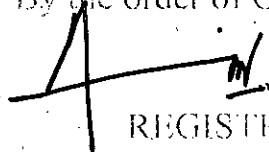


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

2328/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13/11/2023	<p>The appeal of Mr. Ali Hassan presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>20-11-2023</u> Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2328 /2023

Ali Hassan Appellant

Versus

The Govt. of KPK and others Respondents

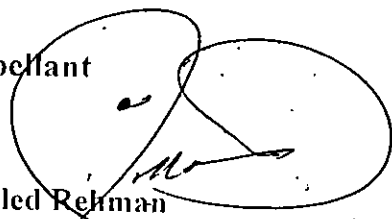
INDEX

S.#	Description of Documents	Date	Annex	Pages
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3.	Recruits School History Sheet	30.05.1989	A	12
4.	Extracts from the Service Roll		B	13-14
5.	Courses Certificates		C	15-20
6.	Promotion order of appellant to the rank of ASI/PC	30.10.1995	D	21
7.	Promotion order of appellant to the rank of SI	28.01.1998	E	22
8.	Letter regarding withdrawal of the quota from the FRP and declaring it as Transit Force	16.02.2007	F	23
9.	Judgment of the High Court in W.P. No.1615/2007	20.03.2008	G	24-26
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S.#	Description of Documents	Date	Annex	Pages
27.	Order of the High Court remanding the case to the Service Tribunal	29.08.2023	Y	70-72
28.	Wakalat Nama			

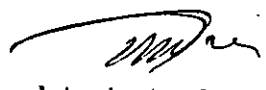
Through

Appellant



Khaled Rehman
Advocate, Supreme Court

&



Muhammad Amin Ayub

&



Muhammad Ghazanfar Ali
Advocates, High Court
4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458

Dated: 10/11/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2328/2023

Ali Hassan,

Acting SP Investigation, Orakzai Appellant

VERSUS

1. The Govt. of Khyber Pakhtunkhwa
through Chief Secretary,
Civil Secretariat, Peshawar.
2. Provincial Police Officer,
CPO Police Lines, Peshawar.
3. Regional Police Officer,
Kohat Region, Kohat.
4. Commandant FRP
Peshawar Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 14.03.2023 WHEREBY THE PROMOTIONS GRANTED TO THE APPELLANT WERE ILLEGALLY WITHDRAWN AND HE WAS DEMOTED FROM THE RANK OF DSP TO THE RANK OF INSPECTOR WITH IMMEDIATE EFFECT AND AFTER WITHDRAWAL OF PROMOTIONS HIS NAME WAS PLACED ABOVE THE NAME OF INSPECTOR NAZIR MUHAMMAD NO.K/130 PRESENT AT SERIAL NO.222 IN THE SENIORITY LIST OF INSPECTORS ISSUED VIDE LETTER DATED 06.12.2022 AGAINST WHICH THE APPELLANT PREFERRED DEPARTMENTAL APPEAL ON 10.04.2023 BUT THE SAME WAS NOT DISPOSED OF WITHIN STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned order dated 14.03.2023 may graciously be set aside and the appellant may be restored to his rank of DSP w.e.f. 14.03.2023 with all consequential back benefits with any other relief deemed appropriate in circumstances of the case, may also be granted to the appellant.

Respectfully Sheweth,

Facts giving rise to the present Writ Petition are as under:-

1. **That** initially the Provincial Government, Home & TA Department vide order dated 16.01.1988 created a Force as Armed Reserve Police Force (ARP), which consisted of the following Units:-
 - i. Additional Police.
 - ii. Special Police Levy
 - iii. PAF-Contingent.
 - iv. Range Reserve Force.
 - v. Provincial Reserve Armed Platoon.
 - vi. Frontier Armed Reserve.
 - vii. Campus Peace Corps UOP
 - viii. STF & ATS
 - ix. Mounted Police.
 - x. Standing Guards & Police Escorts.

In Para-5 of the order it was clarified as follows:-

“Duties and responsibilities of the new set-up will be the same as those of Regular Police elsewhere and service will be governed by the Police Rules or any other Rules applicable to their counterparts in Regular Police.”

2. **That** on 13.03.1988, a Standing Order No.2 of 1988 was also issued wherein the Campus Peace Corp and Special Police Levy alongwith all arms, ammunitions, transport etc. were placed under the administrative control of Commandant Frontier Armed Reserve (FAR). Similarly, vide circular order dated 27.02.1991, the Frontier Armed Reserve (FAR) was re-named as Frontier Reserve Police (“FRP”), by the then Inspector General, KP and since then this Wing of Police Force is continuing as such.
3. **That** on 28.08.1993, a proper Recruitment Policy was issued for the recruitment against newly created posts in the Police Department, wherein the Posts in a District were to be dealt as, *“The Newly created posts of a District Should be filled up from the trained personnel of FRP according to seniority, educational qualifications and domicile. The vacancies resulting from transfer of FRP Personnel to District Police should be filled up through fresh recruitment in FRP & personnel selected for transfer to District Police should be allocated to the District of their domicile according to the number of*

vacancies available in each District."

4. **That** to streamline the FRP further, a FRP Standing Order No.1 of 1994 was issued in the year 1994, wherein it was clarified that Police Act 1861 & Police Rules, 1934 or any other Rules and Laws for the Police Officers will be applicable to FRP and the duties and responsibilities of the FRP will be same as that of Regular Police. Similarly, FRP Standing Order No.2 of 1994 was issued on 31.07.1994, whereby enrolment in FRP was further streamlined and quota for the training in the Lower School, Intermediate and Upper College was to be fixed by the IGP keeping in view the strength and to cover the promotion of the illiterate staff or failed in promotion lists, a FRP Standing Order No.3 of 1994 was issued in August, 1994.
5. **That** vide letter dated 19.06.1996, proper seats were allocated to the FRP Personnel for the first time for the Lower, Intermediate and Upper Courses.
6. **That** in the light of the aforementioned background, the appellant was enlisted as Constable in the FRP on 12.12.1988 and selected for Recruit Course and qualified the same vide Recruits School History Sheet dated 30.05.1989 (*Annex;-A*). He qualified A-1 Examination on 16.01.1993, B-1 Examination on 25.02.1995, Lower College Course on 04.12.1995, Intermediate College Course on 10.12.1996 and Upper College Course on 27.10.1998 (Extracts from the Service Roll *Annex;-B* & Courses Certificates *Annex;- C*).
7. **That** the appellant was promoted to the rank of ASI/PC alongwith others vide order dated 30.10.1995 (*Annex;-D*) and then promoted as SI (BPS-14) vide order dated 28.01.1998 (*Annex;-E*).
8. **That** in the year 2007, a dispute arose vide letter dated 16.02.2007 (*Annex;-F*) whereby the FRP was again declared as a Transit Force and that no Constable and Head Constable could be admitted to List "D" thus Police officials in FRP being aggrieved of the same had challenged that decision before the Peshawar High Court in W.P. Nos.1615/2007, 1616/2007 & 1617/2007. The Writ Petitions were finally heard and allowed vide Judgment dated 20.03.2008 (*Annex;-G*) holding that the FRP is not a Transit Force and the Petitioners therein could not be made junior to their juniors by washing away their more

than 15 years' service in FRP and the case was remitted back to the Police Department to reconsider the matter so that no one be discriminated and deprived from legal rights.

9. That after the Judgment *ibid*, the matter of the FRP personnel was placed before the Departmental Selection Committee on 14.05.2008 (Minutes *Annex;-H*) and the issue was further entrusted to another Sub-Committee comprising of DIG Investigation, AIG Legal and Registrar CPO. The Sub-Committee considered the issue and submitted its recommendations to the DSC which was convened on 07.05.2009 (Minutes *Annex;-I*) and the recommendations of the Committee were approved. The Committee recommended as under:-

"The Committee after due deliberation and in order to give effect to the orders of the High Court recommends that earlier decision dated 16.02.2007 should not be applied retrospective and all officials of the FRP be given permanent status and may be confirmed in their rank with their colleagues after completing their probation period as per PR 13-18. The Benefits received by the officials in the FRP till the decision of DPC and their repatriation to the District of their domicile be kept intact so that they should not be deprived of any right as per decision of the Court. Literate officials may be treated as per Police Rules, 1934 and their seniority be fixed in each list on the basis of course undergone, and criteria fixed under Police Rules Chapter-13."

10. **That** in light of the above decision, Central Police Office (CPO) has decided to transfer the educated police officials in FRP (who have successfully completed Lower and intermediate courses) to regular police of the district concerned whereby the appellant being eligible was also transferred to his own region i.e. Kohat and subsequently a Notification No.25317-23 dated 14.11.2007 was issued by the Additional IG HQRs.
11. **That** afterwards, as per CPO direction vide letter No.14377/E-1 dated 10.06.2009, the Respondent No.4 has issued Notification No.1874-75/EC dated 01.08.2009 (*Annex:-J*) whereby the promotion orders of the officers including the appellant were regularized and entries to that effect were also made in the Service Book (Extracts *Annex;-K*). It is pertinent to note that the appellant also remained as SHO for a period of more than one year as is evident from the letter dated 31.07.2009 (*Annex;-L*).
12. **That** the appellant was confirmed in the rank of Sub-Inspector on 27.04.2016 as is evident from the Minutes of the DPC (*Annex;-M*). Appellant was brought on

Promotion List "F" pursuant to letter dated 27.08.2016 (*Annex;-N*) vide Notification dated 22.09.2016 (*Annex;-O*) and promoted as officiating Inspector (BPS-16) as is evident from the transfer/posting order dated 03.01.2019 (*Annex;-P*) and later on confirmed as such. It is pertinent to add that the appellant's confirmation as SI was revised w.e.f. 15.08.2012 vide order dated 30.06.2018 (*Annex;-Q*) pursuant to acceptance of Departmental Appeal. Similarly, vide order dated 12.12.2018 (*Annex;-R*) as per the recommendation of the DPC dated 29.11.2018, the seniority of the appellant in the rank Inspector was revised and he was placed at Serial No.8 above the name of Inspector Muhammad Iqbal No.K/10 and below the name of Saifullah Khan No.K/39 issued vide Seniority List dated 29.06.2018.

13. That the appellant qualified the Advance Course for DSP on 23.06.2019 and consequently vide Notification dated 24.03.2020 (*Annex;-S*) he was regularly promoted to the post of DSP (BPS-17). As per Seniority List dated 28.06.2022 (*Annex;-T*) of DSPs, the appellant has been placed at Serial No.11 whereas as per the current Seniority List-2023 (*Annex;-U*) the appellant is at Serial No.5. In spite of the seniority, the appellant has not been promoted to BPS-18 whereas juniors to him have been promoted to BPS-18.
14. That it has been brought into the knowledge of the Appellant that Respondents have issued circulars for reverting the rightful officials under the garb of the apex Court's judgment regarding out of turn promotion though in the circumstances of Appellant there is no case of Gallantry, cadets, out of turn promotion, etc, because each and every aspect of the FRP (Frontier Reserve Police), as per history provided above, differs the case of appellant from those who are hit by the Judgment of the Honorable Apex Court Passed in out of turn Promotion cases.
15. That in the meantime it has been brought into the knowledge of the Appellant that Respondents have proceeded and issued Letters wherein it was directed that personal hearings be conducted on the very next day of all the concerned police officials in the Khyber Pakhtunkhwa Police Department in a misguided attempt to-usurp the rights of the officials.

16. **That**, subsequently, without affording proper opportunity of bearing and on the basis of sham, frivolous and fabricated hearings/proceedings conducted of Police officials in the Khyber Pakhtunkhwa Police Department across the province in one day, the Respondents issued Letter No. 993/Legal dated 12.03.2023 (*Annex:-V*) whereby it was illegally directed that the demotion process of police officials in the Khyber Pakhtunkhwa Police Department be completed by issuing the requisite withdrawal letters/ orders and to share copies of the said withdrawal letter and compliance report with the Police Headquarters on the very next date i.e. 13.03.2023.
17. That after the letter *ibid*, Respondents under the garb of Apex Court's judgment and to give undue benefits to their blue eyed persons have issued impugned order dated 14.03.2023 (*Annex:-W*) whereby the appellant was illegally demoted from the rank of DSP to the rank of Inspector with immediate effect and after withdrawal of the promotion, his name was placed above the name of Inspector Nazir Muhammad No.K/130 present at Serial No.222 in the Seniority List of Inspectors issued vide letter dated 06.12.2022.
18. **That** the appellant also preferred a Departmental Appeal against the impugned order *ibid*, on 10.04.2023 (*Annex;-X*) which is still lying pending without any positive response.
19. **That** earlier appellant alongwith others had approached the Hon'ble Peshawar High Court, Peshawar in Writ Petition No.2191-P/2023 wherein interim relief was also granted vide order dated 04.04.2023 and the Writ Petition was finally disposed of vide Judgment dated 29.08.2023 (*Annex;-Y*) and the case was remitted to this Tribunal for its decision as according to the High Court. the matter related to terms and conditions of service.
20. **That** the appellant being aggrieved of the impugned order dated 14.03.2023 files this Service Appeal *inter-alia* on the following grounds:-

Grounds:

- A. **Because** Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4, 10A, 18, 25, 38 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the

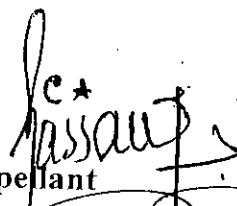
impugned order, which is unjust, unfair and hence not sustainable in the eye of law and liable to be brushed aside.

- B. Because the impugned order is totally against the principle of natural justice and amounts to colourable exercise of power under the garb of the judgment of the Apex Court which is not applicable to the appellant's case at all thus is illegal, unlawful, without lawful authority and hence of no legal effect.
- C. Because the impugned order is based on malafide intention so as to create more and more vacancies for the blue-eyed persons under the garb of out of turn promotions etc, which conditions are not applicable to the case of the appellant.
- D. Because the Tribunal also has the ample powers to interpret the issue as to whether the Judgment of the Apex Court is applicable to the appellant's case or otherwise, if the Tribunal's answer is "NO" then the appeal of the appellant may be allowed with cost.
- E. Because there is no case of out of turn promotion in FRP, or cadetship or gallantry service etc. and due to that very reason the judgment of the Apex Court is not applicable to the case of the appellant as the background explained hereinabove.
- F. Because vide letter dated 08.12.2021 issued from the office of the Inspector General of Police, Khyber Pakhtunkhwa and addressed to Regional Police Officer, Hazara observed that FRP officials qualified their promotion courses on their turn and have been promoted from one rank to another as per Police Rules, 1934 and subsequently placed at the bottom of the seniority list of their District thus they do not come under the ambit of out of turn Promotion. But despite that the Respondents issued the impugned order reverting the appellant under the garb of Apex Court's judgment which has resulted in serious miscarriage of justice.
- G. That appellant would like to offer some other additional grounds during the course of arguments when the stance of the Respondents is known to the appellant.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.


Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

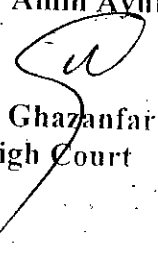

Appellant

Khaled Rehman
Advocate, Supreme Court

&


Muhammad Amin Ayub

&


Muhammad Ghazanfar Ali
Advocate, High Court

Dated: 10/11/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Ali Hassan Appellant

Versus

The Govt. of KPK and others Respondents

Affidavit

I, Ali Hassan, Acting SP Investigation, Orakzai, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.


Depoñent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Ali Hassan Appellant

Versus

The Govt. of KPK and others Respondents

Application for suspending the operation of the impugned order dated 14.03.2023 till the final disposal of the instant Service Appeal.

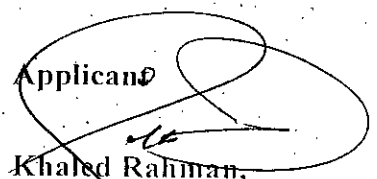
Respectfully Sheweth,

1. That the above titled service appeal is pending before the Hon'ble Court fixed for hearing on 10.11.2023.
2. That the facts alleged and grounds taken in the body of main appeal may kindly be taken as an integral part of this application, which make out an excellent prima facie case in favour of applicant/appellant.
3. That the balance of convenience and inconvenience also lies in favour of applicant/appellant and in case the impugned letter/order of the Respondents are not suspended, the applicant/appellant will suffer irreparable loss.

It is, therefore, humbly prayed that on acceptance of this application, the operation of the impugned order dated 14.03.2023 may graciously be suspended till the final disposal of the instant appeal.

Through

Applicant



Khaleed Rahman,
Advocate, Supreme Court

Dated: 10 /11/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Ali Hassan Appellant

Versus

The Govt. of KPK and others Respondents

Affidavit

I, Ali Hassan, Acting SP Investigation, Orakzai, do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Ali Hassan
Deponent

4 A

مدرسه پولیس تربیتی ہنگو
 تجربی درجہ بندی و معیار

رقم	1208	تعداد طلبہ	12	12	88	10	3	3	88	85	35
تاریخ	12-12-88	نمبر									
نسبت	3.6	65									
عمر	6	7									
قد	3	35									
تھن	3	35									
وزن	35										

تاقون کا امتحان

کل فراغت	ماہل کردہ فراغت	تعداد طلبہ	تعداد فراغت یافتگان
		72	55
		64	55
		74	55
		81	55
		79	55
		53	55
		68	55
		94	55
		85	55
		<u>640</u>	55
		77.57 %	

ادول

		46	32
		47	32
		32	23
		23	18
		17	11
		11	13
		13	10
		49	
		<u>249</u>	
		69.71 %	

جنرل مضامین (انگریزی)

		46	32
		47	32
		32	23
		23	18
		17	11
		11	13
		13	10
		49	
		<u>249</u>	
		69.71 %	

Qualified recruits
 Course

(PAIZ MOHAMMAD) (TRIPATAN)
 PDSP/CLL
 Police Training School, Hangu,
 چیف لاؤ اینسٹریکٹر
 پی. ٹی. ایس. ہنگو

نمبران
 1208

(174)
 ہسپتال شریف دو بارہ گڑھی

تاریخ راج	تاریخ اجازت	کارا نام	کیفیت
14-5-89	14-5-89	36	بہتر
28-5-89	28-5-89	36	بہتر
انعامات			
تفصیل انعام	آرڈر نمبر		درجہ انعام
سٹر ایبل			
تفصیل سٹرا	آرڈر نمبر		درجہ سٹرا
سہ ماہی			
متبادل - پاسٹ ٹائل کے لکھنے پر			
آر	تا	درجہ	کیفیت
کمیٹی کے رپورٹ دو بارہ گڑھی ہسپتال شریف			
کمیٹی کے رپورٹ دو بارہ گڑھی ہسپتال شریف کے بارے میں 1۔ ہسپتال کے اندر سینیٹوں کی حالت 2۔ ہسپتال کے اندر پانی کی فراہمی 3۔ ہسپتال کے اندر کھانے کی فراہمی 4۔ ہسپتال کے اندر کھانے کی فراہمی			
		30-5-89	
Approved			
Director of Health and Police Training, WFP Police Training Subsector, Dhanu			

13 Part B
A-I Examination

(7)

Passed A-I Examination at
FRP Unit Kahat on 16.1.93 + secured
65 Marks 3RD Position (As application + C.I.,
Remarks enclosed with Faaji Missa)

[Signature]
Deputy Commandant
Police Training College
Hangu

P.1 as A.C @ Rs. 1515/PM was given 1.12.93.

(7)

Service From 1.12.92 to 30.11.93
Grade "AC-2"
[Signature]
Commandant
Police Training College
Hangu
P. T. C.

[Signature]
Commandant
Police Training College
Hangu

On introduction of revised BPS-1994, a
pay departmentally fixed in BPS-7 (1480-81-2695)
Rs. 2047/PM was given 1.6.94.

Deputy Commandant
Police Training College
Hangu

Revised

[Signature]

Office of The Accountant General
N.W.F.P. Pakistan
Pay fixed in the revised basic pay scales 1994
of RS. 1480-81-2695 B-7
a. Rs. 2047/ P.M.W.F.P. 1-6-1994
with next increment on 1-12-1994

1.12.94
[Signature]
D. S. P. / AC
P. T. C. Hangu

B-I Examination - 14

(8)

Passed B-I Examination held
at P.P.P./Lius Kohat vide the office memo:
No. 190-97/PA/Exam dated 25.2.95.

Dep. Commandant
Police Training College
P H a n g u

3
10/10/96

Name on Drought Promotion

List "D" with effect from
20-9-96 vide this office

order No 6734-39/EC dt 28/11/96

[Signature]
Promoter
M. S. P. P. Kohat

10/10/96
10/10/96

Passed the Intermediate School

Course during the term ending 20-9-96
vide order PTC Hangu memo

No 6296-6326/SAC dt 10-12-96 and
this office Memo No 9085 dt 28-12-96

(History sheet attached)

10/10/96
10/10/96

ORDER

Passed the Lower School

Course during the term ending 20-9-95
vide SP/IRP P.H. Range P.H. Kohat order No 1370-21/95

dated 22/10/96

(History sheet attached)

لوہو پیر سسٹم اسکول اورینٹل ایسٹ
 لوہو پیر سسٹم اسکول اورینٹل ایسٹ
 لوہو پیر سسٹم اسکول اورینٹل ایسٹ

15

Amir (24)

نتیجہ امتحان
 10 / 152
 27 - 28
 تعلیم
 F.R.P.
 25.4.95
 20.9.95

امتحان

نمبر	ناتیل	پہلی کاپی	دوسری کاپی	مجموعی	درجہ
131	141.33	141.33	141.33	282.66	SP
141.33	141.33	141.33	141.33	282.66	GD
11.66	22.33	22.33	22.33	44.66	PT
22.33	44.66	44.66	44.66	89.33	SRP
66	131.33	131.33	131.33	262.66	TFE
22.33	44.66	44.66	44.66	89.33	RE
66	131.33	131.33	131.33	262.66	AE
22.33	44.66	44.66	44.66	89.33	DC
72.81%	150	150	150	300	
8	213.66	213.66	213.66	427.33	

نمبر	ناتیل	پہلی کاپی	دوسری کاپی	مجموعی	درجہ
68	78	78	78	156	PT
32	67	67	67	134	CB
78	66	66	66	134	SL
66	41	41	41	82	DR
41	27	27	27	54	PPW
27	61	61	61	122	MJ
61				122	FP
				122	ST
69.33%	520	520	520	1040	

تاریخ رائے	تاریخ فراغت	اساتذہ کی دستخط	اساتذہ کی سربراہ	درجہ	ایضاً	تعداد

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(H)

- 17 -

DEPARTMENT

PTC HANGU.

RESULT OF LOWER CLASS COURSE FOR THE TERM ENDING 20.09.95 HELD AT POLICE TRAINING COLLEGE HANGU FOR NOTIFICATION BY THE DEPUTY COMMANDANT P.T.C HANGU.

The following student of Lower Class Course appeared in the final examination held at Police Training College Hangu for the term ending 20.09.1995 and qualified to have been passed according to order of merit noted against each:-

S/NO.	Names and Number.	District	D. M. No.
1	Mohammad Nabi 44	Charsadda	1
2	Shahid Adnan 1095	D. I. Khan	2
3	Muhammad Khan 42	Peshawar	3
4	Abid Ur Rehman 836	Charsadda	4
5	Inam Ullah 127	Tank	5
6	Noor Gul 3272	Peshawar	6
7	Sher Nawaz 183	Lakki Marwat	7
8	Javid Hussain 271	Kohat	8
9	Javid Jabal 59	Kohistan	9
10	Ali Hussain 27	Peshawar FRP Kohat	10
11	Muhammad Khan 5	Manselma FRP Kohat	11
12	Sadafah Hazrat 515	Dir	12
13	Mohammad Siraj 3675	Islamabad	13
14	Syed Asghar Ali 197	Bunair	14
15	Inamullah 1359	Dir	15
16	Fazal Bad 140	Charsadda	16
17	Fazal Ur Rehman 415	Abbottabad	17
18	Syed Asghar 48/PTC	Kohat FRP	18
19	Murad Ali 809	Mardan	19
20	Abdul Saboor 53	Bannu	20
21	Mohammad Anwar 78	Charsadda	21
22	Tariq Saeed 47	Abbottabad	22
23	Shakil Ahmed 2125	Islamabad	23
24	Zahir Shah 255	Mardan	24
25	Amir Nawaz 545	Charsadda	25
26	Abdul Rauf 675	Nowshera	26
27	Fazal Farim 250	Dir	27
28	Muhammad Ali 700	Bannu	28
29	Ishtiaquddin 24	Chitral	29
30	Iran Khan 79	Chitral	30
31	Dost Mohammad 320	Manohara	31
32	Mujeeb Ur Rehman 36	Chitral	32
33	Khalid Ur Rehman 40	Chitral	33
34	Mohammad Zahir Shah 82	Lakki Marwat	34
35	Barkat Ullah 1161	Bannu	35
36	Mohammad Fazil 690	Mardan	36
37	Safir Ullah 712	Bannu	37
38	Mohammad Ismail 13	Ghanchi	38
39	Mohammad Kamal 2910	Peshawar	39
40	Noor Jehan Shah 686	Bannu	40
41	Syed Laiq Shah 394	Swabi	41
42	Raz Gul 710	Gilgit	42
43	Muhammad Shuaib 509	Peshawar	43
44	Hazrat Ali 783	Nowshera	44
45	Muhammad Nadeem 537	Swabi	45
46	Ijaz Hussain 350/54 PTC	Swabi	46
47	Shahid Khan 1026	Swat	47

Intermediate Course

18 12



INTERMEDIATE COURSE

IAD. DRILL SUBJECTS			
S/NO	SUB.	T-MARKS	M/OBT
1	S/DRILL	***	***
2	S/DUTY	***	***
3	PT	***	***
4	NOE DISP	***	***
5	S/FOUNTI	***	***
6	S/FIRE	***	***
7	ES/COOTEE	***	***
8	TRAFIC	***	***
9	UNDOUBT	***	***
TOTAL:-		280	202

IBI. LAW SUBJECTS			
S/NO	SUB.	T-MARKS	M/OBT
1	PPC	***	***
2	CRPC	***	***
3	B.SHAHINAT	***	***
4	LSL	***	***
5	P.F.I.E.	***	***
6	PPW.T	***	***
7	PPW.P	***	***
8	M.J	***	***
9	P.D	***	***
10	S.K	***	***
11	S.A	***	***
12	F.P	***	***
13	ISLAMYAT	***	***
TOTAL:-		1250	912
REWARD:-			104.12
G. TOTAL:-			918.12

(COMMANDANT)
POLICE TRAINING COLLEGE
HANGU

Author

POLICE DEPARTMENT.

- 19

15

RESULT OF INTERMEDIATE SCHOOL COURSE FOR THE TERM I, 20-09-96, HELD AT POLICE TRAINING COLLEGE HANGU FOR NOTIFICATION BY THE COMMANDANT P.T.C. HANGU.

The following students of Intermediate School Course in the final examination held at P.T.C Hangu for the ending 20-09-96 and qualified to have been passed to order of Merit noted against each :-

S/NO	Name & Number	District	0.
1	Easheer Ahmad 462	Abbotabad	
2	Mahboob 977	Haripur	
3	Matloob Shah 579	Mansehra	
4	Mohammad Iqbal 601 ✓	Kohat ✓	
5	Jahanzeb 263	Kohistan	
6	Muslim Khan 42	CPC/Pesh:	
7	Shabir Hussain 143	Kohistan	
8	Gul Zamin 689	DIR	
9	Ali Hassan 881	FRP/Pesh:	
10	Sabir Khan 1117	Bunair	
11	Mohammad Ali 54	Bunair	
12	Fazal Qadir 308	DIR	
13	Islam Zeb 403	Mardan	
14	Abdul Maroof 54	Kohistan	
15	Aslam Pervaiz 3657	Islamabad	
16	Mohammad Hamayun 791	Abbotabad	
17	Ravail Khan 777	Abbotabad	
18	Mohammad Akhtar 3259	Islamabad	
19	Javed Zia 273	Sawabi	
20	Abdusattar 1183 ✓	Kohat ✓	
21	Auranga Zeb 3673	Peshawar	
22	Shah Jehan 548	Peshawar	
23	Rustam 429	DI Khan	
24	Abdul Aziz 1989	Bannu	
25	Mohammad Saleed 162	Bunair	
26	Mohammad Khan 1566	Islamabad	
27	Shah Nawaz 1623	Peshawar	
28	Arif 378	Abbotabad	
29	Abdurasheed 490	Islamabad	
30	Jahan Zeb 265	CPC/Pesh:	
31	Baqh Harram 313	DIR	
32	Umar Said 203	Charsadda	
33	Irshad Ahmad 6095	Islamabad	
34	Mohsin Raza 1463	Islamabad	
35	Mir Sahib 123	Lakki	
36	Shafat 821	Islamabad	
37	Sabz Ali 1091	Bannu	
38	Mazhar Iqbal 2474	Islamabad	
39	Taj Ali 294	Lakki	
40	Musarrat Hussain 5898	Islamabad	
41	Akhtar Ali 163	Islamabad	
42	Ali Asghar 2795	Islamabad	
43	Mohammad Salim 122	Bunair	
44	Zakir Ullah 723	Charsadda	
45	Shama Jan 203	DI Khan	
46	Zahreen Badshah 3820	Islamabad	
47	Rahman Ullah 2359	Peshawar	
48	Shafiq Dad 389	Sawab	
49	Noor Samad 90	Karachi ✓	
50	Maeenullah 273	Bannu	
51	Dawood 1044	Kohat ✓	
52	Said Asghar 851	FRP/Pesh:	
53	Mahuddin 801	Chitral	
54	Haji Ahmad 59	Haripur	
55	Ali Gohar 2214	Peshawar	
56	Mohammad Ashraf 183	RUP/Railway	
57	Farhad 3776	Islamabad	
58	Sabir Shah 48	Tank	
59	Sultan Zareen 21	Shangais	
60	Azar Mahmood 1766	Islamabad	
61	M. Badshah 2006	Islamabad	

58/1/2

1270

17/1/86

52

Entry made in their's Rolls

22/1/86

R-K

Please file

22/1/86

UPPER Course



20



(14)

POLICE TRAINING COLLEGE HANGU
Estb: 1935.

**FOR PUBLICATION IN NWFP POLICE GAZETTE PART-II
COMMANDANT POLICE TRAINING COLLEGE H**

NOTIFICATION

Dated 27th October 1998

Notification No. 6052 / S / RESULT: The following students of Upper School Course appeared in the final examination held at PTC Hangu for the term ending 10.10.98, and have qualified to be declared as PASSED. Their order of MERIT is as:

S#	Name	B#	District	Merit	Remarks
1.	Muhammad Asif Gohar	87	KOH	1	
2.	Muhamamd Naeem	2	SW	2	
3.	Muhammad Munir	7	Dir	3	
4.	Khan Bahadar	103	SW	4	
5.	Muhammad Shoukat	90	ATD	5	
6.	Tariq Iqbal	31	Pesh	6	
7.	Tariq Habib	32	Pesh	7	
8.	Muhammad Alam	63	SW	8	
9.	Muhammad Riaz Khan	146	Bagh	9	
10.	Aurangzeb	72	MNSR	10	
11.	Saif Ur Rehman	20	Pesh	11	
12.	Fatih Ur Rehman	167	Dir	12	
13.	Iftikhar Ahmed	167	Kotly	13	
14.	Asfand Yaf	16	Pesh	14	
15.	Noor Muhammad	88	KT	15	
16.	Aslam Nawaz	72	Pesh	16	
17.	Amir Muhammad Khan	4	Pesh	17	
18.	Azmat Ali Khan	7	BU	18	
19.	Ali Hassan Khan	1	FRP/P	19	
20.	Naseebullah Khan	92	KK	20	
21.	Nisar Ahmed	27	Pesh	21	
22.	Zafar Iqbal	168	Sadhoity	22	
23.	Muhammad Fayyaz	170	Rawlakot	22	
24.	Muhammad Mukhtiar	82	Dir	23	
25.	Muhammad Shafiq	169	Rawlakot		Failed in FR & WJ.


Salman Syed Muhammad, PPM, PSP, DIG
Commandant

No. 6053-73 / S, Dated Hangu, the 27th October 1998.

Copy of above is submitted for information and necessary action to:

1. The IGP NWFP Peshawar, Azad Kashmir.
2. The DIG Crime Br. NWFP, with 7 copies for publication in Police Gazette Part II.
3. The all DIGs in NWFP except DIG Mardan & D.I. Khan Range.
4. The Commandant FRP Peshawar.
5. The SSP/SP Distt: Pesh, Abbott, Kohistan, Swat, Dir, MNSR, KT, Bannu, Karak.


Salman Syed Muhammad, PPM, PSP, DIG
Commandant
Police Training College Hangu.

Promotion AST

ORDER - 21

Ann D (19)

No. 6113 The following Head Constables of PAF PAF are hereby promoted to the rank of SI (PG) purely on temporary basis on acting charges with effect from 2-11-1995.

1. Mahood Khan No. 1957
2. Sher Ali No. 1958
3. Ghulam Akbar No. 1959
4. Akbar Akbar No. 1960
5. Nayat Bilal No. 1961
6. Abdus Salam No. 1962
7. Asif Khan No. 1963
8. Saif Akbar No. 1964
9. Iqbal No. 1965
10. Saif Akbar No. 1966
11. Saif Akbar No. 1967
12. Ali Hassan No. 1968

On promotion they are posted to PAF PAF, except No. 11 & 12 they are posted to PAF PAF as LO & Reader.

Their pay may be drawn against the cost of SI (PG).

FOR THE PAF PAF

No. 6114-23 dated 30-10-1995

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

1. All Superiors of Police, PAF in PAF.
2. Dy. Inspector of Police, PAF PAF PAF.
3. OAI PAF PAF PAF.
4. Accountant PAF PAF PAF.
5. PAF PAF PAF PAF.
6. Confidential clerk PAF PAF PAF.

ORDER

Promote ST (1701)

- 22

1127

Qua 23

23

Promoted as ST/PC (Sub-inspector)
at the basic pay scale Rs 146-206-5-101-44200
with effect from 1/1/98 till further orders
Director's office Enclt No. 576-ST/PC-
2000-1-98

Pay fixed at Rs 28700 PM
wef 1-2-98

[Signature]

As ST/PC with 301/PM
1007/1/17-98

VAMMM

As ST/PC with 342/PM
1007/1/17-98

VAMMM

ST. 1151
2353

[Signature]

23 Aug 07
Arnd

38

FROM:

The Provincial Police Officer,
N.W.F.P., PESHAWAR.
The Commandant,
S.R.P., NWFP., Peshawar.

TO:

No. 2526

/E-II, Dated Peshawar, the 16/2 /2007.

SUBJECT:-

REGULARIZATION OF PROMOTION ORDERS
OF FRP LITERATE OFFICIALS.

MEMO.

dated 1-7-2006.

Please refer to your Memo.No.4048/EO,

The suggestion regarding promotion order of FRP literate official received with your memo. under reference has been put up to the D.P.O. The D.P.O. thoroughly discussed the issue and opined that as the Police rules chapter 13 is in detail and very clear that no Constable/Head Constable be admitted in List-D who is not thoroughly efficient in all branches of the duties of the Constable and Head Constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 years service to their domicile District. Therefore, the quota of the lower college course, intermediate college course and upper college course may be withdrawn. However, since there are some districts i.e. Charsadda, Marjan and Bannu etc. where the number of Constables are out number of the districts, in those cases the Commandant will issue guide line and circulate to the DPC for approval.

Copy No. 642
Dated 16/2/07
S.R.P. Peshawar

LIAM KHAN
AIG/Levy
for Provincial Police Officer

EC
for
24/2

ATTESTED

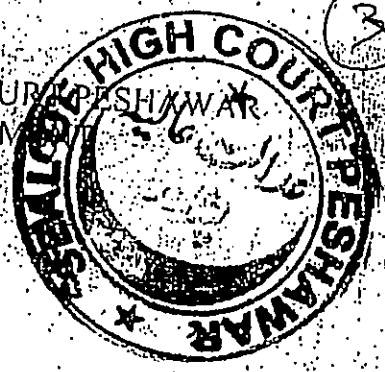
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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT PESHAWAR
JUDICIAL DEPARTMENT



JUDGMENT

WP No 1615-07 of 2007.
Date of hearing 20.3.2008.
Ali Hassan petitioner No.1 and Tayyeb Jan petitioner No.4
are present in person.
Mr. Muhammad Saeed Khan, Addl. A.G. alongwith Mr. Saadat Mehdi,
DSP for the respondents.

MUHAMMAD RAZA KHAN, C. J. - This order shall also be
deemed to be an order in the connected Writ Petitions No.1616 and
1617 of 2007 as the identical questions are involved in all these cases.

Through these Constitutional Petitions the petitioners have challenged
the letter dated 16.2.2007, whereby the suggestion relating to the
promotion order of Frontier Reserve Police (FRP) literate officials,
moved by the Commandant FRP, was considered by the DPC and it
was held that under Chapter 13 of the Police Rules no constable/head
constable can be admitted to list 'D' unless he is thoroughly efficient in
all the branches of duties of the Constable/Head Constable. The
reasons advanced in the impugned letter for declining the proposal, was
that FRP is a transit force and the officials are transferred to their
districts of domicile after five years.

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In the comments the respondents No.1, 2 and 3 have
admitted that some of the employees of FRP were erroneously
promoted and when the matter came to the notice of the concerned
authorities they placed it before the DPC where the said order was

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[Signature]
ADVOCATE

- 25 (38)

passed which is in accordance with the police rules applicable to the police establishment.

3. The petitioners contend that they had been appointed in the reserve police and they had been serving for a period ranging between 15 to 20 years and that their colleagues have been upgraded and promoted to senior positions, but the refusal to place them in 'D' list and to promote them, shall adversely affect their service interest amounting to discrimination. It was claimed that their colleagues in FRP have been given accelerated promotion and most of them are presently working as ASIs and SIs despite the fact that they were recruited alongwith the petitioners.

4. We feel that apparently the FRP is now a regular establishment and no more a transit force and there is no proof that the personnel working therein was temporarily posted for five years, therefore, the discriminatory treatment, meted out to them, is violative of the fundamental rights, particularly when, they will be placed at an extra-ordinary junior position if transferred to the Districts and enlisted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the

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[Signature]
EXAMINER

ATTESTED

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ADVOCATE

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(29)

petitioners retrospectively who had been recruited in FRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc., shall be re-examined at a higher level under the supervision of the Provincial Police Officer and the decision dated 16.2.2007 may be re-considered by the concerned DPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retrospectively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitions are

disposed of: *54-Muhammad Raza et al*
54-Farooq Raza et al

Announced:
Dated 20.3.2008.

[Signature]
CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court Peshawar
Authorized Under Section 79 of the P.H.C. Act, 1973

5409
Date of Presentation of Application *20/3/08*
No of Pages *17*
Copying Fee *6/-*
Stamp Fee *6/-*
Date of Preparation of Copy *31/3/08*
Date of Delivery of Copy *31/3/08*
[Signature]

ATTESTED
ADVOCATE
[Signature]

- 27 Para H²
 - ANN-L
 14.05.2008

**MINUTES OF DEPARTMENTAL SELECTION COMMITTEE HELD ON 14.05.2008
 IN THE CONFERENCE ROOM OF CPO PESHAWAR.**

A meeting of Departmental Selection Committee was held on 14.05.2008 at CPO Conference Room.

The following officers attended the meeting.

- | | | |
|---|--|----------|
| 1 | Mr. Khurshid Alam Khan
Addl: Inspector General of Police,
HQs. NWFP, Peshawar. | CHAIRMAN |
| | Mr. Fiaz Ahmad Khan,
Addl: IGP/Investigation NWFP,
Peshawar. | Member |
| | Mr. Faqir Hussain,
Deputy Inspector General of Police,
Investigation Peshawar. | Member |
| | Mr. Abdul Wadood Shah
Commandant ITC,
Hangu | Member |
| | Mr. Attaullah Wazir
Capital City Police Officer,
Peshawar. | Member |
| | Mr. Amir Hamza Mahsud
Deputy Inspector General of Police,
Special Branch NWFP, Peshawar. | Member |

The following miscellaneous cases were discussed in the DPC meeting and recommendation made regarding each case:

Seniority case of
Inspector's now DSSP
Khurshid Ahmad &
Sarfaraz Tareen of
Hazara Region

Vide No. 19615-A/GB dated 18.12.2007 DPO Manshera has submitted representation for restoration of correct seniority in the seniority list over which the W/PPO NWFP Peshawar directed AIG/Legal CPO, Peshawar to please examine and offer comments and made the remarks that if seniority has been restored to other officer who were not recommended initially, while the petitioner has been left and not given seniority. Is it not discrimination? AIG/Legal submitted the following note:-

"Relevant record in the light of points raised by petitioner Muhammad Khurshid, DSP/SDPO Oghi, District Manshera, was checked. It revealed that Petitioner alongwith 11 other colleagues was appointed as ASI during the year 1975 according to seniority list of SIs of Hazara Region as it stood on 31.12.92 issued vide DIG/Hazara notification No. 5358/12, dated 29.06.93, the name of Petitioner Muhammad Khurshid exists at Serial No. 19 above the name of all his colleagues mentioned in the representation.

During the year 1984 recommendation in respect of suitable officers for admission to list "F" were asked by the CPO vide signal No. 1055-60, dated 21.01.84. At that time the Petitioner was serving in District Manshera. Out of 12 SIs only one SI Nuseem Afzal of District Abbotabad was recommended for promotion list "F" by the DIG/Hazara vide letter No. 8684/E, dated 08.07.84 on the basis of recommendations received from the District concerned.

The case of Nuseem Afzal was discussed in the meeting of DPC and he was brought on promotion list "F" vide Notification No. 23685, dated 30.12.1984

On the recommendation Roll i.e. Form 13-15 of Khurshid Khan which is on his record, the DIG/Hazara has mentioned that due to adverse remarks in his ACR for the year 1984 he is not recommended for list "F" and he was also kept under observation for a period of 6 months.

Petitioner Khurshid Ahmad Inspector submitted numerous applications, which were considered and rejected. Besides discussion of his case in DPC meeting on 23.02.2000, his case was again discussed in the DPC on 16.3.2002 but was referred to the DIG/Hazara for comments. On receipt of comments, the case was again placed before the DPC in its meeting held on 12.5.2004 but his claim was rejected on the grounds that he was not recommended by DIG/Hazara in the year 1984. This decision of the DPC was conveyed to the petitioner vide letter No.

ATTESTED
 ADVOCATE

10008/E-II dated 05.06.2004.

Another representation of Inspector Sarfraz Tareen through his mother was also received from the C.M. Secretariat NWFP, with the following remarks of the Chief Minister NWFP:

I.G (P)

"Please look into personally and ensure that seniority list of the Police Department is free from controversies."

In this representation it is stated that the competent authority had allowed to assign him revised seniority vide notification No. 3917-78/E-II, dated 26.02.1996 by placing his name below the name of Inspector Muhammad Ilyas but this decision of the competent authority has not been implemented so far. He has also preferred an appeal to the NWFP Service Tribunal which is still subjudice.

Cases of both officers were thoroughly examined by the DSC and it is recommended that as their clearness have repeatedly been rejected by the DPC hence they should get remedy from the Court as it is time hared now.

Seniority case of
Inspector Muhammad
Iqbal of DIKhan
Regd.

SI Muhammad Iqbal while posted as MMPI DIKhan was reverted as SI to his substantive rank by the DIG/DIKhan duly approved by the PPO on complaint of corruption. Departmental Enquiry was initiated against him but he was exonerated from the charges levelled against him. Therefore, he submitted application for promotion as Offg. Inspector. The case was referred to the DPC and the DPC recommended that as his ACR is adverse, therefore, his name may also be removed from list F. He preferred an appeal in the Service Tribunal NWFP Peshawar which was accepted in his favour. The Deptt. went for filing appeal in the Apex Supreme Court of Pakistan through Advocate General, but the Advocate General reported that the case is not fit for appeal, hence the decision of the Service Tribunal was implemented. He represented for promotion as Offg. Inspector. His case was again placed before the DPC. The DPC thoroughly examined his case and recommended that the Advocate General may be addressed through Home Department for comments to intimate reasons for not filing of appeal so that instruction are issued to all concerned.

In pursuance of the decision of the DPC vide Memo No. 17188/E-I dated: 25.07.2005 section Office (Judicial) Govt. of NWFP Home & T.As Deptt. Peshawar was accordingly addressed.

The Section Officer litigation Govt. of NWFP Law Parliamentary Affairs & Human Rights Department Peshawar vide his letter No. Lit/L.D/1-9 (180)/Home/2006/17901-02 dated 09.08.2007 has submitted copy of letter of Advocate General NWFP Peshawar letter No. 7415-16/AG dated: 05.10.2006 stating that the learned A.O.R and Mr. Khushdil Khan Addl. Advocate General have examined the case and both have found it unfit. Detail comments furnished by the Law officer were also sent with the letter.

An Office note was put up to the high ups and Addl. IGP/HQRs ordered it to be examined by DPC. The DPC thoroughly examined his case and recommended him for promotion subject to good ACR for the year 2006.

ACR for the year 2006 received and put up before the high ups and the Addl. IGP/HQRs NWFP approved his promotion. His promotion order was issued vide this office Notification No. 22685-88/E-II dated: 02.10.2007.

Now the District Police Officer DIKhan vide his Memo No. 2639 dated: 09.10.2007 has submitted his representation requesting for placing his name at proper place according to due seniority.

His representation was referred to DSC.

DSC thoroughly examined the case and recommends that his name may be placed at his original place in the seniority list of Inspectors.

ATTESTED
ADVOCATE



Seniority case of
Insp. for Murad Ali of
Mardan Region

The DIG/Mardan Region-I, vide his Memo No. 5797/ES dated: 10.10.2007 has submitted an application requesting for granting seniority into promotion list "F"

From Para -1. to 5 the applicant has given his particulars, while in Para 6 of his application he stated that his colleagues Abdul Qayum has jumped in the seniority list and has been placed at S/No. 52, while the applicant has been placed at S/No. 108 of the seniority list of Inspector issued by CPO vide No. 2406/E-II dated: 14.02.2007.

The Service particulars of Inspector Abdul Qayum and representationist are as under:-

S/No	Name	Date of Appointment	Date of Conf: as SI	Date of Adm. to list "F"	Date of Prom: as Offg: Inspector	Date of Conf: as Inspector
1.	Insp: Abdul Qayum	10.04.77	22.07.90	03.11.96	24.05.99	16.07.2005
2.	Inspector Murad Ali	14.12.73	01.11.95	19.09.97	23.06.2001	16.07.2005

An office note was put up to high ups, whereupon Addl: IGP/HQRs NWFP Peshawar ordered to refer it to the DSC.

DSC thoroughly examined and found the claim of petitioner unjustified.

Seniority case of
Inspector Legal Altaf
Hussain of DIKhan
Region

Commandant PTC Hangu submitted representation of Inspector Legal Altaf Hussain requesting for correction of his seniority into promotion list "F" after the name of Inspector Legal Hidayat Shah at S.No. 21 of seniority issued vide No. 649-61/E-II dated: 10.01.2008.

The case was put up to high ups upon which Addl: IGP/HQRs ordered to refer it to DSC.

The DSC examined and found that in this connection a case is subjudice in the Supreme Court therefore it may be kept pending till the decision of court.

Confirmation case of
Inspector Aamir
Shahzad of
CCP/Peshawar

Inspector Aamir Shahzad of CCP/Peshawar has submitted an application stating that due to his illness he was on Ex-Pakistan Leave. For confirmation as Inspector 2 years probation period is required. He has completed 22 months period lacking just 2 months in the period.

He requested to consider his case in DPC and he may be confirmed as Inspector.

An office note was put up to high ups and the worthy Addl: IGP/HQRs NWFP ordered it to be examined by the DSC.

DSC examined his case and recommends his name for confirmation as Offg: Inspector with his colleagues.

Seniority case of
Inspector Hidayatullah
of DIKhan Region

DIG/Bannu has submitted representation of Inspector Hidayatullah No. D/5 of Bannu Region for assignment of revised seniority into promotion list "F" over which comments were asked from DIG/DIKhan which received and put up to the high ups. Upon which Addl: IGP/HQRs ordered to keep pending the case till the decision of appeal subjudice in the Service Tribunal.

Now vide No. 9951-52/E-I dated: 24.04.2008 a copy of judgment of Service Tribunal NWFP received wherein the respondent Deptt: is directed to decide the departmental appeal of the appellant within one month.

An office note was put up to high ups and the worthy Addl: IGP/HQRs NWFP ordered to be examined by the DSC.

DSC thoroughly examined his case and found no plausible grounds for assignment of revised seniority into promotion list "F".

Case for promotion of
FRP Personnel

The Govt. of NWFP, had established a force namely Frontier Armed Reserve during the year 1986. On 16.01.1988, Additional Police, Temporary Staff, PAF Contingents, Striking force and Mounted Police were absorbed in frontier Armed Reserve vide Govt. of NWFP, Home and TAs Department Notification No. SO(Police-I)ID/B-10/146-149 dated 16.01.1988 and decided that the duties and responsibilities of new set-up will be the same as those of REGULAR POLICE, elsewhere and its services are governed by the Police rules 1934, or any other Rules applicable, to their counterpart in the Regular Police. Therefore promotion from one rank to another and from one grade to another shall be in accordance with Chapter 13 of Police Rules.

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Later on in 1991, the name of the force FRP was converted into Frontier Reserve Police. In the year 1994 a Standing Order No.3 was framed by the Police Chief for the promotion of illiterate constable of FRP, to HC, ASI/PC in SI/PC. The same Standing Order was revised during the year 1999, where in its first para it was highlighted that list A,B,C,D and E shall be kept in the office of Commandant, FRP NWFP, for the purpose of the promotion of literate subordinates.

Due to some misunderstanding authority issued promotion orders to literate subordinates as ASI/PC and SI/PC on temporary basis. Many of them were given promotion from the rank of Head Constable (BPS-7) to SI/PC(BPS-11) for the period of two years, which is against the Police Rules, Standing Order No-3/1999, 3/1999, 1/2006 and instructions issued by the Govt. of NWFP, Home Department.

Frontier Reserve Police was temporary force up to 30.06.2003 therefore no confirmation against any rank was made previously. On 01.07.2003 the temporary posts of FRP were converted into permanent status by the Provincial Govt. Therefore promotion orders of literate officials are required to be regularized as per Police Rules from their due dates.

The case was put up to the DPC. The DPC thoroughly discussed the issue and opined that as the police rules chapter 13 is in detail and very clear that a constable / head constable be admitted to list D who is not thoroughly efficient in a branch of the duties of the constable and head constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 year service to their domicile District. Therefore, the quota of the lower college course intermediate college course and upper college course may be withdrawn. However since there are some districts i.e. Charsadda, Mardan and Banna etc. where the number of constables are out number of the districts and in those cases the Commandant FRP will issue guide line and circulate to the DPC for approval.

Number of officials/officers of FRP challenged this decision of the DPC. Now the Commandant FRP reported that Constables were enlisted in FRP up to the year 2003, who were given promotion after fulfilling the required condition of promotion as per Police Rules, as they were serving in FRP with their lien and order to implement decision of the DPC dated: 14.12.2006, they will be deprived from their legal rights, leading to the litigation. The Commandant FRP requested for reconsideration of the case by the DPC.

An office note was submitted to the high ups for orders, which was marked to DPC to examine the case and make recommendation (s).

The DPC examined the case very thoroughly and recommended that the previous decision of DPC shall stand however, a committee may be constituted the following officers to examine the case in the light of representation received in recommendation made by Commandant FRP and submit detail report with specific recommendation for consideration in the next meeting of the DPC.

- | | |
|--|----------|
| 1. Mr. Faqir Hussain, DIG/Enquiries & Inspections CPO. | Chairman |
| 2. Mr. Fasih ud Din, Deputy Commandant FRP NWFP | Member |
| 3. Mr. Liaqat Ali Khan, AIG/Legal CPO | Member |
| 4. Mr. Abdul Malik Khan, Registrar CPO | Member |

The above mentioned committee's meeting was held on 18.08.2007 at CI Peshawar and its recommendations are reproduced below:-

"At the outset, Liaqat Ali Khan, AIG/Legal informed the participant that the issue of promotion of FRP personnel has already been considered in DPC meeting held on 14.12.2006. As per decision of the DPC meeting, all literate subordinates FRP will be transferred to their domicile districts. He further added that duties in FRP does not fulfill the requirement of promotion as per police Rules, so quota of various courses allowed to FRP, was withdrawn on the recommendation of DPC.

Abdul Malik Khan, Registrar, CPO endorsed the views of AIG/Legal and stated that all literate officials of FRP may be transferred to their respective districts as per decision taken in the DPC. He further added that FRP is a transit force therefore, their promotion can not be regularized as per police Rules.

Faqir Hussain, Commandant FRP, Chairman of the committee told the meeting that FRP has been given permanent status in 2003. However, the Chairman agreed with the views of both the members. But he further added that on transfer to respective districts, no one is deprived from his due right/seniority.

After detailed discussions, the committee reached at the conclusion that

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literate Head Constables and ASIs of FRP may be transferred to their domicile districts, to settle the issue once for all. The Commandant, FRP office will provide the names to CPO for further necessary action. However their names will be placed in the D on the merit of the year in which he passed the Intermediate Class Course.

All the literate HCs, ASIs were duly transferred to their respective domicile Districts.

Aggrieved to this Ali Hassan etc filed a writ petition before the Honourable High Court Peshawar. The honourable Peshawar High Court Peshawar while disposing of the writ petition passed the following order on 20.03.2008

"We feel that apparently the FRP is now a regular establishment and is more a transit force and there is no proof that the personnel working therein were temporarily posted for five years, therefore, the discriminatory treatment meted out to them, is violative of the fundamental rights, particularly when, they will be placed at an extra-ordinary junior position if transferred to the District and enlisted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the petitioners retrospectively who had been recruited in FRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc, shall be re-examined at a higher level under the supervision of the Provincial Police Officer and the decision dated 16.02.2007 may be re-considered by the concerned DPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retrospectively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitioners are disposed of."

The case was examined by the DSC in its meeting held on 14.05.2008 and it was decided to constitute a Committee comprising DIG/Investigation, AIG/Legal CPO & Registrar CPO to examine the case and submit detail report to next DSC meeting.

Inspector Riaz Ahmad of Special Branch (CM Squad) has submitted an application for assignment of seniority into promotion list "F" on the analogy of Court order passed in case of Inspector/DSP Shafiullah and others of Malakand Region. The CPO Peshawar vide No. 5327/E-II dated: 14.03.2007 had intimated that a case of Haji Bahadur Khan and 6 others against Shafiullah and his colleagues was subjudice in Service Tribunal Peshawar and directed to wait till the decision of the court.

According to the representationist now the case of Haji Bahadur Khan and others has been decided in favour of Shafiullah Khan Inspector/DSP and his colleagues. He requested that he alongwith his colleagues may be assigned seniority on the same analogy in light of Court decision (Service Tribunal NWFP) dated: 12.03.2005 i.e. confirmation as ASI from the date of their appointment, because in 1984 and 1992 direct appointed ASI have shown senior to them.

An office note was put up and the case was ordered to be placed before the DSC.

DSC examined the case in detail and decided that he should get remedy from the court.

Seniority case of
Inspector Riaz Ahmad
of Malakand Region

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Seniority case of Inspector Zia Hassan of DIKhan Region Now ACE/NWFP Peshawar

Vide Memo: No 1010/ACE dated 29.02.2008 Director ACE/NWFP Peshawar submitted an application of Inspector Zia Hassan D/3 of DIKhan requesting for confirmation as Inspector over which comments of DIG/DIKhan were asked vide this office Endst: No. 4650/E-II dated 05.03.2008.

Vide Memo: No. 702/ES dated 13.03.2008, DIG/DIKhan submitted his comments stating that SI Zia Hassan No. D/3 of DIKhan Region now on deputation to ACE/NWFP was transferred to Special Branch NWFP from DIKhan District on 14.05.2003. During his posting in the Special Branch NWFP he was selected for UN Mission abroad to Kosovo where he spent one year i.e. from 13.08.2003 to 13.08.2004. He returned back from Kosovo on 14.08.2004 and remained posted to Special Branch NWFP. His total service in Special Branch NWFP including one-year period of UN Mission is 03 years.

He applied for confirmation as SI with the contention that he has completed 03 years tenure in Special Branch NWFP as per instructions and as such full filled the condition for confirmation in the rank of SI. In this connection, no specific rules/instructions were available on the subject whether the period he remained on UN Mission abroads to be counted toward his posting in Special Branch or otherwise.

DIG/DIKhan further reported that the case was referred to PPO/NWFP Peshawar vide this office Memo No.638/ES dated 23.05.2006 that one year period of UN Mission abroad i.e. from 13.08.2003 to 13.08.2004 he counted toward his posting in the Special Branch on deputation or other wise, so that his case for confirmation could be finalized. The PPO/NWFP Peshawar vide his Memo No. 10204/E-II dated 06.06.2006 intimated as under:-

"Period on UN Mission can not be counted as period in Special Branch NWFP". So he completed one year more in Special Branch NWFP and was promoted on two years probation in the rank of SI with effect from 16.07.2005 on the available vacancy in DIKhan Region after completed 04 years service in Special Branch including one year UN Mission vide this office Endst: No.1406-7/ES dated 19.05.2007.

He was confirmed in the rank of SI from the same date i.e. 16.07.2005 after counting his remaining officiating period toward probation under police rule 13-18 vide this office Endst: No.1530-31/ES dated 01.06.2007.

His F-list promotion recommendation case was submitted to CPO/NWFP vide this office Memo No. 1537/ES dated 06.06.2007. On the direction of PPO/NWFP Peshawar letter No.17599/E-II dated 30.07.2007, the date of confirmation as SI was revised as 01.07.2007 instead of available vacancy i.e. on 16.05.2005 and revised confirmation order was issued on 01.07.2007 instead of 16.05.2005 vide this office order Endst: No.26.07-8/ES dated 06.10.2007.

An office note was put up before High ups and the case was referred to Departmental Selection Committee.

Departmental Selection Committee examined the case did not agree with the contention of petitioner for assignment revised seniority as he was not completed three years tenure in Special Branch physically during the period i.e. 14.05.2006.

Adjustment of Mr. Inayatullah as MVE in Police Department.

Four (4) Vacancies of MVEs are lying vacant in NWFP Police, In order to fill up these vacancies by the candidates of Automobiles and Diesel Engine Diploma holders.

Establishment Department Govt. of NWFP Peshawar addressed the PPO for the views regarding the adjustment of Mr. Inayatullah, Unit Supervisor (BS-11) District Tank now in Surplus Pool, office of the Assistant Agriculture Engineer DIKhan.

The case was put up to high-ups on which the Addl: IG/PHQRs ordered to place it before DSC.

DSC examined and decided that comments of the AIG/Traffic may be obtained in this regard.

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Promotion of Inspector
FSL to the rank of
DSP/FSL.

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Mr. Inamullah Khan, Inspector (FSL) is a senior most Inspector of FSL (Chemical Section) as per seniority list. He is required to be promoted as DSP/FSL on a post of Mr. Ahmad Mustafa, DSP/FSL, who was compulsory retired on departmental proceeding against him.

Mr. Ahmad Mustafa, DSP/FSL, went in appeal to the Chief Secretary, NWFP which was rejected. He preferred appeal in NWFP Service Tribunal which was disposed of by directing the Department for de novo proceedings. At present the department went in appeal before the Supreme Court of Pakistan against the said judgment of NWFP Service Tribunal which is subjudice.

According to the seniority list following are the senior most Inspectors amongst whom one of the Inspector is required to be promoted for regular promotion as DSP/FSL or otherwise.

1. Mr. Inamullah, Inspector FSL.
2. Mr. Muhammad Zeb, Inspector FSL.

The DPC is requested to examine the case of promotion of one of the Inspector to the rank of DSP/FSL (Chemical Section) BS-17.

DSC examined the case and recommends the name of senior most Inspector Mr. Inamulla for promotion as DSP/FSL (BPS-17) on acting charge basis till the decision of case in the apex court. If the decision came in favour of Ahmad Mustafa DSP, then he will have to be reverted.

(MR. KHURSHID ALAM KHAN)
CHAIRMAN

Add: Inspector General of Police,
HQs. NWFP, Peshawar.

(F. HUSSAIN)
MEMBER

Deputy Inspector General of Police,
Investigation NWFP, Peshawar.

(FIAZ AHMAD KHAN)
MEMBER

Add: Inspector General of Police,
Investigation NWFP, Peshawar.

(ATTAULLAH WAZIR)
MEMBER
Capital City Police Officer,
Peshawar.

(ABDUL WADOOD SHAH)
MEMBER

Commandant Police Training
College, Hangu

Approved

(AMIR HAMZA MAHSUD)
MEMBER

Deputy Inspector General of Police,
Special Branch NWFP, Peshawar.

(MALIK NAVEED KHAN)
PROVINCIAL POLICE OFFICER, NWFP,
PESHAWAR.

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~~ANNEX I~~ (17)

**MINUTES OF DEPARTMENTAL SELECTION COMMITTEE HELD ON 07.05.2009
IN THE CONFERENCE ROOM OF CPO PESHAWAR.**

A meeting of Departmental Selection Committee was held on 07.05.2009 at CPO Conference Room. The following officers attended the meeting.

1	Mr. Abdul Latif Khan Addl. Inspector General of Police, Operations NWFP, Peshawar.	CHAIRMAN
2	Mr. Abdul Majced Khan Marwat Addl. Inspector General of Police, Headquarters NWFP, Peshawar.	Member
3	Mr. Faqir Hussain Deputy Inspector General of Police, Enquiry & Inspections NWFP, Peshawar.	Member
4	Mr. Abdul Wadood Shah Commandant PTC, Hangar	Member
5	Mr. Safwat Ghayur Capital City Police Officer, Peshawar.	Member
6	Mr. Khalid Masud Deputy Inspector General of Police, Operations, NWFP Peshawar.	Member
7	Mr. Attaullah Wazir Commandant FRP NWFP Peshawar.	Member

The following miscellaneous cases were discussed in the DSC meeting and recommendations made against each case:

Confirmation case of
Inspector Bakht Zada
No. M/33 of Malakand
Region

Director ACE NWFP Peshawar has forwarded an application of Inspector Bakht Zada No: M/33 requesting therein for confirmation as Inspector.

His case for confirmation as Inspector was discussed by the DSC in meeting held on 30.04.2008 and was deferred due to incomplete ACRs.

Superintendent Secret & training CPO submitted synopsis of ACRs for 4 years 2002 to 2007. His ACR for the year 2006 sent to the then PPO/NWFP Mr. Rifat Pasha for countersignature.

DSC thoroughly examined his case and recommended him for confirmation as Inspector with his colleagues.

Case of Inspector Umar
Daraz of
CCP/Peshawar

The Capital City Police Peshawar vide No. 13128/EC-I dated: 16.12.2008 has forwarded application of Inspector Umar Daraz Khan, stating therein that his name may be included into seniority list of Inspector between the name of Inspector Ashraf Zaman and Gulma Khan at S/No. 2 & 3. His application was endorsed by Commandant FRP NWFP Peshawar for comments vide No. 34207/E-II dated 30.12.2008.

The Commandant FRP vide his Memo No. 946/EC dated: 09.02.2009 has intimated that Inspector Umar Daraz was enlisted as constable in FRP/NWFP on 01.01.1987. He qualified Lower School course during the term ending 29.10.1990 and intermediate College Course during the term ending 23.08.1999, he has been

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promoted as HC on 30.01.1989 SI/PC on 04.06.1992 and Inspector on 21.04.1993 by the Commandant FRP. His name was brought on promotion lists "D" and "E" on 10.10.1997 and 11.04.2000 respectively by the Commandant FRP. He was reverted to the rank of HC on 25.04.2003 and dismissed from service on 16.07.2003. Later, upon lodging an appeal in the NWFP Service Tribunal NWFP he was re-instated with all back benefits by service Tribunal NWFP and honorably acquitted by the Special Anti Corruption Judge NWFP, Peshawar in the criminal case registered against him.

His case for inclusion of his name into promotion List-F, and promotion as Inspector was recommended by Commandant FRP NWFP Peshawar vide his Memo No. 11/PA dated 24.01.2003, but soon after his reversion to the rank of HC & dismissal, recommendation for promotion list "F" were withdrawn by the Commandant FRP.

The case was put up before the high ups which was marked to DSC.

His case was thoroughly examined by the DSC and marked to sub-committee consisting of the following officers to submit legal suggestion to next DSC meeting.

1. Mr. Qudratullah Khan, DIG/Investigation, NWFP Peshawar.
2. Mian Khurshid Anwar, AIG/Legal CPO, Peshawar.
3. Mr. Abdul Malik Khan, Registrar CPO, Peshawar.

The DIG/Mardan vide his Memo No. 5437/EC dated: 11.11.2008 has forwarded application of Inspector Muhammad Ashfaq acting DSP/HQrs Mardan for seniority into promotion list "F" according to date of confirmation as SI and requested for placing his name above the name of Inspector now DSP Akhtar ul Iman

The case was referred to the DSC.

The case was examined in the DSC and rejected the representation having no merit.

Commandant PTC Hangu forwarded case of the three Officers namely SI Habibullah No. 368/M, SI Ghulam Sadiq No. 269/M and SI Faqir Hussain No. 381/P, being competent, experienced who trained 650 trainees in the short period of 45 days already on list 'E', recommended that they should be brought on list F as a special case.

Case was examined by the DSC and marked to sub-committee consisting of the following officers to submit the recommendation to next DSC meeting.

1. Mr. Faqir Hussain, DIG/Enquiry & Inspection NWFP Peshawar.
2. Mr. Abdul Wadood Shah, Commandant PTC Hangu.
3. Mr. Khalid Masood, DIG/Operations NWFP Peshawar.
4. Mr. Attaullah Wazir Commandant FRP NWFP.

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Representation of Inspector now DSP Muhammad Ashfaq of Mardan Region for revised seniority



Recommendation of PTC Hangu for inclusion of names of SIs to promotion list F

Seniority case of Lady
SIs of CCP/Peshawar

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The CCPO Vide Memo No. 4672/E-I dated 13.05.2008 forwarded applications of Lady SI Anceela Naz No.47/P, SI Asmat Ara No.44/P and SI Shazi Shahid No.43/P of his establishment who had requested for confirmation and assignment of revised seniority into promotion-list "E".

As per CCPO, Peshawar 6 Lady ASIs were enlisted/appointed as direct ASI vide CPO Peshawar order No. 5798-808/E-II 5811-15/E-II dated: 24.03.1996 in their seniority was fixed according to their date of birth as under:-

S/ No	Name & No	Date of birth	Date of enlistment /arrival	Date of confirmation on OF List-II	Education	Date of promotion as Sub Inspector	Courses passed
1.	Rozin Bhat No.P/39	30.07.1969	27.03.1996	18.04.2002	BA	13.05.2005	Prob course Upper Course
2.	Humida Bano	04.12.1970	28.03.1996	18.04.2002	BA	13.05.2005	Prob course Upper Course
3.	Anceela Naz No.P/47	09.10.1971	03.04.1996	18.04.2002	MA	01.01.2004	Prob course Upper Course
4.	Sara Saleh No.P/36	06.04.1975	27.03.1996	18.04.2002	FA	01.01.2004	Upper Course
5.	Asmat Ara No. P/42	15.04. 1975	27.03.1996	18.04.2002	MA	01.01.2004	Prob course Upper Course
6.	Shazi Shahid No.P/43	30.04.1976	31.03.1996	18.04.2002	FA	01.01.2004	Prob course Upper Course

They were confirmed in the rank of ASI and their names were brought promotion list E vide CCPO Peshawar Notification No. 2809-15/EC-I dated 18.04.2002. Later on the CCPO Peshawar promoted 4 Lady ASI to the rank of OF SIs wherein 2 Lady ASI namely ASIs Anceela Naz & Sara Saleh on the basis Upper College Course and the other 2 Lady ASI Asmat Ara and Shazi Shahid on the basis of probation Class course vide order No. 1-8/CRC dated 01.01.2004

After qualifying the probation Class Course the same 2 Lady ASIs, on "E" were also promoted as Offg: SIs by the CCPO, Peshawar vide order No. 86 63/EC-I dated 13.05.2005

The DPC examined their case in the light of rules, which revealed that 12.2 (3) envisage the principles regarding Seniority and probation whereas P.R 1 also provides that probationer ASIs who are directly appointed would be considered for probation for 3 years and are liable to be discharged at any time within the period of their probation if they failed to pass the prescribed examination. In light of rule if the case of all the SIs is considered, it would reveal that none of the Lady has qualified the prescribed examination within the period of 3 years. Relevant rules have not been followed while making confirmation of lady police officers. The DPC observe that confirmation of these officer is not in accordance with Police Rule 1 which needs to be revised and made strictly as per provision of Police Rules. A revised confirmation in accordance with Police Rules 13.8, their seniority will be automatically settled as seniority is to be reckoned from the date of confirmation. The CCPO therefore may proceed according to Law/Rules

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discussed above. Confirmation is to be made on the basis of completion of probationary course i.e. from the dates when they qualified it.

The CCPO, Peshawar vide Notification No. 8977-84/EC-1 dated 21.10.2009 issued revised seniority list of Lady SIs on the basis of Police Rules 13. The CCPO/Peshawar has forwarded application of lady SIs Rozin Altaf No. P/1 and Hameeda Bano No. P/99 against the above decision and also intimated that the revised seniority notification has not been correctly and properly processed under the rules as checked by CCPO.

It is submitted that this office is in the process of establishing/constituting committee to process the seniority case of Lady SIs of CCP Peshawar under the rules, as these seem to have been haphazardly drawn up.

The case was marked to DSC.

The DSC thoroughly examined their case and decided to send the case to CCP/Peshawar to submit detail report within one month to next DSC for further action.

Representation of Inspectors for restoration of seniority

As per DSC Decision dated 09.02.2009 the date of confirmation of 24 Sub Inspectors of CCP Peshawar was revised as 06.10.1997 instead of various dates. They were assigned ante-dating seniority into promotion list "F" according to the date of confirmation and names placed above the name of Inspector Ehsanullah No.K/14 at S/No. 57 and below the name of Inspector Khurshid Ahmed No. P/2 S/No. 55 of the seniority list issued vide this office Notification No. 4626-56/E dated 19.02.2009.

Aggrieved to this the following Inspectors on list "F" have submitted representations and requested to set aside the impugned Notification No. 7103/E dated 12/3/2009 and the due seniority of the applicants may be restored.

S/No	Name and number	Home District	Edu	Date of Birth	Date of Joining Service	Date of confirmation in the rank of SI	Date of admission to promotion list "F"	Date of continuous service as ofg: Inspector	Date of confirmation as Inspector
1	Ehsanullah No.K/14	Bannu	F.A	10.01.62	05.06.83	05.11.97	16.3.2002	18.11.2002	16.03.02
2	Mir Chaman No. K/12	Karak	BA	22.04.53	25.04.77	05.02.98	16.03.2002	18.11.2002	16.03.02
3	Mir Shahab Ali Shah No MR/1	Mardan	MA/LLB	12.08.60	10.04.80	20.08.98	16.03.2002	16.01.2003	16.03.02
4	Zain Khan No. P/52	Mardan	MA/LLB	01.04.60	06.02.90	15.12.98	16.12.2005	16.12.2005	16.03.02

The representations of the above Inspectors were put before the high upst which were marked to the DSC.

DSC thoroughly examined their representation and marked the case to a committee consisting of the following officers to check as to whether their probationary period was completed on 06.10.1997.

1. Mian Khurshid Anwar, AIG/Legal CPO

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Case of Inayatullah of
Surplus Pool for
adjustment as MVE in
Police Department

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The DSC examined the case and referred it to the committee already formed for the purpose.

Four (4) Vacancies of MVEs are lying vacant in NWFP Police.

In order to fill up these vacancies by the candidates of Automobiles and Diesel Engine Diploma holders the Establishment Department Govt. of NWFP Peshawar addressed the PPO for views regarding the adjustment of Mr. Inayatullah Unit Supervisor (BS-11) District Tank now in Surplus Pool office of the Assistant Agriculture Engineer DIKhan.

The case was put up to high-ups on which the Addl. IGP/HQrs ordered to place it before DSC.

The case was discussed in the DSC meeting held on 14.05.2008 and it was decided to seek comments of AIG/Traffic in this regard.

The AIG/Traffic vide memo No. 2181/EC dated: 29.07.2008 submitted that applicant Mr. Inayatullah passed his diploma in Auto & Diesel Technology from Govt. College of Technology, Kohat Road, Peshawar. He is fulfilling the required qualification/standard for the post of MVE. However, proper procedure for appointment is necessary to be adopted.

The posts of MVE were previously advertised in the news papers by the CPO to invite application of the candidates, fulfilling the required standard followed by test and interview. The Case was discussed in the DSC meeting held on 14.10.2008 and it was decided to refer the case to Govt. to provide list of all the officers having the required qualification for adjustment as MVE in Police Department. The Govt. of NWFP Establishment Department intimated that Mr. Inayat Ullah, of Surplus unit Supervisor (BPS-11) having diploma of Association Engineering in Auto & Diesel, fulfils the prescribed qualification for the post of Motor Vehicle Examiner. He may be adjusted against the said vacant post. There is no provision in the surplus Policy to place the Surplus Employees before the DPC/DSC, if he fulfills the qualification prescribed for the post and also endorsed to District Coordination Officer Tank with the request to place the services of Mr. Inayat Ullah Surplus Unit Supervisor (BPS-11) District Tank at the disposal of DIG/(HQ) Central Police Office, NWFP Peshawar for further adjustment against the vacant post of Motor Vehicle Examiner (BPS-11).

In light of the above instructions of the Govt. of NWFP Establishment Department the DCO Concerned has relieved Mr. Inayat Ullah Surplus Unit Supervisor (BPS-11) District Tank and placed his services at the disposal of DIG/HQrs CPO, NWFP Peshawar for further adjustment against the vacant post of Motor Vehicle Examiner.

The DSC examined the case in its meeting held on 09.02.2009 and noticed that complete record of the case has not been provided to the DSC for perusal as the list of officers provided by the Establishment Department is not available. It was decided to adjourn the case for want of complete record of the case and list of all the officers having the required qualification.

Govt. of NWFP Establishment Department provided a list of other officers having the required qualification.

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The case was referred to DSC.

The DSC examined the case of Inayatullah of Surplus pool and recommends to adjust him against the post of MVE in Police Department.

Representation of Inspector Akhtar Ali of Investigation Nowshera for seniority.

Capital City Police Officer, Peshawar has forwarded representation submitted by Acting DSP Investigation Nowshera Akhtar Ali Khan No. P/185 requesting therein that his case may kindly be considered for revised confirmation as SI w.e. from 06.10.1997 instead of 31.03.2000 like others regarding confirmation of 24 SIs of Capital City Police Peshawar.

The same was forwarded to the CCPO/Peshawar for parawise comments.

The CCPO/Peshawar submitted the following parawise comments:-

26 SIs are senior from the above Inspector and they were confirmed in the rank of SIs with effect from 06.10.1997 by the then DIG/Peshawar Range Peshawar vide notification No. 725-38/EC dated 29.01.2001.

The order of the 26 SIs was then revised in the light of PPO NWFP Peshawar's memo No. 17914/E-II dated 25.10.2001 wherein it was directed that confirmation of the above SIs may be made on case to case basis against the vacancies occurred from various dates. In the DIG/PR order No. 95203/MEC dated 27.10.2001 the last one out of 26 SIs, was SI Subat Khan No. P/185 who was confirmed with effect from 28.02.2000. After that on the direction of PPO vide his letter No. 15797/E-II dated 20.09.2000, the representationist Inspector Akhtar Ali No. P/85 now DSP/Investigation Nowshera was also confirmed in the rank of SI w.e. from 31.03.2000, as a Special case due to his extra ordinary performance in case FIR No. 337 dated 23.11.2000 by the DIG/PR vide his letter No. 9477/EC dated 25.10.2000.

Against the revised confirmation order the following inspectors represented.

- i. Inspector Rahim Shah.
- ii. Inspector Tariq Sohail.
- iii. Inspector Khan Akbar.

The representations of the above inspectors were thoroughly examined by the DPC in its meeting held on 09.02.2009 and recommended to restore the previous notification earlier issued by the DIG/PR and further stated that seniority of the officers may be fixed on the basis of their confirmation i.e 06.10.1997.

In the light of above recommendations of DPC, the previous notification of their confirmation was restored vide this office notification No. 3004/EC-I dated 04.03.2008 while the revised notification of their confirmation was withdrawn.

On the analogy of above confirmation of SIs now Inspector Akhtar Ali Khan has also requested that he may be confirmed as SI with effect from 06.10.1997 instead of 31.03.2000.

In this regard it is also pertinent to mention here that Mr. Akhtar Ali Khan was confirmed as SI for his extra ordinary performance in case FIR No. 337 dated 23.11.2000.

The case was put before the high up which was marked to the DSC.

DSC examined the case and rejected his representation having no merits.

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~~ADVOCATE~~

Representation of Inspector Saleem Amanullah of CCP/Peshawar for

The CCPO/Peshawar has forwarded the representation of Inspector Saleem Amanullah of CCP Peshawar requesting there in that his name in the seniority list of Inspector and Sub-Inspector of list "F" as stood on 31.12.2008 may kindly be

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2. Mulk ur Rehman, DSP/Legal Investigation NWFP Peshawar.
3. Supdt: Establishment CPO Peshawar.
4. Establishment Clerk-II CPO
5. Mir Hassan Establishment Clerk CCP/Peshawar.

Fixation of 02 years tenure for posting of Head of Investigation

Vide Memo No. 1444/Inv: dated: 18.02.2009 Addl: IGP/Investigation has submitted a copy of letter No. 217/Inv: dated: 21.01.2009 of SSP/Abbottabad wherein he suggested at least 2 years tenure for posting of Head of Investigation and to a mechanism in Police order 2002 for premature transfer of Head of Investigation.

An office note was put up to the highups which was marked to DSC.

The DSC examined the case and recommended to fix tenure of Head of Investigation as per tenure of DPO.

Promotion case of FRP Personnel

The Govt. of NWFP, had established a force namely Frontier Armed Reserve during the year 1986. On 16.01.1988, Additional Police, Temporary Staff, PAF Contingents, Striking force and Mounted Police were absorbed in frontier Armed Reserve vide Govt. of NWFP, Home and TAs Department Notification No. SO(Police-I)HD/R-10/146-149 dated 16.01.1988 and decided that the duties and responsibilities of new set-up will be the same as those of REGULAR POLICE elsewhere and its services are governed by the Police rules 1931 or any other Rules applicable to their counterpart in the Regular Police. Therefore promotion from one rank to another and from one grade to another shall be in accordance with Chapter 13 of Police Rules.

Later on in 1991, the name of the force FAR was converted into Frontier Reserve Police. In the year 1994 a Standing Order No. 3 was framed by the Police Chief for the promotion of illiterate constable of FRP, to HC, ASI/PC and SI/PC. The same Standing Order was revised during the year 1999, that list A.R.C.D and E shall be kept in the office of Commandant, FRP NWFP, for the purpose of the promotion of literate subordinates.

Due to some misunderstanding authority issued promotion orders of literate subordinates as ASI/PC and SI/PC on temporary basis. Many of them were given promotion from the rank of Head Constable (BPS-7) to SI/PC(BPS-14) for the period of two years, which is against the Police Rules, Standing Order No-3/1994, 3/1999, 1/2006 and instructions issued by the Govt. of NWFP, Home Department.

Frontier Reserve Police was temporary force up to 30.06.2003 therefore no confirmation against any rank was made previously. On 01.07.2003 the temporary posts of FRP were converted into permanent status by the Provincial Govt. Therefore promotion orders of literate officials were required to be regularized as per Police Rules from their due dates.

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The case was put up to the DPC. The DPC thoroughly discussed the issue and opined that as the police rules chapter 13 is in detail and very clear that no constable / head constable be admitted to list D who is not thoroughly efficient in all branches of the duties of the constable and head constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 years service to their domicile District. Therefore, the quota of the lower college course, intermediate college course and upper college course may be withdrawn. However, since there are some districts i.e. Charsadda, Mardan and Bannu etc, where the number of constables out number the other districts and in these cases the Commdt: FRP will issue guide line and circulate to the DPC for approval.

Number of officials/officers of FRP challenged this decision of the DPC. Now the Commandant FRP reported that Constables were enlisted in FRP upto the year 2003, who were given promotion after fulfilling the required condition of promotion as per Police Rules, as they were serving in FRP with their lien and in order to implement decision of the DPC dated: 14.12.2006, they will be deprived from their legal rights, leading to the litigation. The Commandant FRP requested for reconsideration of the case by the DPC.

An office note was submitted to the high ups for orders, which was marked to DPC to examine the case and make recommendation (s).

The DPC examined the case very thoroughly and recommended that the previous decision of DPC shall stand however, a committee may be constituted of the following officers to examine the case in the light of representation received and recommendation made by Commandant FRP and submit detailed report with specific recommendations for consideration in the next meeting of the DPC.

1. Mr. Faqir Hussain, DIG/Enquiries & Inspections CPO. Chairman
2. Mr. Fasih ud Din, Deputy Commandant FRP NWFP Member
3. Mr. Linqat Ali Khan, AIG/Legal CPO Member
4. Mr. Abdul Malik Khan, Registrar CPO Member

The above mentioned committee's meeting was held on 18.08.2007 at CPO Peshawar and its recommendations are reproduced below:-

"At the outset, Linqat Ali Khan, AIG/Legal informed the participants that the issue of promotion of FRP personnel has already been considered in DPC meeting held on 14.12.2006. As per decision of the DPC meeting, all literate subordinates of FRP will be transferred to their domicile districts. He further added that if in the FRP does not fulfill the requirement of promotions as per police rules, so quota for various courses allowed to FRP, was withdrawn on the recommendation of DPC.

Abdul Malik Khan, Registrar, CPO endorsed the views of AIG/Legal and stated that all literate officials of FRP may be transferred to their respective districts as per decision taken in the DPC. He further added that FRP is a transit force, therefore, their promotion can not be regularized as per police Rules.

Faqir Hussain, Commandant FRP, Chairman of the committee told the meeting that FRP has been given permanent status in 2003. However, the Chair

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agreed with the views of both the members. But he further added that on transfer to respective districts, no one is deprived from his due right/seniority.

After detailed discussions, the committee reached at the conclusion that all literate Head Constables and ASIs of FRP may be transferred to their domicile districts, to settle the issue once for all. The Commandant, FRP office will provide the names to CPO for further necessary action. However their names will be placed in list D on the merit of the year in which he passed the Intermediate Class Course.

All the literate HCs, ASIs were duly transferred to their respective domicile Districts.

Aggrieved to this Ali Hassan etc filed a writ petition before the Honourable High Court Peshawar. The honourable Peshawar High Court Peshawar while disposing of the writ petition passed the following order on 20.03.2008 (copy attached).

"We feel that apparently the FRP is now a regular establishment and no more a transit force and there is no proof that the personnel working therein were temporarily posted for five years, therefore, the discriminatory treatment, meted out to them, is violative of the fundamental rights, particularly when, they will be placed at an extra-ordinary junior position if transferred to the Districts and enlisted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the petitioners retrospectively who had been recruited in FRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc, shall be re-examined at a higher level under the supervision of the Provincial Police Officer and the decision dated 16.02.2007 may be re-considered by the concerned DPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retrospectively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitioners are disposed of."

The case was referred to DSC. The DSC in its meeting held on 14.05.2008 decided to constitute a committee comprising DIG/Investigation, AIG/Legal CPO, and Registrar CPO, Peshawar to examine this case and submit detail report to next DSC meeting.

The committee has examined the case and submitted a detail report with the following recommendation:-

A. The committee after due deliberation and in order to give effect to the orders

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of the High Court recommends that earlier decision on the DPC should not be applied retrospectively and all officials of the FRP be given permanent status and maybe confirmed in their rank with their colleagues after completing their probation period as per PR 13.18.

Benefit received by the officials in the FRP till decision of DPC and their repatriation to the Districts of their domicile be kept in tact so that they should not be deprived of any right as per decision of the Court.

All these officials may be dealt strictly according to standing order No.3/99.

Literate officials may be treated as per Police Rules whereas cases of illiterate officials may be treated as per criteria in the Standing Order. Seniority of illiterate officials be fixed in each class on the basis of course undergone and criteria fixed under Police Rules Chapter 13.

The case was referred to DSC.

DSC thoroughly examined the case and agreed with the above recommendation of the sub committee.

Allocation of marks / number for Anti-Terrorist & Sabotage training held at BDS Lahore.

Vide Memo No. 2054/SRC dated 30.03.2009 DPO Kohat has intimated that many Constables of his District have passed Anti Terrorism and Sabotage Training held at Bomb Disposal Unit Lahore, but this Course has not been mentioned in Standing Order No.10/1987 now read with Standing Order No.1/2004. He requested that his office may be apprised about the numbers of above course which will be given to those constable who, have passed B-I examination during the year 2009. Duration of this training is about 15 days.

An office note was put up and the Addl. IGP/HQrs NWFP Peshawar referred the case to DSC.

The DSC examined the case and referred it to the committee consisting of the following officers to check the standing order No. 01/2004 and submit suggestions regarding all the courses.

1. Mr. Abdul Majeed Khan Marwat, Addl. IGP/HQrs NWFP Peshawar.
2. Mian Khurshid Anwar, AIG/Legal CPO Peshawar.
3. Mr. Abdul Malik Khan, Registrar CPO

Grant of Marks for general protection course

Deputy Inspector General of Police Bannu vide his Memo No. 1297/EC dated 11.04.2009 at Annexure "A" has intimated that Constable Saadullah No. 115 of Operation staff, Bannu, preferred an application through DPO/Bannu vide his Memo No. 3467 dated 07.04.2009, requesting therein for the grant of 02 marks for General Protection Course as the same marks have not been given in the merit list of B-I, selection, made by DPO/Bannu.

According to the amendment in the Standing Order No. 1/2004, issued by CPO, Peshawar, 2 marks have been allowed to those Candidates who have undergone/proceeded to Improvised Explosive Device Course instead of General Protection course.

An office note was put up and the Addl. IGP/HQrs NWFP Peshawar referred the case to DSC.

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ADMINISTRATIVE

seniority.

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Inspector and Sub-Inspector of list "F" as stood on 31.12.2008 may kindly be corrected and his name be placed at S/No. 214 of list as he was confirmed as sub-Inspector on 06.09.2006. on which the comments of CCPO/Peshawar were asked.

The CCPO Peshawar has submitted the following comments:-

1. Para No. 1 Correct as per record.
2. Para No. 2 correct, the application had filed representation for confirmation with his colleagues.
3. Para No. 3. Correct, the representation of applicant was accepted and his seniority was revised. He was confirmed w.e form 06.09.2006.
4. Para No. 4 the Seniority list was issued by PPO NWFP Peshawar where in his name placed at S/No. 315.
5. Para No. 5 Correct as per record.

Prayer:

Keeping in view the above, representation of Saleem Anam Inspector may kindly be considered in the light of his revised seniority from date of confirmation.

The case was put before the high ups which was marked to the DSC.

DSC thoroughly examined the case and recommended that he be assigned revised seniority with his colleagues according to date of confirmation as Sub Inspector.


(ABDUL LATIF KHAN)


CHAIRMAN

Addl: Inspector General of Police,
Operations, NWFP, Peshawar.


(ABDUL MAJEED KHAN MARWAT)

MEMBER

Addl: Inspector General of Police,
Headquarters NWFP Peshawar


(FAQIR HUSSAIN)

MEMBER

Deputy Inspector General of Police,
Enquiry & Inspection NWFP
Peshawar


(ABDUL WADOOD SHAH)

MEMBER

Commandant Police Training
College, Hangu


(SAIFULLAH AYUR)

MEMBER

Capital City Police Officer
Peshawar.


(KHALID MASUD)

MEMBER

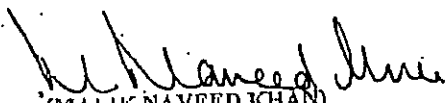
Deputy Inspector General of Police,
Operations NWFP Peshawar


(ATIQULLAH WAZIR)

MEMBER

Commandant FRP NWFP
Peshawar.

Approved


(MALIK NAVEED KHAN)
PROVINCIAL POLICE OFFICER, NWFP,
PESHAWAR.

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ADVOCATE

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ORDER

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[Circular Stamp: Frontier Reserve Police, Peshawar]
[Signature]

Promotion orders of the following interite official now transferred to Regular Police is hereby Regularized according to Police Rules

S.No	Name of official	Previous order date	Now Regularized
1	Ali Hassan	1. ASI/PC 1.11.95 2. SI/PC on 28.1.1998.	1. Offg: ASI from 1.1.1996 2. Offg: SI from 28.1.1998. 3. Confirmed in the rank of ASI and promoted to list "E" with effect from 1.7.2003. 4. Confirmed in the rank of SI w.e.f. 1.7.2006.
2	Muhammad Hassan	1. ASI/PC 26.7.2000. 2. SI/PC 22.7.2003	1. Offg: ASI from 31.5.2000 2. Offg: SI from 31.5.2003. 3. Confirmed in the rank of ASI and promoted to list "E" with effect from 1.07.2003.
3	Muhammad Safcem	1. ASI/PC 1.4.2005	1. Offg: ASI from 1.4.2005 2. Confirmed in the rank of ASI and promoted to list "E" with effect from 1.4.2007.
4	Muslim Shah	1. ASI/PC 1.11.2004	1. Offg: ASI from 1.11.2004 2. Confirmed in the rank of ASI and promoted to list "E" with effect from 1.11.2006.
5	Fazal Wadood	1. ASI/PC on 20.2.2000 2. SI/PC 31.5.2003	1. Offg: ASI from 20.2.2000 2. Offg: SI 31.5.2003. 3. Confirmed in the rank of ASI and promoted to list "E" with effect from 1.7.2003.

[Signature]
COMMANDANT
FRONTIER RESERVE POLICE
NWFP PESHAWAR

No. 5904-10 /EC dated Peshawar the

11/08/09

EC
[Signature]
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Copy of above is forwarded for information and necessary action to the:

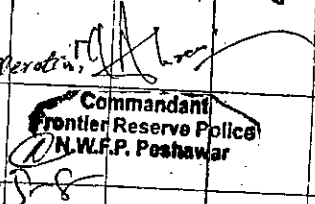
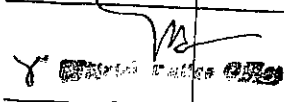
1. Deputy Inspector General of Police Kohat Region.
2. Deputy Inspector General of Police Mardan Region.
3. Deputy Inspector General of Police Malakand Region.
4. Deputy Inspector General of Police Special Branch NWFP Peshawar.
5. Commandant PTC Hangu.
6. Superintendent of Police Traffic NWFP Peshawar.

[Signature]
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9 Promoted ASI, SI

46 Anak

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "pay"	Date of appointment	Signature of Government servant
offg ASI - E. - SI -							
Promotion Order:							
		1- Promoted as offg ASI BPS-09 (1605-97-3000) w.e.f 1-1-96.					
		2. Confirmed in the rank of ASI and promoted to list "E" w.e.f 1-7-2003					
		3. Promoted as offg SI BPS-14 (2005-161-4480) w.e.f. 28-1-98					
		4. Confirmed in the rank of SI w.e.f 1-7-2006 vide order Enclt No. 5904-10/EC dt 1-7-09 according to Police Rule 13.18.					
Transfer to what month, quarter, year vide direct order no: 7400-4/EC dt 27/9/09							
		 Commandant Frontier Reserve Police N.W.F.P. Peshawar					
		 Y. M. Khan					
		vid dt					

2 SHO-period

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Aria 2

Tele No. 0927-210724
Fax No. 0927-210823

From: The District Police Officer, Karak.

To: The Dy: Inspector General of Police,
Kohat Region, Kohat

No. 10990 IEC, dated Karak the 31/7 /2009.

Subject: POSTING

Memo:

It is submitted that SI Ali Hassan of this District Police remained posted as SHO at the following Police stations:-

S. No	Name of Police stations	From	To
1.	Police station Khurram	04.06.2008	11.07.2008
2.	Police station Takht-e-Nasrati	12.07.2008	25.05.2009
3.	Police station Latamber	02.06.2009	17.07.2009
Total period as SHO		One year, one month & five days	

District Police Officer, Karak

Confirmation of Si

MINUTES OF THE MEETING HELD ON 27.04.2016 IN CONNECTION WITH CONFIRMATION OF OFFG: SIs TO THEIR SUBSTANTIVE RANK OF SIs.

26

Today on 27.04.2016, a DPC meeting regarding confirmation of Offg: Sub-Inspectors to their substantive rank of Sub-Inspectors chaired by the undersigned was held in Region Police Office, Kohat at 1000 hours and the following Police officers attended the meeting:-

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1. Mr. Sohaib Ashraf = District Police Officer, Kohat.
2. Mian Naseeb Jan = District Police Officer, Karak.
3. Mr. Shah Nazar = District Police Officer, Hangu.
4. Mr. Javed Ahmad = Dy: Supdt: of Police, Legal Kohat.

The chaired informed the officers about agenda of the meeting and after threadbare discussion on the issue, the cases of the following senior most / eligible Offg: SIs of Kohat Region were discussed with due deliberation according to Police Rules and prevalent confirmation policy as well as Standing Order Nos. 21/2014 & 03/2015 in addition to other required criteria and the decision arrived as under:-

Sr.#	Rank & Name	Posting / District	Decision
1.	Offg: SI Ali Hassan No. 26/K	A.C.E	Approved with his colleagues, as per original seniority
2.	Offg: SI Amal Khan No. 41/K	Karak district	Approved with his colleagues, as per original seniority
3.	Offg: SI Sami Ullah No.81/K	Kohat district	Approved with his colleagues, as per original seniority
4.	Offg: SI Naimat Ulah	Karak district	Approved with his colleagues, as per original seniority
5.	Offg: SI Muhammad Iqbal No.106	Invest: Kohat	Approved with his colleagues, as per original seniority
6.	Offg: SI Naeem Ullah	Invest: Kohat	Approved with his colleagues, as per original seniority
7.	Offg: SI Abdul Saeed	CTD	Approved with his colleagues, as per original seniority
8.	Offg: SI Gul Rehman No. 142/K	Special Branch	Not approved, mandatory period not completed
9.	Off: SI Anar Badshah No. 147/k	Kohat District	Not approved, mandatory period not completed / not qualified upper course
10.	Off: SI Abdur Rehman No. 149/k	Hangu District	Approved
11.	Off: SI Shah Wali No. 150/k	Karak District	Not approved, mandatory period not completed
12.	Off: SI Abdul Nawab No. 151/k	CTD	Not approved, mandatory period not completed
13.	Off: SI Dost Muhammad No. 154/k	Hangu District	Approved
14.	Off: SI Sakhi Marjan, No. 155/k	Karak District	Disable, not completed upper course and mandatory period
15.	Off: SI Kirman Ali No. 156/k	Inv: Hangu	Approved
16.	Off: SI Gul Shambah No. 157/k	Hangu District	Not approved, mandatory period not completed / not qualified upper course
17.	Off: SI Aman Ullah No. 158/k	Invest: Kohat	Approved
18.	Off: SI Muhammad Rokhan No. 159/k	Kohat District	Not approved, mandatory period not completed
19.	Off: SI Shamim Khan No. 160/k	Kohat District	Approved
20.	Off: SI Mehboob Ullah No. 161/k	CTD KPK	Not approved, mandatory period not completed / not qualified upper course
21.	Off: SI Razi Gul No. 7/k	Kohat District	

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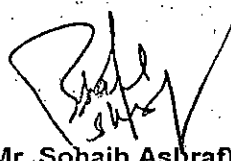
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22.	Offg: SI Naimat Ullah	Kohat District	Not approved, mandatory period not completed
23.	Off: SI Gul Shah Baraz No. 162/k	Karak District	Approved
24.	Off: SI Hassan Faqir No. 163/k	Kohat District	Not approved, mandatory period not completed / not qualified upper course
25.	Off: SI Ishfaq Khan No. 165/k	Kohat District	Not approved, mandatory period not completed
26.	Off: SI Habib-ur-Rehman No. 166/k	Invest: Hangu	Approved
27.	Off: SI Izhar Ali No. 167/k	CTD	Not approved, mandatory period not completed
28.	Off: SI Tahir Nawaz No. 168/k	CTD KPK	Not approved, mandatory period not completed
29.	Off: SI Muhammad Rahim No. 169/k	CTD KPK	Not approved, mandatory period not completed
30.	Off: SI Javed Hussain No. 170/k	Karak District	Approved
31.	Off: SI Mujtaba Ali No. 171/k	CTD KPK	Not approved, mandatory period not completed

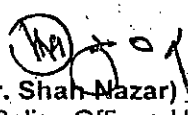
Members



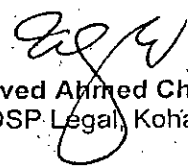
(Mr. Sohaib Ashraf)
District Police Officer, Kohat



(Mian Naseeb Jan)
District Police Officer, Karak



(Mr. Shah Nazar)
District Police Officer, Hangu



(Mr. Javed Ahmed Chughtai)
DSP Legal, Kohat



(AKHTAR HAYAT KHAN)
Regional Police Officer,
Kohat Region.
Chairman

OFFICE OF THE REGIONAL POLICE OFFICER, KOHAT REGION, KOHAT.

No. 4779-90 /EC, dated Kohat the 27/4 /2016.

Copy of above is submitted to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for favour of information please.

2. The Addl: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa Peshawar
3. The Dy: Inspector General of Police, CTD, Khyber Pakhtunkhwa
4. The Director, Anti-Corruption, Khyber Pakhtunkhwa, Peshawar
5. The SP, CTD, Kohat Region.
6. All Heads of Police Offices, Kohat Region.
7. Confidential Clerk, Region Office, Kohat.



(AKHTAR HAYAT KHAN)
Regional Police Officer,
Kohat Region.

From: -

To: -

The Regional Police Officer,
Kohat Region, Kohat.

- 50 F 1013
1. The Addl: Inspector General of Police,
Special Branch, Khyber Pakhtunkhwa, Peshawar.
 2. The Dy: Inspector General of Police,
CTD Khyber Pakhtunkhwa, Peshawar.
 3. The Commandant, PTC Hangu.
 4. The Deputy Commandant, Elite Force,
Khyber Pakhtunkhwa, Peshawar.
 5. The Director, Anti Corruption
Khyber Pakhtunkhwa, Peshawar.
 6. All Heads of Police Offices in Kohat Region.
 7. The Supdt: of Police, CTD, Kohat Region.

No. 7201-12 /EC, Dated Kohat the 27/8/2016.

Subject: -

RECOMMENDATION FOR PROMOTION TO LIST "F"

MEMO:

Please send full service particulars and Recommendation Roll of the following confirmed Sub Inspectors of this Region under Police Rule 13.15 (i) for promotion to list "F" on the enclosed prescribed proforma to this office within two days positively for onward submission to CPO Peshawar.

S. NO	Rank & Name	Place of Posting
1.	SI Ali Hassan No. K/26	A.C.E
2.	SI Shoukat Saleem No. K/31	Elite Force
3.	SI Aqleem Khan No. K/37	Karak District
4.	SI Amal Khan No. K/41	Karak District
5.	SI Mohib Ullah No. K/29	Karak District
6.	SI Faizullah Khan No. K/84	Inv: Kohat
7.	SI Mir Atlas No. K/63	SB KPK
8.	SI Wali Sher No. K/66	PTC Hangu
9.	SI Abdul Latif No. K/86	Karak District
10.	SI Rast Ali No. K/74	Inv: Karak
11.	SI Gul Faraz No. K/79	CTD KPK
12.	SI Ghulam Rasool No. K/80	CTD KPK
13.	SI Sami Ullah No. K/81	Elite Force
14.	SI Naimat Ullah No. K/96	Inv: Hangu
15.	SI Asal Khan No. K/101	Elite Force
16.	SI Nasrullah No. K/105	SB KPK
17.	SI Muhammad Iqbal No. K/106	Inv: Kohat
18.	SI Muhammad Nazir No. K/130	CTD KPK
19.	SI Sakhi-ur Rehman No. K/6	Karak District
20.	SI Naeem Ullah No. 02/K	PTC Hangu
21.	SI Abdul Saeed No. K/70	CTD KPK
22.	SI Amir Sultan No. K/76	Kohat Distt: (on-loan to Karak)
23.	SI Khan Ullah No. K/144	Inv: Karak
24.	SI Abdur Rehman No. K/149	Hangu Distt (on-loan to Inv: Kohat)
25.	SI Dost Muhammad No. K/154	SB KPK
26.	SI Kirman Ali No. K/156	Inv: Hangu
27.	SI Aman Ullah No. K/158	Kohat Distt (on-loan to Inv: Kohat)
28.	SI Shamim Khan No. K/160	Inv: Karak
29.	SI Razi Gul No. K/07	Kohat District
30.	SI Gul Shah Baraz No. K/162	Karak District
31.	SI Habib-ur-Rehman No. K/166	Inv: Hangu
32.	SI Javed Hussain No. K/170	Karak District

No. 7213 /EC

Regional Police Officer,
Kohat Region

Copy to the Inspector General of Police, Khyber Pakhtunkhwa,
Peshawar w/r to telephonic message from Mr. Ghafir Ullah OS CPO dated 27.06.2016.

F list

Date 22/09/2016

(18)

SI

FOR PUBLICATION IN THE KHYBER
PAKHTUNKHWA POLICE GAZETTE PART-II,
ORDERS BY THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA, PESHAWAR

NOTIFICATION

No. 3300 /E-III, ADMISSION TO LIST "F" Dated: 22/09/2016

As per recommendation of the DPC dated 11.08.2016 duly approved by the worthy Inspector General of Police Khyber Pakhtunkhwa, names of the following confirmed Sub-Inspectors are hereby included in List "F" with immediate effect:-

S.NO	NAME & NO.	REGION	RECOMMENDATION
1.	SI Allah Wasaya No. D/28	D.I.Khan	Recommended for inclusion of his name in List "F" with his colleagues.
2.	SI Ali Hassan No. K/26	Kohat	Recommended for inclusion of his name in List "F"
3.	SI Shoukat Saleem No. K/31	Kohat	Recommended for inclusion of his name in List "F"
4.	SI Aqleem Khan No. K/37	Kohat	Recommended for inclusion of his name in List "F"
5.	SI Muhammad Zaman No. K/74	Kohat	Recommended for inclusion of his name in List "F"
6.	SI Amal Khan No. K/41	Kohat	Recommended for inclusion of his name in List "F"
7.	SI Mohib Ullah No. K/29	Kohat	Recommended for inclusion of his name in List "F"
8.	SI Faizullah Khan No. K/84	Kohat	Recommended for inclusion of his name in List "F"
9.	SI Wali Sher No. K/66	Kohat	Recommended for inclusion of his name in List "F"
10.	SI Abdul Latif No. K/86	Kohat	Recommended for inclusion of his name in List "F"
11.	SI Rast Ali No. K/74	Kohat	Recommended for inclusion of his name in List "F"
12.	SI Gul Faraz No. K/79	Kohat	Recommended for inclusion of his name in List "F"
13.	SI Ghulam Rasool No. K/80	Kohat	Recommended for inclusion of his name in List "F"
14.	SI Sami Ullah No. K/81	Kohat	Recommended for inclusion of his name in List "F"
15.	SI Asal Khan No. K/101	Kohat	Recommended for inclusion of his name in List "F"
16.	SI Nasrullah No. K/105	Kohat	Recommended for inclusion of his name in List "F"
17.	SI Naeem Ullah No. K/02	Kohat	Recommended for inclusion of his name in List "F"
18.	SI Abdul Saeed No. K/70	Kohat	Recommended for inclusion of his name in List "F"
19.	SI Amir Sultan No. K/76	Kohat	Recommended for inclusion of his name in List "F"
20.	SI Khan Ullah No. K/144	Kohat	Recommended for inclusion of his name in List "F"
21.	SI Abdur Rehman No. K/149	Kohat	Recommended for inclusion of his name in List "F"



OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR.

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انٹرنیٹ
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Anwar P

No. 15 /E-II

PH: 091-9210239 Fax: 091-9210927
dated Peshawar the 31 / 1 / 2019

ORDER

On promotion the following Offg: Inspectors (BPS-16) are hereby transferred and posted as noted against each with immediate effect:-

S.NO	NAME	FROM	TO
1.	Fazal Malik No. 72/M	Malakand Region	Malakand Region
2.	Bahar Ali No. MR/18	Elite Force KP	Bannu Region
3.	Sajawal Khan No. D/39	DI Khan District	DI Khan District
4.	Bashir Hussain No. D/33	DI Khan District	DI Khan Region
5.	Muhammad Nawaz No. D/36	CTD KP	DI Khan Region
6.	Allah Dad No. D/40	CTD KP	DI Khan Region
7.	Shama Jan No. D/31	CTD KP	CTD KP
8.	Ghulam Yasin No. D/35	Special Branch KP	DI Khan Region
9.	Faiz Kalcem No. D/34	Tank District	DI Khan Region
10.	Zahoor Muhammad No. MR/121	District Mardan	Mardan Region
11.	Muhammad Nawaz No. MR/120	Special Branch KP	Special Branch
12.	Khalid Khan No. P/335	Special Branch KP	CTD KP
13.	Muhammad Rasheed No. P/338	EPTC Nowshera	EPTC Nowshera
14.	Razul Ali No. P/339	Special Branch KP	Mardan Region
15.	Murad Ali No. P/343	CCP, Peshawar	CCP Peshawar
16.	Gulzar Khan No. P/346	Investigation Unit CPO	Investigation Unit CPO
17.	Shah Nawaz No. P/348	CCP, Peshawar	Mardan Region
18.	Behramand No. P/397	Special branch KP	Special Branch
19.	Jangraiz Khan No. P/398	CPC Peshawar	Mardan Region
20.	Murad Ali No. P/354	Special Branch KP	Special Branch
21.	Muhammad Noor No. P/355	CCP, Peshawar	CCP, Peshawar
22.	Inam Ullah No. P/356	Traffic Police Peshawar	Special Branch
23.	Ihsan Ullah No. P/358	CCP, Peshawar	CCP, Peshawar
24.	Fazle Subhan No. P/359	CCP, Peshawar	Traffic Warden Peshawar
25.	Karam Elahi No. P/360	CCP, Peshawar	CTD KP
26.	Noor Muhammad No. P/361	CCP, Peshawar	CTD-KP
27.	Hidayat-ur-Rehman No. P/362	CCP, Peshawar	Traffic Warden Peshawar
28.	Anwar Ali No. P/363	CCP Peshawar	Mardan Region
29.	Mukhtiar Muhammad No. P/365	CCP Peshawar	Mardan Region
30.	Mushtaq Ali No. P/368	CCP, Peshawar	Mardan Region
31.	Khan Ghalib No. P/369	CPC Peshawar	PTC Hangu
32.	Jan Alam No. P/401	PTC Hangu	PTC Hangu
33.	Jehanzeb No. P/371	CTD KP	CTD KP
34.	Ashfaq Alam No. P/372	Special branch KP	Special Branch

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35	Aziz Ullah No. P/373	Traffic Warden Peshawar	Traffic Warden Peshawar
36	Musa Khan No. P/374	CPC Peshawar	ACE KP
37	Islah-ud-Din No. P/375	Traffic Peshawar	Traffic Warden Peshawar
38	Imdad Ullah No. P/376	Special Branch KP	FRP HQ
39	Irshad Ali No. P/377	CCP, Peshawar	Mardan Region
40	Muhammad Nacem No. P/379	Special Branch KP	Special Branch
41	Javed Iqbal No. P/381	CCP Peshawar	CCP, Peshawar
42	Farhad Hussain No. P/382	CCP, Peshawar	CTD KP
43	Qeemat Gul No. P/385	CCP Peshawar	CTD KP
44	Syed Rokhan Shah No. P/387	Special Branch KP	Special Branch
45	Khushal Khan No. P/388	Transport Deptt: KP	CTD KP
46	Himayat Ullah No. P/389	CCP, Peshawar	CTD KP
47	Bakht Diyan No. P/390	Special Branch KP	Elite Force
48	Muhammad Javed No. H/152	Intelligence School Abbottabad	Intelligence School Abbottabad
49	Muhammad Arif No. H/153	Intelligence School Abbottabad	Hazara Region
50	Zahir Shah No. 483/M	Special Branch KP	Special Branch
51	Nowsherawan No. 167/M	Malakand Region	Malakand Region
52	Fazal Miraj No. MR/124	Mardan District	PTC Hangu
53	Muhammad Akbar No. MR/127	Special Branch KP	Bannu Region
54	Ahmad Ali No. MR/132	Mardan District	Mardan Region
55	Raza Khan No. MR/131	Special Branch KP	Bannu Region
56	Ali Hassan No. K/26	ACE KP	CTD KP
57	Mohib Ullah No. K/29	District Karak	Kohat Region
58	Mir Atlas No. K/63	Special Branch	Kohat Region
59	Wali Sher No. K/66	District Karak	Kohat Region
60	Gul Faraz No. K/79	CTD KP	Kohat Region
61	Ghulam Rasool No. K/80	CTD KP	Kohat Region
62	Asal Khan No. K/101	Elite Force	Kohat Region
63	Muhammad Iqbal No. K/106	District Kohat	Kohat region
64	Nazir Muhammad No. K/130	CTD KP	CTD KP
65	Sakhi ur Rehman No. K/06	District Karak	Kohat Region
66	Nacem Ullah No. K/02	District Karak	Kohat Region
67	Amir Sultan No. K/76	District Kohat	Kohat Region
68	Abdur Rehman No. K/149	District Hangu	Kohat Region
69	Dost Muhammad No. K/154	ACE KP	CTD KP
70	Kirman Ali No. K/156	District Kohat	Kohat Region
71	Gul Shah Baraz No. K/162	District Hangu	PTC Hangu
72	Javed Hussain No. K/170	District Hangu	Kohat Region
73	Sakhawat Shah No. MR/135	Special Branch	Mardan Region
74	Amir-ud-Din No. MR/138	Mardan District	PTC Hangu
75	Nigah Hussain No. MR/139	District Swabi	Bannu Region
76	Habib Khan No. MR/141	Mardan District	Special Branch
77	Abdul Baseer No. MR/142	Nowshera District	CTD KP
78	Muhammad Fazil No. MR/143	District Mardan	Bannu Region
79	Muhammad Ramzan No. D/44	D.J Khan District	DI Khan Region

(82)

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80	Salceem Pervez No. D/06	D.I Khan District	DI Khan Region
81	Kashif Sattar No. D/15	D.I Khan District	DI Khan Region
82	Muhammad Alangir No. D/05	Bannu District	DI Khan Region
83	Habib ur Rahman No. 396/M	Malakand Region	CTD KP
84	Mir Azam No. 92/M	Malakand Region	Malakand Region
85	Juma Rahman No. 210/M	Malakand Region	Malakand Region
86	Muhammad Khalid No. 543/M	Malakand Region	CTD KP
87	Qurban Khan No. 553/M	PTC Hangu	PTC Hangu
88	Javed Iqbal No. 147/M	Malakand Region	Elite Force
89	Habib Said No. 163/M	Malakand Region	Malakand Region
90	Ijaz Ahmad No. 73/M	District Swat	CTD KP
91	Khan Bahadar No. 708/M	District Swat	Malakand Region
92	Abdul Waheed No. H/112	Hazara Region	Hazara Region
93	Muhammad Sajjad No. H/117	Hazara Region	Hazara Region
94	Muhammad Javed No. H/138	Intelligence School Abbottabad	Intelligence School Abbottabad
95	Khan Afsar No. H/139	District Haripur	Mardan Region
96	Naveed Ahmed No. H/140	Hazara Region	Hazara Region
97	Gohar Wakeel No. H/154	Hazara Region	Hazara Region
98	Saeed-ur-Rehman No. H/155	Hazara Region	Hazara Region
99	Abdul Rashid No. H/157	Special Branch KP	Hazara Region
100	Muhammad Bashir No. H/160	Abbottabad District	Hazara Region
101	Sher Nawas Khan No. 157/MR	District Mardan	Mardan Region
102	Bashir Ahmad No. 237/MR	District Mardan	Mardan Region
103	Muhammad Zaman No. 103/MR	District Mardan	Mardan Region
104	Atta-ur-Rehman No. 195/MR	District Mardan	Mardan Region
105-	Sajjad Ali No. 32/MR	Elite Force	CTD KP
106	Ashiq Hussain No. 92/MR	District Mardan	Mardan Region
107	Namir Khan No. 195/MR	District Swabi	Mardan Region
108	Umar Daraz Khan No. 51/MR	Special Branch KP	Bannu Region
109	Darwesh Khan No. P/24	CCP, Peshawar	Mardan Region
110	Muhammad Gul No. P/26	Special Branch	Mardan Region
111	Shaukat Ali No. P/29	ACE KP	Mardan Region
112	Mukhtiar Ullah No. P/31	CCP, Peshawar	CCP Peshawar
113	Nazeef-ur-Rehman No. P/36	CCP, Peshawar	CCP, Peshawar
114	Bakht Zali No. P/37	Special Branch	Traffic Warden Peshawar
115	Hamd Ali No. P/39	Special Branch	Elite Force
116	Umer Sher No. P/40	Invest: CPO	Invest: Unit CPO
117	Muhammad Nawaz No. P/42	FRP HQ	CTD KP
118	Muhammad Ikram No. P/48	NAB KP	CTD KP
119	Misal Khan No. P/54	CCP, Peshawar	CCP Peshawar
120	Hassan Zamir No. P/58	CCP, Peshawar	CTD KP
121	Qaisro Khan No. P/61	CCP, Peshawar	CPO Peshawar
122	Nasrullah No. P/67	CCP, Peshawar	Investigation CPO
123	Noor Gul No. 43/P	ACE KP	CTD KP
124	Gohar Ali No. 41/MR	Special Branch KP	Bannu Region

9 DPC revise-2012

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Amir Q. (2)

ORDER.

This order is passed on departmental appeal, preferred by SI Ali Hassan of this Region Police, presently posted in Anti-Corruption Establishment KPK wherein he has requested for revision / rectification of his date of confirmation as SI.

Record indicates that he was deferred from confirmation in the rank of SI during DPC Meeting, held in Region Office Kohat on 15.08.2012 due to "C" report in ACR for the year 2011.

He preferred a service appeal in Service Tribunal against "C" report, which was accepted and expunged vide Judgment dated 30.11.2015. In the light of Tribunal judgment, he preferred the instant representation for antedated seniority / confirmation.

His confirmation case was considered in DPC meeting, held in this office on 30.06.2018 and the committee unanimously agreed upon his antedated confirmation. Therefore, he is hereby confirmed to his substantive rank of SI with his colleagues w.e.f. 15.08.2012 and his seniority is fixed below the name of Habib Ullah and above the name of Muhammad Iqbal.

Necessary gazette notification may be issued accordingly.

(MUHAMMAD IJAZ KHAN) PSP
Regional Police Officer,
Kohat Region.

No. 7371-80 /EC, dated Kohat the 30/6 /2018.

Copy of above is submitted for favour of information to the :-

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Director, Anti-Corruption Establishment, Khyber Pakhtunkhwa Peshawar.
3. All District Police Officers in Kohat Region.
4. All Heads of Inv: in Kohat Region.
5. Confidential Clerk, Region Office, Kohat.

(MUHAMMAD IJAZ KHAN) PSP
Regional Police Officer,
Kohat Region.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR.

PH: 091-9210239 Fax: 091-9210927

No. 915 /E-II

dated Peshawar the 12 / 12 / 2018

ORDER

According to Regional Police Officer, Kohat Region Order No. 7371-80/EC, dated 30.06.2018, Sub-Inspector Ali Hassan No. K/26 of Kohat Region presently posted in Anti-Corruption Establishment Khyber Pakhtunkhwa preferred a departmental appeal wherein he requested for revision/rectification of his date of confirmation as Sub-Inspector. As per RPO Kohat Region order that SI Ali Hassan was deferred from confirmation in the rank of SI during meeting held in Region Office Kohat on 15.08.2012 due to "C" report in ACR for the year 2011. Sub-Inspector Ali Hassan preferred a Service Appeal in Service Tribunal against "C" report, which was accepted and expunged vide judgment dated 30.11.2015 in the light of Tribunal judgment SI Ali Hassan preferred the instant representation for antedated seniority/confirmation. SI Ali Hassan confirmation case was considered in DPC meeting held in RPO Office Kohat on 30.06.2018 and the committee unanimously agreed upon his antedated confirmation. Therefore Sub-Inspector Ali Hassan was confirmed with his colleagues with effect from 15.08.2012 and his seniority has been fixed below the name of Habib Ullah and above the name of Muhammad Iqbal. The Director ACE, Peshawar has forwarded an application of Sub-Inspector Ali Hassan wherein has requested to place his name in List "F" as per rule. The case of Sub-Inspector Ali Hassan was discussed in the DPC meeting held on 11.08.2016 in CPO and his name was brought on List "F" vide CPO Notification No. 3300/E-III, dated 22.09.2016 at Sr. No. 02.

A Sub-Committee was constituted to examine the representation cases of Police Officers and submit its reports for further decision in the DPC meeting.

The Sub-Committee recommended that his name may be placed at due place in the Seniority List of Inspectors/Sub-Inspectors on List "F" in the light of RPO/Kohat order wherein his confirmation in the rank of Sub-Inspector was revised. The DPC agreed with the sub-committee report.

As per recommendation of DPC dated 29.11.2018 the name of Inspector Ali Hassan No.K/26 is hereby placed at Serial No.38 in the seniority list of Inspectors above the name of Inspector Muhammad Iqbal No.K/10 and below the name of Inspector Saifullah Khan No. K/39 issued vide No.618-36/E-II, dated 29.06.2018.

Sd/-
(SALAH-UD-DIN KHAN)PSP
Inspector General of Police,
Khyber Pakhtunkhwa

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DSP-Cadre

INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Dated Peshawar the 24th Dec 2020

NOTIFICATION S.7 Para 5

NO CPOR Promotion 1557 In pursuance of the provision contained in Section 5 of the Promotion Rules 2007 and on the recommendations of Departmental Selection Committee meeting held on 18th August, 2020, the following Inspectors (BS-16) of Khyber Pakhtunkhwa Police are hereby promoted to the rank of Deputy Superintendent of Police (BS-17) on regular basis with immediate effect.

The officers on promotion shall remain on probation for a period of one year in terms of Section 6 (2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

The promotion shall take effect from the date they actually assume the charge of their higher responsibilities.

S#	Name of officers & No.
1.	Mazhar Jehan No. K/19
2.	Muhammad Riaz No. K/107
3.	Rajid Ali No. P/172
4.	Ali Khan No. P/174
5.	Waheed Ullah No. M/160
6.	Aliq-ur-Rehman No. M/261
7.	Ali Hassan No. K/26
8.	Mattoob Khan No. H/34
9.	Shah Nawaz No. H/35
10.	Shad Muhammad No. H/36
11.	Raja Mukhtar No. H/40
12.	Eazaf Wajid No. H/37
13.	Jehanzeb Khan No. H/39
14.	Muhammad Yousaf No. H/46
15.	Muhammad Sajjad No. H/47
16.	Fida Muhammad No. H/48
17.	Zahoor Ahmed No. M/127
18.	Nasim Hayat No. P/182
19.	Janan Habib No. P/186
20.	Arshad Ahmed No. P/187

DSP
Promotion

The posting notification will be issued separately.

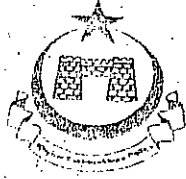
Sd/-
(DR. ISHTIAQ AHMAD) PSP/PPM
Additional Inspector General of Police
Headquarters, Khyber Pakhtunkhwa

Endst. No. & date even:

Copy forwarded to the:-

1. Chief Secretary Government of Khyber Pakhtunkhwa Peshawar
2. Principal Secretary to Governor Khyber Pakhtunkhwa
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa
4. Secretary Government of Khyber Pakhtunkhwa, Cell-3, Admin. Deptt. Peshawar
5. Secretary Government of Khyber Pakhtunkhwa, Home Deptt. Peshawar
6. Secretary Government of Khyber Pakhtunkhwa, Finance Deptt. Peshawar
7. Accountant General Khyber Pakhtunkhwa Peshawar
8. All Additional Inspectors General of Police in Khyber Pakhtunkhwa
9. All Deputy Inspectors General of Police in Khyber Pakhtunkhwa
10. All Inspectors of Police in Khyber Pakhtunkhwa

H.T.O



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(38)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA

Dated Peshawar the / / 2020

Endst: No. & date even.

Copy forwarded to the:-

1. Chief Secretary Government of Khyber Pakhtunkhwa Peshawar.
2. Principal Secretary to Governor Khyber Pakhtunkhwa.
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
4. Secretary, Govt: of Khyber Pakhtunkhwa Estt: Deptt: Peshawar.
5. Secretary, Govt: of Khyber Pakhtunkhwa Home & T.As Deptt: Peshawar.
6. Secretary, Govt: of Khyber Pakhtunkhwa Finance Deptt: Peshawar.
7. Accountant General Khyber Pakhtunkhwa Peshawar.
8. All Addl: IsGP in Khyber Pakhtunkhwa.
9. Commandant Elite Force, PTC Hangu and FRP Khyber Pakhtunkhwa.
10. DIG of Police Special Branch, Training and CTD Khyber Pakhtunkhwa.
11. Capital City Police Officer, Peshawar.
12. All DIsG in Khyber Pakhtunkhwa.
13. All Regional Police Officers, in Khyber Pakhtunkhwa.
14. All Head of Police offices in Khyber Pakhtunkhwa.
15. All concerned District Accounts Officers, in Khyber Pakhtunkhwa.
16. Registrar CPO Peshawar
17. Supdt: Secret CPO Peshawar.
18. Supdt E-II CPO Peshawar.
19. Supdt: CPB CPO Peshawar.
20. Accountant CPO.
21. Officers concerned.
22. Central Registry CPO.
23. U.O.P File.

11/9

KASHIF ZULFIQAR PSP
Assistant Inspector General of Police
Establishment, Khyber Pakhtunkhwa



Inspector General of Police
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

29

REVISED SENIORITY LIST OF DSSP BS-17 OF KHYBER PAKHTUNKHWA POLICE

Dated: 28/06/2022

58

No 1355/SE-I The Revised Seniority List of DSSP BS-17 of Khyber Pakhtunkhwa Police is hereby published for information to all concerned.

Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
1	Mr. Qasim Kamal	01/01/1963	Charsadda	01/01/1994	01/01/1996	07/11/2012
2	Mr. Muhammad Azeem Jan	11/04/1967	Peshawar	30/01/1996	30/01/1998	24/01/2014
3	Mr. Asim Shanzad	09/09/1966	Feshawar	30/01/1996	30/01/1998	30/05/2011
4	Mr. Muhammad Aiz	10/03/1969	Feshawar	30/01/1996	30/01/1998	19/03/2012
5	Mr. Waqar Ahmad	03/01/1968	Nowshera	01/04/1997	01/04/1999	19/03/2012
6	Mr. Muhammad Shafiq	13/01/1967	Bannu	01/10/1997	01/10/1999	19/03/2012
7	Mr. Muhammad Aiz	22/04/1964	Bannu	01/10/1997	01/10/1999	07/11/2012
8	Mr. Gul Naseeb	09/11/1969	Bannu	01/10/1997	01/10/1999	19/03/2012
9	Mr. Sanjida	10/01/1965	Lahore	01/10/1997	01/10/1999	31/03/2012
10	Mr. Amir Muhammad Khan	07/01/1970	Buner	14/10/1997	14/10/1999	19/03/2012
11	Mr. Ali Hassan	09/03/1965	K Agency	23/01/1998	23/01/2000	24/09/2020
12	Mr. Muzhar Ahmad	04/01/1969	Abbottabad	20/02/1998	20/02/2000	30/05/2011
13	Mr. Munir Hussain	30/05/1966	Mansehra	15/04/1998	15/04/2000	07/11/2012
14	Mr. Tahir ur Rahman	28/02/1969	Haripur	20/05/1998	20/05/2000	19/03/2012
15	Mr. Muhammad Suerman	25/07/1970	Mansehra	20/06/1998	20/06/2000	30/05/2011
16	Mr. Janay Khan	13/02/1965	Abbottabad	23/06/1998	20/06/2000	20/01/2011
17	Mr. Zulfkar Khan Jadhon	15/05/1963	Abbottabad	26/05/1998	20/06/2000	25/03/2013
18	Mr. Asad Mahmood	01/03/1968	Swabi	07/05/1998	07/05/2000	24/10/2014
19	Mr. Asif Gohar	07/08/1964	Mansehra	26/04/2000	25/04/2002	20/01/2011
20	Mr. Tahir Iqbal	20/01/1967	Haripur	26/04/2000	25/04/2002	25/03/2013

Annex 1

1

All promoted to BS-18
I was not
promoted due to
out of the

Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
21	Mr. Khair Muhammad	01/01/1972	Abbottabad	26/04/2000	26/04/2002	12/09/2014
22	Mr. Zaid ur Rehman	25/03/1970	Haripur	26/04/2000	26/04/2002	09/04/2015
23	Mr. Qasim Hayat	08/04/1971	Haripur	26/04/2000	26/04/2002	07/11/2012
24	Mr. Ijaz Ahmad	05/04/1963	Mansehra	26/04/2000	26/04/2002	12/09/2014
25	Mr. Asad Mahmood	15/08/1964	Mansehra	26/04/2000	26/04/2002	12/09/2014
26	Muhammad Javed	03/06/1963	Mansehra	26/04/2000	26/04/2002	27/10/2015
27	Mr. Faisal Niaz	01/04/1965	Swabi	02/05/2000	02/05/2002	07/11/2012
28	Mr. Tajmool Khan	23/09/1965	Swabi	03/07/2000	03/07/2002	24/01/2014
29	Mr. Tariq Ilabb	01/09/1968	Peshawar	20/09/2000	20/09/2002	31/03/2012
30	Mr. Nisar Ahmad	07/11/1973	Charsadda	20/09/2000	20/09/2002	31/03/2012
31	Mr. Tariq Iqbal	13/04/1974	Peshawar	20/09/2000	20/09/2002	31/03/2012
32	Mr. Asim Nawaz	01/03/1972	Lahore	20/09/2000	20/09/2002	31/03/2012
33	Mr. Ishaq Ahmad	01/11/1971	Lahore	20/09/2000	20/09/2002	07/11/2012
34	Mr. Saleem Arman Ullah	23/03/1970	Peshawar	20/09/2000	20/09/2002	19/07/2013
35	Mr. Abdul Rashid Mammat	30/03/1943	Lahore	01/09/2001	01/09/2003	25/03/2013
36	Mr. Muzhar Shah	30/04/1969	Mardan	02/06/2001	02/06/2003	25/03/2016
37	Mr. Noor Jamal	10/01/1965	Mardan	31/07/2001	31/07/2003	31/03/2012
38	Mr. Syed Munir Shah	18/10/1964	Haripur	17/11/2001	17/11/2003	24/01/2014
39	Mr. Nisar Ahmad	02/02/1970	Abbottabad	17/11/2001	17/11/2003	07/11/2012
40	Mr. Saad Akhtar	02/02/1971	Haripur	17/11/2001	17/11/2003	07/11/2012
41	Mr. Nisar Gul	07/03/1971	Abbottabad	17/11/2001	17/11/2003	24/01/2014
42	Mr. Muhammad Ishaq	04/05/1973	Mansehra	17/11/2001	17/11/2003	24/01/2014
43	Mr. Muhammad Mameed	35/10/1974	Abbottabad	17/11/2001	17/11/2003	02/04/2015
44	Mr. Muhammad Ayaz	03/03/1975	Abbottabad	17/11/2001	17/11/2003	07/11/2012
45	Mr. Muhammad Jamal Akhtar	22/02/1977	Haripur	17/11/2001	17/11/2003	07/11/2012
46	Mr. Saif ur Din	15/01/1976	Tank	23/11/2001	23/11/2003	07/11/2012
47	Mr. Talheed Khan	20/10/1963	Dikhan	23/11/2001	23/11/2003	07/11/2012
48	Mr. Nisar Muhammad	11/02/1971	Swabi	29/11/2001	29/11/2003	19/03/2012
49	Mr. Harneed Ullah	25/04/1974	Mardan	01/12/2001	01/12/2003	25/03/2013
50	Mr. Sagad Ahmad	01/04/1963	Swabi	01/12/2001	01/12/2003	24/01/2014
51	Mr. Shah Hassan	01/05/1968	Mardan	01/12/2001	01/12/2003	25/03/2013
52	Mr. Nisar Khan	18/10/1970	Mardan	01/12/2001	01/12/2003	08/04/2013

2

Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
54	Mr. Nisar Muhammad	23/01/1973	Lahore	17/04/2004	17/04/2006	24/01/2014
55	Mr. Harneed Ullah	05/03/1971	Nowshera	31/05/2004	31/05/2006	24/10/2014
56	Mr. Mustafa Kamal Pasha	01/09/1969	Bannu	07/10/2004	07/10/2006	02/04/2015
57	Mr. Arsal Ali Khan	06/01/1970	Bannu	07/10/2004	07/10/2006	07/04/2015
58	Mr. Shahrul Hussain Shah	15/09/1972	Lahore	07/10/2004	07/10/2006	10/09/2015
59	Arbab Shafiq Jan	09/10/1966	Peshawar	22/11/2004	22/11/2006	02/01/2014
60	Mr. Rafiq Jah	12/03/1963	Peshawar	22/11/2004	22/11/2006	02/01/2014
61	Muhammad Aiz Shah	01/03/1979	Charsadda	22/11/2004	22/11/2006	06/02/2014
62	Mr. Yaseen Arifan	11/05/1970	Peshawar	22/11/2004	22/11/2006	02/04/2015
63	Mr. Nisar Khan	25/10/1974	Peshawar	22/11/2004	22/11/2006	25/03/2013

Annex

LIST OF DSP (EXECUTIVE)

Seniority list 5th Noⁿ

60 Area Uⁿ (38)

Sr. No	Name of Officers	Date of Birth
1	Mr. Asim Shahzad	09.08.1968
2	Mr. Waqar Ahmad	03.01.1968
3	Mr. Gul Naveed	09.11.1968
4	Mr. Amir Muhammad Khan	07.01.1970
5	Mr. Ali Hassan	06.03.1965
6	Mr. Imroz Khan	10.02.1965
7	Mr. Zulfikar Khan Jadoon	15.06.1963
8	Mr. Asad Mehmood	08.03.1968
9	Mr. Asif Gohar	07.08.1964
10	Mr. Zahid ur Rehman	25.03.1970
11	Mr. Ijaz Ahmad	08.01.1963
12	Mr. Arshad Mehmood	15.08.1964
13	Muhammad Iqbal	01.06.1963
14	Mr. Saleem Aman Gillani	23.03.1970
15	Mr. Abdul Rashid Marwat	30.03.1963
16	Mr. Niaz Gul	07.03.1971
17	Mr. Salah ud Din	15.01.1970
18	Mr. Tanveed Khan	20.10.1963
19	Mr. Rahim Hussain	14.05.1970
20	Mr. Anjum Hussain	24.03.1971
21	Mr. Mural Ali	09.01.1973
22	Mr. Ali Gohar	23.03.1968
23	Mr. Habib Ur Rehman	05.03.1966
24	Mr. Nasir Khan	20.12.1972
25	Mr. Waqar Ahmad	12.04.1974
26	Mr. Abdus Salam Khalid	24.06.1976
27	Mr. Sajjad Hussain	23.03.1976
28	Muhammad Talib Shah	01.03.1972
29	Mr. Saqdar Khan	30.04.1971
30	Mr. Hidayat Ullah Shah	20.04.1965
31	Mr. Shakeel Ahmad	14.01.1969
32	Mr. Khun Khel	10.01.1969
33	Mr. Muhammad Saeed	01.05.1969
34	Mr. Rasheed Iqbal	15.01.1974
35	Mr. Muhammad Fayaz	07.03.1974
36	Ms. Anceela Naz	09.10.1971
37	Ms. Asmat Ara	15.04.1975
38	Mrs. Shazia Shahid	30.04.1976
39	Mr. Majeed Ur Rehman	02.04.1969
40	Mr. Nisar Muhammad	20.01.1973
41	Mr. Rahmat Ullah	05.03.1971
42	Mr. Mustafa Kamal Pasha	01.09.1969
43	Mr. Azmat Ali Khan	06.01.1979
44	Mr. Shabir Hussain Shah	15.06.1972
45	Arbab Shafiullah Jan	09.10.1966
46	Mr. Rafiullah	12.03.1968
47	Muhammad Atiq Shah	01.09.1978
48	Mr. Yasir Aman	11.08.1970
49	Mr. Naseer Ali	03.10.1975
50	Mr. Mural Ali	13.04.1965



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

No. 993 / Legal dated the 12 / 03 / 2023

1. All Unit Heads of Police in Khyber Pakhtunkhwa.
2. All Regional Police Officers in Khyber Pakhtunkhwa
3. The CCPO Peshawar.
4. All District Police Officers in Khyber Pakhtunkhwa.

Subject: ORDERS REGARDING WITHDRAWAL OF OUT OF TURN PROMOTIONS

In compliance with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in *Suo Moto Contempt proceedings* vide Crl.O. Petition No. 38/2021, Letter from CPO Peshawar under *Subject: Collection of data of police officers falling under the definition of Out of Turn Promotion* bearing No.CPO/CPB/75 dated 14.02.2023 was issued to all Unit Heads, RPOs and CCPO Peshawar to report Out of Turn Promotions cases from their respective Regions and Units.

2. Besides, Keeping in view the above, CPO issued a letter bearing No. 991/Legal dated 11.03.2023 under *Subject: Personal Hearing of Police Officials/Officers falling within the ambit of Out of Turn Promotions* in which it was requested to give personal hearing to all those Police officials/ officers who availed Out of Turn Promotions in their respective Regions positively on 12th March, 2023. In this regard, Police Officials/ Officers who availed Out of Turn Promotions and are borne at lists A, B & C were heard by respective District Police Officers whereas officers enlisted to lists 'D' & 'E' were heard by concerned Regional Police Officers and Unit Heads. Rest of officers on list 'F' and above were heard at CPO, Peshawar

3. Orders concerning withdrawal of Out of Turn Promotions/Cases, against officials who are borne on Lists A, B and C are to be issued by respective District Police Officers or concerned Superintendents of Police of Units. Besides, Police Officers who got Out of Turn Promotions and are borne on lists D & E, their withdrawal Orders are to be issued by respective Regional Police Officers and Unit Heads. Moreover, Orders relating withdrawal of Out of Turn Promotions against Police Officials/Officers who are borne in list F or above will be issued by CPO, Peshawar.

4. Likewise, Absorption Orders issued by CPO, Peshawar for officials who got absorbed in Telecommunications and Transport HQ from other Districts/Units will also be issued by CPO, Peshawar.

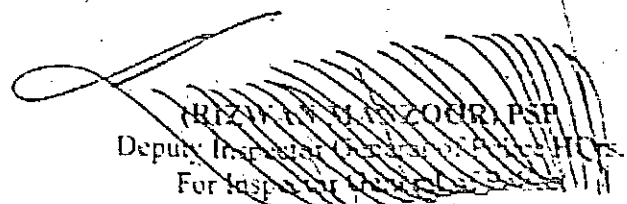
5. All Regional Police Officers, Units Head and District Police Officers are being requested to issue such Orders by 13.03.2023 so that the compliance report with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in *Suo Moto Contempt proceedings* vide

(44)

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Cr.O. Petition No. 38/2021 could be submitted to the Hon'ble Supreme Court of Pakistan on 16.03.2023.

6. The matter may be treated on immediate basis and copy of the Orders so issued must be shared with CPO Peshawar by *tomorrow 13.03.2023*


(RIZWAN) HANZOOR, PSP
Deputy Inspector General of Police, HQs
For Inspector General of Police
Khyber Pakhtunkhwa
Peshawar

Cc.

1. Additional Inspector General of Police, HQs, Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar.
3. AIG Legal CPO, Peshawar.
4. PSO to Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
5. Registrar CPO Peshawar.



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

No.

544 / Legal / E-1

dated the

14/03/2023 ✓

ORDER

In compliance with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in Suo Moto Contempt proceedings vide CrI.O. Petition No. 38/2021 and in pursuance of Judgments passed by Hon'ble Supreme Court of Pakistan in 2013 SCMR 1752, Civil Review Petition No. 193/2003 reported in 2015 SCMR 456, 2016 SCMR 1254, 2017 SCMR 206, 2018 SCMR 1218 and consolidated Judgment dated 30.06.2020 in Civil Petitions No. 1996, 2026, 2431, 2437 to 2450, 2501 and 2502 of 2019 on issues of Out of Turn Promotions, all Unit Heads, Regional Police Officers and District Police Officers of Khyber Pakhtunkhwa Police were directed vide this office Letter No. CPO/CPB/75, dated 14.02.2023, to ensure compliance of above mentioned Orders in letter and spirit. Accordingly, all Out of Turn Promotions granted to Police personnel either on gallantry or otherwise belonging to different Units, Regions & Districts have been withdrawn by the concerned authorities and consequently their seniority has been re-fixed along with their batch mates/ among immediate seniors and juniors who were promoted during their intervening period by maintaining original inter-se-seniority.

2. In view of the above, case regarding Out of Turn Promotion of Mr. Ali Hassan DSP was examined. As per details provided by office of RPO, Kohat Region vide Letter bearing No.3160/EC, dated 12.03.2023 on subject "collection of data of police officers falling under the definition of out of turn promotion". He is beneficiary of out of turn promotions. He was granted promotions by FRP authorities as Officiating ASI in the year 2009 with effect from 01.01.1996 & confirmed as ASI w.e.f. 01.07.2003, confirmed as SI w.e.f. 01.07.2006 in a single order vide Commandant FRP order No. 5904-10/EC, dated 01.08.2009. At present, he stands at S.No. 11 as DSP in the seniority list of DSsP issued vide CPO Peshawar No. 1594/SF-4, dated 05.08.2022. Withdrawal of all out of turn promotions, shall bring his name above the name of Inspector Nazeer Muhammad No. K/130 present at S.No. 222 in the seniority list of Inspectors issued vide No. 431/E-II/CPO/Seniority, dated 06.12.2022.

3. In this regard, Para 122 of Judgment of Hon'ble Supreme Court of Pakistan 2015 SCMR 456 is reproduced as under;

122. The issue of out of turn promotions has been dealt with by us in detail in the judgment sought to be reviewed and we reached the conclusion that it was violative of Articles 240, 242, 4, 8, 9 and 25 of the Constitution. Mr. Adnan Iqbal Chaudhry, learned Advocate Supreme Court has contended that section 9-A of the Act has not been struck down by this Court, while declaring the out of turn promotions as unconstitutional. We are mindful of this fact as we have held that the Competent Authority can grant awards or rewards to the Police Officers, if they show act of gallantry beyond the call of duty. However, we had struck down the very concept of 'out of turn promotion' being violative of Constitution for the reasons incorporated in paras 158 to 164 of the judgment under review.

4. As per Para No. 73 of Judgment of Hon'ble Supreme Court of Pakistan 2018 SCMR 1218 (Intra Court Appeals No.4 of 2017 etc) when any legislative instrument is declared unconstitutional, it is declared void ab initio. The Para No. 73 is being reproduced as under;

73. The contention of Khawaja Haris Ahmad, learned Sr.ASC that in Para No. 123 of Shahid Pervaiz's case (supra) this Court had wrongly observed that "we have already declared void ab initio the legislative instruments that provided for out of turn promotions." because nowhere in the earlier judgment was such a declaration made, is also without force. Suffice it to say that in Para 104 of Shahid Pervaiz' Case (Supra), it was observed that: "104. Through the successions of its orders, this Court has consistently maintained the unconstitutionality, and the consequential nullity of the instruments providing for the out of turn promotion." Moreover, in Para 129 of the judgment of Ali Azhar Khan Baloch's case (supra), this Court was pleased to observe that when any legislative instrument is declared unconstitutional, the effect of such declaration is that such legislative instrument becomes void ab initio. The relevant part of Para 129 is being reproduced hereunder: "129. Now, it is a settled law of this Court that no right or obligation can accrue under an unconstitutional law. Once this Court has declared a legislative instrument

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as being unconstitutional, the effect of such declaration is that such legislative instrument becomes void ab initio, devoid of any force of law, neither can it impose any obligation, nor can it expose anyone to any liability."

5. Similarly, Hon'ble Supreme Court of Pakistan Judgment reported as 2017 SCMR 456 vide Para No. 98 declared Out of Turn Promotions as null and void in the following terms which is reproduced as under:

98. In a series of judgments, this Court has declared out-of-turn promotions as being unconstitutional, un-Islamic, and void ab initio. The principle of unconstitutionality attached to the instrument providing for out of turn promotion was laid down first in the case of Muhammad Nadeem Arif vs. I.G of Police (2011 SCMR 408). The view taken in this judgment was followed in another case reported as Ghulam Shabbir vs. Muhammad Munir Abbasi (PLD 2011 SC 516); wherein it was held that out of turn promotion was not only against the Constitution, but also against the Injunctions of Islam; and that reward or award should be encouraged for meritorious public service but should not be made basis for out of turn promotion.

6. Mr. Ali Hassan DSP was given chance of personal hearing on 12.03.2023. He was patiently heard. He was of the view that his case does not fall in the ambit of out of turn promotions. However, perusal of his record reveals that as mentioned in Para No. 2 of this order that he is beneficiary of out of turn promotions. He was granted promotions by FRP authorities as Officiating ASI in the year 2009 with effect from 01.01.1996 & confirmed as ASI w.e.f. 01.07.2003, confirmed as SI w.e.f. 01.07.2006 in a single order vide Commandant FRP Order No. 5904-10/EC, dated 01.08.2009. At present, he stands at S.No. 11 as DSP in the seniority list of DSsP issued vide CPO Peshawar No. 1594/SE-I, dated 05.08.2022. Withdrawal of all out of turn promotions, shall being his name above the name of Inspector Nazeer Muhammad No. K/130 present at S.No. 222 in the seniority list of Inspectors issued vide No. 431/E-II/CPO/Seniority, dated 06.12.2022.

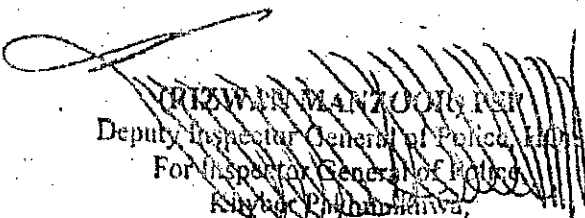
7. Consequently, all his Out of Turn Promotion Orders are withdrawn through this order and he is demoted from the rank of DSP to the rank of Inspector with immediate effect. His name is placed above the name of Inspector Nazeer Muhammad No. K/130 present at S.No. 222 in the seniority list of Inspectors issued vide No. 431/E-II/CPO/Seniority, dated 06.12.2022.

Sd/-

Akhtar Hayat Khan, PSP
PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA,

C.C

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Secretary, Home & TAs Department, Government of Khyber Pakhtunkhwa, Peshawar.
4. Additional Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar.
5. Additional Inspector General of Police, Operations Khyber Pakhtunkhwa, Peshawar.
6. All Regional Heads, Khyber Pakhtunkhwa, Peshawar.
7. All Heads of Police Units, Khyber Pakhtunkhwa.
8. PSO to W/ Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
9. AIG/ Legal, CPO, Peshawar.
10. Registrar, CPO, Peshawar.


MIRWAN MANZOOR, PSP
Deputy Inspector General of Police, HQrs
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

(*)

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To,

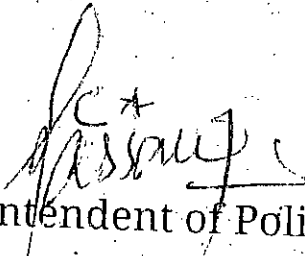
The Dy: Inspector General of Police Investigation
Khyber

Pakhtunkhwa, Peshawar

No: 180 / EC dated 10.4.2023

REPRESENTATION.

It is submitted that representation enclosed of the undersigned regarding demotion from DSP to the Inspector rank is submitted for onward submission to the Provincial Police officer, Khyber Pakhtunkhwa Peshawar please.



Superintendent of Police,
Investigation Khyber Pakhtunkhwa
Peshawar

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To,

The Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.

Through Proper Channel.

REPRESENTATION , AGAINST ORDER NO. 544/LEGAL /
E-I DATED THE 14.3.2023 AND NON-COMPLIANCE OF
THE HONOURABLE PESHAWAR HIGH COURT
PESHAWAR ORDERS.

It is submitted that the applicant has been aggrieved
on demotion Order issued by CPO Peshawar vide No.
544/E-I Legal dated 14.3.2023 from DSP to Inspector
rank with out justification , peeping into service
record , Seniority and in violation of promotion rules
mentioned in the Police Rules-1934 & 1937 and
contrary to the Honourable Peshawar High Court
Orders dated 4.4.2023.

Therefore, the applicant submit that ;

1. HE has qualified the following courses with batch
mates on selection by the competent authority
(a) Recruit Course term ending 30-6-1989.

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(b) qualified A-I examination on 16.1.1993 , B-I on 25.2 1995 and Lower College course term ending 20.9.1995 vide Notification No.8179-8250/HC dated 4.12.1995.

(c) Intermediate college course term ending 20.9.1996 vide Notification No. 6296-6326 /SRC dated 10.12.1996.

(d) Upper college course term ending 10.10.1998, vide PTC Hangu Notification No.6053-73/S/Result dated 27.10.1998.

(e) Admission to List " F" on 22.9.2016 vide CPO PESHAWAR Notification No. 3300/E-I dated 22.9.2016.

(f) Advance course mandatory for DSP post term ending 23.6.2019 .

(2) promoted as ASI On 1.1.1996 and confirmed on 1.7.2003 vide No. 5904-10/EC dated 1.8.2009.

(3) the applicant's name brought on promotion List "E" on 1.7.2003.

(4) on 28.1.1998 the applicant was promoted to the rank of Sub-Inspector w.e.f 28.1.1998 .

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(12)

(5) the applicant was promoted to the rank of Inspector on 30. 1. 2913 vide Notification No.CPO / E-II/ revised Promotion/ 180 dated 3.6.2020 .

(6) the applicant was promoted to the rank of DSP vide CPO Peshawar Notification No. 1559/SE-I dated 25.3.2020.

(7) the applicant was assigned final seniority in the rank of DSP at serial number 11 vide CPO Peshawar Notification No. 1594/SE-I dated 5.8.2022.

(8) the applicant's seniority has been altered and changed from serial number 11 of the DSsP to the Inspectors serial number 221 with out any proof, legal reasons , ignoring service rules etc and CPO Peshawar ordered the applicant's demotion from DSP to Inspector rank vide CPO Peshawar Notification No.544/Legal dated 14.3.2023 , although a Police Officer's seniority/promotion is governed by special law i.e Police Rules-1934 chapter 13.1, 13.4,13.5, 13.6 & A, 13.17, 13.18 & 13.10, and it is a great injustice with the applicant, although rules of nder the purview of the golden rules of Islam as well as constitution of the Islamic Republic of Pakistan 1973 doesn't allow it.

(9) in writ petitions No. 1289-P/2023 , Peshawar High Court Peshawar has also ordered on 4.4.2023 that DSP Seniority list issued on 29-3-2023 to the extent of the petitioners is suspended because the petitioners names have been excluded from it unlawfully and

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against the service Rules , thus the applicant name exists at Sr. 11 of the the DSsP Seniority list - 2022.

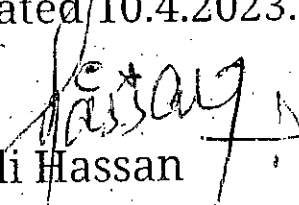
Prayers.

In light of the above facts , record and directives/orders of the Honorable Peshawar High Court Peshawar,

the applicant name may kindly be replaced to his due seniority of the DSP at serial number 11 and promotion as DSP and demotion Order No:544/Legal/E-I dated 14.3.23 may be with drawn, please.

Regards

Dated 10.4.2023.


Ali Hassan

Acting SP ,

Investigation,

District Orakzai.

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(45)

Amir J

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P No.1289-P/2023

Tayyab Jan and others

Vs.

**Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat, Peshawar and others**

Date of hearing **21.06.2023 and 22.06.2023.**

Petitioner(s) by: **Mr. Shumail Ahmad Butt, Advocate.**

Respondent(s) by: **Mr. Amir Javed, Advocate General and Mr. Hasnain Tariq, AAG along with Mr. Rizwan Manzoor, DIG(HQrs), Khyber Pakhtunkhwa Police, CPO. Muhammad Asif, AIG(Legal), CPO. Muhammad Tariq Usman, Inspector (Legal), CPO.**

JUDGMENT

IJAZ ANWAR, J. This writ petition has been filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer: -

"It is, therefore, very humbly prayed that on acceptance of this writ petition, this Hon'ble Court may very magnanimously hold, declare and order:-

- 3d
- i. That letter dated 11.03.2023, 12.03.2023 and office orders of demotion dated 16.03.2023 and any subsequent proceedings or orders emanating/erising therefrom are illegal, unlawful, without lawful authority and thus of no legal effect
 - ii. The respondents be permanently restrained from reversing the petitioners under the garb of Apex Court judgment passed in respect of out of turn promotes, which is not applicable to the case of petitioners as there was neither out of turn promotion cadetship or gallantry service in FRP and all the petitioners have gone their promotion after
- 4

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completing courses on their turn as per seniority. Any other relief in favour of the petitioner deemed just and appropriate".

2. In the instant case petitioners were initially appointed in the FRP as Constables and then gained promotion in the regular police as well as in the FRP after undergoing the requisite police training in the quota reserved for FRP. The question formulated for consideration of this Court primarily relates to the terms and conditions of service, because apparently, this case is distinguishable from other connected cases as in the instant case promotion order of the petitioners are withdrawn for the reason as it is out of turn and violative of the judgment of the Apex Court, however, on going through the same we find that no such issue ever raised in the judgments of the Apex Court referred in respect of out of turn promotions and in these cases neither the application/implementation of the judgment of the Apex Court is required, besides, such matters were also never referred in the judgment of a larger bench of this Court.

3. In the given circumstances, the matter primarily relates to the terms and conditions of the service, as such,

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we transmit the same to the Provincial Service Tribunal,
Peshawar for its decision strictly in accordance with law.

Copy of the memo of this petition be retained for the
purpose of record.

Announced
Dt: 27-8-23.

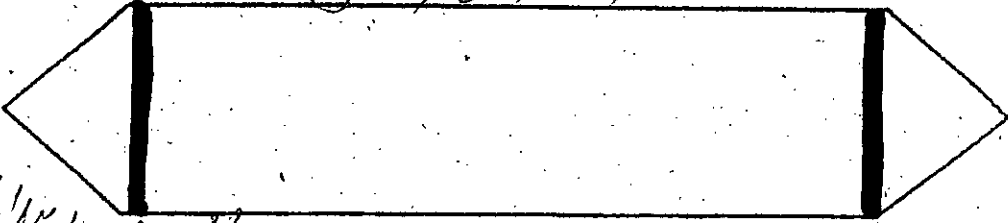
JUDGE

JUDGE

(And Shehad) *

(DB) Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice S.M. Attique Shah.

بعدالت



علی حسن
بنام گورنمنٹ وکھپہ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان دیالائیس اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے اتر کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار 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 باختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سدر ہے۔

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الرقوم 10
ماہ 29 20

واہ العب
بمقام
کے لئے منظور ہے۔

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