


05.05.2016

Counsel for the appellant and Mr. Fayaz, HC alongwith Addl:AG for respondents present. During the course of arguments and while going through the impugned order, was found that other Head Constables have also been reverted. It was further submitted by learned AAG that their cases are fixed on 17.05.2016. The impugned order shows that the same is based on the recommendation of the committee, the report of which is not available on record. The same be produce to this Tribunal as well as to learned counsel for the appellant as soon as possible. To come up for such report and arguments on 17.05.2016.

  
Member

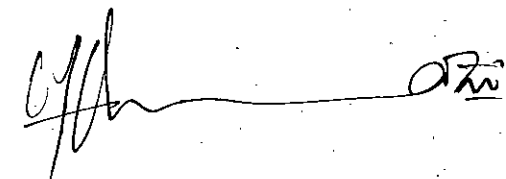
  
Member

17.05.2016

Appellant with counsel, Mr. Wisal Ahmad, Inspector(Legal) and Addl: AG alongwith Mr. Ziaullah, GP for respondents present.

Vide our detailed judgment of to-day in the connected service appeal No. 46/2015 titled "Nawab Ali-vs-Provincial Police Officer, Government of Khyber Pakhtunkhwa, Peshawar and others", this appeal is also disposed of as per detailed judgment referred above. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
17.05.2016


  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

  
(PIR BAKHSH SHAH)  
MEMBER

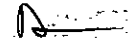
14.07.2015

Appellant with counsel and Mr. Fayaz Ali, Head Constable alongwith Addl: A.G for respondents present. Para-wise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 23.11.2015.

  
 Chairman


 23.11.2015

Counsel for the appellant and Mr. Wisal Ahmad Inspector (Legal) alongwith Mr. Muhammad Jan, GP for respondents present. Arguments could not be heard due to learned member (Judicial) is on official tour to D.I. Khan. To come up for rejoinder as well as arguments on 18/3/16

  
 Member

18.03.2016

Counsel for the appellant and Mr. Wisal Ahmad, Inspector (Legal) alongwith Mr. Muhammad Jan, GP for respondents present. Arguments could not be heard due to paucity of time. To come up for arguments on 5.5.2016.

  
 Member

  
 Member

Appellant's Application for Security

03

29.01.2015

Counsel for the appellant present and heard. Contends that the appellant was initially appointed as Constable and has served the department for 26 years to the satisfaction of his high-ups. That the appellant was promoted as H.C about four years ago and thereafter reverted to the rank of Constable with immediate effect vide order dated 2.12.2014 passed by DPO, Nowshera. That the said major punishment was awarded to the appellant without any show cause notice or inquiry. That the appellant submitted departmental appeal on 3.12.2014 which was rejected on 29.12.2014 against which service appeal was preferred on 14.1.2015 which is within the statutory period of law and as prescribed by law. The learned counsel for the appellant placed reliance on reported case 2008 PLC (C. S) 921 wherein imposition of major penalty in the shape of reduction in rank without inquiry was considered an illegal action.

Points urged need consideration. Admit. Subject to deposit of security and process fee <sup>within 10 days</sup> notices be issued to the respondents for written reply for 27.04.2015.

Chairman

4

27.04.2015

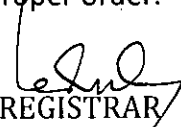

Appellant with counsel and Addl: AG for respondents present. Requested for adjournment. To come up for written reply on 14.7.2015 before S.B.

Chairman

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 45/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14.01.2015	<p>The appeal of Mr. Badshah Khan presented today by Mr. Rizwanullah Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2	27-1-15	<p>This case is entrusted to Bench <u>I</u> for preliminary hearing to be put up there on <u>29-1-2015</u>.</p> <p> CHAIRMAN</p>

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 45 /2015

1. Badshah Khan, LHC No. 717/Reader C.Cell/DRC, District Nowshera

**APPELLANT**

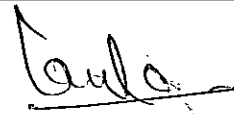
**VERSUS**

1. The Provincial Police Officer, Government of Khyber Pakhtunkhwa and others.

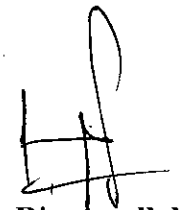
**RESPONDENTS**

**I N D E X**

S.No	Particulars	Annexure	Pages #
1	Service Appeal	-	1-5
2	Affidavit	-	6
3	Copy of order of promotion	A	7
4	Commendation Certificates	B (19 sheets)	8-26
5	Copy of reversion order	C	27
6	Copy of departmental appeal	D	28-29
7	Copy of comments	E	30
8	Copy of rejection order	F	31
9	Copy of promotion order of Sher Bahader	G	32
10	Wakalatnama	-	-

  
Appellant

Through

  
Rizwanullah  
M.A. LL.B

Dated: 13-1-2015

Advocate High Court, Peshawar

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 45 /2015

Badshah Khan, LHC No. 717/Reader  
C.Cell/DRC, District Nowshera.

**[Stamp]**  
29  
14-1-2015

**APPELLANT**

**VERSUS**

1. The Provincial Police Officer, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General of Police, Mardan Region-I, Mardan.
3. The District Police Officer, Nowshera.

**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 AGAINST THE  
DEMOTION ORDER NO . 1498 DATED  
2-12-2014 PASSED BY THE  
DISTRICT POLICE OFFICER, NOWSHERA  
(RESPONDENT NO. 3) WHEREBY THE  
APPELLANT WAS AWARDED MAJOR  
PENALTY OF REDUCTION IN RANK FROM  
THE POST OF HEAD CONSTABLE (B-7) TO  
THE POST OF CONSTABLE (B-5) AND ALSO  
AGAINST THE ORDER NO. 8545-46 DATED  
29-12-2014 PASSED BY THE RESPONDENT NO.2  
WHEREBY THE DEPARTMENTAL APPEAL OF  
THE APPELLANT WAS "FILED" WITHOUT  
COGENT REASONS.**

**[Stamp]**  
14/1/15

**PRAYER IN APPEAL**

By accepting this appeal, the demotion order No. 1498 dated 2-12-2014 and rejection order No. 8545-46 dated 29-12-2014 passed by the respondents No. 2 & 3 may very graciously be set aside and the appellant may kindly be restored as Head Constable alongwith all back wages and consequential benefits.

**RESPECTFULLY SHEWETH**

***Short facts giving rise to the present appeal are as under:-***

1. That the appellant joined the service of Police Department as Constable (B-5) on 1-12-1988. He was then promoted as Head Constable (B-7) on 10-5-2010 as a special case, on account of his dedication, devotion and outstanding performance. The appellant was also awarded 19 "Commendation Certificates" regarding his exceptional performance. He had 26 years unblemished service record to his credit. **(Copies of Promotion order and commendation certificates are appended as Annex-A & B).**
2. That the appellant was performing his duty with great zeal, zest and devotion. But strangely, he was awarded major penalty of "reduction in rank" from the post of Head Constable (B-7) to the post of Constable (B-5) by an order dated 2-12-2014 passed by the District Police Officer, Nowshera (respondent No.3) **(Copy of reversion order is appended as Annex-C).**
3. That no charge sheet alongwith statement of allegations was served on the appellant to explain his position regarding allegations if any levelled against him on the basis of which the impugned order was passed. Similarly, no fair and impartial inquiry was conducted nor any show cause notice was given to him before awarding the major penalty of demotion as Constable (B-5).
4. That the appellant was also not provided any opportunity of personal hearing before passing the impugned order being the requirement of law.
5. That the appellant felt aggrieved by the said order, filed a departmental appeal with the Deputy Inspector General of Police, Mardan Region-I, Mardan, (respondent No.2) on 3-12-2014 within the statutory period of law, praying therein for setting aside the impugned order. The comments of the respondent No.3 were requisitioned and thereafter, the appeal was filed without any cogent reasons vide order dated 29-12-2014 **(Copy of departmental appeal, comments and rejection order are appended as Annex-D, E & F).**

6. That the appellant now files this appeal before this Hon'ble Tribunal inter-alia on the following grounds within the statutory period of law.

**GROUND OF APPEAL**

- A. That respondents have not treated appellant in accordance with law, rules and policy on the subject and acted in violation of **Article 4 of the Constitution of Islamic Republic of Pakistan, 1973**. Therefore, impugned order is not sustainable in the eye of law.
- B. That the respondent No.3 was under statutory obligation to have served a charge sheet alongwith statement of allegations on the appellant so as to enable him to explain his position in respect of allegation if any levelled against him. But he failed to do so and as such blatantly violated the law/rules. Therefore, the impugned order is not sustainable under the law.
- C. That no fair and impartial **"Inquiry Committee"** was constituted in order to scrutinize the case of promotion in respect of appellant and other employees in its true perspective and in accordance with law. Moreover, the appellant was neither associated in the aforesaid so-called inquiry nor any witness was examined in his presence. Similarly, he was also not provided any chance of cross-examination. Therefore, the impugned order is against the spirit of administration of justice.
- D. That the appellant was not served with a show cause notice about the action of the authority in respect of awarding major penalty, being the mandatory requirement of law/rules. Therefore, the impugned is not tenable under the law.
- E. That the appellant was not provided any opportunity of personal hearing before imposition of major penalty of **"reduction in rank"** as Constable (B-5), in order to explain his view points in respect of the disputed issue. Thus, the appellant has been condemned / penalized without being heard, contrary to the basic principle of Natural Justice known as **"Audi Alteram Partem"**. Reliance in this respect can be placed on the judgment of august Supreme Court of Pakistan reported in **PLD-2008-SC-412 (a)**. The relevant citation is as under:-

**(a) Administration of justice---**

**---Natural justice, principles of---  
Opportunity of hearing---Scope---Order  
adverse to interest of a person cannot be  
passed without providing him an  
opportunity of hearing---Departure from  
such rule may render such order illegal.**

It is pertinent to mention here that the right of personal hearing is also proved from Holy Quran **"that when Almighty Allah directed the Angels to bow down before Adam (P.B.U.H). All obeyed except Iblis (Satan) who was then provided an opportunity to**



explain as to why he should not be expelled from the place of mercy. He after improper justification, was expelled from Heaven for ever (vide Surah Al-Baqarah Chapter No.2 Verse No. 34 Al-Quran). Thus, the Competent Authority has acted in derogation of law by not giving any opportunity of personal hearing to the appellant before passing the impugned order. Therefore, the said order is liable to be set aside on this count alone.

- F. That the appellant was granted the aforesaid promotion by the Provincial Police Officer, Khyber Pakhtunkhwa (respondent No.1). But the impugned order of his reversion in rank was passed by the District Police Officer, Nowshera (respondent No.3). Thus, the latter being lower authority in rank was not competent to set aside the order passed by his senior officer. Therefore, the impugned order is not warranted under the law.
- G. That the respondent No.2 was legally bound to have decided the departmental appeal of the appellant after application of mind with “**cogent reasons**”, being the requirement of law. But he failed to do so and disposed of the said appeal by simply saying “**Filed**” as apparent from the order dated 29-12-2014 . Thus, this type of decision would not fulfill the requirement of law laid down by august Supreme Court of Pakistan in case reported in **2011-SCMR-1**. The relevant citation is reproduced herein for facility of reference:-

**(b) General Clauses Act (X of 1897)---**

**---S. 24-A---Speaking order-Public  
functionaries are bound to decide  
cases of their subordinates after  
application of mind with cogent  
reasons within reasonable time.**

Therefore, the impugned order is bad in law.

- H. That the appellant was promoted as Head Constable (B-7) in accordance with law and this order has also been acted upon. Moreover, the appellant had worked against the said post for a period of 4 years and as such it had taken legal effect and created vested rights in his favour. Thus, the said order cannot be declared as illegal and the **Principle of Locus Poenitentiae** is attracted in the matter. Therefore, the impugned order is against the legal norms of justice.
- I. That one Sher Bahadar was also granted similar promotion as Assistant Sub-Inspector on the basis of his outstanding performance (**Copy Annex-G**). But he was retained in the same capacity while the appellant was reverted in rank as Constable (B-5). Thus, the appellant has been discriminated and treated unfairly qua the above similarly placed employee. This is a disparity and anomaly and is also violation of **Article 25 of the Constitution of Islamic Republic of Pakistan, 1973** which has unequivocally laid down that all citizens placed in similar circumstances are entitled to equal treatment and protection of law. The Hon’ble Supreme Court of Pakistan through various judgments has maintained that equal

treatment is the fundamental right of every citizen. Reliance can be placed on 2007-SCMR-410(d). The relevant citation is as under :-

2007-SCMR-410(d)

(D) CONSTITUTION OF PAKISTAN (1973)---

---Art. 25---Equal protection of law---Principles---Concept of equal protection of law envisages that a person or class of persons should not be denied the rights, which are enjoyed by other persons in the same situation.

Hence, impugned order is not tenable under the law.

- J. That the Competent Authority has passed the impugned order in mechanical manner and the same is perfunctory as well as non-speaking and also against the basic principle of administration of justice. Therefore, the impugned order has no sanctity under the law.
- K. That the impugned order is based on conjectures and surmises. Hence, the same is against the legal norms of justice.
- L. That the impugned order is suffering from legal infirmities and as such the same is not tenable under the law.
- M. That the appellant would like to seek the permission of this Hon'ble Tribunal to advance some more grounds at the time of arguments.

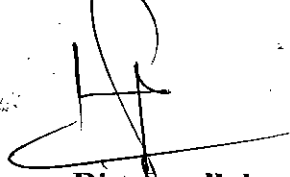
In view of the above narrated facts and grounds, it is, therefore, humbly prayed that the impugned order No. 1498 dated 2-12-2014 and rejection order No. 8545-46 dated 29-12-2014 passed by the respondents No. 2 & 3 may very graciously be set aside and the appellant may kindly be restored as Head Constable alongwith all back wages and consequential benefits.

Any other relief deemed proper and just in the circumstances of the case, may also be granted.

Dated: 13-12-2015

  
Appellant

Through

  
Rizwanullah  
M.A. LL.B

Advocate High Court, Peshawar.

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2015

1. Badshah Khan, LHC No. 717/Reader C.Cell/DRC, District Nowshera.

**APPELLANT**

**VERSUS**

1. The Provincial Police Officer, Government of Khyber Pakhtunkhwa & others

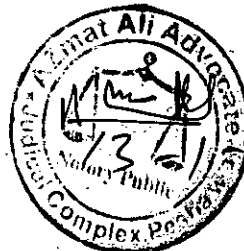
**RESPONDENTS**

**AFFIDAVIT**

I, Badshah Khan, LHC No. 717/Reader C.Cell/DRC, District Nowshera, do hereby solemnly affirm and declare that the contents of the accompanied service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

**ATTESTED**

*Deponent*



Amey - A

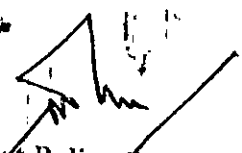
ORDER

Due to the exemplary performance of the Musalihattee committees of Nowshera district, the worthy Provincial Police, K.P.K, Peshawar during distribution of commendation certificate amongst the coordinators and deputy coordinators of Musalihattee committees on 01.4.2010, has also appreciated the coordination of the local Police of district Nowshera. His good honour has also directed for suitable award for concerned dealing hands.

In recognition of the services of LHC Bacha Khan No. 717 Posted as Moharrir Musalihattee committee is hereby promoted to the rank of C-II Head constable BPS-7 as a special case with immediate effect

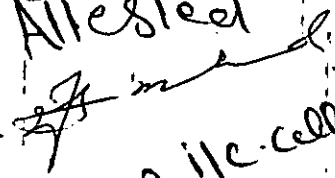
OB No. 495  
Dated 19.5 /2010.  
13-5

No. 932-35 /PA, dated Nowshera, the 14-5 /2010.

  
District Police Officer,  
Nowshera

Copy for information and necessary action to the:-

1. Pay Officer
2. E.C.
3. O.H.C.
4. F.M.C.

Attested  
  
INSP. IIC cell  
03/12/2014

**ATTESTED**

19-Sheets

Commendation  
Certificates

(8)

CERTIFICATE

Annex - (B)


It is certified that Head Constable Bacha Khan No 717 (S/O Akram Khan R/O Village Chiragh Din, Kili, Tehsil Takht Bahai, District Mardan) is serving in Police Department District Nowshera. He is an efficient and dutiful official. And has a good prestige in the society. He has been performing his duties upto the entire satisfaction of his superiors. There is no complaint received him during his long service (25 years). Further more he has good attitude manner with both the Police and Public. His performance always remained satisfactory.

OB No. 2107.

Dated 13/12/013.

  
District Police Officer  
Nowshera

Nowshera



ATTESTED

Attested (9)

*[Signature]*  
District Police Officer  
Nowshera

No-17. R. DSP/Inward PSM  
dt 16-1-07

IN WHOM IT MAY CONCERN

It is a matter of immense pleasure to introduce Mr. Badshah Khan Naib Court (NC). He is well known to me from over two years. He is a man of sagacity, enthusiastic, outstanding repute and a person of strong mind. As far his duty at District and Session Court is concerned, he is a punctual, hardworking, sincere, dutiful, honest, and man of having Good reputation.

He was transferred to District and Sessions Courts on 12.11.2004 as Naib Court (NC). Till now he is under my direct supervision. He is strong and quick mind person. In a very recent case FIR No 983/6 Under Section 302/13 AO/TATA Police Station Nowshera, he arrested a woman in the premises of court with loaded deadly weapon very bravely and gave in custody of Police.

Mr. Badshah Khan (NC) also show me some other certificates which are rewarded to him by DPO's of different Police Stations which certified his braveness on different occasions. During his posting at P.S Akora Khattak he jumped from the bridge of Attock for saving life of a women who tried for suicide. (Copies of all the certificates are attached with).

During all this period since he joined District and Session Courts till now as Naib Court, he has done his duty sincerely. Apart from this he always successfully completed his tasks with full devotion, strong determination and great sense of responsibility. He is punctual, hard working, committed and very good moral character. I have always found him bold and hardworking during his duties.

Keeping in view all the above facts Mr. Badshah Khan (NC), is recommended for promotion on the post of C2 Hawaldar.

I pray and wish him all the success in life and my benediction is with him.

District & Sessions Judge,  
Nowshera.

No 71-DSP-TWR  
12-1-07

*[Signature]*  
Adv  
ATTESTED

**TO WHOM IT MAY CONCERN.**

Mr. Badshah Khan Naib Court (NC) is working as Naib Court in the court of  
Hon'ble District & Sessions Judge, Nowshera since 12.11.2004. He is honest, hard  
worker and courageous police official. Recently he has overpowered a women with  
loaded weapon in the Court premises and handed her over to the local police of police  
station Nowshera Cantt. The said Naib Court has also overpowered proclaimed offender  
Javed Akhtar required in case vide FIR No. 118 dated 11.02.2002 under section 302/34  
PPC of police station Nowshera Cantt. and handed him over to the concerned police.  
Moreover, he has also arrested proclaimed offender Nasar Ali required in case vide FIR  
No. 243 dated 07.04.2008 under section 17 (3) Haraabah/411 PPC of Police Station  
Pahari Pura Peshawar and handed him over to the local police concerned. Similarly the  
said Naib Court has also arrested the accused namely Arjun Das and recovered with him  
140 bottles of liquor and handed him over to the local police vide FIR No. 87 dated  
27.01.2009 under section 3/4 PO of police station Nowshera Cantt. He has been  
awarded commendation certificates and cash rewards by different Worthy  
Superintendents Police Nowshera, which are enclosed herewith.

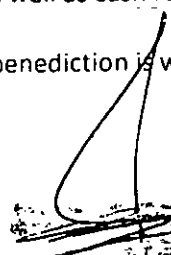
In view of the above good performance of Naib Court Badshah Khan, he is


recommended for confirmation on the post of Hawaldar as well as cash reward.

I pray and wish him all the success in life and my benediction is with him.

No. 518-6/28 dated 08-4-09

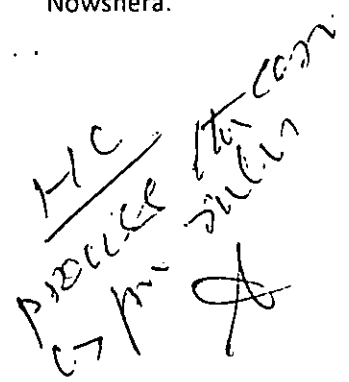

Send in original to the DPO, Nowshera for kind perusal  
and strongly recommended to confirm/promote the said  
Naib Court of this Court.

  
 District Public Prosecutor,  
 Nowshera.

  
 Ikram Ullah Khan,  
 Sessions Judge, Nowshera.

08-4-09

  
 AEW  
**ATTESTED**

  
 H/C  
 produce the copy  
 to Mr. Sultan  


TO WHOM IT MAY CONCERN.

Mr. Badshah Khan Naib Court (NC) is working as Naib Court in the court of Hon'ble District & Sessions Judge, Nowshera since 12.11.2004. He is honest, hard worker and courageous police official. Recently he has overpowered a woman with loaded weapon in the court premises and handed her over to the local police of police station Nowshera Cantt. The said Naib Court has also overpowered proclaimed offender Javed Akhtar required in case vide FIR No. 118 dated. 11.02.2002 under section 302/34 PPC of police station Nowshera Cantt and handed him over to the concerned police. Moreover, he has also arrested proclaimed offender Na'ar Ali required in case vide FIR No. 243 dated. 07.04.2008 under section 17 (3) Haraabah /411 PPC of police station Pahari Pura Peshawar and handed him over to the local police concerned. Similarly he recovered 140 bottles of liquor from accused handed over him to the local police vide FIR No. 87 dated. 27.01.2009 under section 304 PO of police station Nowshera Cantt. He is overpowered on accused woman in the Court premises after she shot and injured another female. He arrested the accused instantly and handed along with the weapon of offence. The case FIR No. 432 police station Nowshera Cantt U/S 324/34/13 AO. He has been awarded commendation certificates and cash awards by different Worthy Superintendents Police Nowshera, which are enclosed herewith.

in view of the good performance of Naib Court Badshah Khan He is recommended for confirmation on the post of Hawaldar as well as cash award.

I pray and wish him all the success in life and my benediction is with him.

Sir forwarded and strongly Recommended.

DISTRICT PUBLIC PROSECUTOR  
NOWSHERA.

NO. 1619 / Dated, 22/07 /2009.

Send in original to the DPO, Nowshera for kind perusal and Strongly recommended to confirm/promote the said Naib Court Mr. Badshah Khan of this Court.

IKRAM ULLAH KHAN  
DISTRICT & SESSIONS JUDGE  
NOWSHERA.

**ATTESTED**



TO WHOM IT MAY CONCERN

It is a matter of immense pleasure to introduce Mr. Badshah Khan Naib Court (NC). He is well known to me from over two years. He is a man of sagacity, enthusiastic, outstanding repute and a person of strong mind. As far his duty at District and Session Court is concerned, he is a practical, hardworking, sincere, dutiful, honest, and man of having Good reputation.

He was transferred to District and Sessions Courts on 12.11.2004 as Naib Court (NC). Till now he is under my direct supervision. He is strong and quick mind person. In a very recent case FIR No 983/6 Under Section 302/13 AO/7ATA Police Station Nowshera, he arrested a woman in the premises of court with loaded deadly weapon very bravely and gave in custody of Police.

Mr. Badshah Khan (NC) also show me some other certificates which are rewarded to him by DPO's of different Police Stations which certified his braveness on different occasions. During his posting at P.S Akora Khattak, he jumped from the bridge of Attock for saving life of a woman who tried for suicide (Copies of all the certificates are attached with).

During all this period, since he joined District and Session Courts till now as Naib Court, he has done his duty sincerely. Apart from this he always successfully completed his tasks with full devotion, strong determination and great sense of responsibility. He is actual hard working, committed and very good moral character. I have always found him bold and hardworking during his duties.

Keeping in view all the above facts Mr. Badshah Khan (NC), is recommended for promotion on the post of C2 Hawaldar.

I pray and wish him all the success in life and my benediction is with him.

*[Signature]*  
Don  
**ATTESTED**

*[Signature]*  
District & Sessions Judge,  
Nowshera.

1-D/SJ-NR  
12-1-07



N.-W. F. P. POLICE

# COMMENDATION CERTIFICATE

Granted to Constable Bacha Khan No. 717:  
 Son of \_\_\_\_\_ Resident of \_\_\_\_\_  
Akora. Police Station Nowshera. Vil  
 in recognition of good work i.e. foiled an attempt of suicide. Dis

Date 31.12.75  
 O.B. No. 1384

C.C-III with cash reward of  
RS. 200/-

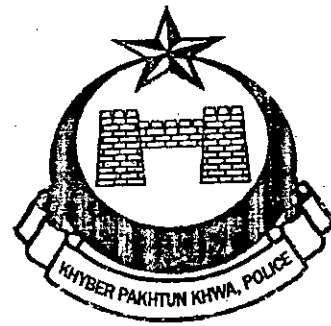
Superintendent of  
 Nowshera District

Note:- (1) If Police Officer rank and number in final.  
 (2) Cash reward, if any to be specified.

Adv  
**ATTESTED**

14

14



## COMMENDATION CERTIFICATE-III

Granted to: HC Badshah Khan

Son of Akram Khan Resident of Charagh Din Kallay Police Station Takht Bhai

District Mardan in recognition of his dynamic performance in resolving certain disputes of public in the

Musalihattee Committees District Nowshera and awarded CC-III with Cash Reward

Cash Reward of Rs: 2000/-

OB No. 1246

Dated 05/ 10/ 2012.

*HA*  
*Ash*  
*ATIES NEW*

*Muhammad Hussain Khan*  
(MUHAMMAD HUSSAIN KHAN)  
District Police Officer,  
Nowshera

15

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## COMMENDATION CERTIFICATE-III

Granted to HC Badshah Khan No. 717  
Son of Akram Khan Resident of Charagh Din Kallay Police Station Takht Bhai  
District Mardan in recognition of Good performance of Masalihatee Committee District Nowshera and awarded  
CC-III with cash reward Rs:1000/-

OB No. 445

Dated 17 / 05 / 2010.

*Handwritten signature*  
**ATTESTED**

*Handwritten signature*  
District Police Officer,  
Nowshera

16

Police No. 107.

Form No. 15.3 (c)

16



N.-W. F. P. POLICE

# COMMENDATION CERTIFICATE

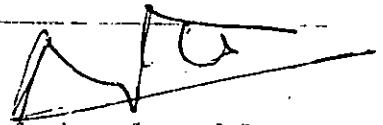
Granted to Constable Bacha Khan No. 77. (Scorpion Course).

Son of \_\_\_\_\_ Resident of \_\_\_\_\_ Village

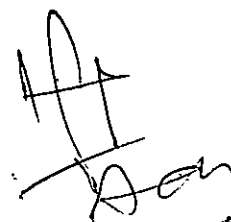
\_\_\_\_\_ Police Station Nowshera. District

in recognition of Good shooting in Scorpion Course, ending 20.1.96.

Date..... } O.C-III with cash reward of  
O.B. No..... } Rs. 200/-

  
Superintendent of Police.

Note:- (1) If a Police Officer rank and number in final.  
(2) Cash reward, if any to be specified.

  
**ATTESTED**

Granted to LHC

at of \_\_\_\_\_

In - recognition

O.B. No. 162

Dated 4.2.



17

17

N.W.F.P POLICE

COMMENDATION CERTIFICATE-III

Granted by MR. NISAR AHMED TANGELI

District Police Office Nowshera.

Granted to MC 2. ISHAH KHAN, NO. 717? Son of AKRAM KHAN.

at of \_\_\_\_\_ Police Station \_\_\_\_\_ District NOWSHERA.

In - recognition of HIS GOOD PERFORMANCE IN MUSALIHATTEE COMMITTEE, NOWSHERA. (CC-III AND CASH REWARD)  
RS. 1000/-

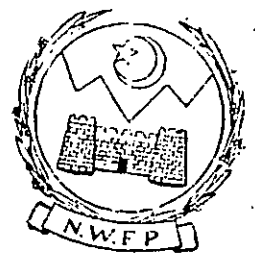
O.B. No. 162

Dated 4.2.2010

*[Signature]*  
**ATTESTED**

*[Signature]*  
District Police Officer,  
Nowshera

18



N.-W. F. P. POLICE

# COMMENDATION CERTIFICATE

ATTESTED

Granted to 4 PC Sadshin Khan No. 7177

Son of        x        Resident of        Village       

Nowshera cantt. Police Station        Nowshera. District       

in recognition of Case FTR No. 151 dt: 31-3-1999 U/S 302 PC/Nowshera Cantt.

Cash reward Rs: 100/-

Date... 15-4-1999

O.B. No... 431...

(MAJID ZIA) PSP  
Superintendent of Police  
Nowshera.

Note:- (1) If a Police Officer rank and number in final.  
(2) Cash reward, if any to be specified.

Nowshera

Note:- (1) If a Police Officer rank and number in final.  
(2) Cash reward, if any to be specified.

18

O  
Da

Police No. 107.  
Form No. 15.3 (c).

19

19



N.-W. F. P. POLICE.

# COMMENDATION CERTIFICATE

Class III

Granted to Reemun Singh

son of \_\_\_\_\_, resident of \_\_\_\_\_ village,

Police Station, \_\_\_\_\_ District,

in recognition of 2nd in 460 Meter Relay Race

20/11/19

Dated. ....

The ..... 19 ..

*Handwritten signature*  
A.C.W.

*Handwritten signature*  
Superintendent of Police.

Note—(1) If a Police Officer, rank and number in final.  
(2) Cash reward if any, to be specified.



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N.-W. F. P. POLICE.

# COMMENDATION CERTIFICATE

*D. J. J. J.*  
*Patrol*

Class II

Granted to Rasool 1 October 1941

son of \_\_\_\_\_, resident of \_\_\_\_\_ village,

Police Station, \_\_\_\_\_ District,

in recognition of best in QAO Motor Race  
Race causing the form winning 300/-

Dated.....  
The.....19..

*A*  
**AWARDED**

Superintendent of Police.

Note—(1) If a Police Officer's rank and number in final.  
(2) Cash reward if any to be specified.

Cha

Note—(1) If a Police Officer's rank and number in final.  
(2) Cash reward, if any, to be specified.

Police No: 107.

GS&PD. NW6P. -300 P.S. -50,000 F. -3-1-88-(19)

Form No. 15.3 (c).

68

21

*Handwritten signature*  
Date: 10/5/2000



N.-W. F. P. POLICE.

# COMMENDATION CERTIFICATE

Class III

Granted to Mr. [Name] 1064/00

son of \_\_\_\_\_, resident of \_\_\_\_\_ village,

\_\_\_\_\_ Police Station, \_\_\_\_\_ District,

in recognition of services rendered during Royal Police  
operation on 30.11.99.

Dated: \_\_\_\_\_  
The \_\_\_\_\_ 19 \_\_\_\_\_

Superintendent of Police.

*Handwritten signature*  
A.C.

**ALLIED**

Note—(1) If a Police Officer, rank and number in final.  
(2) Cash reward if any, to be specified.

M. A.

Cha

Note—(1) If a Police Officer, rank and number in final.  
(2) Cash reward, if any, to be specified.

SACH

22



UNHCR  
The UN Refugee Agency

# CERTIFICATE OF PARTICIPATION

It is certified that

Mr. BADSHAH KHAN

has participated in

**One Day Police Sensitization Workshop**

On "Human Rights & Stress Management"

Held at Police Line Nowshehra on Sept. 30, 2011

Organized by SACH-Struggle for Change  
Supported by UNHCR

Khalida Salimi

Khalida Salimi  
Executive Director  
SACH-Struggle for Change

A. A. A.  
**ATTENDED**

Mog Singh  
UNHCR  
Representative

(N)

28

Date

23

23

PAKISTAN INTERNATIONAL HUMAN RIGHTS ORGANIZATION

Recognition Certificate

HEAD CONSTABLE BUDFAH KHAN NO. 717 OF NOWSHERA DISTRICT.

*This certificate is awarded for voluntary work and support  
for the promotion of Human Rights*

*M. Akram Zaki*  
M. Akram Zaki

*HA*  
ATTESTED

*Habib Malik Orakzai*  
Habib Malik Orakzai

24

Police No. 107.

GS&PD. NWFP. -1202 P. S. 30,000 -9-5-80-(144)

Form No. 15.3 (c).

24

Interested



N.-W. P. F. POLICE

# COMMENDATION CERTIFICATE

CLASS III

Granted to Recruit Badr Nos 1100 1084

son of \_\_\_\_\_, resident of \_\_\_\_\_ village,

\_\_\_\_\_ Police Station, Dist. Mardan District,

In recognition of part in 4x400 Meter Relay Race  
During Form Bd-109 31.3.89

*Handwritten signature*  
**ACCEPTED**

ated.....  
he.....19 }

*Handwritten signature*  
Superintendent of Police

Note—(1) If a Police Officer, rank and number in final.  
(2) Cash reward, if any, to be specified.

28

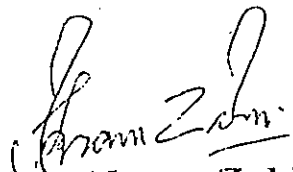
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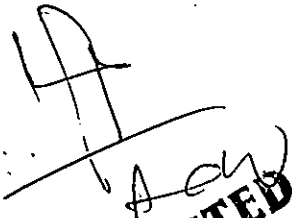
# PAKISTAN INTERNATIONAL HUMAN RIGHTS ORGANIZATION

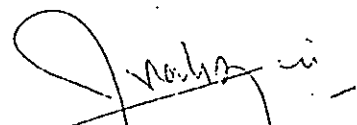
## Recognition Certificate

HEAD CONSTABLE BADSHAH KHAN NO. 717 OF NOWSHERA DISTRICT.

*This certificate is awarded for voluntary work and support  
for the promotion of Human Rights*

  
M. Aicram Zaki  
Chairman

  
**ATTESTED**

  
Habib Malik Orakzai  
President

[www.phiro.org](http://www.phiro.org)

26



UNHCR  
The UN Refugee Agency

26

# CERTIFICATE OF PARTICIPATION

*It is certified that*

Mr. BHIDSUHA KHAIN

*has participated in*

## One Day Police Sensitization Workshop

on "Human Rights & Stress Management"

Held at Police Training Station, Dera Ismail Khan, 20/11/2011

*Organized by SACH-Struggle for Change*

*Supported by UNHCR*

Khalida Salimi

Khalida Salimi  
Executive Director  
SACH-Struggle for Change

*AA*  
**AMSTED**

Muhammad Saif

UNHCR  
Representative

Annex-C

**ORDER**

Consequent upon the recommendation of the committee vide this office Memo No.10046/EC, dated 22-09-2014, duly approved by Region Chief vide his office Memo No.7790/ES, dated 28-11-2014 the following 09 C-II Head Constables are hereby reverted to their substantive ranks (Constable) with immediate effect:-

- 1. Gulistan No.1017
- 2. Fazal Habib No.789
- 3. Badshah Khan No.717
- 4. Nawab Ali No.834
- 5. Muhammad Javed No.169
- 6. Said Ali Shah No.502
- 7. Asfandyar No.925
- 8. Jamshid No. 733
- 9. Qamar Zia No. 220

OB.No 1498  
Dated 2-12-2014

*[Signature]*  
District Police Officer,  
Nowshera.

**OFFICE OF THE DISTRICT POLICE OFFICER, NOWSHERA**

No. 12103-7 /EC dated Nowshera 03/12/2014.

Copy of above is forwarded for information to the:-

- 1. Deputy Inspector General of Police Mardan Region-I Mardan w/r quoted above.
- 2. SP, In-charge Nowshera.
- 3. Pay Officer.
- 4. OHC/FMC. ✓

*[Signature]*  
**ATTESTED**

\*\*\*\*\*

Investigation



To:-

**The Deputy Inspector General of Police,  
Mardan Region-I, Mardan.**

Subject:

**APPEAL FOR CANCELLATION OF REVERSION  
ORDER.**

R/Sir,

With profound respect and humble submission, I beg to submit that I have been reverted from the rank of Head Constable (BPS- 07) to the rank of Constable (BPS- 05) vide DPO Nowshera Office order No. 1498/EC dated 02/12/2014 (copy attached for ready reference) against which I am going to submit the present Appeal for your kind consideration on the grounds/justification as mentioned as under:-

1. I was enlisted as Constable on 01-12-1988.
2. I have passed my Recruit Course at PTS, Hangu during the year 1989.
3. I have passed my A-I Examination in the year 1996 and my name was brought on promotion list A-I w.e.f 03-02-1996.
4. I have passed my B-I Examination in the year 1998 and my name was brought on promotion list B-I in the same year.
5. My date of birth is 20-03-1970.
6. Due to my misfortune I rendered overage and could not be selected for Lower School Course.
7. I had long service and was deserving for promotion List C-II, but my name was not considered, however, later on, due to an extra ordinary performance, i.e, subdued an accused red handed after commission of crime in the premises of Distt: Courts, Nowshera, vide case FIR No. 983 dated 15-12-2006 u/s 302/13AO/ 7-ATA PS Nowshera Cantt, vide OB No. 104 dated 01-02-2007 (copy enclosed).
8. Similarly, in different occasions in my long service I was awarded commendation certificates by high-ups/Session Courts, Nowshera (copies attached for ready reference). I have used my energy/skills in the discharge of my duties and saved a human life who attempted suicide/ drowning from the Attock Bridge, extra-ordinary performance in Musalihatti Committee Distt: Nowshera, I was promoted as Head Constable on the direction of the then IGP/ Khyber Pakhtunkhwa, Peshawar against the sanctioned quota of C-II HCs vide OB No. 495 dated 13-05-2010 ( copy enclosed).

  
Adu  
**ATTESTED**

- 9. Since that I was drawing my Pay in BPS -07 as HC till date, when my Reversion Order to the rank of constable was issued, i.e after holding the rank of HC and drawing Pay in BPS 07 for 4-year. Hence, it is necessary to mention that I have completed a normal period of probation as HC i.e 2-years and I was required to be confirmed in the said rank, but it was not done, while on the other hand I was reverted to the rank of constable, which is an extreme injustice.
- 10. My academic qualification is matric.
- 11. During my whole service, all my performance were witnessed through press (photo copies attached)
- 12. I have been serving in the department for the last 26-years and as per Police Rules chapter -13, I am fit for promotion as Head Constable BPS 07, keeping in view all the provisions and factors. Here it essential to mention that why I was not given promotion as C-II Constable when I was deserving for that. For this, the dealing hands are responsible and it does not fall on my part.
- 13. I was also granted shoulder promotion as ASI on Acting Charge basis by the officers, due to my continuous outstanding performance.

Therefore, it is humbly requested that my Appeal may kindly be considered and the order relating to my Reversion issued vide OB No. 1498 dated 02-12-2014 may kindly be withdrawn so that justice is extended.

I shall be very thankful for the consideration please.

*Handwritten signature*  
*Handwritten initials*  
**ATTESTED**

Yours obediently,  
*Handwritten signature*  
 Badshah Khan LHC  
 No.717/Reader  
 C.Cell/DRC, Distt:  
 Nowshera.

03/12/2014

M.NO. 0346-5647730

Annex - E

From: The District Police Officer,  
Nowshera.

To: The Dy: Inspector General of Police,  
Mardan Region-I, Mardan.

No. 4122 /PA, dated Nowshera, the 16.12/2014

Subject: **APPEAL FOR CANCELLATION OF REVERSION ORDER**

Memo: Please refer to your office Dy: No. 8101/ES, dated 08.12.2014 on the subject cited above.

Para wise comments regarding reversion order of Constable Badshah Khan No. 717 from the rank of Head Constable to Constable issued vide OB No. 1498 dated 02.12.2014 by the undersigned on the recommendation of committee constituted vide this office No. 10046/EC, dated 22.09.2014, duly approved by your good self are submitted as under:-

- 1-3. Correct.
- 4. Incorrect. Not found in Service Roll.
- 5-8. Correct.
- 9. Correct to the extent of promotion as Head Constable & drawing his pay in (BPS-07). However, a Committee was constituted for scrutinizing the promotion of C-II Head Constables and on the recommendation of said Committee, he was reverted to the Rank of Constable vide OB No. 1498 dated 02.12.2014
- 10-11. Correct.
- 12. Incorrect. The Officer promoted to the Rank of Head Constable (BPS-7) were eligible for promotion too.
- 13. Correct.

Encls: Service Roll.  
Submitted please.

*Handwritten signature*  
**ATTESTED**

*Handwritten signature*  
**District Police Officer,  
Nowshera**

Government of Khyber Pukhtunkhwa  
Office of the Deputy Inspector General of Police  
Mardan Region-I, Mardan  
Phone No. 0937-9230113, Fax No. 0937-9230115

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Annex-F

From: The Deputy Inspector General of Police,  
Mardan Region-I, Mardan

To: 1. The District Police Officer, Mardan.  
2. the District Police Officer, Nowshera.

No. 8545-46/ES.

29, December, 2014.

Subject: ORDERLY ROOM.

Memo:

1) The following Upper/ Lower Subordinates of your Districts appeared before the worthy/DIG, Mardan in Orderly Room held in this office on 24.12.2014.

2) Remarks of the Worthy DIG/Mardan on each case are as under:-

S. No.	Name & No.	Place of posting	Request for	Remarks of the W/DIG, Mardan
1.	SI Shakeel Khan	Mardan District	Request for transfer to Investigation	Filed
2.	SI Ali Rehman	Mardan District	Request for promotion as adhoc Inspector	Filed
3.	Constable Badshah Khan No. 717 Constable Nawab Ali No. 834 Constable Muhammad Javid No. 169	Nowshera District	Request for promotion as C-II Head Constable	Filed
4.	Constable Hameed Khan No. 287	Mardan District	Request for transfer to Police Lines	Filed
5.	Constable Izhar No. 851	Nowshera District	Request for the grant of light duty	To post him on light duty
6.	SPO Safiullah No. 01	Mardan District	Request for cadre change	Filed

*H*  
*Sch*  
**ATTESTED**

*[Signature]*  
For Deputy Inspector General of Police,  
Mardan Region-I, Mardan.

Annex-G

**ORDER**

In the light of Recommendation of Accelerated Promotion Committee held at CPO on 05-01-2012, Head Constable Sher Bahadar No.497 of Nowshera District is hereby promoted as ASI on adhoc basis under Standing Order No.6/2008 with immediate effect

*[Signature]*  
**FOR CAPITAL CITY POLICE OFFICER,  
PESHAWAR.**

No. 2337-38/EC-I, dated Peshawar the, 13/2/2012.

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

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar w/r to his memo No.2238/E-II, dated 07-02-2012.
2. DPO/Nowshera w/r to his office memo No.8116/EC, dated 14-09-2011 with the direction to issue promotion order of Constable Asfandiyar No. 925 as Head Constable on adhoc basis as per CPO letter No. 2238/E-II, dated 07-02-2012 (Copy enclosed).

200

*[Handwritten mark]*

**ATTENDED**

ACB No. 246 / 17.2.12

*[Circular stamp]*  
17/2/12

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*[Handwritten signature]*  
14/02

*[Handwritten signature]*

بعدالت

BEFORE THE HON'BLE CHAIRMAN, SERVICE TRIBUNAL,  
KHYBER, PAKHTUNKHWA PESHAWAR.

2015ء پنجاب ایپلٹ  
Appellant بنام  
06-01-2015  
SERVICE APPEAL  
BADSHAH KHAN  
VS  
PROVINCIAL POLICE OFFICER &  
Others.

مورخہ

مقدمہ

دعویٰ

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام چٹاورد کیلئے رضوان اللہ اذہ کلید  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی  
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت  
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بااختیارات حاصل ہوں گے  
اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے  
سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب یا بندہ ہوں  
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندز ہے۔

6/1/15

المرقوم 06 ماہ جنوری 2015ء

Att. [Signature]

مقام چٹاورد

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 45/2015

Badshah Khan LHC No. 717/Reader/C.Cell/DRC,  
Police Lines, District Nowshera.

.....Appellant

**V E R S U S**

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police, Mardan Region-I, Mardan.
3. District Police Officer, Nowshera.

.....Respondents

**PARAWISE REPLY ON BEHALF OF RESPONDENTS No. 1,2&3**

**Respectfully Sheweth: -**

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no cause of action.
2. That the appeal is badly time-barred.
3. That the appeal is bad in law.
4. That the appellant is estopped from moving the instant appeal due to his own conduct.
5. That the appeal is not maintainable in its present form.
6. That the appellant has not come to the Honourable Tribunal with clean hands:

**On Facts**

1. Para to the extent of enlistment in Police Department and his subsequent promotion as C-II Constable pertains to record, needs no comments, while rest of the para is not related. Needs no comments.
2. Para to the extent of performance of the appellant is not related, hence, no comments, while rest of the para is incorrect because the appellant has not been awarded any penalty of reduction in rank rather, those Constables were promoted as C-II Head Constables who are senior to the present appellant regarding their placement on C-II list as per standing order vide No. 06/2014. (Copy annexed).
3. Para incorrect. As discussed above neither the appellant was penalized nor any punishment has been awarded, hence, the plea taken by the appellant is totally false, baseless and devoid of its legal footing, therefore, liable to be set at naught.
4. Para already explained. Hence, no comments.
5. Para to the extent of feeling aggrieved and subsequent filing of department appeal is not related, needs no comments, while rest of the para is incorrect

because the reasons/grounds mentioned in the rejection order are cogent, plausible and confidence inspiring, hence, stance of the appellant is not appeal-able to a prudent mind.

6. Not related. Needs no comments.


**On grounds**


- A. Para incorrect. The appellant is treated in accordance with law, rules and policy because the respondents have no grudge against the appellant.
- B. Para incorrect. The stance/objection raised by the appellant regarding serving of charge sheet and statement of allegation on him is not plausible because he has not been awarded any penalty.
- C. Para incorrect. As explained earlier neither the appellant was awarded any punishment nor penalized what to speak of providing him the right of self defense, hence, the plea taken by the appellant is not tenable in the eyes of law. Moreover, a proper departmental committee was constituted wherein the case of all C-II head Constables was considered, whereafter, those C-II Head Constables were promoted who stood senior and have outstanding performance.
- D. Para incorrect. As the appellant has not been awarded any punishment, therefore, there was no need of serving show cause notice upon the appellant, hence, plea of the appellant is not sustainable in the eyes of law.
- E. Para already explained. Needs no comments.
- F. Para incorrect. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar had issued directions for suitable award. Hence, the stance of appellant regarding the C-II Head Constable promotion by the Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar is false and baseless rather, his order of promotion to the rank of C-II, Head Constable was passed by the then District Police Officer, Nowshera.
- G. Para incorrect. The Departmental appeal of the appellant was filed by respondent No. 2 after taking into consideration cogent, confidence inspiring and plausible reasons, therefore, plea taken by the appellant is not tenable in the eyes of law.
- H. Para already explained. Hence, no comments.
- I. Para regarding discrimination against the appellant is false and baseless, because the respondents have no grudge against the present appellant, therefore, stance of the appellant being devoid of its legal footing is not sustainable in the eyes of law.
- J. Para incorrect. The order passed by the competent authority is neither mechanical nor perfunctory rather after considering the entire cogent reasons, a speaking order was passed.




- K. Para incorrect. The order passed by the competent authority is in accordance with the norms of natural justice.
- L. Para already explained. Needs no comments.
- M. That the respondents also seek permission of this Honourable Tribunal to advance additional grounds at the time of arguments.

It is, therefore, most humbly prayed that keeping in view the above submissions, appeal of the appellant may very graciously be dismissed with cost.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.  
Respondent No. 1

  
Deputy Inspector General of Police,  
Mardan Region-I, Mardan.  
Respondent No. 2

  
District Police Officer,  
Nowshera  
Respondent No. 3

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 45/2015

Badshah Khan LHC No. 717/Reader/C.Cell/DRC,  
Police Lines, District Nowshera.

.....Appellant

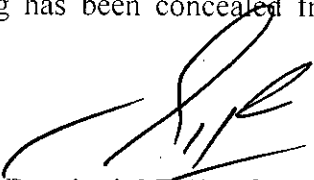
**V E R S U S**


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police, Mardan Region-I, Mardan.
3. District Police Officer, Nowshera.


.....Respondents

**AFFIDAVIT**

We the respondents No. 1,2 & 3 do hereby solemnly affirm and declare on Oath that the contents of parawise comments to the appeal are true and correct to the best of our knowledge and belief and nothing has been concealed from the Honourable tribunal.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.  
Respondent No. 1

  
Deputy Inspector General of Police,  
Mardan Region-I, Mardan.  
Respondent No. 2

  
District Police Officer,  
Nowshera  
Respondent No. 3



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

**STANDING ORDER NO. 6/2014**

**Promotion of Constables as C-II Head Constables**

This Standing Order is issued under Article 10(3) of Police Order 2002 in pursuance of the Police Policy Board decision taken in its 11<sup>th</sup> meeting held on 21<sup>st</sup> August 2014.

2. **Aim:-** This Standing Order aims to streamline and standardize the criteria and procedure of placement of Constables on promotion List C-II and their subsequent promotion as C-II Head Constables.
3. **Placement on C-II List:-** Those Constables who have crossed the age limit prescribed for A-1/B-1 Exams without qualifying the same may be considered for placement on promotion List C-II.
4. A Selection Board at the District level, constituted by CCPO or RPO, as the case may be, and consisting of the DPO concerned (SSP Operations in case of District Peshawar) and two other officers not less than the rank of SP, may consider Constables for placement on C-II list as per the following criteria:
  - a. Outstanding performance;
  - b. Good general reputation.
5. **Procedure:-** Seniority of Constables placed on List C-II shall be determined from the date of entry into the promotion List C-II.
6. The Selection Board constituted under section 4 above may recommend to CCPO or RPO, as the case may be, Constables placed on C-II List for promotion as Head Constables in accordance with the following criteria:
  - a. Seniority-cum-outstanding performance;
  - b. Good general reputation.
7. After approval of CCPO or RPO, as the case may be, the DPO (SSP Operations in case of Peshawar) shall promote such Constables as C-II Head Constables.
8. **Promotion of Constables as C-II Head Constables on reaching superannuation:-** A large number of Constables retire without being promoted as Head Constables. Such Constables deserve to be promoted as C-II Head Constables, before their superannuation, in recognition of their long-standing services for the Police department.
  - 8.1 The criteria and procedure given in section 3 to 7 above shall not apply to the promotion of Constables promoted as C-II Head Constables on superannuation. Instead,

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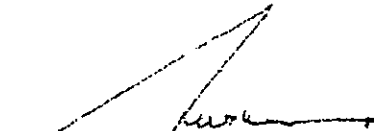
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such constables shall be promoted, in line with the IGP Policy Guidelines No. 04/2013 dated 5<sup>th</sup> December 2013, according to the following procedure:


- a) The District Head of Police or the Head of a Police Unit, as the case may be, shall place the name of a Constable on promotion List C-II on the first day of the last six months before the date of his superannuation.
  - b) Once the name of a constable has been placed on promotion List C-II under section 8.1 (a), the District Head of Police or the Head of a Police Unit, as the case may be, shall promote the Constable as Head Constable (C-II) on the first day of the last three months before the date of his superannuation.
  - c) **This procedure shall not apply to constables going on LPR.**
  - d) The District Head of Police or the Head of Police Unit, as the case may be, shall maintain a list of all Constables well before their superannuation.
9. Only upto 10% of the vacancies of Head Constables in a District or Unit, as the case may be, shall be filled through promotion from List C-II. In any case, such promotions shall not exceed 10% of the total vacancies of Head Constables in a District or Unit.
10. **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.
11. **Amendment:-** All previous Standing Orders on the subject, to the extent of the provisions of this order, shall stand amended.

  
(NASIR KHAN DURRANI)  
Provincial Police Officer  
Khyber Pakhtunkhwa  
Peshawar

No:- 428-91/GB dated Peshawar the 14<sup>th</sup> 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