FORM OF ORDER SHEET

Court of

	Apr	peal No1349/2023
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. Israr Hussain presented today by
		Mr. Baseer Ahmad Shah Advocate. It is fixed for preliminary
		hearing before Single Bench at Peshawar on
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		By the order of Chairman
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1349 /2023

Israr Hussain.

...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	C	17-18
6.	Copy of departmental appeal	D	219-21
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

Appellant

Through

&

BASEER AHMAD SHAH

IBAD UR REHMAN

Advocate,

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No1349 /2023

Israr hussain, Officiating Sub Inspector, No 721/MR, PTC Hangu.

.....Appellant

VERSUS

- 1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Mardan Region Mardan.
- 3. District Police Officer, Mardan.
-Respondents 4. District Police Officer, Swabi.

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

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 03-05-1995, 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 AJ.

- **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 5-5-2023 of respondent No 01, but his officiating promotion was even termed as adhoc. (Copy of Police Rules 13-18 & Letter dated 5-5-2023 is enclosed as annexure E & F)
- 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 ligble 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.

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

Appellant

Through

& Ibad Ur Rehman

Baseer Ahmad Sha

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, Israr hussain, Officiating Sub Inspector No.721/MR, PTC Hangu, 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.

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Identified by

Baseer ahmad Shah

Advocate Peshawar



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAK

Service Appeal No_____/2023

Israr Hussain

.....Appellant

.....Respondents

VERSUS

PPO & Others

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.
- 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

Que la

ADVOCATE.



I, Israr Hussain, Officiating Sub Inspector No.721/MR, PTC Hangu, 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.

STEN

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DEFORMENT

Identified by Baseer ahmad Shah C. Advocate Peshawa

Government of Khyber Pakhtunkhwa

Office of the Regional Police Officer, Mardan

Phone No. 0937-9230113, Fax No. 0937-9230115. Email Address: - espomardan@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.
- Deputy Inspector General of Police Traffic, Kyber Pakhtunkhwa, Peshawar, 4.
- 5. Deputy Commandant Elice 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. Phnopal EPTC, Nowshera.

// , February, 2019

TTESTED

No. 1190-12041ES.

PROMOTION & OFFICIATING SUB INSPECTORS.

Subject:

Consequent + 201 recommendation by the Departmental Promotion Memo: 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: 51s in (BPS-14).

dowo anainst each:-

5. No.	Name & Rank	Place of Posting	Decision
1.	ASI Haroon Khao No.173/MR	Swabi District	Recommended for promotion Conditional subject to Court Decision, He shall qualit Mardatory Training/Courses as per Police Rule 19-254, earning 07 marks within six months.
2.	PASI Syed Battramand Snah No. 309/MR	Charsadda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning OZ mark within six months.
3.	PAS(Aman Uilah No. 310/MR	Swabi District	Recommended for promotion Conditionals He shall qualify Mandatory Training/Courses a per Police Rules 19-254, earning 07 mark within six months.
4	PASt Sadique Aktar No. 305/MR -	Şwate District	Recammended for promotion Conditionally He shall qualify Mandatory Training/Courses a per: Poice Rules 19-25A, earning 07 mark within six montlis.
5.	PASI Humair Hussain No. 305/HR	Hardan District	Recommended for promotion Conditionally He shall qualify Handatory Training/Courses a per Police Rules 19-25A, earning D4 mark within six months.
6.	PASI Bismiliah Jan No. 312/HR	Swabl District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 05 mark within six months.
7.	PASI Hidayat Ullah No. 306/MR	Chorsodda District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, coming 04 mark within six months.
*	PRST Status Annual RD 715/FA	Hersten Derrict	Recommended for promotion Conditionally He shall causily Handelary Training Courses in per Police Rules 19-254, earrang D4 mint mean 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

- 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.
 - 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:

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
<u>1</u> .	ASI Haroon Khan No. 173/MR	Swabi Districi	Recommended for promotion Conditionall subject to Court Decision. He shall qualit Mandatory Training/Courses as per Police Rule 19-25A, earning 07 marks within six months.
2.	PASI Syed Bahramand Shah No. 309/MR	Charsadda District.	Recommended for promotion Conditionally He shall quality Mandatory Training/Courses a 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 a per Police Rules 19-25A, earning 07 marks within six months.
4.	PASI Sadique Akbar No. 308/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks within six months.
5.	PASI Humair Hussain No. 305/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses at 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.



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- 35.	ASI Javid Ho. 569/MR	Mardan District	per Police Rules 19-25A, earning 07 marks	
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			Recommended for promotion Conditionally.	• • • •
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36.	ASI Jenangir Khan No. 570/113	Marcen Discric	per. Police Rules 19-25A, earning 06 marks:	
	and the second		within six months.	
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1.5	ASI Muhammad Zubair No.	Elite Force KPK-	He shall qualify Handatory Training/Courses as	
- 37,	654/MR	from Swabi District	per Police Rules 19-25A, earning 05 marks: within six months.	
			Recommended for promotion Conditionally.	
2 m (11)	ASI Parwar All No. 571/HR	Hardan District	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks	
<u>∦</u> _38.			within six months.	
				9
		On deputation to	Recommended for promotion Conditionally:	÷.
	AST Shah Hussain No. 572/HR	CTD KPK from	year 2014 within 15 days. He shall qualify	-a
39.		Swattl District	Mandatory Training/Courses as per Police Rules	
			19-254 earning 06 marks within six months.	
	No. 12 27	in an	Recommended for promotion Conditionally	
	AST SHONT MUT NO. 655/MR	- Swabi District	He shall qualify Mandatory Training/Courses as	· · ·
40		· #	per Police Rules 19-25A, earning 07 marks within six months.	· ·
				•
1 States		· · ·	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the	
	1. 1		year 2014, 2015 & 2017 month 15 days. He	
4L	AST Dial Hussen No. 573/MR	Mandan Destinct	shall quality Handatory Traving/Courses as per-	
1			Police Rules 19-25A, earning 09 menus within	
<u> </u>			six months.	
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ASt litaf Hussain No. 573/MR

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Recommended for promotion Conditionally.

He shall qualify Mandatory Training/Courses as Mardan District per Police Rules 19-25A, earning 09 marks within ASI Shah Jehan No 712/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within Charsadda District ASI Gul Malik No. 565/MR six months. Recommended for promotion Conditionally, He shall qualify Mandatory Training/Courses as Mardan District per Police Rules 19-25A, earning 05 marks within ASI Hamayun No. 651/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 03 marks within Swabl District ASI Iftikhar Shah No. 566/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as ASI Aziz Ur Rahman No. Mardan District per Police Rules 19-25A, earning 08 marks within 582/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as ASI Sved Saleem Nawaz No. Mardan District per Police Rules 19-25A, earning 07 marks within 652/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within ASI Ayaz Muhammad No. Swabi District 653/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as Mardan District per Police Rules 19-25A, earning 07 marks within ASI Niaz Ali No. 567/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as Mardan District ASLAbdul Salam No. 568/MR per Police Rules 19-25A, earning 05 marks within six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as Mardan District per Police Rules 19-25A, earning 07 marks within ASI Javid No. 569/MR six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within ASI Jehangir Khan No. 570/MR Mardan District six months. Recommended for promotion Conditionally. On deputation to He shall qualify Mandatory Training/Courses as Elite Force KPK ASI Muhammad Zubair No. per Police Rules 19-25A, earning 05 marks within from Swabi 654/MR six months District Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as Mardan District per Police Rules 19-25A, earning 07 marks within ASI Parwar Ali No. 571/MR six months. Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the On deputation to year 2014 within 15 days. He shall qualify CTD KPK from ASI Shah Hussain No. 572/MR Mandatory Training/Courses as per Police Rules Swabi District 19-25A, earning 06 marks within six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as Swabi District ASİ Shahi Mulk No. 655/MR per Police Rules 19-25A, earning 07 marks within six months. Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the Mardan District

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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· · ·	50	ASI Gul Banacar No. 580,745	Mandan District;	Der Police Rules Carda and and a statistical	-je spoleti na stali
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. . 1 7			Mardan District		
	51	AEL Fawad AS No. 581/MR	Plaitici List -	per Poles Lies 12-124, 65-101 OF THE	
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i				Recommended the promition Conditionally a	
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	S	ASI WARTAF BC. SSS/MS	Consecutive to Decet On secute the to End Force XPX from Marian Const.	אלישה או דיסידה אנישה או דיסידה אנישה או דיסידה אנישה או דיסידה אנישה בי היסידה אנישה בי היסידה בי היסידה אנישה בי היסידה אנישה בי היסידה אנישה בי היסידה אנישה בי היסידה אנישה בי היסידה אנישה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה בי היסידה	
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	1	AS1 Wago A4 Br. 555/MR	Cro Krofen Cro Sector Brus Forte X7X Brus Forte X7X Const Const Cro centration D Cro Krofen	אליקר או דיטידה אנייריאליטער איז דיטידה אנייריאליטער איז איז איז איז איז איז איז איז איז איז	
	1	AS1 Wago A4 Br. 555/MR	שישה אצילא. סאראל אין מיז אבינגנטיי שיש ביב הרגי איז ביב הרגי איז ביב אין ביב אירליטיי אפרע אביני ביב אירליטיי אפרע אביני ביב אירליטיי אפרע ביב אירליטיי אפרע ביב אירליטיי ביב אירליטיי	אלישה או דיטינים אנישה או דיטינים אנישה או דיטינים אנישה איז דיטינים אנישה בר האידים אנישה אנישה בר האידים אנישה אנישה בר האידים אנישה אנישה בר האידים אנישה בר האידים	
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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
44.	ASI Shahab Ali No. 576/MR	Swabi District	Recommended for promotion Conditionally Reshall 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.
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 Recommended for promotion Conditionally
.49.	ASI Farooq No. 579/MR	Swabi District	He shall qualify Mandatory Training/Courses at per Police Rules 19-25A, earning 06 marks within air months
50.	ASI Gul Bahadar No. 580/MR	Mardan District	Recommended for promotion Conditionality 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/ M R	Mardan District	Recommended for promotion Conditionality 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 at 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 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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	1 457 Amerika ku 1079-117	Hartyr Dates	Recommended for promotion Conditionally. He shall quality Mancatory Training/Courses as per Police Rules 19-25A, earning 09 marks action so months.	
60.	ASI MENhar Ahmond the 719/H	Ch deputstor CCF/Peshawar from Seistin District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning OBmarks within six months.	
61.	ASTRAL ROWAL NO. 589/MA	Swatt District	Recommanded for promotion Conditionally. He shall cualify Mandatory Training/Courses as per folice Rules 19-25A, earning 05 marks within six months.	•
62.		Swabi District	Recommended for promotion Conditionally. Ne shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning Q8marks within six months.	
63	ASI Intezar A3 IIO, 591/HR	Harden District	Recommended for promotion Conditionally- rice shad quality Mandatory Training/Courses as, per Police Rules 19-25A, earning 09 marks within six months.	
64.	ASI Israr Hussain No. 721/MR	Swazi District	Recommended for promotion Conditionally He shall qualify -Mandatory Training/Courses as per Police Rutes 19-25A, earning 05 marks within six months.	
65.	ASI Mulaffar Ko, 592/MR	-Charsovia District	within six months.	
66	ASI ADIG Ulian No. 593/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Handatory Training/Courses as per_Police Rules_19-25A_carring_DS_morks within six months.	
57. 57.	AST Rize Muthammod No. 660/MR	Swabi District	Recommended for promotion Conditionally. He shall quality Mondatory Training/Courses as per Molee Rules 19-25A, earning (38 marks) within six months.	TEST
68.	ASI Fazat Khuda No. 594/MR	Charsedde District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as por Police Rules 19-25A, earning 07 marks within shr months.	
) 69.	ASI Felck Niez FRO. 595/HR	Charsacta District	Recommended for promotion 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.	ASLADI AH NG 642/MR	-On deputation to- Special Branch from Hardan District	Recommended for promotion Conditionally. He shall quality Handatory Training/Courses as per Police Rules 19-25A; earning 02 marks within six months.	
71.	AST Huhammad ILyas Ilo. S96/HR S1	Swabi Ostrict	Recommended for promotion Conditionally Subject to production of satisfactory ACR for the year 2016 within 15 days. He shall quality Handdory Training/Courses as per palke Rules 19-25A, earning 08 marks within siz months.	
72.	AST Hujahid No. 722/MR	Charsodda District	Recommended for promotion Conditionally He shall qualify Handatory Training/Courses as per Police Rules 19-254, carning 008 marks within six months.	
73.4	KSI Soriaj Khan No. S97/HR	Mardan District .	Recommended for promotion Conditionally, Subject to production of satisfactory ACR for the Year 2017 within 15 days, He shall qualify Handhory Trahing/Courses as one Police Rules 19-25A, earning 09 marks within six months.	
	51 Parrier Dan Ba. 73 4/18	Signitur Ordeniz	Recommended for promotion Conditionally. Subject to production of self-actiony ACRs for the pres 2014 & 2015 within 15 days. He shell custly: Marsterory Treasurg/Coartes at per Refer Pulses 19-25A, certaing 07 marks within the months.	·.

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59. 60.	ASI Basar No. 659/MR ASI Iftikhar Ahmad No. 719/MR	Mardan District On deputation to CCP/Peshawar	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months. Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as
		On deputation to	He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months
60.	ASI Iffikhar Ahmad No. 719/MR	On deputation to CCP/Peshawar	mention Conditionally.
60.	ASI Iftikhar Ahmad No. 719/MR	CCP/Peshawar	Recommended to: provide the fining/Courses as
60.	ASI Iffikhar Ahmad No. 719/MR	CCP/PESIIawa	
60.	ASI MIKNAFAIMIAU NO. 7 1977		per Police Rules 19-25A, earning 08 marks within
	the pre-	from Swabi	six months
	· · · · · · · · · · · · · · · · · · ·	District	a conditionally
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		Swabi District	per Police Rules 19-25A, earning 05 marks within
61.	ASI Rab Nawa No. 589/MR		-lu months
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		· · · ·	I The second the Mandatory I faining/Courses of
~	ASI Rashid Ali No. 590/MR	Swabi District	per Police Rules 19-25A, earning 08 marks within
62	ASI Rasilio Air No. Seeman		-in months
			Recommended for promotion Conditionally
Í			I us shall qualify Mandatory [Fairillo/Outises of
63.	ASI Intezar Ali No. 591/MR	Mardan District	per Police Rules 19-25A, earning 09 marks within
	· · ·		six months.
·····		[Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses as
· · ·	704/840	 Swabi District 	per Police Rules 19-25A, earning 05 marks within
64.	ASI Israr Hussain No. 721/MR	Uwabi Diosiot	per Police Rules 19-20A, earning of management
ſ	· · · · ·		six months. Recommended for promotion Conditionally
			I the shell qualify Mandatory Haining/Courses a
0F -	ASI Muzaffar No. 592/MR	Charsadda District	per Police Rules 19-25A, earning 06 marks within
65.	MOLIWIUZDII INU. JUZIWI V		t an athe
· · ·		<u> </u>	Recommended for promotion Conditionally
			I us shall qualify Mandatory (raining/courses a
66. Í	ASI Abid Ullah No. 593/MR	Mardan District	per Police Rules 19-25A, earning 05 marks within
-	· · ·		six months.
<u> </u>			Recommended for promotion Conditionally He shall-qualify-Mandatory_Training/Courses_a
	ASI Raz Muhammad No.	Swabi District	per Police Rules 19-25A, earning 08 marks within
67.	660/MR		eix monthr
			Recommanded for promotion Conditionally
		· · · · ·	He chait qualify Mandatory Training/Courses at
68.	ASI Fazal Khuda No. 594/MR	Charsadda District	per Police Rules 19-25A, earning 07 marks within
			six mosths
!			Recommended for promotion Conditionally
			Subject to production of satisfactory ACR for the
69.	ASI Falak Niaz No. 595/MR	Charsadda District-	year-2017 within _15_days. He shall qualify
U U		· .	Mandatory Training/Courses as per Police Rule: 19-25A, earning 05 marks within six months.
.	·		Recommended for promotion Conditionally
1		On deputation to	He shall qualify Mandatory Training/Courses as
70.	ASI Abid Ali No. 642/MR	Special Branch	per Police Rules 19-25A, earning 02 marks within
70. '	ASI ADIO All NO: 042761	from Mardan	six months.
		District	Recommanded for promotion Conditionally
			Euclided to production of satisfactory AUR IOF III
	ASI Muhammad Ilyas No.	Swabi District	woor 2016 within 15 days. He shall quality
71.	596/MR		Hondotopy Training/Courses as per Police Kule
			10.254 earning 08 marks within Six months.
			Decommonded for promotion Conditionally
		Ohner alla District	Line shall qualify Mandatory Training/Courses a
72.	ASI Mujahid No. 722/MR	Charsadda District	per Police Rules 19-25A, earning US marks with
			six months.
		T	Recommended for promotion Conditionally Subject to production of satisfactory ACR for th
			year 2017 within 15 days. He shall qualif
73.	ASI Sartaj Khan No. 597/MR	Mardan District	Mandatory Training/Courses as per Police Rule
10.	· · · · · · · · · · · · · · · · · · ·		10 36A parping 00 marks within Six monins.
-		+	Recommanded for promotion Conditionally
	· ·		I subject to production of satisfactory ACR for the
	244.645	Mardan District	I used point & 2015 within 15 days. He shall guals
74. 👘	ASI Maneer Khan No. 714/MR		Mandatory Training/Courses as per Police Rule
			19-25A, earning 07 marks within six months.
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76.) Add Date Khao Inc. 555/MR Marden Drovist He shall quality Handbury meaning internation commended for promotion Commended for premotion Commen		Recommended for promotion Candit Martin Control For Polog Rules 19-254, canning Co within six months.	marks
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	SI Abdul Jabbar No. 606/HR	Mardan District Police Rules 19-25A carning 30	

Necessary Garette Notification be issued accordingly Q

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(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 Mandalory Training/Courses as per Police Rules 19-25A, earning 05 marks within . six months.
82	ASI Syed Itaf 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 monthe-
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.

(2A)

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. estromardan@gmail.com*

-0 -February, 2023:

To: All District Police Officers, in Mardan Region.

No: 783-87 IES.

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 18.12.2022 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 Ofig: promotion of Sub inspectors of Mardan Region against the vacancies of <u>25%</u> 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 <u>Police Rules</u>, <u>Chapter-13 Rule-18</u>, 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

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

Hence, the afcrementioned recommendations were thoroughly ciscussed in the Departmental Promotion Committee Mucting 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 achoc 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.

S. No.	Name and Number	Home District
1 124	Alamoir No. 640/MR	Mardan Cistrict
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: 647/MR	Nowscera District
6.	Abdul Wahab No.530/MR	Swabl District
7.	Hashmat Khan No. 531/MR	Mardan District
8.	Sved Nisar Ahmad-No.532/MR	Swabi District
9.	Abdul Ghaffar No. 533/MR	Mardan District
10.	Nasir Khan No. 535/MR	Mardan District
11.	Yaseen Shah No. 537/MR	Mardan District
2.	Arriad Ali No.538/MR	Swabl Elstrict
13.	Nacem Khan No. 539/MR	Mardan District
14.	Jehandad No. 540/MR	Mardan District
15.	Manzoor Ali Shah No. 410/MR	Mardan District
16.	Mukhtiar All No. 543/MR	Nowshera District
17.	Ziad Muhammad No. 536/MR	Mardan District
18.	Muhammad Jehangir No. 648/MR	Mardan District
19.	Faiz Muhammad No, 541/MR	Mardan District
2C.	A mal Khan No. 542/MR	Swabi District
21.	Amjid Ali No. 644/MR	Mardan District
22.	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
25.	Saidul Amin No. 649/MR	i Swabi District
20.	Ali Akbar No. 660/MR	Mardan District
27.	Fazal Dawood No. 551/MR	Mardan District
	Fazal Knalig No. 652/MR	Mardan District
<u>29.</u> 30.	Haroon Khan No. 173/MR	Swabi District
	Syec Bahramand Shah No. 309/MR	Charsadda District
.31.	Aman Uliah No. 310/MR	Swabi District
32.	Aman Ullan No. 3 Winny	

		Sad Que Akbar No 308/MR	Swab: District	
	33	Humair Hussain No. 305//4R	Marcan District	. .
-	34	Bismillah Jan No. 312/VR	Swabi District	
·	38	Fidayat Ultah Nc. 336/MR	Charsadda District	·
<u> </u>	55	Shabbir Ahmad No. 315/MR	Marcan District	
·	37	STADDIE AFETRICING STOLATS	I Swabi District	
·	.38.	Zahid Nøwaz No. 307/MR		
	39.	Altaf Hussain No. 314/MR	Swabi District	 .
	40.	Beider Bekht No. 311/MR	Charsadea District	
	4	Kameen Khan No. 554/MR	Mardan District	-
}	42.	Imtiaz Khan Nc. 555/MR	Mardan District	4
-	43.	Khan Muhammad No. 557/MR	Swabi District	
		Faroog Hussain No. 558/MR	Mardan District	
Ĺ	45,	Qasim Khar. No. 559/MR	Swabi District	
!	46.	Noorul Islam No. 560/MR	Mardan District	
·	47	Javid Ahmad No: 711/MR	Mardan District	_
•	48.	Anees Ahmad No. 561/MR	Mardan District	-
	49.	Saf Ul Islam No. 562/MR	Mardan District	
	50.	Umer Hayet No. 563/MR	Swabl District	1.
	51.	Akhtar Munir No. 564/MR	Swabi District	
1	52.	Shah Jehan No. 712/MR	Mardan District	
÷ .	53.	Gul Ma'ik No. 565/MR	Charsadda District	-
	54.	Hamayun No. 651/MR	Mardan District	4
÷	55.	Ifikhar Shah No. 566/MR	Swabi District	1
	.56.	Aziz Ur Rahman No. 582/MR	Mardan District	j.
	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	245
	80.	Abdul Salam No. 568/MR	Mardan District	
	61,	Javid No. 569/MR	Mardan District	ESTE
	62.	Jehangir Khan No. 570/MR	Mardan District	
	63.	Muhammad Zubair No. 654/MR	Quarabi Diatriat	
			Swabi District	•
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94.	Fazal Khuda No. 594/MR	Charsadda District
95.	Falak Niaz No. 595/MR	Mardan District
96.	Abid Ali No. 642/MR	Swabi District
97.	Muhammad ILyas No. 596/MR	Charsadda-District
98.	Mujahid No. 722/MR	Mardan District
.99.	Sartaj Khan No. 597/MR	Marcan District
100.	Maneer Khan No. 714/MR	Margan District
101.	Hussaln All No. 598/MR	Mardan District
102.	- Jamshed Khan No. 599/MR	Mardan District
C3.	Lugmar, Khan No. 600/MR	Swabi District
	Fazal Subhan No. 601/MR	Swabi District
	Jehangir No. 723/MR	Charsadoa District
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Moreover, upon creation of vacancy under 75% share, the adhoc promotions in the rank of Sub inspectors will be considered as regularized Officiating Sub inspectors as per order of seniority, from date of creation of vacancy.

It is pertinent to mention here that after promotion as Officiating 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.

(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. Empil. <u>esrcomardan@gmail.com</u>

To: All District Police Officers. in Mardan Region.

No. 793 -97 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 achoe 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
· <u> </u>	Alaring r No. 643/MR	Mardan District	14.04.2018
	Shahen Shah No.841/MR	Swabi District	24.04.2018
3	-Rabnawaz No. 528/MR	Mardan District	27.07.2013
4.	Mohamanday Nc. 529/MR	Mardar District	30.07.2018
5.	Achtar Hussain No. 647/MR	Nowshera District	09.10.2018
<u>.</u>	Apdul Wahab No.530/VR	Swabi District	31.02.2019
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	15.08.2019
13.	Nasem Khan No. 539/MR	Mardan District	05.07.2019
14,	Jehandad No. 540/MR	Mardan District	31.07.2019
15.	Manzoor Ali Shah No. 410/MR	Mardan District	14 10.2019
13,	Mukhtiar Ali No. 543/MR	Nowshera District	31.12.2019
17.	Zlad Muhammad No. 536/MR	Mardan District	31,01.2020
15.	Muhammad Jehangir No. 648/MR	Mardan District	03.02.2020
19.	Faiz Muhammac No. 541/MR	Mardan District	09.02.2020
20.	Arnal Khan No. 542/MR	Swabi District	; 31.03.2020
21.	Amid AT NO. 544/MR	Mardan District	1 31:03.2020
22	Faza Hussain No. 545/MR	· Swab Diatrict	08.04.2020
23;	Raza Khan No. 546/MR	Sweb District	12 04 2020

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		Swabl Distric:	30.04.2020
	Myhammad Naeem No. 547/MR	Marcan District	19.05.2020
24.		Swabi District	02.05.2020
25.	ATIO NO. CHOINE	Marcan District	30.05.2020
26,		Marcan District	31.07.2020
27.	Fazai Dawood No. 551/MR	Marcan District	01.03.2020
28.	Fazal Khalk No. 552.MR	Marcan District	
29.	Haroon Khan No. 173/MR	Swabi Distric:	01.03.2020
- 3C.	Haroch Khan No. 170 Min	Charașoda	02.08.2020
31,	Syed Bahramand Shah No. 302/MR	Distr Ci	
،اپ <u>م</u> ان		Swabi District	11.03.2020
	Aman Ulah No. 310/MR	Swabi Distric:	02.09.2020
- 33.	Sadigue Akbar No. 3C8/MR	Mardan District	28.09.2020
r 34.	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	
. 36.		Mardan District	26.11.2020
. 37.	Shabbir Ahmac No. 315/MR	IV.a. Gain D. Sciol	01.01.2021
- 38.	Zahid Nawaz No. 3C7/MR	Swabi District	10.01.2021
39.	A taf Hussain No. 314/MR		12.04.2021
		Charsadda	12.04.204
- 40.	Baidar Bakht No. 311/MR	District	12.04.2021
41.	Kameen Khan No. 554/MR	Mardan District	
41	Imtiaz Khan Nc. 555/MR	Mardan District	29.08.2021
and the second se	Khan Muhammad No. 557/MR	Swabl District	03.09.2021
43.	Nan Wohanting No. Some	Swabl District	11.03.2022
.44.	Qasim Khan No. 559/MR	Mardan District	01.04.2022
45.	Noorul Islam No. 560/MR	Mardan District	02.04.2022
_46.	Javid Ahmad No. 711/MR	Mardan District	31.10.2022
47.	Anees Ahmad No. 561/MR		05.01.2023
48.	Saif UI Islam No. 582/MR	Mardan District	1 00.01.2020

(MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan

ATTESTED Mardan.

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.

Diaty No # 4942/CPB

Respectfully Submitted:-

Dated 27/02/2023

Anex [

- 1. That the appellant was initially enlisted as Constable in Police department on 03-05-1995, 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).

- 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).
 - 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.

That the impugned order is illegal and void ab-initio being passed ex parte, the appellant has been condemned unheard.

- 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.
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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.

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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.

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

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

> Israr Hussain, Officiating Sub Inspector No 7.21/MR, PTC Hangu .

CHAPTER XIII --- PROMOTIONS

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(3) Superintendents shall submit annually to the Deputy Inspector-General $b_{f,y}$ is 15th January confidential reports in form 13.17-A on the working of all gazetted officers $s_{f,r,r_{4}}$ under them. Deputy Inspector-General will add their own remarks and forward the reports to rest, the Inspector-General, on or before the 15th February.

The gist of adverse reports shall be communicated in written to the officers concernasubject to the conditions specified in paragraph 7 of Punjab Government Consolidated Circular H₂, 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 the typed or written in block letters below their signatures.

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

Comments

Annual Confidential Report. Adverse remarks-Object of conveying adverse remarks to individual Officer explained-Un-conveyed adverse remarks in a Confidential Report are to be ignored for purposes of promotion and also for purposes of retirement.¹

-Annual Confidential Report. Action on basis bf. Consecutive reports on inlegity 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.⁹

Reversion from officiating promotion and removal from list "D'.' Head Constable appointed as Officiating Assistant Sub-Inspector-Not found fit to hold such rank due to uneven service record-Reverted but kept on list "C" and given chance to improve his work and conduct by placing him under special report-Subsequently also reported to have doubtful integrity and censured-Reversion as Head Constable and removal from list "D" in circumstances, held, perfectly justified-Appeal dismissed by Service Tribunal-Punjab Service Tribunals Act (IX of 1974), S. 4.3

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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1988 PLC(CS) 685 1981 PLC(CS) 748 1983 PLC(CS) 631

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CHAPTER XIII - PROMOTIONS

of 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. White 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.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 relusing 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

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

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

1839.41/ Legal

No.

Toi

Subject:

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please.

Regional Police Officer, 7 Tire

GUIDELINES REGARDING CONFIRMATION IN THE BANK OF ASLAND SI

Please refer to the subject cited above. Meme:

CPO Peshawar vide letter No. CPO/CPB/63 dated 13.02.2023 had warveyed to all regime that ASIs promoted from a lower rank shall be confirmed on the termination of 02 years of propatation period with immediate effective: on the date his probation period actually completes and not treat the date of officiating promotion as ASI in the light of Rule 13.18 of Police Rules, 1934. Sumilarly, CPO/CPB/64 dated 13:02.2023, it has been conveyed that Assistant Sub trapectors appointed live. (PASIs) shall be confirmed in their appointments on the termination of three years probationary person with immediate effect, not with retrospective effect that is from the date of their appointments by due Range Deputy Inspector General of Police in the spirit of Rules 12.18 and Rules 19.25(5) of Police-Rule,

In this regard, the Hon'ble Supreme Court of Pakistan vide its Judgment in Mu. Warraich case Vs IGP Punjab (PLD 1985 SC 159), has underlined the difference between the July appointment and date of confirmation and has further held that the final seniority of the Officer, with 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/ which heads of Khyber Pakhtunkhya Police regarded confirmation in the light of Rule 13.18 of Police Rules 1934.

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

(ŠABIR AHMAD) ^{esp}

Additional Inspector General of Police. Headquarters, Khyber Pakhunkhwa. Peshawar.

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

to be true cos

OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

No. 1638-41/Legal

dated the 05-05-2023-

The Regional Police Officer.

Bannu.

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

Memo

To

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-l-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.



VAKALATNAMA

• IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

HussainPetitioner/Appellant. 15-6at VERSUS

Plo 2 others. 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.

<u>To draft</u> 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 _____

2.

Client (s)

BASEER AHMED SHAH &

IBAD UR REHMAN KHALIL Advocates • Peshawar

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

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR CHECK LIST

158ar Hussain US PPO & others Case Title: YES NO CONTENTS S# This Appeal has been presented by: Adu Buseed Ahmad 1 Whether Counsel/Appellant/Respondent/Deponent have signed 1m 2 the requisite documents? ~ Whether appeal is within time? 3 Whether the enactment under which the appeal is filed \geq 4 mentioned? Whether the enactment under which the appeal is filed is correct? . سرسا 5 Whether affidavit is appended? 6 competent Oath, Whether affidavit is duly attested by b 1 7 Commissioner? U-Whether appeal/annexures are properly paged? 8 Whether certificate regarding filing any earlier appeal on the . \times 9 subject, furnished? V Whether annexures are legible? 70-1 Whether annexures are attested? 11 Whether copies of annexures are readable/clear? 1 12 Whether copy of appeal is delivered to AG/DAG? 13 Whether Power of Attorney of the CounseLengaged is attested × :_-14 and signed by petitioner/appellant/respondents? ~ Whether numbers of referred cases given are correct? 15 4 Whether appeal contains cutting/overwriting? 16 Whether list of books has been provided at the end of the appeal? \checkmark 17 4 Whether case relate to this court? 18 Whether requisite number of spare copies attached? L----19 i Whether complete spare copy is filed in separate file cover? 20 2 Whether addresses of parties given are complete? 21 Whether index filed? 22 Whether index is correct? 23 Whether Security and Process Fee deposited? On 24 Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11. notice along with copy of appeal and annexures has 25 been sent to respondents? On Whether copies of comments/reply/rejoinder submitted? On 26 Whether copies of comments/reply/rejoinder provided to 27 opposite party? On

It is certified that formalities/documentation as required in the above table have been fulfilled.-

Name: Signature:

Adv Baseer Ahmad 08-06-2023

Dated: