


ORDER
31.01.2023

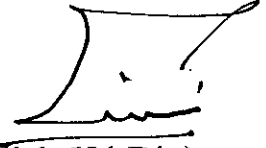
Nemo for the appellant. Mr. Umair Azam Khan, Additional Advocate General for official respondents present.

The appeal in hand was called on for hearing after various intervals, however none appeared on behalf of the appellant till the closing time, therefore, the appeal in hand stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

SCANNED
KPST
Peshawar

ANNOUNCED
31.01.2023


(Fareeha Paul)
Member (E)

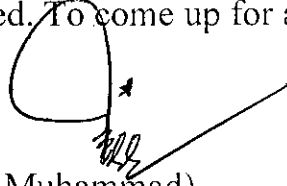

(Salah-Ud-Din)
Member (J)

17.10.2022

Learned counsel for the appellant present. Mr. Muhammad Jan,
District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on
the ground that he has not made preparation for arguments.

Adjourned. To come up for arguments on 25.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

25.11.2022

SCANNED
KPST
Peshawar

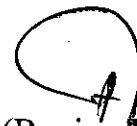
Counsel for the appellant present. Mr. Muhammad
Jan, District Attorney for the respondents present.

Learned counsel for the appellant sought
adjournment in order to further prepare the brief.

Adjourned. To come up for arguments on 31.01.2023
before the D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

11/4/2022

None for the appellant. Mr. Ihsanullah, ASI alongwith Mr. Kabirullah Khattak, Addl AG for the respondents present and made a request for adjournment. Request accepted. Last opportunity granted for submission of written reply. To come up for written reply on 26/5/2022 before S.B.




CHAIRMAN

26.05.2022

Clerk to counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Ihsan ASI for the respondents present.

Written reply/comments on behalf of respondents not submitted. Representative of the respondents seeks time for submission of written reply/comments. Granted. To come up for written reply/comments on 06.07.2022 before S.B.



(Mian Muhammad)
Member (E)

06th July, 2022

Counsel for appellant present. Mr. Kabir Ullah Khattak, Additional AG alongwith Ihsan SI for respondent present.

Respondents have submitted written reply/comments which is placed on file. Copy of the same is handed over to counsel for the appellant. To come up for arguments on 17.10.22 before D.B.



(Kalim Arshad Khan)
Chairman

23.12.2021

Appellant present through counsel. Preliminary arguments heard and record perused.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices of the be issued to the respondents for submission of reply/comments. To come up for reply/comments on 08.02.2022 before S.B.

Appellant Deposited
Security & Process Fee

23/12/21

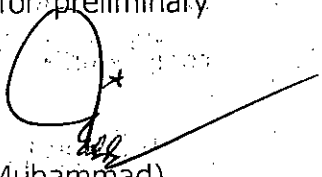
(Rozina Rehman)
Member (J)

8-2-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 11-4-2022

Reader

07:09:2021 Appellant present in person and requested for
adjournment as his learned counsel is not in attendance
today: Request is accepted. To come up for preliminary
hearing on 21.10.2021 before S.B.


(Mian Muhammad)
Member(E)

1608/20/23 21.10.2021 Counsel for the appellant present.

Learned counsel for the appellant seeks adjournment.
Adjourned. To come up for preliminary hearing before the S.B on
23.12.2021.


(MIAN MUHAMMAD)
MEMBER (E)

FORM OF ORDER SHEET

Court of _____

Case No. - 3438 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/03/2021	The appeal of Mr. Jehan Afsar resubmitted today by Mr. Fida Muhammad Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR 08/03/2021
2-		This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/05/21</u>
	08/03/2021	The appeal of Mr. Jehan Afsar resubmitted today by Mr. Fida Muhammad Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. CHAIRMAN
	24.05.2021	Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 07.09.2021 for the same as before. REGISTRAR
		This case is entrusted to S. Bench for preliminary hearing to be put up there on _____
	08/03/2021	The appeal of Mr. Jehan Afsar resubmitted today by Mr. Fida Muhammad Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. CHAIRMAN
		This case is entrusted to S. Bench for preliminary hearing to be put up there on _____
		The appeal of Mr. Jehan Afsar resubmitted today by Mr. Fida Muhammad Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. CHAIRMAN
		This case is entrusted to S. Bench for preliminary hearing to be put up there on _____
		The appeal of Mr. Jehan Afsar resubmitted today by Mr. Fida Muhammad Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. CHAIRMAN
		This case is entrusted to S. Bench for preliminary hearing to be put up there on _____

SCANNED KPST Peshawar

The appeal of Mr. Jehan Afsar son of Wali Muhammad r/o Mohallah Sadeen Khail village Karnal Sher Khan Kali Tehsil Razzar District Swabi received today i.e. on 02/03/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- In the memo of appeal of the name of the appellant has been written as Jehan Afsar while the documents attached with the appeal show the name of the appellant as Jan Afsar the same be rectified.

No. 457 /S.T,

Dt. 03/03 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fida Muhammad Yousafzai
Adv. High Court Peshawar.

Note Objection removed

as per Service book as well as pension book the name of the appellant is Jehan Afsar copy of Service book is attached.



BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIABUNAL, PESHAWAR

Service Appeal No. 3438 /2021

JEHAN AFSAR _____ **Appellant**

Versus

Inspector General of Police and another _____ **Respondents**

INDEX

S.NO.	PARTICULARS	ANNEX	P. NO.
1	Memo of Appeal		1-5
2	Affidavit		6
3	Copy of courses certificate	A	7-12
4	Copy of standing order 2/2014	B	13-18
5	Copy of departmental appeal	C	19
6	Copy of impugned order dated: 29-04-2019	D	20
7	Copy of application to RTI	E	21-22
8	Copy of SSC certificate & pay slip	F	23-25
9	Wakalat nama		26

Appellant

Through:

Dated: 25/02/2021

FIDA MUHAMMAD YOUSAFZAI
Advocate High Court, Peshawar.

(U)

BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2021

**JEHAN AFSAR S/O WALI MUHAMMAD R/O MOHALLAH SADEEN KHAIL
VILLAGE KARNAL SHER KHAN KALI TEHSIL RAZZAR DISTRICT SWABI**

Appellant

Versus

1. Inspector General of Police Khyber Pakhtun khwa.
2. Commandant Frontier Reserve Police, Khyber Pakhtun khwa
Peshawar. _____ Respondents

**APPEAL UNDER SECTION 4 OF KHYBER PAKHTUN KHWA
SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF
THE RESPONDENTS WHO INSTEAD OF PROMOTING THE
APPELLANT, ISSUED OFFICE ORDER DATED 29.04.2019
WHILE THE DEPARTMENTAL APPEAL IS KEPT INTACT AND
NOT DECIDED TILL DATE.**

PRAYER:

**ON ACCEPTANCE OF INSTANT APPEAL THE APPELLANT
MY KINDLY BE PROMOTED TO THE NEXT HIGHER RANK
SINCE THE DATE OF QUALIFICATION FOR PROMOTION
i.e. 1986 to 1996 (THE DATE WHEN HE QUALIFIED THE
DRILL COURSE). FURTHER DECLARE THAT THE OFFICE
ORDER NO 3881 /EC/ DATED 29.04.2019 IS NOT
DIRECTLY OR INDIRECTLY APPLICABLE TO THE CASE OF
APPELLANT (BECAUSE THE APPELLANT IS LITERATE
HAVING SSC ON HIS CREDIT).**

Respectfully Sheweth:

1. That the appellant joined police department in the year of 1986 as police constable and later on permanently absorbed in frontier reserve police of Khyber Pakhtonkhwa.

(2)

2. That the appellant passed all the courses i.e. weapon course dated 31/05/1988 from Hangu, commander course dated 02/06/1990, finger printing course on 13/03/1991 and drill course dated 20/03/1996 and since then appellant is not promoted to the higher rank and till now perform his duty as a constable.

{Copy of courses certificate is attached, as mark Annex-A}

3. That the appellant filed departmental appeal to the concerned authority for his promotion but the respondent instead of responding to the departmental appeal of appellant, sought attention of the respondent No. 1 regarding framing/issuing of separate Standing Order for illiterate employees and took a plea that since special standing order for illiterate is not yet issued therefore promotion has been stopped.

{Copy of standing order 2/2014, departmental appeal & impugned order dated: 29-04-2019 is attached, as mark Annex-B, C & D}

4. That the appellant time and again approached the respondents about his promotion but all the time the appellant was put to wait for the promulgation/issuance of standing order. However neither departmental appellant was allowed nor dismissed in black and white.

5. That appellant also approached for seniority list to the concerned authority and till now the concerned office failed to provide the seniority list to the appellant. Needles to mention that the appellant submitted an application in RTI (Right to information department) and till now the application of the appellant not processed.

{Copy of application to RTI is attached, as mark Annex-E}

6. That up till now the Final Seniority List was not issued to the appellant where by the junior of appellant were promoted to the next higher rank.

7. That the appellant times and again moved applications to concerned authority for providing seniority list as well other relevant document but till now the legal demand of the appellant is not honored .

(3)

8. That the appellant feeling aggrieved from the illegal act approaches this Hon'ble Tribunal for the redressal of his grievance inter alia on the following;

GROUND:

1. That the appellant is a law binding citizen and hard working and Obey his duty with great zeal and devotion.
2. That the present appellant is the employee of frontier reserve police Khyber Pakhtonkhwa, working under the administrative control of Inspector General of police Khyber Pakhtonkhwa since his appointment i.e. 22 March 1986 in the same pay and scale and the respondents are not giving him promotion which is the right of the appellant as per law and rules.
3. That the impugned standing order dated: 08-08-2014, issued by respondent No. 2 is not applicable to the case of the appellant, because the appellant is literate, having SSC at his credit, so if, the respondents are going to issue special standing order for illiterate employees of the FRP, the can't be termed as hurdle in the way of promotion of the appellant.

{Copy of SSC certificate & pay slip is attached,
as mark Annex-F}

4. That there is law/standing order for promotion of the employees of FRP and the respondents are bound under the law and verdicts of the superior courts to process the case of the appellant for promotion.
5. That the appellant is well qualified for promotion to the next higher rank because he qualified requisite courses for promotion in the year 1986 to 1996, so the appellant is entitled to be promoted as per law since the date of qualification for promotion.
6. That the appellant has not been treated in accordance with law despite being entitled to be promoted in the next rank being platoon commander.

(4)

7. That the appellant was appointed as constable and working in the said department for almost 35 years with unblemished record and till now not promoted to the any post and still working as a constable.
8. That under the rules in vogue and followed by the respondents department pertaining to service structure of the present appellant, the post of platoon commandant was to be filled through promotion on the basis of seniority-cum-fitness from amongst the constables.
9. That in light of the rules, the appellant was eligible for promotion to the post of platoon commander which was denied to be favorably considered for promotion.
10. That surprisingly, the respondents not promote the appellant and denied his legal and constitutional right.
11. That departmental appeal of the appellant was not processed in the manner as provided under the law.
12. That the Apex Court in plethora of judgments held that similarly placed employees should be dealt in the manner in which his other colleagues have been dealt but in the present case, the appellant has been discriminated and was constrained to knock at the door of this Hon'ble Tribunal for getting his lawful and deserving right.
13. That the appellant had been made victim of discrimination, demerits, partiality and favoritism without any just and reasonable cause thereby offending the fundamental rights of the appellant as provided by the constitution of 1973, hence the impugned standing order detailed above is liable to be set at naught.
14. Because impugned order offend the provision of Article 4 of the Constitution to enjoy the protection of law and to be treated in accordance with law which is the inalienable right of every citizen, wherever he may be every other person for the time being with in Pakistan.
15. That the actions and inactions are bad in law.
16. That the recruitment/promotion criteria promulgated through the impugned standing order is issued with ulterior motive just to accommodate the blue eyed, therefore, the same are illegal and such practice adversely affects efficiency of incumbents and also reduces

(5)

the confidence and faith of the appellant, hence the impugned standing order referred above is liable to be struck down on this score also.

17. That the appellant had been made victim of discrimination, demerits, partiality and favoritism without any just and reasonable cause thereby offending the fundamental rights of the appellant as provided by the constitution of 1973, hence the impugned standing order detailed above is liable to be set at naught.

18. The appellant craves for leave of the Hon'ble Tribunal to raise additional grounds at the time of arguments.

IT IS, THEREFORE, most respectfully prayed that on acceptance of this appeal this Hon'ble tribunal may very graciously be pleased to:

- i. DECLARE THAT THE APPELLANT IS ELIGIBLE FOR PROMOTION TO NEXT HIGHER RANKS.
- ii. DECLARE THAT OFFICE MEMO No. 3881/EC DATED: 29-04-2019, IS NOT APPLICABLE TO THE CASE OF APPELLANT, BECAUSE HE IS LITERATE AND THE IMPUGNED LETTER IS ISSUED FOR ILLETERATE EMPLOYEES OF FRP.
- iii. PROMOTE THE APPELLANT TO NEXT HIGHER RANK (AS PLATOON COMMANDER) THE BASIS OF HIS SENIORITY AS PER CRITERIA SINCE 1988 OR 1996 AS THE CASE MAY BE.
- iv. ANY OTHER RELIEF, THOUGH NOT SPECIFICALLY ASKED FOR, DEEMS APPROPRIATE MAY ALSO BE GRANTED.


Appellant

Through:

Dated: 25/02/2021


FIDA MUHAMMAD YOUSAFZAI
Advocate High Court, Peshawar.

VERIFICATION:

It is verified that all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.


Deponent

Note: That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.

(6)

BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIABUNAL, PESHAWAR

Service Appeal No. _____/2021

JEHAN AFSAR _____

Appellant

Versus


Inspector General of Police and another

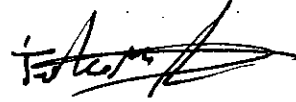
Respondents

AFFIDAVIT

I JEHAN AFSAR S/O WALI MUHAMMAD R/O Mohallah sadeen khail village karnal sher khan kali tehsil razzar district swabi, do hereby solemnly affirm and declare upon oath that the contents of the appeal are true and correct to the best of my knowledge & belief and nothing has been concealed or withheld from this Honourable Tribunal.

Identified By:


Fida Muhammad Yousafzai
Advocate, High Court,
Peshawar.



Deponent

Jehan Afsar

CNIC: 16202-034 9768-8

(7) Area A (11)

MWGP Pesh. - 546 D.I.G. D.I.K. - Incharge forms - 13-2-70

POLICE TRAINING SCHOOL, HANGU.
DRILL INSTRUCTORS' COURSE.

PROGRESS SHEETS.

17..... Name..... جان احمد
 1964..... Education..... lalk
 nce..... کوئیٹہ District of enlistment..... کوئیٹہ
 ed. 30-6-95 Course concluded... 20-3-96

RESERVED FOR
 CLASSIFICATION
 Incharge Charge Roll and
 Bike Lips
 15
 11/11

Principal,
 P. T. S., HANGU.

EXAMINATIONS

Subject	1st Quarter		Final	
	Possible	Obtained	Possible	Obtained
..			27	
..			12	
..			18	
..			19	
اساتذہ کو کورس excl. Bayonet)			20	
..			12	
..			20	
..			24	
..			13	
..			44	
..			-	
..			58	
..			30	
Tactical Scheme ..			14	
..			16	
..			9	
..			9	
..			15	
..			227	
..			32	

Games and Athletics

Instructed in :-

Proficient in :-

Assault Course

Time :-

(Allowed) 11 - 9

Points :- 12 - 7

Remarks :-

Special Entries

Special duties of officer performed during training..

62.90 %

HEALTH. 619

Hospital Sheet

Date of admission	Date of discharge	Days spent in Hospital
/	/	/

Measurement

Leave	Weight (lbs.)	Height (inches)	Chest	
			Max.	Min.
On joining	160 kg	5-7 1/2	36	37
On leaving	155	5-7 1/2	34	36

REPORTS BY STAFF

Qualifiers	1st Quarter	Final
Leadership	<u>Good</u>	<u>Good</u>
Smartness	<u>Good</u>	<u>Good</u>
Initiative	<u>Good</u>	<u>Good</u>
Conduct	<u>Good</u>	<u>Good</u>

PRINCIPAL'S REPORT AND GENERAL REMARKS

جان احمد صاحب! یہاں پر کورس کو دیکھ کر حیرت منگنی ہے اور اس کا نام دیکھ کر حیرت منگنی ہے

Commandant
 Police Training College

M. J. J. J.

Police Training School
 Hangu

(8)

(12)

Incharge Character Roll and
 Service Roll CCP Office,
 P.O. Lines, Peshawar.

POLICE TRAINING SCHOOL, N.-W.F.P.
SECTION COMMANDERS' COURSE.

RESULT

17

وہی سہ ماہی

Progress Sheet.

Name: 1447
 Education: 1904
 District of residence: U.P. District of enlistment: U.P.
 Course commenced: 1-1-29 Course concluded: 20-3-30

Principal,
P.T.S., N.-W.F.P.

EXAMINATIONS.

REPORTS BY STAFF

Subjects	Possible	Obtained	C.D.I.
Squad Drill	50	35	C.D.I.
Physical Training	50	35	
File Exercises	20	13	R. I.
Guard Duties	30	17	
Weapon Training (Care of Arms)	30	21	C.D.I.
Synnet	30	23	
Range Classification	80	67	R. I.
Net Drill	50	22	
Fire Control Order	30	23	C.D.I.
Field Training and Tactical Scheme	50	37	
General Knowledge	20	14	R. I.
T. Abiding	30	23	
T. Firing	30	23	C.D.I.
Grand Total	500	334	

Leadership: Good
 Smartness: Good
 Initiative: Good

Conduct

ASSAULT COURSE.

Time—
 (Allowed)
 Points—
 Remarks

M-9
W-5

HEALTH.

66.08%

HOSPITAL SHEET.

MEASUREMENT

Cause of admission	Date of admission	Date of discharge	Days spent in Hospital		Weight (lbs.)	Height (inches)	Chest	
							Maxl.	i u.
/	/	/	/	On joining	115	5-7	33	34
				On leaving	115	5-7	34	35

PRINCIPAL'S REPORT AND GENERAL REMARKS

Director of Training, N.-W.F.P.
 Police Training School,
 North-West Frontier Province,
 Police Training School, Mangu

ریکروٹمنٹ
سکول ہسٹری ٹیچر

Incharge Character Roll and
Service Roll CCP Office,
Police Lines Peshawar.

آخری درجہ بندی و معیار

صنف	نام	تاریخ بھرتی	تاریخ آٹھ	قد	جھاتی	وزن
کنیڈی ہنز	محمد رفیق	10/11/54	1-7-56	28	33	125
سکوٹی ضلع خٹوہل	محمد رفیق	22/11/54	2-28	28	33	125
سالہ قلم ازات	محمد رفیق	22/11/54	2-28	28	33	125

قانون کا امتحان

ممبر نمبر	مضمون	کل نمبرات	پہلی سہ ماہی	دوسری سہ ماہی	حاصل کردہ نمبرات	بھرتی سہ ماہی
1	تعمیرات پاکستان	100		45+50		
2	ضابطہ توجہ داری	100		52		
3	لوکل اینڈ پبلس لاء و قانون شہادت	100		54		
4	پولیس رولز	100		53		
5	عملی کارروائی (دھوری)	100		51		
6	عملی کارروائی (پریکٹیکل)	100		47		
7	اسلامیات	50		58		
8	دائریس	100		34		
9	جنرل لنگج (دھوری) میزان	100		160		
		825				
					548+7=555	

ڈول

ممبر نمبر	مضمون	کل نمبرات	پہلی سہ ماہی	دوسری سہ ماہی	حاصل کردہ نمبرات	بھرتی سہ ماہی
1	سکاؤٹ ڈول	40		43		
2	سکول ٹیچر	80		46		
3	سیکشن فارمیشن	35		81		
4	مجموع خلافت قانون	30		18		
5	بینظ	10		7		
6	ٹریفک	27		14		
7	پلی ٹی ٹی	27		13		
8	پولیس	27		13		
9	لائسنس بین	27		10		
		270				
					185	

جنرل مضامین (زبانی)

ممبر نمبر	مضمون	کل نمبرات	پہلی سہ ماہی	دوسری سہ ماہی	حاصل کردہ نمبرات	بھرتی سہ ماہی
1	علم					
2	اسلوب بیان					
3	کامیاب					

1105

POLICE TRAINING SCHOOL, HANGU.
DRILL INSTRUCTORS' COURSE.

MWPGP Pesh. - 546 D.I.G. D.I.K. - Forms - 13-2-70

PROGRESS SHEETS.

Name: 1447
 Education: 1964
 District of enlistment:
 Course commenced: 30-6-95
 Course concluded: 20-3-96

RESULTS
 CLASSIFICATION
 Roll and
 Signature

Principal,
 P. T. S., HANGU.

EXAMINATIONS

Subject	1st Quarter		Final	
	Possible	Obtained	Possible	Obtained
Drill			27	
Exercises			12	
Duties			18	
Police			19	
Hand Baton			20	
Police Training (excl. Bayonet)			12	
Net			20	
Gymnastics			24	
Physical Training			13	
Med Combat			44	
Classification			-	
Drill			58	
Training and Tactical Scheme			30	
Knowledge			14	
Code			16	
Drill			9	
Police			9	
Training			15	
			227	
			32	

Games and Athletics

Instructed in :-

Proficient in :-

Assault Course

Time :-

(Allowed

Points :-

Remarks :-

Special Entries

Special duties of officer performed during training.

62.90 %

HEALTH. 619

Serial No.	Date of admission	Date of discharge	Days spent in Hospital	Measurement		
				Weight (lbs.)	Height (inches)	Chest
1				On joining		

AI
 PM

Serial	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
of																				
tion																				

(11)

CERTIFICATE OF PROFICIENCY

N.W.F.P. POLICE

Certified that Tahan Afzal Constable
 No. 1447 (Kohat District) of N.W.F. Province Police, has
 passed the examination prescribed for Proficients and is fit to conduct the duties
 of that office.

Marks obtained: 53/100
 No. 2536 - 50 PSL
 Date 10/3 1911

OB 442
13-3-91

[Signature]
 Inspector General of Police,
 Peshawar, N. W. F. P.,
 Peshawar.

(12)

PROGRESS SHEET OF WEAPON TRAINING COURSE AT POLICE TRAINING SCHOOL, HANGU.

Consty. No — 1447 Rank Name District
From 1.1.88 To 2.2.88

Charge Character Roll and Service Roll CCP Office

1. Bren Gun Instruction	.. 50	30
2. Bren Gun Firing Long Range	.. III	69
3. Rifle Arms Instruction	.. 25	15
4. Rifle Aiming	.. 25	14
5. Rifle Firing	.. 25	14
6. Sten Gun	.. 30	18
7. Rifle Long Range	.. 30	18
8. Sten Gun Firing Short Range	.. 100	48

9. Revolver Instruction	.. 24	13
10. Revolver Short Rang Firing	.. 30	—
11. Grenade Instruction	.. 25	—
12. Grenade Fire	.. 30	18
13. Bayonet	.. 30	18
14. Fire Control Order	.. 30	18
15. Fire Control Order	.. 30	16

291 60-00

- 1. Capable to train a G. P. independently.....
- 2. Capable to train a G. P. under supervision.....
- 3. Capable to train a Sqd. independently.....
- 4. Capable to train a Sqd. under supervision.....
- 5. Unlikely to become an Instructor.....

- 1. Knowledge.....
- 2. Instr. ability.....
- 3. Handling.....
- 4. Control.....
- 5. Turn out.....

General Remarks :—

Parsen

Police Training School

113

Annex "B"

22/04/2014
081-1461

5970
12/09/2014



Attention to
Dr.
Mr. Softer

OFFICE OF THE
THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

STANDING ORDER NO. 2 /2014

Frontier Reserve Police (FRP)

This Standing Order is issued under Article 10(3) of Police Order 2002, in supersession of all previous Standing Orders issued with regard to Frontier Reserve Police (FRP) and to give effect to the recommendations of the Committee on the Re-organization of FRP as subsequently approved and notified vide PPO Notification No. 4126-40/SE-1 dated Peshawar 11th April 2014.

1. **General:**-The provisions of Police Order 2002, Police Rules 1934 and/or any other laws and rules applicable to Police shall apply mutatis mutandis to the members of FRP.
2. **Aim:**-This Standing Order aims to streamline the organization, administration and functioning of FRP in accordance with the provision of Police Order 2002, Police Rules 1934 and other laws and rules applicable to Police Department.
3. **Establishment of FRP:**-The Frontier Reserve Police (FRP), originally known as Frontier Armed Reserve (FAR), was established within Police Department vide Home Department Order No. SO(P-II)HD/8-10/146-149 dated 16-01-1988, by merging together a number of small units of Police Department.
4. **Mandate:**-FRP shall assist the District Police in the following duties:
 - a) Anti-riot operations;
 - b) Operations against criminals and Proclaimed Offenders;
 - c) Security of VVIPs/VIPs, sensitive and vulnerable establishments;
 - d) Deployment on Highway Patrolling Posts; and
 - e) Any other duty assigned by the Provincial Police Officer.

EC

[Signature]
Addl (Sd) / C. S. D. F.
25/04/2014

[Signature]

(14)

8

5. **Organization:-**FRP organization shall include police officers of senior and junior ranks, ministerial and follower staff posted in, or hitherto (so far) enrolled in FRP.

5.1 FRP shall be headed by an officer not below the rank of Deputy Inspector General of Police as Commandant FRP. He shall work under the direct supervision of the Provincial Police Officer.

5.2 The Commandant FRP shall be assisted by as many Deputy Commandants (SPs BS-18), SPs FRP Ranges, Assistant Commandants (DSPs/ASP BS-17), other junior rank officers, and ministerial staff as determined by the Provincial Police Officer from time to time.

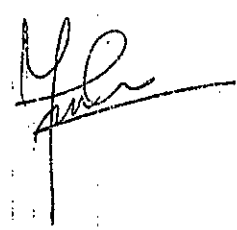
5.3 FRP shall be organized into such active Companies, Platoons and Sections and support staff, posted in FRP Headquarters, Police Regions and Police Districts, as determined by the Provincial Police Officer. An FRP Company, headed by an Inspector designated as Company Commander, shall consist of 3 FRP Platoons, each consisting of 1 SI/ASI as In-charge, 4 HCs and 40 FCs. An FRP Section shall consist of 1 HC and 10 FCs. The "illiterate" officers/officials of FRP shall be distributed in such a manner that they are evenly represented in each Platoon.

5.4 The FRP Headquarters shall be located at Peshawar or at any other place declared as FRP Headquarters by the Provincial Police Officer.

6. **Requisitioning of FRP-** The administrative and operational control of FRP shall rest with the Commandant FRP. However, the Capital City Police Officer (CCPO) or any Regional Police Officer (RPO) may requisition FRP strength for the mandated duties, subject to the approval of Provincial Police Officer.

6.2 The Commandant FRP, subject to any general or specific order of the Provincial Police Officer, may place the services of the FRP strength so requisitioned, for a specific period, at the disposal of CCPO or RPOs. The Commandant FRP may, subject to any general or specific order of the Provincial Police Officer, extend for a specific period the stay of FRP strength placed at the disposal of CCPO or RPOs.

6.3 Once the FRP strength is placed in a District, the operational command of the FRP strength so placed shall rest with the District Head of Police concerned. The FRP strength deployed, permanently or temporarily, on Highway Patrolling Posts shall also be subject



3
2000
12/12

(15)

to the operational command of the District Head of Police. The District Head of Police will ensure to make suitable arrangements for the lodging of the FRP strength placed in the District.

✓ 6.4 The senior most officer of FRP in a District shall be responsible for the general administration, welfare and discipline of the FRP strength, including maintenance of daily parade statement and daily duty roster. He shall keep the Commandant FRP and the District Head of Police informed about the administration, discipline, welfare or any other important matter with regard to the FRP strength in the District.

✓ 6.5 SP FRP Range shall be responsible for the general administrative, welfare and discipline of the FRP strength placed in a Region, including maintenance of daily parade statement and daily duty roster. He shall also keep the Commandant FRP, RPO; and the District Head of Police, informed about the administration, discipline, welfare or any other important matter with regard to the FRP strength in the Region.

7. Recruitment in FRP:-According to Police Order 2002, recruitment of constables is the exclusive authority of the District Head of Police. FRP is neither a Police District nor a Police Region. Therefore, henceforth, there shall be no recruitment or enrollment of constables in FRP.

8. Vacancies in FRP:-Vacancies occurring in FRP in any junior rank shall be filled through posting of officers from each District for a specific tenure. The Central Police Office (CPO) shall transfer junior most officers in each rank to FRP in accordance with the share of the respective District (Ref: section 8.3 below). Once transferred to FRP, following shall be the minimum tenure of junior rank officers in FRP:

- | | | |
|---------------|----------|---|
| a) Inspector: | 1 Year; | (Excluding any period of leave other than casual leave) |
| b) SI/ASI: | 1 Year; | (- do -) |
| c) HC/FC: | 2 Years. | (- do -) |

8.1 This tenure criteria shall not apply to the illiterate officers of FRP.

8.2 The vacancies occurring in a District due to transfer of officer to FRP shall be filled in the following manner and order:

- a) Repatriation of officers from FRP to the District concerned;

[Handwritten signature]

[Handwritten notes]
6.3
DGP
2011

[Handwritten notes]
14.02
inspected
at 10.00

(16)

- b) Promotion of officers on the strength of the District;
- c) Fresh recruitment.

8.3 Each District shall have a percentage share in the vacancies of FRP in junior ranks proportionate to the total strength of that District. Since presently, some Districts are over-represented in FRP, this balance shall be gradually restored.

9. **Transfer of FRP officers to their Districts of Domicile:-** All junior rank officers of FRP, except illiterate officers, shall be transferred to their Districts of Domicile after completion of their tenure in FRP. First should be transferred those who have served longest periods in FRP.

9.1 In case no vacancy is available in the District of Domicile, the officer transferred from FRP shall be adjusted against vacancies in his respective Region till the availability of vacancy in his District of Domicile.

9.2 The 'illiterate' officers of FRP shall not be transferred to Districts/Regions. Only the following categories of junior rank officers of FRP may be transferred to Districts/Regions:

- a) Constables who have been recruited on the basis of matric qualifications;
- b) Head Constables who have qualified Lower Course as constables;
- c) ASIs who have qualified Intermediate Course as Head Constables or have been directly recruited through Public Service Commission;
- d) SIs who have qualified Intermediate Course or have been directly recruited as ASIs through Public Service Commission; and
- e) Inspectors who have qualified Upper College Course.

10. **Fixing seniority of FRP personnel on transfer to their Districts of Domicile:-** An officer repatriated from FRP to his District of Domicile shall not be placed on the bottom of the seniority list merely due to transfer from FRP.

10.1 Seniority of an officer of FRP on transfer to his respective District of Domicile shall be determined first on the basis of entry into service and then from the date of entry into the relevant promotion list. Should the date of entry into service or the date of entry into a promotion list of an officer transferred from FRP to a District and an officer

[Handwritten signature]

already borne the strength of that District are the same, the officer older in age shall be placed ahead on the promotion list.

11. **Promotion of FRP Personnel:-**FRP is neither a Police District nor a Police Range. Therefore, promotion lists A, B, C, D and E shall no more be maintained in FRP. Instead, promotion of officers posted in FRP, as is the case of other units, shall be done by District Heads of Police or the RPOs, as the case may be, against the available vacancies in accordance with Chapter 13 of Police Rules 1934. The District Heads of Police or the RPOs, as the case may be, shall maintain consolidated lists of all officers, whether posted in the District/Range or in any other unit, including FRP.

12. **Promotion Courses for FRP personnel:-**Since the promotion lists of all junior rank police officers of FRP will be henceforth maintained in the irrespective Districts of Domicile and respective Ranges, nominations of FRP personnel for promotion courses i.e. Lower, Intermediate and Upper Course, shall be carried out by their respective Districts and Ranges.

12.1 All training quotas/seats hitherto allocated to FRP for promotion courses are hereby withdrawn.

12.2 The District Heads of Police or the RPOs, as the case be, shall nominate officers for promotion courses strictly in accordance with seniority and merit position, irrespective of the fact whether the officers so nominated are working in the Districts are have been posted to FRP.

12.3 In order to ensure fairness to all, the District Heads of Police or the RPOs, as the case may be, shall maintain consolidated promotion lists of all officers whether they are posted in the Districts, Regions, FRP, Special Branch, Investigation, Elite Force, Counter Terrorism Department, Traffic, CPO or any other unit or who are serving on deputation in other departments.

12.4 The Commandant FRP, however, may nominate officers working in FRP for professional courses or other capacity building training courses. For this purpose, the CPO will ensure the allocation of fair share to FRP.

13. **Issues of 'Illiterate' officers of FRP:-**Since 'illiterate' officers of FRP cannot be transferred to Districts/Regions, their issues with regard to seniority, promotion,

[Handwritten Signature] 5

(18)

promotion courses and capacity building courses, shall be dealt with through a separate Standing Order.

15. **Standard Operating Procedures of FRP:**-The Commandant FRP shall formulate, subject to the approval of the Provincial Police Officer, detailed Standard Operating Procedures (SOPs) for the smooth implementation of the provisions of this Standing Order.

16. **Indemnity:**-Any order passed, instruction issued or duty assigned with regard to FRP or its personnel so far under any previous Standing Order shall stand valid.

18. **Power to remove difficulties:**-If any difficulty arises in giving effect to this order, the Provincial Police Officer may by notification make such provisions as deemed appropriate.

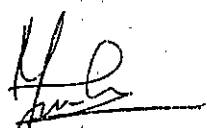
19. **Repeal:**-All previous Standing Orders issued with regard to FRP are hereby repealed.

(NASIR KHAN DURRANI)
Provincial Police Officer
Khyber Pakhtunkhwa
Peshawar

No:- 179-235/98 dated Peshawar the 8th September 2014

Copy of the above is forwarded for information and necessary action to:

1. All Heads of Police Offices in Khyber Pakhtunkhwa;
2. PRO to PPO;
3. Registrar CPO.


(MUBARAK ZEB) PSP
DIG/Headquarters
Khyber Pakhtunkhwa
Peshawar

(19)

Annex "C"

المی
موربانہ گزارش ہیکہ سائل سال 1986 کا بھرتی شدہ ہے۔ سائل نے مورخہ 31.05.1988 کو پی ٹی سی ہنگو سے دہین کورس
کمانڈر کورس 02.06.1990 اور فنگر پرنٹ کورس 13.03.1991 کو چوکی نمبر 2 سے جبکہ سائل نے ڈرل کورس
12.09 کو پی ٹی سی ہنگو سے پاس کیا ہے۔ سائل کی نوکری تقریباً 33 سال پورا ہونے والا ہے۔
استدعا ہیکہ سائل کو دوران ملازمت میں مزید پروموشن یعنی پلاٹون کمانڈر PC پر ترقیاب کرنیکا حکم صادر فرمایا جائے۔
عین نوازش ہوگی

مورخہ 21.02.2018

العارض

ابج فرمان جان انسر FRP/HQrs 328/DI پشاور

(20)

Area "D"



OFFICE OF THE
COMMANDANT
FRONTIER RESERVE POLICE
KHYBER PAKHTUNKHWA, PESHAWAR
Email: comdtfrpofficial@gmail.com
Ph: No. 091-9210945 Fax No. 091-9214114

No. 3881 /EC, dated 29/04/2019.

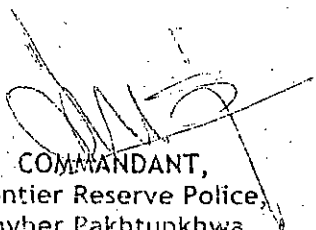
To: - The Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

Subject: - APPLICATION.

Memo: -

Enclosed please find herewith an application submitted by Constable Jan Afsar No. 328 of FRP HQrs: Peshawar requesting therein for promotion as Head Constable on the grounds that he has qualified Drill Course in 1996.

It is further submitted that promotion in FRP has been stopped through Standing Order No.02/2014 in which it was also mentioned that a separate Standing Order will be issued for promotion of illiterate official of FRP which is still awaited please:


012 COMMANDANT,
Frontier Reserve Police,
Khyber Pakhtunkhwa,
Peshawar.

جناب عالی! (20) RTI Peshawar

Annex 'E'

گزارش ہیکہ سائنس سال 1986ء کا بھرتی شدہ ہے
پروان سروس 35 سالہ نوکری میں مختلف کورسز اور
ہنگو سے کیے گئے۔ سائنس کی مدت ملازمت میں کسی قسم

کی پروموشن نہیں ملی۔ سائنس نے اپنے پروموشن کیلئے عدالت
عالمیہ سے رجوع کی ہے۔ عدالت عالمیہ نے FRP / HQ

سے سنیاریٹی لیٹ (ڈیٹا ٹین مائٹرز) مانگ لی ہے۔ مگر FRP / HQ
سزاور نے سنیاریٹی لیٹ (ڈیٹا ٹین مائٹرز) دینے سے انکار
رہا ہے۔

اسد علی ہیکہ FRP / HQ سزاور سے سنیاریٹی لیٹ
دینے جانے کا حکم صادر فرمائیں

انکوائری، جان انسٹر 398
FRP/HQ

KP-RTI COMMISSION
Diary No: 078
Date: 01-02-2014
Section: _____

091-9212557

9-0849768-16202

5572672-0346

پینر - تھور فیلنگٹن شری کل، ڈاکٹر صاحبان، تحصیل و ضلع لوہائی

اشرف
1/2/14

مقررہ ایجنڈے کے تحت سب سے پہلے سائل نمبر 1986 کا پھر تہیہ شدہ
 ہے سائل کے پروفیشنل سرورس ڈیل کو دیکھ کر ہے
 ① ویمن کورس ② سائنس مگائڈ کورس ③ ڈریل کورس
 ڈیل کو دیکھ کر سائل نے C.A.P. مینٹو سے پاس کیا ہے۔ سائل کی
 مکمل سرورس 34 سال ہے۔ سائل کو تاحال کسی قسم کی پروفیشن
 نہیں ملی ہے۔

استدعا ہے کہ سائل اپنے پروفیشنل ایجنڈے عدالت سے رجوع
 کرنے پر ڈیل کا غزوات (اسناد) وغیرہ دیکھ جانے کا حکم
 صادر فرمائیں۔

- ① کورس سرٹیفکیٹ ② بلاٹون مگائڈ ③ سینیاریٹی لسٹ FRP
- ④ 2019 سائنس آرڈر ⑤ 2019 پروفیشن آرڈر ⑥ آئی ڈی بھول (سلیب)
- ⑦ میٹرک سرٹیفکیٹ لسٹ لب درخواستی جہاں ہے۔

بل نمبر 328 تقیہ پولیس ایئر
 DI/HQ FRP

آگیا تا بعداً، جان احمد
 Sir,
 Forwarded Please
 Forwarded Please
 DSP HQ
 19/01/21

تاج محل
 درخواست کنندگان کی شناخت
 کا سب سے پہلے پورے طور پر

Sir,
 The request received may be
 provided to the applicant, except the
 security list.
 si legal
 02/01/2021

Sir,
 Forwarded Please
 For report and
 discuss it.
 D. S. Legal
 19-1-21
 20-1-21
 District Commandant
 Frontier Regional Police
 KPK Peshawar
 20-1-21

AMK of F
Incharge Character Roll and
Service Roll
Police Lines Peshawar

(23)

(21)

19 402165

Roll No. 15053

اللہ اکبر

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1983 (ANNUAL)

THIS IS TO CERTIFY THAT MEHAR AFSAR
/Daughter of WALI INDRAM
a student of HARER DISTRICT

has passed the *Secondary School Certificate Examination*
a Board of Intermediate and Secondary Education, Peshawar held in April 1983
Private Candidate. He/She obtained 269 Marks out of 850
has been placed in Grade E Representing SATISFACTORY

Candidate passed in the following subjects:

- | | | | |
|---------|--------------|--------------|-------------|
| English | 3. Islamiyat | 5. PAKISTANI | 7. REVISION |
| Urdu | 4. GEOGRAPHY | 6. PAKISTANI | 8. NIL |

He/She has been awarded Grade on the basis of internal assessment by the institution concerned.

Date of birth according to admission form is TWENTY FOURTH DECEMBER
one thousand nine hundred and SIXTY FOUR (24-12-1964)

Secretary
August 1983

Secretary

This certificate is issued without alteration or erasure

60
45
105

(29)

AG KP Peshawar

S#: 1

P Sec:006 Month:December 2020
PR4091 -COMMANDANT F.R. POLICE KP
CAMMANDANT FRP, PESHAWAR

Pers #: 00157044 Buckle: 1983

Name: JAN AFSER
CONSTABLE

NTN:
GPF #: POLKT003727
Old #:

CNIC No.1620208497689

GPF Interest Applied

07 Active Temporary

PR4091 -

PAYS AND ALLOWANCES:

0001-Basic Pay	28,680.00
1001-House Rent Allowance 45%	2,384.00
1210-Convey Allowance 2005	1,932.00
1300-Medical Allowance	1,500.00
1547-Ration Allowance	681.00
1567-Washing Allowance	150.00
1646-Constabulary R Allowance	300.00
1901-Risk Allowance (Police)	3,530.00
1902-Special Incentive Allowance	775.00
Gross Pay and Allowances	54,567.00

DEDUCTIONS:

IT Payable	720.90	Deducted	566.00	TAX: (3609)	121.00
GPF Balance	233,453.00			Subrc:	1,010.00
6505-GPF Loan Principal Instal		Bal:	40,000.00		5,000.00
3530-Police wel:Fud BS-1 to 18					574.00
4004-R. Benefits & Death Comp:					450.00

Total Deductions

7,155.00

47,412.00

D.O.B
24.12.1964

34 Years 09 Months 011 Days

LFP Quota:
HABIB BANK LIMITED SHEWA ADDA, SAWABI.
02887900443103

(25)

AG KP Peshawar

S#: 2

P Sec:006 Month:December 2020
PR4091 -COMMANDANT F.R. POLICE KP
CAMMANDANT FRP, PESHAWAR

Pers #: 00157044 Buckle: 1983

NTN:
GPF #: POLKT003727
Old #:

Name: JAN AFSEER
CONSTABLE

CNIC No.1620208497689

GPF Interest Applied

07 Active Temporary

PR4091 -

PAYS AND ALLOWANCES:

2148-15% Adhoc Relief All-2013	660.00
2168-Fixed Daily Allowance	2,730.00
2199-Adhoc Relief Allow @10%	438.00
2211-Adhoc Relief All 2016 10%	2,203.00
2224-Adhoc Relief All 2017 10%	2,868.00
2247-Adhoc Relief All 2018 10%	2,868.00
2264-Adhoc Relief All 2019 10%	2,868.00

Gross Pay and Allowances

54,567.00

DEDUCTIONS:

IT Payable	720.90	Deducted	566.00
GPF Balance	233,453.00		

Subrc:

Total Deductions

7,155.00

47,412.00

D.O.B

24.12.1964

34 Years 09 Months 011 Days

LFP Quota:

HABIB BANK LIMITED
02887900443103

SHEWA ADDA, SAWABI.

ATTESTED

HP LaserJet P4010 and P4510 Series Printers



Clear Jams
清除卡紙
Elakadások elhárítása
Устранение замятий

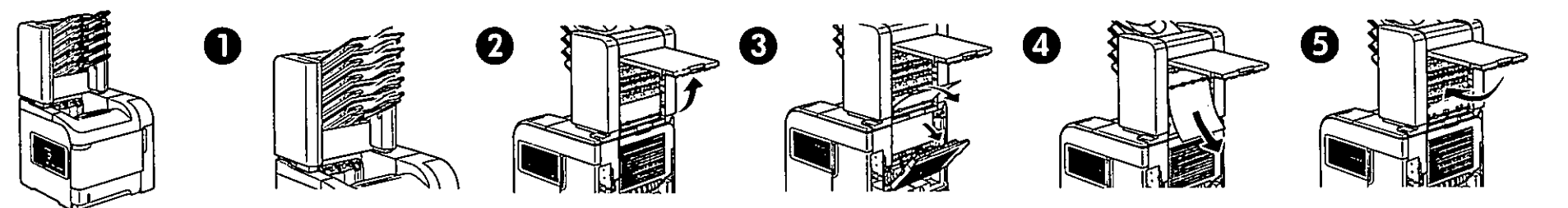
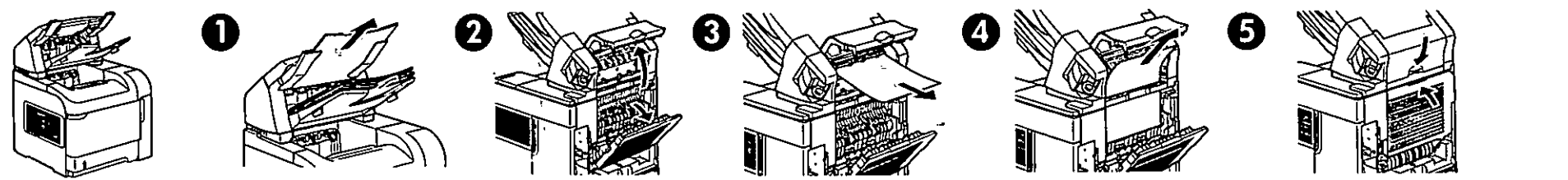
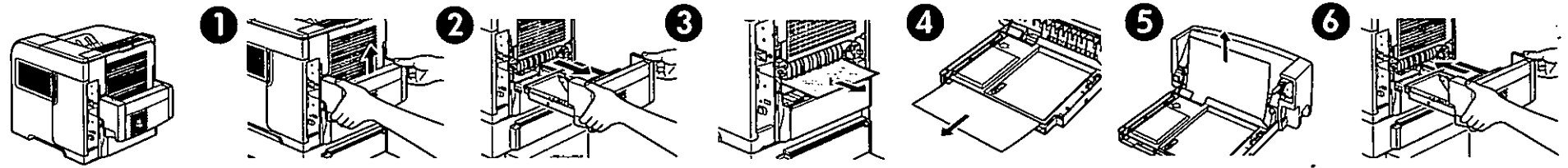
Eliminer les bourrages
Odstranění uvíznutých médií
용지 걸림 해결
Rensa trassel

Staus beseitigen
Afhjælp papirstop
Fjerne fastkjørt papir
清除卡紙

Eliminazione degli inceppamenti
Storingen verhelpen
Usuwanie zacięć
Kağıt Sıkışmalarını Giderme

Eliminación de atascos
Tukosten poistaminen
Limpar atolamentos
Eliminació d'embussos

紙詰まりの解消



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3438/2021.

**Jehan Afsar, S/O Wali Muhammad R/o Mohallah Sadeen Khail, Village Karnal Sher
Khan Kali Tehsil Razzar District Swabi.....Appellant.**

VERSUS

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others.....Respondents.**

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES
1.	Para-wise Comments		05
2.	Affidavit		01
3.	Authority Letter		01
Total			07

RESPONDENTS

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3438/2021.

Jehan Afsar, S/O Wali Muhammad R/o Mohallah Sadeen Khail, Village Karnal Sher Khan Kali Tehsil Razzar District Swabi.Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.....Respondents.

PARAWISE REPLY BY RESPONDENTS.

RESPECTFULLY SHEWETH.

PRELIMINARY OBJECTIONS

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
3. That the appellant has no cause of action and locus stands to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal the material facts from this Honorable Tribunal.

FACTS:-

1. Correct to the extent that the appellant was appointed as constable on 22.03.1986 in District Police Kohat. He was transferred and posted to Capital City Police Peshawar vide order Endst; No. 28833-36/E-I, dated 22.11.2013 and later on transferred to FRP Unit vide order Endst; No. 8363-64/E-IV, dated 25.08.2016.
2. Incorrect. The courses mentioned by the appellant in the para are not criteria for promotion at District Police, as per Police Rules 1934 Chapter 13, while at that time he was posted at District Police, Kohat when he qualified such courses. It is pertinent to mention here that the promotion of the officials of District Police have dealt according to Police Rules 1934 Chapter 13 accordingly. Thus the appellant was not promoted to the next higher rank as he was not qualified the promotion courses i.e Lower and intermediate college courses according to Police Rules 1934 Chapter 13.
3. Incorrect. The application submitted by the appellant for his promotion in the next higher rank thoroughly examined and found that the promotion system has already been withdrawn from FRP Unit through Standing Order No. 02/2014 and Standing Order No. 02/2016. Moreover, Standing Order No. 02/2014 Clause No. 11 provided that FRP is neither a Police District nor a Police Range. Therefore, promotion list of literate officials of FRP shall no

more be maintained in FRP. Instead, promotion of literate officers posted in FRP, as in the case of other units, shall be done by District Heads of Police or the RPOs, as the case may be, against the available vacancies in accordance with Chapter 13 of Police Rules 1934. Moreover, the duties and responsibilities as well as promotion system of FRP were regulated from time to time through various Standing Orders issued by the competent authority, given the expanding role of policing. Keeping in view the above facts the application of the appellant was forwarded to the respondent No. 1 for solution the issue of promotion of overall FRP personals including the appellant.

4. Incorrect. In fact, the appellant was initially enlisted in District Police Kohat in the year 1986 and subsequently he was transferred and posted in FRP Unit in the year 2016. It is pertinent to mention here that there are numerous illiterate officials / officials who were initially appointed in FRP Unit and being most senior from the appellant are still awaited for their promotion on the next higher rank. However, the appellant has not submitted any departmental appeal, while he has submitted an application for the purpose of promotion as Platoon Commander, which was considered and found not entertainable.
5. Incorrect. The appellant is serving as a constable and the seniority list of constables are not maintaining until they successfully passed A-1, B-1 examination and subsequently qualifying of lower college course. However, the appellant failed to qualify the promotion course i.e Lower college course and the seniority list of those constables who failed to qualify the A1, B1 examination and subsequently Lower college course is not prepared as they are not eligible for promotion to the next higher rank. Moreover, the copies of available records have already been provided to the appellant accordingly.
6. Incorrect. The appellant was approached for the seniority list of Sub Inspector/Platoon Commanders, which he is not deserved to provide such information as the appellant is serving in the rank of constable and the seniority list of constables are not maintained until they qualify A-1, B-1 examination and lower college course accordingly. Moreover, those officials who were initially enlisted as constable in FRP Unit were promoted in the next higher rank, after fulfillment of due codal formalities provided by Standing Order No. 1/2006, which subsequently repealed through Standing Order No. 2/2014. Furthermore, the appellant was transferred and posted in FRP Unit in the year 2016 and since 2014 there is no one official/officer has been promoted in FRP Unit so far.
7. Incorrect. The appellant neither promoted as Head constable nor Platoon Commander therefore, he has no legal right to obtain the seniority list of senior ranks officials, who were promoted to the rank of Platoon

Commander. However, other relevant documents have already been provided to the appellant as per available record.

8. The appellant has no cause of action to file the instant appeal and the same may be rejected on the following grounds.

GROUND:-

1. Incorrect. The appellant was found inefficient police officer as he remained absent from his lawful duty for a long period of 131 days on different occasions to which he was awarded different punishment.
2. Incorrect. As the appellant was initially appointed in the District Police Kohat wherein he failed to qualify the promotion courses required as per Police Rules Chapter 13. Thus the appellant did not deprive from his legal right.
3. Incorrect. According to Standing Order No. 02/2014 clause 12 the promotions lists of all junior rank police officers of FRP have been henceforth maintained in the irrespective Districts of Domicile and respective Ranges, the nominations of FRP Personnel for promotion courses i.e Lower, Intermediate and Upper College Courses, have been carried out by their respective District and Ranges. However, a literate constable must be qualify the A-1, B-1 examination vis-à-vis lower / intermediate college courses, which is criteria for the promotion of next higher rank, while the appellant failed to qualify such courses and in this stage he is becoming overage to appear in the above examination/courses as per standing order 14/2014.
4. Incorrect. As there is two types of officials are working in FRP Unit 1st literate & 2nd illiterate and in past their promotion had been carried out in accordance with Standing Order No. 01/2006, which was subsequently repealed through Standing Order No. 02/2014. Moreover, the appellant has been transferred from District Police, Kohat and posted to FRP Unit in the year 2016. He is legally not entitled for the promotion of next higher rank as he failed to qualify the requisite promotion courses i.e Lower and Intermediate college courses as per Police Rules Chapter 13.
5. Incorrect. The courses mentioned by the appellant in the Para are not the requisite courses for the promotion of next higher rank as per law/rules.
6. Incorrect. As explained in the preceding Paras above the promotion system as Head constable Section commander and Sub Inspector Platoon commander have already been withdrawn from FRP Unit vide Standing Order No. 02/2014 & 02/2016. However, the appellant is never eligible for the promotion of Platoon commander as he was not promoted as Head constable Section Commander. Besides, the appellant was not enlisted in

FRP Unit while he was initially enlisted in District Police Kohat in the year 1986 and subsequently he was transferred to FRP Unit in the year 2016.

7. Incorrect. The appellant was enlisted in District Police Kohat and not at FRP unit. The appellant failed to qualify the promotion courses as per Police Rules Chapter 13, during his service in District Police. Besides, the promotion system has already been withdrawn from FRP Unit in the year 2014 and the appellant was transferred to FRP in the year 2016.
8. Incorrect. The officials who were initially enlisted as constables in the FRP Unit were promoted to the rank of Head constable Section Commander and Sub Inspector Platoon commander in accordance with Standing Order No. 01/2006. However, the same Standing Order has already been repealed through Standing Order No. 02/2014. Moreover, the appellant is presently working as constable and before the promotion of Sub Inspector Platoon commander a constable shall be promoted as Head constable Section commander and after three years service as Head constable he shall be eligible for the promotion of next higher rank.
9. Incorrect. The appellant is not eligible for the promotion of Platoon commander as per law/rules as he has not promoted to the rank of Head constable Section commander as per Standing Order No. 01/2006. However, the promotion system has already been withdrawn from FRP Unit in the year 2014, while the appellant was received to FRP Unit in the year 2016.
10. Incorrect. The appellant was not eligible for the promotion of next higher rank as per law/rules otherwise the respondents have no grudges with the appellant.
11. Incorrect. As the appellant was initially appointed in the District Police Kohat and subsequently transferred and posted in FRP Unit in the year 2016. However, in the year 2014 the promotion system has been withdrawn from FRP Unit, therefore, the appellant has no cause of action to submit application for promotion in the next higher rank as there are a numerous and most senior constables and Head constables are still aviated for their promotion in the next higher rank.
12. Incorrect. The judgment of the Apex Court of Pakistan mentioned by the appellant in the Para is not applicable to the case of appellant as he was not treated in discriminated manner by the respondents. Moreover, the appellant does not deserve for the promotion of next higher rank as per law/rules, thus the appellant has not come to this Honorable Court with clean hands.
13. Incorrect. The allegations are false and baseless. The appellant was treated in accordance with law/rules and he was not deprived from his legal right. Besides, it is pertinent to mention here that Standing Order No. 02/2014 is a

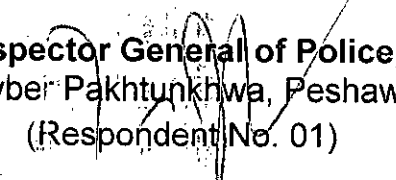
sufficient and provided complete service structure to the overall officials/officers of FRP personnel for the smooth running of official work.

14. Incorrect. The impugned order i.e Standing Order No. 02/2014 was issued under Article 10(3) of Police Order 2002 in supersession of all previous Standing Orders issued with regard to FPR for streamline the organization, administration and functioning of FRP in accordance with the provision of Police Order 2002, Police Rules 1934 and other laws and rules applicable to Police Department. Thus the Standing Order issued by the competent authority is legally justified and in accordance with law/rules.
15. Incorrect. The actions so far taken by the respondent in the case of appellant are legally justified and in accordance with law/rules.
16. Incorrect. The instant para has already been explained in the preceding para No. 14 above. However, after fulfillment of due codal formalities required as per law the Standing Order in question was issued to reorganized the function and service structure of FRP Unit for the better interest of Government
17. Incorrect. In fact the impugned Standing Order did not deprive any legal right of the appellant as his promotion has never been effected. It is pertinent to mention here that initially the appellant was appointed as constable in the District Police, Kohat and he was remained posted in the District Police Kohat. Furthermore, the said Standing Order was issued in the year 2014 and the appellant was transferred and posted to FRP unit in the year 2016.
18. The respondents may also be permitted to raise additional grounds at the time of arguments.

PRAYERS:-

Keeping in view the above facts and circumstances, it is most humbly prayed that the instant service appeal being not maintainable, may kindly be dismissed with costs please.


Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3438/2021.


Jehan Afsar, S/O Wali Muhammad R/o Mohallah Sadeen Khail, Village Karnal Sher Khan Kali Tehsil Razzar District Swabi.....Appellant.

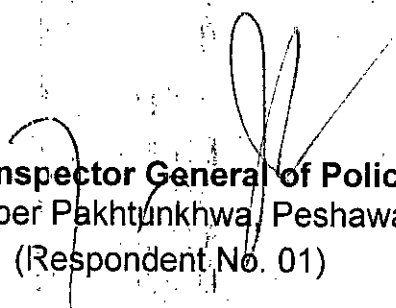
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.....Respondents.

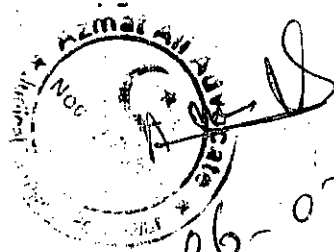
AFFIDAVIT

We respondents No. 1 to 2 do hereby solemnly affirm and declare on oath that the contents of the accompanying Para-wise Comments is correct to the best of our knowledge and belief that nothing has been concealed from this Honorable Court.


Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)

ATTESTED



06-07-2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3438/2021.

Jehan Afsar, S/O Wali Muhammad R/o Mohallah Sadeen Khail, Village Karnal Sher Khan Kali Tehsil Razzar District Swabi. Appellant.


VERSUS


Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others..... Respondents.

AUTHORITY LETTER

Respectfully Sheweth:-

We respondents No. 1 to 2 do hereby solemnly authorize Mr. Ghassan Ullah ASI FRP HQrs to attend the Honorable Tribunal and submit affidavit/Para-wise comments required for the defense of above Service Appeal on our behalf.


Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)