FORM OF ORDER SHEET

· · · . Court of____

Appeal No. 1350/2023

7	· ·	<u>Ap</u>	peal No. 1350/2023
. • •	S.No.	Date óf order proceedings	Order or other proceedings with signature of judge
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• .•	1-	14/06/2023	The appeal of Mr. Zahir Bacha presented today by
			Mr. Baseer Ahmad Shah Advocate. It is fixed for preliminary
			hearing before Single Bench at Peshawar on
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BEFORE THE KHYBER PAKHTUNKHWASERVICE TRIBUNAL PESHAWAR

Service Appeal No 1350 /2023

Zahir Bacha

VERSUS

PPO & Others

...Respondents

.Appellant

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	В	13-16
5.	Copy of the Letter No 793-97/ES dated 10-02-2023	С	17-12
6.	Copy of departmental appeal	D	19-2
7	Copy of Police Rules 13-18 & Letter dated: 5-5-2023	E&F	22-21
8	Vakalat Nama	***	25

<u>INDEX</u>

Dated:-05-06-2023

Appellant

Through

BASEER AHMAD SHAH

IBAD UR REHMAN Advocate,

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

<u>PESHAWAR</u>

Service Appeal No/350_/2023

Zahir Bacha, Officiating Sub Inspector, No 578/MR, CTD 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 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 in the year 1996, was promoted as Head Constable in the year 2006, and was then promoted as ASI in the year 2014.
- 2. That the appellant during service, qualified various courses including Lower School Course, Intermediate and Upper School Course and is presently serving in police department of Mardan Region. The appellant along with others was confirmed as ASI on list "E" of Mardan Region, upon the recommendations of departmental promotion committee and after being confirmed as ASI on List "E" was accordingly promoted along with others as Officiating Sub Inspectors (BPS 14), upon the recommendations of Departmental Promotion Committee, vide Letter/Order dated 11-02-2019 by the Regional Police Officer Mardan. (Copy of Letter/Order dated 11-02-2019 is enclosed as annexure A).

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

GROUNDS:

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

- **D.** That the impugned Letter/Order is in violation of principles of natural justice, as no Charge Sheet and Show Cause Notice was issued to the appellant.
- **E.** That valuable rights had accrued in favor of the appellant which cannot be snatched for no fault on part of the appellant.
- **F.** That there is no omission or commission on part of the appellant and he cannot be punished for fault of others even if any.
- **G.** That the appellant even completed his Pole "A" and Pole :B" period besides various courses; required for confirmation as Sub Inspector, as such was hopeful of his confirmation as Sub Inspector but shockingly the impugned order was passed in violation of law and rules.
- H. That the appellant was entitled for confirmation as Sub Inspector after rendering two year service as officiating SI as per chapter 13-18 of the Police Rules and as per letter dated 05-05-2023 of respondent No 01, but his officiating promotion was even termed as adhoc.(Copy of Police rules 13-18 & Letter dated 05-05-2023 is enclosed as annexure E & F)
- I. That the appellant was promoted as officiating SI against the vacant valid vacancy.
- J. That even there is no eligible candidate in Fast Track quota, as in the year 2022/2023 eleven candidates had applied for promotion in Fast Track quota, of whom six candidates did not appear in exam while the rest five remained unsuccessful in exam, thus too the impugned order is liable to be set at naught.
- **K.** That the impugned Letter/Order is also not speaking one, as per Section 24-A (2) of the General Clauses Act 1897, thus too the same is liable to set at naught.
- 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 27 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:-05-06-23

Appellant

Through

-05-06-25

Baseer Ahmad Shah

Ibad Ur Rehman Advocates

LIST OF BOOKS

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

CERTIFICATE:

Certified that as per instructions of my client, no other Service Appeal on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal. $(\int_{V} d_{\Gamma})^{-1}$

AFFIDAVIT

I, Zahir Bacha Officiating Sub Inspector No.578/MR,CTD 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

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BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No____/2023

Zahir Bacha

.....Appellant

VERSUS

PPO & Others

.....Respondents

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

Respectfully Submitted:-

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

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

Dated:- 05-06-2023

Appellant

Through

BASEER AHMAD SHAH

Cher

ADVOCATE.

AFFIDAVIT

I, Zahir Bacha Officiating Sub Inspector No.578/MR,CTD 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.

6

Identified by DEPORTENT 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: - esrpomardan@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 Khyber Pakhtúnkhwa, Peshawar.
- 7. All District Police Officers, Mardan Region.
- 8. All Head of Investigation in Mardan Region.
- 9. Principal EPTC, Nowshera.

No. 1190-15041ES.

// , February, 2019

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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: 515 In (BPS-14) subject to the condition lay down against each:-

5. Na,	Name & Rank	Place of Posting	Decision
1.	ASI Haroon Khan No.173/HR	Swabi District	Recommended for promotion Conditionali subject to Court Decision. He shall, qualif Handatory Training/Courses as per Police Rule 19-254, earning 07 marks within six months.
z.	PASI Syed Bahromand 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.	PASI Amen Ultah No. 310/HR	Swahı District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-254, earning 07 mark within six months.
4.	PASI Sadique Akbar No. 306/HR	Şwabı District	Recommended for promotion Conditionally He shall qualify Handstory Training/Courses as per Poinze Rules 19-25A, earning 07 marks within six months.
5.	PASI Humair Hussain No. 1305/HR	Mardan District	Recommended for promotion Conditionally He shall qualify Handatory Training/Courses as per Police Rules 19-25A, earning 04 marks within six months,
6.	PASI Bismiliah Jan I/o. 312/MR	Swabl District	Recommended for prontotion Conditionally, He shall qualify Mandatory Training/Courses as per Police Rules 19:25A, earning OS marks within six months.
7.	PAST Hidzyat URah No. 306/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses at per Police Rules 19-25A, earning 04 marks within six months.
.	MASI Stratysi aliveraat No 315/MR	Hersen Disorts	Recommended for promotion Conditionally Ne shall qualify Handatary Training/Canadas in per Police Rules 19-254, earrying D4 minutes within siz 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

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Subject: PROMOTION AS OFFICIATING SUB INSPECTORS

Memo:

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

	Name & Rank	Place of Posting	Décision
1.	ASI Haroon Khan No. 173/MR	Swabi District	Recommended for promotion Conditionally subject to Court Decision. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six monthis.
	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 Mandelory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
1 1	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.
· ·	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.
5.	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.
. F	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.
	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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9.	PASI Zahid Nawaz No. 307/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
10.	PASI Altaf Hussain No. 314/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
11.	PASI Baidar Bakht No. 311/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
12.	ASI Ayaz Ali No. 549/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
13.	ASI Kameen Khan No. 554/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
14	ASI Imtiaz Khan No. 555/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
15.	ASI Waqif Khan No. 556/MR	On deputation to Special Branch from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
16.	ASI Khan Muhammad No. 557/MR	On deputation to CTD KPK from Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
7.	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.
8.	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.
9.	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.
0.	ASI Javid Ahmad No. 711/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
1.	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.
2.	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.
3.	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:
I. •	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.
5.	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 Ayaz Muhammad No. Swabi District He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months. ASI Niaz Ali No. 567/MR Mardan District Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months. 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 07 marks within six months. 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. 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. ASI Javid No. 569/MR Mardan District Recommended for promotion Conditionally. 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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 at per Police Rules 19-25A, earning 09 marks within six months.
48.	ASI Subhan Ullah No. 657/MR	Swabi District	Recommended for promotion Conditionality He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks withi six months.
. 49.	ASI Farooq No. 579/MR	Swabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 06 marks withi six months.
50.	ASI Gul Bahadar No. 580/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks withi six months.
51.	ASI Fawad Ali No. 581/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 06 marks withi six months.
52.	ASI Bakht Zada No. 583/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 07 marks withi six months.
53.	ASI Muhammad Tahir No. 718/MR	Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses a 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 a per Police Rules 19-25A, earning 07 marks withi 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 a per Police Rules 19-25A, earning 03 marks withi six months.
56.	ASI Wajid Ali No. 585/MR	On deputation to Elite Force KPK from Mardan District	Recommended for promotion Conditionality He shall qualify Mandatory Training/Courses a per Police Rules 19-25A, earning 02 marks within six months.
<u> 5</u> 7.	ASI Shah Jehan No. 586/MR	On deputation to CTD KPK from Mardan District	Recommended for promotion Conditionally He shall qualify Mandatory. Training/Courses a per Police Rules 19-25A, earning 07 marks withi 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 a per Police Rules 19-25A, earning 06 marks withi six months.
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	• AST April 19 10 10 10 10 2	Martan Dati-di	Recommended for promotion Conditionally he shall quality. Handatory Training/Courses at per Police Rules 19-25A, earning 09 marks without stamonitis.	5 1
60.	AS3 Highhar Ahmod hig. 719/948	On deputation to CCF/Peshawar from Swabi Distinct	He shall gualify Manoatory fraining/courses as per Police Rules 19-25A, earning OBmarks within six months.	•
61.	AST. Rat. nowaz No. 583/MR	Swabl District	Recommended for promotion Conditionally. He shall quality Handatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.	
67.		Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning O8marks within six months.	
63.	ASI MOLLAR AN NO. 591/MR	Hardan District	Recommonded for promotion Conditionally- me shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.	
64.	ASI Israr Hussain No. 721/HR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses 85 per Police Rules 19-25A, earning 05 marks within sis months.	
65.	ASI Pataliar Ro. 592/HR	-Orarsodda Olstrict	Recommended for promotion.Conditionally: He shall qualify Mandatory Training/Courses as per Police Rules: 19-25A; earning 06 marks within six months.	
66	ASI Abid Ullah to S93/MR	Nardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules_19-25A, carring OS mades within sta months	-6
67.	AST Raz Muhammad No.	Swabi District	Recommended for promotion Conditionally, He shall qualify Hendatory Training/Courses as per Police Rules 19-254, caming 08 imarks within six months.	TEST
68.		Chersadda District	Recommended for promotion Conditionally: He shat qualify. Handatory Training/Courses.es, per Police Rules 19-25A, corning 07 marks, within six months.	
69.	AST Falak Maz No. 595/MR	Charsadda District	Recommended for promotion Conditionally, Subject to production of satisfactory ACR for the; year 2017 within 15 days. He Shall qualify, Handatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.	
70.	ASI ADD AH NO 642/MR	-On-deputation-to- Special Branch from Hardan Distinct	Recommended for promotion Conditionally, He shall quality Mandatory Training Courses as per Police Rules 19-254, earning Courses, and within six months.	
71.	AST Hubberry ad ILyas No. S96/MR	Swapi District	Recommended for promotion/Conditionally- Subject to production of satisfactory/ACR for the year 2016 within 15 days. Hei shall quality Mandatory Training/Courses as per Police Rules 19-25A, coming 08 marks within the months is of with the second	
72.	ASI Hujahid No. 722/MR	Charsodula District	Recommanded for promotion Conditionally, He shall qualify Mandatory Training/Courses, as per Police Rules 19-25A, earning 88, marks within six months.	
73	SSI Sortoj Khan No. S97/14R	Hərdən Ofstrict	Recommended for promotion Conditionally, Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Manfalory Training/Courses as for Police Rules 19:25A, caroing 09 marks within six months.	
74.	ASI Samer Chan San 71 4718	Wardan Charles	Recommended for promotion Conditionally. Subject to production of catisfactory ACRs for the year 2014 & 2015 within 15 days. He shall cupity Monsatory Transing/Courses as per Police Pulses 19-254, carning 07 marks within the months	CLAR TE3TE

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•	59.	ASI Basar No. 659/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
	60.	ASI Iftikhar Ahmad No. 719/MR	On deputation to CCP/Peshawar from Swabi District-	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six-months.
	61.	ASI Rab Nawa No. 589/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
	62	ASI Rashid Ali No. 590/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
	63.	ASI Intezar Ali No. 591/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
5	64.	ASI Israr Hussain No. 721/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
	65.	ASI Muzaffar No. 592/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 06 marks within six months.
-	65:	ASI Abid Ullah No. 593/MR	Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
	. 67.	ASI Raz Muhammad No. 660/MR	Swabi District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
	68.	ASI Fazal Khuda No. 594/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
	69.	ASI Falak Niaz No: 595/MR	Charsadda District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 05 marks within six months.
•	70.	ASI Abid Ali No. 642/MR	On deputation to Special Branch from Mardan District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 02 marks within six months.
	71.	ASI Muhammad Ilyas No. 596/MR	Swabi District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2016 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
	72.	ASI Mujahid No. 722/MR	Charsadda District	Recommended for promotion Conditionally. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 08 marks within six months.
-	73.	ASI Sartaj Khan No. 597/MR	Mardan District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2017 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.
.	74.	ASI Maneer Khan No. 714/MR	Mardan District	Recommended for promotion Conditionally. Subject to production of satisfactory ACR for the year 2014 & 2015 within 15 days. He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning 07 marks within six months.
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,	~ ;	A COMPLETION OF THE CORPORE	Marian Crivit	Accommended for promotion Conditionality Ke shall quality Handstory Transmit/Courses as per Police Rules 19-25A, earning 07 marks within six months.
	76.)	ASI Jamsted Kruci No. 575/hR	Mardan District	Recommended for promotion Conditionally. He shell qualify Handatory Training/Courses as cer Police Rules 19-25A, earning 04 marks within six months.
	77	ASI Lugman Khan No. 650/HR	Swați District	Recommended for premotion Conditionally, He shall qualify Handatory Training/Courses at per Police Rules 19-25A, earning 02: marks within six menturs:
<u>会社</u> 11日 第二日	78. 1	ASI Ferrit Subhen Ro. 601/MP	Sarabi District	Recommended for promotion Conditionally He shall qualify Handatory Training/Courses at per Police Rules 19-25A, earling 08-marked within six months
	79	ASI Johango Ho. 723/MR.	Charsedde District	Recommended for promotion Conditionally He shall gualify Habdatory Training/Courses # Ger Police Rules 19-25A, earing 03 metric within six months.
1	88	ASI Charanter Mehmood lic.	Marctan District	Recommended for promotion Conditionally. He shall quality Handatory Training/Courses an per Police Rules 19-25A, carring 01 mark within six months.
	81.3	AST Jehod AH No: 6037HR	Swabi D.strict	Recommended for promotion Conditionally Ne shal-qualify Handatory Training/Courses in the Police, Rules 19-25A, coming 05-marks within size months.
1.	82.5	ASI Syro (LEA! HUTLIN 11).	.Smabi District	Recommended for promotion Conditionally He shall qualify Mandatory Training/Courses as per Police Rules 19-25A, earning OT infanta within stemowths
	1.55 N	ASI NIQED UI DEN 140. 605/MR	Hardun District	Recommended for promotion Conditionally He sholl qualify Handstory Training/Courses to per Police Rules 19-254, carring Coll marked within str months.
	84	ASI Abdul Jabbar No. 606/HR	Hardan District	Recommended for premotion Conditionally He shall quality Handitory Training/Courtes a per Police Rules 19-25A, carning 109 mark within structures.

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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 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 Mandatory Training/Courses as per Police Rules 19-25A, earning 09 marks within six months.

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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. gargomarden@gmail.com

1 0 , February, 2023.

All District Police Officers, In Mardan Region

No. 783-87 IES.

Subject:

To:

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REVISED PROMOTION IN THE RANK OF OFFICIATING SUB INSPECTORS.

Memo:

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

The Committee vide its report made the following recommendations:-

a. In order to rectify the above irregularity, committee unanimously recommended that Offg: promotion of Sub Inspectors of Mardan Region against the vacancies of 25% share (to be filled through competitive examination and on recommendation of Public Service Commission) vide DPCs held on 22.03 2018, 20.06.2018 and 22.01.2019 at Mardan Region Office may be considered as an adhoc promotion till occurrence of vacar.cy 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 prescribed in Police Rules, Chapter-13 Rule-18, they may be confirmed on the basis of requisite criteria already fulfilled during the period of their adhoc promotion subject to the promotion as Offg: Sub Inspectors.

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

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

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Hence, the accrementioned recommendations were thoroughly oiscussed 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.

		Lite in District
S. No.	Name and Number	Home District
1.1.0	Alamgir No. 640/MR	Mardan District
2.	Shahen Shah No.641/MR	Swabi District
3.	Rapnawaz No. 528/MR	Mardan District
4.	Mohamanday No. 529/MR	Mardan District
5.	Akhtar Hussain No. 647/MR	Nowshera District
6.	Abdul Wahab Nc.530/MR	Swabl Cistrict
7.	Hashmat Khen No. 531/MR	Mardan District
8.	Syed Nisar Ahmad No.532/MR	Swabi District
9.	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	Swabi District
- 13.	Nacem Khan No. 539/MR	Mardan District
14.	Jehandad No. 540/MR	Mardan District
15.	Manzoor Ali Shah No. 410/MR	Mardan District
the second se	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
12.	A mai Khan No. 542/MR	Swabi District
<u>2C.</u>	Amii Ali No. 644/MR	Mardan District
21.	Fazal Hussain No. 545/MR	Swabi District
22.	Raza Khar. No. 546/MR	Swabi District -
23.	Muhammad Nasem No. 547/MR	Swabi District
24	Ata Ur Rahman No. 548/MR	Mardan District
25.	Atta Dr Kannan No. 649/MR	Swabi District
26.	Saidul Amin No. 649/MR	Mardan District
27.	Ali Akbar No. 650/MR	Mardan District
28.	Fazal Dawood No. 551/MR	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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33	Sad que Akbar No 308/MR	Sweb: District	- · · · · · · · · · · · · · · · · · · ·
<u>لوت</u> لاز	Humair Hussain'No, 305/14R	·Marcan District	— ·)
36	Bismillah Jan No. 312/VR	Sweb: District	/
35.	Hidayat Ultah Nc. 336/MR	Charsadda District	
37	Shabbir Ahmad No. 515/MR	 Marcari District 	
38.	Zahld Nawaz No. 307/MR	Swabi District	
39.	Altaf Hussain No. 314/MR	Swabi District	
40.	Beider Bekht No. 311/MR	Charsadda District	· ·
4.	Karreen Khan No. 554/MR	Merden District	<u>.</u>
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.	Oesim Khar. No. 559/MR	Swabi District	
46.	Noorul Islam No. 560/MR	Mardan District	_
47.	Javid Ahmad No 711/MR	Mardan District	⊷ Í .
48.	Anees Ahmad No. 551/MR	Mardan District	-
49.	Saif Ul Islam No. 562/MR	Mardan District	-
50.	Umer Hayat No. 563/MR	Swabi District	
51.	Akhtar Munir No. 564/MR	Swabi District	-
52.	Shah Jehan No. 7127MR	Mardan District	-
53.	Gul Malik No. 565/MR	Charsadda District	·
54	Hamayun No. 651/MR	Mardan District	<u>-</u> i
55.	Ifikhar Shah No. 566/MR	Swabi District	
<u> </u>	Aziz Ur Rahman No. 582/MR	Mardan District	-i
	Syed Saleem Nawaz No. 652/MR	Mardan District	-
58.	Ayaz Muhammad No. 653/MR	Swabi District	
· <u>.59.</u> £0.	Niaz Ali No. 567/MR	Mardan District	un .
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			FFATA:
61.	Javid No. 569/MR	Mardan District	ESTED
<u>61.</u> 62.	Javid No. 569/MR Jehangir Khan No. 570/MR	Mardan District	ESTED
61. 62. 63.	Javid No. 569/MR Jehangir Khan No. 570/MR Muhammad Zubair No. 654/MR	Mardan District A Mardan District Swabi District	ESTED
61. 62. 63. 64.	Javid No. 569/MR Jehangir Khan No. 570/MR Muhammad Zubair No. 654/MR Parwar Ali No. 571/MR	Mardan District Mardan District Swabi District Mardan District	ESTED
61. 62. 63. 64. 65.	Javid No. 569/MR Jehangir Khan No. 570/MR Muhammad Zubair No. 654/MR Parwar Ali No. 571/MR Shah Hussair No. 572/MR	Mardan District Mardan District Swabi District Mardan District Swabi District	ESTED
61. 62. 63. 64. 65. 56.	Javid No. 569/MR Jehangir Khan No. 570/MR Muhammad Zubair No. 654/MR Parwar Ali No. 571/MR Shah Hussair No. 572/MR Shahi Mulk No. 655/MR	Mardan District Mardan District Swabi District Mardan District Swabi District Swabi District	ESTED
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<u> </u>	Nuzaffar No: 592/MR	Charsadca District
91. 92.	Abid Ullah No. 593/MR	Mardan District
92.	Raz Muhammad No. 360/MR	Swabi District
93. 94.	Fazal Khuda No. 594/MR	Charsadda District
	Falak Niaz No. 595/MR	Charsadda District
95.	Abid All No. 642/MR	: Mardan District
. 96.	Muhammad ILyas No. 596/MR	Swabi District
97. 98.	Mujahid No. 722/MR	Charsadda District
99.	Sartaj Khan No. 597/MR	Marcian District
100.	Maneer Khan No. 714/MR	Maroan District
: 101.	Hussalr All No. 598/MR	Mardan District
102.	Jamshed Khan No. 599/MR	Mardan District
103.	Lugmar, Khen No. 600/MR	1 Swabi District
<u> </u>	Fazəl Subhan No. 601/MR	Swabi District
		Charsadoa District
106.	Ghazanfar Mahmood No. 602/MR	Mardan District
107.		Swabi District
108.		Swabi District
		Mardan District
110.	Abdul Jabbar No. 606/MR	Mardan District
	L riddet duddet thet date the	

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,

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Mardan.



GOVERNMENT OF KHYBER PAKHTUNKHWA OFFICE OF THE REGIONAL POLICE OFFICER MARDAN Phone No. C937-9230113, Fax No.0937-9230115.

Email, estroomardan@gmail.com

District Police Officers. Tc: ΆIJ. in Mardan Region.

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10, February, 2023.

Subject:

No. 793

INSPECTORS, In continuation to this office Memo: No. 783-87/ES dated 10.02.2022 Memo: on the subject noted above.

REVISED PROMOTION IN THE RANK OFFICIATING SUB

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 thebasis 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.	Alang r No. 640/MR	Mardan District	14.04.2013
<u> </u>	Shahan Shah No.841/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	Novishera District	09.10.2018
6.	Abdul Wahab No.530/MR	Swabi District	01.02.2019
7.	Hashmat Khan No. 531/MP.	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. 637/MR	Mardan District	24.04.2019
12	Amjad Ali No.538/MR	Swabi District	15.06.2019
13.	Naeem Khan No. 539/MR	Mardan District	05.07.2019
14.	Jehandad No. 640 MR	Mardan District	31.07.2019
15.	Manzoor Ali Shah No. 410/MR	Mardan District	14.10.2019
19.	Mukhtiar Ali No. 543/MR	Nowshera District	31.12.2019
17	Ziad Muhammad No. 536/MR	Mardan District	31.01.2020
13.	Muhammed Jehzngir No. 648/MR	Mardan District	03.02.2020
19,	Faiz Muhammac No. 541/MR	Mardan District	09.02.2020
20.	Ajmal Khan No. 542/MR	Swabi District	31.03.2020
21	Amjid All No, 544/MR	Mardan District	31.03.2520
<u>22.</u>	Faza Hussein No. 545/MR	· Sweb' District	05.04.2020
23.	Raza Khan No. 546/MR	Swab District	12.04.2020

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• · ·		Swabi Distric:	30.04.2020
	Muhammad Naeem No. 547/MR	Marcan District	19.05.2020
24.	And I Pahman NC. S. C.	Marcan District	02.05.2020
25.	Saicu Amin No. 649/MR	Swabi District	30.05.2020
26,	All Akbar No. 550/MR	Marcan District	31,07.2020
27.	Fazsi Dawood No. 551/MR	Marcan District	01 03 2020
28.	Fazal Maliq No. 552.7MR	Marcan District	
ZS.	Haroon Khan No. 173/MR	Swabi Distric:	01.05.2020
+ 3C.	Haroon Khan No. 170 mil	Charsaoda	U2.08.2020
31,	Syed Bahramand Shah No. 302/MR	Distr Ci	11.03.2020.
	Aman Ulah No. 3:0/MR	Swabi Distric:	02.09.2020
<u>v 32.</u>	Sadique Akbar No. 3C8/MR	Swabi Distric:	
- 33.	Humair Hussein No. 305/MR	Mardan District	28.09.2020
<u> </u>	B smillah Jan No. 312/MR	Swabi District	30.09.2020
- 35		Charsadda	15.10.2020
	Hideyat U lah No. 306/MR	District	11
		Mardan District	26.11.2020
- 37.	Shabbir Ahmac No. 315/MR	Swabi District	01.01.2021
38	Zahid Nawaz No. 3C7/MR	Swabi District	10.01.2021
39.	A taf Hussain No. 314/MR	Charsadda	12.04.2021
40.	Baidar Bakht No. 311/MR	District	*
÷0.		Mardan District	12.04.2021
41.	Kameen Khan No. 554/MR	Mardan District	29.06.2021
42	Imtiaz Khan Nc. 555/MR		03.09.2021
43.	Khan Muhammad No. 557/MR	Swabl District	11.03.2022
44	Qasim Khan No. 559/MR	Swabl District	01.04.2022
45.	Noond Islam No. 560/MR	Mardan District	
-46.	Javid Ahmad No. 711/MR	Mardan District	02.04.2022
47	Anees Ahmad No. 561/MR	Mardan District	31 10.2022
	Saif Ul Islam No. 582/MR	Mardan District	05.01.2023
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(MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan.

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Diaty No 4942/CPE 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:-

- That the appellant was initially enlisted as Constable in Police department in the year 1998, was promoted as Head Constable in the year 2008, was then promoted as ASI in the year 2017 and after being confirmed as ASI was lastly promoted as Officiating Sub Inspector in the year 2019. During service the appellant qualified various courses including Lower School Course, Intermediate and Upper School Course and is presently serving in police department of Mardan Region. The appellant along with others was confirmed as ASI on list "E" of Mardan Region, upon the recommendations of departmental promotion committee in its meeting held on 22-11-2019 and was accordingly promoted along with others as Officiating Sub Inspectors (BPS 14) vide Letter/Order dated 11-02-2019 by the Regional Police Officer Mardan. (Copy of Letter/Order dated 22-11-2019 is enclosed as annexure A).
- 2. That the appellant since enlistment performed his duties with honesty and full devotion and to entire satisfaction of his high ups.
- **3.** That strangely the promotion order of the appellant was termed as adhoc promotion vide Letter/Order issued vide NO 783-87/ES dated 10-02-2023, without assigning any valid/legal reason by the Regional Police Officer Mardan. (Copy of Letter dated 10-02-2023 is enclosed as annexure B).

Charles and a stand

- 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.

Obbertine ATTESTED

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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.

Zahir Bacha, Officiating Sub Inspector No, 578, CTD Mardan

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(3) Superintendents shall submit annually to the Deputy Inspector-General by w_{a} 15th January confidential reports in form 13.17-A on the working of all gazetted officers service under them. Deputy Inspector-General will add their own remarks and forward the reports to result the Inspector-General, on or before the 15th February.

The gist of adverse reports shall be communicated in written to the officers concerned subject to the conditions specified in paragraph 7 of Punjab Government Consolidated Circular No. 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 reconshall contain an opinion on any point specially required at any particular time, *e.g.* titness 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 ic individual Officer explained-Un-conveyed adverse remarks in a Confidential Report are to be ignored for purposes of promotion and also for purposes of retirement."

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

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

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 lowards 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

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 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 refusing to confirm appellant/civil servant as "Inspector" from date of his promotion with a direction to consider his case in terms of 0.13.18 of Punjab Police Rules, 1934, but orders/judgments of Service Tribunal we're frustrated by the Authority. Orders judgments of Service Tribunal were not challenged by Authority before Supreme Court. Service Tribunal being appellate forum for aggrieved civil servants and being substitute for High Court vide Art. 212 of Constitution of Pakistan (1973), its judgments/orders must receive consideration and respect and Authority was bound to comply with same in its true perspective.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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No.		OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Central Police Office, Peshawar. 638-44/Legal dated the av / of / 2023.	
To:	The	Regional Police Officer, Bannu.	
Subject:	GU	Bannu. IDELINES 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 regime that ASIs promoted from a lower rank shall be confirmed on the termination of 92 years of promaperiod with immediate effect i.e. on the date his probation period actually completes and not from the m of officiating promotion as ASI in the light of Rule 13.18 of Police Rules, 1934 Survey, CPO/CPB/64 dated 13.02.2023, it has been conveyed that Assistant Sub Inspectors appointed Juc (PASIs) shall be confirmed in their appointments on the termination of three years probationary prive with 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 as Nices Warraich case Vs IGP Punjab (PLD 1985 SC 159), has underlined the difference between the auto appointment and date of confirmation and has further held that the final seniority of the Officers we reckoned from the date of confirmation of the Officers, not from the date of appointment.

Morcover, 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 regaring confirmation in the light of Rule 13.18 of Police Rules, 1934.

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

please.

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

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

CLEar Copy

OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

dated the 05-05-2023.

No. 1638-41/Legal

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.

CHS-D

VAKALATNAMA

IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Palix Bacha		Petitioner/Appellant.
Zante Doerg	VERSUS	
PP. 6 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.

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 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

16/2027 by me on _

R AHMED SHAH &

IBAD UR REHMAN KHALIL Advocates Peshawar

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