

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

Service Appeal No.1968/2023

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)  
MISS FAREEHA PAUL ... MEMBER (E)

Mr. Muhammad Abid Hussain, Chief Head Warder (BPS-11), Central Jail,  
Peshawar under Transfer to Central Prison D.I.Khan.....

... (Appellant)

**VERSUS**

1. The Inspector General of Prison, Khyber Pakhtunkhwa, Peshawar.
2. The Superintendent, Headquarter Prison Peshawar.

... (Respondents)

Mr. Amir Zaman Safi  
Advocate

...

For appellant

Mr. Asif Masood Ali Shah  
Deputy District Attorney

...

For respondents

----

Date of Institution.....02.10.2023  
Date of Hearing.....08.03.2024  
Date of Decision.....08.03.2024

**JUDGMENT**

**RASHIDA BANO, MEMBER (J):** The instant service appeal has been  
instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act  
1974 with the prayer copied as below:

*R.*

SCANNED  
K.F.

**“That on acceptance of this service appeal the impugned order dated 31.05.2023 may very kindly be set aside to the extent of appellant and the respondents may please be directed not to transfer the appellant from Peshawar Circle. Any other relief which this august tribunal deems fit that may also be awarded in favor of appellant.”**

2. Brief facts of the case, as given in the memorandum of appeal, are that appellant is the employee of Prison Department and is serving as Chief Head Warder (BPS-11) at Central Prison D.I.Khan quite efficiently and up to the entire satisfaction of his superiors. That during service respondent department issued order dated 01.10.2019 whereby four circles were created and it was also held that duties of the employees will be placed within the circle and such employee serving in a circle could not be placed in another circle. That the appellant while performing his duty at Central Prison, Peshawar transferred to Central Prison, D.I Khan vide order dated 31.05.2023. Appellant feeling aggrieved, preferred departmental appeal, which was not responded to, hence the instant service appeal.

3. Respondents were put on notice, who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Deputy District Attorney and perused the case file with connected documents in detail.

4. Learned counsel for appellant argued that the impugned order dated 31.05.2023 is against the law, facts, norms of natural justice and material on



the record, hence not tenable and liable to be set aside. He further argued that appellant has not been treated in accordance with law and respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan; that respondents acted in arbitrary and malafide manner while issuing the impugned order; that respondents violated clause-I of the transfer/posting policy of the government; that impugned order was issued during ban imposed by the Election Commission of Pakistan.

5. Conversely learned Deputy District Attorney contended that respondent department had issued order dated 01.10.2019 in order to streamline the Warder Establishment but there is nothing on record to show that Warder of any circle should perform duty at their own circle while it is upto the discretion of the competent authority to post and transfer any Warder/Head Warder from one place to another. He further argued that appellant was promoted to the post of Chief Head Warder (BPS-11) and respondent No.2 being competent authority issued posting/transfer order of all the promoted Chief Head Warder which is much prior to the ban period from Election Commission of Pakistan.

6. Perusal of record reveals that appellant is serving in the respondent/department as Head Warder who was promoted as Chief Warder (BPS-11) vide order dated 31.05.2023 and upon his promotion was transferred to Central Prison DI Khan from Central Prison Peshawar vide impugned order



which was assailed in a departmental appeal by the appellant which was not responded.

7. Appellant had taken two ground in his appeal first that respondent/department issued order dated 01.10.2019 whereby 04 circles have been created for the betterment of Warder Establishment and it has been held that duties of the employees will be placed within the circle and as such employee serving in a one circle could not be placed/posted in another circle and second, that impugned transfer order was issued during ban imposed upon transfer/posting of civil servants by Election Commission of Pakistan vide notification dated 29.05.2023.

8. Respondent issued notification dated 01.10.2019 wherein four circles were established to streamline the Warder Establishment. Perusal of said notification reveals that there was nothing of the sort that warders of one circle should perform duties in their own circles, therefore the authority can transfer any Warder from one circle to another. Moreover appellant was transferred to DI Khan upon his promotion. Authority is competent to transfer the appellant anywhere, and specially, when it was a case of promotion. that too in case of promotion.

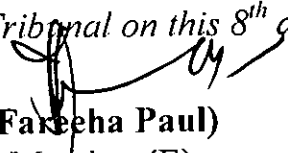
Coming towards the second contention of the appellant that despite ban imposed upon transfer posting by the Election Commission of Pakistan vide notification dated 29.05.2024, posting of the appellant was ordered, we are of the view that transfer/posting order of the appellant was issued due to his




promotion which vide order dated 31.05.2024. Therefore, ban in such case was not applicable. Moreover, if there was any violation, the ECP could have taken notice of that violation. As it was not done, this means that the case was clear and no violation took place.

9. For what has been discussed above, we are unison to dismiss the appeal in hand, being groundless.

10. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 8<sup>th</sup> day of March, 2024.*

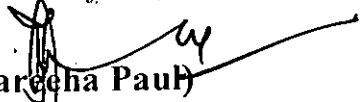
  
(Fareeha Paul)  
Member (E)


  
(Rashida Bano)  
Member (J)

**ORDER**

08.03.2024

1. Learned counsel for the appellant present. Mr. Asif Masaood .  
Ali Shah learned Deputy District Attorney for the respondents present.
2. Vide our detailed judgment of today placed on file, we are unison  
to dismiss the appeal in hand, being groundless.
3. *Pronounced in open court in Peshawar and given under our  
hands and seal of the Tribunal on this 8<sup>th</sup> day of March, 2024.*

  
(Faraha Paul)  
Member (E)

  
(Rashida Bano)  
Member (J)

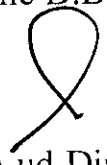
\*Kateemullah

SCANNED  
K.F.S.T  
Peshawar

09.02.2024

Appellant alongwith his counsel present. Mr. Suleman, Senior Instructor alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Para-wise comments on behalf of respondents received through office. Copy of the same handed over to the appellant. To come up for arguments on 23.02.2024 before the D.B. Parcha Peshi given to the parties.


  
(Salah-ud-Din)  
Member (J)


\*Naeem Amin\*

23<sup>rd</sup> Feb, 2024

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Learned counsel for the appellant seeks adjournment to further prepare the brief. Adjourned. To come up for arguments on 08.03.2024 before D.B. P.P given to the parties.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

\*Adnan Shah\*

SCANNED  
KPST  
Peshawar


15.01.2024

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

02. Notices have not been issued to respondents due to non-depositing of TCS expenses, therefore, appellant is directed to deposit TCS expenses within three days. To come up for reply/comments on 26.01.2024 before S.B. P.P given to the parties.

SCANNED  
K.P.S.T  
Peshawar

\*kamranullah\*


  
(Muhammad Akbar Khan)  
Member (E)

26.01.2024

Clerk of learned counsel for the appellant present. Mr. Ghulam Mustafa, Law Officer alongwith Mr. Habib Anwar, Additional Advocate General for the respondents present and requested for some time for submission of reply/comments. Adjourned. Last opportunity granted. To come up for written reply/comments on 09.02.2024 before the S.B. Parcha Peshi given to the parties.

SCANNED  
K.P.S.T  
Peshawar

\*Naeem Amin\*

  
(Salah-ud-Din)  
Member (J)



SA 1968/23

08<sup>th</sup> Dec. 2023

SCANNED  
KFST  
Peshawar

01. Counsel for the appellant present and requested for time to deposit security and TCS expenses. Last opportunity is granted to the appellant to deposit security and TCS expenses within 03 days. Thereafter, notices be issued to the respondents. To come up for reply/comments on 19.12.2023 before the S.B. Parcha Peshi given to learned counsel for the appellant.

  
(FAREEHA PAUL)  
Member (E)

*\*Fazle Subhan, P.S\**

19<sup>th</sup> Dec. 2023

SCANNED  
KFST  
Peshawar

01. Counsel for the appellant present. Mr. Asif Masood Ali Shah, DDA for the respondents present.

02. Reply/comments on behalf of the respondents not submitted. Learned DDA requested for time to contact the respondents for submission of reply/comments. Granted. To come up for reply/comments on 15.01.2024 before the S.B. Parcha Peshi given to the parties.

  
(FAREEHA PAUL)  
Member (E)

*\*Fazle Subhan, P.S\**

14<sup>th</sup> Nov. 2023

1. Learned counsel for the appellant present and heard.
2. Against the impugned transfer order dated 31.05.2023, whereby, the appellant was transferred from Central Prison Peshawar to Central Prison, D.I.Khan, he filed departmental appeal, which was not responded. Hence, the instant service appeal. The appeal is admitted to full hearing subject to all just and legal objections, by the other side. The appellant is directed to deposit security fees within 10 days. The appellant shall deposit the expenses of TCS for summoning the respondents, within three days. To come up for reply/comments on 23.11.2023 before S.B. P.P given to the appellant.

Security fee not deposited  
for Mohamir

SCANNED  
K.A.B.T  
Peshawar

\*Mutazem Shah\*



(Kalim Arshad Khan)  
Chairman

23.11.2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan learned Assistant Advocate General for the respondents present.
2. Security fee not deposited. Appellant is directed to deposit security fee within 3 days, thereafter notices be issued to respondents for submission of written reply/comments. To come up for written reply/comments on 08.12.2023 before S.B. P.P given to learned counsel for the appellant.

Once again  
Security fee not deposited  
for Mohamir

SCANNED  
K.A.B.T  
Peshawar

\*KaleemUllah\*

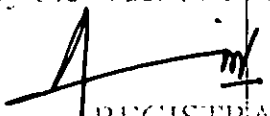



(Rashida Bano)  
Member (J)

FORM OF ORDER SHEET

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

Appeal No. 1968/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1.	02/10/2023	<p>The appeal of Mr. Muhammad Abid Hussain presented today by Mr. Mir Zaman Safi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>25-10-2023</u>. Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  REGISTRAR
25 <sup>th</sup>	Oct, 2023	<p>Learned counsel for the appellant present and requested for adjournment in order to prepare the brief. Adjourned. To come up for preliminary hearing on 14.11.2023 before S.B. P.P given to learned counsel for the appellant.</p>  (Rashida Bano) Member (J)

**SCANNED  
KPST  
Peshawar**

**SCANNED  
KPST  
Peshawar**

\*Kaleem Ullah

*[Handwritten notes]*

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

SCANNED  
KPST  
Peshawar

APPEAL NO. 1968 /2023

M. ABID HUSSAIN

VS

PRISON DEPTT:

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S.NO.	DOCUMENTS	ANNEXURE	PAGE
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2	Affidavit	.....	4.
3	Order dated 01.10.2019	A	5- 6.
4	Impugned order dated 31.05.2023	B	7- 9.
5	Notification dated 29.05.2023	C	10.
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7	Transfer/posting policy	E	13- 15.
8	Wakalat Nama	.....	16.

APPELLANT

THROUGH:

  
MIR ZAMAN SAFI  
ADVOCATE

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

APPEAL NO. 1968 /2023

Mr. Muhammad Abid Hussain, Chief Head Warder (BPS-11),  
Central Jail, Peshawar under transfer to Central Prison D.I Khan

.....APPELLANT

**VERSUS**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 8030

1- The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.

Dated 2/10/23

2- The Superintendent, Headquarter Prison, Peshawar.

.....RESPONDENTS

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
ORDER DATED 31.05.2023 WHEREBY THE APPELLANT HAS  
BEEN TRANSFERRED FROM CETRAL PRISON, PESHAWAR TO  
CENTRAL PRISON, D.I KHAN AND AGAINST NO ACTION  
TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT  
WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER**

That on acceptance of this service appeal the impugned order dated 31.05.2023 may very kindly be set aside to the extent of appellant and the respondents may please be directed not to transfer the appellant from Peshawar Circle. Any other relief which this august Tribunal deems fit that may also be awarded in favor of appellant.

**R/SHEWETH;**

**ON FACTS:**

*Medto-diy*

*The brief facts of the present appeal are as under:-*

*Registrar*

1. That appellant is the employee of Prison department and is serving as Chief Head Warder (BPS-11) at Central Prison D.I Khan quite efficiently and up to the entire satisfaction of his superiors.

2. That during service the respondent department issued order dated 01.10.2019 whereby 04 circles have been created for the betterment of Warder Establishment and it has been held that duties of the employees will be placed within the circle and as such employee serving in a circle could not be placed in another circle. Copy of the order dated 01.10.2019 is attached as annexure.....A.

3. That the appellant while performing his duty at Central Prison, Peshawar transferred to Central Prison, D.I Khan vide impugned order dated 31.05.2023 despite of clear directions of the higher authority in order dated 01.10.2019. That it is pertinent to mention that the impugned order dated 31.05.2023 has been issued in the ban period from Election Commission of Pakistan on transfer/posting of the civil servants. Copies of the impugned order dated 31.05.2023 and notification dated 29.05.2023 are attached as annexure.....**B & C.**
4. That the appellant feeling aggrieved from the impugned order dated 31.05.2023 preferred departmental appeal before the respondent No.1 but no reply has been received so far from the quarter concerned. Copies of the departmental appeal & judgment dated 20.06.2023 are attached as annexure.....**D.**
5. That the appellant feeling aggrieved and having no other remedy but to file the instant service appeal before this august Tribunal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned appellate order dated 31.05.2023 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and malafide manner while issuing the impugned appellate Notification dated 31.05.2023 by transferring the appellant from Central Prison, Peshawar to Central Prison, D.I Khan.
- D- That the respondent Department violated Clause-I of the transfer/Posting Policy of the Provincial Government by issuing the impugned appellate Notification dated 31.05.2023. Copy of the transfer/posting policy is attached as annexure.....**E.**
- E- That the impugned Notification dated 31.05.2023 is violative of the principle of natural justice, hence the same is not tenable and liable to be set aside.
- F- That the impugned order dated 31.05.2023 is clear violation of the order dated 01.10.2023, therefore, the same is not tenable and liable to be set aside to the extent of appellant.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Dated: 27.09.2023.

APPELLANT

  
MUHAMMAD ABID HUSSAIN

THROUGH:

  
MIR ZAMAN SAFI  
ADVOCATE

**CERTIFICATE:**

It is certified that no other earlier appeal was filed between the parties.

  
DEPONENT

**LIST OF BOOKS:**

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

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

APPEAL NO. \_\_\_\_\_/2023

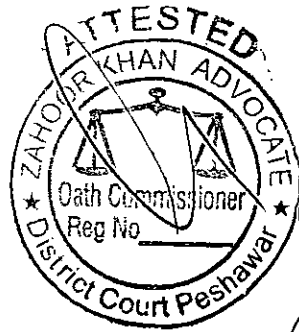
M. ABID HUSSAIN

VS

PRISON DEPTT:

**AFFIDAVIT**

I Mir Zaman Safi, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



*M. Zaman Safi*  
MIR ZAMAN SAFI,  
Advocate  
High Court, Peshawar





OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406

091-9213445

www.facebook.com/kpkprisons/

prisonsig@gmail.com

No. 29855

Dated 01-10-2019

**ORDER:-**

In supersession of all previous orders and in exercise of the powers conferred by Rule-1110 of Khyber Pakhtunkhwa Prisons Rules 2018, the following 04 circles are hereby created with immediate effect for better management of warder establishment of the Province:-

**CIRCLE No.1 (PESHAWAR CIRCLE) HEADQUARTERS PRISON PESHAWAR.**

All Jails / Lockups / Detention Centres located in the following districts:-

- |             |               |             |              |
|-------------|---------------|-------------|--------------|
| i) Peshawar | ii) Charsadda | iii) Swabi  | iv) Nowshera |
| v) Khyber   | vi) Mohmand   | vii) Bajaur |              |

**CIRCLE No.2 (MARDAN CIRCLE) HEADQUARTERS PRISON MARDAN.**

All Jails / Lockups / Detention Centres located in the following districts:-

- |             |                           |              |               |
|-------------|---------------------------|--------------|---------------|
| i) Mardan   | ii) Timergara (Dir Lower) | iii) Chitral | iv) Dir Upper |
| v) Malakand |                           |              |               |

**CIRCLE No.3 (HARIPUR CIRCLE) HEADQUARTERS PRISON HARIPUR.**

All Jails / Lockups / Detention Centres located in the following districts:-

- |              |                |               |              |
|--------------|----------------|---------------|--------------|
| i) Haripur   | ii) Abbottabad | iii) Mansehra | iv) Kohistan |
| v) Battagram | vi) Swat       | vii) Buner    |              |

**CIRCLE No.4 (D.I KHAN CIRCLE) HEADQUARTERS PRISON D.I KHAN.**

All Jails / Lockups / Detention Centres located in the following districts:-

- |                      |           |            |                        |
|----------------------|-----------|------------|------------------------|
| i) D.I Khan          | ii) Bannu | iii) Karak | iv) Lakki Marwat       |
| v) Tank              | vi) Kohat | vii) Hangu | viii) South Waziristan |
| ix) North Waziristan | x) Kurram |            |                        |

Circle Headquarters Prison, headed by the Superintendent Headquarters Prison concerned will perform the following functions in respect of the Jails / Lockups / Detention Centres included in the Circle:-

- Appointment, promotion and intra circle transfer of Warder Establishment.
- Disciplinary proceedings against Warder Establishment of the Circle.
- Administration of Warder Establishment including G.P Fund, Benevolent Fund, Retirement, Pension etc;
- Maintenance of complete record of Warder Establishment.
- Preparation and maintenance of seniority lists of Warder Establishment.
- Joint seniority list of Chief Warders will be maintained at Provincial level in the Inspectorate.
- Any other function as per Prisons Rules or as ordered by the Inspector General of Prisons.
- Superintendent Headquarters Prison concerned will be appointing / competent authority in respect of the Warders Establishment of the respective circle.

ATTESTED



6

OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406

091-9213445

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[prisonsig@gmail.com](mailto:prisonsig@gmail.com)

No. \_\_\_\_\_/-

Dated \_\_\_\_\_/-

Inter circle posting/transfers of warders establishment shall be ordered by the A.I.G Prisons.

Superintendent Headquarters Prison Bannu will transfer all the record of watch & ward staff including pending disciplinary proceedings to Superintendent Headquarters Prison D.I Khan under proper receipt immediately.

Superintendent Headquarters Prison Peshawar will continues, as before, the procurement of warders uniform articles and prisoners bedding / clothing, utensils etc for all the Jails/ Lockups and detention centers of the province.

INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

Endst; No. 29856-910 /-

Copy of the above is forwarded to the: -

- 1) Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Peshawar for information.
- 2) Accountant General Khyber Pakhtunkhwa Peshawar for information.
- 3) Superintendent Headquarters Prison Peshawar, Mardan, Haripur and D.I Khan for information and necessary action
- 4) All Superintendents Jails / Lockups / Incharge Internment Centers in the Khyber Pakhtunkhwa for information and necessary action.
- 5) All District Accounts Officers in the Khyber Pakhtunkhwa for information.

INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

M/B



OFFICE OF THE  
SUPERINTENDENT  
HEADQUARTER PRISON PESHAWAR

No: \_\_\_\_\_ P/B Dt: 31/05/2023

B-7

**OFFICE ORDER:-**

On the recommendation of the Departmental Promotion Committee in its meeting held on 30-05-2023, the Competent Authority is pleased to promote the following Head Warders (BPS-09) to the post of Chief Head Warders (BPS-11) on regular basis, with immediate effect:-

S#	Name with Parentage	Name of Jail	S#	Name with Parentage	Name of Jail
1.	Asmatullah s-o Gul Muhammad	CP D.I Khan	17.	Nudeem Khan S/o Abdul Qayum Khan	CP Peshawar
2.	Amjid Ali s-o Mir Hashim	SJ Malakand	18.	Muhammad Rasheed s-o Nazir Dad	CP Korak
3.	Muhammad Zakria s-o Iqbal Shah	SJ Ghallanai	19.	Muhammad Yaqoob Khan S/o Muhammad Raheem	CP Mardan
4.	Inayat Rehman S-o Saleh Rehman	CP Mardan	20.	Naveed Ali Shah S/o Abid Ali Shah	CP Peshawar
5.	Asadullah s-o Fida Muhammad	CP Peshawar	21.	Rahim Dad Khan s/o Pir Muhammad	CP Peshawar
6.	Syed Muslim Shah S/o Syed Younas Shah	CP Peshawar	22.	Shah Faisal s-o Karim Khan	CP Peshawar
7.	Hijabullah S/o Abdul Rasheed	CP Peshawar	23.	Muhammad Umar s-o Abdul Qadir	RPO Mardan
8.	Riaz Muhammad S/o Muhammad Afzal	SJ Nowshera	24.	Azizullah S/o Amin ullah	CP Peshawar
9.	Sadrat Khan S/o Asala Khan	CP Peshawar	25.	Abdul Hayat S/o Wasceel Khan	CP Korak
10.	Muhammad Abid Hussain S/o Khadim Hussain	CP Peshawar	26.	Mukhtiar Ahmad S/o Haji Rahim Bakhsh	CP D.I Khan
11.	Rasheed Khan S/o Fazal Khan	Inspectorate General of Prisons	27.	Zarwali Khan S/o Sifat Khan	IC Lakki Marwat
12.	Ali Akbar S/o Muhammad Israel	CP Mardan	28.	Sultan Muhammad S/o Ghulam Muhammad	DJ Hongu
13.	Muhammad Khalid S/o Fazal Muhammad	CP Peshawar	29.	Mumtaz Ali S/o Abdul Mateen	SJ Ghallanai
14.	Amjid Ali S/o Umar Ali	CP Peshawar	30.	Bakht Ali S/o Babuzai	DJ Timergara
15.	Muhammad Naseer S/o Shahzad Gul	CP Peshawar	31.	Zainullah S/o Said Mula Khan	CP Mardan
16.	Shah Zarin S/o Kachkol	CP Peshawar			

The above named officials will be on probation for a period of one year in terms Section 6(2) of the Khyber Pakhtunkhwa Civil Servant Act 1973 and Rule-15 of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

Moreover, the Competent Authority is also pleased to appoint the following Head Warders (BPS-09) to the post of Chief Head Warders (BPS-11) on acting charge basis, with immediate effect:-

S#	Name with Parentage	Name of Jail	S#	Name with Parentage	Name of Jail
32	Liaqat Ali S/o Mir Alam	CP Mardan	33	Afsar Khan S/o Atlas Khan	CP Peshawar

Consequent upon their promotion / appointment on acting charge basis, the following postings / transfers are hereby ordered in the public interest with immediate effect:-

S#	Name with Parentage	From	To
1.	Asmatullah s/o Gul Muhammad	Head Warden (BPS-09) at CP D.I Khan	Chief Head Warden (BPS-11) at CP D.I Khan against the vacant post.
2.	Amjid Ali s/o Mir Hashim	Head Warden (BPS-09) at CP Mardan	Chief Head Warden (BPS-11) at DJ Swat against the vacant post.
3.	Muhammad Zakria s/o Iqbal Shah	Head Warden (BPS-09) at SJ Ghallanai for the purpose of pay and for the purpose of duty with CP Peshawar	Chief Head Warden (BPS-11) at CP Peshawar vice # 4.
4.	Alamzeb s/o Fazal Khaliq	Chief Head Warden (BPS-11) at CP Peshawar	Chief Head Warden (BPS-11) at SJ Ghallanai against the vacant post.
5.	Inayat Rehman s/o Saleh Rehman	Head Warden (BPS-09) at CP Mardan	Chief Head Warden (BPS-11) at DJ Chitral against the vacant post.

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ATTESTED



OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQs. PRISON PESHAWAR  
No. 2505 / P.B. dt: 04/10/2013  
*WE*

To  
The Superintendent  
Judicial Lockup Nowshera

Subject: STANDING MEDICAL BOARD

Memo:

Enclosed please find herewith opinion of the Standing Medical Board (SMB) constituted on 11-09-2013 to examine Warder Abid Hussain attached to your jail for further necessary action with further directions that contents of the letter/ opinion may be pursued.

Endorsement No: 2506 /-

Copy of the above is forwarded to the Chairman Standing Medical Board, Police & Services Hospital Peshawar for information with reference to his office letter No. 6396-97/MS/SMB/2013-14 dated 26-09-2013 please.

*2*  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR  
*[Signature]*

*2*  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR  
*[Signature]*



DN 40724  
dt 1-10-13



**OFFICE OF THE MEDICAL SUPERINTENDANT  
POLICE AND SERVICES HOSPITAL, PESHAWAR  
GOVT. OF KHYBER PAKHTUNKHWA.**  
Phone: 091 9210509 Exchange: 091 9223472 Fax: 091 9210543

No. 6596-97 /MS/SMB/2013-14

Dated 26 /09/2013.

The Superintendent Central  
Jail, Peshawar.

Subject:- STANDING MEDICAL BOARD.

Memo:-

Abid Hassain was examined by the Standing Medical Board (SMB) held in this office on 11/09/2013. The proceedings of the Standing Medical Board are sent herewith for further necessary action.

D

Chairman  
Standing Medical Board  
Medical Superintendent  
Police/Service Hospital  
Peshawar.

Cc,

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar for information.

*MS*  
*DS/Lo CD*  
*For a/b*  
*of the rules*  
*gpd*  
*4/11*

OFFICE OF THE CHAIRMAN STANDING MEDICAL BOARD/MEDICAL SUPERINTENDENT  
POLICE/SERVICES, HOSPITAL PESHAWAR.

The Standing Medical Board comprising the following members assembled in the office of the Medical Superintendent Police/Services, Hospital Peshawar to examine, Mr. Abid Hassain.

The Standing Medical Board is of the opinion that he is having exercise induced Asthma. Advised light duty.

STATION, PESHAWAR.

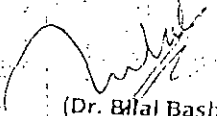
DATED: 11/09/2013.



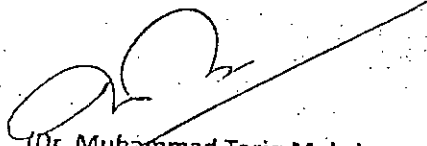
(Dr. Ali Ahmad)

Chairman

Standing Medical Board  
Medical Superintendent  
Police/Services, Hospital,  
Peshawar.



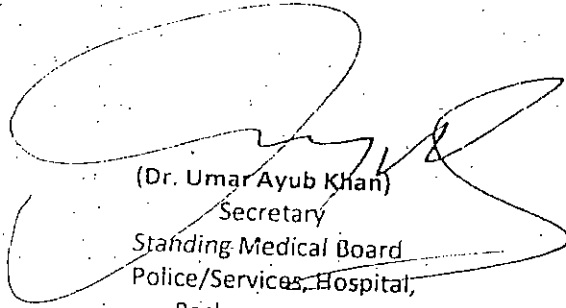
(Dr. Bilal Bashir)  
Ophthalmologist  
Police/Services, Hospital,  
Peshawar.



(Dr. Muhammad Tariq Mehr)

Physician

Khyber Teaching Hospital,  
Peshawar...Member...



(Dr. Umar Ayub Khan)

Secretary

Standing Medical Board  
Police/Services, Hospital,  
Peshawar.

OFFICE OF THE  
SUPERINTENDENT  
HEADQUARTER PRISON PESHAWAR

8

No: \_\_\_\_\_ P/B Dt: 31/05/2023

B#	Name with Parentage	From	To
6.	Aamrullah s/o Fida Muhummad	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP Haripur against the vacant post
7.	Syed Muslim Shah S/o Syed Younas Shah	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at BJ Kohistan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
8.	Hijabullah S/o Abdul Rasheed	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP Mardan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
9.	Riaz Muhammad S/o Muhammad Afzal	Head Warden (BPS-09) at SJ Nowshera	Chief Head Warden (BPS-11) at DJ Hangu for the purpose of pay against the vacant post and for the purpose of duty with SJ Swabi.
10.	Sadurat Khan S/o Arsala Khan	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP Mardan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
11.	Muhammad Abid Hussain S/o Khudim Hussain	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP D.I Khan against the vacant post.
12.	Rasheed Khan S/o Fazal Khan	Head Warden (BPS-09) at Inspectorate General of Prisons Peshawar	Chief Head Warden (BPS-11) at CP Haripur for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
13.	Ali Akbar S/o Muhammad Israel	Head Warden (BPS-09) at CP Mardan	Chief Head Warden (BPS-11) at CP Mardan against the vacant post.
14.	Muhammad Khalid S/o Fazal Muhammad	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at RPO Swat for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
15.	Amjid Ali S/o Umar Ali	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP Mardan against the vacant post
16.	Muhammad Naseer S/o Shuhzad Gul	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at RPO Abbottabad against the vacant post.
17.	Shah Zarin S/o Kachkol	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at SJ Swabi against the vacant post.
18.	Liaqat Ali S/o Mir Alam	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) <i>acting charge basis</i> at RPO Danna for the purpose of pay against the vacant post <i>on</i> and for the purpose of duty with CP Peshawar.
19.	Nadeem Khan S/o Abdul Qayum Khan	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at SJ Ali Zai for the purpose of pay against the vacant post and for duty with CP Peshawar.
20.	Muhammad Rasheed s-o Nazir Dad	Head Warden (BPS-09) at CP Karak	Chief Head Warden (BPS-11) at CP Karak against the vacant post.
21.	Muhammad Yaqoob Khan S/o Muhammad Raheem	Head Warden (BPS-09) at CP Mardan	Chief Head Warden (BPS-11) at CP Mardan against the vacant post.
22.	Naveed Ali Shah S/o Abid Ali Shah	Head Warden (BPS-09) at CP Peshawar for the purpose of pay and for the purpose of duty SJ Landi Kotal	Chief Head Warden (BPS-11) at DJ Hangu against the vacant post.
23.	Raham Dad Khan s/o Pir Muhammad	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at SJ NW for the purpose of pay against the vacant post and for the purpose of duty with RPO Peshawar.
24.	Shah Faisal s/o Karim Khan	Head Warden (BPS-09) at CP Peshawar	Chief Head Warden (BPS-11) at CP Haripur against the vacant post.
25.	Muhammad Umar s/o Abdul Qadir	Head Warden (BPS-09) at RPO Mardan	Chief Head Warden (BPS-11) at RPO Mardan against the vacant post.

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**ATTESTED**  
*[Signature]*



ATTESTED

9

S#	Name with Parentage	From	To
26.	Azizullah S/o Amin ullah	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at IC Ghallanai for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
27.	Abdul Hayat S/o Waseel Khan	Head Warder (BPS-09) at CP Karak	Chief Head Warder (BPS-11) at SJ Kurram against the vacant post.
28.	Mukhtiar Alimad S/o Haji Rahim Bakhsh	Head Warder (BPS-09) at CP D.I Khan	Chief Head Warder (BPS-11) at SJ Orakzai against the vacant post.
29.	Zarwali Khan S/o Sifat Khan	Head Warder (BPS-09) at IC Lakki Marwat	Chief Head Warder (BPS-11) at IC Lakki Marwat against the vacant post.
30.	Afsar Khan S/o Atlas Khan	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) on acting charge basis at CP Peshawar vice # 31.
31.	Inam ullah s/o Kareem Ullah	Chief Head Warder (BPS-11) at CP Peshawar	Chief Head Warder (BPS-11) at IC Fort Salop against the vacant post.
32.	Sultan Muhammad S/o Ghulam Muhammad	Head Warder (BPS-09) at DJ Hangu	Chief Head Warder (BPS-11) at CP D.I Khan against the vacant post.
33.	Mumtaz Ali S/o Abdul Mateen	Head Warder (BPS-09) at SJ Ghallanai	Chief Head Warder (BPS-11) at CP Bannu against the vacant post.
34.	Bakht Ali S/o Babuzai	Head Warder (BPS-09) at DJ Timergara	Chief Head Warder (BPS-11) at DJ Timergara against the vacant post.
35.	Zainullah S/o Said Mula Khan	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at DJ Buner against the vacant post.
36.	Sajjad Ali s/o Jamalud Din	Chief Head Warder (BPS-11) at CP Mardan	Chief Head Warder (BPS-11) at SJ Khar Bajaur vice # 37.
37.	Ali Sher s/o Ghulam Hussain	Chief Head Warder (BPS-11) at SJ Khar Bajaur	Chief Head Warder (BPS-11) at CP Mardan vice # 36.

*sd*  
SUPERINTENDENT  
HEADQUARTERS PRISON PESHAWAR  
E-mail: hqprisonpeshawar@gmail.com

Endst: No. 1844-601

Copy of the above is forwarded to the:-

1. Inspector General of Prisons Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. DIG Regional Prisons Office Peshawar, Abbottabad, Bannu, Mardan & Swat.
4. Superintendent Circle Headquarters Prison Haripur, Mardan and D.I Khan
5. Superintendent Jails concerned for information and further necessary action.
6. District Accounts Officers concerned.

*2*  
SUPERINTENDENT  
HEADQUARTERS PRISON PESHAWAR  
E-mail: hqprisonpeshawar@gmail.com

ATTESTED  
*[Signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

C-10

No. SO (Policy) (E&AD) 2-4/2023  
Dated Peshawar, the 29<sup>th</sup> May, 2023

To

1. Additional Chief Secretary P&D Department Govt. of Khyber Pakhtunkhwa
2. Senior Member Board of Revenue, Govt. of Khyber Pakhtunkhwa
3. Administrative Secretaries to Govt. of Khyber Pakhtunkhwa
4. All Divisional Commissioners in Khyber Pakhtunkhwa
5. All Heads of Attached Departments in Khyber Pakhtunkhwa
6. All Deputy Commissioners in Khyber Pakhtunkhwa

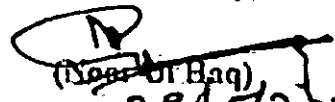
Subject: - BAN ON POSTINGS AND TRANSFERS IN KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to the above cited subject and to convey that in view of the fragile fiscal position of the Provincial Government, the Hon'ble Chief Minister Khyber Pakhtunkhwa has been pleased to impose ban on inter-district posting and transfers of officers and officials under the Government of Khyber Pakhtunkhwa as per the following:

- i. There shall be complete ban on inter-district transfers in all the departments;
- ii. This ban shall not apply on transfers within the districts and within the Secretariat and Directorates. However, while proposing such transfers of officers/officials within the district, Directorates or the Secretariat, as the case may be, due diligence must be observed and tenure, suitability of the officers/officials for the posts and past performance must be taken into account;
- iii. In cases posting and transfer is necessitated due to some court orders or some administrative exigencies, ban relaxation will be obtained from Chief Minister through summary. For such posting/transfers, departments will put forth sound justifications. Subsequently in cases where NOC from Election Commission is required, cases will be taken up with ECP for ban relaxation by the concerned Administrative Departments.
- iv. This ban shall not apply on filling of vacant posts through recommendations of the Khyber Pakhtunkhwa Public Service Commission as Election Commission of Pakistan has already granted exemption in such cases.

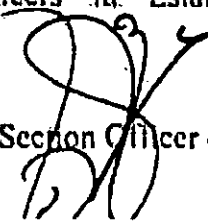
Yours sincerely,

  
(Deputy Secretary)  
Deputy Secretary 29/05/23

ENDST: NO. & DATE EVEN

Copy is forwarded for information to:

1. Principal Secretary to Governor, Khyber Pakhtunkhwa
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
3. CSO/PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
4. All Additional Secretaries/Deputy Secretaries/Section Officers in Establishment & Administration Department.

  
Section Officer (Policy)

ATTESTED



25083

To,

The Inspector General of Prisons,  
Khyber Pakhtunkhwa, Peshawar.

D-11

Subject:

**DEPARTMENTAL APPEAL AGAINST THE IMPUGNED OFFICE ORDER DATED 31.05.2023 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM CENTRAL JAIL, PESHAWAR TO CENTAL JAIL DI KHAN DURING THE BAN PERIOD ON THE TRANSFER POSTING AND ALSO IN VIOLATION OF ORDER DATED 11.10.2019 OF THE PRISON DEPARTMENT**

Respected Sir,

With great reverence it is stated that the appellant is the employee of your good self Department and is serving as Chief Head Warder (BPS-11) quite efficiently and upto the entire satisfaction of his superiors.

That the appellant while performing his duty as Head Warder at Central Prison, Peshawar promoted to the rank of Chief Head Warder vide order dated 31.05.2023 but subsequently transferred to Central Prison, DI Khan by the Worthy Superintendent Headquarter Prison, Peshawar.

That it is pertinent to mention that the appellant has served the different stations during his entire service with devotion, honesty and with all zeal and zest.

That it is also pertinent to mention here that your good self has been created 04 circles vide order dated 01.10.2019 for the transfer/posting of the employees and it was the clear directions of your good self that Inter circle posting/transfers of warders establishment shall be ordered by the A.I.G Prisons but the appellant has been transferred from Peshawar Circle to D.I Khan Circle in violation of the order dated 01.10.2019.

That it is worth mentioning here that as per instructions of the Establishment Department vide dated 29.05.2023 there is complete ban on the transfer/posting of the civil servants, but inspite of that the authority issued the impugned order dated 31.05.2023.

That the impugned order dated 31.05.2023 is based on malafide intention of the authority concerned and the same is coram-non-judice.

That the impugned Notification dated 26.05.2023 has been in clear violation of Clause-I of the transfer/posting policy of the Provincial Government and as such violative of the order dated 01.10.2019, therefore, the same is not tenable in the eye of law and liable to be set aside.

ATTESTED

M. A.

12

That the impugned Notification dated 31.05.2023 is also violative of Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

That the impugned order dated 31.05.2023 is also violative of the instruction/order of the Establishment department dated 29.05.2023.

That the impugned order dated 31.05.2023 has been issued in utter violation of the principle of natural justice.

That the appellant feeling aggrieved from the impugned order dated 31.05.2023 preferred the instant departmental appeal before your good self.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the impugned order dated 31.05.2023 may very kindly be set aside to the extent of appellant and the authority concerned be directed not to transfer the appellant from Central Prison, Peshawar. Any other relief which your good self deems fit that may also be awarded in favor of the appellant.

Dated: 05.06.2023.

Your sincerely

**MUHAMMAD ABID HUSSAIN,**  
Chief Head Warder (BPS-11),  
Central Prison, Peshawar

**ATTESTED**



GOVERNMENT OF NWFP  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(Regulation Wing)

E (13)

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants.
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.
- vi) While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary, NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice-versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-IV/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from their most scales/grades downwards to each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on deputation basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI(E&AD)1-4/2008/Vol-VI, dated 26-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004.

*M. Lanooy*  
**ATTESTED**

14

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement.  
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-14 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

Attested  
  
**ATTESTED**

15

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting/transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers:	Authority:
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government.
3.	Other Officers in DPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below.	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.  
(Authority: Letter No: SOR-VIE&AD/1-4/2003 dated 24-6-2003).

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

*M. Samra*  
**ATTESTED**



VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

\_\_\_\_\_ OF 2023

SCANNED  
KPST  
Peshawar

Muhammad Abid Hussain

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

I. G Prison & Other

(RESPONDENT)  
(DEFENDANT)

I/We Muhammad Abid Hussain

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_\_ / \_\_\_\_\_ /2023

Muhammad Abid Hussain  
CLIENT

Mir Zaman Safi  
ACCEPTED  
MIR ZAMAN SAFI  
ADVOCATE

OFFICE:  
Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T Road,  
Hashtnagri, Peshawar.  
Mobile No.0333-9991564  
0317-9743003

Munkat Ali  
ADVOCATE

9/2/24

SCANNED  
KPOT  
Peshawar

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

7/2/24

In Service Appeal No. 1968/2023

**Muhammad Abid Hussain, Chief Head Warder (BPS-11), Attached to Central  
Prison D.I Khan** ..... **Appellant.**

Khyber Pakhtunkhwa  
Service Tribunal

**VERSUS**

Diary No. 11032

Dated 7/2/24

1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. The Superintendent Headquarter Prisons Peshawar

..... **Respondents.**

S#	Description of documents	Annexure	Page No
1-	Para-wise Comments		1-2
2-	Affidavit		3
3-	Posting Order dated 31-05-2023	A	4
4-	Meeting minutes of Departmental Promotion Committee dated 30-05-2023	B	5

  
**DEPONENT**

(2)

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

In Service Appeal No. 1968/2023

**Muhammad Abid Hussain, Chief Head Warder (BPS-11),** Attached to Central  
Prison D.I Khan ..... **Appellant.**

**VERSUS**

**SCANNED**  
**KPSI**  
**Peshawar**

1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. The Superintendent Headquarter Prisons Peshawar

..... **Respondents.**

7/2/24

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO 1 & 2**

**Respectfully Sheweth:-**

**PRELIMINARY OBJECTION:**

- i. That the present service appeal is incompetent in its present form.
- ii. That the appellant has got no locus standi to file the instant appeal.
- iii. That the appellant is been estopped by his own conduct to file appeal.
- iv. That the appellant has not come to this Honorable Service Tribunal with clean hands.
- v. That the present appeal is bad for mis-joinder and non-joinder of necessary parties.
- vi. That the present appeal is badly Time-barred.
- vii. That the present appeal is not based on solid ground liable to be dismissed with cost.

**FACTUAL OBJECTION:-**

1. Pertain to record.
2. Incorrect and not admitted. The office of the Inspectorate General Peshawar had issued an order No.29855 dated 01-10-2019 pertaining to the establishment of circles in order to streamline the Warder Establishment but there is nothing on record to show that Warder of any circle should perform duty at their own circle while it is upto the discretion of the competent authority to post and transfer any Warder/Head Warder from one place to another. The appellant last promoted to the post of Chief head Warder (BPS-11) on regular basis on the recommendation of departmental promotion committee in its meeting held on 30/05/2023, after his promotion, he was posted to Central Prison DI Khan against the vacant post in the best public interest vide Headquarter Prison Peshawar office order dated 31/05/2023 (**Annex-A**). It is worth to mention here that the order ibid made impugned before this Court comprising of 37 officials have neither been challenged by anyone except the present appellant. However, plea of the appellant is misleading, unjustified as no such restriction is part of that order.
3. Incorrect and not admitted, meeting of the Departmental Promotion Committee was held on 30-05-2023 (**Annex-B**) and on the recommendations of the committee, the appellant promoted from the post of Head Warder (BPS-09) to the post of Chief Head Warder (BPS-11) and accordingly respondent No.2 being competent authority issued posting/transfer order of all the promoted Chief Head Warders in the Province dated 31-05-2023 which is much prior on the ban period from Election Commission of Pakistan.

It is pertinent to mention here that Election Commission of Pakistan imposed ban on 29-05-2023 and was communicated by respondent No.1 to respondent No.2 through official letter dated 01-06-2023 the day after issuance of posting/transfer order dated 31-05-2023.

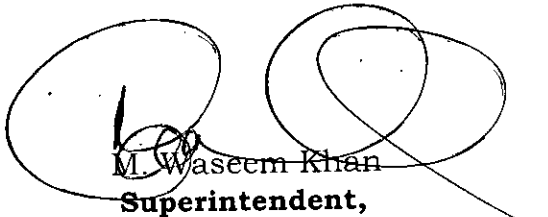
- 4. Incorrect and not admitted. The appellant did not approach within the statutory period of limitation. hence, plea of the appellant pertaining to his departmental appeal is misleading and unjustified.
- 5. Incorrect.

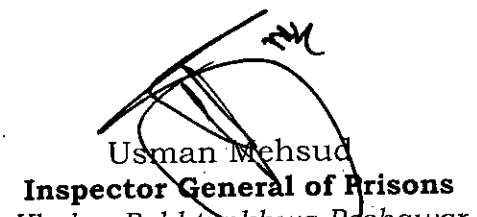
**OBJECTION ON GROUNDS:**

- A. Incorrect and not admitted. The order dated 31-05-2023 is issued after observing all legal and codal formalities.
- B. Incorrect and not admitted. The respondent department treated him according to law and no discrimination has been committed to the appellant by the respondent department.
- C. Incorrect and not admitted, transfer order of the appellant was issued on eve of his promotion from the post of Head Warder to the post of Chief Head Warder in the public interest without any discrimination.
- D. As elaborated in Para-C above.
- E. Incorrect and not admitted. Detail is elaborated in Para-A above.
- F. Incorrect and not admitted. Detail is elaborated in Para-A above.
- G. The respondent department would also seek permission of this Honourable Service Tribunal to raise additional grounds at the time of arguments.

**PRAYER:**

It is therefore humbly prayed that on acceptance of this instant reply/Para-wise comments on behalf of respondent No.1 and 02, the appeal of the appellant may please graciously be dismissed being devoid of merit and law.

  
**M. Waseem Khan**  
**Superintendent,**  
*Headquarters Prison Peshawar*  
**(Respondent No.2)**

  
**Usman Mehsud**  
**Inspector General of Prisons**  
*Khyber Pakhtunkhwa Peshawar*  
**(Respondent No.1)**

(3)

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

In Service Appeal No. 1968/2023

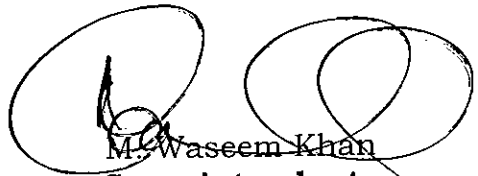
**Muhammad Abid Hussain, Chief Head Warder (BPS-11), Attached to Central Prison D.I Khan** ..... **Appellant.**

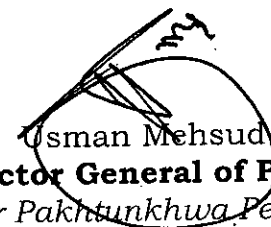
**VERSUS**

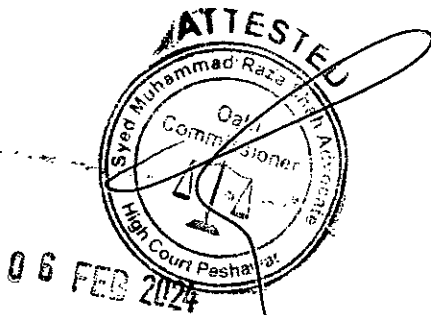
1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
  2. The Superintendent Headquarter Prisons Peshawar
- ..... Respondents.

**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENTS No.1 & 2.**

We, the following undersigned respondents do hereby solemnly affirm and declare that the contents of the Para-wise comments in the above cited appeal are true and correct to the best of our knowledge and belief and that no material/ facts have been kept concealed from this Honourable Service Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been made ex-parte nor their defence has been struck off.

  
**M. Waseem Khan**  
**Superintendent,**  
Headquarters Prison Peshawar  
**(Respondent No. 2)**

  
**Osman Mehsud**  
**Inspector General of Prisons**  
Khyber Pakhtunkhwa Peshawar  
**(Respondent No.1)**





OFFICE OF THE  
SUPERINTENDENT  
HAEDQUARTER PRISON PESHAWAR  
No: \_\_\_\_\_ P/B Dt: 31/05/2023

**OFFICE ORDER:-**

On the recommendation of the Departmental Promotion Committee in its meeting held on 30-05-2023, the Competent Authority is pleased to promote the following Head Warders (BPS-09) to the post of Chief Head Warders (BPS-11) on regular basis, with immediate effect:-

B#	Name with Parentage	Name of Jail	B#	Name with Parentage	Name of Jail
1.	Asmatullah s-o Gul Muhammad	CP D.I Khan	17.	Muddeem Khan S/o Abdul Qayum Khan	CP Peshawar
2.	Amjid Ali s-o Mir Hashim	SJ Malakund	18.	Muhammad Rasheed s-o Nazir Dad	CP Karak
3.	Muhammad Zakria s-o Iqbal Shah	SJ Ghallanai	19.	Muhammad Yaqoob Khan S/o Muhammad Raheem	CP Mardan
4.	Inayat Rehman S-o Saleh Rehman	CP Mardan	20.	Naveed Ali Shah S/o Abid Ali Shah	CP Peshawar
5.	Asadullah s-o Fida Muhammad	CP Peshawar	21.	Raham Dad Khan s/o Pir Muhammad	CP Peshawar
6.	Syed Muslim Shah S/o Syed Younas Shah	CP Peshawar	22.	Shah Faisal s-o Karim Khan	CP Peshawar
7.	Hijabullah S/o Abdul Rasheed	CP Peshawar	23.	Muhammad Umar s-o Abdul Qadir	RPO Mardan
8.	Riaz Muhammad S/o Muhammad Afzal	SJ Nowshera	24.	Azizullah S/o Amin ullah	CP Peshawar
9.	Saderat Khan S/o Arsala Khan	CP Peshawar	25.	Abdul Hayat S/o Wasceel Khan	CP Karak
10.	Muhammad Abid Hussain S/o Khadim Hussain	CP Peshawar	26.	Mukhtiar Ahmad S/o Haji Rahim Baksh	CP D.I Khan
11.	Rasheed Khan S/o Fazal Khan	Inspectorate General of Prisons	27.	Zarwali Khan S/o Sifat Khan	IC Lakki Marwat
12.	Ali Akbar S/o Muhammad Israel	CP Mardan	28.	Sultan Muhammad S/o Ghulam Muhammad	DJ Hangu
13.	Muhammad Khalid S/o Fazal Muhammad	CP Peshawar	29.	Mumtaz Ali S/o Abdul Mateen	SJ Ghallanai
14.	Amjid Ali S/o Umar Ali	CP Peshawar	30.	Bakht Ali S/o Babuzai	DJ Timergara
15.	Muhammad Naseer S/o Shahzad Gul	CP Peshawar	31.	Zainullah S/o Said Mula Khan	CP Mardan
16.	Shah Zarin S/o Kachkol	CP Peshawar			

The above named officials will be on probation for a period of one year in terms Section 6(2) of the Khyber Pakhtunkhwa Civil Servant Act 1973 and Rule-15 of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

Moreover, the Competent Authority is also pleased to appoint the following Head Warders (BPS-09) to the post of Chief Head Warders (BPS-11) on acting charge basis, with immediate effect:-

B#	Name with Parentage	Name of Jail	S#	Name with Parentage	Name of Jail
32	Liaqat Ali S/o Mir Alam	CP Mardan	33	Afsar Khan S/o Atlas Khan	CP Peshawar

Consequent upon their promotion / appointment on acting charge basis, the following postings / transfers are hereby ordered in the public interest with immediate effect:-

S#	Name with Parentage	From	To
1.	Asmatullah s/o Gul Muhammad	Head Warder (BPS-09) at CP D.I Khan	Chief Head Warder (BPS-11) at CP D.I Khan against the vacant post.
2.	Amjid Ali s/o Mir Hashim	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at DJ Swat against the vacant post.
3.	Muhammad Zakria s/o Iqbal Shah	Head Warder (BPS-09) at SJ Ghallanai for the purpose of pay and for the purpose of duty with CP Peshawar	Chief Head Warder (BPS-11) at CP Peshawar vice # 4.
4.	Alamzeb s/o Fazal Khaliq	Chief Head Warder (BPS-11) at CP Peshawar	Chief Head Warder (BPS-11) at SJ Ghallanai against the vacant post.
5.	Inayat Rehman s/o Saleh Rehman	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at Chitral against the vacant post.



OFFICE OF THE  
SUPERINTENDENT  
HEADQUARTER PRISON PESHAWAR

No: \_\_\_\_\_ P/B Dt: 31/05/2023

B#	Name with Parentage	From	To
6.	Asadullah s/o Fida Muhammad	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP Haripur against the vacant post
7.	Syed Mushim Shah S/o Syed Younas Shah	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at SJ Kohistan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
8.	Hijabullah S/o Abdul Rasheed	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP Mardan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
9.	Riaz Muhammad S/o Muhammad Afzal	Head Warder (BPS-09) at SJ Nowshera	Chief Head Warder (BPS-11) at DJ Hangu for the purpose of pay against the vacant post and for the purpose of duty with SJ Swabi.
10.	Sadurat Khan S/o Arsala Khan	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP Mardan for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
11.	Muhammad Abid Hussain S/o Khudim Hussain	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP D.I Khan against the vacant post.
12.	Rasheed Khan S/o Fazal Khan	Head Warder (BPS-09) at Inspectorate General of Prisons Peshawar	Chief Head Warder (BPS-11) at CP Haripur for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
13.	Ali Akbar S/o Muhammad Israel	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at CP Mardan against the vacant post.
14.	Muhammad Khalid S/o Fazal Muhammad	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at RPO Swat for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
15.	Amjid Ali S/o Umar Ali	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP Mardan against the vacant post
16.	Muhammad Naseer S/o Shuhzad Gul	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at RPO Abbottabad against the vacant post.
17.	Shah Zarin S/o Kachkol	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at SJ Swabi against the vacant post.
18.	Liaqat Ali S/o Mir Alam	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11), acting charge basis at RPO Danna for the purpose of pay against the vacant post on and for the purpose of duty with CP Peshawar.
19.	Nadeem Khan S/o Abdul Qayum Khan	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at SJ Ali Zai for the purpose of pay against the vacant post and for duty with CP Peshawar.
20.	Muhammad Rasheed s-o Nazir Dad	Head Warder (BPS-09) at CP Karak	Chief Head Warder (BPS-11) at CP Karak against the vacant post.
21.	Muhammad Yaqoob Khan S/o Muhammad Raheem	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at CP Mardan against the vacant post.
22.	Naveed Ali Shah S/o Abid Ali Shah	Head Warder (BPS-09) at CP Peshawar for the purpose of pay and for the purpose of duty SJ Landi Kotal	Chief Head Warder (BPS-11) at DJ Huner against the vacant post.
23.	Raham Dad Khan s/o Pir Muhammad	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at SJ NW for the purpose of pay against the vacant post and for the purpose of duty with RPO Peshawar.
24.	Shah Faisal s/o Krim Khan	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at CP Haripur against the vacant post
25.	Muhammad Umar s/o Abdul Qadir	Head Warder (BPS-09) at RPO Mardan	Chief Head Warder (BPS-11) at RPO Mardan against the vacant post

Sr	Name with Parentage	From	To
26.	Azizullah S/o Amin ullah	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) at IC Ghallanai for the purpose of pay against the vacant post and for the purpose of duty with CP Peshawar.
27.	Abdul Hayat S/o Waseel Khan	Head Warder (BPS-09) at CP Kurak	Chief Head Warder (BPS-11) at SJ Kurram against the vacant post.
28.	Mukhtiar Ahmad S/o Haji Rahim Bakhsh	Head Warder (BPS-09) at CP D.I Khan	Chief Head Warder (BPS-11) at SJ Orakzai against the vacant post.
29.	Zarwali Khan S/o Sifat Khan	Head Warder (BPS-09) at IC Lakki Marwat	Chief Head Warder (BPS-11) at IC Lakki Marwat against the vacant post.
30.	Afsar Khan S/o Atlas Khan	Head Warder (BPS-09) at CP Peshawar	Chief Head Warder (BPS-11) on acting charge basis at CP Peshawar vice # 31.
31.	Inam ullah s/o Kareem Ullah	Chief Head Warder (BPS-11) at CP Peshawar	Chief Head Warder (BPS-11) at IC Fort Salop against the vacant post.
32.	Sultan Muhammad S/o Ghulam Muhammad	Head Warder (BPS-09) at DJ Hangu	Chief Head Warder (BPS-11) at CP D.I Khan against the vacant post.
33.	Mumtaz Ali S/o Abdul Mateen	Head Warder (BPS-09) at SJ Ghallanai	Chief Head Warder (BPS-11) at CP Bannu against the vacant post.
34.	Bakht Ali S/o Babuzai	Head Warder (BPS-09) at DJ Timergara	Chief Head Warder (BPS-11) at DJ Timergara against the vacant post.
35.	Zainullah S/o Snid Mula Khan	Head Warder (BPS-09) at CP Mardan	Chief Head Warder (BPS-11) at DJ Buner against the vacant post.
36.	Sajjad Ali s/o Jamalud Din	Chief Head Warder (BPS-11) at CP Mardan	Chief Head Warder (BPS-11) at SJ Khar Bajaur vice# 37.
37.	Ali Sher s/o Ghulam Hussain	Chief Head Warder (BPS-11) at SJ Khar Bajaur	Chief Head Warder (BPS-11) at CP Mardan vice # 36.

*sd*  
**SUPERINTENDENT**  
HEADQUARTERS PRISON PESHAWAR  
E-mail: hqprisonpeshawar@gmail.com

Endst: No. 1844-60

Copy of the above is forwarded to the:-

1. Inspector General of Prisons Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. DIG Regional Prisons Office Peshawar, Abbottabad, Bannu, Mardan & Swat.
4. Superintendent Circle Headquarters Prison Haripur, Mardan and D.I Khan
5. Superintendent Jails concerned for information and further necessary action.
6. District Accounts Officers concerned.

*[Signature]*  
**SUPERINTENDENT**  
HEADQUARTERS PRISON PESHAWAR

*[Signature]*  
**SUPERINTENDENT**  
HEADQUARTERS PRISON PESHAWAR  
E-mail: hqprisonpeshawar@gmail.com



**MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE, HELD IN THE OFFICE OF THE SUPERINTENDENT CIRCLE HEADQUARTERS PRISON PESHAWAR.**

Subject: **PROMOTION OF HEAD WARDERS (BPS-09) TO THE POST OF CHIEF HEAD WARDERS (BPS-11).**

A meeting of the Departmental Promotion Committee was held on 30-05-2023 at 10:00 AM in the office of the Superintendent Circle Headquarters Prison Peshawar to discuss the subject cited promotion cases. Following attended the meeting:-

1. Mr. Maqsood ur Rahman, Superintendent Circle Headquarters Prison Peshawar	In chair.
2. Mr. Nisar Ahmad, Section Officer (Prison-I), Home & T.As Department Peshawar	Member.
3. Mr. Majid Ghufan, Deputy Director, Representative of I.G Prisons Office Peshawar	Member.
4. Mian Gohar Ali, Assistant Director, Representative of I.G Prisons Office Peshawar	Member.

2. The Chair welcomed the participants and asked the dealing hand of Circle Headquarters Prison Peshawar to explain the subject promotion cases, who briefly explained the background of the case. He stated that at present there are thirty four (34) posts of Chief Head Warder (BPS-11) lying vacant in the Department, under 100% promotion quota. He also explained that thirty two (32) posts of Chief Head Warder (BPS-11) will be filled by promotion on regular basis and two (02) posts will be filled by appointment on acting charge basis.

3. Under the provision of Service Rules against Appendix No.07, the mechanism of filling up the post of Chief Head Warder (BPS-11) is as under:

S.NO	NOMENCLATURE OF POST	MINIMUM QUALIFICATION FOR APPOINTMENT BY INITIAL RECRUITMENT OR BY TRANSFER	MINIMUM QUALIFICATION PRESCRIBED FOR PROMOTION	AGE LIMIT	METHOD OF RECRUITMENT
1	2	3	4	5	6
07.	Chief Head Warder (BPS-11)	---	(a) Middle passed for those officials who were appointed prior to 04.11.2002; and (a) Secondary School Certificate or its equivalent qualification from a recognized Board for those officials who were appointed on or after 04.11.2002	-	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the posts of Head warders, with at least five years service as such, subject to- (a) Successful completion of promotion course prescribed for Chief Head Warder; (b) Clearance of Departmental Professional Examination prescribed in their own cadre; and (c) Possess minimum qualification as specified in column No.4. Note: Head Warders, who possess Middle pass qualification exempted from condition of clause (b) above.

**SUPERINTENDENT**  
**HEADQUARTERS PRISON PESHAWAR**




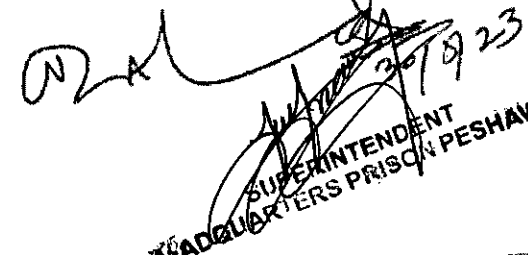
4. It was further elaborated, that as per final seniority list of the Head Warder (BPS-09) as stood on 01-05-2023 of the Department duly circulated and undisputed, as appended with the working paper showing the penal of Head Warders who are senior most and required to be considered for regular promotion and appointment on acting charge basis, to the post of Chief Head Warder (BPS-11).

5. The Committee examined/scrutinized the panel of promotion case one by one. The Committee after detailed discussion took the following decision:-

S#	Name with Parentage HW (BPS-09)	Academic Qualification	Decision of the DPC
1	Saidul Zaman S/O Gul Shad	Primary	<b>OFFICIAL AT S.NO. 01 &amp; 02</b>
2	Zamarud Khan S/O Saleem Khan	Primary	Due to non-possessing the required qualification i.e Middle they were not considered for promotion, hence <b>superseded</b> .
3	Asmatullah S/O Gul Muhammad	Middle	<b>OFFICIAL AT S.NO. 03 &amp; 04</b>
4	Amjid Ali S/O Mir Hashim	Middle	The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989.
5	Muhammad Fareed S/O M. Ashraf	Middle	<b>Officials from S.NO. 05</b> No proper verification through official letter was made about his Middle passed certificate, from the quarter concerned; therefore, the committee <b>deferred</b> him for promotion to make proper verification of his Middle passed certificate through official letter from the quarter concerned and a post was kept reserved for him.
6	Shah Said S/O Hazrat Said	Primary	<b>OFFICIAL AT S.NO. 06</b> Due to non-possessing the required qualification i.e Middle he was not considered for promotion, hence <b>superseded</b> .
7	Anwar Ali S/O Jaipur Khan	9 <sup>th</sup>	<b>OFFICIAL AT S.NO. 07</b> He is considered for promotion to the post of Chief Head Warder (BPS-11), but he opted in writing to forgo his promotion, therefore, his request was accepted which is covered under Rule-7(5) of APT Rules 1989, hence <b>superseded</b> .
8	Muhammad Zakria S/O Iqbal Shah	Middle	<b>OFFICIAL AT S.NO. 08 &amp; 09</b>
9	Inayat Rehman S/O Saleh Rehman	Matric	The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989.
10	Muhamamd Khan S/O Babuzai	Middle	<b>OFFICIAL AT S.NO. 10</b> He is considered for promotion to the post of Chief Head Warder (BPS-11), but he opted in writing to forgo his promotion, therefore, his request was accepted which is covered under Rule-7(5) of APT Rules 1989, hence <b>superseded</b> .
11	Asadullah S/O Fida Muhammad	Matric	<b>OFFICIAL AT S.NO. 11 TO 15</b>
12	Syed Muslim Shah S/o Syed Younas Shah	Matric	The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989.
13	Hijabullah S/o Abdul Rasheed	F.A	
14	Riaz Muhammad S/o Muhammad Afzal	Matric	
15	Sadarat Khan S/o Arsala Khan	Matric	

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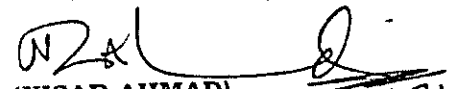
W. ADQILAH  
SUPERINTENDENT  
PRISON PESHAWAR


S#	Name with Parentage HW (BPS-09)	Academic Qualification	Decision of the DPC
16	Muhammad Abid Hussain S/o Khadim Hussain	Matric	<p><b>OFFICIAL AT S.NO. 16 TO 22</b></p> <p>The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion &amp; Transfer) Rules 1989.</p> 
17	Rasheed Khan S/o Fazal Khan	Matric	
18	Ali Akbar S/o Muhammad Israel	Matric	
19	Muhammad Khalid S/o Fazal Muhammad	B.A	
20	Amjid Ali S/o Umar Ali	Matric	
21	Muhammad Naseer S/o Shohzad Gul	Matric	
22	Shah Zarin S/o Kachkol	Matric	<p><b>OFFICIALS FROM S.NO. 23</b></p> <p>The committee recommended him for appointment to the post of Chief Head Warder (BPS-11) on acting charge basis in the light of Rule-09 of APT Rules 1989, with immediate effect.</p> <p><b>OFFICIAL AT S.NO. 24 TO 34</b></p> <p>The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion &amp; Transfer) Rules 1989.</p>   
23	Liaqat Ali S/o Mir Alam	Middle	
24	Nadrem Khan S/o Abdul Qayum Khan	Matric	
25	Rashid Khan S/o Nazir Dad	Matric	
26	Muhammad Yaqoob Khan S/o Muhammad Raheem	Matric	
27	Naveed Ali Shah S/o Abid Ali Shah	Matric	
28	Raham Dad Khan s/o Pir Muhammad	Matric	
29	Shah Faisal s-o Karim Khan	Matric	
30	Muhammad Umar s-o Abdul Qadir	B.A	
31	Azizullah S/o Amin ullah	F.A	
32	Abdul Hayat S/o Waseel Khan	Matric	
33	Mukhtiar Ahmad S/o Haji Rahim Bakhsh	Matric	
34	Zarwali Khan S/o Sifat Khan	Matric	
35	Afsar Khan S/o Atlas Khan	Middle	<p><b>OFFICIALS FROM S.NO. 35</b></p> <p>The committee recommended him for appointment to the post of Chief Head Warder (BPS-11) on acting charge basis in the light of Rule-09 of APT Rules 1989, with immediate effect.</p>


3/1/89 23  
 SUPERINTENDENT  
 HEADQUARTERS PRISON PESHAWAR

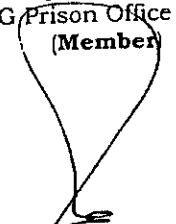
S#	Name with Parentage HW (BPS-09)	Academic Qualification	Decision of the DPC
36	Sultan Muhammad S/o Ghulam Muhammad	Matric	<p align="center"><b>OFFICIAL AT S.NO. 36 TO 39</b></p> <p>The committee recommended them for promotion to the post of Chief Head Warder (BPS-11) on regular basis with immediate effect. They will be on probation for a period of one year in terms of section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 and Rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion &amp; Transfer) Rules 1989.</p>
37	Mumtaz Ali S/o Abdul Mateen	Matric	
38	Bakht Ali S/o Babuzai	Matric	
39	Zainullah S/o Said Mula Khan	Matric	

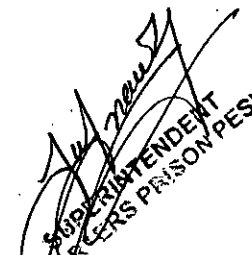
Meeting ended with the vote of thanks from the Chair.

  
**(NISAR AHMAD)**  
 Section Officer (Prison-I) 30/5/23  
 Home & T.As Department, Peshawar  
 (Member)

  
**(MAJID GHUFRAN)**  
 Deputy Director  
 Rep; I.G Prison Office Peshawar  
 (Member)

  
**(MIAN GOHAR ALI)**  
 Assistant Director  
 Rep; I.G Prison Office Peshawar  
 (Member)

  
**(MAQSOOD UR RAHMAN)**  
 Superintendent  
 Circle Headquarters Prison Peshawar  
 (Chairman)

  
**30/5/23**  
**MAQSOOD UR RAHMAN**  
 SUPERINTENDENT  
 CIRCLE HEADQUARTERS PRISON PESHAWAR



OFFICE OF THE  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR  
☎ 091-9210334, 9210406 📠 091-9213445

No: \_\_\_\_\_

Dated \_\_\_\_\_

## **AUTHORITY LETTER**

Mr.Sulaiman, Law Officer(BPS-17) attached to the office of Inspector General of Prisons Khyber Pakhtunkhwa Peshawar is hereby authorized to make affidavit, to file comments/reply/report and to attend the Lower Courts, Ombudsperson, Khyber Pakhtunkhwa Service Tribunal, Peshawar High Court Peshawar, Supreme Court of Pakistan Islamabad, Federal Shariat Court, meeting of scrutiny committee at Law Department and also to attend the office of Advocate General Khyber Pakhtunkhwa at Peshawar on each and every date of hearing, on behalf of the Inspector General of Prisons Khyber Pakhtunkhwa .

  
**INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**