

INDEX

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO	INSTITUTION	ORIGINAL INSTITUTION	DECISION	PAGES
944/2022	-	13.06.2022	24.04.2024	44

Muhammed Ajmal VS Police Department

Sr.No.	No of Pages	Documents	Page No
Part-A			
1	01 - 01	Letter	01
2	02 - 08	Judgment	07
3	09 - 14	Order Sheets	06
4	15 - 42	Check list & Appeal	28
5	43 - 43	Wakalatnama	01
6	44 - 44	Notices	01
7	-		
8	-		
9	-		
10	-		
11	-		
12	-		
Part-B			
1	-		
2	-		
3	-		

Total Pages in Part-A	0 44
Total Pages in Part-B	0

Muharif Compilation

Incharge Judicial Branch

29/5/24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

12(2) CPC Petition no 642/2022

- 1. Muhammad Sadq s/o: Kiramat Shah E & Ad deptt *Assistants*
- 2. Latif Ur Rahman s/o: Atiq ur Rahman CM Sectt
- 3. Asim Ali s/o: Asghar Ali Khan Hghler education deptt *All are Assistants 1-to-4*
- 4. Saif Shah s/o: Saif Badshahi Socail welfare deptt
- 5. Nafees Ahmad s/o: Ghulam Hafeez Finance deptt *Assistants*
- 6. Shakeel Hussain s/o: Abdur Rasheed Finance deptt
- 7. Abdul Wali Khan s/o: Muslim-Khan excise and taxation deptt
- 8. Mohib Ullah Khan s/o: Naqib Ullah governor, Sectt
- 9. Saifullah s/o: Abdul Dayan Finance deptt
- 10. Ali Asghar s/o: Karam Dad Agriculture deptt *all are Assistants*
- 11. Salahud Din s/o: Sar Gul Muham Senior Clerk PHE Dept Peshawar
- 12. Muhammad Zamir s/o: Mozafar Gul E & AD deptt *Assistant*
- 13. Muhammad Awais Sami Senior Clerk Health Dept Peshawar
- 14. Muhammad Sheraz ud din Home deptt *Junior Clerk*
- 15. Zabeen ullah s/o: Saif Ullah E & AD deptt *Assistants*
- 16. Sultane Romo s/o: Zarullah E & AD deptt
- 17. Arif Shih s/o: Sadq Shah Kp- culture and Tourism deptt
- 18. Faryz Muhammad s/o: Rasha Khan sports deptt
- 19. Noorul Amin s/o: Gul Khan Transport deptt
- 20. Adnan Quraishi E & Ad deptt
- 21. Aftab Ahmad s/o: Shah Alam ST & IT deptt
- 22. Abdul Hanan s/o: Alam Shah Senior Clerk Social Welfare Dept Peshawar
- 23. Muhammad Tariq Khan s/o: Mir Alam Jan Finance deptt
- 24. Muhammad Farooq s/o: Muhammad Anwar Governor Sectt *All are Assistants*
- 25. Khan Muhammad s/o: Yar Muhammad Senior Clerk Food Dept Peshawar
- 26. Nadeem Khan s/o: Muhammad Maroof Tinoli IPC deptt
- 27. Muhammad Fahad Iqbal s/o: Muhammad Iqbal Awan PHE deptt
- 28. Fahim ur Rahman s/o: Latif Ur Rahman Mineral deptt
- 29. Abbas aziz s/o: Aziz ur Rahman LGE & RD deptt
- 30. Muhammad Imran Khan s/o: Jehanzaib Khan E & Ad Deptt
- 31. Hammd Ahmad s/o: Shabir Ahmad Finance deptt
- 32. Muhammad Ikram s/o: Jehanzaib PMRU on deputatlon basis
- 33. Muhammad Tahir s/o: Fazal Raziq Finance deptt
- 34. Abdul Hal s/o: Khan Sher P & D deptt
- 35. Muhammad Asif s/o: Muhammad Shah E & AD deptt
- 36. Abdul Majid s/o: Haji Ahmad Khan C & W deptt
- 37. Usama Salman s/o: Intezar Bakht E & Ad deptt
- 38. Muhammad Iqbal s/o: Ghulam Muhammad Environment deptt
- 39. Zulfiqar Ahmad s/o: Raees Khan KP- PSRA
- 40. Luqman Saeed s/o: Fazle Saeed CM Sectt
- 41. Mehmood Sateem s/o: Qasim Khan Finance deptt
- 42. Muhammad Abbas Khan s/o: Amin Khan C & W deptt
- 43. Bahlir Khan s/o: Muhammad Yar E & SE deptt
- 44. Sami Ullah Khan s/o: Ajmal Khan Home deptt
- 45. All Abbas Khan Marwat s/o: Mir Abbas Khan Marwat Finance deptt
- 46. Tahir Khan s/o: Rashid Khan Relief deptt
- 47. Muhammad Rahim s/o: Fazle Rahman E & Ad deptt
- 48. Muhammad Azam s/o: Muhammad Ayoob E & Ad deptt *All are Assistants*
- 49. Janbaz Ahmad s/o: Mustajab Khan Senior Clerk Social PMS service Dept Peshawar
- 50. Muhammad Tariq Rashid s/o: Abdul Rashid Senior Clerk Ghillynt-Development Authority Dept Abbotabad
- 51. Yahya Ullah s/o: Rahmat Dool E & AD deptt
- 52. Muhammad Naveed s/o: Khan Afsar STI- E & AD deptt
- 53. Tahir Javed s/o: Asghar Javed Agriculture deptt
- 54. Nafeeb Ullah s/o: shams ul Qamar Baig P & D deptt
- 55. Owais Khan s/o: Habib ur Rahman Finance deptt
- 56. Sajjad Muhammad Khan s/o: Muhammad Khan Finance deptt
- 57. Naveed Hussain s/o: Ghulam Husn in Senior Clerk in PMS Peshawar
- 58. Zulfiqar Wali Khan s/o: Wali zar Khan Wali Law deptt
- 59. Zubair Shah s/o: Mirshajan E&AD deptt
- 60. Snyyed Fawad Rashid s/o: Snyyed Haroon Rashid Law deptt
- 61. Mr Hiram Ullah s/o: Haji Saad Ullah E & AD deptt
- 62. Muhammad Shafiq s/o: Gul Rasool Finance deptt *All are Assistants*
- 63. Tina Marry d/o: Akram Nadeem E & Ad deptt
- 64. Tehseen ullah s/o: Saad ullah Senior Clerk E&AD Dept Peshawar
- 65. Naz Muhammad s/o: Wazir Muhammad C & W deptt
- 66. Muhammad Shoab Afridi s/o: Muhammad Yar Muhammad Industries deptt
- 67. Maroof Khan s/o: Fazal Nabi E & AD deptt
- 68. Qazi Muhammad Khalid s/o: Qazi Muhammad Farooq Housing deptt
- 69. Muhammad Abubakar s/o: Muhammad Ajmal Khan Health deptt
- 70. Amjid Ali s/o: Jangl Khan Excise and taxation deptt
- 71. Zahid Khan s/o: Abdul Akbar LGE & RD deptt
- 72. Islam Sher s/o: Hassan Sher E & SE deptt

Section Officer (Litigation)
Government of KP
Establishment Department

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 944 /2022

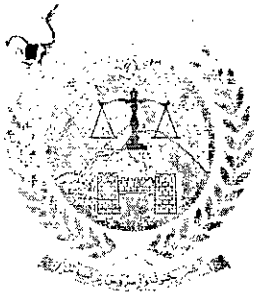
Muhammad Ajmal vs Police Training Center

INDEX

S.NO.	DOCUMENTS	PAGE NO.	
01	Letter	01	
02	Judgement	02-08	
03	Order Sheets	09-14	
04	Appeal	15-26	
05	Orders dated 03.12.13 & 26.12.13	27-28	
06	Order dated 05.11.2014	29-31	
07	Relevant page of list "F"	32	
	dated 30.06.2015	33	
08	Order dated 10.04.2016	34-35	
09	Revised list "F" dated 22.06.2018	36-37	
10	Order dated 18.02.2022	38	
11	Departmental representation	39-41	
	dated 18.03.2022		
12	Order dated 27.04.2022	42	
13	Wakalatnama	43	
14	Notices	44	

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Superintendent/Incharge Judicial Branch



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

No. 1055 /ST Dated 3/5 /2024

Ph:- 091-9212281
Fax:- 091-9213262

To

The Regional Police Officer,
Hazara Region, Abbottabad

Subject

JUDGMENT IN SERVICE APPEAL NO. 944/2022, TITLED
MUHAMMAD AJMAL -VERSUS- THE PROVINCIAL POLICE
OFFICER, GOVERNMENT OF KHYBER PAKHTUNKHWA,
PESHAWAR AND OTHERS

Dear Sir,

I am directed to forward herewith a certified copy of judgment dated 24.04.2024, passed by this-Tribunal in the above mentioned service appeals for compliance.

Encl. As above.

(PIR MUHAMMAD KHAN AFRIDI)
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No944/2022 titled "Muhammad Ajmal versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar & others", decided on 24.04.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Muhammad Akbar Khan, Member Executive, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT, ABBOTTABAD

BEFORE: **KALIM ARSHAD KHAN** ... **CHAIRMAN**
MUHAMMAD AKBAR KHAN ... **MEMBER (Executive)**

Service Appeal No.944/2023

Date of presentation of Appeal.....13.06.2022
Date of Hearing.....24.04.2024
Date of Decision.....24.04.2024

Muhammad Ajmal, Inspector No.72/H Police Training Center,
Mansehra.
.....(*Appellant*)

Versus

- 1. **Provincial Police Officer**, Khyber Pakhtunkhwa, Peshawar.
- 2. **Regional Police Officer**, Hazara Region, Abbottabad.
- 3. **District Police Officer**, Mansehra....(*Respondents*)

Present:

Mr. Muhammad Aslam Tanoli, Advocate.....For the appellant
Mr. Shoaib Ali, Assistant Advocate GeneralFor respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST NOTIFICATION NO.CPO/E-I/PROMOTION/332 DATED 18.02.2022 OF THE PPO KHYBER PAKHTUNKHWA PESHAWAR WHEREBY APPELLANT'S JUNIOR HAS BEEN PROMOTED TO THE RANK OF DSP (BPS-17) IGNORING THE PETITIONER WITHOUT ANY REASON AND ORDER NO. CPO /CPB/196 DATED 27.04.2022 WHEREBY HIS REPRESENTATION HAS BEEN REJECTED.

JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: Appellant's case in brief, as per the averments of the Appeal, is that he was inducted in the Sindh Police Force in the year 1987 and was later on transferred to Khyber Pakhtunkhwa Police vide order dated 03.12.2013; that vide Notification dated 05.11.2014 the appellant was ordered to be brought

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on promotion list "F" as recommended by the Departmental Selection Committee held on 16.10.2014 and his name was placed above the name of S.I Azmat Ali No.K/200; that seniority lists were issued from time to time and the appellant was promoted to the rank of Inspector; that his name was still above the name of Azmat Ali (his junior colleague); that vide order dated 18.02.2022, his colleagues including his junior colleague Azmat Ali were promoted while the appellant was not considered for promotion.

2. Feeling aggrieved of the impugned promotion order dated 18.02.2022, the appellant filed departmental appeal on 18.03.2022, which was filed on 09.05.2022. Therefore, he filed the instant service appeal.

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

3. We have heard learned counsel for the appellant and learned Assistant Advocate General for respondents.

4. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Assistant Advocate General controverted the same by supporting the impugned order(s).

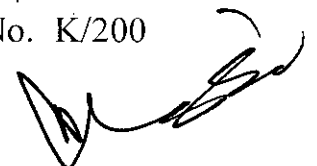


5. . Prayer of the appellant, in this appeal is that orders dated 18.02.2022 and 27.04.2022 of the Provincial Police Officer/Inspector General of Police Khyber Pakhtunkhwa might be set aside/modified to the extent of appellant and he might be promoted as DSP (BPS-17) w.e.f 18.02.2022 when his junior was promoted according to seniority with grant of all consequential service back benefits.

6. There is no dispute that name of the appellant was existing in the seniority list of both above the name of Azmat Ali promoted vide Notification dated 18.02.2022 (impugned herein). It is also undisputed that after absorption of the appellant from Sindh Police to Khyber Pakhtunkhwa Police vide orders dated 03.10.2013 of the Sindh Police and 26.12.2013 of the Khyber Pakhtunkhwa Police, his services were to be governed on the terms & conditions enumerated in both the letters, which terms & conditions were accepted by him. The first term and condition, as enumerated in both the above two letters, is as:

"That the appointment will be treated as fresh appointment for the purpose of seniority and accordingly he will get seniority from the date of joining the Khyber Pakhtunkhwa Police and will be placed at the bottom of the officials of his rank."

7. After absorption of the appellant in the Khyber Pakhtunkhwa Police, his name was brought in the relevant list of Sub Inspectors vide Notification dated 05.11.2014 at Serial No.7 and next below him were S.I Azmat Ali No.K/200 and others. Similarly, the appellant was promoted and then confirmed as Inspector vide Notification dated 10.04.2016. In the revised seniority list of Inspectors, and Sub Inspectors as it stood on 22.06.2018, name of the appellant figured Serial No.210 while on 211, the name of Azmat Ali No. K/200



existed. This shows and proves that appellant had been senior to Azmat Ali in all the seniority lists since his absorption in the Khyber Pakhtunkhwa Police till promotion of the latter on 18.02.2022. The only reason of not considering the appellant in the promotions made on 18.02.2022, stated by the respondents in their reply as well as the impugned letter, whereby, the departmental appeal of the appellant was in a way rejected, was stated to be that the appellant had been transferred from Sindh Police to Khyber Pakhtunkhwa Police on the condition that he would be at the bottom of seniority and would not claim **"any further seniority"**. Portion of the order dated 27.04.2022 that **"appellant will not claim further seniority"** is nowhere existent in the terms & conditions of letters of either of the Sindh Police or of the Khyber Pakhtunkhwa Police. The said portion is also against the provisions of Rule 8 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, which deals with the inter-provincial transfer of the civil servants serving either under Federal or Provincial Governments. It, being relevant to the case in hand is reproduced:

"8. Inter-Provincial Transfer:-(1) Persons holding appointment in BPS 1 to 15 under Federal Government and other Provincial Government may, in deserving cases, be transferred to equivalent posts under these rules:-

Provided that:-

(i) the Federal Government or the Government of the Province concerned, as the case may be, has no objection to such a transfer;

(ii) the person seeking transfer possesses the requisite qualification and experience and the post to which his transfer is intended can, under the rules, be filled by transfer;

(iii) the person concerned holds appointment to the post in his parent Department on regular basis;



(iv) the person concerned is a bona fide resident of the Khyber Pakhtunkhwa.

(v) a vacancy exists to accommodate the request for such a transfer; and:

(vi) Provided further that in most deserving cases, the merit of which shall be determined on case to case basis and the decision of the Competent Authority in that behalf shall be final, Government may allow transfer of a civil servant in BPS-16 and above, subject to the aforesaid conditions.

(2) A person so transferred shall be placed at the bottom of the cadre strength which he joins for the purpose of determining his seniority vis-à-vis other members borne on the cadre.

(3) It will be the sole discretion of the appointing authority to accept or refuse a request for transfer under this rule and any decision made in this behalf shall be final and shall not be quoted as precedence in any other case."

8. The issue of transfer from other provinces and absorption in Khyber Pakhtunkhwa Police was also discussed in Writ Petition No.1587-P of 2022 titled "Shah Mumtaz & others versus the Government of Khyber Pakhtunkhwa & others" and in the judgment so delivered on 29.08.2023, the Peshawar High Court also discussed the judgments relied upon by the respondents in the cases of "Ali Azhar Khan Baloch & others versus Province of Sindh & others" reported as 2015 SCMR 456 and Contempt of Court Proceedings against the Chief Secretary, Sindh & others reported as 2013 SCMR 1752. Peshawar High Court in the judgment rendered in the above writ petition, has found that the judgments of the Supreme Court were rendered in completely different situations, which was not the case before the Peshawar High Court, so is the situation in this appeal also.

9. For what has been discussed above, we are constrained to allow this appeal, set aside the impugned appellate order directing the respondents to consider the appellant for further promotion to the rank of DSP, according to the seniority already fixed from the date of his



Service Appeal No9-14/2022 titled "Muhammad Ajmal versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar & others", decided on 24.04.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Muhammad Akbar Khan, Member Executive, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court Abbottabad.

transfer to the Khyber Pakhtunkhwa Police and on the basis of which, he had also been promoted to different lists/posts from the post of S.I to Inspector but very strangely, for unknown reasons, he was deprived of promotion to the post of DSP on totally irrelevant considerations. Consign.

10. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 24th day of April, 2024.*



KALIM ARSHAD KHAN
Chairman
Camp Court Abbottabad



MUHAMMAD AKBAR KHAN
Member (Executive)
Camp Court Abbottabad

Munazem Shah

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S.A #.944/2022

ORDER

24th Apr. 2024

1. Learned counsel for the appellant present. Mr. Shoaib Ali, Assistant Advocate General for the respondents present.

2. Vide our detailed judgment of today placed on file, we are constrained to allow this appeal, set aside the impugned appellate order directing the respondents to consider the appellant for further promotion to the rank of DSP, according to the seniority already fixed from the date of his transfer to the Khyber Pakhtunkhwa Police and on the basis of which, he had also been promoted to different lists/posts from the post of S.I to Inspector but very strangely, for unknown reasons, he was deprived of promotion to the post of DSP on totally irrelevant considerations. Costs shall follow the event. Consign.

3. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 24th day of April, 2024.*



(Muhammad Akbar Khan)
Member (E)



(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

Mutazem Shah

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25th Oct. 2023


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

2. Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 23.01.2024 before D.B at Camp Court, Abbottabad. P.P given to the parties.

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Peshawar

Mutazem Shah


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

23.01.2024

1. Learned counsel for the appellant present. Mr. Syed Asif Masood Ali Shah learned Deputy District Attorney Zahid Khan, Assistant for the respondents present.

2. Former requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 24.04.2024 before D.B. at camp court, Abbottabad. P.P given to parties.

23.01.2024

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Peshawar

KaleemUllah

2. Former stated that Farzana Bano was wife to him. On 21.01.2024 during search on website he came to know that (Muhammad Akbar Khan) (Rashida Bano) his case Member (E), therefore, he request Member (J) for appeal on 22.01.2024. Granted. To come up for arguments on 23.01.2024 before D.B. at camp court, Abbottabad. P.P given to parties.

(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)
Camp Court, Abbottabad


S.A #. 944/2022

20th June, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Learned counsel has referred to the various orders and seniority lists, prepared by the respondents, which were not controverted by the respondents in their reply. The said lists show that the appellant has been placed senior to Azmat Ali, who was promoted to the post of DSP vide the impugned Notification No.CPO/E-I/Promotion/332 dated 18.02.2022, to which learned AAG submitted that vide letter No. CPO/CPB/ 196 dated 27.04.2022 that he would not claim further seniority, whereas, vide the order dated 26.12.2013, the appellant was transferred to Hazara Region with one of the terms & conditions that his appointment would be treated as fresh appointment for the purpose of seniority and accordingly, he would get seniority from the date of joining the Khyber Pakhtunkhwa Police and would be placed at the bottom of the officials of his rank. The letter dated 27.04.2022 is in total contradiction to the letter dated 26.12.2013. The learned AAG also wants to address the Tribunal on the law laid down by the Supreme Court of Pakistan in 2013 SCMR-1752 and 2015 SCMR-456. Learned counsel for the appellant is also at liberty to rebut on the next date. To come up for arguments on 25.10.2023 before the D.B at Camp Court, Abbottabad. P.P given to the parties.


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

27th April, 2023 1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Addl: AG for the respondents present.

2. Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Adjourned. To come up for arguments on 20.06.2023 before D.B at camp court Abbottabad. P.P given to the parties.

SCANNED
KPST
Peshawar



(Salah Ud Din)
Member (Judicial)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad


Adnan Shah, P.A

13.12.2022

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

Representative of the respondents requested for further time for submission of reply/comments. Last opportunity given. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/-. Adjourned. To come up for submission of written reply/comments on 22.02.2023 before the S.B at Camp Court Abbottabad.

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(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

22.02.2023

Learned counsel for the appellant present. Mr. Muhammad Zahid, ASI alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Para-wise comments on behalf of respondents submitted, copy of which handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 27.04.2023 before the D.B at Camp Court Abbottabad.

SCANNED
KPST
Peshawar


(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

20th Sept 2022

Counsel for the appellant present. Mr. Kabiruallah
Khattak, Addl: AG present.

Written reply not submitted. Learned AAG assured
that the written reply will be submitted on the next
date. To come up for written reply on 15.11.2022
before S.B at camp court Abbottabad.




(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

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Peshawar

15.11.2022

Learned counsel for the appellant present. Mr. Zahid,
Assistant alongwith Mr. Muhammad Adeel Butt, Additional
Advocate General for the respondents present and sought
adjournment for submission of reply/comments. Adjourned. To
come up for submission of reply/comments on 13.12.2022
before the S.B at Camp Court Abbottabad.

SCANNED
KPST
Peshawar



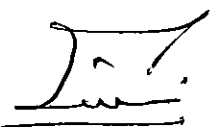


(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

FORM OF ORDER SHEET

Court of _____

Case No.- 944/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/06/2022	<p>The appeal of Mr. Muhammad Ajmal resubmitted today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR,</p>
2-	14.7.22	<p>This case is entrusted to touring Single Bench at A.Abad for preliminary hearing to be put there on <u>19-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>
	19.07.2022	<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>Points raised need consideration, hence the appeal in hand is admitted to regular hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 20.09.2022 before the S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J) Camp Court Abbottabad</p>

Appellant Deposited
Security & Process Fee
26/7

15
To

The Registrar,
KPK Service Tribunal,
Peshawar.

Subject:- **RE-SUBMISSION OF APPEAL FILE OF MUHAMMAD AJMAL
APPELLANT AFTER COMPLTION AND REMOVAL OF
OBJECTIONS.**

Reference: Your letter No.1682/ST dated 13-06-2022.

The following objections were raised vide your letter referred to above have been removed and filed is resubmitted:

1. That legible copy of impugned order dated 18-02-2022 has now been placed on appeal file.
2. File is re-submitted please.


(Muhammad Aslam Tanoli)
Advocate High Court
District Courts Haripur

Dated: 23-06-2022


The appeal of Mr. Muhammad Ajnal Inspector no.72/H Police Training Centre Mansehra received today i.e. on 13.06.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of impugned order dated 18.2.2022 is illegible which may be replaced by legible/better one.

No. 1682/S.T,

Dt. 13/6 /2022

Mr. Muhammad Aslam Tanoli Adv.
High Court Haripur.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR CHECK LIST

CASE TITLE:

V/S

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <i>M. Ahmad</i>	✓	
2	Whether Counsel/Appellant/Respondent/Deponents have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

M. Ahmad

Signature:

Advocate

Dated:

13-06-2022

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No... 944/2022

**SCANNED
KPST
Peshawar**

Muhammad Ajmal Inspector No. 72/H Police Trainingg Center,
Mansehra.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

(Respondents)

SERVICE APPEAL

INDEX

S/No	Description of Document	Ann- exure	Page No.
1.	Appeal.		01-08
2.	Orders dated 03-12-2013 & 26-12-2013	"A&B"	09-10
3.	Order dated 05-11-2014	"C"	11-13
4.	Relevant page of List "F" dated 30-06-2015	"D"	14-15
5.	Order dated 10-04-2016	"E"	16-17
6.	Revised List "F" dated 22-06-2018	"F"	18-19
7.	Order dated 18-02-2022	"G"	20
8.	Departmental representation dt.18-03-2022	"H"	21-23
9.	Order dated 27-04-2022	"I"	24
10.	Wakalatnama		

Appellant

Through

M. Aslam Tanoli
(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated: 13-06-2022

19 ①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No.....944/2022

Khyber Pakhtunkhwa
Service Tribunal

Date: 23/6

Date: 13/6/22

Muhammad Ajmal Inspector No. 72/H Police Training Center,
Mansehra.

(Appellant)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL
ACT 1974 AGAINST NOTIFICATION NO.CPO/ E-1/PROMOTION/
332 DATED 18-02-2022 OF THE PPO KPK PESHAWAR WHEREBY
APPELLANT'S JUNIOR HAS BEEN PROMOTED TO THE RANK OF
D.S.P (BPS-17) IGNORING THE PETITIONER WITHOUT ANY REASON
AND ORDER NO. CPO/CPB/196 DATD 27-04-2022 WHEREBY HIS
REPRESENTATION HAS BEEN REJECTED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH
THE ORDERS DATED 18-02-2022 AND 27-04-2022 OF THE PPO KPK
PESHAWAR MAY GRACIOUSLY BE SET ASIDE/MODIFIED TO THE
EXTENT OF APPEAL AND HE BE PROMOTED AS D.S.P (BPS-17)
WITH EFFECT FROM 18-02-2022 WHEN HIS JUNIOR WAS
PROMOTED ACCORDING TO SENIORITY WITH GRANT OF ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully Sheweth:-

Filed to-day

Registrar
13/6/2022

That petitioner was enrolled in the Sind Police Force in the year 1987 and along-with his batch-mates/colleagues he was promoted and confirmed in the rank of Sub Inspector. Thereafter on his request the petitioner was transferred vide order dated 03-12-2013 from Sind Police to the Khyber Pakhtunkhwa police and posted in Hazard Region vide orders dated 26-12-2013

Re-submitted to-day
and filed.

Registrar
23/6/2022

respectively. **(Copies of both the orders dated 03-12-2013 and 26-12-2013 are attached as "A & B")**.

2. That vide KPK Provincial Police Officer Peshawar Notification dated 05-11-2014 the petitioner was ordered to be brought on promotion list "F" as recommended by the DPC meeting held on 16-10-2014. His name was placed at S/No.7 of the Notification and above the name of **SI Azmat Ali No. K/200.** **(Copy of Notification dated 05-11-2014 is attached as "C")**.
3. That similarly the revised seniority list "F" of KPK Inspectors/Sub Inspectors as stood on 06-04-2015 prepared, issued and circulated on 30-06-2015 the name of petitioner is incorporated at Serial No. 333 of Page-11 of the list above the name of **Offg Inspector Azmat Ali No. K/200.** **(Copy of relevant page No.11 of List "F" dated 30-06-2015 is as "D")**.
4. That subsequently the petitioner alongwith his batch-mates was confirmed as Inspector vide KPK PPO/IGP Peshawar Notification dated 10-04-2016 placing his name S/No.7 above the name of **Inspector Azmat Ali No. K/200.** **(Copy of Notification dated 10-04-2016 is attached as "E")**.
5. That in the year 2018 another revised seniority list "F" of KPK Inspectors/Sub Inspectors as stood on 22-06-2018 was prepared, issued and circulated wherein the name of petitioner is also placed at S/No. 210 also above the name of said **Inspector Azmat Ali No.K/200.** **(Copy of**

revised seniority list "F" dated 22-06-2018 is attached as "F").

6. That despite the fact that according to Police Rules the petitioner fulfilled all the requirements for promotion but was not considered with his batch-mates/colleagues for promotion as DSP (BPS-17) by the competent authority while promoting his junior the said **Inspector Azmat Ali No.K/200 as DSP (BPS-17)** vide Notification No. CPO/E-I/Promotion/332 dated 18-02-2022. **(Copy of Notification dated 18-02-2022 is attached herewith as "G")**.
7. That appellant has rendered about 36 years service in the police department. He has always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his superiors and never provided a chance of reprimand and has meritorious service record at his credit.
8. That appellant aggrieved of order dated 18-02-2022 preferred a departmental representation dated 18-03-2022 before the Provincial Police Officer KPK Peshawar which was filed vide order dated 27-04-2022 and copy endorsed on 09-05-2022 to Director PTC Mansehra which was delivered to appellant thereafter. **(Copies of representation dated 18-03-2022 and order dated 27-04-2022 are as Annexure "H & I")**.
9. That there was nothing adverse against the appellant to come as impediment in way of his consideration and promotion as D.S.P. (BPS-17) when his colleagues and

juniors were promoted vide order dated 18-02-2022 passed by the Provincial Police Officer KPK Peshawar. Appellant also has all the requisite qualifications required for promotion to the rank of DSP (BPS-17) on his side placed on service record.

10. Hence instant service appeal on the following grounds:-

GROUND:

- a) That both the impugned orders dated 18-02-2022 and 27-04-2022 of the Provincial Police Officer KPK Peshawar to the extent of appellant's rights of promotion are illegal, unlawful, void-an-initio, passed in slipshod, perfunctory and arbitrary in manner, against the law, rules & regulations, facts & circumstances of the matter, hence are liable to be set aside/modified to his extent by giving him promotion to the rank of DSP (BPS-17) alongwith his batch-mates/colleagues/juniors with effect from 18-02-2022.
- b) That the respondents have not treated appellant in accordance with law, departmental rules, regulations and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 & unlawfully issued the impugned notifications, which are unjust, unfair hence, are liable to be set aside/modified to the extent appellant.
- c) That the appellate authority has also failed to abide by the law and even did not take into consideration the

grounds taken by appellant in his memo of appeal/representation for his promotion as DSP (BPS-17) alongwith his batch-mates/colleagues/ juniors on 18-02-2022. Thus the impugned notifications of respondents are contrary to the law as laid down in the KPK Police Rules 1934, other departmental rules regulations read with section 24-A of General Clause Act 1897 and Article 10-A of the Constitution of Islamic Republic of Pakistan 1973.

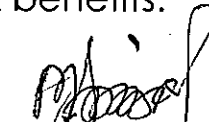
- d) That when on 15-02-2022 the meeting of promotion committee had been considering promotions of appellant's batch-mates/colleagues/juniors to the rank of DSPs(BPS-17) which notification was issued on 18-02-2022, the appellant already fulfilled all the conditions, requirements and qualifications for promotion to the post of DSP (BPS-17) but was not considered without any reason and contrary to the law and departmental rules and regulations and was deprived of his promotion on due date.
- e) That the appellant being qualified and fulfilling all requirements and conditions was eligible for promotion as DSP (BPS-17) on 18-02-2022 along with his batch-mates/colleagues/ juniors but was deliberately deprived of his legitimate promotion against the law, departmental rules and regulation. He deserves to be promoted as DSP (BPS-17) with effect 1802-2022 at right place in his seniority with his colleagues/juniors DSPs.

6 24

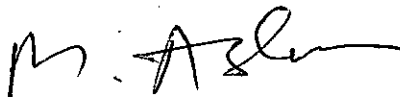
- f) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudication upon the same.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal both the orders dated 18-02-2022 and 27-04-2022 of respondents/PPO KPK Peshawar may graciously be set aside/modified to the extent of appellant be promoted as DSP (BPS-17) alongwith his batch-mates/colleagues/juniors with grant of all consequential service back benefits.


Appellant

Through:


(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 13-06-2022

VERIFICATION

It is verified that contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

Dated 13-06-2022


Appellant

7 25

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Muhammad Ajmal Inspector No.H/72 presently posted at
Police Traing School, Mansehra.(**Appellant**)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra. (**Respondents**)


SERVICE APPEAL

AFFIDAVIT:

I, Muhammad Ajmal, appellant do hereby solemnly declare
and affirm on oath that the contents of the instant Service
Appeal are true and correct to the best of my knowledge
and belief and nothing has been suppressed from this
Honorable Service Tribunal.


Deponent/Appellant

Dated: 13-06-2022

Identified By: 
Mohammad Aslam Tanoli
Advocate High Court
At Haripur

ATTESTED


Appellant



8 26

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Muhammad Ajmal Inspector No.H/72 presently posted at
Police Traing School, Mansehra.....(**Appellant**)

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra. (**Respondents**)

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been
filed in this Honorable Service Tribunal or any other court prior to
instant one.


APPELLANT

Dated: 13-06-2022



9

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
SINDH, KARACHI

Annex - 'A'

27

No. 9799-96 IF-1013/12/E-III/S.I.
Karachi, dated 3-09-2013.

ORDER

With the approval of IGP / Khyber Pakhtunkhwa vide letter No: 14148/E-II, dated 18.06.2013, Sub-Inspector Muhammad Ajmal s/o Muhammad Irfan of Sindh Police (Special Branch) is hereby transferred and posted to Khyber Pakhtunkhwa Police (District Abbotabad), on the following terms and conditions which have already been accepted by him:-

- i. That the appointment will be treated as fresh appointment for the purpose of seniority and accordingly he will get seniority from the date of joining the Khyber Pakhtunkhwa Police and will be placed at the bottom of the officials of his rank.
- ii. That only pay of the official will be protected.
- iii. That the official will not be entitled to any transfer TA / DA and transfer grant.
- iv. That the pensionary liability will be shared between Government of Sindh and Khyber Pakhtunkhwa Government in accordance with the standing agreement as contained in appendix-4 of the Punjab Finance Rule Volume-II.
- v. That the official will be liable to be transferred anywhere in the Khyber Pakhtunkhwa and as such he would not insist for posting of his own choice.

Sd/-

(SHAHID NADEEM BALOCH) PSP
INSPECTOR GENERAL OF POLICE,
SINDH, KARACHI.

Copy forwarded to the following for information & necessary action:-

1. The Accountant General of Sindh, Karachi.
2. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar w/r to his letter No: quoted above.
3. The Addl: Inspector General of Police, Special Branch, Sindh, Karachi.
4. Order file.

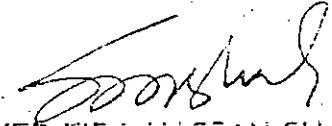
(AHMED YAR CHOHAN) PSP
AIGP / ESTABLISHMENT,
FOR INSPECTOR GENERAL OF POLICE,
SINDH, KARACHI.

Attested
[Signature]

ORDER

Consequent upon on transfer from Sindh Police to Khyber Pakhtunkhwa Police SI Muhammad Ajmal is hereby transferred and posted to Hazara Region on the following terms and conditions which have already been accepted by him:-

- i. That the appointment will be treated as fresh appointment for the purpose of seniority and accordingly he will get seniority from the date of joining the Khyber Pakhtunkhwa Police and will be placed at the bottom of the officials of his rank.
- ii. That only pay of the official will be protected.
- iii. That the official will not be entitled to any transfer TA/DA and transfer grant.
- iv. That the pensionary liability will be shared between Govt. of Sindh and Khyber Pakhtunkhwa Govt. in accordance with the standing agreement as contained in appendix-4 of the Punjab Finance Rule, Volume-II.
- v. That the officials will liable to be transferred anywhere in the Khyber Pakhtunkhwa and as such he would not insist for posting of his own choice.


 (SYED FIDA HASSAN SHAH)
 AIG/Establishment
 For Provincial Police Officer,
 Khyber Pakhtunkhwa
 Peshawar

No. 31516 /E-II dated Peshawar the 26/12/2013

Copy of above is forwarded for information and necessary action to the Deputy Inspector General of Police, Hazara Region, Abbottabad. His service book received from SSP/Political Special Branch Karachi vide his letter No. SB/P/Estt/5824, dated: 10.12.2013 is also sent herewith for record in your office.

Service Book Received

8/1/14

SRC

Encl. 4/BOOK

Accepted
[Signature]

(11) 29

14/54
10-11-2014

Annex-'C'

**FOR PUBLICATION IN THE KHYBER
PAKHTUNKHWA POLICE GAZETTE PART-II,
ORDERS BY THE PROVINCIAL POLICE OFFICER
KHYBER PAKHTUNKHWA, PESHAWAR.**

NOTIFICATION

No. 2283 - E-II, PROMOTION TO LIST "F" - Dated: 5/11/2014

The names of the following, confirmed Sub-Inspectors of Khyber Pakhtunkhwa Police are hereby brought on promotion list "F" and for Promotion Offg: Inspectors with immediate effect as per recommendation of DPC meeting held on 16.10.2014.

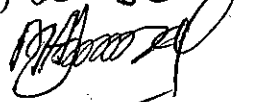
S#	NAME & RANK	REGION/UNIT
1	SI Gharib Nawaz No. K/15	Kohat Region
2	SI Nabi Shah B/37	Bannu Region
3	SI Muhammad Jalil No. B/44	-do-
4	SI Gul Rauf No. B/90	-do-
5	SI Waqar Ahmad B/64	-do-
6	SI Gul Sher Khan MR/99	Mardan Region
7	SI Muhammad Ajmal H/72	Hazara Region
8	SI Azmat Ali No. K/200	Kohat Region
9	SI Umar Gul No. MR/59	Malakand Region
10	SI Imran Farooq No. MR.62	Mardan Region
11	SI Farooq Zaman No. MR/02.	-do-
12	SI Fazli Subhan No. MR/15	-do-
13	SI Muhammad Saeed No. MR/27	-do-
14	SI Kausar Khan No. MR	-do-
15	SI Fahim Bacha No. MR/44	-do-
16	SI Fazal Sher No. MR/07	-do-
17	SI Jehangir Khan No. H/11	Hazara Region
18	SI Muhammad Arshad No. H/41	-do-
19	SI Muhammad Tahir No. H/56	-do-
20	SI Muhammad Riazat No. H/57	-do-
21	Sajjad Muhammad H/73	-do-
22	SI Muhammad Javed No. H/68	-do-

Attested
[Signature]

12

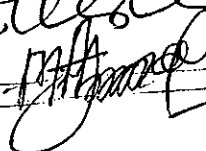
30

23	SI Raja Khan No.H/60	Hazara Region
24	SI Masood Khan No. H/61	-do-
25	SI Sheeraz Ahmad No. H/62	-do-
26	SI Muhammad Gul Zar No. H/63	-do-
27	SI Faisal No.H/64	-do-
28	SI Muhammad Shaheen No.H/66	-do-
29	SI Abdul Hafeez No.H/67	-do-
30	SI Muhammad Tanveer No.H/68	-do-
31	SI Muhammad Sabir No.H/70	-do-
32	SI Jawad Khan No. MR/14	Mardan Region
33	SI Mustim Shah No.MR/29	-do-
34	SI Muhammad Bashir No. MR/31	-do-
35	SI Muhammad Iqbal No. MR/40.	-do-
36	SI Niaz Hussain No. MR/45	-do-
37	SI Hassan Ullah No.121/M	Malakand Region
38	SI Abdul Ghaffar No. MR/54	Mardan Region
39	SI Rookh-ul-Amin No.MR/10	-do-
40	SI Insan Ullah Khan No.M/296	Malakand Region
41	SI Amir Shah No. M/134	-do-
42	SI Naeem Khan No. M/347	-do-
43	SI Muhammad Shafi No. M/454	-do-
44	SI Bahadar Khan No. M/457	-do-
45	SI Haji Akbar No. M/463	-do-
46	SI Ghani-ur-Rehman No. M/470	Mardan Region
47	SI Tamiz Ud Din No. M/471	Malakand Region
48	SI Aqeel Shah M/114	-do-
49	SI Abdul Hasnain No. P/252	CCP/Peshawar
50	SI Habib Khan No. P/253	-do-
51	SI Ihsan ur Rehman No. P/254	-do-
52	SI Muhammad Riaz No. P/255	-do-
53	SI Naeem-ud-Din No. P/256	-do-
54	SI Muhammad Naeem No. P/257	-do-

Attested


(13) 31

		CCP/Peshawar
55	SI Amir Hussain No. P/258	-do-
56	SI Dad Muhammad No. P/259	-do-
57	SI Intiaz Alam No. P/260	-do-
58	SI Saif-ur- Rehman No. P/261	-do-
59	SI Farhad Ali No. P/262	-do-
60	SI Imdad Ullah No. P/263	-do-
61	SI Muhammad Arif No. P/264	-do-
62	SI Muhammad Naseem No. P/265	-do-
63	SI Madad Khan No. P/266	-do-
64	SI Muhammad Fazil No. P/267	-do-
65	SI Khayal Nawaz No. P/268	-do-
66	SI Mushfaq No. P/269	-do-
67	SI Anwar Khan No. P/270	-do-
68	SI Muhammad Qayyum No. P/271	-do-
69	SI Hazrat Ali No. P/295	-do-
70	SI Sardar Hussain No. P/272	-do-
71	SI Kiramat Shah No. P/273	-do-
72	SI Qaiser Khan No. P/274	-do-
73	SI Bakht Munir No. P/275	-do-
74	SI Akhtar Gul No. P/276	-do-
75	SI Fazli Karim No. P/277	-do-
76	SI Dost Muhammad No. P/278	-do-
77	SI Mian Niaz Muhammad No. P/279	-do-
78	SI Saqandar Shah No. P/280	-do-
79	SI Jan Muhammad No. P/281	-do-
80	SI Abdur Rauf No. P/282	-do-
81	SI Khurshid Khan No. P/283	-do-
82	SI Riaz Ahmad No. P/284	-do-
83	SI Zaboer ur Rehman No. P/285	-do-
84	SI Sardar Hussain No. P/286	-do-
85	SI Shafi Ullah No. 287/P	-do-
86	SI Muhammad Shebeen Shah No. 288/P	-do-
87	SI Noor Ullah Jan No. P/289	-do-
88	SI Muhammad Tahir No. P/290	-do-

Attested


REVISED SENIORITY LIST OF INSPECTORS & SUB INSPECTORS ON LIST "F" OF KHYBER PAKHTUNKHWA POLICE AS IT STOOD ON 30.06.2015.

No. 1514 /E-II, Seniority List:- The seniority list of Inspectors and Sub Inspectors on List "F" of Khyber Pakhtunkhwa Police as it stood on 06.04.2015 is hereby published for information to all concerned:-

S. #	NAME AND NO.	HOME DISTRICT	EDU:	D.O.BIRTH	D.O JOINING SERVICE	D.O CONF: AS SI	D.O ADMIN: TOLIST "F"	D.O PROMOTION AS OFFG: INSPECTOR	D.O F CONF: AS INSP:	REMARKS
1.	Muhammad Iqbal No.1041	Manshera	10 ^A	03.06.1963	01.07.1982	27.03.2008	05.04.2008	05.04.2008	31.10.2013	Reverted from the rank of DSP to Insp: vide PPO No.2023-JS/SE-I dt: 11.09.2014
2.	Iftikhar Shah No.MR/42	MarJan	MA	30.04.1966	27.04.91	25.02.2000	20.12.2006	15.07.2013		He was promoted as Offg: Inspector on 15.07.2013 after repatriation from Motorway Police
3.	Muhammad Sajjad No. K/30	Karak	MA	12.08.1965	02.05.1991	16.03.2005	07.11.2007	11.01.2008	23.12.2011	Assigned seniority vide No. 4526-70-E-II dated: 04.03.2008
4.	Abdul Salam Khalil No.P/15	Lakki	M.A	24.06.1975	01.07.1998	05.09.2007	07.11.2007	11.01.2008	31.12.2011	
5.	Zahid Ur Rehman No. H/76	Haripur	M.S:	25.01.1970	31.12.1994	06.04.2005	05.04.2008	05.04.2008	23.12.2011	Reverted as SI by RPO Bannu vide No. 1067-59 EC dt: 16.11.2010
6.	SI Sanaullah No. D/110	D.I.Khan	10 ^A	12.04.1959	17.06.1977	01.09.2007	05.04.2008	05.04.2008		Re-instated in service by Service Tribunal vide DIG Kohat Order No.7089-9/EC dt: 4.8.2014
7.	Mohsin Shah No. D/03	DIR	FA	01.01.1960	29.03.1980	10.01.2008	05.04.2008	05.04.2008		As intimated by Addl: IGP/SB vide his Memo No: 6813/EB, dated: 13.09.2013 he was reverted as SI by DIG CID dt: 06.09.2013
8.	SI Zahid Ur Rehman No. H/85	Shangla	10 ^A	10.01.1962	24.07.1985	27.03.2008	05.04.2008	05.04.2008		
9.	S. Jamal Akbar Shah No. P/76	Peshawar	M.Sc	20.03.1975	25.06.1998	30.06.2008	05.04.2008	05.04.2008	31.10.2013	
10.	Muhammad Ilyas No. MR/64	Mardan	FA	25.12.1973	25.12.1993	13.07.2009	01.10.2009	01.10.2009	29.8.2014	Confirmed vide Notif: No.997/E-II dt: 29.8.2014
11.	Rekhan Zeb No. F/120	Swabi	FA	07.04.1965	17.03.1988	13.07.2009	30.07.2010	30.07.2010		
12.	Jehanzada No. MR/55	Charsadda	MA	01.04.1963	07.03.1982	13.07.2009	01.10.2009	01.10.2009	31.10.2013	
13.	Naseer Ali No. P/01	Charsadda	BA	03.10.1975	26.12.2000	09.01.2009	28.01.2010	28.01.2010	31.10.2013	Reinstated in service by Service Tribunal vide DIG Mardan Order No. J470-74/E dt:
14.	Muhammad Rauf No. MR/67	Mardan	10 ^A	04.04.1963	02.01.1982	20.05.2009	28.01.2010	28.01.2010		

25 AUG. 2015 2:30PM FI

FAY NO. 1912002

FROM : COMDTPK

Handwritten signature

15

S.#	NAME AND NO.	HOME DISTRICT	EDU:	D.O.BIRTH	D.O JOINING SERVICE	D.O CONF: AS SI	D.O ADMN: TO LIST	D.O PROMOTION AS OFFG: INSPECTOR	D.OF CONF: AS INST:	REMARKS
333.	Muhammad Ajmal H/72	Mansehra	BA	01.01.1967	07.06.1987	25.07.2009	05.11.2014	05.11.2014		
334.	Azmat Ali No. K/200	Kohat	FA	01.04.1978	25.02.1998	10.01.2014	05.11.2014	05.11.2014		
335.	Umar Gul No. MR/59	MKD Agency	10th	14.02.1970	03.04.1991	28.01.2014	05.11.2014	05.11.2014		
336.	Luran Farooq No. MR. 62	Mardan	BA	11.10.1967	01.12.1991	28.01.2014	05.11.2014	05.11.2014		
337.	Farooq Zaroan No. MR/02	Swabi	MA	01.04.1979	27.03.2003	11.03.2014	05.11.2014	05.11.2014		
338.	Fazli Subhan No. MR/15	Charsadda	10th	15.12.1968	20.09.1988	11.03.2014	05.11.2014	05.11.2014		
339.	Muhammad Saeed No. MR/27	Swabi	FA	20.10.1966	01.01.1987	11.03.2014	05.11.2014	05.11.2014		
340.	Kausar Khan No. MR.	Charsadda	FA	03.04.1968	15.08.1988	11.03.2014	05.11.2014	05.11.2014		
341.	Fahim Bacha No. MR/44	Mardan	FA	02.01.1985	28.02.2006	11.03.2014	05.11.2014	05.11.2014		
342.	Faisal Sher No. MR/07	Swabi	10th	18.03.1970	25.09.1983	11.03.2014	05.11.2014	05.11.2014		
343.	Jehangir Khan No. H/11	Abbottabad	B.Sc	20.04.1980	15.10.2006	31.03.2014	05.11.2014	05.11.2014		
344.	Muhammad Arshad No. H/41	Mansehra	MA	15.03.1974	01.09.1992	31.03.2014	05.11.2014	05.11.2014		
345.	Muhammad Tabir No. H/56	Haripur	BA	19.10.1965	05.09.1991	31.03.2014	05.11.2014	05.11.2014		
346.	Muhammad Rifaat No. H/57	Haripur	MA	02.02.1980	24.01.2002	31.03.2014	05.11.2014	05.11.2014		
347.	Sajjad Muhammad H/73	Abbottabad	MA/B.ed	09.04.1978	30.12.1996	31.03.2014	05.11.2014	05.11.2014		
348.	Muhammad Javed No. H/58	Abbottabad	MA	20.11.1972	27.06.1996	31.03.2014	05.11.2014	05.11.2014		
349.	Raja Khan No. H/60	Kohistan	BA	14.02.1977	23.07.1998	31.03.2014	05.11.2014	05.11.2014		
350.	Masood Khan No. H/61	Haripur	MA	07.01.1979	13.03.2003	31.03.2014	05.11.2014	05.11.2014		
351.	Sheeraz Akmal No. H/62	Mansehra	BA	01.01.1978	28.01.2002	31.03.2014	05.11.2014	05.11.2014		
352.	Muhammad Gul Zar No. H/63	Abbottabad	BA/LLB	12.03.1974	20.10.1999	31.03.2014	05.11.2014	05.11.2014		
353.	Faisal No. H/64	Haripur	FA	15.02.1985	06.03.2006	31.03.2014	05.11.2014	05.11.2014		
354.	Muhammad Shaheer No. H/65	Abbottabad	BA	01.03.1969	26.09.1988	31.03.2014	05.11.2014	05.11.2014		
355.	Abdul Hafeez No. H/67	Abbottabad	FA	24.01.1968	11.12.1998	31.03.2014	05.11.2014	05.11.2014		
356.	Muhammad Tanveer No. H/53	Abbottabad	FA	12.03.1968	24.09.1987	31.03.2014	05.11.2014	05.11.2014		
357.	Muhammad Sabir No. H/70	Mansehra	10th	03.03.1971	31.03.1991	31.03.2014	05.11.2014	05.11.2014		
358.	Jawad Khan No. MR/14	Swabi	BA	11.04.1979	26.01.2009	31.05.2014	05.11.2014	05.11.2014		
359.	Muslira Shah No. MR/29	Mardan	FA	09.03.1970	29.09.1990	01.07.2014	05.11.2014	05.11.2014		
360.	Muhammad Bashir No. MR/31	Mardan	10th	31.05.1964	10.05.1984	01.07.2014	05.11.2014	05.11.2014		
361.	Muhammad Iqbal No. MR/40	Mardan	BA	20.04.1968	16.10.1991	10.07.2014	05.11.2014	05.11.2014		
362.	Niaz Hussain No. MR/45	Mardan	FA	16.12.1978	28.02.2006	23.07.2014	05.11.2014	05.11.2014		
363.	Hassan Ullah No. 121/M	Chitral	FA	07.12.1966	21.09.1986	18.08.2014	05.11.2014	05.11.2014		
364.	Abdul Ghaffar No. MR/34	Mardan	FA	20.05.1961	02.09.1980	01.09.2014	05.11.2014	05.11.2014		
365.	Reeh-ul-Amin No. MR/10	Swabi	FA	20.05.1961	28.03.2006 as	12.09.2014	05.11.2014	05.11.2014		

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FROM : COMINT/PRK

M. J. Khan

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Amir 'E'



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR
Ph# 091 - 9210239/ 091 - 9210345

No. — /E-II, dt: 10/04/2016.

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

NOTIFICATION

No. 924 /E-II. CONFIRMATION AS INSPECTOR:-As per recommendation of the DPC dated 30.03.2017 duly approved by the Worthy Inspector General of Police Khyber Pakhtunkhwa, the following Offg: Inspectors on list "E" are hereby confirmed as Inspector from the date as noted against each their names.

S.NO	NAME & NO.	REGION	D.O CONFIRMATION
01.	Habib Ullah No.K/45	Kohat	19.10.2015
02.	Gul Arif No.P/205	CCP, Peshawar	31.10.2015
03.	Nabi Shah B/37	Bannu	05.11.2016
04.	Muhammad Jall No. B/44	Bannu	05.11.2016
05.	Gul Rauf No. B/90	Bannu	05.11.2016
06.	Gul Smer Khan MR/99	Mardan	05.11.2016
07.	Muhammad Amal H/72	Hazara	05.11.2016
08.	Azmat Ali No. K/200	Kohat	05.11.2016
09.	Umar Gul No. MR/59	Mardan	05.11.2016
10.	Imran Fareeq No. MR.62	Mardan	05.11.2016
11.	Fareeq Zaman No. MR/02	Mardan	05.11.2016
12.	Fazal Subhan No.MR/15	Mardan	05.11.2016
13.	Muhammad Saeed No.MR/27	Mardan	05.11.2016
14.	Kausar Khan No.MR/21	Mardan	05.11.2016
15.	Fahim Saad No MR/44	Mardan	05.11.2016
16.	Fazal Shah No. MR/07	Mardan	05.11.2016
17.	Jehangir Khan No.H/11	Hazara	05.11.2016
18.	Muhammad Arshad No.H/41	Hazara	05.11.2016
19.	Muhammad Tahir No.H/55	Hazara	05.11.2016
20.	Muhammad Rimal No. H/57	Hazara	05.11.2016
21.	Sajjad Muhammad H/73	Hazara	05.11.2016
22.	Raja Khan No.H/60	Hazara	05.11.2016
23.	Masoud Khan No. H/61	Hazara	05.11.2016
24.	Faisal No.H/64	Hazara	05.11.2016
25.	Muhammad Shabeen No.H/66	Hazara	05.11.2016
26.	Abdul Hafeez No.H/67	Hazara	05.11.2016
27.	Muhammad Tanveer No.H/68	Hazara	05.11.2016
28.	Muhammad Sabir No.H/70	Hazara	05.11.2016
29.	Muslim Shah No.MR/29	Mardan	05.11.2016
30.	Muhammad Bashir No. MR/31	Mardan	05.11.2016
31.	Muhammad Iqbal No. MR/40	Mardan	05.11.2016
32.	Hassan Ullah No.121/M	Malakand	05.11.2016
33.	Rooh-ul-Amin No MR/10	Mardan	05.11.2016
34.			

Attested
[Signature]



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17

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR
Ph# 091 - 9210239, 091 - 9710345

No. /E-II, dt: 10/04/2016.

83.	Muhammad Iqbal No.D/20	DI Khan	05.11.2016
84.	Sadique Ullah Khan No.D/21	DI Khan	05.11.2016
85.	Sial: Jehan No. H/71	Hazara	05.11.2016
FSL			
86.	Zameer Ahmad	FSL	23.01.2017
87.	Amid Javed	FSL	19.08.2015
TELECOMMUNICATION			
88.	Meh Wazir	Tele	23.01.2017

Their gazette notification according to Police rules may please be issued

(MASOOD AHMAD KHALIL) PSP
A/C Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

No. 925 - 45 /E-II.

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

1. All Addl. Inspectors General of Police in Khyber Pakhtunkhwa.
2. All Deputy Inspectors General of Police in Khyber Pakhtunkhwa.
3. All Regional Police Officers, in Khyber Pakhtunkhwa.
4. Capital City Police Officer, Peshawar.
5. Commandants Elite Force, FRP and PTC Hangu.
6. PSO to Worthy Inspector General of Police Khyber Pakhtunkhwa.
7. PRO to Worthy Inspector General of Police Khyber Pakhtunkhwa.
8. Registrar CPO, Peshawar.
9. Office Supdt: Secret CPO.
10. Office Supdt: Career Planning Branch, CPO.
11. U.O P file.

Attested
[Signature]



REVISED SENIORITY LIST OF INSPECTORS & SUB INSPECTORS ON LIST "F" OF KHYBER PAKHTUNKHWA, POLICE AS IT STOOD ON 22.06.2018.

No. 617 /E-II, Seniority List- The seniority list of Inspectors and Sub Inspectors on List "F" of Khyber Pakhtunkhwa Police as it stood on 22.06.2018 is hereby published for information to all concerned:-

S. #	NAME AND NO.	HOME DISTRICT	EDU:	D.O. BIRTH	D.O JOINING SERVICE	D.O CONF: AS SI	D.O ADMN: TO LIST "F"	D.O PROMOTION AS OFFG: INSPECTOR	D.OF CONF: AS INSP:	REMARKS
1.	Muhammad Sajjad No. K/30	Karak	MA	12.08.1965	02.03.1991	16.03.2005	07.11.2007	11.01.2008	23.12.2011	Assigned seniority vide No. 4526-70/E-II dated 04.03.2008
2.	SI Sanaullah No. D/10	D.I.Khan	10 th	12.04.1959	17.06.1977	01.09.2007	05.04.2008	05.04.2008		Reverted as SI by R/O Bannu vide No. 3067-69/EC dt: 16.11.2010
3.	Zahir ur Rehman No. H/86	Shangla	10 th	10.01.1962	24.07.1985	27.03.2008	05.04.2008	05.04.2008		Restored seniority vide order No. 578-83/E-, dated 11.06.2018.
4.	Sabir khan No. P/69	Pesahwar	BA	08.12.1958	21.12.1994	30.06.2008	05.04.2008	05.04.2008		Restored Seniority vide order No. 553-57/E-II dated 11.06.2018
5.	S. Jamal Athar Shah No. P/76	Peshawar	M.Sc	20.03.1975	25.06.1998	30.06.2008	05.04.2008	05.04.2008	31.10.2013	
6.	Sher Afzar No. MR/66	Swabi	10 th	09.02.1963	30.10.1984	13.07.2009	20.12.2011	25.05.2016		Assigned seniority with his colleagues officers vide order Endst: No.482-85/E-II, DT 16.02.2017.
7.	SI Mazhar Jehan No. K/19	Kohat	FA	12.12.1970	26.02.2000	30.06.2008	30.07.2010	30.07.2010		Reverted to the rank of SI vide DIG Kohat Region Order Endst: No.2146-47/EC dt: 26.2.014
8.	Rchmat Ali No. P/150	Peshawar	10 th	01.03.1960	17.06.1979	04.11.2011	10.11.2011	10.11.2011	02.08.2012	
9.	Asad Zubair No. K/20	Kohat	FSc	15.01.1980	24.02.2000	30.06.2008	20.12.2011	20.12.2011		Restored seniority order No. 568-72/E-II, dated 11.06.2018
10.	Muhammad Saleem Tariq No. D/03	D.I.Khan	FA	01.03.1969	03.01.1991	12.11.2010	20.12.2011	20.12.2011	29.08.2014	
11.	Farman Akhtar No. H/21	Haripur	7th	01.01.1966	08.07.1984	19.07.2011	20.12.2011	20.12.2011	29.08.2014	
12.	Muhammad Javed No. H/26	Mansehra	10 th	03.02.1964	04.04.1983	19.07.2011	20.12.2011	22.01.2016		Restored seniority vide order No. 558-60/E-II, dated 11.06.2018.
13.	Muhammad Riaz No. K/107	Karak	10th	13.03.1973	09.09.1991	02.12.2011	30.01.2013	30.01.2013	19.10.2015	

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Assistant E-II

#	NAME AND NO.	HOME DISTRICT	EDU:	D.O.BIRTH	D.O JOINING SERVICE	D.O CONF: AS SI	D.O ADMMN: TO LIST "F"	D.O PROMOTION AS OFFG: INSPECTOR	D.OF CONF: AS INSP:	REMARKS
198.	Muhammad Tariq No. K/75	Kohat	FA	07.01.1966	21.06.1986	10.01.2014	11.02.2014	11.02.2014	11.02.2016	
199.	Shoukat Hayat No. K/13	Kohat	FA	20.12.1982	28.02.2006		11.02.2014	11.02.2014	11.02.2016	
200.	Latifullah No. K/134	Bannu	10th	10.02.1962	18.11.1981	10.01.2014	11.02.2014	11.02.2014	11.02.2016	
201.	Farid Shah No. 247	Nowshera	10th	03.05.1965	19.03.1985	16.01.2014	11.02.2014	11.02.2014		Rank of Inspector restored vide order No.1823-53/E-II, dated 29.08.2017.
202.	Mukhtiar Ali No. P/250	Mardan	BA	21.04.1978	30.10.2006	01.01.2010	11.02.2014	11.02.2014	11.02.2016	
203.	Ghaffar Ali No. P/251	Peshawar	FA	05.02.1969	13.08.1987	27.09.2011	11.02.2014	11.02.2014	11.02.2016	
204.	Nabi Shah B/37	Lakki	10th	08.08.1963	15.11.1981	31.05.2013	05.11.2014	05.11.2014	05.11.2016	
205.	Asif Sharif No. P/223	Peshawar	MSC	05.09.1977	30.10.2006	02.08.2013	05.11.2014	05.11.2014		
206.	Muhammad Jalil No. B/44	Bannu	BA	03.03.1970	01.04.1990	13.12.2013	05.11.2014	05.11.2014	05.11.2016	
207.	Gul Rauf No. B/90	Bannu	BA	08.04.1977	01.02.2002	13.12.2013	05.11.2014	05.11.2014	05.11.2016	
208.	Waqar Ahmad B/64	Bannu	MA	20.09.1979	15.01.2004	13.12.2013	05.11.2014	05.11.2014	05.11.2016	
209.	Gul Sher Khan MR/99	Swabi	10th	03.03.1968	01.10.1986	13.12.2013	05.11.2014	05.11.2014	05.11.2016	
210.	Muhammad Ajmal H/72	Mansehra	MA	01.01.1967	07.06.1987	25.07.2009	05.11.2014	05.11.2014	05.11.2016	
211.	Azmat Ali No. K/200	Kohat	FA	01.04.1978	25.02.1998	10.01.2014	05.11.2014	05.11.2014	05.11.2016	
212.	Umar Gul No. MR/59	MKD Agency	10th	14.02.1970	03.04.1991	28.01.2014	05.11.2014	05.11.2014	05.11.2016	
213.	Imran Farooq No. MR.62	Mardan	BA	11.10.1967	01.12.1991	28.01.2014	05.11.2014	05.11.2014	05.11.2016	
214.	Farooq Zaman No. MR/02	Swabi	MA	01.04.1979	27.03.2003	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
215.	Fazal Subhan No. MR/15	Charsadda	10th	15.12.1968	20.09.1988	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
216.	Muhammad Sareer No. MR/27	Swabi	FA	20.10.1966	01.01.1987	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
217.	Kausar Khan No. MR/21	Charsadda	FA	03.04.1968	15.08.1988	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
218.	Fahim Bacha No. MR/44	Mardan	FA	02.01.1985	28.02.2006	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
219.	Fazal Sher No. MR/07	Swabi	10th	18.05.1970	25.09.1988	11.03.2014	05.11.2014	05.11.2014	05.11.2016	
220.	Jehangir Khan No. H/1	Abbottabad	B.Sc	20.01.1980	16.10.2006	31.03.2014	05.11.2014	05.11.2014	05.11.2016	
221.	Muhammad Arshad No. H/41	Mansehra	MA	15.03.1974	01.09.1992	31.03.2014	05.11.2014	05.11.2014	05.11.2016	
222.	Muhammad Tahir No. H/56	Haripur	BA	19.10.1966	05.09.1991	31.03.2014	05.11.2014	05.11.2014	05.11.2016	

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Assistant E-II

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Dated Peshawar the 18/02/2022

NOTIFICATION

No. CPD/E-II Promotion/ 332 In pursuance of the provision contained in Section-5 of the Promotion Rules-2007 and on the recommendations of Departmental Selection Committee meeting held on 15th February, 2022, the following Inspectors (BS-16) (Executive & Technical) of Khyber Pakhtunkhwa Police are hereby promoted to the rank of Deputy Superintendent of Police (BS-17) on regular basis with immediate effect.

The officers on promotion shall remain on probation for a period of one year in terms of Section 6 (2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1999.

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

S#	Name of officers & No.	S#	Name of officers & No.
1.	Mr. Azmat Ali No. K/200	17.	Mr. Luqman Khan No. MR/80
2.	Mr. Muhammad Sohail No. H/07	18.	Mr. Ikhilraz Khan No. MR/81
3.	Mr. Muhammad Amin No. H/42	19.	Mr. Zar Badshah No. MR/82
4.	Mr. Abdullah Jan No. P/182.	20.	Mr. Muhammad Fazil No. MR/83
5.	Mr. Nasrullah Khan No. P/185	21.	Mr. Imliaz Ali No. MR/84
6.	Mr. Muhammad Kamran No. P/188	22.	Mr. Sadat Khan No. K/25
7.	Mr. Sajid Mumtaz No. P/189	23.	Mr. Fezal Hanif No. K/48
8.	Mr. Fida Hussain No. P/190	24.	Mr. Nazar Hussain No. K/70
9.	Mr. Ijaz Ali No. P/191	25.	Mr. Muhammad Yousaf No. K/71
10.	Mr. Zakauallah No. P/192	26.	Mr. Nazir Khan No. K/72
11.	Mr. Taj Muhammad Khan No. P/193	27.	Mr. Abid Khan No. K/74
12.	Mr. Ijaz Ali No. P/194	28.	Mr. Umar Hayat No. K/20
13.	Mr. Adnan Azam No. P/195	29.	Mr. Muhammad Akbar No. MR/85
14.	Mr. Zahid Alam No. P/196	30.	Mr. Zareef Khan No. MR/87
15.	Mr. Rehmatullah No. P/197	31.	Mr. Asif Mahmood No. B/01
16.	Mr. Muhammad Inam Jan No. MR/59	32.	Mr. Sabir Gul No. MR/90
33.	Mr. Zulfiqar Ahmad (Technical Special Branch)		

Their posting Notification will be issued separately.

Note:-

1. The DSC meeting held on 19.08.2020 recommended Mr. Muhammad Sohail No. H/07 to be deferred from promotion to the rank of DSP (BPS-17) because he had not completed mandatory period in a Unit specified as per amended Police Rule 13.16A dated 16.03.2017. At the time of meeting, he was serving in ACE, therefore the Committee directed that he will be promoted once he earns good ACR for a calendar year from any specified Unit. Subsequently in compliance of the DSC decision, he was transferred to Special Branch on 19.04.2021. Mr. Muhammad Sohail No. H/07 is also promoted to the rank of DSP w.e.f 19.04.2022; on successful completion his mandatory period as per amended Police Rule 13.16A.

2. Mr. Abdullah Jan No. P/182 is conditionally and provisionally subject to the outcome of CPLA No.643-P/2021 dated 30.08.2021 in compliance of Execution petition No.227/2021 in Service Appeal No. 291/2019 and Order Sheet dated 10.01.2022 of Khyber Pakhtunkhwa Service Tribunal.

Sd/-
(SABIR AHMED) PSP
Additional Inspector General of Police,
Headquarters, Khyber Pakhtunkhwa.

Endst: No. & date even.

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. All Addl. Inspectors General of Police in Khyber Pakhtunkhwa.
3. All Deputy Inspectors General of Police in Khyber Pakhtunkhwa.
4. All Heads of Units, in Khyber Pakhtunkhwa.
5. All Regional Police Officers, in Khyber Pakhtunkhwa.

Attested
[Signature]

(21)

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Annex-H

BEFORE HONOURABLE PROVINCIAL POLICE OFFICER
KHYBER PAKHTUNKHWA PESHAWAR

(Through proper channel)

REVIEW/REPRESENTATION AGAINST NOTIFICATION NO.CPO/
E-I/PROMOTION/332 DATED 18-02-2022 OF THE PPO KPK
PESHAWAR WHEREBY APPELLANT'S JUNIOR HAS BEEN
PROMOTED TO THE RANK OF D.S.P (BPS-17) IGNORING THE
PETITIONER WITHOUT ANY REASON.

PRAYER: ON ACCEPTANCE OF INSTANT REVIEW PETITION/
REPRESENTATION IMPUGNED NOTIFICATION DATED 18-02-
2022 MAY KINDLY BE MODIFIED TO THE EXTENT OF
PROMOTING THE PETITIONER AS D.S.P (BPS-17) WITH
EFFECT FROM 18-02-2022 WHEN HIS JUNIOR WAS
PROMOTED ACCORDING TO SENIORITY WITH GRANT OF ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,

With most veneration the following few lines are laid down
for your kind consideration and favorable order:-

1. That petitioner was enrolled in the Sind Police Force in the year 1987 and along-with his batch-mates/colleagues he was promoted to and confirmed in the rank of Sub Inspector. Thereafter on his request the petitioner was transferred vide order dated 03-12-2013 from Sind Police to the Khyber Pakhtunkhwa police and posted in Hazard Region vide orders dated 26-12-2013 respectively. (Copies of both the orders dated 03-12-2013 and 26-12-2013 are attached as "A & B").
2. That vide KPK Provincial Police Officer Peshawar Notification dated 05-11-2014 the petitioner was ordered to be brought on promotion list "F" as recommended by the DPC meeting held on 16-10-2014. His name was placed at

Attested
Mansoor

S/No.7 of the Notification and above the name of SI Azmat Ali No. K/200. (Copy of Notification dated 05-11-2014 is attached as "C").

3. That similarly the revised seniority list "F" of KPK Inspectors/Sub Inspectors as stood on 06-04-2015 prepared, issued and circulated on 30-06-2015 the name of petitioner is incorporated at Serial No. 333 of Page-11 of the list above the name of Oftg Inspector Azmat Ali No. K/200. (Copy of relevant page No.11 of List "F" dated 30-06-2015 is as "D").
4. That subsequently the petitioner alongwith his batch-mates was confirmed as Inspector vide KPK PPO/IGP Peshawar Notification dated 10-04-2016 placing his name S/No.7 above the name of Inspector Azmat Ali No. K/200. (Copy of Notification dated 10-04-2016 is attached as "E").
5. That in the year 2018 another revised seniority list "F" of KPK Inspectors/Sub Inspectors as stood on 22-06-2018 was prepared, issued and circulated wherein the name of petitioner is also placed at S/No. 210 also above the name of said Inspector Azmat Ali No.K/200. (Copy of revised seniority list "F" dated 22-06-2018 is attached as "F").
6. That despite the fact that according to Police Rules the petitioner fulfilled all the requirements for promotion but was not considered with his batch-mates/colleagues for promotion as DSP (BPS-17) by the competent authority while promoting his junior the said Inspector Azmat Ali No.K/200 as DSP (BPS-17) vide Notification No. CPO/E-


Accepted
M. J. Akbar

(23) - 41
I/Promotion/332 dated 18-02-2022. (Copy of Notification dated 18-02-2022 is attached herewith as "G").

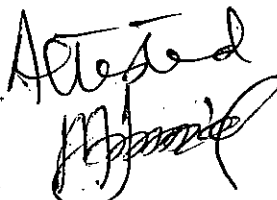
7. That appellant has rendered about 32 years service in the police department. He has always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his superiors and never provided a chance of reprimand. Due to his tremendous services on occasions the appellant has been awarded with Commendation Certificates and Cash Rewards by his worthy High-Ups. Petitioner has unblemished rather meritorious service record at his credit.

It is, therefore, humbly requested that keeping in view the aforementioned facts and circumstances impugned Notification dated 18-02-2022 may graciously be modified to the extent of promoting the petitioner as DSP (BPS-17) with effect from 18-02-2022 as per seniority when his juniors were promoted with grant of all consequential service back benefits. Thanking you sir in anticipation.

Your Obedient Servant


(Muhammad Ajmal)
Inspector No.H/72
PTC Mansehra

Dated 18-02-2022





(24)

42
OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR

Annex 19

EC

No. CPO/CPW 196

Dated

Peshawar

27 April, 2022.

To: The Assistant Inspector General of Police,
Training, Khyber Pakhtunkhwa.

Office of The
Inspector General of Police
Training, Khyber Pakhtunkhwa
Peshawar

Subject: PRESENTATION FOR SENIORITY.

By: No. 1974 /Trg

Memo:-

On 27.4.22

Please refer to your office letter No. 3220-21/Trg: dated 28.03.2022 on the subject noted above.

In this regard, it is submitted that application of Inspector Muhammad Ajmal No. H/72 regarding seniority was processed and filed by the Competent Authority because the applicant transferred from Sindh Police to KP Police on the condition that he will be placed at the bottom of seniority and will not claim further seniority.

The applicant may be informed accordingly.


(NOOR AFGHAN)
Registrar,

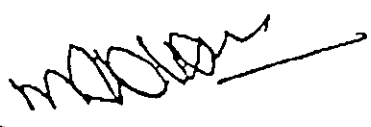
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

OFFICE OF THE DEPUTY INSPECTOR GENERAL OF POLICE TRAINING
KHYBER PAKHTUNKHWA

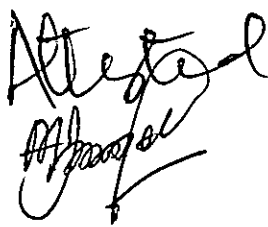
No. 4408 /Trg

Dated 09 /05/2022

Copy of above is forwarded to Director Police Training School, Manshera for information and the applicant may be informed accordingly.



(Dr. Quraish Khan)PSP, PhD
Assistant Inspector General of Police
Training, Khyber Pakhtunkhwa



وکالت نامہ

بعدالت جناب *محمد رفیق* *19*
 متجناب *Appellants*
vs *Respondents*

دعوی یا جرم *محمد رفیق*
 باعث تحریر تاکہ *محمد رفیق*

مندرجہ بالا عنوان میں اپنی طرف سے بیرونی و محتاجی مقام *محمد رفیق*

میں *محمد رفیق* ایڈووکیٹ بدیں شرط وکیل مقرر کیا کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص
 روز و عدالت حاضر ہوں گا۔ اور وقت نکالنے کے لئے صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی
 پیشی پر مظہر حاضر نہ ہوں اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ
 ہوئے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ یا کچہری کے مقرر اوقات سے پہلے یا بروز
 تعطیل بیرونی کرنے کے مجاز نہ ہوئے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ ساعت ہونے یا بروز کچہری کے اوقات
 کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کی معاضدہ ادا کرنے مختار نہ رہیں کرنے کے
 بھی صاحب موصوف ذمہ دار نہ ہوئے۔ مجھے کل ساختہ پرواختہ صاحب محل کردہ ذات خود منظور و قبول ہوگا اور صاحب
 موصوف کو عرضی دعویٰ اور درخواست اجراءے ذکر و نظر جانی اعلیٰ مگرانی ہاڑ کرنے نیز ہر قسم کی درخواست پر دخل تصدیق
 کرنے کا بھی اختیار نہ ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کا رویہ وصول کرنے اور رسید دینے اور داخل کرنے
 کا ہر قسم کا بیان دینے اور بیرونی وراثی نامہ و فیصلہ برخلاف کرنے اقبال دعوے کا اختیار ہوگا اور بصورت اعلیٰ و
 برآوردگی مقدمہ یا منسوخی ڈگری یا کچہری درخواست حکم اختتامی یا ڈگری قتل از فیصلہ اجراءے ذکر و بھی صاحب موصوف کو
 بشرط امانت علیحدہ بیرونی مختار نہ کرے گا۔ اور بصورت ضرورت اعلیٰ یا اعلیٰ کے واسطے کسی دوسرے وکیل یا ہر مشر
 کو بجائے اپنے ہمراہ مقرر کریں اور اپنے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوئے جیسے صاحب
 موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیرونی نہ
 کریں اور اسکی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند ہے ضمن
 مختار نامہ سن لیا ہے اور اسی طرح مجھ لیا اور منظور ہے۔

مورخہ 20-06-13

المنعبد العبد العبد العبد

Accepted by
M. Aslam
 Adv

M. Aslam
 Adv

45

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO 944/2022.

Muhammad Ajmal

.....Appellant

VERSUS

Inspector General of Police Khyber Peshawar & Others.

..... Respondents

INDEX

S #	Description of Documents	Annexure	Page #
1	Comments / Reply		1-2
2	Affidavit		- 3
3	Annexure		—



Deponent

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 944/2022

Muhammad Ajmal..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar etc
..... (Respondents)

PARAWISE COMMENTS BY RESPONDENTS NO 1 TO 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is bad for non-joinder and miss-joinder of necessary parties.
- b) That the appellant has not come to this Hon'ble Tribunal with clean hands.
- c) That the appellant has got no cause of action to file present appeal.
- d) That the appellant is estopped by his own conduct to file the instant appeal.
- e) That the appellant has concealed real facts from Hon'ble Tribunal.

FACTS:-

1. Pertains to service, posting and transfer record of the appellant hence no comments.
2. Pertains to record hence no comments.
3. Pertains to record hence no comments.
4. Pertains to record hence no comments.
5. Pertains to record hence no comments.
6. Incorrect, the appellant transferred from Sindh Police to Khyber Pakhtunkhwa Police on the condition that he will be placed at the bottom of seniority and will not claim further seniority. Furthermore, the appellant was rightly not considered for promotion because he was absorbed in Khyber Pakhtunkhwa Police from Sindh Province hence, his case was hit by the Judgment of the Apex Court reported in 2013 SCMR 1752 and 2015 SMCR 456 through which absorption was declared illegal hence he cannot be promoted to next higher rank.
7. Pertains to service record of the appellant hence no comments.
8. Incorrect, the application of the appellant was received through Training Directorate, Khyber Pakhtunkhwa, Peshawar vide Letter dated 28.03.2022, which was rejected on the grounds that the appellant transferred from Sindh Police to

Khyber Pakhtunkhwa Police on the condition that he will be placed at bottom of seniority and will not claim further seniority.


9. Incorrect, as already explained above in para No. 6.
10. The instant Service Appeal is liable to be dismissed on the following Grounds.


GROUND:-

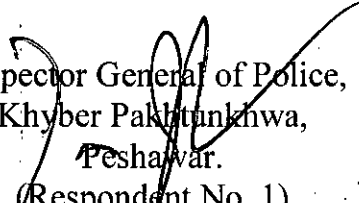
- a) Incorrect, the orders are much in accordance with law/ rules. As already explained above in Para No. 6 that the appellant case hit by the Judgment of the Apex Court reported in 2013 SCMR 1752 and 2015 SMCR 456 through which absorption was declared illegal hence, he cannot be promoted to next higher rank.
- b) Incorrect, the appellant has been treated in accordance with law/ rules/ regulations/ policy of the department. No violation of Constitution of Islamic Republic of Pakistan, 1973 exists on part of answering respondents.
- c) Incorrect, the appellate authority acted in accordance with law. Acts of answering respondents are in accordance with Constitution of Islamic Republic of Pakistan, 1973.
- d) Incorrect, as already explained above in Para No. 6 of Facts and Para No. a) of Grounds.
- e) Incorrect, as already explained above in Para No. 6 of Facts.
- f) The answering respondents seek additional permission of this Hon'ble Tribunal to raise additional Grounds at time of arguments/ hearing.

PRAAYER:-

In view of the above, it is humbly prayed that the instant service appeal may kindly be dismissed being devoid of merits and legal force, please.


09/12/22.
District Police Officer,
Mansehra.
(Respondent No. 3)


Regional Police Officer,
Hazara.
(Respondent No. 2)


Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 1)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR.

SERVICE APPEL NO 944/2022.

Muhammad Ajmal

.....Appellant

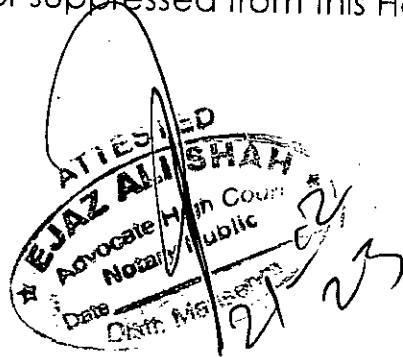
VERSUS


Inspector General of Police Khyber Peshawar & Others.


..... Respondents

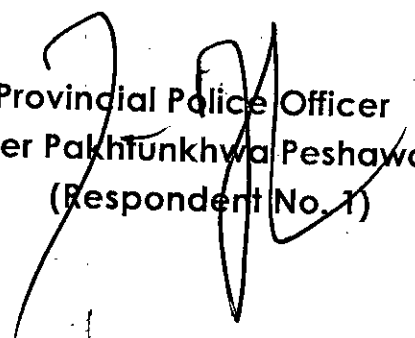
AFFIDAVIT

We respondents do hereby solemnly affirm and declare that the contents of comments are true and correct to the best of our knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.


 ATTESTED
EJAZ ALI SHAH
 Advocate High Court
 Notary Public
 Date _____
 Distt. Mansehra


 District Police Officer
 Mansehra
 (Respondent No. 3)


 Regional Police Officer
 Hazara Region Abbottabad
 (Respondent No. 2)


 Provincial Police Officer
 Khyber Pakhtunkhwa Peshawar
 (Respondent No. 1)