

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

Service Appeal No \_\_\_\_\_/2021

Muhammad Asim S/O Sami Ul Haq R/O JALALA TAKHTBHAI MARDAN presently  
serving as PASI at MARDAN District (Regional No:684/MR)

..... Appellant

Versus

1. IGP (Inspector General of Police) KP, Peshawar
2. DIG (Deputy Inspector General of Police MARDAN Region-I MARDAN)
3. Supernumerary PASIs ( SHUHADA Quota) 2016 Batch MARDAN region  
through the office of Regional Police Officer MARDAN and Others

Respondents

**APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL  
ACT, 1974**

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ADVOCATE  
*Ali Golias*

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
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5748

Service Appeal No \_\_\_\_\_/2021

Muhammad Asim S/O Sami Ul Haq R/O JALALA TAKHTBHAI MARDAN  
presently serving as PASI at MARDAN District (Regional No:684/MR)

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 4188

Dated 29-3-2021

Appellant

Versus

1. IGP (Inspector General of Police) KP, Peshawar
2. DIG (Deputy Inspector General of Police MARDAN Region-I MARDAN)
3. Supernumerary PASIs ( SHUHADA Quota) 2016 Batch MARDAN region through the office of Regional Police Officer MARDAN
4. Pasi Behzad Khan, Belt No. 435, Police Lines Sawabi, Swabi.
5. PASI Saddam Khan, Belt No. 437, Police Lines Mardan, Mardan.
6. PASI Abdullah Jan khan, Belt No. 440, PS city Mardan.
7. PASI Sahar Gul Khan, Belt No. 443, Police Lines Mardan, Mardan.
8. PASI Asif Khan, Belt No. 444, Police Lines Noshehra, Nowshehra.
9. PASI Adnan Khan, Belt No. 445, Police Lines Noshehra, Noshahra.
10. PASI Bilal Khan, Belt No. 446, Police Lines Swabi, Swabi.
11. Pasi Zeeshan Khan, Belt No. 447, Ps city Mardan, Mardan.
12. Pasi Farhad Khan, Belt No. 448 Pp Turlandi, PS Nisatta, Charsadda.
13. Pasi Tahir Rasool Khan, Belt No. 450, PS Saddar, Mardan.
14. Pasi Nasir khan, Belt No. 451, Police lines Swabi, Swabi.
15. Pasi Basheer Khan, Belt No. 453, Police lines Swabi, Swabi.
16. PASI Zulfiqar Khan, Belt No. 455, PTS Shah Kas, District Khyber, Mardan.
17. PASI Ali Raza khan, Belt No. 456 Police Training School Swabi, Charsadda.
18. PASI Shahzad Khan, Belt No. 457, Police Lines Swabi, Swabi.
19. PASI Akhtar Munir Khan, Belt No. 459, Police Lines Noshehra, Noshahra,
20. PASI Zahid Khan, Belt No. 460, PS Tangi, Charsadda.
21. PASI Suhail Khan, Belt No. 461, PP Labour, PS City, Mardan.
22. PASI Shah Faisal Khan, Belt No. 463 PS Rustam, Mardan
23. PASI Toseef Khan, 4 Belt No. 464, PS Shiekh Maltoon, Mardan.

Filed to-day

Registrar  
29/3/2021Re-submitted to-day  
and filed.Registrar  
29/3/2021

24. PASI Waqas Khan, Belt No. 465, Bhai Dag Muhmand Frontier Corps North, District Muhmand, Charsadda.
25. PASI Adil Khan, Belt No. 466, C.Cell DPO Office Mardan, Mardan.
26. PASI Ishfaq Khan, Belt No. 467, PS Takht Bhai, Mardan.
27. PASI Shahab Khan, Belt No. 469, PS Saro Shah, Mardan.
28. PASI Imran Khan, Belt No. 471, Bhai Dag Muhmand Frontier Corps North, District Muhmand, Mardan.
29. PASI Abid Ali Khan, Belt No. 471, Police Lines Swabi, Swabi.
30. 27 PASI Aizaz Ali Khan, Belt No. 472, Police Lines Swabi, Swabi.
31. PASI Zaheer Khan, Belt No. 473, RW Branch DPO office Mardan, Mardan.
32. PASI Taimoor Khan, Belt No. 474, PP Sar Daryab, PS Charsadda, Charsadda.
33. 30 PASI Kamran Zeb Khan, Belt No. 475, PTS Shah Kas, District Khyber, Noshahra.
34. PASI Shakeel Khan, Belt No. 476, Police Lines Swabi, Swabi.
35. PASI Kashif Khan, Belt No. 477, In Charge PP Sarki PS Khan mai, Charsadda.
36. PASI Mazhar Khan, Belt No. 479, PTS Swabi, Mardan.
37. 34 PASI Bahar Khan, Belt No. 480, PS Khanmai, Charsadda.
38. PASIK Kashif Khan, Belt No. 481, PTS Swabi, Mardan.
39. PASI Nihar Khan, Belt No. 482, PP Fazal e Haq, PS Saddar, Mardan.
40. PASI Asif Ayaz Khan, Belt No. 483, PTS Swabi, Mardan.
41. PASI Ata ullah Khan, Belt No. 484, PS Toru, Mardan.
42. PASI Taj ul Islam Khan, Belt No. 485, PS Par Hoti, Mardan.
43. PASI Naveed Rahman Khan, Belt No. 486, Police Lines Swabi, Swabi.
44. PASI Said Ali Shah Khan, Belt No. 487, PS Kharki, Mardan.
45. PASI Izhar Khan, Belt No. 488, Police Lines Mardan, Mardan.
46. PASI Mamoor Shah Khan, Belt No. 489, PS Sar Dheri, Charsadda.
47. PASI Adil Bacha Khan, Belt No. 490, Bhai Dag Muhmand Frontier Corps North, District Muhmand, Mardan.
48. PASI Shah Khalid Khan, Belt No. 491, PS Sar Dheri, Charsadda.
49. PASI Mujeeb Alam Khan, Belt No. 492, PP Husanzai PS Bata Gram, Charsadda.
50. PASI Mujeeb Khan, Belt No. 493, Motorway Check Post PS Prang, Charsadda.
51. PASI Saddam Khan, Belt No. 494, Police Lines Swabi, Swabi.
52. PASI Adil Khan, Belt No. 496, Police Lines Swabi, Swabi.
53. PASI Shahid Khan, Belt No. 497, Police Lines Mardan, Mardan.

54. PASI Saddam Khanm Belt No. 498, Police Lines Swabi, Swabi.
55. PASI Shahnam Khan, Belt No. 499, PS Garhi Kapoora, Mardan.
56. PASI Murshid Khan, Belt No. 500, PP Shakoor PS Mandani, Charsadda.
57. PASI Wahab Khan, Belt No. 501, PS Katlang, Mardan.
58. PASI Nasir Khan, Belt No. 502, PP Shaheeda PS Mandani, Charsadda.
59. PASI Adnan Khan, Belt No. 505, PP pir Saddi PS Sher Garh, Mardan.
60. PASI Muhammad Qasim, Belt No. 507, PTS Swabi, Mardan.
61. PASI Zeshan Khan, Belt No. 508, Police Lines Swabi, Swabi.
62. PASI Naved Iqbal Khan, Belt No. 510, Police Lines Noshehra, Noshahra.
63. PASI Bilal Khan, Belt No. 511, Police Training School Swabi, Charsadda.
64. PASI Amir Khan, Belt No. 512, Police Lines Swabi, Swabi.
65. PASI Ishtiaq Khan, Belt No. 513, PS Umar Zai, Charsadda.
66. PASI Toheed khan, Belt No. 515, In Charge PP Jindi, PS Tangi, Charsadda.
67. PASI Rasool Khan, Belt No. 516, Dheri Zardad PS Nissata, Charsadda.
68. PASI Ziarat Gul Khan, Belt No. 517, In Charge PP Kalyas , Charsadda.
69. PASI Zameer Khan, Belt No. 518, Bhai Dag Muhmand Frontier Corps North, District Muhmand, Charsadda.
70. PASI Fakhr Alam Khan, Belt No. 519, Bhai Dag Muhmand Frontier Corps North, District Muhmand, Charsadda.
71. PASI Musavir Khan, Belt No. 520, Ps Mandani, Charsadda.
72. PASI Kifayat, Belt No. 438, Police Line Mardan.
73. PASI Imad, Belt No. 441, Police Line Mardan.
74. PASI Kamran Nadir, Belt No. 442, Nowshera Police Line.
75. PASI Muhammad Asif, Belt No. 444, Nowshera Police Line.
76. PASI Ikram Khan, Belt No.495, Police Line Mardan.
77. PASI Shah Faisal, Belt No. 452, Police Line Mardan.
78. PASI Waseem Iqbal, Belt No. 502, Police Line Nowshera.
79. PASI Abdul Atif, Belt No. 458, Police Line Nowshera.
80. PASI Bilal, Belt No. 449, Police Line Charsadda.
81. PASI Zeeshan, Belt No. 478, Police Lines Mardan.
82. PASI Sher Afzal, Belt No. 462, Police Line Nowshera.
83. PASI Aimal Zeb, Belt No. 454, Police Line Nowshera.
84. PASI Latif ur Rehman, Belt No. 468, Police Line Mardan.
85. PASI Jehan Ali, Belt No. 509, Police Line Sawabi.

**APPEAL U/S 4 OF THE KHYBER  
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**Interim relief in Appeal:**

*On acceptance of the instant appeal, the impugned confirmation order of supernumerary PASIs 2016 batch MARDAN region bearing number 7057-60/ES dated 13.11.2020 may be suspended. Which is contradictory to the prescribed rules laid down by the provincial government and seriously affecting the seniority of the appellant/petitioner.*

**Respectfully Sheweth:**

The brief facts giving rise to appeal are as under:

**Facts:**

1. That the appellant was directly appointed as commissioned officer in Khyber Pakhtunkhwa Police against the post of Probationer Assistant Sub Inspector advertised by the Khyber Pakhtunkhwa Public Service Commission.

(Advertisement no 4/2014 dated 18.07.2014 is annexed as annexure A)

2. That on qualifying the competitive examination held by KPPSC in terms of chapter 12 Rule 06 of the Police Rules, 1934. The petitioner/appellant was recommended for appointment as ASI against 25% quota prescribed for initial appointment in chapter 12 Rule 03 of the police rules 1934 and also in section 32 (1)(iii) of Police Act 2017.

(KPPSC recommendation dated 08.02.2017 is attached as annexure B)

3. That upon the recommendation of KPPSC, the petitioner/appellant was appointed as Probationer Assistant Sub-Inspector (PASI) on regular basis on 20.02.2017.

(Appointment order dated 20.02.2017 is attached as annexure C)

4. That back in 2016 on January 16, a total of 82 PASIs Respondent No. 04 to 85 ( SHUHADA QUOTA) were appointed on temporary basis against supernumerary posts ( annexure D) subject to the condition as clearly mentioned in KP Finance Department letter dated 28.08.2015 “ Finance

(4-A)

Department agrees to the creation of the 300 supernumerary posts of ASI BS-9 subject to the condition that with gradual retirement of ASIs holding permanent/regular posts, the senior most from 300 holders of the supernumerary posts will be adjusted against the post falling vacant and the corresponding supernumerary posts will stand abolished accordingly in a gradual manner.

(Copy of appointment order dated 12.01.2016 is attached as annexure D)

(Copy of finance department letter dated 28.08.2015 is attached as annexure E)

5. That it is also worthwhile to mention that as of precedence the police Shuhada sons were always placed junior to ASI's appointed through Public Service Commission as regular ASI's such instances are a regular feature and can be seen from notification dated 27-02-2005.

Copy of the notification dated 27-02-2005 is annexure F.

6. That in respect of seniority between Deceased Son quota and regular PASI's of Kohat region, vide their seniority list gave seniority to PASI's coming under direct recruitment through the Public Service Commission over those who came through deceased son quota. This implies what has been laid in Para no. 05 that seniority of regularly appointed PASI's is protected: i.e. PASI'S coming on deceased quota.

(Copy of the seniority list is attached as annexure F/1)

7. That by implementing the afore mentioned policy contained in Para-4 of this appeal, the Regional Police Officer, MARDAN adjusted a total of 10 supernumerary PASIs in 5% quota specified for the wards of SHUHADA in due manner.

(Copy of the 05 % adjustment Order dated 31.08.2017 is attached as Annexure G).

8. That in violation of service laws and the approved policy, the Regional Police Officer MARDAN confirmed a total of 68 supernumerary PASIs in the rank of ASI from the date of their temporary appointment on supernumerary posts on the basis of rules meant for direct/regular commissioned PASIs but these rules were acted upon wrongfully for the benefit/confirmation of the supernumerary PASIs.

(Copy of the confirmation and promotion to list E order dated 13.11.2020 is attached as annexure H)

9. That by issuing the confirmation order of supernumerary PASIs, (SHUHADA QUOTA) the Regional Police Officer MARDAN has

(4-B)

confirmed even those supernumerary PASIs in the rank of ASI who were not yet adjusted in the Department against 5% specified quota. Whereas this adjustment was a mandatory pre-requisite as clearly mentioned in the approved policy contained in the Finance Department letter dated 26.08.2015.

10. That the Regional Police Officer MARDAN may confirm only those 10 supernumerary PASIs who were adjusted in due manner against 5% quota prescribed for SHUHADA wards but this confirmation was required to be done with effect from the date of their adjustment against the regular post dated 31.08..2017 instead from the date of their temporary appointment against the supernumerary post.
11. That KP Civil servant act 1973 section 8(4) seniority on a post service cadre to which a civil servant is promoted appointed shall take effect from the date of regular appointment to the post. Reliance placed on

1983 SCMR 859

1977 SCMR 365

12. That it is worth mentioning that till the date of appointment of petitioner/appellant (PCS PASI) dated 20.02.2017, none of the above mentioned supernumerary PASIs were adjusted against the regular posts and every adjustment made against the regular post after 20.02.2017 would rank junior to the petitioner/appellant (PCS PASI).
13. That the petitioner/appellant being aggrieved from the unjust and illegal confirmation order dated 13.11.2020 of the Regional Police Officer MARDAN, filed a departmental appeal on 30.11.2020 but received no reply, hence this appeal.

(Copy of the Departmental Appeal dated 30.11.2020 is annexed as Annexure I).

14. That the appeal in hand and the departmental appeal both are within time.
15. That the appellants may also be allowed to rely on additional grounds at the time of arguments please.



## GROUNDS

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1. That the directly recruited PCS PASIs undergone through the process of written and physical examination prescribed by chapter 12 rule 6 Police Rules 1934, conducted by the KPPSC shall not be victimized by the illegal/without due process regularization of the SHUHADA Quota who were not regularly appointed but rather appointed on supernumerary/ temporary basis.
2. That in a similar situation in Kohat the PASI's of Kohat region, vide their seniority list given seniority over deceased sons PASI's.
3. That KP Civil servant act 1973 section 8(4) seniority on a post service cadre to which a civil servant is promoted appointed shall take effect from the date of regular appointment to the post. Reliance placed on

1983 SCMR 859

1977 SCMR 365

4. That consequence of decision of Honb'le Supreme Court in civil petition No. 164 P/2014 a case was remanded to Inspector general Police KP which was decided as under:

“In view of what is discussed above it is recommended to place the name of respondent DSP Nasir Khan in place suggested vide para No. 10 of the report which will be in accordance and compliance of the court judgement. However, in order to protect the interests of the probationary ASI's it is recommended that every officers name may be brought on promotion list “E” from the date of his appointment which is in accordance with the principle of justice and service laws on the subject such as section No.07 (3) and (5), 8(4) of Khyber Pakhtunkhwa Civil Servant Act 1973 and Rule 16 and 17 (1) explanation- III (2) of the Khyber Pakhtunkhwa, Appointment, Promotion & Transfer Rules-1989.

Copy of Recommendations is Annex-J

5. That such as early as 2005 the appointment orders carried the provision of giving seniority to regular PASI's over those employed in quota.
6. That there are no prescribed and clear rules for the confirmation and seniority of the supernumerary posts in the Police Rules 1934, except

(5-A)

relying on the Departmental Promotion Committee meeting held at Peshawar dated 09.06.2016 in which the Regional Police Officer D.I.KHAN placed questions regarding the regularization/absorption of the supernumerary PASIs appointed against the supernumerary posts, their placement on list 'E' or otherwise, the date of commencement of their probation period and about their confirmation.

(Copy of Departmental Promotion Committee Meeting dated 09.06.2016 is annexed as annexure K)

7. That the List 'E' needs to be made with the due process which is prescribed in Chapter 13 Rule 10 Police Rules 1934, and the eligible, properly recruited commissioned PASIs may be preferred for displaying their names on list 'E'.
8. That the confirmation order passed by the Regional Police Officer MARDAN violates the law of natural justice which is clear and evident from the rules/conditions/pre-requisites that these **supernumerary posts** should be regularized on the subsequent adjustment upon the gradual retirement of ASIs. And by issuance of this order of the Regional Police Officer MARDAN has directly affected the seniority of the directly appointed commissioned officers who are still awaiting their confirmation after the lapse of probation period that shall be deemed confirmed from their date of appointment.
9. That there must be clear criteria for the promotion and seniority of the reserved quotas and the supernumerary/temporary PASIs should not be treated as a regular employee from the date of temporary appointment Reliance placed on.....

**2021 SCMR 116.**

#### **PRAYERS**


It is therefore most humbly prayed that by accepting this appeal following reliefs may be granted

1. That this honorable court may please declare the approval/confirmation dated 13.11.2020 of 2016 supernumerary PASIs SHUHADA wards against/contrary to the prescribed rules and law.

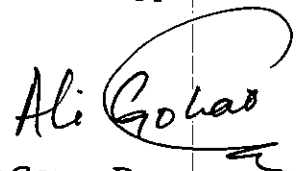
5-B

2. That this honorable court may please direct the respondent no 1 and 2 to revise the list 'E' and shall consider the name of capable candidate appellant/petitioner who has secured his position by competing the exam and completed the probationary tenure as per rules and law. Need to be confirmed immediately.
3. That this competent court may please direct and restrict the respondent authorities to adhere the criteria of supernumerary posts, gradual abolition, regularization rules and the rules laid down in consultation with the provincial government which is not victimizing the seniority rights of the commissioned officers if properly implemented.
4. That this Honorable Tribunal may please be direct to confirm the Services of the Appellants forthwith.

As any other relief which this honorable court deems fit in favor of petitioner/appellant may very graciously be granted

  
Appellant

Through



ALI GOHAR DURRANI  
Advocate High Court(s)  
0332-9297427  
[khaneliegohar@yahoo.com](mailto:khaneliegohar@yahoo.com)  
SHAH | DURRANI | KHATTAK  
(A REGISTERED LAW FIRM)  
HOUSE NO. 231-A, STREET NO. 13,  
NEW SHAMI ROAD, PESHAWAR.

**Certificate:**

It is hereby certified that this is the first appeal before this honorable tribunal against the impugned confirmation order

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

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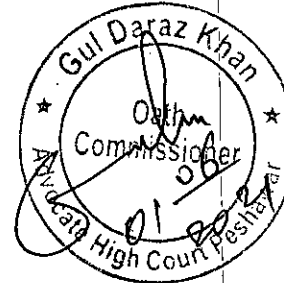
**Respondents**

**APPEAL U/S 4 OF THE KHYBER  
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ACT, 1974**

**AFFIDAVIT**

I, Muhammd Asim khan S/O Sami ul Haq R/O JALALA TAKHTBHAI District Mardan,  
presently serving as PASI at Mardan region do hereby solemnly affirm and declare on oath as  
below

- i- That the contents of instant appeal are true and correct to the best of my knowledge  
and belief.
- ii- That nothing has been concealed from this august court.



*Asim*  
Deponent

**Verification :**

The above affidavit is verified and attested today... March 2021 by me at MARDAN

*Gul Daraz Khan*  
Advocate/Deponent

**KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION****2- Fort Road Peshawar Cantt:****Website: www.kppsc.gov.pk****Tele: Nos. 091-9214131, 9213563, 9213750, 9212897****Dated: 18/07/2014****ADVERTISEMENT No. 04 / 2014.**

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa by **22/08/2014** (candidates applying from abroad by **05/09/2014**). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

1. **TWO HUNDRED & SIXTY THREE (263) MALE ASSISTANT SUB-INSPECTORS IN POLICE DEPARTMENT (GENERAL QUOTA).**

**QUALIFICATIONS:** Higher Secondary School Certificate or equivalent qualification from a recognized Board of Pakistan or Abroad.

**PAY SCALE:** (BPS-09).

**AGE LIMIT:** 18 to 25 years.

**Gender:** Male

**PHYSICAL**

**STANDARD:** Height: 5 feet and 7 inches (5' x 7")  
Chest: 33" x 34<sup>1</sup>/<sub>2</sub>"

**Allocation:** The allocation of the posts shall be district wise in the following order: -

S.#	Name of Districts	No. of Posts	S.#	Name of Districts	No. of Posts
1.	CCPO Peshawar	33	13.	Shangla	12
2.	Charsada	09	14.	Dir Upper	13
3.	Nowshera	09	15.	Dir Lower	17
4.	Mardan	09	16.	Buner	13
5.	Swabi	05	17.	Chitral	13
6.	Abbottabad	09	18.	Kohat	08
7.	Manshera	08	19.	Hangu	06
8.	Haripur	07	20.	Karak	07
9.	Battagram	05	21.	Bannu	09
10.	Torghar	08	22.	Lakki	08
11.	Kohistan	09	23.	D.I.Khan	09
12.	Swat	29	24.	Tank	08

2. **TWENTY NINE (29) FEMALE ASSISTANT SUB-INSPECTORS IN POLICE DEPARTMENT (GENERAL QUOTA).**

**QUALIFICATIONS:** Higher Secondary School Certificate or equivalent qualification from a recognized Board of Pakistan or Abroad.

**PAY SCALE:** (BPS-09).

**AGE LIMIT:** 18 to 25 years.

**GENDER:** Female

**PHYSICAL**

**STANDARD:** Height: 5 feet and 1 inch (5' x 1")

**Allocation:** The allocation of the posts shall be district wise in the following order: -

S.#	Name of Districts	No. of Posts	S.#	Name of Districts	No. of Posts
1.	CCPO Peshawar	03	13.	Shangla	01
2.	Charsada	01	14.	Dir Upper	01

**ATTESTED**

3.	Nowshera	01	15.	Dir-Lower	02
4.	Mardan	01	16.	Buner	01
5.	Swabi	01	17.	Chitral	01
6.	Abbottabad	01	18.	Kohat	01
7.	Manshera	01	19.	Hangu	01
8.	Haripur	01	20.	Karak	01
9.	Battagram	01	21.	Bannu	01
10.	Torghar	01	22.	Lakki	01
11.	Kohistan	01	23.	D.I.Khan	01
12.	Swat	03	24.	Tank	01

3. **NINE (09) MALE/FEMALE ASSISTANT SUB-INSPECTORS IN POLICE DEPARTMENT (MINORITY QUOTA).**

**QUALIFICATIONS:** Higher Secondary School Certificate or equivalent qualification from a recognized Board of Pakistan or Abroad.

**PAY SCALE:** (BPS-09).

**AGE LIMIT:** 18 to 25 years.

**Gender:** Male/Female

**PHYSICAL**

**STANDARD:** For Male: Height: 5 feet and 7 inches (5' x 7")  
Chest: 33" x 34<sup>1/2</sup>"

For Female: Height: 5 feet and 1 inch (5' x 1")

**Allocation:** The allocation of the posts shall be district wise in the following order: -

S.#	Name of Districts	No. of Posts
1.	CCPO Peshawar	2
2.	Mardan	1
3.	Abbottabad	1
4.	Manshera	1
5.	Swat	1
6.	Kohat	1
7.	Bannu	1
8.	D.I.Khan	1

4. **THREE HUNDRED & TWENTY FOUR (324) MALE/FEMALE ASSISTANT SUB-INSPECTORS IN POLICE DEPARTMENT AMONGST IN-SERVICE GRADUATE CONSTABLES/ HEAD CONSTABLES.**

**QUALIFICATIONS:** Bachelor degree from any recognized university of Pakistan or abroad.

**PAY SCALE:** (BPS-09).

**AGE LIMIT:** Upto 35 years.

**Gender:** Male/Female

**Training and Experience:**

1. Basic Police Recruit Course Passed.
2. Minimum five (05) years service in police department.
3. Satisfactory service record.

ATTESTED

**Allocation:** The allocation of the posts shall be district wise in the following order: -

S.#	Name of Districts	No. of Posts	S.#	Name of Districts	No. of Posts
1.	CCPO Peshawar	38	13.	Shangla	12
2.	Charsada	09	14.	Dir Upper	16
3.	Nowshera	08	15.	Dir Lower	26
4.	Mardan	10	16.	Buner	15
5.	Swabi	04	17.	Chitral	17
6.	Abbottabad	15	18.	Kohat	10
7.	Manshera	15	19.	Hangu	10
8.	Haripur	10	20.	Karak	08

9.	Battagram	06	21.	Bannu	08
10.	Torghar	08	22.	Lakki	08
11.	Kohistan	11	23.	D.I.Khan	16
12.	Swat	39	24.	Tank	05

### MODE OF EXAMINATION

#### Physical Endurance Test:-

All the eligible candidates applying for initial recruitment for the post of Assistant Sub-Inspector, shall qualify the following physical endurance tests to be conducted by a team of three members, two from the Public Service Commission and one from Police Department to be nominated by the Provincial Police Officer.

#### CATEGORIES

#### RACE

Male Candidates: 1600 meters in 8:00 minutes.

Female candidates: 1000 meters in 8:00 minutes.

All categories of candidates shall qualify physical endurance test. Candidates who fail to qualify the physical endurance test shall not be eligible to appear in other tests.

#### Written Examination:-

Candidates, both general and in service, who qualify the physical endurance test, shall be eligible to appear in the written examination to be conducted by the Khyber Pakhtunkhwa Public Service Commission.

The written examination shall be conducted in the subjects specified in the table below:-

S. No	Subject	Maximum Marks	Paper Duration	Qualifying Marks
1.	Urdu Essay and Comprehension	75	1 hours	40%
2.	English Essay and Comprehension	75	1 hours	40%
3.	General Knowledge and Current affairs	50	1 hours	40%
4.	Basic Proficiency in computer literacy like MS Word, Ms Power Point, MS Excel, Internet surfing and Email	50	1 hours	40%
5.	Viva voce	50		40%
<b>Total</b>		<b>300</b>		<b>40%</b>

#### Psychological Test:-

**ATTESTED**

Candidates, both general and in Service, who qualify written examination, shall be called by the Public Service Commission for psychological test to be conducted by certified psychologist of Khyber Pakhtunkhwa Public Service Commission. The result of this test shall be a guide for the interview panel whether or not candidate is suitable for the police job.

### Viva Voce Examination:-

Psychological test shall be followed by viva voce exam to be conducted by the Public Service Commission. The candidate shall appear before the interview panel at the time of viva voce examination. Failure in or absence from viva voce shall mean that the candidate has failed to qualify the examination for the post of Assistant Sub-Inspector.

Candidates who qualify physical endurance test, written examination and viva voce shall undergo medical examination to be conducted by Director Health Services Government of Khyber Pakhtunkhwa.

Final merit list shall be prepared by the Khyber Pakhtunkhwa Public Service Commission. If the total marks of any of the two candidates are equal, the candidate with higher marks in viva voce test shall be placed higher on merit and, in case, where the marks obtained in viva voce are also equal, the candidate older in age shall be placed higher on merit list.

Issuance of appointment order shall be subject to background clearance reports from intelligence agencies.

### GENERAL CONDITIONS

- i) Age shall be reckoned on **01/01/2015**. The candidates are required to be academically qualified in all respects by **22/08/2014**. Candidates not in possession of the required qualification by the last date for receipt of application for inland candidates shall not be considered. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto Ten years for Disable persons and Govt. servants who have completed two years continuous service and upto 03 years for candidates belonging to backward areas specified in the appendix attached to the Khyber Pakhtunkhwa Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to govt. servants, general or disable candidates, whichever is relevant and applicable to them. Employees or Ex-employees of development projects of the govt. of Khyber Pakhtunkhwa and employees or Ex-employees of development projects of the federal govt. under the administrative control of the govt. of Khyber Pakhtunkhwa shall also be entitled to age relaxation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall be available in conjunction with any other provisions of the age relaxation rules.
- ii) Degrees / Experience Certificates / Testimonials of unrecognized institution are not accepted. Only original Degrees / Certificates are accepted, however, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution. The candidates shall have to produce original degrees / certificates till last date of interviews. Detail Marks Certificates shall necessarily be required and these should be attached with the application forms.
- iii) The candidates are required to apply on the prescribed application form obtainable from the listed below branches of the **NATIONAL BANK**. Only one application will be sufficient for the above posts, the candidates intending for different categories mentioned above should however indicate the categories/quotas in the application form. The application Fee is Rs.285/- for all candidates. In addition to application fee, the candidates will have to pay Rs.15/- on account of Bank charges. Application form obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. **The application on plain paper or photostat shall not be accepted. Incomplete applications if not supported by requisite documents or late applications shall also be rejected.**
- iv) Candidates can also apply online through the Commission's website ([www.kppsc.gov.pk](http://www.kppsc.gov.pk)). However the application fee needs to be deposited in State Banks of Pakistan or a National Bank of Pakistan Branch under head of account No. **C02101- Organs of State-Examination Fee of KP PSC** through Challan on or before

**ACCEPTED**



P-11

**the closing date. The same alongwith attested copies of all the documents need to be submitted to the Commission within 10 days.**

- v) Applications must be submitted within stipulated time as no extra time is allowed for postal transit. Applications if posted on the last date must reach the Commission's office by the closing hours.
- vi) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- vii) Employees of Govt:/ Semi-govt/ autonomous/ semi-autonomous bodies may apply directly but their departmental permission certificates shall reach the Commission Office within 30 days of the closing date.
- viii) The District wise allocation and Quotas shall be strictly followed in the filling of vacancies. Government reserves the right to fill or not to fill any post.
- ix) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications, pay scale and nomenclature of post shall be ineligible.

**SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.**

- (1) Main Branches of:  
Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra
- (2) Saddar Road Branch, Tehkal Payan Branch, G.T Road (Nishtar Abad) Branch and University Campus Branch Peshawar.
- (3) Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and City Branch Tank

**(SHARIF HUSSAIN)**

**Secretary**

**Khyber Pakhtunkhwa  
Public Service Commission  
Peshawar**

**ATTESTED**

P-18  
**REGISTERED**  
**Successful Letter**

**Annexure (B)**



Phone : 091-9213750, 9213563  
Ext : 1091  
Website : [www.kppsc.gov.pk](http://www.kppsc.gov.pk)

KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
2-Fort Road, Peshawar Cantt.

No.KPPSC/EXAM/C-1 005343

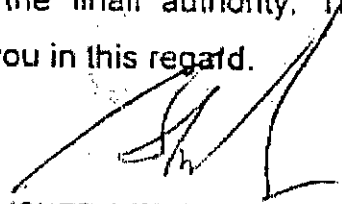
Dated: 8/7/2017

To

MUHAMMAD ASIM S/O SAMI-UL-HAQ  
VILLAGE AND P/O JALALA TEHSIL TAKHTBHAI DISTRICT MARDAN

Subject : **RECRUITMENT TO TWO HUNDRED SIXTY THREE (263) POST(S) OF  
ASSISTANT SUB INSPECTOR (B-9) IN POLICE DEPARTMENT (ADVT:  
NO. D4/2014, S.NO. 1)**

The Commission has recommended you to the Government for appointment provisionally against the subject-cited post. Please do not treat this as a letter of appointment for which Government is the final authority. The Commission cannot entertain any correspondence from you in this regard.

  
(SHER AJMAL AFRIDI)  
CONTROLLER EXAMINATION-(C)

  
**ATTESTED**

**ORDER.**

Consequent upon recommendation of Khyber Pakhtunkhwa Public Service Commission, Peshawar's vide No. KPK. PSC-EXAM-2016/002330, dated 01.02.2017 duly approved as ASIs B1 S-09 (9860-610-28160) by the Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide Memo: No. 891-97/E-III dated 13.02.2017, the following ASIs are hereby allotted Region Numbers and posted to the Districts as noted against each:-

S. No.	Name & Father name	Region Number	District
1.	Muhammad Yaseen Ali s/o Sher Muhammad	664/MR	Charsadda
2.	Abdullah s/o Asmat Ullah	665/MR	Charsadda
3.	Muhammad Hamid Ali s/o Ghaffar Ali	666/MR	Charsadda
4.	Adnan Rehman s/o Gul Rehman	667/MR	Charsadda
5.	Adnan Waheed s/o Abdul Waheed	668/MR	Charsadda
6.	Syed Ilyas s/o Syed Surat Shah	669/MR	Charsadda
7.	Shehryar s/o Marjan Ali	670/MR	Charsadda
8.	Shah Saud Khan s/o Hamish Gul	671/MR	Charsadda
9.	Muhammad Nasir s/o Habib ur Rehman	672/MR	Charsadda
10.	Sati Ullah s/o Hussam Khan	673/MR	Nowshera
11.	Hafiz Uddin Khatkhat s/o Salah Uddin Khatkhat	674/MR	Nowshera
12.	Muhammad Tayyab s/o Zur Khan	675/MR	Nowshera
13.	Naseer Khan s/o Abdul Malik	676/MR	Nowshera
14.	Qasim Zaman s/o Fazal Zaman	677/MR	Nowshera
15.	Afaq Ahmad s/o Muhammad Azeem	678/MR	Nowshera
16.	Farooq Ali s/o Chaman Khan	679/MR	Mardan
17.	Shahid Alam s/o Noor Rahman	680/MR	Mardan
18.	Anwar Ahmad s/o Izhar Ahmad	681/MR	Mardan
19.	Yasir Arshad s/o Saad Karim	682/MR	Mardan
20.	Amir Riaz s/o Riaz Ali Shah	683/MR	Mardan
21.	Muhammad Asim s/o Samiul Haq	684/MR	Mardan
22.	Faizan Ahmad Tariq s/o Abdul Samad	685/MR	Mardan
23.	Haz Ali Khan s/o Gohar Ali Khan	686/MR	Mardan
24.	Azalan Khan s/o Muhammad Idrees	687/MR	Swabi
25.	Fahad Zaman Khan s/o Fida Muhammad	688/MR	Swabi
26.	Salar Tahir s/o Tahir Tasleem	689/MR	Swabi
27.	Hayat Muhammad s/o Hilal Muhammad	690/MR	Charsadda
28.	Qazi Muhammad Saleem s/o Qazi Muhammad Yousof	691/MR	Mardan
29.	Aamir Ali s/o Sher Ali Khan	692/MR	Swabi

Necessary Gazette Notification regarding their appointment may please be issued subject to Medical Fitness, verification of antecedent and verification of documents/testimonials from the concerned Board/University under the relevant rules and prescribed manner under intimation to all concerned.

Their applications together with other relevant documents are also sent herewith for placing in their Character Roll/Service Rolls.

1926 ATTESTED  
21.2.2017

(IJAZ AHMAD) PSP  
Regional Police Officer,  
Mardan

DB/EC/OASIP.  
For info  
DPO, Mard.

ES-479  
RI-7-17

No. 11258-64/ES, Dated Mardan the 20/02/2017

Copy forwarded to the:-

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar for favour of information w/r to his office Memo: No. quoted above please.
2. Commandant Police Training College, Hangu.
3. All DPOs in Mardan Region-1, Mardan for information and necessary action.

(\*\*\*\*\*)

Government of Khyber Pakhtunkhwa

Office of the Deputy Inspector General of Police

Mardan Region-I, Mardan

Phone No. 0937-9230113, Fax No. 0937-9230115

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

AMMERUPE (D)

To: All DPOs, in Mardan Region-I, Mardan.

No. 407-10/ES.

12, January, 2016.

Subject: APPOINTMENT/ABSORPTION OF POLICE SHUHADA'S  
SONS/BROTHERS AS PISIS IN POLICE DEPARTMENT  
(KHYBER PAKHTUNKHWA) OF MARDAN REGION.

Memo:

Having been approved by the Departmental Selection Committee, appointment/absorption of the following Police Shuhada's Sons/Brother's as Assistant Sub Inspectors (BPS-09) (8015-495-22865) in Police Department (Khyber Pakhtunkhwa) on 03 years probation period, against the Supernumerary Posts in the light of directions vide Central Police Office, Peshawar letter No. 8905-8935/A-3 dated 17.09.2015 subject to the condition that, their appointment/absorption will be on temporary basis, and verification of their educational degree/certificates. Moreover if the degree/certificates of any candidate found forged, shall be immediately discharged: -

On the appointment/absorption of the following Shuhada's Sons/Brothers, they are also allotted Regional Numbers with posting to their parent Districts noted against each their names:-

S. No.	Name & No.	Appointment /Absorption	Date of Shahadat of Father/Brothers	Region No.	District
1.	Muhammad Behzad S/o Shaheed FC Shah Fazil	Newly appointed	25.03.1992	435/MR	Swabi
2.	FC Azam Khan S/o Shaheed ASI Jamsher Khan	Absorbed	14.11.1992	436/MR	Mardan
3.	Saddam Hussain S/o Shaheed FC Jan Alam	Newly appointed	22.01.1994	437/MR	Charsadda
4.	Khalid Ahmad S/o Shaheed FC Noor Hayat	Newly appointed	19.02.1994	438/MR	Swabi
5.	FC Kifayat Ullah S/o Shaheed FC Karim Ullah	Absorbed	14.10.1994	439/MR	Mardan
6.	Abdullah Jan s/o Shaheed Constable Wali Muhammad	Newly appointed	14.10.1994	440/MR	Mardan
7.	Imad Khan S/o Shaheed FC Jehan Zeb No. 105	Newly appointed	01.08.1995	441/MR	Charsadda
8.	Kamran Nadir S/o Shaheed Gul Nadir	Newly appointed	05.09.1995	442/MR	Charsadda
9.	Sahar Gul S/o Shaheed FC Nowsherwan	Newly appointed	10.04.1996	443/MR	Charsadda
10.	FC Muhammad Asif s/o LHC Yousaf Khan	Absorbed	30.04.1996	444/MR	Nowshera
11.	FC Adnan Khan S/o Shaheed FC Said Qamar No. 983	Absorbed	12.07.1996	445/MR	Mardan
12.	Muhammad Bilal S/o Shaheed FC Muhammad Javid	Newly appointed	18.08.1996	446/MR	Swabi

ATTESTED

13.	Muhammad Zeeshan S/o Shaheed FC Sardar Muhammad	Newly appointed	14.04.1998	447/MR	Mardan
14.	FC Farhad Ali Shah S/o Shaheed IIC Mukamil Shah	Absorbed	22.08.1999	448/MR	Charsadda
15.	Bilal S/o Shaheed FC Shahzada	Newly appointed	01.05.2001	449/MR	Charsadda
16.	FC Tahir Rasool s/o Shaheed Constable Hazrat Rasool	Absorbed	10.05.2001	450/MR	Mardan
17.	FC Nasir Khan S/o Shaheed IIC Laiq Shah	Absorbed	17.03.2002	451/MR	Swabi
18.	FC Shah Faisal No. 1842 B/o Shaheed FC Shad Muhammad No. 959	Absorbed	22.02.2003	452/MR	Mardan
19.	Muhammad Bashir S/o Shaheed SI Husan Zada	Newly appointed	22.02.2003	453/MR	Swabi
20.	FC Aimal Zeb No. 149 S/o Shaheed ASI Jehan Zeb Khan	Absorbed	27.09.2005	454/MR	Nowshera
21.	FC Zulfiqar Ali S/o Shaheed FC Muhammad Sher No. 2929	Absorbed	28.03.2006	455/MR	Mardan
22.	Ali Raza S/o Shaheed ASI Noorullah	Newly appointed	02.04.2006	456/MR	Charsadda
23.	Muhammad Shahzad S/o Shaheed IIC Wisal Muhammad	Newly appointed	21.05.2006	457/MR	Swabi
24.	Abdul Latif B/o Shah Khalid No. 277	Newly appointed	27.01.2007	458/MR	Nowshera
25.	FC Akhtar Munir No. 1107 B/o Shaheed FC Muhammad Zubair No. 1061	Absorbed	14.06.2007	459/MR	Nowshera
26.	Zahid Shah S/o Shaheed FC Hidayat Shah	Newly appointed	05.07.2007	460/MR	Charsadda
27.	Sohail Nasir S/o Shaheed DSP Saleem Dad Khan	Newly appointed	02.02.2008	461/MR	Mardan
28.	Sheraz Afzal S/o Shaheed FC Afzal Shah	Newly appointed	23.02.2008	462/MR	Nowshera
29.	FC Shah Faisal S/o Shaheed FC Qaisar Khan	Absorbed	16.03.2008	463/MR	Mardan
30.	FC Tauseef Ahmad 1204 S/o Shaheed FC Farukh Said	Absorbed	25.04.2008	464/MR	Mardan
31.	Waqas Ahmad S/o Shaheed FC Israr Khan	Newly appointed	17.08.2008	465/MR	Charsadda
32.	FC Adil Khan s/o Shaheed FC Amjid Ali	Absorbed	22.08.2008	466/MR	Mardan
33.	Ashfaq Ali B/o Shaheed Adil / li No. 1514	Newly appointed	31.10.2008	467/MR	Mardan
34.	FC Atiq-ur Rehman B/o shaheed FC Arif Shah	Absorbed	01.11.2008	468/MR	Mardan
35.	Shahab B/o Shaheed FC Taimoor Khan No. 2129	Newly appointed	06.01.2009	469/MR	Mardan
36.	Imran B/o Shaheed FC Fazal Rahman	Newly appointed	07.01.2009	470/MR	Mardan
37.	Abid Ali S/o Shaheed FC Usman Ali	Newly appointed	08.02.2009	471/MR	Swabi
38.	FC Izaz Ali S/o Shaheed HC Muhammad Taj No. 54	Absorbed	24.03.2009	472/MR	Swabi
39.	FC Zaheer Muhammad B/o Shaheed FC Naseer Muhammad	Absorbed	26.03.2009	473/MR	Mardan
40.	Taimoor Ahmad S/o Shaheed DSP Bahadar Khan	Newly appointed	15.04.2009	474/MR	Charsadda
41.	Kamran Zeb S/o Shaheed ASI Aurangzeb	Newly appointed	20.04.2009	475/MR	Charsadda
42.	FC Shakeel B/o Shaheed FC Siyar No. 4763/FRP	Absorbed	11.05.2009	476/MR	Swabi
43.	Muhammad Kashif S/o Shaheed FC Fazal Subhan No. 593	Newly appointed	20.05.2009	477/MR	Charsadda
44.	FC Zeeshan No. 23 S/o Shaheed FC Musharaf	Absorbed	01.06.2009	478/MR	Mardan
45.	Mazhar Fawad S/o Shaheed Inspector Fazal Khanan	Newly appointed	01.06.2009	479/MR	Mardan

  
**ATTESTED**

46.	FC Bahar Ali B/o Shaheed FC Farman Ali No: 1095	Absorbed	12.08.2009	480/MR	Charsadda
47.	Kashif B/o Shaheed FC Nasir	Newly appointed	01.10.2009	481/MR	Mardan
48.	FC Nihar Ali S/o Shaheed SI Gul Imran	Absorbed	24.10.2009	482/MR	Mardan
49.	FC Asif Ayaz No. 2801 B/o Shaheed FC Muhammad Ayaz	Absorbed	11.03.2010	483/MR	Mardan
50.	FC Atta Ullah No. 989 B/o Shaheed FC Alamgir	Absorbed	14.06.2010	484/MR	Mardan
51.	Taj Islam S/o Shaheed Muhammad Ishaq	Newly appointed	06.07.2010	485/MR	Mardan
52.	FC Naveed ur Rehman s/o Shaheed SI Khushdil Khan	Absorbed	07.09.2010	486/MR	Swabi
53.	Syed Ali Shah B/o FC Shaheed Syed Kamal Shah No. 1298	Newly appointed	13.12.2010	487/MR	Mardan
54.	FC Izhar Ahmad No. 1401 B/o Shaheed FC Wiqar Ahmad & Shaheed ASI Mukhtiar Ahmad	Absorbed	15.03.2011 18.01.2007	488/MR	Mardan
55.	FC Muammar Shah B/o Shaheed Inspector Mazhar Shah	Absorbed	15.03.2011	489/MR	Charsadda
56.	Syed Adil Badshah B/o shaheed FC Syed Usman Badshah	Newly appointed	16.04.2011	490/MR	Mardan
57.	FC Shah Khalid B/o Shaheed Kausar Ali	Absorbed	22.04.2011	491/MR	Charsadda
58.	Mujeeb Alam B/o Shaheed FC Sardar Alam No. 381	Newly appointed	25.05.2011	492/MR	Charsadda
59.	FC Mujeeb ur Rehman B/o Shaheed Niaz ur Rehman No. 130	Absorbed	25.05.2011	493/MR	Charsadda
60.	Saddam Hussain S/o Shaheed LHC Mir Wali	Newly appointed	16.07.2011	494/MR	Swabi
61.	Ikram Khan B/o Shaheed LHC Ayaz Khan	Newly appointed	12.11.2011	495/MR	Mardan
62.	Muhammad Adil S/o Shaheed LHC Ali Zar	Newly appointed	17.03.2012	496/MR	Swabi
63.	FC Shahid Hussain B/o Shaheed FC Shah Hussain	Absorbed	12.05.2012	497/MR	Mardan
64.	Saddam Ali B/o Shaheed FC Kashif Ali	Newly appointed	09.06.2012	498/MR	Swabi
65.	FC Shah Naam B/o Shaheed FC Noorul Islam	Absorbed	19.07.2012	499/MR	Mardan
66.	Murshed Alam S/o Shaheed SP Khurshid Alam	Newly appointed	14.10.2012	500/MR	Charsadda
67.	Wahab Ali Shah S/o Shaheed Tajamul Shah	Newly appointed	03.12.2012	501/MR	Mardan
68.	FC Waseem Iqbal S/o Shaheed HC Arshed Iqbal of Special Branch	Absorbed	18.02.2013	502/MR	Swabi
69.	FC Nasir Khan B/o Shaheed Azmat Jan	Absorbed	19.02.2013	503/MR	Charsadda
70.	Muhammad Tariq Hayat B/o Shaheed Abdul Nasir	Newly appointed	23.02.2013	504/MR	Nowshera
71.	<del>Adnan</del> Adnan Ahmad S/o Shaheed FC Islam Gul	<del>Absorbed</del>	26.03.2013	505/MR	Mardan
72.	Adnan Khan S/o Shaheed SI Gharib Ullah	Newly appointed	16.07.2013	506/MR	Nowshera
73.	FC Muhammad Qasim s/o Shaheed ASI Fazal Wahab	Absorbed	20.10.2013	507/MR	Mardan
74.	Zeeshan S/o Shaheed FC Iftikhar Ahmad	Newly appointed	13.12.2013	508/MR	Swabi
75.	Jehan Ali B/o Shaheed FC Nawaz Ali	Newly appointed	12.01.2014	509/MR	Swabi
76.	FC Naveed Iqbal No. 809 S/o Shaheed Muhammad Iqbal	Absorbed	14.01.2014	510/MR	Nowshera
77.	FC Bilal Ahmad B/o Shaheed LHC Khwaja Muhammad	Absorbed	22.01.2014	511/MR	Charsadda
78.	Amir Khan S/o Shaheed Sabir Khan No. 738	Newly appointed	24.01.2014	512/MR	Swabi

ATTESTED

79.	Ishtiaq Ahmad B/o Shaheed FC Asifaq Ahmad	Newly appointed	15.02.2014	513/MR	Charsadda
80.	Fakhar Yar Khan S/o Shaheed FC Shehryar Khan	Newly appointed	25.05.2014	514/MR	Charsadda
81.	Tauheed Khan S/o Shaheed SI Sattar Khan	Newly appointed	20.06.2014	515/MR	Charsadda
82.	Rasool Khan B/o Shaheed FC Alam Khan No. 2000	Newly appointed	23.07.2014	516/MR	Charsadda

Necessary notification regarding their appointment/ absorption may please be issued subject to their medical fitness and verification of character/antecedent.

*(Signature)*  
 (MUSLIM SAHEED) PSP  
 Deputy Inspector General of Police,  
 Mardan Region-I, Mardan.

Copy to Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar for information w/r to his office Memo Nos. 4016-22/E-III dated 31.12.2015 & 4016-22/E-III dated 11.01.2016.

(MUSLIM SAHEED) PSP  
 Deputy Inspector General of Police,  
 Mardan Region-I, Mardan.

*(Signature)*  
 Deputy Inspector General of Police

*(Signature)*

ATTESTED



Annexure "E" Peshawar-11

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**FINANCE DEPARTMENT**  
**NO. BO-III/FD/7-1/2015-2016**  
**Dated Peshawar the 26<sup>th</sup> August 2015**

P-18

To



1. The Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department.
2. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

Subject: - **CREATION OF 600 POSTS IN THE RANK OF ASI FOR THE ELIGIBLE WARDS OF POLICE SHUHADA.**

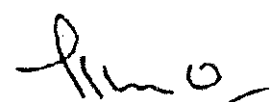
Dear Sir,

I am directed to refer to Home and Tribal Affairs Department letter No. SO (Budget)/HD/15-2/2014 dated 10-08-2015 addressed to this department and copy thereof endorsed to Provincial Police Officer on the subject noted above and to state that in compliance to the approval of Summary by the Honorable Chief Minister Khyber Pakhtunkhwa, Finance Department agrees to the creation of the 300 supernumerary posts of ASI BS-9 subject to the condition that with gradual retirement of ASIs holding permanent/regular posts, the senior most from 300 holders of the supernumerary posts will be adjusted against the posts falling vacant and the corresponding supernumerary posts will stand abolished accordingly in a gradual manner.

2. The expenditure involved is debitable to the function "03-Public Order and Safety Affairs 032-Police 0321-Police 032102-Provincial Police NC 21014 (010)" and will be met out from A01270-086-Other LS at the disposal of Finance Department during the current financial year 2015-16.
3. Draft Sanction showing DDo wise distribution of posts may be prepared and sent to this department for authentication.


Yours faithfully

**ATTESTED**

  
(SHAH MUHAMMAD)  
BUDGET OFFICER-III

DSC (F)

So (Budget)

  
28/08/15



19

18

Annex

F

- 1. The Provincial Police Officer, NWFP, Peshawar.
- 2. The Deputy Inspector General of Police, Mardan Region-I, Mardan
- 3. The Capital City Police Officer, NWFP, Peshawar.
- 4. The Deputy Inspector General of Police, Hazara Region.
- 5. The Deputy Inspector General of Police, Kohat Region.
- 6. The Deputy Inspector General of Police, Malakand Region-III, Swat
- 7. The Deputy Inspector General of Police, Bannu Region.

No 3213-18/E-II

Dated Peshawar the 27/2/2005.

Subject: APPOINTMENT OF POLICE SHIHADA'S SONS

Memo

The Honourable Chief Minister NWFP has been pleased to approve the appointment / absorption of the following Police Shihada's sons of NWFP Police as Assistant Sub Inspector DPS-09 (2770-165-7720) against 5% quota reserved for "SHIHADA'S SONS" in Police Department vide Government of NWFP Home & L.A. Department letter No. SO(P)HD:3-22/06 Dated: 21.02.2006 subject to their medical fitness. They shall stand junior from the ASIs being appointed through Public Service Commission NWFP, Peshawar vide Advertisement No. 1/2005.

S/No	NAME, PARENTAGE	ADDRESS
1	Sabir Gul s/o Shaheed ASI Abid Gul	Kaka Abad Kailang, District Mardan.
2	Rehamat Ullah s/o Shaheed SI Atta Ullah	Mandozai Hizar Khawani, District Peshawar.
3	Sajjad Hussain s/o Shaheed ASI Javed Khan	Hayat Abad Quarter Phase IV, Sector D-I Street 9, H/No. 98 Hayatabad Peshawar.
4	Faisal Khan s/o Shaheed Head Constable Muhammad Anwar	Chacha P/O Kailag District Mardan.
5	Shoukat Hayat s/o Shaheed SI Abdul Hakeem	Merozai District Kohat.
6	Junior Clerk Wariq Shah s/o shaheed ASI Raheem Shah	Village Passani PO Sharikara District Peshawar.
7	Muruf Khan s/o Shaheed ASI Khalid Khan	Jen Khan Kalay Takht Bar District Mardan.
8	Constable Umar Hayat No. 924 s/o Shaheed Const. Muhammad Alam	Village Simindari Kaln Latonhu, District Kurram.
9	Zahid Alam s/o Shaheed SI Bakhtiar Alam	Attakay, District Charsadda.
10	Zeeshan s/o Shaheed, Constable Jehanzeb	Village Marozai, District Charsadda.
11	Ejaz Ali s/o Shaheed SI Sher Ali	Utmanzai Chamsrangabad, District Charsadda.
12	Fahim Bacha s/o Shaheed Head Constable Sadiq Ullah	Cham Dheri Mian Gen District Mardan.
13	Fahad Khan s/o Shaheed ASI Zahir Shah	Odigram Muhallad Amir Khan Babo Zai District Swat.
14	Adnan Azam s/o Shaheed Head Constable Zoor Talab	Village Shabqadar Mohallah Mirzai District Charsadda.
15	Mr. Waheed Iqbal s/o Shaheed HC Muhammad Iqbal	Village Madi Khel P/O Chandi Khan Khel District Lakki Marwat.
16	Roohul Amin s/o Shaheed Constable Wisal Muhammad	Village Adina District Swabi.
17	Shafi ur Rehman s/o Shaheed SI Ajab Gul	Village Bughica Dheri, District Mardan.

(19-A)

**BETTER COPY**

To,

- The Provincial Police Officer,  
NWFP, Peshawar.
1. The Deputy Inspector General of Police  
Mardan Region-I, Mardan
  2. The Capital City Police Officer,  
NWFP, Peshawar.
  3. The Deputy Inspector General of Police,  
Hazara Region.
  4. The Deputy Inspector General of Police,  
Kohat Region.
  5. The Deputy Inspector General of Police,  
Malakand Region-III, swat
  6. The Deputy Inspector General of Police,  
Bannu Region.

No.3213-18/E-II

Dated Peshawar the 27.02.2005

Subject:

**APPOINTMENT OF POLICE SHUHADA'S SONS**

Memo;

The Honourable Chief Minister NWFP has been pleased to approve the appointment/absorption of the following Police Shuhada's sons of NWFP Police as Assistant Sub-Inspector BPS-09 (2770-165-7720) against 5% quota reserved for "SHUHADA'S SONS" in Police Department vide Government of NWFP Home & T.As Department letter No.SO(P)HD/3-22/06 dated 21.02.2006 subject to their medical fitness. They shall stand junior from the ASIs being appointed through Public Service Commission NWFP, Peshawar vide Advertisement No.1/2005.

S/N.	NAME, PARENTAGE	ADDRESS
1.	Sabir Gul S/o Shaheed ASI Abid Gul	Kaka Abad Katlang, District Mardan
2.	Rehman Ullah S/o Shaheed SI Atta Ullah	Mandozai Hazar Khawari, District Peshawar.
3.	Sajjad Hussain S/o Shaheed ASI Javed Khan	Hayat Abad Quarter Phase-IV, Sector P-I, Street 9, H/No.08 Hayatabad, Peshawar.
4.	Faisal Khan S/o Shaheed Head Constable Muhammad Anwar	Chacha P/o Kaileg District Haripur
5.	Shaoukat Hayat S/o Shaheed SI Abdul Hakeem	Merozai District Kohat
6.	Junior Clerk Wariq Shah S/o Shaheed ASI Raheem Shah	Village Passani PO Sharikara District Peshawar.
7.	Maruf Khan S/o Shaheed ASI Khalid Kha	Jan Khan Kalay Takht Bai District Mardan
8.	Constable Umar hayat No.924 S/o Shaheed Const; Muhammad Alam	Village Simandari Kala Latmabar, District Karak
9.	Zahid Alam S/o Shaheed SI Bakhtiar Alam	Attakay, District Charsadda.
10.	Zeeshan S/o Shaheed, Constable Jehanzeb	Village Marozai, District Charsadda
11.	Ejaz Ali S/o Shaheed SI Sher Ali	Utmanzai Chamrangabad, District Charsadda
12.	Fahim Bacha S/o Shaheed Head Constble Sadiq Ullah	Cham Dheri Mian Gan District Mardan
13.	Fahad Khan S/o Shaheed ASI Zahir Shah	Odigram Muhallah Amir Khan Babo Zai District Swat.
14.	Adnan Azam S/o Shaheed Head Constable Zoor Talab	Village Shabqadar Mohallah Mirzai District Charsadda.
15.	Mr. Waheed Iqbal S/o Shaheed HC Muhammad Iqbal	Village Madi Khel P/o Ghandi Khan Kehl District Lakki Marwat
16.	Roohul Amin S/o Shaheed Constable Wisal Muhammad	Village Adina District Swabi
17.	Shafi ur Rehman S/o Shaheed SI Ajah Gul	Village Baghica Dehri, District Mardan.

**ATTESTED**

18	Shams ur Rehman s/o Shaheed HIC Zarghob Shah No. 176	Mohallah Yusaf Khel District Peshawar.
19	Asad Ali Shah s/o Shaheed SI Saad Ali Shah	Kotka P. U. Khel Dozar, District Mardan.
20	Akber Zeh s/o Shaheed Constable Akber Khan	Dehri Junjran Mutkund Agency
21	Constable Saadat Ali No. 372 s/o Shaheed Head Constable Khurshid Khan	Mohallah Banzakhol village Faisa Khan District Swabi.
22	Races Khan s/o Shaheed Constable Sabir Khan	Village Sajjar Tehsil & District Dir Lower
23	Constable Muhammad Naeem Khattak No. 399 s/o Shaheed Driver Const. Zaver Shah	Village Hoshiro, District Chitral.
24	Niaz Hussain s/o SI Shaheed Shaz Ali Khan	Village Nawar Kalay, PS. Rustam, District Mardan

On appointment /absorption they are posted/allotted to the Region as noted against their names:-

S/No	NAME OF CANDIDATES	REGION TO WHICH POSTED /ALLOTTED
1.	Sabir Gul	Mardan Region
2.	Rehamat Ullah	CCP/Peshawar
3.	Sajjad Hussain	CCP/Peshawar
4.	Faisal Khan	Hazara Region
5.	Shoukat Hayat	Kohat Region
6.	Junior Clerk Wariq Shah	CCP/Peshawar
7.	Maruf Khan	Mardan Region
8.	Constable Umar Hayat No. 924	Kohat Region
9.	Zahid Alam	Mardan Region
10.	Zecshan	Mardan Region
11.	Ejaz Ali	Mardan Region
12.	Fahim Bacha	Mardan Region
13.	Fahad Khan	Malakand Region
14.	Adnan Azam	Mardan Region
15.	Waheed Iqbal	Bannu Region
16.	Roohul Amin	Mardan Region
17.	Shafi ur Rehman	Mardan Region
18.	Shams ur Rehman	CCP/Peshawar
19.	Asad Ali Shah	Bannu Region
20.	Akber Zeh	Malakand Region
21.	Constable Saadat Ali No. 372	Mardan Region
22.	Races Khan	Malakand Region
23.	Constable Muhammad Naeem Khattak No. 399	Mardan Region
24.	Niaz Hussain	Mardan Region

Necessary Notification regarding their appointment/absorption may please be issued under the relevant rules in prescribed manner under intimation to all concerned.

ATTESTED

(M. RAJEED PASANI)  
 Provincial Police Officer  
 Peshawar

(20-A)

**BETTER COPY**

18.	Shams ur Rehman S/o Shaheed IHC Zarghun Shah No.126	Mohallah Yasin Khel Urmar District petitioner
19.	Asad Ali Shah S/o Shaheed SI Said Ali Shah	Korka Pir Dil Khel Bazar, District Bannu
20.	Akber Zeb S/o Shaheed constable Akber Khan	Dhero Julagram Malakand Agency
21.	Constable Saadat Ali No.372 S/o Shaheed Head Constable Khurshid Khan	Mohallah Bazidkhel Village Kalo Kha District Swabi.
22.	Raees Khan S/o Shaheed Constable Sabir Khan	Village Sugiar Tehsil & District Dir Lower.
23.	Constable Muhammad Naeem Khattak No.399 S/o Shaheed Driver Const; Zavor Shah	Village Dosehra, District Charsadda.
24.	Niaz Hussain S/o Shaheed Shaz Ali Khan	Village Nawan Kalay PS Rustam, District Mardan.

On appointment/ absorption they are posted/ allotted to the Region as noted against their names:-

S/No.	Name of candidate	Region to which posted/ allotted
1.	Sabir Gul	Mardan Region
2.	Rehmat Ullah	CCP/ Peshawar
3.	Sajjad Hussain	CCP/ Peshawar
4.	Faisal Khan	Hazara Region
5.	Shoukat Hayat	Kohat Region
6.	Junior Clerk Wariq Shah	CCP/ Peshawar
7.	Maruf Khan	Mardan Region
8.	Constable Umar Hayat No.924	Kohat Region
9.	Zahid Alam	Mardan Region
10.	Zeeshan	Mardan Region
11.	Ejaz Ali	Mardan Region
12.	Fahim Bacha	Mardan Region
13.	Fahad Khan	Malakand Region
14.	Adnan Azam	Mardan Region
15.	Waheed Iqbal	Bannu Region
16.	Roohul Amin	Mardan Region
17.	Shafi ur Rehman	Mardan Region
18.	Shams ur Rehman	CCP/ Peshawar
19.	Asad Ali Shah	Bannu Region
20.	Akber Zeb	Malakand Region
21.	Constable Saadat Ali No.372	Mardan Region
22.	Raees Khan	Mardan Region
23.	Constable Muhammad Naeem Khattak No.399	Mardan region
24.	Niaz Hussain	Mardan Region

Necessary Notification regarding their appointment/ absorption may pleased be issued under the relevant rules in prescribed manner under intimation to all concerned.

Sd/-  
M. RAFFAT PASATT  
Provincial Police Officer  
NWFP, Peshawar

ATTESTED

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Annex F/2

POLICE DEPTT:

SENIORITY LIST OF PROBATIONER ASIS OF KOHAT REGION.

KOHAT REGION

Subject:- SENIORITY LIST.

The Seniority list of the following P/ASIs, as it stood on 01.02.2021 is hereby published as per Police Rules 12.2(3) & 13.18(2) according to their age, for the information of all concerned :-

S.No.	Rank, Name & Number	Date of Birth	Date of Enlistment	Date of Confirmation	Date of promotion list "E"	Edu:	Place of Posting	Remarks
1.	P/ASI Muhammad Adil (Grd:FC) 28/K	04.04.1979	10.03.2017			MA	Oper: Karak	
2.	P/ASI Muhammad Idrees (PSC) 22/K	22.03.1991	10.03.2017			B.Sc	Oper: Karak	
3.	P/ASI Waqar Ahmed (PSC) 21/K	02.06.1991	10.03.2017			MS	Oper: Karak	
4.	P/ASI Faizan Sattar (PSC) 23/K	01.04.1993	10.03.2017			BS (Pol: Sci)	Oper: Kohat	
5.	P/ASI Nasir Farid (PSC) 13/K	08.08.1995	10.03.2017			F.Sc	CCP Pesh:	
6.	P/ASI Khizar Farid (PSC) 11/K	26.09.1995	10.03.2017			F.Sc	Oper: Hangu	
7.	P/ASI Zeeshan Zahoor (PSC) 25/K	14.10.1995	10.03.2017			BA	Oper: Kohat	
8.	P/ASI Shahid Ullah 29/K	06.03.1981	T/ASI 18.01.2016 P/ASI 27.04.2017			FA	Oper: Kohat	
9.	P/ASI Adnan Ahmed (PSC) 06/K	03.07.1989	22.12.2017			BS (Eng)	Oper: Kohat	
10.	P/ASI Syed Gulshan Abbas 12/K	10.08.1986	T/ASI 18.01.2016 P/ASI 24.04.2019			FA	Oper: Kohat	
11.	P/ASI Wasim Akram 27/K	20.04.1987	T/ASI 18.01.2016 P/ASI 24.04.2019			FA	Oper: Hangu	
12.	P/ASI Sana Ullah 31/K	21.04.1987	T/ASI 18.01.2016 P/ASI 24.04.2019			FA	Oper: Kohat	
13.	P/ASI Adeel Salah ud Din 24/K	25.05.1989	T/ASI 18.01.2016 P/ASI 24.04.2019			B.Sc	Oper: Kohat	
14.	P/ASI Muhammad Hanif 63/K	18.02.1990	T/ASI 18.01.2016 P/ASI 24.04.2019			FA	Oper: Kohat	
15.	P/ASI Irfan Shah 66/K	03.03.1990	T/ASI 18.01.2016 P/ASI 24.04.2019			DAE	Oper: Karak	

16.	P/ASI Tasawar Hussain 79/K	11.04.1990	T/ASI 18.01.2016 P/ASI 24.04.2019			FA	Oper: Karak	
17.	P/ASI Muhammad Irfan 80/K	20.09.1990	T/ASI 18.01.2016 P/ASI 24.04.2019			BA	Oper: Kohat	

OFFICE OF THE REGIONAL POLICE OFFICER, KOHAT REGION, KOHAT

NO. 3260-70 /EC, Dated Kohat the 16/03- /2021.

Copy of above is forwarded to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar for favour of information please.
2. Capital City Police Officer, Peshawar.
3. All District Police Officer, Kohat Region.
4. All Heads of Investigation, Kohat Region.
5. Asstt: Secret Range office, Kohat.

Regional Police Officer,  
Kohat Region.

ATTACHED

Annexure

(9)

22

ORDER.

On adjustment from supernumerary posts in 5% Shuhada's Wards quota issued vide this office order endorsement No. 2832-36/ES dated 14.04.2017. The following PASIs are hereby transferred/posted to the District as noted against each their names:-

Officer  
7/9/17  
Date  
5/9/17  
Ch. Mardan

S. No.	Name & No.	From	To (In 5% existing vacant posts)
1.	Muhammad Behzad No. 435/MR	Swabi District	Swabi District
2. ✓	Saddan Hussain No. 437/MR	Charsadda District	Mardan District
3.	Khalid Ahmad No. 438/MR	Swabi District	Mardan District
4.	Kifayat Ullah No. 439/MR	Mardan District	Mardan District
5.	Abdullah Jan No. 440/MR	Mardan District	Mardan District
6.	Imad Khan 441/MR	Charsadda District	Mardan District
7. ✓	Kamran Nadir No. 442/MR	Charsadda District	Mardan District
8. ✓	Sahar Gul No. 443/MR	Charsadda District	Mardan District
9.	Muhammad Asif No. 444/MR	Nowshera District	Nowshera District
10.	Adnan Khan No. 445/MR	Mardan District	Mardan District

(Muhammad Alam Shinwari) PSP  
Regional Police Officer,  
Mardan. *AL*

No. 6684-87/ES,

Dated Mardan the 31/08 2017.

Copy to All DPOs in Mardan Region-1, Mardan for information and necessary action.

(\*\*\*\*\*)

E-C/PO  
For action  
*[Signature]*  
ATTESTED

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(23)

(H)

**Government of Khyber Pakhtunkhwa**  
Office of the Regional Police Officer,  
Mardan

**Annex**

Phone No. 0937-9230113, Fax No. 0937-9230115.  
Email Address: - [esrpmardan@gmail.com](mailto:esrpmardan@gmail.com)

To : The District Police Officer, Swabi.  
District Police Officer, Mardan.  
District Police Officer, Nowshera.  
District Police Officer, Charsadda.

No. 7057-60 /ES, dated Mardan Region, the 13 /11/2020.

Subject: CONFIRMATION IN THE RANK OF ASI & PROMOTION TO LIST "E".

Memo:

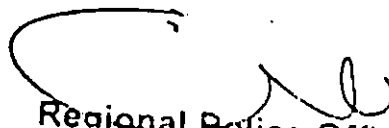
Consequent upon recommendations of the Departmental Promotion Committee held in this office on 10.11.2020, the following Probationer Assistant Sub Inspectors of Mardan Region, who were appointed on supernumerary posts being Wards of Shuhada's are hereby approved for confirmation in the rank of ASI's from the date of their appointment in light of Police Rules, 1934 Chapter-12 Rule-8, Rule-12 Sub Rule-2 Clause-3 and Chapter 19 Rule-25 Sub Rule-5 as well as Standing Order No. 10/2014 and the decision made during Departmental Promotion Committee Meeting held on 09.06.2018 at Central Police Office, Peshawar wherein guidance had been sought for bringing names of PASIs appointed on supernumerary posts on promotion list "E". Their names are brought on promotion list "E" with immediate effect.

S. No.	Name & Region Number	Date of Birth	Date of appointment/absorption as PASI	Date of confirmation as PASI
1.	PASI Ashfaq Ali No. 467/MR	02/02/1981	12/01/2016	12/01/2016
2.	PASI Shah Khalid No. 491/MR	30/03/1981	12/01/2016	12/01/2016
3.	PASI Shakeel No. 476/MR	01/04/1982	12/01/2016	12/01/2016
4.	PASI Zaheer Muhammad No. 473/MR	10/04/1982	12/01/2016	12/01/2016
5.	PASI Akhtar Munir No. 459/MR	12/03/1983	12/01/2016	12/01/2016
6.	PASI Muammar Shah No. 489/MR	05/03/1984	12/01/2016	12/01/2016
7.	PASI Syed Ali Shah No. 487/MR	06/04/1984	12/01/2016	12/01/2016
8.	PASI Naveed Ur Rehman No. 486/MR	14/03/1985	12/01/2016	12/01/2016
9.	PASI Azhar Ahmad No. 488/MR	12/04/1986	12/01/2016	12/01/2016
10.	PASI Attaullah No. 484/MR	01/05/1986	12/01/2016	12/01/2016
11.	PASI Nasir Khan No. 451/MR	06/01/1987	12/01/2016	12/01/2016
12.	PASI Bilal Ahmad No. 511/MR	09/01/1987	12/01/2016	12/01/2016
13.	PASI Mujeeb Ur Rehman No. 493/MR	30/03/1987	12/01/2016	12/01/2016
14.	PASI Nihar Ali No. 482/MR	19/04/1987	12/01/2016	12/01/2016
15.	PASI Kashif No. 481/MR	24/04/1987	12/01/2016	12/01/2016
16.	PASI Nasir Khan No. 503/MR	10/01/1988	12/01/2016	12/01/2016
17.	PASI Taj ul Islam No. 485/MR	02/02/1988	12/01/2016	12/01/2016
18.	PASI Shahid Hussain No. 497/MR	05/04/1988	12/01/2016	12/01/2016
19.	PASI Farhad Ali Shah No. 448/MR	30/08/1989	12/01/2016	12/01/2016
20.	PASI Zulfiqar Ali No. 455/MR	10/03/1990	12/01/2016	12/01/2016
21.	PASI Saddam Ali No. 498/MR	05/04/1990	12/01/2016	12/01/2016
22.	PASI Muhammad Bashir No. 453/MR	30/06/1990	12/01/2016	12/01/2016
23.	PASI Mujeeb Alam No. 492/MR	15/01/1991	12/01/2016	12/01/2016
24.	PASI Muhammad Shahzad No. 457/MR	29/03/1991	12/01/2016	12/01/2016
25.	PASI Tauheed Khan No. 515/MR	13/04/1991	12/01/2016	12/01/2016
26.	PASI Saddam Hussain No. 437/MR	25/05/1991	12/01/2016	12/01/2016
27.	PASI Muhammad Asif No. 444/MR	03/09/1991	12/01/2016	12/01/2016
28.	PASI Tauseef Ahmad No. 464/MR	02/01/1992	12/01/2016	12/01/2016
29.	PASI Adnan Khan No. 445/MR	24/01/1992	12/01/2016	12/01/2016

**ATTESTED**

30.	PASI Shah Naam No. 499/MR	02/03/1992	12/01/2016	12/01/2016
31.	PASI Sahar Gul No. 443/MR	10/03/1992	12/01/2016	12/01/2016
32.	PASI Rasool Khan No. 516/MR	10/04/1992	12/01/2016	12/01/2016
33.	PASI Asif Ayaz No. 483/MR	01/05/1992	12/01/2016	12/01/2016
34.	PASI Muhammad Behzad No. 435/MR	05/05/1992	12/01/2016	12/01/2016
35.	PASI Muhammad Qasim No. 507/MR	25/11/1992	12/01/2016	12/01/2016
36.	PASI Ishtiaq Ahmad No. 513/MR	03/03/1993	12/01/2016	12/01/2016
37.	PASI Wahab Ali Shah No. 501/MR	10/03/1993	12/01/2016	12/01/2016
38.	PASI Aizaz Ali No. 472/MR	15/03/1993	12/01/2016	12/01/2016
39.	PASI Naveed Iqbal No. 510/MR	06/04/1993	12/01/2016	12/01/2016
40.	PASI Shah Faisal No. 463/MR	03/05/1993	12/01/2016	12/01/2016
41.	PASI Adil Khan No. 466/MR	02/02/1994	12/01/2016	12/01/2016
42.	PASI Adnan Ahmad No. 505/MR	25/02/1994	12/01/2016	12/01/2016
43.	PASI Syed Adil Badshah No. 490/MR	03/03/1994	12/01/2016	12/01/2016
44.	PASI Muhammad Bilal No. 446/MR	13/03/1994	12/01/2016	12/01/2016
45.	PASI Saddam Hussaim No. 494/MR	01/04/1994	12/01/2016	12/01/2016
46.	PASI Muhammad Zeeshan No. 447/MR	10/04/1994	12/01/2016	12/01/2016
47.	PASI Abdullah Jan No. 440/MR	11/04/1994	12/01/2016	12/01/2016
48.	PASI Imran No. 470/MR	12/08/1994	12/01/2016	12/01/2016
49.	PASI Zahid Shah No. 407/MR	01/09/1994	12/01/2016	12/01/2016
50.	PASI Tahir Rasool No. 450/MR	15/01/1995	12/01/2016	12/01/2016
51.	PASI Murshid Alam No. 500/MR	03/02/1995	12/01/2016	12/01/2016
52.	PASI Bahar Ali No. 480/MR	03/03/1995	12/01/2016	12/01/2016
53.	PASI Mazhar Fawad No. 479/MR	20/03/1995	12/01/2016	12/01/2016
54.	PASI Muhammad Adil No. 496/MR	01/04/1995	12/01/2016	12/01/2016
55.	PASI Taimoor Ahmad No. 474/MR	20/08/1995	12/01/2016	12/01/2016
56.	PASI Kamran Zeb No. 475/MR	10/09/1995	12/01/2016	12/01/2016
57.	PASI Wiqas Ahmad No. 465/MR	25/01/1996	12/01/2016	12/01/2016
58.	PASI Ali Raza No. 456/MR	18/02/1996	12/01/2016	12/01/2016
59.	PASI Abid Ali No. 471/MR	03/03/1996	12/01/2016	12/01/2016
60.	PASI Sohail Nasir No. 461/MR	05/04/1996	12/01/2016	12/01/2016
61.	PASI Shahab No. 469/MR	31/05/1996	12/01/2016	12/01/2016
62.	PASI Zeeshan No. 508/MR	07/03/1997	12/01/2016	12/01/2016
63.	PASI Amir Khan No. 512/MR	05/04/1997	12/01/2016	12/01/2016
64.	PASI Muhammad Kashif No. 477/MR	10/04/1997	12/01/2016	12/01/2016
65.	PASI Ziarat Gul No. 517/MR	10/01/1986	02/02/2016	02/02/2016
66.	PASI Muhammad Zameer No. 518/MR	03/07/1994	02/02/2016	02/02/2016
67.	PASI Fakhre Alam Shah No. 519/MR	01/06/1991	10/02/2016	10/02/2016
68.	PASI Musavir Ali No. 520/MR	25/08/1994	30/06/2016	30/06/2016

Necessary Gazette Notification be issued accordingly.

  
Regional Police Officer,  
Mardan.

**ATTESTED**





OFFICE OF THE *Annexure*  
DISTRICT POLICE OFFICER, (7)  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email dpo\_mardan@yahoo.com

2020

To:

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

No. 6786 /EC, dated Mardan, the 03/1/20 /2020.

Subject: APPLICATION

Memo:

Enclosed kindly find herewith self explanatory applications submitted by the following PASIs of this district police for favor of consideration please.

1. PASI Farooq Ali 679/MR
2. PASI Ijaz Ali 686/MR
3. PASI Yasir Arafat 682/MR
4. PASI Faizan Ahmad 685/MR
5. PASI Shahid Alam 680/MR
6. PASI Ansar Ahmad 681/MR
7. PASI Amir Riaz 683/MR
8. PASI Fawad Yousaf 351/MR
9. PASI Muhammad Asim 684/MR

we (27)

*[Signature]*  
District Police Officer  
Mardan ac 7

HUAWEI  
DUAL CAMERA

ATTESTED

26

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

**Subject: APPEAL AGAINST THE UNJUST/ILLEGAL FIXATION OF MERIT ON LIST "E" OF SUPERNUMERARY PASIs (SHUHADA QUOTA) 2016 BATCH IN MARDAN REGION, WHICH IS ALSO IN CONTRADICTION TO THE POLICY APPROVED AND THE QUOTA PRESCRIBED FOR SHUHADA WARDS.**

R/Sir,

With profound veneration and to start with it is stated that I am filing an appeal against the subject noted above on the following grounds.

- As per RPO Mardan office letter bearing number 7057-60/EC dated 13-11-2020 a total of 68 Supernumerary PASIs (Shuhada Quota) are approved to be brought on list "E"/confirmed from the date of appointment on Supernumerary posts. Which is not only unjust and illegal but also against the spirit of merit and in contradiction to Finance Department letter bearing number BO-III/FD/7-1/2015-2016 dated 26.08.2015, which clearly describes that "In compliance to the approval of summary by the honorable Chief Minister KPK, Finance department agrees to the creation of the 300 supernumerary posts of ASI BS-09 subject to the condition that with gradual retirement of ASIs holding permanent/regular posts, the senior most from 300 holders of these supernumerary posts will be adjusted against the posts falling vacant and the corresponding supernumerary posts will stand abolished accordingly in gradual manner". (Annexure-A)
- That appointment of PASIs (Shuhada Quota) on Supernumerary posts were made purely on temporal/non-regular bases and subject to the subsequent adjustment against future substantive/permanent vacancies under the prescribed quota i.e. 5% as and when become available upon retirement of ASIs holding regular/permanent posts. As previously done vide the RPO Mardan office order endorsement number 2832-36/ES dated 14.04.2017 wherein a total of 10 supernumerary PASIs (Shuhada quota) were adjusted on regular permanent posts in 5% quota specified for them. (Annexure-B)
- That their confirmation should, therefore, be considered from the date of actual incorporation of each candidate on regular/permanent post according to the law in vogue.
- That, their unjust confirmation/fixation of merit position on list "E" has sent a shockwave in all PASIs (PCS) Batch 2017 who have qualified Public service commission exam after a rigorous, tough and open competition and were appointed on substantive sanctioned posts. It would not only negatively affect the seniority of PCS PASIs but also greatly de-motivate these competent young PCS officers.
- That in future, in such like circumstances if arises the parameters and unjustified illogical norms established in this case would be definitely infructuous being devoid of merit and violation of service law.
- That it is an established principle of law that no executive order would be deemed competent if it grossly violates such like order would not only deprive the meritorious and competent service men but would also shake the credibility of all the departmental orders issued so.
- Therefore with great concern and appeal, it is requested to please put your kind attention on this issue in favor of justice and merit.

Dated: 30 / 11 / 2020

Kind regards

M. Asim  
684/My

Attested

(27)

"Amz J"

COMMITTEE REPORT

In compliance of the judgment rendered by the Honorable Supreme Court of Pakistan in Civil Appeal No. 164-P of 2014 captioned as Provincial Police Officer, Khyber Pakhtunkhwa Peshawar as appellant Vs Nasir Khan Respondent which was disposed of by the Apex Court on 07.10.2020 in the following terms:-

*"The very determination of seniority and promotion after confirmation of the Respondent in List "E" on 22.02.2003 has not been determined as yet and all learned councils appearing for the parties before us suggested that for this determination the matter may be remanded to the Inspector General of Police Khyber Pakhtunkhwa Peshawar, who after hearing all Police Officials who may be affected by such determination will pass an order in accordance with applicable rules to the Police Officials. Order accordingly. The Apex Court further held that the aforesaid exercise shall be completed by the Inspector General of Police, Khyber Pakhtunkhwa positively within a period of three months from today and a report in this respect shall be submitted to the registrar of this Court for our perusal and chamber."*

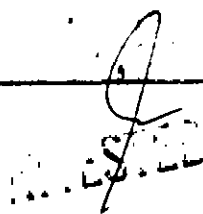
2. Consequently and in order to implement the direction of the Apex Court in the case as aforementioned in letter and spirit the Addl: IGP / HQrs: vide Order No. 5333-35 / Legal, dated 19.10.2020 constituted a committee comprising of the following officers to thresh out the issue and determine the rightful place of Respondent DSP Nasir Khan in the seniority list which had been agitated by a number of petitioners mostly the probationer ASIs recruited in various batches such as 1991, 1994 and 1998 etc:-

1. Commandant, FRP Khyber Pakhtunkhwa
2. AIG/Establishment, CPO Peshawar
3. AIG/Legal, CPO Peshawar

(Chairman)

(Member)

(Member)



(27-A)

BETTER COPY

**COMMITTEE REPORT**

1. In compliance of the judgment rendered by the Honorable Supreme court of Pakistan in Civil Appeal No.164-P of 2014 captioned as Provincial Police Officer, Khyber Pakhtunkhwa Peshawar as appelland Vs. Nasir Khan Respondent, which was disposed-of by the apex Court on 07.10.2020 in the following terms:

***The very determination of seniority and promotion after confirmation of the respondent in List "E" on 22.02.2003 has not been determined as yet and all learned councils appearing for the parties before us suggested that for this determination the matter may be remanded to the inspector General of Police Khyber Pakhtunkhwa Peshawar, who after hearing all Police Officials who may be affected by such determination will pass an order in accordance with applicable rules to the Police Officials. Order accordingly. The Apex Court further held that the aforesaid exercise shall be completed by the Inspector General of Police, Khyber Pakhtunkhwa positively within a period of three months from today and a report in this respect shall be submitted to the registrar of this Court for our perusal and chamber."***

2. Consequently and in order to implement the direction the direction of the Apex Court in the case as aforementioned in letter and spirit the Addl; IGP/ HQrs; vide Order No.5333-35/ Legal dated 19.10.2020 constituted a committee comprising of the following officers to thresh out the issue and determine the rightful place of Respondent DSP Nasir Khan in the seniority list which had been agitated by a number of petitioners mostly the probationer ASIs recruited in various batches such as 1991, 19994 and 1998 etc:-

1. Commandant, FRP Khyber Pakhtunkhwa (Chairman)
2. AIG/ Establishment, CPO Peshawar (Member)
3. AIG/ Legal, CPO Peshawar (Member)

ATTESTED

3. The facts in brevity leading to the instant case appear that it is a simple matter of determination of seniority of Respondent DSP Nasir Khan whose name was brought on promotion list "E" on officiating basis on 20.02.2001 however he was reverted later on which was challenged by him by way of filing a Service Appeal before the Khyber Pakhtunkhwa Service Tribunal Peshawar. Such Service Appeal was decided by the Tribunal dated 23.02.2008 whereby his name was restored to promotion list "E" with effect from date of notification dated 20.02.2002. The Respondent was confirmed in the position of Sub-Inspector with effect from 24.11.2008, however he also challenged this Notification before the Service Tribunal and prayed for granting him confirmation with effect from 20.02.2003. The tribunal by the impugned judgment dated 13.05.2012 modified the notification to the extent that name of the Respondent was enlisted in the list "F" with effect from 20.02.2003 with all consequential back benefits. However, it was a misreading and omission on the part of the learned Tribunal by not fully appreciating the facts of the case coupled with the prayer of the petitioner claiming seniority in the position of confirmed Sub-Inspector as of 20.02.2003 the Tribunal instead directed the inclusion of his name in list "F" with effect from 20.02.2003 enabling him to overtake many probationer ASIs some of whom were even recruited long before his induction in the rank of Constable in the year 1991.
4. It was due to this anomaly that both the parties mutually agreed before the Apex Court that the name of the Respondent could not have been brought in promotion list "F" with effect from 20.02.2003 rather his confirmation in promotion list "E" could be made on 20.02.2003 and thereafter further seniority and promotion has to be determined in accordance with rules applicable to Police Officials. It was in compliance of this direction of the Apex Court that a Committee as aforesaid was constituted with the mentioned officer to report on the determination of further seniority of Respondent DSP Nasir Khan in the promotion list "F" in accordance with the principles laid down by the Police Rules 1934.

(28-A)

3. The facts in brevity leading to the instant case appear that it is a simple matter of determination of seniority of Respondent DSP Nasir Khan whose name was brought on promotion list "E" on officiating basis on 20.02.2001, however, he was reverted later on which was challenged by him by way of filing a Service Appeal before the Khyber Pakhtunkhwa Service Tribunal Peshawar. Such Service Appeal was decided by the Tribunal dated 23.02.2008, whereby his name was restored to promotion list "E" with effect from date of notification dated 20.02.2002. The Respondent was confirmed in the position of Sub-Notification before the Service Tribunal and prayed for granting him confirmation with effect from 20.02.2003. The tribunal by the impugned judgment dated 13.05.2012 modified the notification to the extent that name of the Respondent was enlisted in the list "F" with effect from 20.02.2003 with all consequential back benefits. However, it was misreading and omission on the part of the learned Tribunal by not fully appreciating the facts of the case coupled with the prayer of the petitioner claiming seniority in the position of confirmed Sub-Inspector as of 20.02.2003 the tribunal instead directed the inclusion of his name list "F" with effect from 20.02.2003 enabling him to overtake many probationer ASIs some of whom where even recruited long before his induction in the rank of Constable in the year 1991.
4. It was due to this anomaly that both the parties mutually agreed before the apex Court that the name of the Respondent could not have been brought in promotion list "F" with effect from 20.02.2003 rather his confirmation in promotion list "E" could be made on 20.02.2003 and thereafter further seniority and promotion has to be determined in accordance wit rules applicable to Police Officials. It was in compliance of this direction of the apex Court that a Committee as aforesaid was constituted with the mentioned officer to report on the determination of further sonority of Respondent DSP Nasir Khan in the promotion List "F" in accordance with the principles land down by the Police Rules, 1934.

  
**ATTESTED**

5. The petitioners (as per the attached list) were personally examined by the Committee in order to ascertain their view points. These petitioners who were inducted mostly in the rank of ASI through Public Service Commission as early as 1991 and onward claimed seniority against Respondent DSP Nasir Khan on the ground that the Respondent was recruited initially in the rank of Constable in the year 1991 whereas the petitioners who were directly recruited ASIs shall rank senior to the former on the basis of services laws / rules laid down by Police Rules 1934, the Khyber Pakhtunkhwa Civil Servant Act 1973 and the Khyber Pakhtunkhwa Appointment Promotion and Transfer Rules 1989. The claim of these petitioners is plausible and convincing to the extent that they were entitled for confirmation and admission to list "E" from the date of appointment. The Respondent on the contrary was supposed to travel an arduous journey by qualifying the initial four promotions list e.g. "A", "B", "C", & "D" before qualifying to be admitted to the promotion list "E". This Committee is however constrained to comment upon the inclusion of the Respondent name in list "E" leading subsequently to his confirmation in the rank of Sub-Inspector as per the judgment of the Tribunal and the Honorable Supreme Court of Pakistan, and therefore in view of this the mandate of the Committee is to look into the prospects of admission of the Respondent's name to the promotion list "F" in accordance with law, hence this report.
6. The law as regards admission to the promotion list "F" is spelled out by Rule 13.15 of Police Rules 1934, which pre-supposes only one condition; that is the name of confirmed Sub-Inspectors considered fit for promotion to the rank of Inspector shall be submitted by the district Superintendent of Police to the Deputy Inspector General of Police who after thorough evaluation if agreed to the Superintendent of Police recommendations shall send such list to the Inspector General of Police with his own recommendations. Now the parties in no unequivocal terms have agreed that the inclusion of the name of the Respondent in promotion list "F" with effect from 20.02.2003 in the light of the tribunal judgment was not accurate rather his confirmation in promotion to list "E" could have been made on 20.02.2003. From this it follows that the

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains some illegible text, possibly a date or a reference number, and is partially obscured by the signature and a dark smudge.

(29-A)

**BETTER COPY**

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**ATTESTED**



Respondent counsel conceded that his claim of admission into the promotion list "F" with effect from 20.02.2003 was due to a clerical or any other mis and that the Respondent is ready to rectify the same and claim for seniority in promotion list "F" after his confirmation in the promotion List as of 20.02.2003 in light of the Court Judgments.

7. Police Rules 12.2 (3) laid down that seniority amongst the lower sub-ordinates shall be reckoned from the date of appointment, Respondent DSP Nasir Khan was initially recruited in the rank of constable in 1991 and should have remained with his original batch-mates subject to qualification to various promotion lists provided by Chapter 13 of the Police Rules 1934. The scheme of things revolving around seniority and promotion under the Police Rules envisioned an elaborate system of seniority leading to promotion under the District and Range Police finally leading to a unified and common promotion list "F" which is maintained by the CPO for the whole of the Province. The problem in the instant case is due to the fact that Frontier Reserve Police which was established in 1987, was allowed to regulate and governed under the Police Rules 1934 and later on through various Standing Orders issued from time to time the Unit was authorized not only to maintain promotion lists on the pattern of the District & Ranges but was also given pro-rata share in various promotion courses, also enabling original recruits of FRP to undergo these trainings and claim seniority thereon. The Respondent DSP Nasir Khan is also an original recruit of the FRP who had done his lower and Inter Courses in the FRP allotted quota and after promotion to the rank of officiating Sub-Inspector he was transferred to the C.C.P.O in 2001.
8. Generally, seniority in Police is determined on the basis of courses and inclusion of name in various promotion lists. Since Respondent Nasir Khan had relatively better and accelerated opportunities for selection to various service courses in the FRP, which mainly comprised of illiterate officials, his transfer to C.C.P.O naturally put him in a better place vis a vis even those who were recruited long before him. The law however provides different principles for

ATTESTED

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ATTESTED

determination of seniority among the upper sub-ordinates which are laid down in Police Rules 12.2 (3) and jotted down below for better understanding:-

- I. Seniority shall be reckoned from the date of appointment in the first place which means that the one who is appointed earlier shall be considered senior to those who are appointed later in point of time;
  - II. A promotee officer shall be considered senior to the directly recruited officer if both appointed on the same date;
  - III. Officers appointed directly in one batch have their seniority determined on the basis of age; the average shall be considered senior to the rest of the batch who are junior in age; and
  - IV. Seniority shall be finally determined from the date of confirmation provided the seniority inter-se of several officers confirmed on the same date being that allotted to them on first appointment.
9. According to the judgment of the Apex Court dated 07.10.2020 wherein Respondent Nasir Khan DSP was assigned seniority in promotion List "E" with effect from 20.02.2003, which means that on the mentioned date he was confirmed Asstt: Sub-Inspector and promoted as Offg: Sub-Inspector. Further in accordance with Police Rules 13.8 the Respondent was to remain on probation for a period of two years ending on 20.02.2005. Although Police Rules 13.14 (2) laid down the pre condition of SHO period for one year in non-domicile district of the officer for confirmation in the Rank of Sub-Inspector, but the Tribunal Judgment brushed aside this aspect of the matter therefore the Respondent Officer was eligible for confirmation in the Rank of Sub-Inspector with effect from 20.02.2005, the effective date on which his two years probation was ended.
10. Going by this, the Respondent further seniority and admission to promotion List "F" is to be seen after the date of his confirmation in the Rank of Sub-Inspector. According to Seniority List "F" which stood on 31.12.2005 issued by CPO vide

(31-A)

**BETTER COPY**

determination of seniority among the upper sub-ordinates, which are laid down in Police Rules 12.2 (3) and jotted down below for better understanding:-

- I. Seniority shall be reckoned from the date of appointment in the first place which means that the one who is appointed earlier shall be considered senior to those who are appointed later in point of time;
  - II. A promote officer shall be considered senior to the directly recruited officer if both appointed on the same date;
  - III. Officers appointed directly in one batch have their seniority determined on the basis of age; the overage shall be considered senior to the rest of the batch who are junior in age; and
  - IV. Seniority shall be finally determined from the date of confirmation provided the seniority inter-se of several officers confirmed on the same date being that allotted to them on first appointment.
9. According to the judgment of the apex Court dated 07.10.2020, wherein Respondent Nasir Khan DSP was assigned seniority in promotion List "E" with effect from 20.02.2003, which means that on the mentioned date he was confirmed Asstt; Sub-Inspector and promoted as Offg; Sub-Inspector. Further in accordance with Police Rules 13.8 the Respondent was to remain on probation for a period of two years ending on 20.02.2005. Although Police Rules 13.14(2) laid down the pre-condition of SHO period for one year in non-domicile district of the officer for confirmation in the Rank of Sub-Inspector, but the tribunal Judgment brushed aside this aspect of the matter therefore, the Respondent Officer was eligible for confirmation in the Rank of Sub-Inspector with effect from 20.02.2005, the effective date on which his two years probation was ended.
10. Going by this, the Respondent further seniority and admission to promotion List "F" is to be seen after the date of his confirmation in the Rank of Sub-Inspector. According to Seniority List "F" which stood on 31.12.2005 issued by CPO vide

**ARRESTED**

No. 1845-62/E-II dated 02.02.2006 the name of Respondent DSP Nasir Khan would fall at Serial No. 309 above the name of Ishtiaq Ahmad at Serial No. 310 and below the name of Falak Niaz at Serial No. 309. It is further clarified that the name of DSP Nasir Khan at Serial No. 309 above the name of Ishtiaq Ahmad is due to the fact that the later officer is also on the strength of CCPO, Peshawar who was promoted as confirmed Sub-Inspector on 23.08.2005 almost Six (06) months later than the former officer.


Likewise on perusal of the seniority list of DSsP as it stood on 30.04.2020 issued by CPO vide No. 840/SE-I dated 30.04.2020 the name of Respondent DSP Nasir Khan will be placed at Serial No. 41 below the name of Falak Niaz at Serial No. 40 and above the name of Ishtiaq Ahmad now at Serial No. 41.

Although the above seniority shall be in accordance with the Judgment rendered by the Tribunal and Apex Court, yet the Respondent Officer would be able to rank Senior to the entire probationers batches of ASIs of 1995 and afterwards.

11. It merit a mention that at that time the Respondent was in the rank of Constable the 1995 batch of Probationer ASI were technically on promotion List "E" from the date of their appointment. Due to this the interests and valid seniority of the probationary ASIs could be seriously compromised if they are denied their due right of confirmation from the date of appointment. Hypothetically speaking if the officers of 1995 batch are confirmed and admitted to promotion List "E" from the date of their appointment, every Officer of the batch shall naturally rank senior by Seven (07) years from the Respondent Nasir Khan whose admission and confirmation in the said list is with effect from 20.02.2003.

RECOMMENDATIONS: -

In view of what is discussed above it is recommended to place the name of Respondent DSP Nasir Khan in place suggested vide Para No. 10 of the report which will be in accordance and compliance of the Court judgment. However,

  
REGISTERED

(32-A)

**BETTER COPY**

No.1845-62/E-II dated 02.02.2006 the name of Respondent DSP Nasir Khan would fall at Serial No.309 above the name Ishtiaq Ahmad at Serial No.310, and below the name of Falak Niaz at Serial No.309, it is further clarified that the name of DSP Nasir Khan at Serial No.309 above the name of Ishtiaq Ahmad is due to the fact that the later officer is also on the strength of CCPO, Peshawar who was promoted as confirmed Sub-Inspector on 23.08.2005 almost six (06) months later than the former officer.

Likewise on perusal of the seniority list of DSPs as it stood on 30.04.2020 issued by CPO vide No.840/SE-I dated 30.04.2020 the name of Respondent DSP Nasir Khan will be placed at Serial No.41 below the name of Falak Niaz at Serial No.40 and above the name of Ishtiaq Ahmad now at Serial No.41.

Although the above seniority shall be in accordance with the judgment rendered by the tribunal and Apex Court, yet the Respondent Officer would be able to rank Senior to the entire probationers batches of ASIs of 1995 and afterwards.

11. It merit a mention that at that time the Respondent was in the rank of Constable the 1995 of Probationer ASI were technically on promotion List "E" from the date of their appointment. Due to this the interests and valid seniority of the probationary ASIs could be seriously compromised if they are denied their due right of confirmation from the date of appointment. Hypothetically speaking if the officers of 1995 batch are confirmed and admitted to promotion List "E" from the date of their appointment, every Officer of the batch shall naturally rank senior by Seven (07) years from the Respondent Nasir Khan whose admission and confirmation in the said list is with effect from 20.02.2003.

**RECOMMENDATIONS:-**

In view of what is discussed above, it is recommended to place the name of Respondent DSP Nasir Khan in place suggested vide Para No.10 of the report which will be in accordance and compliance of the Court Judgment. However,

**ATTESTED**

in order to protect the interests of the probationary ASIs it is recommended that every Officer's name may be brought on promotion List "E" from the date of his appointment which is in accordance with the principles of justice and service laws on the subject such as Section-7 (3) and (5), 8 (4) of Khyber Pakhtunkhwa Civil Servant Act-1973 & Rule-16 and 17(1) explanation-III (2) of the Khyber Pakhtunkhwa, Appointment, Promotion & Transfer Rules-1989.

(ZAHOOR BABAR AFRIDI)  
AIG/Establishment  
Khyber Pakhtunkhwa  
Peshawar

(Member)

(JAVED AHMAD)  
AIG/Legal  
Khyber Pakhtunkhwa  
Peshawar

(Member)

(APPROVED)

(SAJID ALI KHAN)  
COMMANDANT  
Frontier Reserve Police  
Khyber Pakhtunkhwa, Peshawar  
(CHAIRMAN)

ATTESTED

(33-A)

**BETTER COPY**

in order to protect the interests of the probationary ASIs it is recommended that every Officer's name may be brought on promotion List "E" from the date of his appointment, which is in accordance with the principles of justice and service laws on the subject such as section 7(3) and (5), 8(4) of Khyber Pakhtunkhwa Civil Servant Act-1973 and Rule-16 and 17(1) explanation-III(2) of the Khyber Pakhtunkhwa, Appointment, Promotion & Transfer Rules, 1989.

Sd/-  
Member

Sd/-  
ZAHOOR BABAR AFRIDI  
AIG/ Establishment  
Khyber Pakhtunkhwa  
Peshawar

Sd/-  
Member

Sd/-  
JAVED AHMAD  
AIG/ Legal  
Khyber Pakhtunkhwa  
Peshawar

Approved  
Sd/-  
SAJID ALI KHAN  
COMMANDANT  
Fortier Reserve Police  
Khyber Pakhtunkhwa, Peshawar  
(CHAIRMAN)

ATTESTED



Annexure  
06.2016 IN THE CONFERENCE ROOM-II, CPO, PESHAWAR

P= (29) (34)

A meeting of Departmental Promotion Committee was held on 09.06.2016 at 1100 hours in CPO Conference Room-II, under the Chairmanship of Mian Muhammad Asif, Addl: CP/Headquarters Khyber Pakhtunkhwa.

The following officers attended the meeting:-

		Chairman
I.	Addl. IGP/HQs: Khyber Pakhtunkhwa.	Member
II.	DIG/HQs: Khyber Pakhtunkhwa.	Member
III.	DIG Enquiry & Inspection, Khyber Pakhtunkhwa.	Member
IV.	AIG/Establishment, Khyber Pakhtunkhwa.	Member
V.	AIG/Legal, Khyber Pakhtunkhwa.	

Annex

(K)

The Committee discussed the following cases:-

I. GUIDELINES SOUGHT BY REGIONAL POLICE OFFICER DILKHAJ REGION

The Regional Police Officer, D.L.Khan Region has intimated that on the creation of supernumerary post of ASIs vide Finance Department letter No. BO-III/FD/7-1/2015-16 dated 26.08.2015 and approval of CPO letter No. 4016-22/E-III, dated 31.12.2015, the wards of Shuhada have been appointed/absorbed as PASIs subject to the condition that with gradual retirement of ASIs having permanent/regular post, the senior most of the supernumerary post will be adjusted against the post falling vacant. He has requested that his office may be granted on the following points, so that, to avoid any legal complication in future:-

- As to whether their names be placed at non List "E" or otherwise.
- If an ASI of regular posts is not retired on pension during not three years, whether they still will be on non List "E" or otherwise!
- Whether their names will be considered from the date of appointment for confirmation or otherwise.
- Their probation period will be considered from the date of appointment or from the date of adjustment on regular post.

DECISION

The committee declared that these posts will be considered as regular posts. The names of PASIs recruited against these posts will be brought on List "E" according to standard procedure in vogue

II. APPLICATION OF SUB-INSPECTOR EDAAD WAZIR NO. 89/D

He stated that he was charged in case FIR No. 594, dated 10.09.2013 w/s 506/186 PPC PS Hangu city, he was tried by the Court of Senior Civil Judge acquitted him after trial when no proof was found against him. Departmental enquiry was initiated against him wherein he was exonerated and nothing was proved against him. He has completed his physical Upper Course training and has passed Drill and Fire exam. After being bailed out from Central Jail by the Honorable Court he was allowed by the Worthy Commandant PTC Hangu to appear in the remaining examination and he took examination from 14th September 2013 to 16th September 2013. Later-on, in another session of Upper Course he gave an application for permission in taking exam of remaining papers missed due to absence because of arrest. He was allowed conditionally for appearing in the Upper College Course. He took his examination, he passed his examination and exonerated from the enquiry and acquitted by the Honorable Court of Senior Civil Judge Hangu. He has requested that his Upper Course may kindly be considered and he has completed the course physically of long six months. His result may kindly be announced.

DECISION

The committee decided that when the applicant has been cleared from charges by the court and during departmental proceedings he was allowed conditionally to sit in the exams and has qualified all

ATTESTED

(38-A)

**BETTER COPY**

06.2016 IN THE CONFERENCE ROOM-II, CPO, PESHAWAR

A meeting of Departmental Promotion Committee was held on 09.06.2016 at 1100 hours in the CTO Conference Room-II, under the Chairmanship of Mian Muhammad Asif, Addl; GP/ Headquarters Khyber Pakhtunkhwa.

2. The Committee discussed the following cases:-

1. **GUIDELINES SOUGHT BY REGIONAL POLICE OFFICER DIKHAN REGION**

The Regional Police Officer, D.I.Khan Region has intimated that on the creation of supernumerary post of ASIs vide Finance Department letter No.BO-III/FD/7-1/2015-16 dated 26.08.2015 and approval of CPO letter No.4016-22/E-III, dated 31.12.2015 the wards of Shuhada have been appointed/ absorbed as PASIs subject to the condition that with gradual retirement of ASIs having permanent/ regular post, the senior most of the supernumerary post will be adjusted against the post falling vacant. He has requested that his office may be granted on the following points, so that, to avoid any legal complication in future:-

- i. As to whether their names be placed at non List "E" or otherwise.
- ii. If an ASI of regular posts is not retired on pension during not three years, whether they still will be on List "E" or otherwise.
- iii. Whether their names will be considered from the date of appointment for confirmation or otherwise.
- iv. Their probation period will be considered from the date of appointment or from the date of adjustment on regular post.

**DECISION**

The Committee declared that these posts will be considered as regular posts. The names of PASIs recruited against these posts will be brought on List "E" according to standard procedure in vogue.

II. **APPLICATION OF SUB-INSPECTOR EBBAD WAZIR NO.89/D**

He stated that he was charged in case Fir No.594, dated 10.09.2013 u/s 506/186 PPC PS Hangu City, he was trialed by the Court of Senior Civil Judge acquitted him after trial when no proof was found against him. Departmental enquiry was initiated against him wherein he was exonerated and nothing was proved against him. He has completed his physical Upper Course training and has passed Drill and Fire exam. After being bailed out from Central Jail by the Honorable Court he was allowed by the worthy Commandant PTC Hangu to appear in the remaining examination and he took examination from 14<sup>th</sup> September, 2013 to 16<sup>th</sup> September, 2013. Later-on, in another session of Upper Course he gave an application for permission in taking exam of remaining papers missed due to absence because of arrest. He was allowed conditionally for appearing in the Upper College Course. He took his examination, he passed his examination and exonerated from the enquiry and acquitted by the Honorable Court of Senior Civil Judge Hangu. He has requested that his Upper Course may kindly be considered and he has completed the course physically of long six months. His result may kindly be announced.

**DECISION**

The Committee decided that when the applicant has been cleared from charges by the Court and during departmental proceedings he was allowed conditionally to sit in the exams and has qualified all

**ATTESTED**

35

... results of Upper College Course, his result cannot be withheld. Thus the Commandant  
... declare his result

Chairman

(MIAN MUHAMMAD ASIF)

Add: IGP/Headquarters,  
Khyber Pakhtunkhwa,  
Peshawar.

(MUHAMMAD ALAM SHINWARI)  
DIG/Headquarters,  
Khyber Pakhtunkhwa,  
Peshawar.

(ABDUL GHAFUOR AFRIDI)  
DIG/Enquiry & Inspection,  
Khyber Pakhtunkhwa,  
Peshawar.

(NAJEEB UR RAHMAN BUGVI)  
AIG/Establishment,  
Khyber Pakhtunkhwa,  
Peshawar.

(FALAK NAWAZ)  
AIG/Legal,  
Khyber Pakhtunkhwa,  
Peshawar.

Approved

(NASIR KHAN DURRANI)  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.

ATTESTED

the components of Upper College Course, his result cannot be withheld. Thus the Commandant Hangu must declare his result.

Chairman

Sd/-

**MIAN MUHAMMAD ASIF**  
Addl; IGP/ Headquarters,  
Khyber Pakhtunkhwa  
Peshawar

Sd/-

**MUHAMMAD ALAM SHINWARI**  
DIG/ Headquarters  
Khyber Pakhtunkhwa  
Peshawar

sd/-

**ABDUL GHAFOOR AFRIDI**  
DIG/ Enquiry & Inspection  
Khyber Pakhtunkhwa  
Peshawar

Sd/-

**NAJEEB UR REHMAN GUGVI**  
AIG/ Establishment,  
Khyber Pakhtunkhwa  
Peshawar

Sd/-

**FALAK NAWAZ**  
AIG/ Legal,  
Khyber Pakhtunkhwa  
Peshawar

Approved

Sd/-

**NASIR KHAN DURRANI**  
Provincial Police Officer,  
Khyber Pakhtunkhwa  
Peshawar.

**ATTESTED**

**POWER OF ATTORNEY**BEFORE THE Service Tribunal Pesh  
No. \_\_\_\_\_ of 2021MUHAMMAD ASIM VERSUS GovtI/we Petitioner do hereby  
appoint & constitute **SHAH | DURRANI | KHATTAK**  
(a registered law firm) as counsel in the above mentioned case, to do all or any of the  
following acts, deeds and things:-

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal or any other court/tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file Complaint/Written Statement or withdraw all proceedings, petitions, suit appeals, revision, review, affidavits and applications for compromise or withdrawal, or for submission to arbitration of the said case, or any other document, as may be deemed necessary or advisable by him for proper conduct, prosecution or defence of the said case at any stage.
3. To do and perform all other acts which may be deemed necessary or advisable during the course of the proceedings.

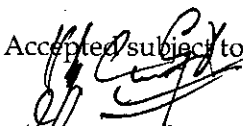
**AND HEREBY AGREE:-**

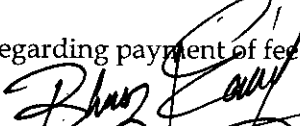
- a) To ratify whatever the said Advocates may do in the proceedings in my interest
- b) Not to hold the Advocates responsible if the said case be proceeded ex-parte or dismissed in default in consequence of their absence from the Court/Tribunal when it is called for hearing or is decided against me/us.
- c) That the Advocates shall be entitled to withdraw from the prosecution of the said case if the whole OR any part of the agreed fee remains unpaid.

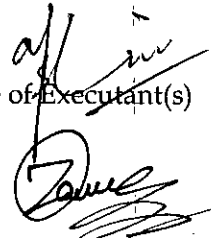
In witness whereof I/We have signed this Power of Attorney/Wakalat Nama hereunder the contents of which have been read/explained to me/us and fully understood by me / us this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

Signature of Executant(s)

Accepted subject to term regarding payment of fee.

  
**M. GOHAR DURRANI**  
 Advocate High Court  
 0332-9297427

  
**KHYZAR H. KHATTAK**  
 Advocate High Court  
 0333-2854999


  
**ZARAK SHAH**  
 Advocate High Court  
 0333-8335886

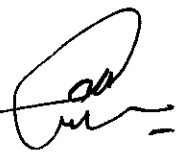
  
**BABAR KHAN DURRANI**  
 Advocate High Court

  
**MUHAMMAD ABBAS KHAN**  
 Advocate

  
**MUHAMMAD KHAN**  
 Advocate

  
**HANNAH ZAHID DURRANI**  
 Advocate

  
**EELUM GUL**  
 Advocate

  
**M. ABDULLAH ATHER**  
 Advocate

**SHAH | DURRANI | KHATTAK (a registered law firm)**  
**House No. 231-A, Street No. 13, New Shami Road, Peshawar.**

**VAKALATNAMA**

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

APPEAL NO: \_\_\_\_\_ OF 2021

M. Asim (APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Police Deptt. (RESPONDENT)  
(DEFENDANT)

I/We P Respondent 4 to 85

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK 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. \_\_\_\_/\_\_\_\_/2021

B. S. (u)

CLIENTS

ACCEPTED

NOOR MUHAMMAD KHATTAK

Kamran Khan  
KAMRAN KHAN

Umer Farooq Mohmand  
UMER FAROOQ MOHMAND

Said Khan  
SAID KHAN

Haider Ali  
&  
HAIDER ALI  
ADVOCATES



75 Agda

76 ~~Amir~~

77 Amir

78 Amir

79 Amir

80 Amir

81 Amir

82 Amir

83 Amir

84 Amir

85 Amir



C      کوٹ  
**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL**  
**PESHAWAR.**

**Service Appeal No. 5748 /2021**

Muhammad Asim s/o Sami ul Haq r/o Jalala Takht Bhai Mardan presently serving as  
PASI at Mardan District (Regional No.684/MR).....Appellant

**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police Mardan Region-I Mardan.
3. 82 PASIs Mardan Region.

.....Respondents

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<b>S. No.</b>	<b>Description of Documents</b>	<b>Annexure</b>	<b>Pages.</b>
1.	Copy of Written Reply.	----	1-3
2.	Copy of Affidavit.	----	4
3.	Copy of Authority Letter.	----	5

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

**Service Appeal No. 5748 /2021**

Muhammad Asim s/o Sami ul Haq r/o Jalala Takht Bhai Mardan presently serving as PASI at Mardan District (Regional No.684/MR).....Appellant

**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police Mardan Region-I Mardan.
3. 82 PASIs Mardan Region.

.....Respondents

**Para-wise comments by respondents No. 01 & 02:-**

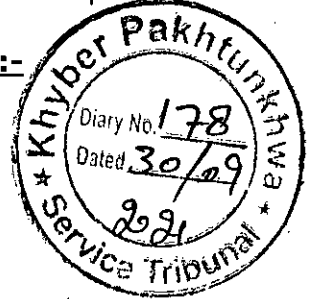
**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS**

1. That the appellant has not approached this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action or locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the appeal is barred by law & limitation.

**REPLY ON FACTS**

1. Correct to the extent that the appellant was appointed against the post of probationer Assistant Sub Inspector through Khyber Pakhtunkhwa Public Service Commission.
2. Correct to the extent that the appellant appeared in the competitive examination held by the Khyber Pakhtunkhwa Public Service Commission which was qualified by the appellant and made recommendation for the appointment of appellant.
3. Para already explained needs no comments.
4. Correct to the extent that some of wards of Shuhada were appointed against Shaheed Quota on supernumerary posts created after agreeing by the Finance Department for the wards of Shuhada.
5. Plea taken by the appellant is not plausible because only a notification has been annexed with the instant appeal which does not amount a Law/Rules.
6. Incorrect. Plea taken by the appellant is totally devoid of merit because no one is/was/can be appointed as PASI against Deceased's Son Quota as alleged by the appellant. Therefore, seniority of PASIs appointed through Public Service Commission is immaterial as there is no concept of appointment as PASI against Deceased's Son Quota. Moreover, the bald perusal of the annexure



D/2 clearly depicts that the PASIs of Kohat Region have been assigned seniority according to their age as mentioned in the ibid notification.

7. Para pertains to record needs no comments.
8. Incorrect. Plea taken by the appellant is not plausible because Police is governed by its own Special Law i.e Police Act & Police Rules and reference made by the appellant in terms of Service Laws is immaterial.
9. Correct to the extent that PASIs appointed against Shaheed Quota as alleged by the appellant, have been confirmed as per Police Rules 1934 Chapter 12 Rule 8, Rule 12 Sub Rule 2 Clause-3 and Chapter 19 Rule 25 Sub Rule 5 as well as Standing Order 10/2014 and the decision made during Departmental Promotion Committee meeting held on 09.06.2016. Hence, stance of the appellant is totally ill based.
10. Para already explained needs no comments.
11. Incorrect. Plea of the appellant is totally devoid of merit because Police is governed by its own Special Law i.e Police Act and Police Rules 1934, wherein promotion, seniority and confirmation is fully explained. Therefore, the stance taken by the appellant is ill based.
12. Incorrect. Plea taken by the appellant is totally without a justification as he is relying only a notification which does not mean a Law or Rule. Hence, stance of the appellant may be set at naught.
13. Correct to the extent that the departmental appeal was filed by the appellant while rest of the para is incorrect because the same was dismissed having no legal footing. Moreover, plea of the appellant regarding non receipt of the order is totally baseless because the same was duly sent to the District concerned.
14. Para pertains to record hence no comments.
15. That respondents also seek permission of this Honorable Tribunal to raise additional grounds at the time of arguments.


**REPLY ON GROUNDS:**

1. Incorrect. Plea of the appellant in terms of victimizing by the respondent department is totally devoid of merit because the replying respondents have no grudges or ill will against the appellant.
2. Incorrect. Plea taken by the appellant is totally devoid of merit because no one is/was/can be appointed as PASI against Deceased's Son Quota as alleged by the appellant. Therefore, seniority of PASIs appointed through Public Service Commission is immaterial as there is no concept of appointment as PASI against Deceased's Son Quota. Moreover, the bald perusal of the annexure D/2 clearly depicts that the PASIs of Kohat Region have been assigned seniority according to their age as mentioned in the ibid notification.
3. Incorrect. Plea taken by the appellant is not plausible because Police is governed by its own Special Law i.e Police Act & Police Rules and reference made by the appellant in terms of Service Laws is immaterial.

4. Plea taken by the appellant is not plausible because he has referred just the recommendation. Besides, as discussed earlier Police is governed by its own Special Law i.e Police Act & Police Rules and reference made by the appellant in terms of Service Laws is immaterial.
5. Plea taken by the appellant is not plausible because only a notification has been annexed with the instant appeal which does not amount a Law/Rules.
6. Para already explained needs no comments.
7. Para to the extent of preparing list "E" as per Police Rules 1934 is correct needs no comments, while rest of the para is not plausible because promotion to list "E" may not be restricted only to the Commissioned Officers because no one can be treated out of the way.
8. Para already explained needs no comments.
9. Para explained earlier needs no comments.

**PRAYER:-**

It is therefore most humbly prayed that on acceptance of above submissions, appeal of the appellant being maintainable and barred by limitation may very kindly be dismissed with costs.

  
**Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

  
**Regional Police Officer,  
Mardan**  
(Respondent No. 02)

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

**Service Appeal No. 5748 /2021**

Muhammad Asim s/o Sami ul Haq r/o Jalala Takht Bhai Mardan presently serving as PASI at Mardan District (Regional No.684/MR).....Appellant


**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police Mardan Region-I Mardan.
3. 82 PASIs Mardan Region.

.....Respondents

**COUNTER AFFIDAVIT.**

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.

  
**Provincial Police Officer,**  
**Khyber Pakhtunkhwa,**  
**Peshawar.**  
(Respondent No. 01)

  
**Regional Police Officer,**  
**Mardan**  
(Respondent No. 02)

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

**Service Appeal No. 5748 /2021**

Muhammad Asim s/o Sami ul Haq r/o Jalala Takht Bhai Mardan presently serving as PASI at Mardan District (Regional No.684/MR).....Appellant


**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police Mardan Region-I Mardan.
3. 82 PASIs Mardan Region.

.....Respondents

**AUTHORITY LETTER.**

Mr. Khyal Roz Inspector Legal, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

  
**Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

  
**Regional Police Officer,  
Mardan**  
(Respondent No. 02)

BEFORE THE HONOURABLE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. /2021

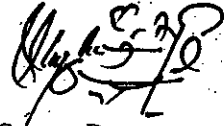
Muhammad Asim Vs. Inspector General of Police KPK & Others

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3.	Copy of RPO Bannu letter dated 22-12-2021, RPO Kohat letter dated 11-01-2022 and letter dated 18-09-2020 of 16 PKP are Annex-A.	A	6-9

Appellant

Through



ALI GOHAR DURRANI  
Advocate High Court  
0332-9297427

[khaneliegohar@yahoo.com](mailto:khaneliegohar@yahoo.com)

Shah | Durrani | Khattak  
(a registered law firm)

House # 231-A, Street # 13,  
New Shami Road Peshawar.

①

BEFORE THE HONOURABLE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. /2021

Muhammad Asim Vs. IG Police KPK & Others

**REJOINDER TO THE COMMENTS FILED BY RESPONDENTS 1 & 2.**

**RESPECTFULLY SUBMITTED:**

That the appellant most graciously request the permission of this Honorable Court to submit this rejoinder to the comments furnished by the Respondents:

**Preliminary Objections:**

All the preliminary objections raised by the Respondents are untenable, illegal and without any basis in law. The appellant have got cause of action, because their service is at stake. The stance of the respondents have no nexus with legality. The appellant is the one aggrieved of these actions and thus has cause of action. The appellant also has legal rights violated and thus is well within his rights to approach this honorable court.

**On Facts:**

Para 1 of the appeal is correct, the reply is also admitted as correct. As the appellant was appointed against the post of Probationer Assistant Sub-Inspector through Khyber Pakhtunkhwa Public Service Commission.

Para 2 of the appeal is correct, the reply thereto also admitted as correct. As the appellant appeared in the competitive examination held Khyber Pakhtunkhwa Public Service Commission

Para 3 of the appeal is correct, the reply thereto is misconceived as no details were given in the reply.

Para 4 of the appeal is totally correct, the reply thereto is an admission on part of the respondent that indeed supernumerary posts were created



after being agreed by the finance department to the creation of 300 supernumerary posts of ASI (BPS-9).

Para 5 of the appeal is correct and the reply thereto is misconceived. If the Notification is not legal and in negation of the law, then how does it still holds field and why has it not been rescinded. Furthermore, this is what makes the case of the appellant one of discrimination.

Para 6 of the appeal is correct, the reply thereto is incorrect. Inadvertently the word deceased is written in place of Shuhada. It is imperative to note that similar issues came before Kohat and Bannu. Reference can be made to RPO Bannu letter dated 22-12-2021, RPO Kohat letter dated 11-01-2022 and letter dated 18-09-2020 of 16 PKP.

**Copy of RPO Bannu letter dated 22-12-2021, RPO Kohat letter dated 11-01-2022 and letter dated 18-09-2020 of 16 PKP are Annex-A.**

Para 7 of the appeal is correct, the reply is also admitted correct as the matter pertains to record.

Para 8 of the appeal is correct, the reply thereto is incorrect. The Rules and Act have been violated and the same is wrongly applied to appellants in one way to their detriment as against others. The letters referred to in response to para 6 makes it clear.

Para 9 of the appeal is correct. However the reply is misconceived, the rules pertaining to regular employees are wrongly being applied to temporary employees.

Para 10 of the appeal is correct, the reply thereto is evasively denied. The Regional Police Officer Mardan may confirm only those ten supernumerary PASI's who were adjusted in due manner against the 5% Quota prescribed for Shuhada Wards but conformation was required to be done with effect from the date of their adjustment instead of the date of their temporary appointment.

Para 11 of the appeal is correct, the reply thereto is denied. The Act and Rules have even been violated by the Respondent and reference has been given to judgements of superior courts in the appeal.

Para 12 of the appeal is correct, the reply thereto is incorrect. The notification was issued by the respondent to which they are bound and not by the appellants because none of the above mentioned supernumerary PASI's were adjusted against the regular posts and every adjustment made against the regular post after 20-02-2017 would rank junior to the appellant.

Para 13 of the appeal is correct, the reply thereto is incorrect. There is no proof of dismissal of the departmental appeal filed by the appellant.

Para 14 of the appeal is correct, the reply thereto is admitted being a matter of record.

Para 15 of the appeal is correct the reply thereto is incorrect as no grounds exist on part of the respondents.

**Grounds:**

Ground 1 of the appeal is correct, the reply thereto is incorrect.

Ground 2 of the appeal is correct, the reply thereto is misconceived. Reply has been given in para 6 above.

Ground 3 of the appeal is correct, the reply thereto is incorrect. That the same is not implemented by the respondent.

Ground 4 of the appeal is correct, the reply thereto is incorrect. The referral of the appellant is to the judgement and the recommendation is based on the verdict of the Supreme Court in the same judgement as referred to by the appellant.

Ground 5 of the appeal is correct, the reply thereto is incorrect.

Ground 6 of the appeal is admitted. Evasive denial amounts to admission.

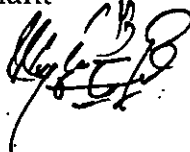
Ground 7 of the appeal is correct the reply thereto is correct to the extent of preparing list "E" as per Police Rules 1934, the rest of the para is denied because the eligible and properly recruited commissioned PASI's may be preferred for displaying their names on list "E."

**Prayer:**

It is, therefore, most humbly prayed that the appeal may so kindly be allowed.

  
Appellant

Through

  
ALI GOHAR DURRANI  
Advocate High Court  
0332-9297427  
[khaneliegohar@yahoo.com](mailto:khaneliegohar@yahoo.com)  
Shah | Durrani | Khattak  
(a registered law firm)

House # 231-A, Street # 13,  
New Shami Road Peshawar.

5

BEFORE THE HONOURABLE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. /2021

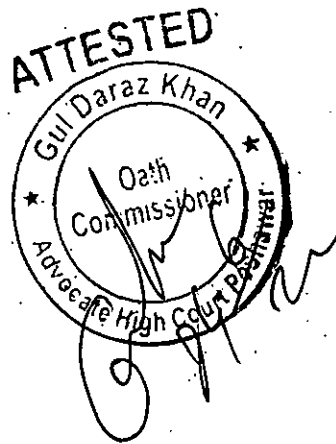
Muhammad Asim Vs. Inspector General of Police KPK & Others

AFFIDAVIT

I,

, do hereby solemnly affirm on oath that the contents of this rejoinder are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honorable Court.

DEPONENT



Amner

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From: The Regional Police Officer,  
Bannu Region, Bannu

To: The Provincial Police Officer,  
Khyber Pakhtunkhwa Peshawar

No. 6020 /EC, dated Bannu, the 22 /12/2021

Subject: SEEKING GUIDANCE FOR CONFIRMATION IN THE RANK OF AISs

Memo:

Enclosed kindly find herewith applications in respect of ASIs on supernumerary posts of Bannu Region along with orders of the other regions with regard to confirmation of other PASIs appointed on supernumerary posts, received from DPO Bannu vide Memo: No.8991 dated 01.12.2021, requesting therein for confirmation in the rank of ASIs and bringing their names on list-E on the grounds mentioned therein their applications, for favor of further processing and kind considerations.

It is submitted that brief of the case is that the applicants along with others were appointed as PASIs in the light of Finance Department letter No.BO-III/FD/7-1/2015-2016 dated 26.08.2015 and CPO Peshawar letter No.4016-22/E-III dated 31.12.2015, wherein, it was suggested that these PASIs will be absorbed with gradual retirement of ASIs holding permanent/regular posts, the senior most ASI of the supernumerary posts will be adjusted against the posts falling vacant and the corresponding supernumerary posts will stand abolished accordingly in a gradual manner. At that time PASIs, recruited against 5% quota, were more than their sanctioned quota. This office asked guidance from CPO Peshawar from time to time, vide this office Memo: No.3268/EC dated 30.10.2017 and No.2576/EC dated 06.09.2018 respectively with regard to their adjustment, confirmation and promotion etc.

It is submitted that in this regard, the CPO Peshawar has conveyed two different and contradictory replies/opinions on two different occasions. One reply of CPO Peshawar, vide letter No.79/CPB dated 29.03.2018, state that these posts will be considered as regular posts. The names of PASIs, recruited against these posts will be brought on list "E" according to standard procedure in vogue, while the other reply, vide letter No.2498/E-III dated 18.09.2020, provides that shuhada's wards on supernumerary posts will be adjusted out of 5% quota reserved for shuhada sons/wards.

It is submitted that there are 191 sanctioned strength of ASIs in Bannu Region. The detail of occupied posts is tabulated below:-

Detail of Quota	Share	Posts occupied	Shortfall
50%	95	52	-43
20%	38	02	-36
25%	48	22	-26
5%	10	03	-07
Total	191	79	-112

ATTESTED

7

In case of confirmation of the appellants against the supernumerary posts and bringing their names on promotion list "E" may disturb the promotion/seniority of ASIs of other quotas. On the other hand, most of the PASIs on supernumerary posts have completed PASIs courses from PTC Hangu, district practical training program i.e A, B, C & D courses as well as qualified elite course which are prerequisite for confirmation in the rank of ASI. In case of denying their plea and prayer for confirmation, they will definitely knock at the door of court and it would be difficult to defend the case by the department. On the other hand, giving them the right of confirmation as well as bringing their names on list "E" beyond their 5% sanctioned quota, ASIs of other categories, appointed/promoted on 50%, 20% and 25% quota, may agitate due to disturbance of their seniority, promotion etc but it is also fact that after completion of probation period, one cannot be kept on tenterhook, either they will be confirmed or discharged from service.

It is, therefore, requested that this office may kindly be guided afresh with the latest position of the subject case, so that an end could be put to this lingering issue since long once for all please.

(SAJID ALI KHAN) PSP  
Regional Police Officer,  
Bannu Region, Bannu

22/12/21

ATTESTED

Phone No: 9260112.  
Fax No: 9260114.

9

From: - The Regional Police Officer,  
Kohat Region, Kohat.

To: - The District Police Officer, Karak.

No. 552 /EC, Dated Kohat the 11/10/2022.

Subject: - APPLICATION.

MEMO:

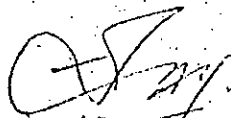
Please refer to your office Letter No. 3843/OHC, dated 30.12.2021 on the subject quoted above.

It is intimated that applications of the PASIs mentioned in your above quoted reference were thoroughly perused. Record indicates that they were appointed purely on temporary basis against supernumerary posts sanctioned by the Honourable Chief Minister of KP.

In the light of guidelines sought from CPO Peshawar, they shall be first regularized against 05% Shuhada quota and then be considered for confirmation in their substantive rank of ASI.

Moreover, CPO Peshawar vide its Circular order has strictly directed that such cases which fall under the domain of RPOs concerned will not be forwarded to CPO.

Therefore, they may be informed accordingly and there is no need to forward such unconvincing case to CPO Peshawar.

  
Regional Police Officer,  
Kohat Region

**ATTESTED**



9

**OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar  
Email: e3branch@gmail.com-Tel-091-9211075**

No. 2498/E-III Dated Peshawar, the 16 / 09 / 2020

To The Regional Police Officer,  
Bannu Region, Bannu.

Subject: **SEEKING GUIDANCE WITH REGARDS TO THE  
PROCEDURE OF ADJUSTMENT OF SUPERNUMERARY  
PASIs.**

Memo:-

Please refer to your office letter No. 2736/EC, dated 18.08.2020 on the above subject.

As per opinion of AIG/Legal, CPO/Peshawar and this office letter No. 1535-41/E-III, dated 20.03.2017, that Shuhada Wards on supernumerary post will be adjusted out of 5% quota reserved for Shuhada Sons/Wards. A copy of the same is submitted herewith for ready reference.

(KASHIF ZULFIQAR)PSP  
AIG/Establishment  
For Inspector General of Police  
Khyber Pakhtunkhwa.

Endst: No. & Dated even

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

1. Capital City Police Officer, Peshawar
2. All Regional Police Officers, Khyber Pakhtunkhwa.



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

Appeal No. \_\_\_\_\_/2021

Mr. M. Asim

**VERSUS**

Police Department & Others.

**INDEX**

S.No	Description	Annexure	Pages
1.	Replay		1-3
2.	Affidavit		4
3.	Order dated 30-12-2020 in Relevant copies	A	5-12

Dated: 24/06/2022

Private/Respondent

Through

  
**NOOR MUHAMMAD KHATTAK**  
Advocate Supreme Court of Pakistan

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

Service Appeal No. /2021

M. ASIM

Vs Police Department & Others

**REPLY ON BEHALF OF ALL THE PRIVATE  
RESPONDENTS IN RESPONSE TO THE ABOVE  
MENTIONED APPEAL SUBMITTED BY THE  
APPELLANT**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action or locus standi to file the instant appeal.
2. That the appeal in hand is not maintainable in its present form and liable to dismissed.
3. That the appellant has misinterpreted the rules and law, and drawn up the meaning according to his own sweet will, besides concealing the important facts and not came to this Honourable Court with cleaned hands.
4. That the appeal is based on mala fide intention and concealed material facts from this august Tribunal.
5. That the appeal is bad for non-joinder and mis-joinder of the necessary parties.
6. That this HON'BLE Tribunal has no jurisdiction to entertain the appeal in its present form.
7. That the appellant is stopped by his own conduct to file the instant appeal.
8. That appeal of the appellant is barred by law and is hit by the principle of res judicata.

**ON FACTS:**

- 1- Pertains to record hence need no comments.
- 2- Pertains to record hence need no comments.
- 3- Pertains to record hence need no comments.

- 4- Correct to the extent that some of the wards of Shuhada were appointed against Shaheed Quota on supernumerary posts after agreeing by Finance Department for the wards of Shuhada.
- 5- Incorrect and misconceived. The effect of the ibid notification to the extent of seniority would be on the posts advertised through Advertisement No. 1/2005, which is clear from the said notification.
- 6- Incorrect and misconceived. That according to Deceased's son Quota no can be appointed as PASI's. Therefore, Seniority of PASIs appointed through Public Service Commission is immaterial. That as the seniority of the PASI's of the Kohat Region the seniority has been assigned according to their age.
- 7- Pertains to record hence need no comments.
- 8- Incorrect and misconceived. That as the police department governed by its own Special Laws and reference mad by the appellant is immaterial.
- 9- Correct to the extent that PASIs appointed against Shaheed quota as alleged by the appellant , have been confirmed as per Police Rules 1934 Chapter 12 Rule 8, Rule 12 Sub Rule 2 Clasue-3 and Chapter 19 Rule 25 Sub Rule 5 as well as Standing Order 10/2014 and the decision made during Departmental Promotion Committee meeting held on 09.06.2016. Hence, stance of the appellant is baseless.
- 10- Para already explained needs no comment.
- 11- Incorrect and misconceived. Hence denied.
- 12- Incorrect and misconceived. That appellant only relying on a notification which does not mean Law or Rule.

13. Correct to the extent that appellant filed departmental appeal and the same was rejected by the authority vide order dated 30/12/2020 within its statutory period but the appellant does not challenged the ibid order before This Honourable Service Tribunal. Copy of the order dated 30.12.2020 is attached as annexure ..... A.
14. Pertain to record needs no comment.
15. That all the private respondents also seek permission from this Honourable Tribunal to raise additional grounds at the time of arguments.

**GROUND:**

**A TO N:**

All the grounds of main appeal are incorrect, baseless and not in accordance with law and rules. That the official respondents issued the seniority list of Associate Professor in accordance with law and rules and as such no illegality nor irregularity has been committed by the respondents while issuing the ibid seniority list. That the replying respondents are senior than the appellant and as such the respondents has rightly issued the seniority list.

It is therefore, most humbly prayed that on acceptance of this reply of all the private respondents the appeal of appellant may kindly be dismissed with cost.

PRIVATE/RESPONDENTS

THROUGH:

**NOOR MOHAMMAD KHATTAK**

**UMAR FAROOQ MOHMAND**

**& KAMRAN KHAN**

**ADVOCATES**

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

Appeal No. \_\_\_\_\_ /2021.

Mr. M. Asim

**VERSUS**

Police Department & Others.

**AFFIDAVIT**

I, noor Muhammad advocate supreme court of Pakistan do hereby solemnly affirm that the contents of this writ reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

**IDENTIFIED BY**

  
**NOOR MOHAMMAD KHATTAK**  
Advocate Supreme Court of Pakistan

ORDER

A (S)

This single order will dispose off the representations preferred by PASIs namely Muhammad Ismail No 401/MR, Salman Tahir No 639/MR, Zafar Khan No 657/MR of Investigation Wing, Swabi, Farooq Ali No 679/MR, Ijaz Ali No 682/MR, Yasir Aralat No 682/MR, Faizan Ahmad No 685/MR, Shahid Alam No 680/MR, Ansar Ahmad No 681/MR, Amir Riaz No 683/MR, Fawad Yousof No 651/MR and Muhammad Asim No 684/MR of Mardan District wherein they contended that the confirmation of PASIs appointed against Shuhada's regular supernumerary posts is contrary to Finance Department letter No. B-1215-2016 dated 26/08/2020. They further contended that since the above mentioned PASIs were appointed on supernumerary posts and not against any substantive vacancies as mentioned vide above quoted letter, their confirmation for consideration

From the perusal of record it was revealed that the posts of Shuhada's Probationer Assistant Sub-Inspector have been appointed on supernumerary posts but it is pertinent to mention here that they have completed probation period as well as requisite criteria as mentioned in Standing Order No. 1200 with relevant Standing Order governing the confirmation of the said posts. In the light of decision made during Departmental Promotion Committee meeting held on 07/06/2019 at Central P.O. by Major Peshawar where the names of 13 Probationers for confirmation and subsequent bringing names of Probationers appointed as Inspectors appointed on supernumerary posts are mentioned in the following terms:

***"The committee declared that these posts will be considered as regular posts. The names of PASIs recruited against these posts will be brought on list according to standard procedure in vogue"***

It is advised that the apparatus has relied on law, orders and instructions issued by the Government of Punjab, Police Rules, 1934 and orders/instructions issued for the purpose of the Punjab Police Officer, (Hyder Pakhtunkhwa) under section 17 of the Police Act, 1947.

Based on the application of facts stated above, there is no substance in the representation and hence, the instant representations are hereby rejected. Best regards of merit.

Order Announced

  
Regional Police Officer,  
Mardan.

No. 2155/64 /ES, Dated Mardan the 30 - 12 /2020

Copy forwarded for information and necessary action to the -

- 1. All District Police Officers, in Mardan Region
- 2. All Superintendents of Police Investigation, in Mardan Region

COMMITTEE REPORT

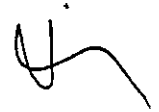
1. In compliance of the judgment rendered by the Honourable Supreme Court of Pakistan in Civil Appeal No. 164 P of 2014 captioned as Provincial Police Officer, Khyber Pakhtunkhwa Peshawar as appellant Vs Nasir Khan Respondent which was disposed of by the Apex Court on 07.10.2020 in the following terms:-

*"The very determination of seniority and promotion after confirmation of the Respondent in List "E" on 22.02.2003 has not been determined as yet and all learned councils appearing for the parties before us suggested that for this determination the matter may be remanded to the Inspector General of Police Khyber Pakhtunkhwa Peshawar, who after hearing all Police Officials who may be affected by such determination will pass an order in accordance with applicable rules to the Police Officials. Order accordingly. The App. Court further held that the aforesaid exercise shall be completed by the Inspector General of Police, Khyber Pakhtunkhwa positively within a period of three months from today and a report in this respect shall be submitted to the registrar of this Court for our perusal and chamber."*

2. Consequently and in order to implement the direction of the Apex Court in case as aforementioned in letter and spirit the Advt: IGP HQ Islamabad No. 5333-35 / Legal, dated 19.10.2020 constituted a committee comprising the following officers to thresh out the issue and determine the position of Respondent DSP Nasir Khan in the seniority list which had been raised by a number of petitioners mostly the probationer ASIs recruited in various years such as 1991, 1994 and 1998 etc:-

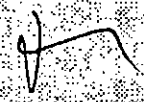
1. Commandant, FRP Khyber Pakhtunkhwa
2. AIG/Establishment, CPO Peshawar
3. AIG/Legal, CPO Peshawar

(Name)  
(Signature)  
(Date)



3. The facts in brevity leading to the instant case appear that it is a simple matter of determination of seniority of Respondent DSP Nasir Khan whose name was brought on promotion list "E" on officiating basis on 20.02.2001 however he was reverted later in which was challenged by him by way of filing a Service Appeal before the Khyber Pakhtunkhwa Service Tribunal Peshawar. Such Service Appeal was decided by the Tribunal dated 23.02.2008 whereby his name was restored to promotion list "E" with effect from date of notification dated 20.02.2002. The Respondent was confirmed in the position of Sub-inspector with effect from 24.11.2008, however he also challenged this Notification before the Service Tribunal and prayed for granting him confirmation with effect from 20.02.2003. The tribunal by the impugned judgment dated 13.05.2012 modified the notification to the extent that name of the Respondent was enlisted in the list "F" with effect from 20.02.2003 with all consequential back benefits. However, it was a misreading and omission on the part of the learned Tribunal by not fully appreciating the facts of the case coupled with the prayer of the petitioner claiming seniority in the position of confirmed Sub-Inspector as of 20.02.2003 the Tribunal instead directed the inclusion of his name in list "F" with effect from 20.02.2003 enabling him to overtake many probationer ASIs some of whom were even recruited long before his induction in the rank of Constable in the year 1991.

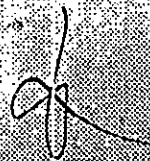
4. It was due to this anomaly that both the parties mutually agreed before the Apex Court that the name of the Respondent could not have been brought in promotion list "F" with effect from 20.02.2003 rather his confirmation in promotion list "E" could be made on 20.02.2003 and thereafter further seniority and promotion has to be determined in accordance with rules applicable to Police Officials. It was in compliance of this direction of the Apex Court that a Committee as aforesaid was constituted with the mentioned officer to report on the determination of further seniority of Respondent DSP Nasir Khan in the promotion list "F" in accordance with the principles laid down by the Police Rules 1934.





3. The petitioners (as per the attached list) were personally examined by the Committee in order to ascertain their view points. These petitioners who were inducted mostly in the rank of ASI through Public Service Commission as early as 1991 and onward claimed seniority against Respondent DSP Nasir Khan on the ground that the Respondent was recruited initially in the rank of Constable in the year 1991 whereas the petitioners who were directly recruited ASIs shall rank senior to the former on the basis of services laws / rules laid down by Police Rules 1934, the Khyber Pakhtunkhwa Civil Servant Act, 1973 and the Khyber Pakhtunkhwa Appointment Promotion and Transfer Rules 1989. The claim of these petitioners is plausible and convincing to the extent that they were entitled for confirmation and admission to list "E" from the date of appointment. The Respondent on the contrary was supposed to travel an arduous journey by qualifying the initial four promotions list e.g. "A", "B", "C", & "D" before qualifying to be admitted to the promotion list "E". This Committee is however constrained to comment upon the inclusion of the Respondent name in list "E" leading subsequently to his confirmation in the rank of Sub-Inspector as per the judgment of the Tribunal and the Honorable Supreme Court of Pakistan, and therefore in view of this the mandate of the Committee is to look into the prospects of admission of the Respondent's name to the promotion list "F" in accordance with law, hence this report.

4. The law as regards admission to the promotion list "F" is spelled out by Rule 13.15 of Police Rules 1934, which pre-supposes only one condition; that is the name of confirmed Sub-Inspectors considered fit for promotion to the rank of Inspector shall be submitted by the district Superintendent of Police to the Deputy Inspector General of Police who after thorough evaluation if agreed to the Superintendent of Police recommendations shall send such list to the Inspector General of Police with his own recommendations. Now the parties in no unequivocal terms have agreed that the inclusion of the name of the Respondent in promotion list "E" with effect from 20.02.2003 in the light of the tribunal judgment was not accurate rather his confirmation in promotion to list "E" could have been made on 20.02.2003. From this it follows that the



Respondent counsel conceded that his claim of admission into the promotion list "F" with effect from 20.02.2003 was due to a clerical or any other mis and that the Respondent is ready to rectify the same and claim for seniority in promotion list "F" after his confirmation in the promotion List as of 20.02.2003 in light of the Court judgments.

7. Police Rules 12.2 (3) laid down that seniority amongst the lower sub-ordina shall be reckoned from the date of appointment, Respondent DSP Nasir Kh was initially recruited in the rank of constable in 1991 and should ha remained with his original batch-mates subject to qualification to vario promotion lists provided by Chapter 13 of the Police Rules 1934. The scheme of things revolving around seniority and promotion under the Police Rule envisioned an elaborate system of seniority leading to promotion under the District and Range Police finally leading to a unified and common promotion list "F" which is maintained by the CPO for the whole of the Province. The problem in the instant case is due to the fact that Frontier Reserve Police which was established in 1987, was allowed to regulate and governed under the Police Rules 1934 and later on through various Standing Orders issued from time to time the Unit was authorized not only to maintain promotion lists on the pattern of the District & Ranges but was also given pro-rata share in various promotion courses, also enabling original recruits of FRP to undergo these trainings and claim seniority thereon. The Respondent DSP Nasir Khan is also an original recruit of the FRP who had done his lower and Inter Courses in the FRP allotted quota and after promotion to the rank of officiating Sub-Inspector he was transferred to the C.C.P.O in 2001.

8. Generally, seniority in Police is determined on the basis of courses and inclusion of name in various promotion lists. Since Respondent Nasir Khan had relatively better and accelerated opportunities for selection to various service courses in the FRP, which mainly comprised of illiterate officials, his transfer to C.C.P.O naturally put him in a better place vis a vis even those who were recruited long before him. The law however provides different principles for

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determination of seniority among the upper sub-ordinates which are laid down in Police Rules 12.2 (3) and jotted down below for better understanding:-

- I. Seniority shall be reckoned from the date of appointment in the first place which means that the one who is appointed earlier shall be considered senior to those who are appointed later to point of time;
- II. A promotee officer shall be considered senior to the directly recruited officer if both appointed on the same date;
- III. Officers appointed directly in one batch have their seniority determined on the basis of age; the overage shall be considered senior to the rest of the batch who are junior in age; and
- IV. Seniority shall be finally determined from the date of confirmation provided the seniority inter-se of several officers confirmed on the same date being that allotted to them on first appointment.

9. According to the judgment of the Apex Court dated 07.10.2020 wherein Respondent Nasir Khan DSP was assigned seniority in promotion List "E" with effect from 20.02.2003, which means that on the mentioned date he was confirmed Assst. Sub-Inspector and promoted as Offg. Sub-Inspector. Further in accordance with Police Rules 13.8 the Respondent was to remain on probation for a period of two years ending on 20.02.2005. Although Police Rules 13.14 (2) laid down the pre condition of SHO period for one year in non-domicile district of the officer for confirmation in the Rank of Sub-Inspector, but the Tribunal judgment brushed aside this aspect of the matter therefore the Respondent Officer was eligible for confirmation in the Rank of Sub-Inspector with effect from 20.02.2005, the effective date on which his two years probation was ended.

10. Going by this, the Respondent further seniority and admission to promotion List "F" is to be seen after the date of his confirmation in the Rank of Sub-Inspector. According to Seniority List "F" which stood on 31.12.2005 issued by CPO vide

H

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No. 1845-62/E-II dated 02.02.2006 the name of Respondent DSP Nasir Khan would fall at Serial No. 309 above the name of Ishtiaq Ahmad at Serial No. 310 and below the name of Fatah Hiaz at Serial No. 309. It is further stated that the name of DSP Nasir Khan at Serial No. 309 above the name of Ishtiaq Ahmad is due to the fact that the later officer is also on the strength of CPO, Peshawar who was promoted as confirmed Sub-Inspector on 23.06.2005 after six (06) months later than the former officer.

Likewise on perusal of the seniority list of DSsP as it stood on 30.04.2020 issued by CPO vide No. 840/SE-I dated 30.04.2020 the name of Respondent DSP Nasir Khan will be placed at Serial No. 41 below the name of Fatah Hiaz at Serial No. 40 and above the name of Ishtiaq Ahmad now at Serial No. 41.

Although the above seniority shall be in accordance with the judgment rendered by the Tribunal and Apex Court, yet the Respondent Officer would be able to rank Senior to the entire probationers batches of ASIs of 1995 and afterwards.

It merit a mention that at that time the Respondent was in the rank of Constable the 1995 batch of Probationer ASI were technically on promotion List "E" from the date of their appointment. Due to this the interests and valid seniority of the probationary ASIs could be seriously compromised if they are denied their due right of confirmation from the date of appointment. Hypothetically speaking if the officers of 1995 batch are confirmed and admitted to promotion List "E" from the date of their appointment, every Officer of the batch shall naturally rank senior by Seven (07) years from the Respondent Nasir Khan whose admission and confirmation in the said list is with effect from 20.02.2003.

RECOMMENDATIONS: -

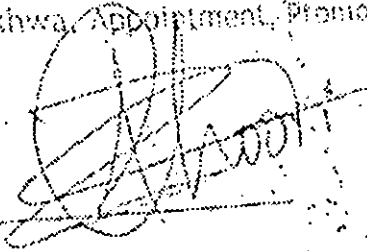
In view of what is discussed above it is recommended to place the name of Respondent DSP Nasir Khan in place suggested vide Para No. 10 of the report which will be in accordance and compliance of the Court judgment. However,



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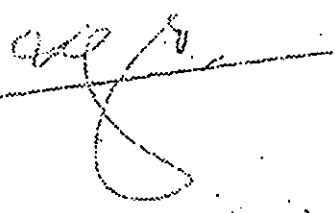
in order to protect the interests of the probationary ASs it is recommended that every Officer's name may be brought on promotion List "E" from the date of his appointment which is in accordance with the principles of justice and service laws on the subject such as Section-7 (3) and (5), 8 (4) of Khyber Pakhtunkhwa Civil Servant Act-1973 & Rule-16 and 17(1) explanation-ii (2) of the Khyber Pakhtunkhwa Appointment, Promotion & Transfer Rules-1989.

(ZAHOOR BABAR AFRIDI)  
AIG/Establishment  
Khyber Pakhtunkhwa  
Peshawar



(Member)

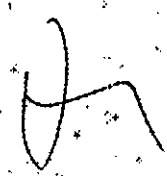
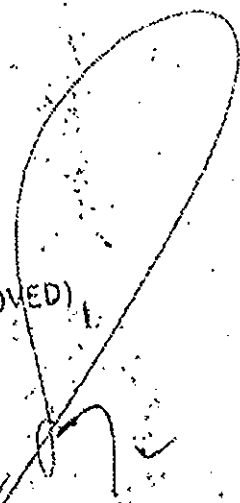
(JAVED AHMAD)  
AIG/Legal  
Khyber Pakhtunkhwa  
Peshawar



(Member)

(APPROVED)

(SAJID ALI KHAN)  
COMMANDANT  
Frontier Reserve Police  
Khyber Pakhtunkhwa, Peshawar  
(CHAIRMAN)



BEFORE THE HONOURABLE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL No. 5748/2021.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3193

Dated 27-1-2023

Muhammad Asim Vs. IG Police KPK & Others

REJOINDER TO THE COMMENTS FILED BY THE  
PRIVATE RESPONDENTS.

RESPECTFULLY SUBMITTED:

That the appellant most graciously request the permission of this Honourable Court to submit this rejoinder to the comments furnished by the Respondents:

**Preliminary Objections:**

All the preliminary objections raised by the Respondents are untenable, illegal and without any basis in law. The appellant have got cause of action, because their service is at stake. The stance of the respondents have no nexus with legality. The appellant is the one aggrieved of these actions and thus has cause of action. The appellant also has legal rights violated and thus is well within his rights to approach this honourable court.

②

**On Facts:**

Para 1 of the appeal is correct, the reply is also admitted as correct. As the appellant was appointed against the post of Probationer Assistant Sub-Inspector through Khyber Pakhtunkhwa Public Service Commission.

Para 2 of the appeal is correct, the reply thereto also admitted as correct. As the appellant appeared in the competitive examination held Khyber Pakhtunkhwa Public Service Commission

Para 3 of the appeal is correct, the reply thereto is misconceived as no details were given in the reply.

Para 4 of the appeal is totally correct, the reply thereto is an admission on part of the respondent that indeed supernumerary posts were created after being agreed by the finance department to the creation of 300 supernumerary posts of ASI (BPS-9).

Para 5 of the appeal is correct and the reply thereto is incorrect.

There cannot be two different yardsticks for the same posts. If the Notification is not legal and in negation of the law, then how does it still holds field and why has it not been rescinded.

Furthermore, this is what makes the case of the appellant one of discrimination.

Para 6 of the appeal is correct, the reply thereto is incorrect.

Inadvertently the word deceased is written in place of Shuhada.

It is imperative to note that similar issues came before Kohat and Bannu. Reference can be made to RPO Bannu letter dated 22-12-2021, RPO Kohat letter dated 11-01-2022 and letter dated 18-09-2020 of 16 PKP.

Para 7 of the appeal is correct, the reply is also admitted correct as the matter pertains to record.

Para 8 of the appeal is correct, the reply thereto is incorrect. The Rules and Act have been violated and the same is wrongly applied to appellants in one way to their detriment as against others. The letters referred to in response to para 6 makes it clear.

Para 9 of the appeal is correct. However the reply is misconceived, the rules pertaining to regular employees are wrongly being applied to temporary employees.



Para 10 of the appeal is correct, the reply thereto is evasively denied. The Regional Police Officer Mardan may confirm only those ten supernumerary PASI's who were adjusted in due manner against the 5% Quota prescribed for Shuhada Wards but conformation was required to be done with effect from the date of their adjustment instead of the date of their temporary appointment.

Para 11 of the appeal is correct, the reply thereto is denied. The Act and Rules have even been violated by the Respondent and reference has been given to judgements of superior courts in the appeal.

Para 12 of the appeal is correct, the reply thereto is incorrect. The notification was issued by the respondent to which they are bound and not by the appellants because none of the above mentioned supernumerary PASI's were adjusted against the regular posts and every adjustment made against the regular post after 20-02-2017 would rank junior to the appellant.

Para 13 of the appeal is correct, the reply thereto is incorrect. The alleged order was never communicated to the appellant.

No such thing is available on the record regarding communication of the said self-styled order to the appellant. Furthermore, the alleged order is neither addressed nor communicated by any means to the appellant. It is also imperative to note that the reply of the official respondents is ironically silent on any order having been issued. If there were any order issued, the official respondents would have annexed the same. Therefore, the self-styled concocted order annexed with the reply of the private respondents is denied having no bearing on the appellant and thus should be discarded.

Para 14 of the appeal is correct, the reply thereto is admitted being a matter of record.

Para 15 of the appeal is correct the reply thereto is incorrect as no grounds exist on part of the respondents.

**Grounds:**

All the grounds of the appeal are correct, the reply thereto is denied in totality. Reply has been given in above paras.

The referral of the appellant is to the judgement and the recommendation is based on the verdict of the Supreme Court in the same judgement as referred to by the appellant.

The eligible and properly recruited commissioned PASI's may be preferred for displaying their names on list "E."

**Prayer:**

It is, therefore, most humbly prayed that the appeal may so kindly be allowed.

Appellant

Through



**ALI GOHAR DURRANI**  
**Advocate High Court**  
**0332-9297427**  
**khaneliegohar@yahoo.com**  
**Shah | Durrani | Khattak**  
**(a registered law firm)**

**House # 231-A, Street # 13,**  
**New Shami Road Peshawar.**

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BEFORE THE HONOURABLE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. /2021

Muhammad Asim Vs. IG Police KPK & Others

AFFIDAVIT

I, *M. Asim.*

, do hereby solemnly affirm on oath that the contents of this rejoinder are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honorable Court.



*AK*  
DEPONENT