07.2020
28.	Fazai Dawood No. 551/MR	Marcan District	01 03 2020
25.	Eazal Khalid NO. JCZ/MIN	Swabi Distric:	01.05.2020
	Haroon Khan No. 17 SMIN	Charsacda	02.03.2020
	Syed Bahramand Shah No. 309/MR	Distr Ci	
31.	Syeu Dan an a lo -	Swabi Distric:	11.03.2020
× 32.	Aman Ulah No. 310/MR	-Swabi-Distric:	02.09.2020
• 33.	Sadique Akbar No. 300/MR	Mardan District	28.09.2020
- 14-	Humair Hussain No. 305/MR	Swabi District	30.09.2020
35.	B'smillah Jan No. 312/MR	Charsadda	15.10.2020
	Hideyst Ulah No. 306/MR	District	
3E		Mardan District	26.11.2020
. 37.	Shabbir Ahmac No. 315/MR	Naroan District	01.01.2021
- 38.	Zahid Nawaz No. 3C7/MR	Swabi District	10.01.2021
.39.	A taf Hussain No. 314 MR	Swabi District	12.04.2021
	Baidar Bakhi No. 311/MR	Charsadda	
40,		District	12.04.2021
41.	Kameen Khan No. 554/MR	Mardan District	29.06.2021
42	Imtiaz Khan Nc. 555/MR	Mardan District	
	Khan Muhammad No. 557/MR	Swabl District	03.09.2021
43.	Qasim Khan No. 559/MR	Swabl District	11.03.2022
44.	Noorul Islam No. 560/MR	Mardan District	01.04.2022
45.	NOTUI ISIBILI NO. SOUNIN	Mardan District	02.04.2022
46	Javid Ahmad No. 711/MR.	Mardan District	31.10.2022
47.	Anees Ahmad No. 561/MR.	Mardan District	05.01.2023
48.	Saif Ul Islam No. 502/MR	Literietti miteriitet	
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(MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan. ATTESTED

Anct D Diarry No#4942/CPB Dated 27/02/2023

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 19-12-1994, was promoted as Head Constable in the year 2008, 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.



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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.

TOBETAU

Baswar Khan, Officiating Sub Inspector No 659/MR, Officer Incharge Investigation, PS Kharki Mardan.

CHAPTER XIII --- PROMOTIONS

(3) Superintendents shall submit annually to the Deputy Inspector-Generat by $\frac{1}{15^{16}}$ January confidential reports in form 13.17-A on the working of all gazetted officers services under them. Deputy Inspector-General will add their own remarks and forward the reports to $\frac{1}{15^{16}}$ the Inspector-General, on or before the 15th February.

The gist of adverse reports shall be communicated in written to the officers concerner subject to the conditions specified in paragraph 7 of Punjab Government Consolidated Circular $W_{\rm c}$ 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 officer; 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 officiating promotion and removal from list "D'.'-Head Constable appointed as Officiating Assistant Sub-Inspector-Not found lit 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. 4.³

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 officialing service to couni 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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CHAPTER XIII — PROMOTIONS

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et 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 orade, 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 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 Pakistan (1973), petition filed by civil servant which otherwise was barred by time was dismissed.¹

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

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 a 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.⁴

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No.

The

OFFICEOFTHE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Central Police Office, Peshawar. 1 01 / 2023. dated the

1838-44/ Logal

To:

Regional Police Officer, GUIDELINES REGARDING CONFIRMATION IN THE BANK OF ASLAND SI Bannu.

Subject:

Memo:

Please refer to the subject cited above.

CPO Peshawar vide letter No.:CPO/CPB/63 dated 13.02.2023 had conveyed to all rethat ASIs promoted from a lower rank shall be confirmed on the termination of 02 years of promaperiod with immediate effect i.e. on the date his probation period actually completes and not item the of officiating promotion as ASI in the light of Rule 13.18 of Police Rules, 1934 Sami at a CPO/CPB/64 dated 13.02.2023, it has been conveyed that Assistant Sub Inspectors appointed in . (PASIs) shall be confirmed in their appointments on the termination of three years probationary purwith immediate effect, not with retrospective effect that is from the date of their appointments by Range Deputy Inspector General of Police in the spirit of Rules 12.18 and Rules 19.25(5) of Police Rule 1934

In this regard, the Hon'ble Supreme Court of Pakistan vide its Judgment in Ma Warraich case Vs IGP Punjab (PLD 1985 SC 159), has underlined the difference between the hit appointment and date of confirmation and has further held that the final seniority of the Officers of 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 which directions were issued to all regions, unit heads of Khyber Pakhtunkhwa Police reg. 4 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 spin-

please.

(SABIR AHMAD) Additional Inspector General of Poince. Headquarters, Khyber Pakhtunklova, Peshawar.

- PSO to W/ IGP, Khyber Pakhtunkhwa, Peshawar.
- PA to DIG/ HQrs: Khyber Pakhtunkhwa, Peshawar, 4
- Incharge, CP Branch, CPO, Peshawar.



OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

No. 1638-41/Legal

dated the 05-05-2023.

То

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.



<u>VAKALATNAMA</u>

IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

.....Petitioner/Appellant. 14han

VERSUS

We the undersigned, do hereby appoint and constitute, <u>BASEER AHMED SHAH</u> 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.
- 2. 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 herebyagree 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 $\Re[1-2023]$

BASEER AHME

IBAD UR REHMAN KHALIL Advocates Peshawar

&

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