



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

In Ref: to COC No. 17/2022

Into EP 154/2022


Into Service Appeal

Appeal No. 12438/2020

FURQAN JAVED VS RPO BANNU ETC

PRO Bannu and other \_\_\_\_\_ Respondents

No	Description of papers	Annex	Pages
1	Written arguments	-----	3
2	AFFIDAVIT	-----	4
3	APPLICATION	-----	5
4	RELATED PAPERS	A	6-46

  
(Nazir Ahmad)

Advocate

Peshawar High Court Peshawar

Peshawar

Cell 0332-8540783.

14-02-2024  
Peshawar

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA  
PESHAWAR.**

**COC No. 17/2022 into EP No. 154/2021 into Service appeal No.  
12438/2020**

**Furqan Javed SI**

**Vs**

**RPO Bannu & other.**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 11019

Dated 06-02-2024

**Written arguments vide order sheet dated: 18/12/2023**

1) That the above cited Service appeal is decided in favour of appellant, CPLA filed by respondents was rejected by law department and the then PPO ordered RPO Bannu to implement the judgment dated 30.11.2020 which is still pending

2) Respondents filed Objection petition on 30.05.2023 against the judgment dated 30.11.2020. Which is also content of court as the judgment has got finality, whoever it was turned down after submission of reply on 13.07.2023. At present objection petition and its reply is the part of case file. Once again on 18.12.2023 on request of respondents with the plea that previous objection petition was not signed by authority i.e. IG the fresh petition will be signed by IG. If perused non of objection petition is signed by IG. That was only deceit of respondents to prolong implementation deliberately. Paravise written argument is as under

1) related to judgment dated 30.11.2020 no need of argument

2) As above

3) This para is totally incorrect, on 21.11.2022 provisional order no 353 dated 18.11.2022 was rejected by the chairman Service Tribunal and the pay of respondents no 1 and 2 was attached. Again on 20.12.2022 order no 370 dated 12.12.2022 was produced before chairman Service Tribunal, respondents were directed that the same may be modified in accordance with order of RPO D.I.khan passed in other case, copies were handed over to them with the surety of representative of respondents that order will modify within week, but till now the order is not modified despite of 5 clear orders of Tribunal vide order sheet 20.12, 13.07, 14.09, 02.10 and 30.10.2023, similarly the 2nd para is related for confirmation which is clear refusal of respondents for disobeying the court order that it will not disturb the overall seniority by getting senior

from his earlier batch as well as his colleagues by region of this analogy, the claim to this effect is unexecuted.

In this regard detail finding is submitted to Tribunal vide inst no 10071 dated 1st jan 2024. and the copy handed over to respondents. **(WHEN OTHER POLICE OFFICERS OF KP POLICE ASSIGNED SENIORITY THROUGH COURT AND BECAME SENIOR NOT ONLY FROM THEIR BATCH MATES, THEY ALSO SUPERSEDE HUNDREDS OF POLICE OFFICER OF THEIR EARLIER BATCH). SIMILARLY FOR CONFIRMATION VIDE SENIORITY LIST NO. 827 DATED: 06-04-2015 WHEN SI BALQIAZ KHAN NO. B/14, MUHAMMAD SALIM NO. 134/B AND MUHAMMAD AMIN NO. B/32 WOULD CONFIRMED W.E.F 31-05-2013 DULY PROMOTED AS SUB INSPECTOR ON 08-02-2011 WHY THE APPELLANT NOT IS ELLIGIBLE TO GET HIS DUE SENIORITY?** Under which law, rules and provision respondents restrict the appellant's seniority?

4) reply was submitted to respondents on 06.09.2023 through TCS tracking no PW591744567 to 70 regarding previous objection petition in which replies of para 4,5,6,7,8 and 9 is given and could be perused. Paper are attached as A.

5) The judgments of Apex courts cited at para 5 and 6 is for implementation of Police Rules 12-2(3) not for admission to list "E" and for confirmation of PASIs.

judgment of apex court 2002PLC(CS) 1403 IS crystal clear that PASIs will be confirmed from the date of enlistment whereas 2016 SCMR1254 stamped the admission to list "E" from the date of confirmation. Already submitted to tribunal vide inst No. 937 mis dated 23/11/2023.

6) As Above

7) Police Rules 12.8 and 19.25 explain only (1st) the period of probation of directly appointed Inspector, Sub Inspector and PASIs (2nd) their training in police training centers/practical training in district for completion of A, B, C and D courses (3rd) describe way of confirmation, nowhere it has mentioned therein that confirmation would be made with immediate effect similarly, in this phase "with immediate effect not with respective effect" are alien of police rules, DIG/HQ while issuing letter no 64 dated 13.02.2023 by inserting the phrase on his own whims as he distorted/misinterpreted the above provision of police rules. Neither police rules nor any law supported confirmation with words of "with immediate effect".

8) promotion policy has also been misinterpreted/misceved. It is correct that promotion policy will always be notified with immediate effect and the appellant will agree to the said provision but it is illogical to say that confirmation will be notified with immediate effect. The policy itself totally silent about the confirmation. The policy is limited only to promotion. Moreover, every policy of province is subject to KP Civil Servant Act 1973 and Section 7(5) of this act is very much clear on the date of confirmation which stipulates that confirmation shall take effect from the date of occurring of permanent vacancy. As the appointment of directly recruited police officers (junior rank) is made out against the permanent vacancies/ post and for that very reason they are entitled to be confirmed from the date of occurring of permanent vacancy (being his date of appointment too) Kp police has adopted this selection since 1996 as is evident from CPO Peshawar letter no 17031/E-11, dated 10.09.1996. It is worth to mention here that KP Public Service Commission make selection process only on the basis of permanent vacancy duly provided by every department. Moreover section 7(3) reveal that there shall be no confirmation against any temporary post.

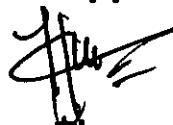
9) Reply is already given in para 5 above.

10) This para is totally in correct as judgment dated 30.11.2020 in Service appeal no 12438/2020 has got finality and whatever relief will be provided to the appellant, the law and propriety demand that it is to be complied with falling which will defeat the very purpose of Tribunal and the judgment so rendered with a message to everyone that KP police is above the law.

11) Record of Service Tribunal reveals that not a single prayer of the judgment is implemented since 2020.

It is therefore prayed that respondents may be directed to implement the judgment in its true letter and spirit, otherwise, the Tribunal has to exercise power under rule 27 of the KP Service Tribunal Rules 1973.

**Appellant**



**Through**

**(Nazir Ahmad)**

**Advocate**

**Peshawar High Court Peshawar**

**Cell No. 0332-8540783**

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO 12438/2020.

Sub Inspector Furqan javed, CO Ace Tank. \_\_\_\_\_ appellant

Vs

PRO Bannu and other \_\_\_\_\_ Respondents

AFFIDAVIT.

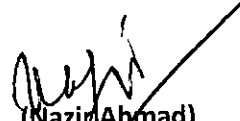
I, Nazir Ahmad Advocate High Court Peshawar do hereby solemnly affirm on oath that the contents of written arguments on behalf appellant is correct to the Best of my knowledge and nothing has been concealed from this honorable Tribunal.

Dated 02.02.2024

  
Appellant

Through

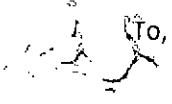


  
(Nazir Ahmad)

Advocate

Peshawar High Court Peshawar

Peshawar



The Registrar,  
Khyber Pakhtunkhwa,  
Service Tribunal Peshawar.

Subject: REPLY OF ORDER SHEET DATED 27-11-2023 INTO COC 17-22 INTO SERVICE APPEAL  
NO.12438 / 2020.

Respectfully sheweth,

Contempt of Court application in pending trial next date is fixed on 05-01-2024 written arguments alongwith its related documents is hereby submitted for annexure in main file in for further trial.

Dated 02/01/2024

  
Appellant

Through



  
(Nazir Ahmad)

Advocate

Peshawar High Court Peshawar


Peshawar

opards

PHASE 3 PW

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 <p>W59328316</p>	<p>To: REGIONAL POLICE OFFICER</p> <p>Address: BANNU REGION BANNU</p> <p>Contact: 0300000000 / 0926927476</p>	<p>Pieces: 1</p> <p>Charge Weight: 0.25 (kg)</p> <p>Dimension: N/A x N/A x N/A</p> <p>Val Declared: 2000.00 Rs</p> <p>Insurance: 1% 20.00 Rs</p> <p>Rate: 380.00 Rs</p> <p>MTD Amount: 100.00</p> <p>VAT: 0.00 Rs</p> <p>Trade Discount: 0.00 Rs</p> <p>*10% Fuel Impact Included</p> <p>Net Amount: 435.00 Rs</p> <p>Sales Tax: 10.00</p> <p>Payable Amount: 50.00</p>
<p>MTD: 07-09-2023 (1200 01.0)</p>	<p>From: YOUNAS JAVED SSPID</p>	
<p>User: PHASE3 PW</p>	<p>Address: HOUSE 158 C JHANG AT BANNU</p>	
<p>Booking Date/Time: 06 Sep 2023 13:31:31</p>	<p>Contact: 0300000000 / 0926927476</p>	
<p>Origin: PESHAWAR</p>	<p>NTN</p>	
<p>Destination: BANNU</p>	<p>CMC: 1270170310001</p>	
<p>NTN NO: 25714924</p>		
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## TERMS AND CONDITIONS OF CARRIAGE

Goods carried under the rules relating to liability established by the carriage by Air Act- 1934 (xx of 1934) as adopted and modified by the

Central Government of Pakistan for domestic carriage -14th March, 1963 (here in after called the Act)

Attention of the shippers is particularly invited to the following condition:- 1. Receipt by the person entitled to delivery of cargo without complain is prime facie evidence that the goods have been delivered in good condition and in accordance with the contract of carriage, 2 Except as the Act or other applicable law otherwise requires:- (i) Leopards is not liable to shipper or to any other person



for any damage, delay or loss in part or in full of what so ever nature arising out of or in connection with the carriage of the goods (ii) Leopards is not liable for any damage directly or indirectly arising due to compliance with laws, government regulation, order or requirement. (iii) In the carriage of cargo the liability of the Leopards in respect of the destruction, loss, damage, delay or non-delivery is restricted to a sum of Rs. 100 per kg unless the shipper has made at the time when the cargo was handed over to Leopards a special declaration of the value of the consignment and has paid a supplementary sum. In that event Leopards liability for compensation shall not exceed shippers declared value and/or the claims admitted by the insurance company which ever is less. (iv) Leopards is authorised to carry the goods by Air, Train or road. 3 That Leopards reserves the right to check the cargo at the time of acceptance or delivery to ascertain the contents there in. 4 In case of damage and/or shortage of cargo, the person entitled to delivery must complain to the Leopards forth with after the discovery of the damage and in no case after seven days from the date of receipt of cargo. Every complaint must be made by notice in writing dispatched within the time stated above, falling which no action shall be valid against Leopards 5. No agent, servant or representative of Leopards has the authority to alter modify or waive any provision of this contract. 6. The execution of the Consignment Notes is prime facie evidence of the conclusion of contract between Leopards and the consignor.

### MATERIALS NOT ACCEPTED FOR TRANSPORT

Leopards Will not carry:-

Currency, Stamps, Works of Arts, Jewellery, Precious Metal, Precious Stone, Bullion, Fire Arms, Explosive, Antique, Plants, Animals, Foodstuff, Liquor, Tobacco, Perishable, Negotiable Instruments in bearer form, Lewd obscene or Pornographic material, Industrial Carbons and Diamonds. IATA restricted article including hazardous or combustible materials, Property the carriage of which is prohibited by any law, regulation or statute of any Provincial or Federal Government of Pakistan. Leopards is not responsible for loss or damage of articles unless insured and insurance is the responsibility of the shipper



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 Tracking # : PW591744569 	To : AIG E AND STT KPK Address : CENTRAL POLICE OFFICE SAHIBZADA A QAYUM ROAD PEW Contact : 03000000000 / 0919210457	Pieces : 1 Charged Wgt : 0.25 (KG) Dimension : N/A x N/A x N/A Val. Declared : 2000.00 Rs Insurance : 1% 20.00 Rs Rate : 280.00 Rs MTD Amount : 0.00 Rs VAS : 0.00 Rs Trade Discount : 0.00 Rs <b>*10% Fuel Impact Included</b>
	MTD : ( ) User : PHASE3.PW Booking Date/Time : 06 Sep 2023 13:30:35 Origin : PESHAWAR Destination : PESHAWAR NTN NO : 2824502-4 Sales Tax Reg No: N28245 2-4	From : YOUNAS JAVED SSPIR Address : HOUSE 468-C JHANG ST BANNU Contact : 03009060200 / NTN : CNIC : 1210170810901

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Central Government of Pakistan for domestic carriage -14th March, 1963 (here in after called the Act)

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1. Receipt by the person entitled to delivery of cargo without complaint is prima facie evidence that the goods have been delivered in good condition and in accordance with the contract of carriage.

2 Except as the Act or other applicable law otherwise requires:- (i) Leopards is not liable to shipper or to any other person

for any damage, delay or loss in part or in full of what so ever nature arising out of or in connection with the carriage of the goods (ii)

Leopards is not liable for any damage directly or indirectly arising due to compliance with laws, government regulation, order or requirement. (iii) In the carriage of cargo the liability of the Leopards in

respect of the destruction, loss, damage, delay or non-delivery is restricted to a sum of Rs. 100 per kg unless the shipper has made at the

time when the cargo was handed over to Leopards a special declaration of the value of the consignment and has paid a

supplementary sum. In that event Leopards liability for compensation shall not exceed shippers declared value and for the

claims admitted by the insurance company which ever is less. (iv) Leopards is authorised to carry the goods by Air, Train or road. 3 That

Leopards reserves the right to check the cargo at the time of acceptance or delivery to ascertain the contents there in. 4 In case of

damage and/or shortage of cargo, the person entitled to delivery must complain to the Leopards forth with after the discovery of the damage

and in no case after seven days from the date of receipt of cargo. Every complaint must be made by notice in writing dispatched within the

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authority to alter modify or waive any provision of this contract. 6. The execution of the Consignment Notes is prima facie evidence of the

conclusion of contract between Leopards and the consumer.

**MATERIALS NOT ACCEPTED FOR TRANSPORT**

Leopards Will not carry:-



Currency, Stamps, Works of Arts, Jewellery, Precious Metal, Precious Stone, Bullion, Fire Arms, Explosive, Antique, Plants, Animals,

Foodstuff, Liquor, Tobacco, Perishable, Negotiable Instruments In bearer form, Lewd obscene or pornographic material, Industrial

Carbons and Diamonds. IATA restricted article including hazardous or combustible materials, Property the carriage of which is prohibited by

any law, regulation or statute of any Provincial or Federal Government of Pakistan. Leopards is not responsible for loss or damage of articles

unless insured and insurance is the responsibility of the shipper

Shipment Information	Client Information	Price Information
 Tracking #: <b>PW591744568</b> 	<b>To :</b> ADDLIG HQ KPK PEW  <b>Address:</b> CENTRAL POLICE OFFICE SAHIZADA AQAYUM ROAD PEW  <b>Contact :</b> 03000000000 / 0919210457	<b>Pieces :</b> 1 <b>Charged Wgt :</b> 0.25 (KG) <b>Dimension :</b> N/A x N/A x N/A
		<b>Val. Declared :</b> 2000.00 Rs <b>Insurance :</b> 1% 20.00 Rs <b>Rate :</b> 280.00 Rs <b>MTD Amount :</b> 0.00 Rs <b>VAS :</b> 0.00 Rs <b>Trade Discount :</b> 0.00 Rs <b>*10% Fuel Impact Included</b>
<b>MTD :</b> ( ) <b>User :</b> PHASE3.PW <b>Booking Date/Time :</b> 06 Sep 2023 13:29:14 <b>Origin :</b> PESHAWAR <b>Destination :</b> PESHAWAR <b>NTN NO :</b> 2824502-4 <b>Sales Tax Reg No:</b> N2824502-4	<b>From :</b> YOUNAS JAVED SSPIR <b>Address:</b> HOUSE 468-C JHANG ST BANNU  <b>Contact :</b> 03009060200 / <b>NTN :</b> <b>CNIC :</b> 1210170810901	<b>Net Amount :</b> 261.00 Rs <b>Sales Tax :</b> 15% 39.00 Rs <b>Payable Amount:</b> 300.00 Rs <b>Description :</b> B-00 <b>Codes :</b>

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respect of the destruction, loss, damage, delay or non-delivery is restricted to a sum of Rs. 100 per kg unless the shipper has made at the

time when the cargo was handed over to Leopards a special declaration of the value of the consignment and has paid a

supplementary sum. In that event Leopards liability for compensation shall not exceed shippers declared value and for the

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conclusion of the contract between Leopards and the consignor.

**MATERIALS NOT ACCEPTED FOR TRANSPORT**

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Currency, Stamps, Works of Arts, Jewellery, Precious Metal, Precious Stone, Bullion, Fire Arms, Explosive, Antique, Plants, Animals,

Foodstuff, Liquor, Tobacco, Perishable, Negotiable Instruments in bearer form, Lewd obscene or pornographic material, Industrial

Carbons and Diamonds. IATA restricted article including hazardous or combustible materials, Property the carriage of which is prohibited by

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unless insured and insurance is the responsibility of the shipper

Shipment Information	Client Information	Price Information
Tracking # : 2824502-4 	To : DIG I LEGAL KPK PEW Address: CPO SAHIBAZADA AQAYUM ROAD PEW Contact : 03000000000 / 0919210457	Pieces : 1 Charged Wgt : 0.25 (KG) Dimension : N/A x N/A x N/A Val Declared : 2000.00 Rs Insurance : 1% 20.00 Rs Rate : 280.00 Rs MTD Amount : 0.00 Rs VAS : 0.00 Rs Trade Discount : 0.00 Rs *10% Fuel Impact Included Net Amount : 261.00 Rs Sales Tax : 15% 39.00 Rs Payable Amount: 300.00 Rs
User : PHASE3.PW Booking date: 23 Sep 2023 13:28:10 C/O : PESHAWAR C/O : PESHAWAR NTN : 2824502-4 Sales Tax Reg No: N2824502-4	From : YOUNAS JAVED SSPIR Address: HOUSE 468-C JHANG ST BANNU Contact : 03009060200 / NTN : CNIC : 1210170810001	Description : Codes

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### MATERIALS NOT ACCEPTED FOR TRANSPORT

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A.



To,

The Deputy Inspector General of Police, legal  
Khyber Pakhtunkhwa, Peshawar.

Subject: REQUEST FOR IMPLEMENTATION OF THE JUDGMENT DATED 30/11/2020 PASSED KP SERVICE TRIBUNAL TITLED FURQAN VS RPO BANNU AND OTHER.

Respected Sir,

It is submitted that my son has been running from pillar to post for the last 05 years for seeking his due right of promotion/seniority. Firstly, he knocked at the door of each competent authority for granting his due right but in vain. At last, he preferred an appeal before KP Service tribunal, where his plea and prayers were accepted. Aggrieved from the judgment, Department moved CPLA in the Supreme Court of Pakistan against the decision of KP Service Tribunal. Where the CPLA of department was not entertained. Thereafter, we requested the implementation of the said judgment, on several occasions, from the competent authorities but with no positive response despite of that WPO has already issued order for implementation of the judgment vide No. 159/2021. That is why, having no other option, we reluctantly; moved an execution petition for the implementation of the said judgment. Now, instead of implementation of the judgment, the committee, constituted at CPO level has advised my son to withdraw the execution petition as they are unable to implement the judgment in the light of letter issued from CPO Peshawar letter No. CPO/CPB No. 64, dated 13/02/2023 and judgment of Supreme of court of Pakistan dated 02-11-2022, for which detail reply was given through lawyer on 10/08/2023. (copy is at annexure-A) which is worth perusal and well explanatory.

Moreover, on 18/08/2023, during hearing, DSP/Legal, Mohammad Farooq sought time for implementation which was accepted and he was directed to submit implementation report in letter and spirit on 14/09/2023 (copy of order sheet is at annexure-B)

In view of the above it is humbly requested that the Judgment of KP Service tribunal may be implemented in letter & spirit by placing the name of my son Furqan Javed on promotion list E with effect from 10/02/ below the name of OSI Muhammad Salim No. 31/B, admitted to list "E"/ promoted as sub inspector on 08/02/2011 and confirmed as sub inspector on 31/05/2013 and above the name of OSI Javed Iqbal No. 55/B, admitted to list "E" and promoted as sub inspector on dated 31/03/2011 and 10/09/2013 respectively vide seniority list No. 827/EC, dated 06/04/2015, (copy of seniority list is at annexure-C). After promotion as sub-inspector, confirmation may be made to the rank of Sub inspector under PR: 13.18.

*Mushtaq  
Geo. Acc. Tank*

✓ 1. Addl I G / I G Peshawar  
2. RPO Bannu Region Bannu  
3. AIG / Estt Ctr Peshawar

*(Signature)*  
(YOUNIS JAVED)  
EX-Superintendent of Police  
Cell phone No. 03009060200. 2023

BEFORE WORTHY PPO KHYBER PAKTHUNKHWA PESHAWAR

In Ref: to COC No. ....

In EP 154/2022

in Service Appeal

Appeal No. 12438/2020

IND

FURQAN JAVED VS RPO BANNU ETC

No	Description of Papers	Annex	Pages
1	APPLICATION THROUGH LAWYER		2
2	JUDGEMENT OF SERVICE TRIBUNAL KPK PESHAWAR DATED: 30-011-2023	A	3-8
3	ORDER OF REJECTION OF CPLA	B	9
4	IMPLEMENTATION ORDER OF WORTHY PPO NO 159/21	C	10
5	LETTER NO 64 DATED: 13-02-2023 FROM DIG/HQR	D	11-13
6	JUDGMENT OF APPEX SUPREME COURT DATED: 02-11-2022	E	14-22
7	LETTER NO. 17031-E-II DATED: 10-09-1996 IGP KPK	F	23-27
8	CIVIL SERVANT ACT 1973 SECTION 7	G	28
9	LETTER SE-1/1724-1823/7 EV DATED: 10-03-2004 OF IGP PUNJAB	H	29-30

*M. Nazir Ahmad*  
*Adv. Nazir Ahmad*

(Nazir Ahmad)

Advocate Peshawar High Court  
Peshawar.

Cell 0332-8540783.



The Worthy Inspector General of Police,  
Khyber Pakhtunkhawa, Peshawar.

Subject: REQUEST FOR GRANTING DUE CONFIRMATION/SENIORITY TO SI FURQAN JAVED IN THE LIGHT OF KP SERVICE TRIBUNAL JUDGMENT DULY APEX COURT OF SUPREME COURT OF PAKISTAN.

Respected Sir,

With due deference and great reverence, it is submitted: (1)

My client has been running from pillar to post for the last 05 years for seeking his due right of promotion/seniority. Firstly, he knocked at the door of each competent authority for granting his due right but in vain. At last, he preferred an appeal before KP Service tribunal, where his plea and prayers was accepted (copy of judgment is at annexure-A). Aggrieved from the judgment, Department moved CPLA in the Supreme Court of Pakistan against the decision of KP Service Tribunal. Where the CPLA of department was not entertained (copy is at annexure B). Thereafter, we requested the implementation of the said judgment, on several occasions, from the competent authorities but with no positive response despite of that WPPO has already issued order to implement the judgment 30.11.2021 vide No. 159/2021 (Copy is at annexure-C). That is why, having no other option, we reluctantly, moved an execution petition for the implementation of the said judgment. Now, instead of implementation of the judgment, the committee, constituted at CPO level has advised my client to withdraw the execution petition as they are unable to implement the judgment in the light of letter issued from CPO Peshawar letter No. CPO/CPB No. 64, dated 13/02/2023 (copy is at annexure-D) and judgment of Supreme Court of Pakistan dated 02-11-2022 (copy is at annexure-E)

Sir,

In order to rebut the instructions, issued in the above letter, I, humbly offer the following para wise submissions:

5. Paras No, 1,2,3 and 04 of letter are correct to the extent that Police rules 12.08 and 19.25 explain only the (1) the period of probation of directly appointed Inspectors, sergeants, sub inspectors and ASIs, (2) their training in police training school/practical training in the district for completion of programme i.e Course A, B, C and D and (03) describe way of confirmation. Nowhere, it has been mentioned, therein, that confirmation would be made with immediate effect. Similarly, In para -4, the phrase "with immediate effect not with retrospective effect" are alien to police rules. By inserting the said phrase on his own whims, DIG HQrs, has distorted /misinterpreted the above provisions of police rules. Neither police rules nor any other law has supported confirmation with the words of "with immediate effect".
6. That in para -05, promotion policy has also been misinterpreted/ misconceived. It is correct that promotion will always be notified with immediate effect and we are agree to the said provisions but it is illogical to say that confirmation will be notified with immediate effect. The policy itself

*Handwritten notes:*  
Approved  
JLO-ACE-TANK

is totally silent about the provision of conformation. The policy is limited only to promotion. Moreover, every Policy of the province is subjected to KP Civil Servant Act 1973 and Section 7(05) of the KP Civil Servant, 1973, is very much clear on the date of confirmation which stipulates that confirmation shall take effect from the date of occurring of permanent vacancy. As the appointment of directly recruited police officers (junior police ranks) is made out against the permanent vacancies/post and for that very reason, they are entitled to be confirmed from the date of occurring of permanent vacancy (being his date of appointment too). KP Police has adopted this section since 1996 as is evident from CPO Peshawar letter no. 17031/E-II, dated 10/09/1996. (Copy is at annexure-F).

7. Public Service Commission always make selection process of any post on the basis of Purely permanent vacancies duly provided by every department of kpk. As well as Section 7 (3) reveal that **THERE SHALL BE NO CONFIRMATION AGAINST ANY TEMPORARY POST** (Relevant page is annexure as G)
8. That Judgment of supermen Court Pakistan, cited in Para -6, relates to Punjab Police officers. The said judgment too stresses upon mainly on the implementation of police rules 12-2(3) duly mentioned at para-12 (copy is already annexure- at E ). Moreover, Punjab Police, while farming policy in the light of judgment of the apex court, has already decided that all the officers will be confirmed as ASI/Sub Inspector from the date their appointment/promotion (copy letter no. SE-I/1724-1823/EV dated 10-03-2004 is at annexure-H).
9. That DIG HQrs disrupted the powers of RPOs delegated to them under rule 19.25(05) as well as the smooth prevailing procedure for confirmation of direct ASI by issuing a single letter issued on behalf of WPPO No. 64, dated 13.11.2022

In view of the above, it is earnestly requested that the case of confirmation/promotion of SI, Furgan Javed may be processed under police rules 12-2(3) read with section 7(5) of KP Civil servant act 1973, judgment of KP Service tribunal as well as in the light of letter issued by Punjab police in the best interest of justice please.

Applicant Through

  
(NAZIR AHMAD)

Advocate High court Peshawar.

Cell: 0332-8540783

*Accepted  
D. 8/23*

Date: 10.8.23

فیدل

**BEFORE THE KHYBER-PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 12438/2020

Date of Institution ... 13.10.2020

Date of Decision ... 30.11.2021

(A) Page 3

Furqan Javed S/O Younas Javed Mirza R/O House No.466/C, Jhang Street, Bannu City. ... (Appellant)

(A)

**VERSUS**

Government of Khyber Pakhtunkhwa through Secretary Home Department, Civil Secretariat, Peshawar and two others. ... (Respondents)

Amin Ur Rehman Yusufzai,  
Advocate

... For Appellant

Muhammad Rasheed,  
Deputy District Attorney

... For Respondents

ROZINA REHMAN  
ATIQ-UR-REHMAN WAZIR

... MEMBER (JUDICIAL)  
... MEMBER (EXECUTIVE)

W

**JUDGMENT**

**ATIQ-UR-REHMAN WAZIR MEMBER (E):-** Brief facts of the

case are that consequent upon recommendations of Public Service Commission, the appellant was initially appointed as Assistant Sub Inspector (ASI) in Police Department vide order dated 15-12-2010. After completion of officiating period, the appellant was confirmed as ASI with effect from the date of his regular appointment against such post i.e. 10-02-2011. The respondents instead of his date of confirmation entered his name in E list on 08-05-2014 and on the basis of which a revised seniority list dated 27-07-2020 was drawn, which was bad for his future maneuver for promotion, hence he preferred a departmental appeal, which was filed vide order dated 20-05-2020. The appellant filed review petition

Muhammad  
Atiq-ur-Rehman Wazir

PRAYER

dated 23-06-2020, which was not responded within the statutory period, hence the instant service appeal with prayers that the impugned order dated 20-05-2020 may be set aside and seniority list dated 27-07-2020 may be revised to the extent that the appellant name be placed at list E with effect from the date of appointment i.e. 10-02-2011 and in view whereof, his officiating promotion order dated 03-06-2016 to the rank of Sub Inspector be revised and be given effect from the date of his eligibility and be confirmed as Sub Inspector under Rule-13(18) of Khyber Pakhtunkhwa Police Rules, 1934 with all consequential benefits.

4

PRAYER

02. Learned counsel for the appellant has contended that the appellant has neither been treated in accordance with law nor has he been extended equal protection of law, rather his legal vested rights have been violated; that as per rule, list E of all ASIs to be published in the police gazette annually in accordance with Rule-13:11 of Police Rules, 1934; that entry of the officers to such list shall be made from the date of confirmation, but the said list has neither been issued nor circulated to the officers concerned; that the impugned list has been prepared in deviation of rules, hence illegal, therefore, required to be rectified to meet the ends of justice; that Rule-12:2(3) of Khyber Pakhtunkhwa Police Rules, 1934 provides criteria for determining seniority of subordinate ranks of police force from the date of their confirmation, which is 10-02-2011 in case of the appellant, which however is recorded as 08-05-2014, which adversely affected seniority/promotion of the appellant; that similarly placed other colleagues of the appellant had approached Peshawar High Court in Writ Petition No. 3720-P/2018, which was disposed of vide judgment dated 24-04-2019 with direction to respondents to revise list E as per date of confirmation, which was rectified vide order dated 05-06-2020, therefore, the appellant having similar case, is also entitled for the same relief within the meaning of judgment of the Apex Court reported as 2009 SCMR 1.

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03. Learned Deputy District Attorney for the respondents has contended that the judgment of Peshawar High Court dated 05-06-2020, as referred to by the learned counsel for the appellant was judgment in personam, hence, was not applicable in case of the appellant as the appellant was not petitioner in the said writ petition; that name of the appellant was removed from list E vide order dated 01-06-2018 under Rule-16(33) of Khyber Pakhtunkhwa Police Rules, 1934 and reverted back to the rank of ASI, but upon acceptance of his departmental appeal name of the appellant was restored on promotion list E with restoration of his officiating rank of Sub-Inspector with all back benefits vide order dated 23-10-2018; that a committee for the purpose was constituted to settle the issue of placement of officials on list E from the date of confirmation, but the appellant did not request to the committee for placing him on list E; that contention of the appellant to bring his name on list E with retrospective effect is not justified under the rule.

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04. We have heard learned counsel for the parties and have perused the record. Criteria for placing names of upper sub-ordinates has been devised in Rule-12:2 of Khyber Pakhtunkhwa Police Rules, 1934, which is reproduced as under:

*Rule-12:2 Seniority In the case of upper subordinates, will be reckoned in the first instance from date of first appointment, officers promoted from a lower rank being considered senior to persons appointed direct on the same date, and the seniority of officers appointed direct on the same date being reckoned according to age. Seniority shall, however, be finally settled by dates of confirmation, the seniority inter se of several officers confirmed on the same date being that allotted to them on first appointment. Provided that any officer whose promotion or confirmation is delayed by reason of his being on deputation outside his range or district shall, on being promoted or confirmed, regain the seniority which he originally held vis-à-vis any officers promoted or confirmed before him during his deputation.*

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Accepted

Accepted

Accepted

05. We have noted that the issue of seniority based on list E and criteria for placing names of officials on list E was strongly agitated by the official concerned, for which a committee was constituted to settle the issue once and for all. The committee submitted its report vide order dated 31-08-2017 and in light of Rule-12:2 as well as judgments reported as 2002 PLC (C.S) 1403 and 1999 SCMR 1594, very clearly recommended that confirmation of PASIs would be made from the date of their regular appointment against their posts and their placement on list E would be from the date of confirmation and not with immediate effect. Such report was not implemented, until some of the batch-mates of the appellant filed Writ Petition No. 3720-P/2018 with prayers to implement the decision of the committee regarding fixation of seniority, whereas seniority list E be revised and the petitioner be brought and placed at their due place of seniority and also to ensure the circulation of the seniority list prepared in accordance with law and rules. The said writ petition was disposed of vide judgment dated 24-04-2019 with direction to the respondents to implement recommendations of the committee already submitted to them. In pursuance of the said judgment, confirmation as well as placement of the petitioners on list E was rectified and were confirmed from the date of their appointments vide order dated 05-06-2020. Case of the appellant is also the same but respondents did not bother to consider his case on the same analogy. To this effect, the Supreme Court of Pakistan in its judgment reported as 1996 SCMR 1185 have held that when a court decide a point of law relating to the terms of service of a civil servant which covers not only the case of civil servant who litigated, but also of other civil servants, who may have not taken legal proceedings, in such a case, the dictates and rule of good governance demand that the benefit of such judgment be extended to other civil servants, who may not be parties to the litigation instead of compelling them to approach the tribunal or any other legal forum. In view of the verdict of the apex court, the respondents were required to extend the same benefit to the appellant as well, which however was not

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*W.H.*  
*2*  
*Abdullah*  
*Secy. A.E. T.M.A.*

granted to the appellant and which was not warranted. The issue of confirmation from the date of appointment has already been decided in similar cases vide judgment reported as 2001 PLC (C.S) 245 as well as judgment dated 07-12-2017 of this Tribunal in Service Appeal No. 573/2016 and judgment dated 18-03-2019 in Service Appeal No. 800/2018. In view of the clear judgments and report dated 31-08-2017 of the committee constituted for the purpose, case of the appellant squarely falls within the purview of similarly placed employees and the department cannot ignore the appellant from extending the benefit of that very judgments.



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06. In view of the foregoing discussion, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.


ANNOUNCED  
30.11.2021

  
(ROZINA REHMAN)  
MEMBER (J)

  
(ATIQU-UR-REHMAN WAZIR)  
MEMBER (E)

  
  
A.H. S. T. Khan  
Secy. Acc. Tank

  
Secretary  
Service Appeal  
Tribunal

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6/12/21

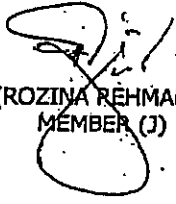
ORDER  
30.11.2021


Learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for respondents, present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

3


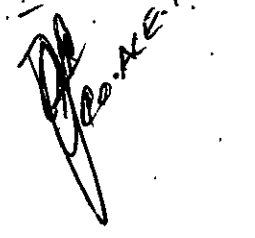
ANNOUNCED  
30.11.2021

  
(ROZINA REHMAN)  
MEMBER (J)

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)



A charges





GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT

MINUTES OF THE SCRUTINY COMMITTEE MEETING.

(AGENDA ITEM NO. 40)

SUBJECT: SERVICE APPEAL NO. 12438/2020 FUROAN JAVED VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY HOME DEPARTMENT AND OTHERS.

A meeting of the Scrutiny Committee was held on 22.12.2021 at 11:00 A.M. in the office of Secretary, Law Parliamentary Affairs & Human Rights Department under his Chairmanship to determine the fitness of the subject case for filing of Appeal/CPLA in the Supreme Court of Pakistan. Assistant Advocate General (Mr. Bashar Naveed) represented the Advocate General, Khyber Pakhtunkhwa.

2. The representatives of Home Department Mr. Umar Nawaz, DS alongwith Mr. M. Quseem, Office Supdt. Police apprised the Committee about the background of the case and stated that the appellant filed the subject service appeal with the prayer that the impugned order dated: 20.05.2020 may be set aside and seniority list dated: 27.07.2020 may be revised to the extent that the appellant name be placed at List-E w.e.f. the date of the appointment i.e.10.02.2011 and in view whereof, his officiating promotion order dated: 03.06.2016 to the rank of Sub-Inspector be revised and be given effect from the date of his eligibility and be confirmed as Sub-Inspector under rule 13(18) of Khyber Pakhtunkhwa Police Rules, 1934 with all consequential benefits. The Khyber Pakhtunkhwa Service Tribunal vide order dated: 30.11.2021 accepted the subject service appeal as prayed for. The Scrutiny Committee declared the subject case unfit on the following grounds:

GROUND/DISCUSSIONS:

- i. The Scrutiny Committee perused the record of the case and the impugned judgment which revealed that some of the batch mates of the appellant filed Writ Petition No. 3720-P/2018 with prayer to implement the decision of the Committee regarding fixation of seniority whereas seniority list E be revised and the petitioner be brought and placed at their due place of seniority and to ensure the circulation of the seniority list prepared in accordance with law which was disposed of by the Hon'ble High Court vide judgment dated: 24.04.2019 with the direction to the respondents to implement recommendation of the Committee and in pursuance of the said judgment, confirmation as well as placement of the petitioners in List-E was recited and were confirmed from the date of their appointment vide order dated: 05.06.2020 and the case of the appellant was also the same but the Department did not consider the case of the appellant on the same analogy.
- ii. The Scrutiny Committee held that not granting the benefit to the appellant and granting the benefits to his batch mates amounts to discrimination which is not tenable in the eyes of law. The Scrutiny Committee held that no plausible grounds exist against which CPLA in the upper forum could be filed.

ADVICE:

3. Hence in view of above, it was decided with consensus by the Scrutiny Committee that the subject case was not a fit case for filing of Appeal/CPLA in the Supreme Court of Pakistan.

  
(TAHIR IQBAL KHATTAK)  
SOLICITOR

Page (10) (9) (10)



(A)

INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central No. 100/2022  
dated the 10/01/2022

No. 159

/Legal

To: The District Police Officer,  
Bannu.

(Signature)

Subject: APPEAL AGAINST ORDER DATED 30.11.2021. PASSED BY  
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
IN SERVICE APPEAL NO. 12438/2020 TITLED FUROAN JAVED  
VS IGP KP ETC.

Memo: Please refer to your office Letter No. 9540, dated 18.12.2021, on  
the subject cited above.

The subject case was referred to Secretary Government of Khyber  
Pakhtunkhwa, Home & TAs Department, Peshawar with the request for lodging of  
CPLA vide this office Letter No. 11782-83/ Legal, dated 17.12.2021. (Copy of the  
same was endorsed to your good office).

The Scrutiny Committee of Law Department, Government of  
Khyber Pakhtunkhwa, Peshawar did not approve the case for lodging of CPLA in  
meeting held on 22.12.2021 at Agenda Item No. 40. (Copy of minutes is enclosed).

The Competent Authority has directed to implement the judgment.  
dated 30.11.2021 of Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

(Signature)  
AIG/LEGAL  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.  
10.01.2022

Abstract  
J Co. Acc. - Tomak

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

No. CPO/CPB/ 64Dated Peshawar 13 February 2023To: The Regional Police Officer,  
Hazara Region.Subject: LEGAL ADVICE ON THE QUESTION OF DATE OF CONFIRMATION OF PASIs  
(ASIs APPOINTED DIRECT)

Memo:

Reference your office letter No. 29504/E dated 13.12.2022, wherein a legal advice was sought on the following law point: -

- i) Whether all PASIs on completion of 03 years' probation period shall be brought on promotion list "E" from date of appointment or not?
2. As per PR 12.8 of the Police Rules 1934, Assistant Sub-Inspectors appointed direct (Commonly known as PASIs) "will be considered to be on probation for three years" and that, under PR 19.25(5), "on the termination of the prescribed period of probation the Superintendent shall submit to the Deputy Inspector-General for final orders the full report required by Form 19.25(5) on the probationer's working and general conduct, with a recommendation as to whether he should or should not be confirmed in his appointment."
3. Both rules are hereby reproduced as a ready reference:

PLANTIONll  
13/12/23

Assist  
PP  
CO. ACC. TOWN

**PR 12.8 Probationary nature of appointments.** - (1) Inspectors, Sergeants, Sub-Inspectors and Assistant Sub-Inspectors who are directly appointed will be considered to be on probation for three years and are liable to be discharged at any time during or on the expiry of the period of their probation if they fail to pass the prescribed examinations including the riding test, or are guilty of grave misconduct or are deemed, for sufficient reason, to be unsuitable for service in the police. A probationary Inspector shall be discharged by the Inspector-General and all other Upper Subordinates by Range Deputy Inspector-General and Assistant Inspector-General, Government Railway Police, Assistant Inspector-General, Provincial Additional Police (designated as Commandant, Provincial Additional Police). No appeal lies against an order of discharge. (2) The pay admissible to a probationary Inspector, Sergeant, Sub-Inspector or Assistant Sub-Inspector is shown in Appendix 10.64, Table A.

**PR 19.25 Training of upper subordinates** (1) "Inspectors, sub-inspectors, and Assistant Sub-Inspectors, who are directly appointed, shall be deputed to the Police Training School to undergo the course of training laid down for such officers in the Police Training School Manual and are liable to discharge if they fail to pass the prescribed examinations or are badly reported on."

(5) "On the termination of the prescribed period of probation the Superintendent shall submit to the Deputy Inspector-General for final orders the full report required by Form 19.25(5) on the probationer's working and general conduct, with a

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IMMEDIATE

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recommendation as to whether he should or should not be confirmed in his appointment. In the case of inspectors such reports shall be forwarded to the Inspector-General."

(12)

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بوس ادم  
نایغ نغز  
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سید سار  
نور من  
نور من

4. The two rules (12.8 and 19.25(5) of the Police Rules, 1934) clearly state that PASIs (ASIs appointed direct) shall be on probation for a period of three years after their appointment as such and that they may be confirmed in their appointments (appointment of being an ASI) on the termination of the prescribed period of probation for three years with immediate effect NOT with retrospective effect i.e. from the date of their appointment by the Range Deputy Inspector General of Police on the report of their respective District Police Officers provided they have completed the period of their probation of three years successfully in terms of the conditions laid down in the PR 19.25 (5) of the Police Rules, 1934.

5. Moreover, under paragraph VI of the Promotion Policy, provided in ESTA CODE Establishment Code Khyber Pakhtunkhwa (Revised Edition) 2011, "promotion will always be notified with immediate effect." Drawing analogy from this rule, all PASIs might be so confirmed on conclusion of probationary period of three years with immediate effect (the date on which order of their confirmation is issued).

6. The Supreme Court of Pakistan underlined the difference between the date of appointment and date of confirmation in *Mushtaq Warich Vs IG Punjab* (PLD 1985 SC 159). In a recent judgment (dated 2<sup>nd</sup> November 2022 in Civil Appeal No. 1172 to 1178 of 2020 and Civil Petition No. 3789 to 3896, 2260-L to 2262-L and CP 3137-L) the Apex Court, has held that "reliance on *Qayyum Nawaz* [a judgment of the Apex Court, reported as 1999 SCMR 1594] that there is no difference between the date of appointment and date of confirmation under the police rules is absolutely misconceived and strongly dispelled". The Apex court has further explained PR 12.3(3) of Police Rules, 1934 and declared that the final seniority of officers will be reckoned from the date of confirmation of the officers not from the date of appointment. The honourable Court further held that "the practice of ante-dated confirmation and promotions have been put down in *Razu Safdar Kazmi*" (a judgment of the Punjab Service Tribunal dated 15.08.2006, passed in Appeal No. 239/2006 and upheld by the Supreme Court vide order dated 29.01.2008, passed in Civil Appeals No. 2017 to 2031 of 2006 and other connected matters.).



ll  
13/02/23

7. It is, therefore, made clear that PASIs on completion of 03 years' probation period shall NOT be brought on promotion list "E" from date of appointment. Their names may be brought on the Promotion List E in the manner provided in PR 13.10 and 13.11 of the Police Rules, 1934 NOT from the date of appointment but from the date of confirmation which, essentially, is a date different from their dates of appointment and compulsorily falls on the termination of the period of their probation for three years under PR 12.8 and 19.25(5) of the Police Rules, 1934.

8. Keeping in view the above, this office letter No. CPO/CPB/317 dated 08.12.2022, that intended to create a parity between the dates of confirmation of ASIs appointed direct (PASIs) and those of the ASIs promoted from ranks (Ranker ASIs), is hereby withdrawn being against the letter and spirit of PR 12.8, 19.25 (5) Police Rules, 1934, in case of PASIs and against the PR 13.18 of the Police Rules, 1934 in case of the ASIs promoted from ranks (Ranker ASIs). The following was laid down in the said letter:


- a. All PASIs on successful completion of 03 years' probation period shall be brought on promotion list "E" from date of appointment.
- b. All ASIs promoted from lower rank shall be brought on promotion list "E" after successful completion of 02 years' probation period from date of official promotion."

Mushtaq  
13/02/23

(13)

Keeping the above in view, you are, therefore, requested to:

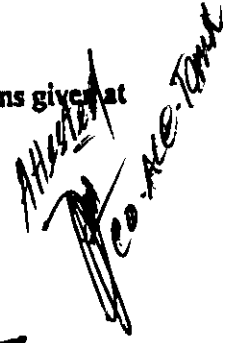
- (a) register that the Date of Appointment and Date of Confirmation of an Assistant Sub-Inspector appointed direct (PASIs) are Not the Same, as has been misconceived by many, but are different from each other: Date of confirmation falls after three years of the date of appointment in case of an Assistant Sub-Inspectors appointed direct (PASIs) and the same (date of confirmation) falls after two years in case of an Assistant Sub-Inspector promoted from ranks (Ranker ASI) according to PR 12.8, and 13.8 of the Police Rules, 1934 respectively.
- (b) Withdraw all Changes Brought in the list E in compliance with this office letter No CPO/CPB/317 dated 08.12.2022 and Revise the List E of your Range and substitute all those dates of confirmation of all Assistant Sub-Inspectors appointed direct (PASIs) which were fixed retrospectively from the date of their appointment with those falling after the termination of the period of their probation for three years in the light of observations noted at paragraphs No. 2, 3, 4, 5, 6, 7, and 8 above.
- (c) ensure that ASIs appointed direct (PASIs) shall NOT be Confirmed from the Date of their Appointment but might be so confirmed "On the termination of the prescribed period of probation" of three years, with immediate effect (the date on which order of their confirmation was issued).
- (d) Send compliance report by 23.02.2023.

  
 (SHAUKAT ABBAS) PSP  
 DIG/HQrs,  
 For Inspector General of Police,  
 Khyber Pakhtunkhwa, Peshawar

Endst. No. and dated even

Copy of above is forwarded for information to the:

1. Additional Inspector General of Police, Headquarters, Khyber Pakhtunkhwa.
2. All Regional Police Officers in Khyber Pakhtunkhwa for compliance of the instructions given at Paragraph 9 of this letter by 23.02.2023.
3. Assistant Inspector General of Police, Legal, Khyber Pakhtunkhwa.
4. PSO to Inspector General of Police, Khyber Pakhtunkhwa.
5. PA to Deputy Inspector General of Police, Headquarters, Khyber Pakhtunkhwa.
6. PA to Assistant Inspector General of Police, Establishment, Khyber Pakhtunkhwa.
7. Office Superintendent Establishment I, II and III CPO Peshawar.

  
 (SHAUKAT ABBAS) PSP  
 DIG/HQrs,  
 For Inspector General of Police,  
 Khyber Pakhtunkhwa, Peshawar

Para 8 is following in nature that  
 the issue order to implement  
 to RHOs must made request to for implementation.

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

(E) Page (14)

**Bench-V:**

Mr. Justice Syed Mansoor Ali Shah  
Mrs. Justice Ayesha A. Malik

**Civil Appeals No. 1172 to 1178 of 2020**

**and**

**Civil Petitions No. 3789 to 3796, 2260-L to 2262-L and CP 3137-L of 2020**

(Against the judgment dated 30.11.2018, passed by the Punjab Service Tribunal, Lahore in Appeals No. 3780, 3779, 3852, 3778, 3425, 3851 of 2015, 3160/2014 & 214/2017)

**and**

**C.M. Appeals No. 23 & 33 of 2021**

(Applications for impeachment in CA-1172 & 1178 of 2020 respectively)

Syed Hammad Nabi, etc. (In C.A. 1172 to 1178 of 2020)  
Shujaat Ali Babar, etc (Appellants/Applicants in C.M. Appeal No. 23 of 2021)  
Maqsood Ali, etc (Appellants/Applicants in C.M. Appeal No. 33 of 2021)  
Jaseem Ahmad (In CP 3789/2020 to CP 3796/2020)  
Muhammad Imran Haider, etc (In CP 2260-L/2020)  
Ibrar Ahmed Khan, etc. (In CP 2261-L/2020)  
Muhammad Yaseen (In CP 2262-L/2020)  
Muhammad Sarwar Awan (In CP 3137-L/2021)

..... Appellants/Petitioners

**Versus**

Inspector General of Police Punjab, Lahore, etc. (In all cases)

For the appellant(s)/:  
Petitioner(s) Mian Bilal Bashir, ASC.  
Syed R.H. Shah, AOR.  
Ch. Zulfiqar Ali, ASC.  
(Through V.L. Lahore Registry)  
Mr. Maqbool Hussain Sh. ASC  
Mr. Talaat Farooq Sh. ASC.  
(Through V.L. Lahore Registry)

For the applicant(s): Mr. Saifdar Shaheen Pirzada, ASC.  
(In CMA 8616/2022)

For the respondent(s): Mr. Muddasar Khalid Abbasi, ASC.  
Mr. Muhammad Ramzan Khan, ASC.  
Mr. M. Sharif Janjua, AOR.  
Mr. Kaleem Ilyas, ASC.  
Raja Muhammad Khan, ASC.  
Atta Muhammad-respondent-in-person

For the Govt. of Punjab: Mr. Ashfaq Ahmad Kharral, Addl. A.G.  
a/w Kamran Adil, DIG (Legal)  
Sh. Asif, S.P.  
Amir Khalil Syed, S.P.  
Kashif Butt, A.D.

Date of hearing: 02.11.2022

....Respondent(s)

*Al-Hayat*  
*10-AEE-Tamir*

**JUDGMENT**

Syed Mansoor Ali Shah, J.- There are three sets of police officers before us: (i) Appellants (Hammad Nabi and others); (ii) Respondents (Atta Muhammad and others); (iii) Impleaders through applications (CMAs) (Jaseem Ahmad, Shujaat Ali Babar and others). 15

2. Appellants belong to a batch of direct Sub-Inspectors ("SI") who were selected in BS-14 through the Punjab Public Service Commission ("Commission") in October, 1997. The order of appointment of Hammad Nabi (appellant) was issued in Multan Region on 30-10-1997. He was subjected to probation<sup>1</sup> for three years and after successful completion of probationary courses<sup>2</sup> (A, B, C and D), he was confirmed in the same rank i.e., Sub-Inspector with effect from 28.11.2000 by DIG/Multan vide order dated 29.11.2000. By this time, this Court in Qayyum Nawaz<sup>3</sup> held that the date of confirmation is the same as the date of appointment. The Inspector General of Police ("IGP") in order to implement Qayyum Nawaz issued circular dated 10-03-2004 that stated that date of appointment and confirmation shall be the same. In consequence thereof, Hammad Nabi was confirmed as SI from the date of his appointment i.e. 30-10-1997 vide order dated 07-04-2004 passed by the DIG/Multan. In addition, Hammad Nabi was admitted to Seniority List F (that is maintained for the promotion to the post of Inspectors)<sup>4</sup> with effect from 21-11-2002 and was also promoted to the rank of Inspector with effect from 07-01-2003 vide order dated 14-01-2005. The officer was kept at Seniority List F and his name was notified in the List regularly. Before the implementation of the impugned judgement of Punjab Service Tribunal ("Tribunal"), the Seniority List of Inspectors was displayed on 07-02-2019 showing Hammad Nabi at Seniority No. 281 of the Seniority List F. However, after the implementation of the impugned judgement of the Tribunal, the Seniority List F notified on 13-03-2020 placed the Appellant at Seniority No. 323. This relegation of Hammad Nabi from Seniority No. 281 to Seniority No. 323 is a result of the implementation of impugned judgement of the Tribunal which is under challenge before us. Accordingly, the Appellant has prayed to set aside the impugned judgment dated 30-11-2018 passed by the Tribunal.

<sup>1</sup> Rule 12.8 of the Police Rules, 1934.

<sup>2</sup> Rule 19.25 of the Police Rules, 1934.

<sup>3</sup> 1999 SCMR 1594.

<sup>4</sup> Rule 13.15 of the Police Rules, 1934

*Attested  
[Signature]  
Geo. Acc. Joint*

3. Respondent Atta Muhammad, alongwith other officers arrayed as respondents, belongs to a batch of officers which were selected as direct Assistant Sub-Inspectors (ASIs) in BS-9 by the Commission on 10-11-1993. He was assigned to the Punjab Constabulary (PC), a reserve police unit within the Punjab Police that was treated at par with a Range for legal purposes. The officer was subjected to three years probationary period<sup>5</sup> and after successful completion of his training courses (A, B, C and D)<sup>6</sup>, he was confirmed on 16-03-1999 and his name was placed on Seniority List E maintained by DIG/Commandant/Range/Regional Police Officer with effect from 18-11-1996. Later on, due to administrative arrangements within the Punjab Police, the officer was assigned to Rawalpindi Range/Region by the IGP vide order dated 13-08-2002. He was promoted as an Officiating Sub-Inspector in Rawalpindi Range/Region on 27-08-2003. Atta Muhammad obtained his revised confirmation with effect from 10-11-1993 (his date of appointment) as a result of implementation of *Qayyum Nawaz (supra)*. Thereafter, he agitated that he stood senior to the promotee ASI Muhammad Arshad (who had by now reached to the rank of Inspector). His argument was that he was senior to Muhammad Arshad due to his date of appointment/confirmation which was 10-11-1993 as compared to the date of appointment/confirmation of Muhammad Arshad on 13-11-1993. The legal requirements of three years probationary period and completion of training courses (A, B, C and D) for direct ASIs was not appreciated by any fora while comparing cases of Atta Muhammad and Muhammad Arshad. His claim on the basis of Muhammad Arshad was accepted and his standing on List E was revised with effect from 01-02-1996. Based on this revision of his standing at List E, he was granted revised promotion to the rank of SI with effect from 22-12-1996 by the Commandant PC on 07-08-2006. He was admitted to Seniority List F with effect from 21-11-2002 and promoted to the rank of Inspector with effect from 07-01-2003. As a result, whereas before implementation of impugned judgement, he was not listed on Seniority List and was treated as a SI, after implementation of the impugned judgement of the Tribunal, he was placed at Seniority No. 241 of the Seniority List of Inspectors dated 13-03-2020. Amongst the *Impleaders* some support the case of the Appellants while the others support the case of the Respondents. The Comparative Table hereunder gives a tabular representation of the

<sup>5</sup> Rule 12.8 of Police Rules, 1934.

<sup>6</sup> Rule 19.25 of Police Rules, 1934

15

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service record of the parties for better understanding the dispute in hand.

### COMPARATIVE TABLE

PARTIES TO LITIGATION	Date of appointment, as ASI	Initial Date of confirmation as ASI	Revised date of confirmation as ASI	Date of appointment as SI	Initial Date of Promotion as SI	Revised promotion as SI	Initial date of confirmation as SI	Revised date of confirmation as SI
1	2	3	4	5	6	7	8	9
Hamid Nabi etc. (Group-a)	-	-	-	30.10.97	-	-	28.11.00	30.10.97
Atta Muhammad etc. (Group-b)	10.11.93	18.11.96	10.11.93	-	27.08.03	22.12.96	27.08.03	22.12.96
Jaseem Ahmad (Group-c)	30.09.90	11.03.96	30.09.90	-	25.09.01	25.09.01	25.09.01	25.09.01
Shujaat All Babar Etc (Group-d)	08.06.88	01.07.93	08.06.88	-	01.04.99	-	01.04.99	01.04.99

17

4. We have heard the learned counsel for the parties and Mr. Kamran Adil, DIG (Legal) at some length and have carefully gone through the case law<sup>7</sup> cited at the bar, as well as, the Police Rules, 1934 ("Police Rules") and Police Order, 2002. The question before us is the mode of determination of seniority of a police officer holding the post of Inspector in the Punjab Police under the Police Rules. The answer to the said question is clearly provided under Rule 12.2(3) of the Police Rules, which is reproduced hereunder for convenience:

**12.2. Seniority and probation.** - (1) The seniority of Assistant Superintendents of Police is regulated by the orders passed from time to time by the Secretary of State and the Central Government.

No Probationary Assistant Superintendent of Police shall be permanently appointed as an Assistant Superintendent of Police until he has passed the prescribed departmental examinations.

A Probationary Assistant Superintendent of Police who does not qualify by passing these examinations within two years, or at the first examination after two years, from the date of his joining the service, will be removed from Government service; provided that the Provincial Government shall have power to relax this rule in special cases, when the Probationary Assistant Superintendent of Police is likely to make a good police officer.

(2) The rules governing the probation and seniority of Deputy Superintendents of Police are contained in Appendix 12.1.

(3) All appointments of enrolled police officers are on probation according to the rules in this chapter applicable to each rank.

<sup>7</sup> 2015 SCMR 456; 1996 SCMR 1297; PLD 1985 SC 159; 1999 SCMR 1594 & 2016 SCMR 1254

Seniority in the case of upper subordinates<sup>8</sup>, will be reckoned in the first instance from date of first appointment, officers promoted from a lower rank being considered senior to persons appointed direct on the same date, and the seniority of officers appointed direct on the same date being reckoned according to age. Seniority shall, however, be finally settled by dates of confirmation, the seniority *inter se* of several officers confirmed on the same date being that allotted to them on first appointment. Provided that any officer whose promotion or confirmation is delayed by reason of his being on deputation outside his range or district shall, on being promoted or confirmed, regain the seniority which he originally held vis-à-vis any officers promoted or confirmed before him during his deputation.

The seniority of lower subordinates shall be reckoned from dates of appointment, subject to the conditions of rule 12-24 and provided that a promoted officer shall rank senior to an officer appointed direct to the same rank on the same date.

(emphasis supplied)

Rule 12.2(3) provides that in the *first instance* the seniority of the upper subordinates shall be reckoned from date of first appointment, officers promoted from a lower rank being considered senior to persons appointed direct on the same date, and the seniority of officers appointed direct on the same date being reckoned according to age. The sub-Rule further provides that *seniority shall be finally settled by dates of confirmation*, the seniority *inter se* of several officers confirmed on the same date being that allotted to them on first appointment. Rule 12.2(3) provides for two stages for determining the seniority, one is prior to the probationary period and is to be reckoned from the first appointment and the final seniority is settled from the date of confirmation which is once the period of probation is successfully completed.<sup>9</sup> Period of probation is important as the officers have to undergo various courses (A,B,C & D)<sup>10</sup> and qualify the same. Once police officer has successfully undergone the said courses he stands confirmed at the end of the probationary period. The seniority is once again settled, this being the final seniority from the date of confirmation. The above rule is, therefore, very clear that final seniority list of Inspectors will be reckoned from the date of confirmation of the officers and not from the date of appointment.

5. The Appellants in this case had a probationary period of three years while the probationary period of the Respondents was two

<sup>8</sup> Inspectors, Sub-Inspectors (SIs) & Assistant Sub-Inspectors (ASIs) - See Rule 19.25 of the Police Rules, 1934.

<sup>9</sup> See Rule 12. 8 and 13.18 of the Police Rules, 1934

<sup>10</sup> See Rule 19.25 *ibid*.

18

Attendant  
Geo. A.C. Jank

years<sup>11</sup> and their dates of confirmation are different. It is submitted that the clarity of the said Rule has been muddled over the years due an earlier pronouncement of this Court in *Qayyum Nawaz*.<sup>12</sup> We have gone through *Qayyum Nawaz* and find that it is a leave-refusing order (described as a judgment), which has neither decided any question of law nor enunciated any principle of law in terms of Article 189 of the Constitution. Such leave-refusing orders do not constitute binding precedents.<sup>13</sup> The impression that a leave-refusing order endorses the statements of law made in the impugned orders and thus enhances the status of those statements as that of the apex court is fallacious. This impression is based on inference drawn from the leave-refusing orders, while 'a case is only an authority for what it actually decides' and cannot be cited as a precedent for a proposition that may be inferred from it.<sup>14</sup> The judgment of the Tribunal in *Qayyum Nawaz* totally ignores Rule 12.2(3) of the Rules as well as the earlier pronouncement of this Court in *Mushtaq Warriach*<sup>15</sup> which underlines the difference between the date of appointment and the date of confirmation. Therefore, reliance on *Qayyum Nawaz* to hold that there is no difference between the date of appointment and date of confirmation under the Police Rules is absolutely misconceived and strongly dispelled.

19

6. The impugned judgment of the Tribunal before us also relies on *Qayyum Nawaz* when the said judgement does not pass as a precedent and settles no principle of law. The impugned judgement has misread Rule 12.2(3) and has ignored its substantive part which clearly deals with the formulation of the final seniority list which is to be settled from the date of confirmation of the Police Officers. The Tribunal through the impugned judgement has without any justification dismissed from consideration *M. Yousaf*<sup>16</sup> which holds that seniority must be determined in accordance with the rules. For these reasons the impugned judgment is not sustainable.

7. It is also underlined that much water has flown under the bridge since *Qayyum Nawaz*. This Court has put an end to out of turn promotions in *Contempt Proceedings Against the Chief Secretary, Sindh*

<sup>11</sup> See Rule 12.18 ibid

<sup>12</sup> 1999 SCMR 1594.

<sup>13</sup> Muhammad Salman v. Naveed Anjum 2021 SCMR 1675; Tariq Badr v. NBP 2013 SCMR 314.

<sup>14</sup> Quina v. Leatham 1901 AC 495; Trustees of the Port of Karachi v. Muhammad Saleem 1994 SCMR 2213; SHCBA v. Fedartion PLD 2009 SC 879 per Ch. Ijaz Ahmad, J.; Khairpur Textile Mills v. NBP 2003 CLLD 326.

<sup>15</sup> P.T.D 1985 SC 159

<sup>16</sup> Muhammad Yousaf & others v. Abdul Rashid & others, 1996 SCMR.1297

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and others<sup>17</sup> followed by *All Azhar Khan Baluch*<sup>18</sup>. The practice of ante-dated confirmations and promotions have been put down in *Raza Safdar Kazmi*<sup>19</sup> and delay in confirmations after the probationary period have been regulated in *Gul Hasan Jatoi*<sup>20</sup>.

8. It is best if the Police force is allowed to be regulated by its statutory framework i.e. the Police Order, 2002 and the Police Rules which provide a complete code of internal governance. Disputes, if any, amongst the police officers must first be resolved by the Inspector General of Police or his representatives. Only in case of any legal interpretation or blatant abuse of the process provided under the Police Order or Rules should the courts interfere in the working of the Police force so that the force can maintain its functioning, autonomy, independence and efficiency which is essential for Police which is charged with the onerous responsibility of maintaining law and order and with the onerous obligation to protect the life and property of the citizens of this country. More than any other organization, it is imperative that the Police must function as a rule based organization which is fully autonomous and independent in regulating its internal governance. Strong and smart Police force requires *organizational justice* firmly entrenched in the institution so that its officers are assured that they work for an institution that firmly stands for rules, fairness, transparency and efficiency. This upholds the morale of the police officers, especially junior police officers who are required to undertake dangerous and strenuous assignments on a daily basis and also uplifts the institution by making it more vibrant and progressive.

9. The importance of *organizational justice* cannot be undermined. It focuses on how employees judge the behavior of the organization and how this behavior is related to employees' attitudes and behaviors regarding the organization. The employees are sensitive to decisions made on a day-to-day basis by their employers, both on the small and large scale, and will judge these decisions as unfair or fair. Decisions judged as unfair, lead to workplace deviance. Employees also believe procedures are fair when they are consistent, accurate, ethical, and lack bias<sup>21</sup>. Organizational justice is concerned with all matters of workplace behaviour, from treatment by superiors to pay, access to

<sup>17</sup> 2013 SCMR 1752

<sup>18</sup> 2015 SCMR 456

<sup>19</sup> Judgment of the Punjab Service Tribunal dated 15.08.2006, passed in Appeal No. 239/2006, which was upheld by the Supreme Court vide order dated 29.01.2008, passed in Civil Appeals No.2017 to 2031 of 2006 (*erroneously mentioned as 2007 on the order*) and other connected matters.

<sup>20</sup> 2016 SCMR 1254

<sup>21</sup> *Dr. Annette Towler*, The benefits of organizational justice and practical ways how to improve it. CQNet.

20

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training and gender equality<sup>22</sup>. Ensuring organizational justice should be a priority for any organization – it can reduce the incidence of workplace deviance, absence, disengagement and counterproductive workplace behaviours and also encourage positive attributes like trust and progressive communication.<sup>23</sup>

10. Organizational justice is necessary for the police officers to perform their duties with complete commitment, dedication and fidelity, because they must perceive that the institution is fair and just towards them<sup>24</sup>. Police officers who have such perceptions of fairness would demonstrate less cynicism towards the job and are also likely to have a more amiable attitude towards the public<sup>25</sup>. Uncertainty in the promotion structure and delay in promotions weakens such perceptions of serving police officers, resulting in inefficiency, likelihood of misconduct and low morale, thereby, also adversely impacting the trust of the public in the police<sup>26</sup>. Therefore, for an efficient and effective police force, it is necessary to ensure the provision of organizational justice in the police as an institution, especially with regards to career progression and promotion. As such, there must be no ambiguity in the promotion structure and any grievance with regards to career progression/promotion must be redressed expeditiously under the law. Organizational justice, therefore, stands firmly on the constitutional values and fundamental rights ensured to any person under the Constitution<sup>27</sup>. The constitutional principle of social and economic justice read with due process and right to dignity, non-discrimination and right to carry out a lawful profession and the right to livelihood are basic ingredients of organizational justice.

11. Given the primacy of Police in the criminal justice system, organization justice must be ensured in the Police service. The issues of posting, transfer and seniority must be settled within the department strictly in accordance with the Rules and only matters requiring legal interpretation may come up before the Courts. Several junior officers approaching the courts for redressal of their grievance reflects poorly on the internal governance of the Police department when the elaborate Police Rules and the Police Order provide for such eventualities in detail.

<sup>22</sup> It is originally derived from equity theory, which suggests individuals make judgements on fairness based on the amount they give (input) compared to the amount they get back (output).

<sup>23</sup> HRZone .com

<sup>24</sup> Volkov, M. "The Importance of Organizational Justice, Corruption, Crime & Compliance", 2015.

<sup>25</sup> Wolfe, Scott E., Justin Nix, & Justin T. Pickett. "The Measurement of Organizational Justice Matters: A Research Note", July 16, 2020.

<sup>26</sup> Weimer, C. "How would Organizational Justice Shape Police Officer's Attitudes in the Workplace?", 2019.

<sup>27</sup> Constitution of the Islamic Republic of Pakistan, 1973.

21

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We are sanguine that in future the Police department will take charge of its internal governance strictly in accordance with law and will restore a Rule-based approach in addressing the grievances of the police officers so that courts are not unduly burdened.

12. In this background, all the parties before us are in agreement that their seniority be worked out according to Rule 12.2(3) of the Police Rules and submit that the competent authority be directed to follow the said Rule in letter and spirit and make necessary amendments in the seniority list of the police officers before us. We, therefore, direct the IGP to constitute a committee to look into the question of seniority of the parties before us in terms of Rule 12.2(3) and in the light of this judgement. The said committee shall also address the grievance(s) of other Police Officers, if any, who are not before us but belong to the same batch of officers as the parties before us.

22

13. It is also noted that the Inspector General of Police, Punjab ("IGP") enjoys administrative powers over the Police organization under Article 10 of the Police Order, 2022 read with Rule 12.1 of the Police Rules, therefore, he is under an obligation to exercise his legal powers within the organization to ensure that the police officers are dealt with in accordance with law within the statutory timelines. In case there is any unexplained delay in following the timeline the concerned Police Officers be held accountable and any action taken or penalty imposed upon them be duly reflected in their performance evaluation reports. The IGP may also consider constituting a standing committee headed by an Additional Inspector General of Police or any appropriate officer to regularly address the concerns of junior police officers with respect to their inter se seniority so that a police officer feels empowered that there is organizational justice in his organization. This will lead to developing a more robust, efficient and strong police force in the country.

14. For the above reasons, the impugned judgment is set aside and the listed appeals are allowed in the above terms. The connected listed Civil Petitions are also converted into appeals and allowed in the same terms.

Arrested  
Peace - Jinnah

Judge

Islamabad,  
2nd November, 2022.  
Approved for reporting  
Sadaqat

Judge

(F) page (23)

DY No. 1413/ES  
dt. 16.9.96

From The Inspector-General of Police,  
N.W.F.P., Peshawar.

To The Dy. Inspector-Genl. of Police,  
Bannu Range Bannu.

No. 17031 /E-II dated Peshawar, the 10/9/1996.

Subject: REQUEST FOR DUE SENIORITY.

MEMORANDUM.

*1619*

Please refer to your memo. No. 2071/86,  
dated 29.8.1996 on the subject noted above.

*pps: Attached*  
*1619*

2. In this connection Rule-7(5) of  
the Civil Servant Act, 1973 is quite clear (Copy  
enclosed for ready reference).

Registrar,

for Inspector-General of Police,  
N.W.F.P. Peshawar.

*Assisted*  
*Geo. Me. Jinn*

5-13191

24

From:-

The Dy:Inspector General of Police,  
Bannu Range, Bannu.

To :-

The Inspector General of Police,  
M.W.P.P. Peshawar.

No 2071

/Dated Bannu the 29/8. 1996.

Subject:-

REQUEST FOR DUE SENIORITY.

Memo:-

Kindly refer to your memo:No.16159/B-II  
dated 22.8.96 and favour this office with the particular  
rules/instruction to enable this office to decide such  
nature of cases.

o/c

J.

(SULTAN HANIF ORAKZAI)

Dy:Inspector General of Police,  
Bannu Range, Bannu.

29/8

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25

Sir,

Reference attached.

In response to this Office memo:  
No. 16159/E-II, dated 22.8.96, F/"A".

The I.G.P./NWFP, Peshawar has  
decided that ASI Mohammad Shafiq No.43/B is to be  
confirmed from the date of his appointment i.e.  
24.4.91 instead of 1.5.1994 according to rules.

If approved, may request Police  
Chief to give citation of rules under which he  
was required to be confirmed from the date of  
appointment.

Submitted for favour of orders  
please.

26/8

*Anwar*  
ESST:ASST:

26/8/96

O.S.

D.I.G. Sahib.

*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*

26 (A)

D/N<sup>o</sup> 11513/ES  
dt: 26-8-96

23/96

From:- The Inspector General of Police,  
NWFP, Peshawar.  
To :- The Deputy Inspector General of Police,  
Bannu Range Bannu.  
No. 16159 /E-II, Dated Peshawar the 28-8-196.  
Subject:- REQUEST FOR DUS SENIORITY.

MEMORANDUM.

Please refer to your memo No. 1624/ES, dated 24.6.96 on the subject noted above.

ASI Muhammad Shafiq No. 43/B was appointed as Probation ASI w.e. from 24.4.91 on 3 years probation and according to rule on the completion of his 3 years probation period he will be confirmed from the date of his appointment i.e. 24.4.91 therefore he may be confirmed from 24.4.91 instead of 1.5.94.

EC  
it up note  
with MS  
26/8  
25/8

21/6/96

( *Muhammad Barkish Barkuch* )  
REGISTRAR  
FOR INSPECTOR GENERAL OF POLICE,  
NWFP, PESHAWAR.

28/8

Attended  
Geo. ACE-TOMK

5-13/96P

26

PHONE: NO. 2399.

From :- The Dy: Inspector General of Police,  
 Bannu Range, Bannu.

To :- The Superintendent of Police, Bannu.

No. 1676 /ES Dated Bannu, the 11/12 1996.

Subject :- REQUEST FOR DUE SENIORITY.

MEMORANDUM.

2.5.1996.

Please refer to your Office Memo: No. 3973 dat

The Service Roll & Character Roll Dossier of  
 ASI Mohammad Shafiq No. 43/B may please be sent to this Office  
 immediately for further necessary action.

*de*  
 Dy: Inspector General of Police,  
 Bannu Range, Bannu.  
*11/7*

*Akshat*  
*Geo. A. E. Tomk*

27

5-13/964  
PHONE NO. 2399

From :-

To :-

No. 1624

Subject :-

MEMORANDUM.

The Dy:Inspector General of Police,  
Bannu Range Bannu.

The Inspector General of Police,  
N.W.F.P., Peshawar.

/ES Dated Bannu, the 24/6/1996.

REQUEST FOR DUE SENIORITY.

ASI Mohammed Sharif No.43/B of Bannu Distt: has submitted an application that he alongwith 4 (four) others were enlisted as Probationer A.S.Is with effect from 24.4.1991 on three years probation. After termination of their prescribed period of probation, they were confirmed with effect from 1.5.1994. Now he requested for his seniority ~~from the presdate of~~ <sup>to be reckoned from</sup> 24.4.91, i.e. the date of his appointment. He has further quoted giving reference the probationer ASIs confirmed in the year 1991 session, who were given their due seniority with effect from the date of their appointment by Range Office D.I.Khan, ~~thus a confusion arises.~~

Kindly guide this Office in this regard as to whether the Probationer ASIs may be confirmed from the date of their appointment or otherwise, so as to avoid the <sup>present</sup> ambiguity.

( SULTAN HANIF ORAKZAI )  
Dy:Inspector General of Police,  
Bannu Range, Bannu.

Attested  
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(G) Page 28

- (b) if he was appointed to such service or, post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a or, if there be no such service or post, be discharged.

Provided that, in the case of initial appointment to a service or post, a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. Confirmation.- (1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed.

(2) A civil servant promoted to a post on regular basis shall be eligible for confirmation after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.

(5) Confirmation of a civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8. Seniority.- (1) For proper administration of a service, cadre, or post the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or post to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or post as the case may be.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or cadre whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, cadre or post shall be determined as may be prescribed.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post.

Attended  
Geo. Ace. Tom

OFFICE OF THE  
INSPECTOR GENERAL  
PUNJAB, INDIA

10th Floor, 107, March, 2014

(H) Haseet

Assistant Director  
of Police

Subject: REVISION OF THE RULES GOVERNING CONFIRMATION OF OFFICERS

Background

The issue of confirmation from the date of appointment of officers promoted remained under consideration in Central Police Office. Recently this issue went up by the bench of Supreme Court of Pakistan which rendered the same with the observation that date of confirmation cannot be different from the date of appointment/promotion. However, Punjab Service Tribunal while deciding different cases on the issue of confirmation under P.A. 13.9 and 13.16 also followed the same principle and rather directed that there is need up of the similar cases and decide them in the same terms.

In order to streamline the confirmation of upper subordinates from the date of their appointment/promotion under P.A. 13.9 and 13.16, it has been decided that:

- i) All the officers from promotions upper subordinates shall be considered on probation for three years (in the case of 13.9) and the provisions of these rules may be kept in mind when discharging/confirming them. The competent authority must arrive at a definite decision within the probationary period whether to confirm the officer or to revert him. There should be a speaking order in writing passed in every case.
- ii) All the officers will be confirmed as ASU/Sub Inspector from the date of their appointment/promotion by the Range/Joint D/O in which these officers were recruited/appointed on receipt of their present places of posting. For this purpose, their merit position determined at the time of their appointment will be material in a batch.
- iii) Date of confirmation to the rank and promotion to Sub Inspector can be changed as a result of antecedent confirmation but only carefully keeping in view the relevant rules especially the Police Rule 15.4, on that changes of regular and minimum training courses allotted to each rank for further advancement in service will also be a material factor governing confirmation.

Amended  
[Signature]  
Co. No. NE-700

Ante-dated confirmation/promotions in various ranks not entitle a person to maintenance of pay arrears etc. in perpetuity of the Government.

The seniority of ASIs is received from other Range/Units/Divisions on their request will be fixed as under -

- a. If received in confirmed rank will be placed at the bottom of confirmed officers on the date of transfer/promotion in Punjab Police.
- b. If received in officiating rank will be placed at the bottom of officiating officers of that rank, at their arrival/returning in Punjab Police.

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The process of confirmation may be taken up in bulk and this exercise must be completed within a month and complete information sent to this office as early as possible according to the following proforma:-

Sl. No.	Name, No. & Rank	Section	Date of Birth	Date of appointment/promotion/confirmation as ASI	Date of appointment/promotion/confirmation as Sub Inspector
				5	6
1	2	3	4		

These policy instructions may be complied with strictly as a guideline for all the times to come and any violation thereof shall be viewed seriously.

(SYED AZHAR HASSAN NADEEM)  
 PEP/PPM/Ph: D  
 Addl. Inspector General of Police,  
 Punjab, Lahore.

*Arrested*  
*[Signature]*  
 G.O. ACE - Javed

07.2023

Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Farooq Khan, DSP (Legal) for the respondents present.

Learned counsel for the petitioner submitted reply to objection petition which is placed on file. Copy of the same handed over to learned Assistant Advocate General. Learned counsel for petitioner stated that the order of respondent bearing O/B No. 379 dated 12.12.2022 may be replaced through a notification as per rules. Respondents are therefore, directed to submit proper implementation report on the next date positively. To come up with implementation report on 18.08.2023 before S.B. P.P given to all parties.

(Muhammad Akbar Khan)  
Member (E)

SCANNED  
KPST  
07.08.2023

Asad Ali Khan  
18.08.2023

1. Learned counsel for the petitioner present. Mr. Asad Ali Khan learned Additional Advocate General alongwith Muhammad Farooq, DSP (Legal) for the respondents present.

2. Implementation report not submitted. Representative of the respondents seeks time for submission of implementation report. Absolute last chance is given. To come up for implementation report on 14.09.2023 before S.B. P.P given to parties.

(Rashida Bano)  
Member (J)

SCANNED  
KPST  
07.08.2023



POLICE DEPTT:

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE  
PART-II ORDERS BY THE R.P.O. BANNU REGION

BANNU REGION

NOTIFICATION

No. /EC, dated Bannu, the /04 /2015.

Subject: SENIORITY LIST OF ASSTT. SUB: INSPECTORS AND OFFG: SUB: INSPECTORS ON REGIONAL LEVEL ON LIST "EP"

The following Asstt. Sub. Inspectors and Offg: SIs on list "EP" of Bannu Region, in order of seniority, as it stood on 31.03.2015

S#	Name & No.	Date of Birth	Education	Date of Enlistment	Date of confirmation as ASI	Date of Entry to List "E"	Date of Promotion as OSI	Date of confirmation as SI	Remarks
1.	SI Zafarullah No. B/21.	31.01.1967	BA	11.01.1995	11.01.1995	13.07.2001	07.10.2004	17.09.2009	
2.	SI Mohammad Ayub No. B/3	11.4.1957	FA	19.10.1976	20.07.2000	25.8.2006	25.8.2006	25.8.2010	
3.	SI Iqbal Qadir Khan No. B/16.	20.12.1957	10 <sup>th</sup>	2.9.1975		25.8.2006	25.8.2006	4.10.2011	
4.	SI Amanullah No. B/3	26.4.1957	BA	20.10.1974	13.07.2001	02.07.2005	25.08.2006	05.07.2012	
5.	SI Musammi No. B/12	10.12.1957	10 <sup>th</sup>	01.12.1974	20.07.2000	22.10.2007	22.10.2007	05.07.2012	
6.	SI Anwarullah No. B/6	1.4.1957	10 <sup>th</sup>	02.09.1975		18.12.2007	18.12.2007	05.07.2012	
7.	SI Shah Baz Khan No. B/27.	3.2.1958	10 <sup>th</sup>	19.10.1976	16.02.2007	31.3.2008	4.7.2008	22.2.2013	
8.	SI Mohammad Bashir No. B/28	1.11.1958	10 <sup>th</sup>	6.12.1976	16.02.2007	31.3.2008	4.7.2008	22.2.2013	

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9	OSI Abdur Rahim No. 76/B.	5.3.1957	10th	22.10.1975	16.02.2007	31.3.2008	4.7.2008		
10	OSI Inayatullah No. 25/E	16.1.1956	10th	3.12.1977	05.07.2008	24.1.2009	24.1.2009		
11	SI Umer Niaz Shah No. B/26.	12.2.1958	FA	7.7.1977	07.02.2008	07.02.2009	13.8.2009	22.2.2013	
12	SI Naimatullah No. B/7.	4.10.1956	9th	4.2.1975		18.12.2007	18.12.2007	31.5.2013	
13	SI Gul Janan No. B/30.	5.12.1956.	10th	2.9.1975	05.07.2008	24.1.2009	24.1.2009	31.5.2013	
14	SI Gul Hamid No. B/42.	26.3.1961	9th	17.2.1980	27.10.2008	24.1.2009	24.1.2009	31.5.2013	Adhoc Inspector.
15	SI Akhtar Ali No. B/40.	24.12.1961	10th	17.8.1980	07.02.2009	27.7.2009	13.8.2009	31.5.2013	
16	SI Inayatullah No. 21/B	15.4.1957	10th	20.10.1975	07.02.2009	27.7.2009	13.8.2009	31.5.2013	
17	SI Zahidullah No. 22/B.	9.9.1957	10th	13.5.1978	07.02.2009	27.7.2009	13.8.2009	31.5.2013	
18	SI Mashal Khan No. B/31	1.4.1957	10th	22.10.1975		27.7.2009	13.8.2009	31.5.2013	
19	SI Mohammad Rukhsar Khan B/S.	5.5.1955	FA	23.10.1975	07.02.2009	27.7.2009	13.8.2009	31.5.2013	
20	OSI Mohammad Khan No. 4/B.	13.6.1960	10th	24.8.1978	07.02.2009	27.7.2009	13.8.2009		
21	SI Gul Nafsan No. B/34	5.10.1956	10th	2.9.1975	09.10.2009	5.2.2010	5.2.2010	31.5.2013	
22	SI Taj Ali No. B/39.	8.8.1958	10th	26.6.1978	09.10.2009	15.2.2010	15.2.2010	31.5.2013	
	SI Nasrullah No. B/45.	12.5.1958	10th	13.9.1978	09.10.2009	15.2.2010	15.2.2010	31.5.2013	

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24	SI Balqjaz No. B/14	3.12.1959	8th	9.1.1980	30.09.2010	8.2.2011	8.2.2011	31.5.2013
25	OSI Amir Khan No. 100/B	4.12.1957	9th	19.4.1977	30.09.2010	8.2.2011	8.2.2011	
26	SI Mohammad Salim No. 31/B	4.4.1964	10th	9.5.1982	30.09.2010	8.2.2011	8.2.2011	31.5.2013
27	SI Mohammad Amin No. B/32	18.11.1958	FSc	9.3.1983	30.09.2010	8.2.2011	8.2.2011	31.5.2013
28	OSI Mir Sahib Khan No. 32/B	3.4.1960	10th	25.8.1980	30.09.2010	8.2.2011	7.2.2012	
29	OSI Taj Ali Khan No. 104/B	4.12.1960	FA	14.9.1981	30.09.2010	30.9.2010	7.2.2012	
30	ASI Hazrat Umer No. 12/B	10.4.1956	10th	25.10.1975	30.09.2010	30.9.2010		
31	OSI Abdul Aziz No. 103/B	3.9.1961	10th	11.3.1980	30.09.2010	30.9.2010	10.9.2013	
32-R	OSI Mohammad Ishaq No. 60/B	31.12.1955	10th	20.10.1975	15.6.2002	14.5.2014	21.11.2014	
33	OSI Amir Ali No. 46/B	17.7.1957	8th	20.10.1975	19.12.2003	14.5.2014	21.11.2014	
34-P	OSI Javid Iqbal No. 55/B	20.7.1984	FA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
35	OSI Zafarullah No. 62/B	20.2.1984	FA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
36	OSI Hanayun Khan No. 65/B	21.6.1984	BA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
37	OSI Dilawar Khan No. 73/B	17.2.1962	10th	6.2.1982	19.10.2007	14.5.2014	21.11.2014	
38	OSI Mohammad Mofiz Khan No. 14/B	15.11.1981	MA	3.12.2007	3.12.2007	20.6.2011	10.9.2013	

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24	SI Balqiaz No: B/14	3.12.1959	2th	9.1.1980	30.09.2010	8.2.2011	8.2.2011	31.5.2013
	OSI Amir Khan No. 100/B	4.12.1957	9th	19.4.1977	30.09.2010	8.2.2011	8.2.2011	
26	SI Mohammad Salim No 31/B	4.4.1964	10th	9.5.1982	30.09.2010	8.2.2011	8.2.2011	31.5.2013
27	SI Mohammad Amin No. B/32	18.11.1958	FSe	9.3.1983	30.09.2010	8.2.2011	8.2.2011	31.5.2013
28	OSI Mir Salih Khan No. 32/B	3.4.1960	10th	25.8.1980	30.09.2010	8.2.2011	7.2.2012	
29	OSI Taj Ali Khan No. 104/B	4.12.1960	FA	14.9.1981	30.09.2010	30.9.2010	7.2.2012	
30	ASI Hazrat Umer No. 12/B	10.4.1956	10th	25.10.1975	30.09.2010	30.9.2010		
31	OSI Abdul Aziz No. 103/B	3.9.1961	10th	11.3.1980	30.09.2010	30.9.2010	10.9.2013	
32-R	OSI Mohammad Ishaq No. 60/B	31.12.1955	10th	20.10.1975	15.6.2002	14.5.2014	21.11.2014	
33	OSI Amir Ali No. 60/B	17.7.1957	8th	20.10.1975	19.12.2003	14.5.2014	21.11.2014	
34-F	OSI Javid Iqbal No. 55/B	20.7.1984	FA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
35	OSI Zafarullah No. 62/B	20.2.1984	FA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
35	OSI Hanayim Ra No. 65/B	21.6.1984	HA	5.10.2007	5.10.2007	31.3.2011	10.9.2013	
37	OSI Dilawar Khan No. 73/B	17.2.1962	10th	6.2.1982	19.10.2007	14.5.2014	21.11.2014	
38	SI Mohammad Mofiz Khan No. 14/B	15.11.1981	MA	3.12.2007	3.12.2007	20.6.2011	10.9.2013	

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39.	OSI Inuran Aslam No. 17/B.	20.2.1980	BA	3.12.2007	3.12.2007	14.4.2012	10.9.2013		
40.	OSI Haider Ali Shah No. 50/B.	29.11.1976	BA	3.12.2007	3.12.2007	14.4.2012	10.9.2013		
41-R	OSI Mir Bad Shah No. 57/B.	1.1.1959	10th	18.12.1977	5.12.2007	14.5.2014	19.6.2014		
42.	OSI Zarwali No. 124/B.	20.2.1962	10th	25.5.1981	27.8.2008	14.5.2014	21.11.2014		
43.	OSI Gul Mohammad No. 125/B.	6.1.1962	10th	8.1.1981	27.8.2008	20.3.2014	21.11.2014		
44	OSI Senaullah No. 126/B.	15.4.1962	10th	16.4.1981	27.8.2008	14.5.2014	21.11.2014		
45.	OSI Mohammad Ayaz No. 127/B.	2.6.1960	10th	1.12.1978	27.8.2008	14.5.2014	21.11.2014		
46.	OSI Asmatullah NO. 129/B	28.2.1965	10th	19.3.1983	27.8.2008	14.5.2014	21.11.2014		
47.	OSI Raees Khan NO: 130/B	2.4.1960	10th	22.10.1978	27.8.2008	14.5.2014	21.11.2014		
48.	OSI Gul Amir No. 131/B	20.12.1958	10th	8.1.1977	27.8.2008	14.5.2014	21.11.2014		
49.	OSI Bashir Nawaz No. 132/B.	22.3.1962	10th	16.8.1980	27.8.2008	14.5.2014	21.11.2014		
50.	OSI Fazal Rahim No. 133/B.	1.3.1964	10th	17.11.1982	27.8.2008	14.5.2014	21.11.2014		
51.	OSI Sher Ahmed No. 135/B.	4.7.1964	BA	23.6.1986	27.8.2008	14.5.2014	21.11.2014		
52.	OSI Mohammad Zaman No. 137/B.	1.9.1963	10th	21.11.1982	27.8.2008	14.5.2014	21.11.2014		
53.	OSI Gul Salani No. 139/B.	25.4.1961	FA	23.12.1980	27.8.2008	20.3.2014	21.11.2014		

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54.	OSI Hani Khan No. 138/B.	8.4.1958	10th	6.2.1962	27.8.2008	14.5.2014	21.11.2014		
55.	OSI Syed Ayaz No. 140/B.	7.12.1965	10th	22.3.1986	27.8.2008	14.5.2014	21.11.2014		
56.	OSI Mir Daraz No. 141/B.	7.1.1964	10th	28.7.1983	27.8.2008	14.5.2014	21.11.2014		
57.	OSI Khurshid Khan No. 143/B	9.2.1962	BA	22.12.1983	27.8.2008	20.3.2014	21.11.2014		
58.	OSI Mameer Khan No. 142/B.	15.7.1955	10th	10.7.1978	27.8.2008	14.5.2014	21.11.2014		
59.	OSI Rustam Khan No. 146/B.	10.3.1960	10th	23.12.1980	27.8.2008	20.3.2014	21.11.2014		
60.	OSI Hakim Khan No. 144/B.	13.8.1969	10th	1.1.1990	27.8.2008	14.5.2014	21.11.2014		
61.	OSI Mohammad Salim No. 145/B.	31.10.1965	10th	16.1.1984	27.8.2008	14.5.2014	21.11.2014		
62.	OSI Abdul Hai No. 147/B.	13.5.1969	8th	3.7.1978	27.8.2008	14.5.2014	21.11.2014		
63.	OSI Saadullah No. 149/B.	4.4.1966	10th	24.12.1985	27.8.2008	20.3.2014	21.11.2014		
64.	OSI Gul Shabaz No. 148/B.	4.9.1956	10th	20.1.1979	27.8.2008	14.5.2014	21.11.2014		
65.	OSI Munawar Jan No. 151/B	2.3.1963	10th	3.12.1981	27.8.2008	14.5.2014	21.11.2014		
66.	OSI Abdul Khanan No. 152/B.	2.11.1966	10th	19.12.1987	4.9.2008	15.4.2014	21.11.2014		
67.	OSI Abdul Hamid No. 153/B.	14.10.1969	10th	19.12.1987	27.10.2008	13.4.2014	21.11.2014		

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69-P	OSI Rizwanullah No. 19/B.	30.5.1982	MSc/MA	23.2.2009	23.2.2009	9.5.2012	10.9.2013		
70.	OSI Amanullah No. 11/B.	1.4.1980	MA	3.3.2009	3.3.2009	9.5.2012	10.9.2013		
71.	OSI Umer Irfan No. 49/B.	8.4.1983	FSc	25.3.2009.	25.3.2009	20.11.2012	10.9.2013		
72.	OSI Mohammad Raza Khan No. 35/B.	16.5.1984	BSc	5.3.2009	5.3.2009	22.6.2012	10.9.2013		
73	OSI Husnainullah Dawar No. 51/B.	4.12.1977	MA	6.3.2009	6.3.2009	9.5.2012	27.11.2013		
74.	OSI Imranullah No. 9/B.	7.2.1983	BA	12.3.2009	12.3.2009	3.7.2012	27.11.2013		
75.	OSI Husnainullah Marwat. 74/B.	2.2.1980	MA	17.3.2009	17.3.2009	3.7.2013	27.11.2013		
76	OSI Arifullah No. 64/B.	15.3.1987	BA	21.3.2009	21.3.2009	22.6.2012	27.11.2013		
77	OSI Azad Khan No. 7/B.	10.1.1979	FA	21.3.2009	21.3.2009	22.6.2012	27.11.2013		
78	OSI Rahim Gul No. 18/B.	24.3.1982	FA	19.3.2009	19.3.2009	10.12.2012	21.11.2014		
79.	OSI Asmatullah No. 80/B.	5.8.1979	MSc	10.3.2010	10.3.2010	29.05.2013	21.11.2014		
80.	OSI Umer Khitab No. 81/B.	2.4.1978	BSc	16.3.2010	16.3.2010	20.11.2012	21.11.2014		
81.	OSI Laif Zaman No. 83/B.	1.1.1979	MA	27.3.2010	27.3.2010	29.05.2013	21.11.2014		
82.	OSI Nasib Rehman No. 82/B.	4.3.1979	BA	18.3.2010.	18.3.2010	29.05.2013	21.11.2014		
83.	OSI Najeebullah No. 84/B.	12.1981	BSc	22.3.2010	22.3.2010	29.11.2012	21.11.2014		

*Mustafa*  
*Co-Ordinator*

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84.	OSI Arshadullah No. 83/B.	1.1.1983	MA	19.3.2010	19.3.2010	29.05.2013	21.11.2014		
85.	OSI Mohammad Riyaq NO. 87/B	6.9.1978	BSc	22.3.2010	22.3.2010	16.5.2012	21.11.2014		
86.	OSI Farmanullah No. 88/B.	25.1.1980	BA	13.4.2010	13.4.2010	6.5.2013	21.11.2014		
87.	ASI Binyamin No. 86/B.	4.2.1985	BSc	4.3.2010	4.3.2010	29.05.2013			
88.	ASI Tariq Mohmood No. 92/B.	3.6.1984	FA	20.8.2010	20.8.2010	09.10.2013			
89.	ASI Wahid Noor No. 93/B.	1.4.1990	FA	2.8.2010	2.8.2010	11.10.2013			
90.	ASJ Ihsanullah No. 94/B.	1.1.1974	BA	2.8.2010	2.8.2010	11.10.2013			
91.	ASI Naccmullah Khai No. 95/B.	3.3.1990	FA	20.8.2010	20.8.2010	09.10.2013			
92.	ASI Muhammad Rashid No. 97/B.	1.1.1989	FA	20.8.2010	20.8.2010	09.10.2013			
93.	ASI Rizwanullah No. 98/B.	15.10.1986	FA	28.9.2010	8.9.2010	09.10.2013			
94.	ASI Mohammad Naccm Khan 111/B.	15.9.1979	MA	10.2.2011	10.2.2011	08.05.2014			
95.	ASJ Irfanullah No. 106/B.	1.1.1989	BSc	22.1.2011	22.1.2011	08.05.2014			
96.	ASI Hamidullah No. 112/B.	28.3.1984	BA	10.2.2011	10.2.2011	08.05.2014			
97.	ASI Mohammad Zahir No. 101/B	1.1.1986	BSc/LLB	10.2.2011	10.2.2011	08.05.2014			
98.	ASI Asmatullah No. 107/B.	5.6.1983	MSc	19.1.2011	19.1.2011	08.05.2014			

*Amirul*  
*[Signature]*  
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99.	ASI Altaf-ur-Rehman No. 122/B.	3.3.1981	MA/MED	10.2.2011	10.2.2011	08.05.2014			
100.	ASI Damsaz Khan No. 121/B.	5.1.1985	M-Com	10.2.2011	10.2.2011	08.05.2014			
101.	ASI Rahmdll Khan No. 120/B.	24.8.1974	MA	10.2.2011	10.2.2011	08.05.2014			
102.	ASI Furqan Javid No. 105/B.	1.7.1984	BA	10.2.2011	10.2.2011	08.05.2014			
103.	ASI Inayat Ali Amjid No. 108/B.	1.9.1979	MA	19.1.2011	19.1.2011	19.08.2014			
104.	ASI Mohammad Javid No. 109/B.	15.3.1981	MA	19.1.2011	19.1.2011	08.05.2014			
105.	ASI Mohammed Kamran No. 110/B.	19.9.1988	FSc	19.1.2011	19.1.2011	08.05.2014			
106-R	ASI Mohammad Ishaq No. 38/B.	10.1.1963	BA	23.12.1986	4.3.2011	14.5.2014			
107.	ASI Saifullah No. 53/B.	9.9.1965	10th	17.3.1986	19.5.2011	14.5.2014			
108.	ASI Abdul Saboor No. 23/B.	16.3.1969	FA	15.6.1988	27.5.2011	14.5.2014			Vide Addendum/Corrigendum Endst: No.2557-58/EC, dated 30.9.2014.
109.	ASI Sher Mast Khan No. 2/B.	18.1.1961	FA	26.12.1985	12.7.2011	14.5.2014			
110.	ASI Nasirud-Din No. 48/B.	18.3.1969	10 <sup>th</sup>	22.3.1987	21.12.2011	20.3.2014			
111.	ASI Abdul Majid No. 45/B.	25.7.1965	9th	4.8.1983	1.5.2012	14.5.2014			
112.	ASI Fidabillah No. 34/B.	15.7.1968	10th	23.12.1986	04.5.2012	14.5.2014			Vide Addendum/Corrigendum Endst: No.2557-58/EC,

*Arrested*  
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113.	ASI Mohammad Amin No. 36/B.	10.4.1966	10th	10.7.1985	5.7.2012	20.3.2014			
114	ASI Ibrniaz Khan No. 26/B.	10.3.1968	FA	1.4.1990	1.3.2013	20.3.2014			
115.	ASI Saeed Nawaz No. 43/B.	25.9.1965	10th	19.4.1984	1.3.2013	14.5.2014			
116.	ASI Said Azam No. 16/B.	01.01.1967	10 <sup>th</sup>	23.12.1986	22.03.2013	14.05.2014			Vide Addendum/Corrigendum Enclt: No.2557-SS/EC, dated 30.9.2014.
117.	ASI Qamar Zaman No. 24/B.	6.10.1963	10th	16.11.1983	22.03.2013	14.5.2014			Vide Addendum/Corrigendum Enclt: No.2557-SS/EC, dated 30.9.2014.
118	ASI Azim Khan No. 63/B.	4.4.1965	10th	23.6.1986	22.03.2013	14.5.2014			Vide Addendum/Corrigendum Enclt: No.2557-SS/EC, dated 30.9.2014.
119.	ASI Mir Sahib Jan No. 72/B.	8.3.1957	10th	12.5.1976	19.5.2013	14.5.2014			
120.	ASI Shakirullah No. 1/B.	11.2.1966	FSc	11.1.1986	31.5.2013	14.5.2014			
121	ASI Ghulam Mohammad No. 28/B.	28.11.1964	FA	30.04.1984	31.05.2013	14.05.2014			
122.	ASI Khelid Zaman No. 47/B	9.1.1970	FA	10.12.1988	31.5.2013	14.5.2014			
123.	ASI Mohammad Noor No. 61/B.	14.8.1969	10th	25.9.1987	31.5.2013	14.5.2014			
124	ASI Amanullah No. 75/B.	12.8.1970	FA	1.7.1989	31.5.2013	20.3.2014			
125	ASI Saadullah No. 79/B.	6.9.1970	10th	10.2.1988	31.5.2013	20.3.2014			

*Handwritten signatures and notes:*  
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126	ASI Rehmatullah No. 91/B.	25.4.1968	10th	1.1.1990	31.05.2013	14.05.2014			
127	ASI Abdur Rashid No. 37/B.	10.8.1969	10 <sup>th</sup>	1.10.1989	31.05.2013	14.05.2014			
128	ASI Ghulam Saboor 58/B	11.11.1968	10 <sup>th</sup>	27.09.1988	31.05.2013	14.05.2014			
129	ASI Hidayat Ullah 13/B	10.3.1970	F.A	11.07.1991	06.09.2013	20.03.2014			
130	ASI Gul Janan 77/B	15.01.1968	10 <sup>th</sup>	18.03.1986	06.09.2013	14.05.2014			
131	ASI Sajid Khan 39/B	16.04.1974	10 <sup>th</sup>	04.05.1993	06.09.2013	20.03.2014			
132	ASI Kamran Ali Shah 68/B	14.03.1968	B.Com	11.07.1991	13.12.2013	20.03.2014			
133	ASI Sher Mali Khan 90/B	01.03.1967	10 <sup>th</sup>	03.04.1990	13.12.2013	14.05.2014			
134	ASI Razaullah 69/B	30.04.1975	B.A	26.12.1996	13.12.2013	20.03.2014			
135	ASI Muhammad Nawaz 10/B	02.11.1968	F.A	01.10.1989	04.08.2014	14.05.2014			
136	ASI Mohammad Aslam No. 102/B.	03.04.1958	10 <sup>th</sup>	06.06.1977		30.09.2010			Besides reversion from Offg: rank, he was also reduced to lower position of ASI in the seniority list - E.
137	ASI Yasin Kamal No. 20/B.	05.05.1958	F.A	05.10.2007	05.10.2007	31.03.2011			Besides reversion from Offg: rank, he was also reduced to lower position of ASI in the seniority list - E.

Abdullah  
CO-ACC-1000

SI Sarfaraz No. 150/B.

02.01.1965

PA

11.10.1983

20.3.2014

lower position of ASI in the seniority list - R.

280

(Muhammad Tabir) PSP  
Regional Police Officer,  
Bannu Region, Bannu.

**OFFICE OF THE REGIONAL POLICE OFFICER, BANNU REGION, BANNU.**

No. 827-35 EC, dated Bannu, the 26/4/2015.

Copy to:

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Peshawar with 5 spare copies for publication.
3. The Deputy Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.
4. The Asstt. Inspector General of Police, Traffic, Khyber Pakhtunkhwa, Peshawar.
5. The Commandant, PTC, Hangu.
6. The District Police Officers Bannu and Lakki Marwat.
7. The Superintendents of Police, Investigation Bannu and Lakki Marwat.

The Police Officers concerned may be informed of their seniority position. Representation, if any, against the order of seniority, may be sent to this office within a period of one-month from the date of receipt of this communication, failing which, no representation thereafter will be entertained.

Attached  
Daw  
Comptroller

Handwritten notes in Urdu, including "میں نے" and "کے لئے".

گزارشوں کے لئے  
تمام تصانیف اور جو کتب کو اہلکاروں کے لئے  
اس میں سب سے پہلے اور سب سے پہلے  
کو سب سے پہلے اور سب سے پہلے  
آئین یا درخواست کے لئے  
9/4/2015

1-21  
(Muhammad Tabir) PSP  
Regional Police Officer,  
Bannu Region, Bannu.  
26/04/2015.

To,

The Registrar,  
Khyber Pakhtunkhwa,  
Service Tribunal Peshawar.

Subject: REPLY OF ORDER SHEET DATED 27-11-2023 INTO COC 17-22 INTO SERVICE APPEAL  
NO.12438 / 2020.

Respectfully sheweth,

Contempt of Court application in pending trial next date is fixed on 05-01-2024 written arguments alongwith its related documents is hereby submitted for annexure in main file in for further trial.

Dated 02/01/2024

Appellant

Through

(Nazir Ahmad)

Advocate

Peshawar High Court Peshawar

Peshawar

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**SERVICE APPEAL NO 12438/2020.**

**Sub Inspector Furqan javed, CO Ace Tank. \_\_\_\_\_ appellant**

**Vs**

**PRO Bannu and other \_\_\_\_\_ Respondents**

**AFFIDAVIT.**

I, Nazir Ahmad Advocate High Court Peshawar do hereby solemnly affirm on oath that the contents of written arguments on behalf appellant is correct to the Best of my knowledge and nothing has been concealed from this honorable Tribunal.

Dated 02.02.2024

**Appellant**

**Through**

**(Nazir Ahmad)**

**Advocate**

**Peshawar High Court Peshawar**

**Peshawar**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**In Ref: to COC No. 17/2022**

**Into EP 154/2022**

**Into Service Appeal**

**Appeal No. 12438/2020**

**FURQAN JAVED VS RPO BANNU ETC**

**PRO Bannu and other \_\_\_\_\_ Respondents**

No	Description of papers	Annex	Pages
1	Written arguments	-----	3
2	AFFIDAVIT	-----	4
3	APPLICATION	-----	5
4	RELATED PAPERS	A	6-46

**(Nazir Ahmad)**

**Advocate**

**Peshawar High Court Peshawar**

**Peshawar**

**Cell 0332-8540783.**