

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR.



C.M. No. 436/2024

EXECUTION PETITION NO. 865/2023 IN SERVICE APPEAL NO.7026/2021

Regional Police Malakand & others Appellants

VERSUS

SI Usman Gul Respondent

INDEX

S.No.	Description of documents	Annexure	Pages
1.	Memo of appeal with affidavit		1-4
2.	Application for interim relief with affidavit	A1	5-6
3.	Copy of CPLA No 883-P/2023	A2	3 to 9
4.	Request for early hearing in CPLA No 883-P/2023 govt of KPK versus SI Usmani Gul vide memo No 2980-82/legal dated 10.05.2024 o/o DPO office shangla	B	10
5.	Deferred order No 4310-29 dated 02.04.2021 region office swat	C	11 to 13
6.	Deferred order No 5718-41/E, dated 11.04.2023 region office swat	D	14 to 18
7.	Deferred No 16635-64/E dated 30.11.2023 region Office swat	E	19 to 21
8.	Authority letter		22

ATTESTED


DSP Legal Shangla

BEFORE THE JUDGE REFEREE COURT PESHAWAR.

C.M. No. 436/2024

EXECUTION PETITION NO. 865/2023 IN SERVICE APPEAL NO.7026/2021

Regional Police Malakand & others

VERSUS

SI Usman Gul

..... Appellants

..... Respondent

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13111

Dated 03-06-2024

**OBJECTION PETITION AGAINST THE ORDER DATED 04.05.2023 IN
SERVICE APPEAL NO. 7026/2021.**

Respectfully Sheweth:

- 1- That the subject appeal was disposed of by the Hon' able Kp Service Tribunal vide Judgment dated 04.05.2023, with the direction to respondent department to promote and confirm the appellant to List-F from the date he qualified the Upper College Course with the all back benefits.
- 2- That CPLA No. 483-P/2023 (Annexure-A) against the ibid Judgment of Hon' able Tribunal has been filed by the respondent department before the Apex Court which is still pending sub judice.
- 3- The prior to admission to List-F, appellant was supposed to pass Upper College Course along with fulfillment other mandatory courses required for confirmation in the rank of SI, however, at the relevant time, appellant could not fulfill the required criteria for confirmation in the rank of SI.
- 4- That request for early hearing application is also preferred by Respondent No 2 (DPO Shangla) vide his office Endst No. 2980-82/Legal, dated 10.05.2024 (Annexure-B) through Respondent No 3 (RPO Malakand) wherein date in the Apex Court is yet to be fixed.
- 5- That the case of appellant for confirmation in the rank of SI was discussed in the following DPCs held in Region Office Malakand, but due to not fulfilling the required criteria as per below rules, deferred him from confirmation in the rank of SI in light of recommendation of DPC as mentioned above.

S#	Deferred Order of Region Office Malakand		DPC Recommendation
1.	25.03.2024	Region office order dated 02.04.2021 No. 4310-90 dated 02.04.2021 (Annexure-C)	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10 (2) 1934, 13.10 (2) Police amended Rules 2017
2.	20/10/2022	Region office order No. 5718-41/I dated 11.04.2023	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10 (2) 1934, 13.10 (2) Police amended Rules 2017
3.	16.10.2011	Region office order No. 16635-64/I dated 30.11.2023 (Annexure-C)	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10 (2) 1934, 13.10 (2) Police amended Rules 2017

6. That considering the appellant for confirmation in the rank of SI without fulfilling the required criteria will set a precedent which will be totally against the spirit of Rules/Standing orders hence, will badly affect the entire Police Department.
7. Being discipline forces, promotion and confirmation are observed in accordance with Special law/rules i.e Police rule 1934 /Standing Orders/Acts.

PRAYER:

In view of the above, the implementation report as per order dated 04.05.2023, may kindly be withheld till the final disposal of CPLA in the Apex Court.



Deputy inspector General of Police
Malakand Range
Muhammad Ali Khan (PSP)
(Incumbent)
Regional Police Officer,
Malakand, at Saidu Sharif Swat.

23

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

EXECUTION PETITION No. 865/2023 IN SERVICE APPEAL NO.7026/2021.

SI Usmani Gul (Appellant)

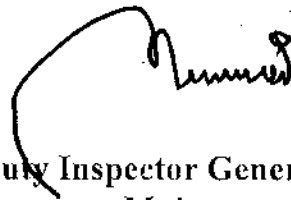
Verses

The Inspector General Police Officer KPK and others..... (Respondents)

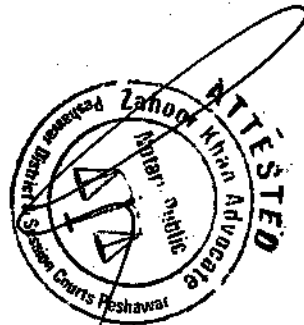
**OBJECTION PETITION AGAINST ORDER DATED 04.05.2023, IN
SERVICE APPEAL NO.7026/2021.**

AFFIDAVIT

I **Muhammad Ali Khan DIG Malakand Region**, do hereby solemnly affirm and stated on oath that whole contents of this service appeal are true and correct to the best of my knowledge and belief nothing has been concealed from this Honorable Tribunal Court.



**Deputy Inspector General of Police Malakand Range
Muhammad Ali Khan (PSP)
(Incumbent)**



IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA No. 483-P/2023

Provincial Police Officer, Khyber Pakhtunkhwa,
Peshawar & others

PETITIONERS

VERSUS

Usmani Gul and others

RESPONDENTS

Appeal from : Learned Khyber Pakhtunkhwa Service
Tribunal, Camp Court, Swat
Counsel for Petitioner : Advocate General, Khyber Pakhtunkhwa,
Peshawar
Instituted by : Mian Saadullah Jandoli, AOR

INDEX

S.No	Description of documents	Dated	Page
1.	Concise statement	20-07-2023	A-B
2.	C.P.L.A	20-07-2023	1-4
3.	Judgment of Service Tribunal Camp Court, Swat	04-05-2023	5-10
4.	Grounds of appeal	14-04-2021	11-15
5.	Comments on behalf of petitioners		16-18
6.	Letter regarding approval for promotion of Head Constables on List "D" as Offg: Assistant Sub Inspectors	08-04-2011	19-23
7.	Order regarding promotion list "E" of confirmed ASI's	16-03-2015	24-29
8.	Letter regarding approval for promotion of ASI's List "E" as Offg: Sub Inspectors	09-09-2016	30-37
9.	Notification regarding inclusion of names of confirmed SI's in List "F"	03-12-2020	38-41
10.	Departmental appeal	31-12-2020	42-43
11.	Letter regarding selection for upper college Course 3 rd term	19-12-2018	44-45
12.	Notification regarding results of upper college course	23-04-2019	46-48
13.	Letter regarding selection for upper college course 1 st term	17-04-2019	49-50
14.	Letter regarding selection for upper college course 2 nd term	09-08-2018	51-52
15.	Standing order No. 03/2015 regarding Mandatory Training in Specialized Schools	24-08-2015	53-54
16.	Stay application	20-07-2023	55-56
17.	Affidavits	20-07-2023	57-58
18.	Notices to respondents	20-07-2023	59

CERTIFIED that the paper book has been prepared in accordance with the rules of the Court and all the documents necessary for due appreciation of the court have been included in it. Index is complete in all respect.

(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
For Government

Attested
M.A.A.
20/7/23

4

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

CPLA No. 483-P/2023

Provincial Police Officer, Khyber Pakhtunkhwa,
Peshawar & others

PETITIONERS

VERSUS

Usmani Gul and others

RESPONDENTS

CONCISE STATEMENT

1	Subject matter and the law	Service Matter/ By placing the name of respondent in list "F" to be promoted as other colleagues have been promoted.	
2	Controversy between the parties	The respondent was promoted to the rank of Sub-Inspector on 09/09/2016, however for the confirmation in the rank of Sub-Inspector, the respondent No.1 was required to fulfill certain criteria i.e. passing Upper College Course and criteria mentioned in Police Rules 13.10(2) and 13.18 which was not completed at that time, therefore his name was not included and recommended to list "F". Respondent No.1 feeling aggrieved filed Service Appeal which was accepted which is against the law.	
3.	Which side has filed this petition	Government / petitioners	
4.	Court/Forum	Date of a) Institution b) Decision	Who filed it and with what result
5.	Learned Khyber Pakhtunkhwa, Service Tribunal, Camp Court, Swat	a) 14/04/2021 b) 04/05/2023	Respondent filed Service Appeal which has been allowed.
6	Points/Questions noted in the impugned Judgment	Treatment of points in the impugned judgment	
<p>Learned counsel for the respondent contended that the impugned order dated 03/12/2020 was against law, rules and seniority, hence liable to be set aside. He further argued that the respondent No.1 was condemned unheard as no opportunity of personal hearing and defence was provided to him. He further argued that respondent No.1 promotion was deferred on the ground that he had not undergone the mandatory courses required for confirming his name in list "F" and juniors to him were promoted which was against the law, rules and norms of justice. He further argued that according to relevant rules, the courses were not mandatory for confirmation to list "F" but the petitioners, with ill intention, promoted/confirmed their blue eyed i.e. respondents No.2 to 4. He requested that the appeal might be accepted as prayed for.</p> <p>The learned District Attorney argued that Police Department was a disciplined force having its rules and regulations which were being followed in letter and spirit. Promotion from one rank to another rank was being dealt with in accordance with seniority-cum-fitness as envisaged in Rule</p>		<p>Record produced before us by the learned counsel for respondent No.1 during the course of hearing indicates that various meeting of Departmental Selection Committee were held after June 2021, the month the respondent No.1 qualified the Upper College Course, but his name was not considered</p>	

*Alleged
D SP/ Legal
Shah*

13.1 of Police Rules. Similarly confirmation in the substantive rank was also governed by Police Rules which were being strictly adhered by the petitioner department. Prior to confirmation in the rank of Sub-Inspector one had to fulfill some criteria mentioned for confirmation in the rank of Sub-Inspector. The respondent No.1 was promoted to the rank of Sub-Inspector on 09/09/2016, however for the confirmation in the rank of Sub-Inspector, he was required to fulfill certain criteria for the confirmation i.e. passing of Upper College Course and criteria mentioned in Rule 13.10(2) and 13.18 of Police Rules which was not completed at that time, therefore, the stance taken by the respondent No.1 for recommending his name to list "F" was not prudent to the mind. So far as the confirmation of private respondents No.2 to 4 was concerned, they had been confirmed in the rank of Sub-Inspector on 20/02/2020, after fulfilling the requisite criteria for confirmation i.e. passing of Upper College Course and other mandatory provisions as envisaged in Police Rules, 1934. He further argued that name of the respondent No.1 was not recommended for inclusion in list "F" because he did not pass the Upper College Course till 2020. He informed that name of the respondent was also sent for Upper College Course vide order dated 09/08/2018, however, he returned as unqualified on 25/09/2018 whereas the colleagues, private respondent No.2 to 4 qualified the Upper College Course before the respondent No.1. He requested that the appeal might be dismissed.

for confirmation in list "F" despite the fact that he had fulfilled the criteria required for including his name in list "F" and without giving any heed to the fact that his juniors were already included in list "F".

In view of the above discussion, the appeal in hand is allowed as prayed for and petitioners are directed to promote and confirm the respondent No.1 to list "F" from the date he qualified the Upper College Course with all back benefits.

- 7 Question requiring consideration & decision by the Supreme Court
1. Whether the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat is in utter violation of Police Order & Rules, 13.1, 13.10(2) and 13.18?
 2. Whether for promotion and placing name in list "F" is subject to mandatory provision of confirmation, therefore, being not confirmed in list "F" the respondent could not claim any promotion to list "F" according to Police Rules, 1934?
 3. Whether police is discipline force and every step or promotion is made according to Police Rules, 1934 r/w Standing Order issued by the Competent Authority?

8. LAW/RULING ON THE SUBJECT

FOR		AGAINST	
1.	CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973	1	
2.	Police Rules, 1934		

CERTIFICATE

Certified that, we, the undersigned prepared the above concise statement which is correct.

M. Saadullah Jandoli
 (Mian Saadullah Jandoli)
 Advocate-on-Record
 Supreme Court of Pakistan
 For Government/Petitioners

(Additional Advocate General)
 Khyber Pakhtunkhwa

Attest
20/2/21
DSP/Keghal Slotha

(6)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA No. _____/2023

1. Inspector General of Police now Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. District Police Officer, Shangla
3. Additional Inspector General, Establishment Khyber Pakhtunkhwa, Office at Central Police Office/Lane, Peshawar
4. Regional Police Officer, Malakand Office at Saidu Sharif, Swat

PETITIONERS

VERSUS

1. Usmani Gul SI/667/M Posted at Shangla Police R/o P.O Shah Pur Koz Khana Tehsil Alpuri District Shangla
2. Fazal Rahim No.694 R/o Charbagh District Swat (Malakand)
3. Ahmad Ali No.794 R/o Village Dir Khas District Dir Upper
4. Tahir Muhammad No.739 presently posted at Police Lane, Shangla, Darozar District Dir Upper

RESPONDENTS

CIVIL PETITION FOR LEAVE TO APPEAL UNDER ARTICLE 212(3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 AGAINST THE IMPUGNED JUDGMENT AND ORDER OF THE LEARNED. KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, CAMP COURT, SWAT DATED 04/05/2023 PASSED IN SERVICE APPEAL No.7026/2021

RESPECTFULLY SHEWETH

Substantial questions of law of general public importance and grounds, inter alia, which falls for determination of this august Court are as under:-

1. Whether the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat does not suffer from material illegality, factually, legally incorrect and requires interference by this august Court?

Attested
[Signature]
DSP / Legal Shangla

2. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat has properly and legally exercised its jurisdiction in the matter in hand?
3. Whether the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat is in utter violation of Police Order & Rules, 13.1, 13.10(2) and 13.18?
4. Whether promotion in police force is subject to place the name at list "F" is mandatory as well as confirmation in service/ rank, therefore, being not confirmed in list "F", the respondent could not claim any promotion to list "F" according to Police Rules, 1934?
5. Whether the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat while accepting the appeal of respondent has ignored and violated the police rule dealing with promotion and confirmation?
6. Whether police is discipline force and every step or promotion is made according to Police Rules, 1934 r/w Standing Order issued by the Competent Authority?
7. Whether the respondent Departmental Appeal as well as Service Appeal of respondent was barred by time and the appeal of respondent was liable to be dismissed being barred by time?
8. Whether the respondent name in list "F" was not confirmed and without confirmation no police official could be promoted to higher grade or rank or his name be placed on list "F" without confirmation therefore the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat is in-conflict with Police Rules, 1934?
9. Whether the respondent had admitted in his appeal that he had not qualified any course of list "F" therefore was not entitle to be placed on list "F" for further promotion?
10. Whether the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat is without jurisdiction as Section 4(b)(i) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 provides that no appeal shall lie to a Tribunal against an order or decision of departmental authority determining, the fitness or otherwise if a person to be appointed to or hold a particular post or to be promoted to higher post or

Attested
25/10/2019
25/10/2019
Shah

grade. Therefore in light of the ibid section of law, awarding promotion or non-awarding promotion is not appeal?

- 11. Whether promotion is not vested right nor any employee could claim promotion as matter of right therefore the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat is suffered from material illegality and without jurisdiction?
- 12. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat has properly followed, applied and interpreted the law in the subject case?
- 13. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat has properly construed the record and material in its true perspective?

FACTS

II- Facts relevant to the above points of law, inter alia, are as under:-

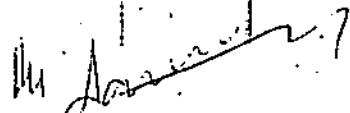
- 1. That the respondent was serving in the Police as Sub-Inspector and performing his duty within the jurisdiction of District Police Office, Shangla.
- 2. That the respondent No.1 was required to fulfill certain criteria i.e. passing of Upper College Course and criteria mentioned in Police Rules 13.10(2) and 13.18 for including name in list "F" but the respondent had not competed / passed the required course which is mandatory for placing his name at list "F".
- 3. That the respondent claimed that his name may be placed in list "F" for further promotion but the same was refused by the high ups being a discipline force where every work is done on merit.
- 4. That the respondent being aggrieved from the refusal of high ups filed Service Appeal No:7026/2021 before the Learned Khyber Pakhtunkhwa Service Tribunal, Peshawar wherein Para-wise reply was called from the petitioners which was filed and the stance of respondent was denied on legal and factual grounds.

Attested
 20/11/21
 DSP/ Legal
 Shangla

9

5. That the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat accepted the Service Appeal of respondent vide order dated 22/9/2022.
6. That the petitioners being aggrieved from the impugned judgment/order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat dated 04/05/2023 passed in Service Appeal No.7026/2021, prefer this CPLA before this august Court.
7. That the petitioners seek leave to appeal against the impugned judgment / order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat dated 04/05/2023 passed in Service Appeal No.7026/2021.

It is, therefore, prayed that on acceptance of this petition, leave to appeal against the impugned judgment and order of the Learned Khyber Pakhtunkhwa Service Tribunal, Camp Court, Swat dated 04/05/2023 passed in Service Appeal No.7026/2021 may graciously be granted.


(Mian Saadullah Jandoli)
Advocate-on-Record
Supreme Court of Pakistan
For Government

NOTE:

Learned Advocate General, KPK/ Addl. AG shall appear at the time of hearing of this petition.

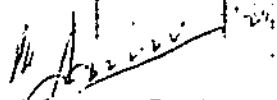
ADDRESS

Office of the Advocate General, KPK, High Court Building, Peshawar. (Telephone No.091-9210119, Fax No.091-9210270)

CERTIFICATE Certified that no such petition has earlier been filed by Petitioners/ Government against the impugned judgment mentioned above.


Advocate-On-Record

CERTIFICATE: Certified that all the legible copies of the illegible documents attached with this petition have been compared word to word with original and found correct in all respect.


Advocate-On-Record

Attestat
A.S.A
D.S.P/Khul
Shah

10

ANNEXURE (B)

Faxed to: 0946914390

Faxed on: 10/05/24

Signature of Fax Operator: *BS*

District Shangla



District Shangla

Ph#: 0996-850015

Fax#: 0996-850002

Email: dpo@shangla@yahoo.com

OFFICE OF THE DISTRICT POLICE OFFICER, SHANGLA

No. *2980* /legal, dated Alpuri the 10.05.2024

To: The Regional Police officer,
Malakand at Saidu Sharif, Swat

Subject: FILING OF EARLY HEARING APPLICATION VIDE CPLA NO.483-P/023 IN SERVICE APPEAL NO.7026/021, TITLED GOVERNMENT OF KPK THROUGH PROVINCIAL POLICE OFFICER, KPK PESHAWAR VS USMANI GUL SI NO.667-M

Memo:

Refer to your good office End: No.5355/WPC dated 07.05.2024. in subject noted above.

1. It is submitted that SI Usmani Gul filled a service appeal No.7026/2021, before the Chairman Khyber Pakhtunkhwa Service Tribunal. The Service Tribunal vide its judgment dated 04.05.2023, accept appeal of the appellant.
2. The Department filed CPLA No.483-P/2023, against the said Judgment before the August Supreme Court of Pakistan, wherein, no date of hearing is yet been fixed.
3. Now the petitioner filed E.P No.865/2023 before the Chairman Service Tribunal Khyber Pakhtunkhwa Peshawar, wherein on hearing dated 07.05.2024, the Chairman Service Tribunal aggrieved from Implementation process of decision dated 04.05.2023.

It is therefore, requested that please approach the law Department for filing early hearing application and order of suspension of impugned judgment in the best interest of Department please.

[Signature]

District Police Officer
Shangla

Copy to the: No. /legal

1. Assistant Inspector General of Police Khyber Pakhtunkhwa vide his office Memo No.1833/Legal dated 30.04.2024.
2. PSO to the Deputy Inspector General of Police Khyber Pakhtunkhwa.

*Attested
DPO/legal
Shangla*

District Police Officer
Shangla

(11)

ANNEXURE (C)



**OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND REGION
SAIDU SHARIF SWAT.**

Ph: 0946-9240388 & Fax No. 0946-9240390

Email: ebmalakandregion@gmail.com

No. 4310-29 /E, dated Saidu Sharif the 02 / 04 /2021

- To:
- The Addl: Inspector General of Police,
Special Branch, Khyber Pakhtunkhwa, Peshawar.
 - The Addl: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawar.
 - The Commandant, Elite Force,
Khyber Pakhtunkhwa, Peshawar.
 - The Commandant, PTC Hangu.
 - The Deputy Inspector General of Police,
CTD, Khyber Pakhtunkhwa, Peshawar.
 - The Director,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa, Peshawar.
 - All District Police Officers,
In Malakand Region.
 - All Heads of Investigation,
In Malakand Region.
 - The Principal, Police Training School, Swat.

Subject: **DEFERRED FROM CONFIRMATION AS SIs.**

Memorandum:

The following Sub Inspectors of this Region have been deferred from confirmation as Sub Inspectors by the DPC held in this office on 25/03/2021 for the reasons as noted against each their names:-

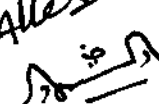
S#	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	DPC Recommendation			
1.	SI Ashraf Ali No. 372/M	Swat	1. One Year as SHO/I.C PP or OI/I.C Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
			15/08/2016 to 02/01/2017 I/C PP Shakardara		0	4	18
			03/01/2017 to 14/07/2019 SHO PS Madyan		0	6	11
			2. One Year any other Unit.				
			02/07/2019 to 23/02/2021 as SI in Traffic Warden, Swat	1	7	21	
2.	SI Badshah Zeb No. 180/M	Inv: Dir Upper	1. One Year as SHO/I.C PP or OI/I.C Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
			18/04/2017 to 21/09/2017 SHO PS Kalakot		0	5	3
			30/03/2018 to 01/05/2019 OI PS Gandigar & Barawal		1	0	1
			2. One Year any other Unit.				
				-	-	-	
3.	SI Khan Zada No. 74/M	Dir Upper	1. One Year as SHO/I.C PP or OI/I.C Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
			10/12/2013 to 10/11/2014 I/C PP Akhgram		0	11	0
			12/06/2020 to 25/08/2020 I/C PP Torwarsak		0	2	13
			I/C PP Total		1	1	13
			10/11/2014 to 06/01/2015 SHO PS Jagam		0	1	27
			23/07/2017 to 07/03/2018 SHO PS Sahiabad		0	7	12
			10/03/2018 to 12/08/2018 SHO PS Dir		0	5	2
			SHO Total		1	2	11
			2. One Year any other Unit.				
				-	-	-	


*Attest
Dy. Insp. Charge*

Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	DPP Recommendation		
34. SI Kalimullah No. 720/M	Shangla	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 05/07/2017 to 02/11/2020 as SI in ACE 3 3 28 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
35. SI Jehan Badshah No. 690/M	Inv. Dir Lower	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 16/03/2018 to 15/08/2018 OII PS Timergara 0 4 30 25/12/2018 to 17/04/2019 OII PS Samarbagh 0 3 23 18/04/2019 to 26/07/2019 OII PS Timergara 0 3 8 Total 1 0 1 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
36. SI Hasham Khan No. 790/M	CTD	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 09/09/2016 to 26/08/2020 as SI in CTD, KPK 3 11 17 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
37. SI Yaqoob Shah No. 663/M	CTD	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 09/09/2016 to 26/08/2020 as SI in CTD, KPK 3 11 17 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
38. SI Muhammad Hassan No. 613/M	CTD	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 09/09/2016 to 03/03/2021 as SI in CTD KPK 4 5 22 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
39. SI Qurban Panah No. 665/M	Chitral	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 13/10/2016 to 17/08/2017 OII PS Khall & Balambat 0 10 4 08/09/2017 to 19/01/2018 OII PS Khall 0 4 11 02/03/2018 to 17/04/2018 OII PS Shoghore 0 1 15 26/12/2018 to 16/01/2019 OII PS Aranda 0 0 21 OII Total 1 4 21 06/02/2019 to 17/08/2019 SHO PS Ashirate & Bumburate 0 6 11 03/07/2020 to 28/08/2020 SHO PS Ashirate 0 1 25 SHO Total 0 8 6 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
40. SI Akbar Aziz No. 614/M	Elite Force	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 20/04/2017 to 12/04/2018 OII PS Talash Dir Lower 0 11 23 17/04/2018 to 17/12/2018 OII PS Malkoh 0 8 0 19/04/2019 to 08/07/2020 OII PS Koghozi 1 2 19 Total 2 10 12 2. One Year any other Unit. 09/07/2020 to 25/03/2021 as SI in Elite Force 0 8 16	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
41. SI Usman Gul No. 667/M	Shangla	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 04/12/2018 to 22/07/2019 OII PS Kabalgram 0 7 18 20/02/2021 to 26/02/2021 OII PS Chakisar 0 0 23 Total 0 8 12 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
42. SI Imtiaz Khan No. 669/M	Buner	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 30/07/2018 to 18/08/2019 SHO PS Nagrai 1 0 19 21/02/2020 to 11/06/2020 SHO PS Daggar 0 3 21 Total 1 4 10 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		
43. SI Muhammad Wakil No. 670/M	CTD	1. One Year as SHO/LC PP or OH/LC Inv: or in CTD 09/09/2016 to 27/08/2020 as SI in CTD, KPK 3 11 18 2. One Year any other Unit.	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).		

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Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	DPC Recommendation			
114 SI Anwar Said No. 31/M	Buner	1. One Year as SHO/LC PP or OH/LC Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
		31/07/2018 to 17/12/2018 SHO PS Chinglai		0	4	16
		21/01/2019 to 08/12/2019 SHO PS City Sawari		0	10	17
		12/06/2020 to 16/08/2020 SHO PS Daggar		0	2	4
		04/09/2020 to 03/11/2020 SHO PS Daggar		0	1	30
Total	1	7	7			
		2. One Year any other Unit.				
115 SI Shaukat Ali No. 32/M	Buner	1. One Year as SHO/LC PP or OH/LC Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
		06/12/2017 to 28/03/2019 I/C PP Annawar (Adhoc Period)		0	3	22
		29/03/2018 to 13/01/2019 I/C PP Annawar		0	9	15
		2. One Year any other Unit.				
		10/01/2019 to 10/06/2019 as SI in PTC, Hangu	0	5	0	
116 SI Mehtab Gul No. 39/M	Swat	1. One Year as SHO/LC PP or OH/LC Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
		29/03/2018 to 12/07/2018 I/C PP Shakardara & Karakar		0	3	13
		22/02/2019 to 16/05/2019 I/C PP Karakar		0	2	24
		28/09/2020 to 10/12/2020 I/C PP Miandam		0	2	12
		Total		0	8	19
		2. One Year any other Unit.				
117 SI Ibrar Ahmad No. 42/M	Chitral	1. One Year as SHO/LC PP or OH/LC Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
		04/09/2019 to 30/12/2019 OH PS Bumburate		0	3	26
		15/05/2020 to 15/08/2020 SHO PS Drosh		0	3	0
		2. One Year any other Unit.				
		29/03/2018 to 01/08/2019 as SI in Elite Force, KPK	1	4	3	
118 SI Bahadar Zeb No. 43/M	Dir Lower	1. One Year as SHO/LC PP or OH/LC Inv; or in CTD	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).			
				-	-	-
		2. One Year any other Unit.				

Attested

 DSP / Legal
 Shingla


 Regional Police Officer,
 Malakand, at Saidu Sharif Swat
 12/11/2020



(14) 1/3

**OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND REGION**

SAIDU SHARIF SWAT.

Ph: 0946-9240388 & Fax No. 0946-9240390

Email: ehmalakandregionl@pmail.com

ANNEXURE (D)

No. 5718-41 JE,

dated Saidu Sharif the 11 / 10 / 2023

To:

The Addl: Inspector General of Police,
Special Branch, Khyber Pakhtunkhwa, Peshawar.

The Addl: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawar.

The Commandant, Elite Force,
Khyber Pakhtunkhwa, Peshawar.

The Commandant, PTC Hangu.

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

The Director,
Anti-Corruption Establishment,
Khyber Pakhtunkhwa, Peshawar.

All District Police Officers,
In Malakand Region.

The SP Admin & HQrs. SSU (CPEC),
Khyber Pakhtunkhwa, Peshawar.

All Heads of Investigation,
In Malakand Region.

The Principal, Police Training School, Swat.

Subject:

DEFERRED/KEEP PENDING FROM CONFIRMATION AS SIS.

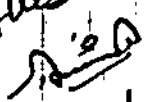
Memorandum:

The following Sub Inspectors of this Region have been deferred from confirmation as Sub Inspectors by the DPC held in this office on 20/10/2022 for the reasons as noted against each their names:-

S #	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	Y	M	D	Reasons
1.	SI Wahid Khan No.568/M	SB	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			10/04/2018 to 05/12/2018 I/C PP Torwarsak	0	7	25	
			18/12/2018 to 23/04/2019 I/C PP Katakala & Kingargali	0	4	5	
			22/01/2020 to 11/06/2020 I/C PP Torwarsak	0	4	20	
			30/09/2021 to 25/02/2022 I/C PP Torwarsak	0	4	26	
			Total	1	4	20	
			2. One Year any other Unit.				
28/06/2022 to 19/09/2022 as SI in SB	0	2	22				
2.	SI Taj Bahadar No.36/M	Dir Upper	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			09/09/2016 to 05/12/2018 as SI in CTD, KPK	1	10	26	
			2. One Year any other Unit.				
3.	SI Syed Mahmood No.707/M	Shangla	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			14/11/2014 to 09/03/2015 SHO PS Dandai	0	3	23	
			02/03/2017 to 09/04/2018 SHO PS Chakisar	1	1	7	
			26/12/2018 to 16/07/2019 SHO PS Mariung	0	6	20	
			17/07/2019 to 05/08/2020 SHO PS Olandar	1	0	19	
			06/08/2020 to 04/09/2020 SHO PS Chawga	0	0	29	
			05/11/2021 to 02/03/2022 SHO PS Kamach	0	3	25	
			Total	3	5	3	
2. One Year any other Unit.							

Attended
Shangla
DSP/legat
Shangla

S. #	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934			Y	M	D	Reasons
4.	SI Sahib Nabi No.645/M	Upper Chitral	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			2	11	29	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			19/10/2018 to 18/10/2021 SHO PS Ovcer & Mulkhow						
			19/10/2021 to 17/06/2022 SHO PS Harchin Laspur						
			2. One Year any other Unit.						
5.	SI Abdur Rashid No.653/M	Lower Chitral	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			1	2	18	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			14/01/2019 to 01/04/2020 OII PS Lokoh						
			2. One Year any other Unit.						
6.	SI Sajid Ali No.715/M	Swat	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			0	4	27	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			30/10/2018 to 29/03/2019 I/C PP Ashray						
			2. One Year any other Unit.						
7.	SI Ayub Khan No.688/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			1	0	14	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			03/02/2016 to 17/02/2017 SHO PS Talash						
			17/02/2017 to 08/08/2017 I/C PP Munda						
			17/08/2017 to 15/08/2018 OII PS Asbanr						
			26/12/2018 to 01/01/2022 OII PS Timergara and Ouch						
			OII Total						
			01/01/2022 to 25/02/2022 as SI in CTD, KPK						
2. One Year any other Unit.									
8.	SI Abdul Qahar No.608/M	PTS Swat	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			1	1	30	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			29/12/2020 to 28/02/2022 I/C Sangi Para						
			2. One Year any other Unit.						
9.	SI Hasham Khan No.790/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			5	5	16	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			09/09/2016 to 25/02/2022 as SI in CTD, KPK						
			2. One Year any other Unit.						
10.	SI Muhammad Hassan No.613/M	Upper Chitral	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			5	5	16	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			09/09/2016 to 25/02/2022 as SI in CTD, KPK						
			2. One Year any other Unit.						
11.	SI Usman Gul No.667/M	Shangla	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			0	6	22	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			04/12/2018 to 26/06/2019 OII PS Kabalgram						
			17/09/2019 to 19/01/2020 OII PS Kalam						
			21/01/2020 to 21/04/2020 OII PS Mingora & Kanju						
			08/02/2021 to 31/08/2021 OII PS Chakisar						
			Total						
			09/06/2021 to 15/04/2022 as SI in CPEC						
2. One Year any other Unit.									
12.	SI Muhammad Wakil No.670/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			5	5	16	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			09/09/2016 to 25/02/2022 as SI in CTD, KPK						
			2. One Year any other Unit.						
13.	SI Ibrahim Jan No.618/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			5	5	16	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			09/09/2016 to 25/02/2022 as SI in CTD, KPK						
			2. One Year any other Unit.						
14.	SI Bakht Sargand No.619/M	Buner	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			1	0	0	Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).
			06/09/2017 to 06/09/2018 OII PS Elum						
			11/08/2019 to 15/02/2021 SHO PS Nagral						
			26/02/2021 to 25/02/2022 SHO PS Chinglai & Nagral						
			SHO Total						
2. One Year any other Unit.									

Attested

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S #	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	Y	M	D	Reasons	
15.	SI Sarbali Khan No.735/M	Inv: Shangha	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			09/09/2016 to 06/06/2017 as SI in CTD, KPK	0	18	28		
			25/10/2019 to 05/11/2020 OII PS Hesham, Dandal, Khron & Kabaigrin	1	0	11		
			08/01/2022 to 02/03/2022 OII PS Kuram	0	1	22		
			OII Total	1	2	3		
2. One Year any other Unit.								
16.	SI Roidar Ali No.733/M	Elite Force	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			19/09/2018 to 30/12/2018 OII PS Barwal & Dir	0	3	1		
			2. One Year any other Unit.					
			30/07/2020 to 13/06/2022 as SI in Elite Force	1	10	14		
17.	SI Muhammad Waitat No.03/M	Inv: Buner	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			23/09/2019 to 31/12/2019 OII PS Daggar	0	3	8		
			06/01/2020 to 30/06/2020 OII PS Chinglai and Daggar	0	5	24		
			Total	0	9	2		
2. One Year any other Unit.								
18.	SI Sher Wazir Baig No.738/M	Inv: Upper Chitral	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			28/11/2017 to 30/03/2018 OII PS Gandigar	0	4	2		
			17/09/2018 to 17/04/2019 OII PS Ayun	0	7	0		
			11/09/2019 to 01/03/2022 OII PS Booni & Torkhow	2	5	18		
			Total	3	4	20		
2. One Year any other Unit.								
19.	SI Saeedullah No.363/M	ACE	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			30/09/2016 to 08/01/2017 I/C PP Sawari	0	3	9		
			06/01/2020 to 16/06/2020 I/C PP Bihar	0	5	10		
			I/C PP Total	0	8	19		
			29/11/2019 to 19/04/2020 SHO PS Malam Jabba & Bunn	0	4	21		
			25/06/2020 to 16/08/2020 OII PS Kabal	0	1	22		
			28/01/2021 to 23/06/2022 as SI in ACE	1	4	26		
2. One Year any other Unit.								
20.	SI Rasool Khan No.384/M	Swat	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			05/07/2017 to 18/04/2018 OII PS Kalam	0	9	13		
			25/06/2018 to 05/11/2018 OII PS Chuprial	0	4	11		
			OII Total	1	1	24		
			14/04/2020 to 02/07/2020 I/C PP Abaha	0	2	18		
			03/07/2020 to 25/08/2020 I/C PP Abaha & Tindodag	0	1	22		
I/C PP Total	0	3	10					
2. One Year any other Unit.								
21.	SI Fazal Rabi No.516/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			09/09/2016 to 31/10/2019 as SI in CTD, KPK	3	1	22		
2. One Year any other Unit.								
22.	SI Rahmal Bahadar No.404/M	Upper Chitral	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			16/11/2018 to 27/08/2019 SHO PS Arknri	0	9	11		
			18/10/2021 to 17/06/2022 SHO PS Yurkhon, Lasht	0	7	30		
			Total	1	5	11		
2. One Year any other Unit.								
23.	SI Muhammad Rafique No.752/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC				Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			13/02/2017 to 30/06/2020 as SI in CTD KPK	3	4	17		
			22/07/2020 to 30/09/2020 SHO PS Shahi Kol	0	2	8		
2. One Year any other Unit.								

Attest
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S No.	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934			Reasons	
			Y	M	D		
24.	SI Muhammad Islami No.754/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 11/11/2020 to 28/02/2022 I/C PP Sar Bala			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			1	3	17		
			2. One Year any other Unit.				
25.	SI Muhammad Iqbal No.542/M	Dir Upper	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 06/02/2018 to 30/10/2018 I/C PP Dewlul Swat			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			0	8	24		
			29/03/2020 to 03/10/2020 I/C PP Mena Dugg			0	
			Total			1	
			2. One Year any other Unit.			0	
26.	SI Imtiaz No.762/M	SB	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 14/01/2020 to 06/04/2021 I/C PP Bagh Dush Khel PS Talash			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			1	2	23		
			2. One Year any other Unit.				
			18/03/2022 to 07/07/2022 as SI in SB, KPK			0	
			0	3	19		
27.	SI Seyrb Khan No.763/M	Bajaur	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 27/08/2020 to 14/10/2020 I/C PP Jabar			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			0	1	17		
			27/10/2020 to 11/11/2020 I/C PP Mina Dong				0
			11/11/2020 to 07/04/2021 I/C PP Mina Khawar				0
			I/C PP Total				0
			0	6	29		
			04/08/2021 to 28/02/2022 OII PS Wara Mamund			0	
			0	6	24		
			2. One Year any other Unit.				
28.	SI Shahi Wadan No.8/M	PTC, Hangu	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			2. One Year any other Unit.				
			01/06/2021 to 03/03/2022 as SI in PTC, Hangu			0	
			0	9	2		
29.	SI Adil Ahmed Baig No.766/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 29/03/2018 to 23/02/2022 as SI in CTD, KPK			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			3	10	27		
			2. One Year any other Unit.				
30.	SI Alam Zeb No.771/M	Inv: Buner	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 02/09/2018 to 14/09/2020 OII PS Nawagai			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			2	0	12		
			26/01/2021 to 08/03/2022 OII PS Gagra & Nawagai				1
			Total			3	
			1	1	10		
			2. One Year any other Unit.			22	
31.	SI Taj Farcen No.772/M	CTD	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 18/09/2018 to 02/01/2019 I/C PP Nawakaly			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			0	3	15		
			06/01/2019 to 31/03/2019 I/C PP Shahida Sar				0
			19/06/2019 to 27/08/2019 I/C PP Daggar Kalay				0
			28/01/2020 to 24/03/2020 I/C PP Batar				0
			12/06/2020 to 18/06/2020 I/C PP Kalkali				0
			22/06/2020 to 27/01/2021 I/C PP Shahida Sar				0
			I/C PP Total				1
			1	5	24		
			31/12/2021 to 25/02/2022 as SI in CTD, KPK			0	
			0	1	25		
			2. One Year any other Unit.				
32.	SI Khan Zeb No.773/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 29/03/2018 to 30/06/2021 as SI in CTD, KPK			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			3	3	1		
			2. One Year any other Unit.				
33.	SI Maskin Zada No.775/M	PTS, Buner	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC 29/03/2018 to 08/02/2022 as SI in CTD, KPK			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			3	10	10		
			2. One Year any other Unit.				

Attested
 DSP / Legat
 Shaukat

S #	Name & No.	Present Posting	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934			Reasons	
			Y	M	D		
34.	SI Dost Muhammad No.549/M	Bajaur	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			14/04/2018 to 13/06/2019 OII PS Talash	1	1		30
			26/11/2020 to 08/03/2022 OII PS Nawagai and Loe Mamund	1	3		10
			Total	2	5		10
2. One Year any other Unit.							
35.	SI Sahibi Zada No.800/M	Inv: Dir Upper	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			12/12/2018 to 04/10/2019 OII PS Jagam & Gandigar	0	9		22
			26/06/2019 to 13/12/2019 OII PS Dir	0	5		17
			07/01/2021 to 01/03/2022 OII PS Jagam and Gandigar	1	1		22
2. One Year any other Unit.							
36.	SI Amir Azam No.801/M	CPEC	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			16/02/2021 to 25/02/2022 as SI in CPEC	1	0		9
			2. One Year any other Unit.				
37.	SI Aliyan No.12/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			02/09/2021 to 17/06/2022 I/C PP Bagh Dushkhel	0	9		15
			2. One Year any other Unit.				
38.	SI Bahrawar Said No.802/M	Inv: Dir Upper	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			12/12/2018 to 02/01/2020 OII PS Kalkot	1	0		21
			11/09/2020 to 28/10/2020 OII PS Jagam	0	1		17
			04/12/2020 to 05/03/2021 SHO PS Kalkot	0	3		1
			29/07/2021 to 01/03/2022 OII PS Patrak	0	7		0
2. One Year any other Unit.			OII Total 1 9 8				
39.	SI Khan Muhammad No.783/M	Dir Lower	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			05/04/2019 to 27/09/2019 I/C PP Munda	0	5		22
			29/09/2020 to 21/06/2021 I/C PP Gall	0	8		23
			Total	0	10		15
2. One Year any other Unit.							
40.	SI Bahadar Zeb No.43/M	PTS Swat	1. One Year as SHO/I.C PP or OII/I.C Inv: or in CTD or CPEC			Deferred having not completed the required tenure of posting for confirmation given in Police Rules 13.10(2), 1934 (13.10(2) Police amended Rules 2017).	
			10/02/2021 to 28/02/2022 I/C PP Sar Lara	1	0		18
			2. One Year any other Unit.				

Amir Khan
Asst. Dir. Upper
DSP/ Legal
Shahzad

EC
SP Muz. Shingla
13/04/2023

Regional Police Officer,
Malakand, at Saidu Sharif Swat



19

ANNEXURE (E) REGIONAL POLICE OFFICER, MALAKAND REGION
SAIDU SHARIF SWAT.

Ph: 0946-9240388 & Fax No. 0946-9240390
Email: cbmalakandregion@gmail.com

No. 16635-64 /E, dated Saidu Sharif the 30 / 11 /2023.

- To:
- The Addl: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.
 - The Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
 - The Commandant FRP, Khyber Pakhtunkhwa, Peshawar.
 - The Commandant, PTC Hangu.
 - The Deputy Inspector General of Police, CTD Khyber Pakhtunkhwa, Peshawar.
 - The DIG, Motorway Zone Chungi No.26, Motorway Chowk Islamabad.
 - The Director, Anti-Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
 - All District Police Officers, In Malakand Region.
 - The SP Admin & HQrs. SSU (CPEC), Khyber Pakhtunkhwa, Peshawar.
 - All Heads of Investigation, In Malakand Region.
 - Superintendents of Police, SB, Elite Force, FRP and CTD in Malakand Range.
 - Superintendent of Police, Traffic Warden Swat.
 - The Principal, Police Training School, Swat.

Subject: DEFERMENT CASES OF POLICE OFFICERS FROM CONFIRMATION AS SIS.

Memorandum:

The following Sub Inspectors of this Region have been deferred from confirmation as Sub Inspectors in light of recommendations of DPC held in this office on 16/11/2023 for the reasons as noted against each their names:-

S#	Name & No.	Home District /Present Posting	D/O Prom: as Offg: SI	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	Total Period			DPC Recommendation
					Y	M	D	
1.	SI Taj Bahadar No.36/M	Dir Upper	09/09/2016	1. One Year as SHO/I.C PP or OI/I.C Inv: or in CTD/ACE or CPEC	2	1	10	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017. 2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.
				09/09/2016 to 19/10/2018 as SI in CTD, KPK				
				2. One Year any other Unit.				

Attached
Dsp/Deget
Shah

20

S#	Name & No.	Home District /Present Posting	D/O Prom: as Offg: SI	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	Total Period			DPC Recommendation			
					Y	M	D				
7.	SI Hasham Khan No.790/M	Dir Upper/CTD	09/09/2016	1. One Year as SHO/LC PP or OII/LC Inv: or in CTD/ACE or CPEC	6	9	24	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017. 2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.			
				09/09/2016 to 03/07/2023 as SI in CTD, KPK							
				2. One Year any other Unit.							
8.	SI Sattar Khan No. 691/M	Buner	09/09/2016	1. One Year as SHO/LC PP or OII/LC Inv: or in CTD/ACE or CPEC	0	11	4	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017. 2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.			
				24/11/2017 to 28/10/2018 OII PS Gagra and Totalai							
				22/04/2019 to 03/02/2020 OII PS Totalai							
				11/02/2020 to 08/10/2020 OII PS City, Buner							
				Total					2	4	13
2. One Year any other Unit.											
9.	SI Muhammad Hassan No.613/M	Chitral/ Elite Force	09/09/2016	1. One Year as SHO/LC PP or OII/LC Inv: or in CTD/ACE or CPEC	5	8	29	Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017.			
				09/09/2016 to 07/06/2022 as SI in CTD KPK							
				2. One Year any other Unit.							
				03/04/2023 to 16/11/2023 as SI in Elite Force. KPK					0	7	13
10.	SI Usman Gul No.667/M	Swat	09/09/2016	1. One Year as SHO/LC PP or OII/LC Inv: or in CTD/ACE or CPEC	0	6	22	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017. 2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.			
				04/12/2018 to 26/06/2019 OII PS Kabalgram							
				17/09/2019 to 19/01/2020 OII PS Kalam							
				21/01/2020 to 21/04/2020 OII PS Mingora & Kanju							
				08/02/2021 to 31/08/2021 OII PS Chakisar							
				Total					1	8	17
				09/06/2021 to 15/04/2022 as SI in CPEC					0	10	6
2. One Year any other Unit.											
11.	SI Muhammad Wakil No.670/M	Chitral/ CTD	09/09/2016	1. One Year as SHO/LC PP or OII/LC Inv: or in CTD/ACE or CPEC	6	9	24	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017. 2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.			
				09/09/2016 to 03/07/2023 as SI in CTD, KPK							
				2. One Year any other Unit.							

Attested
S. M. A.
Off/ Legal
Shahid

21

S#	Name & No.	Home District /Present Posting	D/O Prom: as Offg: SI	Mandatory Period of Posting according to Amendment in Police Rules 13.10(2) 1934	Total Period			DPC Recommendation			
					Y	M	D				
150.	SI Habib Ur Rahman No. 915/M	Dir Lower	28/09/2021	1. One Year as SHO/LC PP or OI/LC Inv: or in CTD/ACE or CPEC	0	8	7	Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017.			
				09/03/2023 to 16/11/2023 I/C PP Sarbala							
				2. One Year any other Unit.							
				01/03/2017 to 30/09/2019 as SI Elite Force, KPK (Adhoc)	2	6	29				
151.	SI Umar Zada No. 917/M	Swat/ SB	28/09/2021	1. One Year as SHO/LC PP or OI/LC Inv: or in CTD/ACE or CPEC	-	0	3	Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017.			
				22/10/2021 to 21/02/2022 OI PS Madyan							
				2. One Year any other Unit.							
				21/02/2022 to 16/10/2023 as SI in SB KPK	1	7	25				
152.	SI Afzal Shah No. 920/M	Swat/ Traffic Warden Swat	28/09/2021	1. One Year as SHO/LC PP or OI/LC Inv: or in CTD/ACE or CPEC	0	5	18	Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017.			
				22/10/2021 to 09/04/2022 OI PS Banr & Utror							
				21/09/2022 to 18/04/2023 OI PS Utror							
				Total					1	0	16
				2. One Year any other Unit.							
				12/05/2023 to 16/11/2023 as SI in Traffic Warden, Swat	0	6	4				
153.	SI Robin Shah No. 921/M	Buner	28/09/2021	1. One Year as SHO/LC PP or OI/LC Inv: or in CTD/ACE or CPEC	0	7	27	1. Deferred having not completed the required criteria of posting for confirmation given in Police Rules 13.10(2), 1934 as amended 2017.			
				03/10/2022 to 30/05/2023 I/C PP Dewana Baba							
				31/05/2023 to 08/08/2023 I/C PP Kingargali							
				Total					0	10	5
				2. One Year any other Unit.							
								2. The officer concerned may be transferred / posted to other Units for completion of his mandatory tenure in accordance with ibid rules.			

Attested
 [Signature]
 DSP/ Legal
 Shogha

[Signature]
 Regional Police Officer,
 Malakand, at Saidu Sharif Swat.

(22)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR.

EXECUTION PETITION No. 865/2023 IN SERVICE APPEAL NO.7026/2021.

SI Usmani Gul (Appellant)

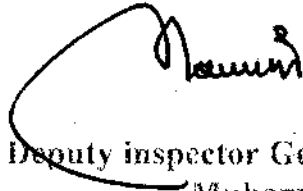
Verses

The Inspector General Police Officer KPK and others (Respondents)

OBJECTION PETITION AGAINST ORDER DATED 04.05.2023, IN
SERVICE APPEAL NO.7026/2021.

AUTHORITY LETTER

Shams ur Rahman DSP legal Shangla, is hereby authorized to appear on behalf of respondents below before the Honorable Tribunal Court. He is authorized to submit all the required documents and replies etc to the Honorable Tribunal Court.



Deputy Inspector General of Police Malakand Range
Muhammad Ali Khan (PSP)
(Incumbent)

Regional Police Office
Malakand, at Saidu Sharif Swat

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT, SWAT.

Service Appeal No. 7026/2021

BEFORE: MRS. ROZINA REHMAN
MISS FAREEHA PAUL

MEMBER(J)
MEMBER(E)

Usmani Gul SI/667/M Posted at Shangla Police R/O P.O Shah Pur
Koz Kana Tehsil Alpuri District Shangla. (Appellant)

Versus

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, Shangla.
3. Additional Inspector General, Establishment, Khyber Pakhtunkhwa,
Office at Central Police Office/Lane, Peshawar.
4. Regional Police Officer, Malakand office at Saidu Sharif, Swat.
5. Fazal Rahim No. 694 R/O Charbagh District Swat (Malakand).
6. Ahmad Ali No. 794 R/O R/O Village Dir Khas District Dir Upper.
7. Tahir Muhammad No. 739, presently posted at Police Lane, Shangla,
Darorar District Dir Upper. (Respondents)

Mr. Shams-ul-Hadi,
Advocate

For appellant

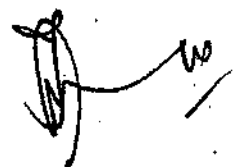
Mr. Muhammad Jan,
District Attorney.

For respondents No. 1 to 4.

Date of Institution.....14.04.2021
Date of Hearing.....04.05.2023
Date of Decision.....04.05.2023

JUDGEMENT

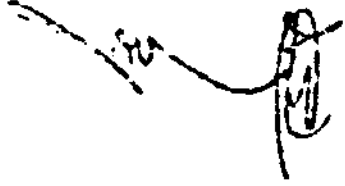
FAREEHA PAUL, MEMBER (E): The service appeal in hand has
been instituted under Section 4 of the Khyber Pakhtunkhwa Service
Tribunal Act, 1974, against the impugned order dated 03.12.2020,



whereby juniors to the appellant i.e. respondents No. 2 to 7, were promoted/continued to list-F against the law and rules, by superseding the appellant without any legal justification. It has been prayed that on acceptance of the appeal, the impugned order dated 03.12.2020 might be set aside and the appellant might be promoted/continued to list-F with all back benefits according to law and rules.

2. Brief facts of the case, as given in the memorandum of appeal, are that initially the appellant was recommended/promoted to list-"D" as officiating Sub-Inspector, along with private respondent No. 2 to 7, on 04.08.2011 and later on through order dated 16.03.2012, he, along with respondent No. 2 to 7, was confirmed as ASI to list-F. Later on, on 09.02.2016, the appellant and respondents No. 2 to 7 were promoted on officiating basis to list-F, whereafter the appellant, through written requests, approached the official respondents for recommending his name for various courses mandatory for promotion and confirmation of his name to list-F. The respondents, without considering the seniority of the appellant and that too without any fault on his part, detected him for confirmation/promotion to list-F, while juniors to him, i.e. respondents No. 2 to 7, were continued/promoted to list-F vide order dated 03.12.2020. Feeling aggrieved, he preferred departmental appeal to respondent No. 1 which was not decided within the statutory period;

hence the instant appeal.



3. Respondents were put on notice. Official respondents No. 1 to 4 submitted their joint written reply/comments on the appeal. Respondents No. 5 to 7 did not submit reply/comments and were hence placed ex-parte. We have heard the learned counsel for the appellant as well as the learned District Attorney for the respondents and perused the case file with connected documents in detail.

4. Learned counsel for the appellant presented the details of the case and contended that the impugned order dated 03.12.2020 was against the law, rules and seniority, and also against the principles of natural justice, hence liable to be set aside. He further argued that the appellant was condemned unheard as no opportunity of personal hearing and defence was provided to him. He further argued that appellant's promotion was deferred on the ground that he had not undergone the mandatory courses required for confirming his name in list- F and juniors to him were promoted, which was against the law, rules and norms of justice. He further argued that according to relevant rules, the courses were not mandatory for confirmation to list- F but the official respondents, with ill intention, promoted/confirmed their blue eyed i.e. respondents No. 5 to 7. He requested that the appeal might be accepted as prayed for.

5. The learned District Attorney, while rebutting the arguments of learned counsel for the appellant, argued that Police Department was a

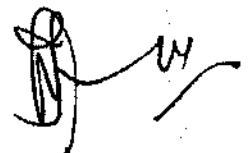


disciplined force having its rules and regulations which were being followed in letter and spirit. Promotion from one rank to another rank was being dealt with in accordance with seniority-cum-fitness as envisaged in Rule 13.1 of Police Rules. Similarly confirmation in the substantive rank was also governed by Police Rules which were being strictly adhered by the respondent department. Prior to confirmation in the rank of Sub Inspector one had to fulfill some criteria mentioned for confirmation in the rank of Sub-Inspector. The appellant was promoted to the rank of Sub-Inspector on 09.09.2016, however for the confirmation in the rank of Sub Inspector, he was required to fulfill certain criteria for the confirmation i.e. passing of Upper College Course and criteria mentioned in Rule 13.10(2) and 13.18 of Police Rules which was not completed at that time, therefore, the stance taken by the appellant for recommending his name to list- F was not prudent to the mind. So far as the confirmation of private respondents No. 5 to 7 was concerned, they had been confirmed in the rank of Sub Inspector on 20.02.2020, after fulfilling the requisite criteria for confirmation i.e. passing of upper college course and other mandatory provisions as envisaged in Police Rules, 1934. He further argued that name of the appellant was not recommended for inclusion in list- F because he did not pass the upper college course till 2020. He informed that name of the appellant was also sent for upper college course vide order dated 09.08.2018, however, he returned as unqualified on 25.09.2018 whereas his other colleagues, private respondents No. 5 to 7,

qualified the upper college course before the appellant. He requested that the appeal might be dismissed.

6. After hearing the arguments from both sides and going through the record presented before us, it is clear that there was no issue till 2015 when the appellant was confirmed, alongwith respondents No. 5 to 7, as ASI/PASI to list-E. Later on, on 09.09.2016, appellant, alongwith respondents No. 5 to 7, was approved for promotion as Officiating Sub Inspector, conditionally, subject to the production of satisfactory ACRs for the period and qualifying mandatory training/course according to Standing Order No. 3/2015. As their confirmation was linked with qualifying the mandatory training/course, the appellant was selected for the upper college course on 09.08.2018 but he could not complete and qualify the said course because of his illness. He was selected again for that course and qualified it in 2021. During that period, respondents No. 5 to 7 had already qualified the Upper College Course and they were, therefore, confirmed and included in List-F vide order dated 03.12.2020, that has been impugned before us.

7. Record produced before us by the learned counsel for appellant during the course of hearing indicates that various meetings of Departmental Promotion Committee were held after June 2021, the month the appellant qualified the Upper College Course, but his name was not considered for confirmation in list-F despite the fact that he had fulfilled



the criteria required for including his name in list-F and without giving any heed to the fact that his juniors were already included in list-F.

8. In view of the above discussion, the appeal in hand is allowed as prayed for and respondents are directed to promote and confirm the appellant to list-F from the date he qualified the Upper College Course with all back benefits. Parties are left to bear their own costs. Consign.

9. *Pronounced in open court at camp court, Swat and given under our hands and seal of the Tribunal this 04th day of May, 2023.*



(FAREEHA PAUL)
Member (F)
(Camp Court, Swat)



(ROZINA REHMAN)
Member (J)
(Camp Court, Swat)

Fazle Subhan, P.S