

BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No 524 /2024

Muhammad Ayub (Appellant)

Versus

Government of Khyber Pakhtunkhwa, Peshawar & others..... (Respondents)

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Respondents Through

Department
Representative

①

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKWA PESHAWAR

Service Appeal No. 524/2024

Muhammad Ayub..... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa etc..... (Respondents)

COMMENTS BEHALF OF RESPONDENT NO.1, 2, 3 & 04

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is not based on facts.
- b) That the appeal is barred by law and limitation.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- e) That the appellant is estopped to file the instant appeal by his own conduct.
- f) That the appellant has not come to this Hon'able Tribunal with clean hands.
- g) That the instant Service Appeal is badly time barred.
- h) That the appellant has got no cause of action and locus standi to file the instant Service Appeal.

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 16538
Dated 09-10-24

Facts

1. Pertain to record, hence need no comments.
2. Pertain to record, hence need no comments.
3. Pertain to record, hence need no comments.
4. Pertain to record, hence need no comments.
5. Para to the extent of appointment of appellant, pertains to record needs no comments while rest of the Para is not plausible. As every Police Officer is under obligation to perform his duty up to his ability and entire satisfaction of high ups. Moreover, non receipt of complaint against an official does not mean clean chits that the officer is exonerated from future wrong deeds.
6. Para to the extent of enactment of Police Act 2017 is correct, hence need no comments while to the extent of repealing Police Ordinance 2016 is incorrect. As according to

section 141 of the Act ibid, Police Order 2002 was repealed to the extent of Khyber Pakhtunkhwa through Police Act 2017 moreover, the remaining contents of the Para regarding section 32,33 & 34 of Police Act 2017 are correct hence, need no comments.

7. Incorrect, hence denied. Promotion are granted to the official of Police Telecommunication after successful completion of mandatory training/courses and on the basis of seniority cum-fitness while before the enactment of Police Act, 2017, Police Telecommunication Unit was governed by Standing Order and there were different trades like Wireless Telegraphy (WT), Tele Printer (TP), Radio Mechanic (RM), Fitter Guard Duty (GD, Electrician, Mason , Barber, Washer man, Vehicle Mechanics, Motorcycle Mechanic, etc and their seniority were maintained in their respective trades and promotion were granted to the official on the basis of Seniority Cum-fitness subject to availability of vacancies in their respective trades. (Copy of Standing Order attached as Annex-A)
8. Pertain to Police Rule 1934 hence needs no comment.
9. Pertain to Police Rule 1934 hence needs no comments.
10. Pertain to enactment of Police Act 2017 and amendments in Police Rule, 1934 vide notification No. 755/Legal dated 16.03.2017.
11. Incorrect, hence denied. After rule 13.9, new rule 13.9(A) was added to Police Rule 1934 vide amendment notification dated 16.03.2013 referred above.
12. Incorrect, hence denied. The appellant was appointed as Wireless Operator. As explained in the preceding Para before enactment of Police Act 2017 Police Telecommunication was governed by standing order wherein a separate seniority list was maintained for each trade and official were promoted on the basis of seniority cum-fitness subject to the availability of vacancy in their respective trade. However, after enactment of Police Act 2017 Police Force was organized on functional basis and Telecommunication & Transport Branch was declared as separate branch/Unit with Technical staff whereas separate rules, 22.A.13 was inserted in Police Rule 1934 through amendment vide notification dated 16.03.2017 refer above. In the wake of enactment of Police Act 2017 and newly amendment in Police Rule, a meeting of Police Policy Board was held on 03.05.2018 at Central Police Office Peshawar

regarding issues faced by the official of Police Telecommunication during the meeting the following recommendation were approved.

- 1) Promotional Courses: Quota for officers of Telecommunication for Lower, Intermediate and Upper College Course at PTC Hangu to be given on priority basis and syllabus for these courses already submitted to CPO, may be approved.
- 2) B1 exam case may be taken up with ETEA at the earliest.
- 3) Implementation of amended Police Rule 2017 w.e.f 01.07.2019 may be considered. (Copy of Minutes of 36th Police Policy Board Meeting attached as Annex-B)

In the light of above decision appellant along with sum others official were allowed to appear in professional test for List A,B,C held at Police School of Telecommunication Tele HQRs Peshawar. Later on combine seniority list was prepared and suitable official for such list were promoted to the rank of Offg: HC against the existing vacancies strictly in accordance with the merit policy.

13. Para is Correct to the extent of promotion of appellant to the rank of Offg: Head Constable as discussed in preceding Paras.
14. Incorrect, hence denied after qualifying the professional test for List A, B, C considered combined seniority list was issued strictly in accordance with rules and policy.
15. Para is mis leading and against the facts. As per amendment Police rule 13.9(A) the upper age limit for intermediate college course (required for promotion to the rank of ASI) is 48 years whereas the appellant has already crossed upper age limit therefore not selected for such course. (Copy of Police rule 13.9 A at Annex-C)
16. Incorrect. Appellant and others were treated as per law and rules, the grievances of appellant are against the rule referred above.
17. Incorrect, the appellant has got no cause of action and the instant appeal is devoid of merit which is liable to be dismissed with cost.
18. That in the light of decision of 36th Police Policy Board Meeting, appellant and some others were allowed to appear in the professional test for A,B,C and after qualifying such list promoted as Offg: HC as discussed in Para 12 above.

(4)

19. Incorrect, appellant is treated as per law/rules detail reply already given vide Para 15 above.
20. Incorrect, hence denied, already explained above.
21. Incorrect, hence denied, respondent have acted strictly as per law/rules.
22. Incorrect, hence denied, as explained in the preceding paras, no discrimination whatsoever has been made in case of appellant; rather he was treated as per law /rules.

GROUNDS

- a. Incorrect, as explained in detail in the proceeding Para's. The acts of respondent are in accordance with law & rules. Appellant was treated in accordance with law/rules.
- b. Incorrect, the appellant was treated as per prevailing law/rules.
- c. Incorrect, the appellant was promoted to the rank of HC as per his seniority, however as per amended Police Rule 13.9(A), appellant had crossed the upper age limit for intermediate collage course (required for promotion to the rank of ASI).
- d. Incorrect, the acts of respondents are in accordance with law/rules.
- e. Incorrect, the case of appellant is on different footing and he was treated as per law/rules.
- f. Incorrect, reply already given above.
- g. Incorrect, already explained in above Para's.
- h. Incorrect, already explained in above Para 18.
- i. Incorrect, The case of appellant is on different footing and reply already given vide Para C above.
- j. Incorrect, the respondents treated the appellant's case strictly as per law/rules.
- k. Incorrect, the appellant had crossed the prescribe age limit for Intermediate collage Course i.e 48 years as per Police rules 13.9 A
- l. Petain to record.
- m. Incorrect, appellant was treated as per law/rules.
- n. Incorrect: the amendment made in Police rules are in conformity with the provision of Police Act, 2017 and rules.
- o. Incorrect: already explained in above Para N.

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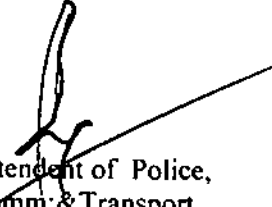
- p. Incorrect: The respondents have not violated any rights of appellant.
- q. Incorrect: already explained in above Para.
- r. Incorrect: The case of appellant is on different footing and was treated as per law/rules.
- s. Incorrect: appellant has got no cause of action and grievances of appellant are against the prevailing rules.
- t. Incorrect: no legal rights of appellant has been violated, rather he was treated as per law/rules.
- u. Incorrect: already explained.
- v. Incorrect, already explained.
- w. Incorrect: already explained
- x. Incorrect: The police Act and rules as amended are not repugnant with the provision of Constitution of Islamic Republic of Pakistan.
- y. Incorrect: The acts of respondents are in accordance with law/rules.
- z. Incorrect, appellant was treated as per law/rules.
- aa. Incorrect: appellant was treated as per law/rules.
- bb. Incorrect: appellant has been treated as per law/rules.
- cc. Incorrect the act of respondents are in accordance with law/rules and appellant has got no cause of action.
- dd. As explained in above Para.
- ee. Incorrect the act of respondent are in accordance with law/rules and no injustice whatsoever has been done with appellant.

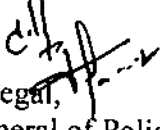
The respondents will also raised additional ground at the time of hearing of appeal with kind permission of this honorable tribunal.

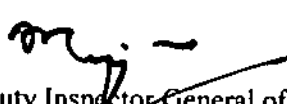
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PRAYER:-

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


Superintendent of Police,
Telecomm: & Transport
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.04)
(NISAR MUHAMMAD KHAN)
Incumbent


AIG/ Legal,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 2)
(MUHAMMAD ASIF)
Incumbent


Deputy Inspector General of Police,
Telecomm: & Transport,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 03)
(ABBAS MAJEED KHAN MARWAT)^{PSP}
Incumbent


Addl: Chief Secretary,
Home & Tribal Affairs,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)
(Abid Majeed)
Incumbent
Additional Chief Secretary
Home & T.As Department
Khyber Pakhtunkhwa.

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BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKWA PESHAWAR

Service Appeal No. 524/2024


Muhammad Ayub..... (Appellant)

VERSUS

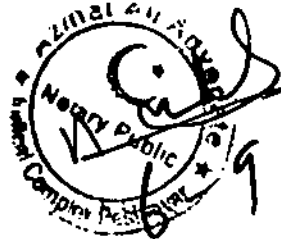
Government of Khyber Pakhtunkhwa etc..... (Respondents)

AFFIDAVIT

I, Abbas Majeed Khan Marwat, Deputy Inspector General of Police, Telecommunication & Transport Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents Department are correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal. It is further stated on oath that in Para-wise comments, the answering respondents have neither been placed ex-parte nor their defense is struck off.


(ABBAS MAJEED KHAN MARWAT) ^{PSP}
Deputy Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar

ATTESTED


Notary Public
Complex Peshawar
6/9-2024

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BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKWA PESHAWAR

Service Appeal No. 524/2024


Muhammad Ayub..... (Appellant)

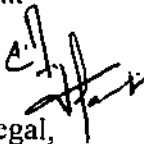
VERSUS


Government of Khyber Pakhtunkhwa etc..... (Respondents)


AUTHORITY LETTER

Mr. Saeed Khan DSP Telecomm & Transport of Police Telecommunication Peshawar is authorized to submit Para-wise comments/ reply in the instant Service Appeal in the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar and also to defend instant Service Appeal on behalf of respondent's No. 1,2,3 & 4.


Superintendent of Police,
Telecomm. & Transport
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.04)
(NISAR MUHAMMAD KHAN)
Incumbent


AIG/ Legal,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 2)
(MUHAMMAD ASIF)
Incumbent


Deputy Inspector General of Police,
Telecomm: & Transport,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 03)
(ABBAS MAJEED KHAN MARWAT)^{PSP}
Incumbent


Addl: Chief Secretary,
Home & Tribal Affairs,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)
(Abid Majeed)
Incumbent

**Additional Chief Secretary
Home & T.As Department
Khyber Pakhtunkhwa.**

STANDING ORDER RELATING TO THE RECRUITMENT, TRAINING AND PROMOTION OF THE PERSONNEL OF POLICE TELECOMM. UNIT, N.W.F.P.

1. AIM

The aim of this Standing Order is to lay down physical, medical, educational and technical standards for recruitment, training and promotion to various ranks in different sections of the Police Telecommunication Unit to enable most suitable officer to be promoted. These Orders are in supersession of all previous orders/standing orders issued on the subject.

2. RECRUITMENT

PHYSICAL AND MEDICAL STANDARDS

Physical and medical standards for recruits will be the same as for the rest of the Police Force.

3. FRESH CANDIDATES EDUCATIONAL QUALIFICATIONS

a) WIRELESS OPERATORS.

Matriculates.

b) RADIO MECHANICS, BATTERY CHARGERS AND GENERATOR FITTERS

Matriculates with science (Non-Medical).

c) TELEPRINTER OPERATORS

Matriculates. Preference will be given to type knowing candidates

d) STORE MAN M.T

Matriculate. Preference will be given to the candidate who knows stores accounting.

e) MESSENGER & OFFICE ORDERLIES

9th class passed.

f) OFFICE PERSONAL ORDERALIES

Can be illiterate.

g) GENERAL DUTY

Can be illiterate. Preference will be given to those who are trained in guard duties and drill.

h) ELECTRICIANS

A trained hand. Preference will be given to an educated candidate.

M.T. TRADES

Vehicles Mechanic, Auto Electrician, Welder, Painter, Turner, Service Station Operator, Dispatch Rider, M.T. Driver, Up-Holsterer, Blacksmith, Denter, Carpenter, Valucorizer.

i) Trained hand will be recruited. Preference will be given to educated and those with technical Diploma etc.

i)

SUITABILITY.

Suitability for recruitment will be assessed by DSP/Tele and DSP/MT for their respective trades.

4.

TRAINING

GENERAL TRAINING

General training will be imparted as under:-

a)

EX-SERVICEMEN AND OTHER CANDIDATES TRAINED IN DRILL.

They will undergo one week training in the unit as per Annexure "A".

b)

FRESH RECRUITS And Trained Hands Not Knowing Drill

They will undergo one month training as per Annexure "B".

c)

TECHNICAL TRAINING

Technical Training will be imparted as under:-

i.

WIRELESS OPERATORS

All fresh hands will be put through one month technical training in the unit as per Annexure "C". Later on they will undergo 06 months training at Police Wireless Training School Bahawalpur/Peshawar as per Annexure "D".

ii.

RADIO MECHANICS

All fresh hands will be put through 02 month's technical training in the unit as per Annexure "E". Later on they will undergo 09 month's technical training at Police Technical Training Centre, Lahore / Peshawar as per Annexure "F".

iii.

BATTERY CHARGER AND GENERATOR FITTERS

All fresh hands will be put through one month training as vehicles Mechanic and Electrician in the M.T. Workshop Peshawar as per Annexure "G". They will be put through one month training in the Telecomm. Workshop as per Annexure "H". They will be given further training as per Annexure "J" for 06 months in Police Training School Peshawar.

iv.

TELEPRINTER OPERATORS

All fresh hands will be given one week training in the unit as per Annexure "K". They will be given training on Tele-Printer by Telegraph & Telecom Department.

v.

MESSENGER / OFFICE ORDERLIES

They will be given one week training as per Annexure "L"

vi.

TRAINED HANDS

All trained hands will be imparted one week technical training as per Annexure "M" to familiarizes them with the equipment in use and current technical and administrative instructions.

5.

PROMOTIONS

- a. Promotion will be made on the basis of efficiency, power of command and seniority. All tradesmen will be required to pass trade tests (A) to (E) as applicable for their respective trades. Trained hand will be given test "A" at the time of enrolment as entrance test. They will be brought on list "A" after completing 6 months satisfactory service in the unit. Fresh hands will be considered for Test "A" after the completion of long technical training courses laid down for their trades. List "A" test to fresh hands will be given in accordance with the order of seniority. Those who have passed the test will be brought on list "A". Subject to the available of vacancies. Promotion will be made in the respective trade/section according to the vacancies allot to each trade/section which may be changed from time to time to conform to the current operational and administrative requirements.

b.

SCALES OF LIST "A" TO "F"

Lists "A" to "F" will be maintained as under:-

List "A", "B" and "C"

Having filled all the vacancies of HCs a reserve of 5% of the HCs will be maintained in each list.

List "D"

Having filled up all the vacancies of ASIs 10% of the strength of ASIs will be maintained on list "D" as reserve. Only confirmed/probational HCs will be eligible to take the test.

List "E"

Having filled up all the vacancies of SIs 20% of the strength of SIs will be maintained on list "E" as reserve. Only confirmed/probational ASIs will be eligible to take the test.

List "F"

A suitable SI form Tele and MT trade to fill vacancies in their respective spheres of activities

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will be considered for bringing him on this list He may be from any trade in their own sphere of activities.

NOTE;

To fill-in the temporary vacancies of A.S.Is, S.Is and Inspectors, H.Cs, ASIs, S.Is who are not confirmed/on probation may be considered for taking tests from lists "D" to "E" This is necessitated because of the fact that there is more temporary strength authorized than permanent.

c. TESTS

Tests "A" to "E" for various trades are as per Annexure "N " to "A-6". Current technical and administrative Standing Orders/instructions will be included in all tests from "A" to "E".

d. MARKING SYSTEM

50% pass marks both in theory and practical where applicable must be obtained to qualify for passing a test. Illiterates will be given verbal test. For counting of errors in transmitting and receiving messages in mores code each single letter received or transmitted wrongly shall count as one error and each figure received transmitted wrongly shall count 1 ½ errors.

6. CHANGE OF TRADE

Change from one trade to another will be considered only in the rank of Constable if it is in the Interest of service. A person requesting for change of trade will have to come at the bottom of the seniority list of the new trade. He will have to opt in writing and accept the re-adjusted seniority.

7. SENIORITY

Seniority amongst the various ranks within a trade will be considered from the date of coming to the relevant promotion list. In case the date of coming on the latest list is the same, the date of coming on the previous list/ lists will be considered. If it happens to be the same then date of enrolment will be considered. If the date of enrolment is also the same then age will be the determining factor.

D) **MARKING SYSTEM.**

50% pass marks both in theory and practical where applicable must be obtained to qualify for passing a test illiterates will be given verbal test. For counting of errors in transmitting and receiving messages in merue code each single letter received or transmitted wrongly shall count as one error and each figure received/transmitted wrongly shall count 1 ½ errors.

6) **CHANGE OF TRADE.**

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7) **SENIORITY**

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8. **APPROVAL FOR ADMISSION INTO LISTS.**

The Assistant Inspector General of Police, Telecommunications, N.W.F.P, Peshawar will approve the inclusion of names in all the lists.

Assistant Inspector General of Police,
Telecomm: Khyber Pakhtunkhwa, Peshawar.

**MINUTES OF THE 36TH MEETING OF POLICE POLICY BOARD
HELD ON 03.05.2018 IN CONFERENCE ROOM OF CENTRAL
POLICE OFFICE, UNDER THE CHAIRMANSHIP OF INSPECTOR
GENERAL OF POLICE KHYBER PAKHTUNKHWA**

1. The meeting commenced with the recitation of holy Quran. *Amended - D*
2. The following officers participated in the meeting:-
 1. Addl: IGP Investigation Khyber Pakhtunkhwa
 2. DIG Operations Khyber Pakhtunkhwa
 3. DIG Finance & Procurement Khyber Pakhtunkhwa
 4. DIG Telecommunication & Transport Khyber Pakhtunkhwa
 5. DIG Headquarters Khyber Pakhtunkhwa
 6. Commandant FRP Khyber Pakhtunkhwa
 7. DIG CTD Khyber Pakhtunkhwa
 8. Director IT CPO Peshawar
 9. AIG Establishment, Khyber Pakhtunkhwa
 10. AIG Legal Khyber Pakhtunkhwa
 11. SP Telecommunication & Transport
3. Opening the discussion, Worthy IGP welcomed the participants and invited the concerned officer for presenting the respective agenda points.
4. Mr. Muhammad Ali Khan Deputy Inspector General of Police Telecommunication & Transport, Khyber Pakhtunkhwa, Peshawar gave a detailed presentation regarding the issues faced by the officers of Telecommunication in the wake of newly Amended Police Rules 2017 and Police Act 2017. Due to other pressing engagements, the Worthy Inspector General of Police, Khyber Pakhtunkhwa directed Mr. Muhammad Ishtiaq Marwat Additional Inspector General of Police Investigation, Khyber Pakhtunkhwa, Peshawar to chair the meeting for detailed deliberation.
5. After detailed deliberations, the following were recommended by the Chairman and members of the meeting for approval of Worthy Inspector General of Police, Khyber Pakhtunkhwa:-
 - 1) Promotion Courses: Quota for officers of Telecommunication for Lower, Intermediate and Upper College Course at PTC Hangu to be given on priority basis and syllabus for these courses already submitted to CPO may be approved.
 - 2) B1 exam case may be taken up with ETEA at the earliest.
 - 3) Implementation of Amended Police Rules 2017 w.e.f 01.07.2019 may be considered.

Ishtiaq Ahmad Khan
 (Dr. ISHTIAQ AHMAD KHAN)
 Addl: IGP Investigation,
 Khyber Pakhtunkhwa

Muhammad Ali Khan
 (MUHAMMAD ALI KHAN)
 DIG Operations,
 Khyber Pakhtunkhwa
 7/6/2018

Awal Khan
 (AWAL KHAN)
 DIG Finance & Procurement,
 Khyber Pakhtunkhwa

Muhammad
(MUHAMMAD ALI KHAN)
DIG Telecomun: & Transport,
Khyber Pakhtunkhwa

(Signature)
(SHER AKBAR)
PSP, S.St
Deputy Inspector General of Police
Headquarters,
Khyber Pakhtunkhwa

(Signature)
(Cap @ TAHIR AYUB KHAN
Commandant FRP
Khyber Pakhtunkhwa

(Signature)
(MUHAMMAD SALEEM)
DIG CTD
Khyber Pakhtunkhwa

(Signature)
(NAVEED GUL)
Director IT,
Khyber Pakhtunkhwa

(Signature)
(IRFAN ULLAH KHAN)
AIG Establishment,
Khyber Pakhtunkhwa

(Signature)
(IMTIAZ ALI)
AIG Legal,
Khyber Pakhtunkhwa

(Signature)
(ZIA HASSAN)
SP Motor Transport,
Khyber Pakhtunkhwa

(Signature)
APPROVED
(SALAH-UD-DIN KHAN)
Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

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NOTIFICATION

As approved by the competent authority in the 36th meeting of Police Policy Board Meeting held on 03.05.2018, approval of the following are hereby ordered with immediate effect:-

- 1) Promotion Courses: Quota for officers of Telecommunication for Lower, Intermediate and Upper College Course at PTC Hangu to be given on priority basis and syllabus for these courses already submitted to CPO be approved.
- 2) B-1 exam case be taken up with ETEA at the earliest.
- 3) Implementation of Amended Police Rules 2017 w.e. 01.07.2019.

(Signature)
 (Muhammad Ali Khan)PSI
 Deputy Inspector General of Police
 Telecomm: Khyber Pakhtunkhwa, Peshawar

7034-37

Tele/OS, dated Peshawar the

20 16 /2018.

Copy forwarded to the:-

- | | |
|--|---|
| 1) Inspector General of Police Khyber Pakhtunkhwa, Peshawar (along with minutes) | } With the direction to prepare/submit specialized notes and curriculum for B-1 exam for onward submission to CPO for approval. |
| 2) SP Telecomm: & Transport, KP, Peshawar. | |
| 3) DSP Telecomm: KP, Peshawar. | |
| 4) Foreman MT, Peshawar. | |

(Signature)
 (Muhammad Ali Khan)PSI
 Deputy Inspector General of Police
 Tele comm: Khyber Pakhtunkhwa, Peshawar

(Signature)
 Deputy Superintendent of Police
 Telecomm: Khyber Pakhtunkhwa, Peshawar

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority
PESHAWAR, THURSDAY, 16TH MARCH, 2017.

OFFICE OF THE PROVINCIAL POLICE OFFICER
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

NOTIFICATION

Peshawar, dated the 16.03.2017.

No.755/Legal.-In exercise of the powers conferred by section 140 of the Khyber Pakhtunkhwa Police Act, 2017 (Khyber Pakhtunkhwa Act No. 11 of 2017), the Provincial Police Officer, with the approval of Government, is pleased to direct that in the Police Rules, 1934, the following further amendments shall be made, namely:

AMENDMENTS

1. In rule 12.1, after sub-rule (4), the following new sub-rules shall be added, namely:
 - (5) No official of police establishment shall be allowed to change the cadre in which he was initially appointed.
 - (6) The official appointed on contract shall not perform duty in any other Unit except in the Unit for which his services are hired. The period of contract shall be for one year and may be renewed upon satisfactory performance report."
2. For rule 12.4, the following shall be substituted, namely:
 - "12.4. Recruitment in Traffic Warden Service.—(1) Direct recruitment in the Traffic Warden Service shall be in rank of Constable and Assistant Sub-Inspector in the same manner as provided for initial recruitment of Constable and Assistant Sub-Inspector in the general cadre.
 - (2) On appointment, the Constable and Assistant Sub-Inspector in addition to the basic recruit and probation courses, shall undergo mandatory Elite Course and Specialized Traffic Training Courses as determined by Provincial Police Officer.
 - (3) The ratio of Fast Track Promotion in the Traffic Warden Service, in the ranks of Assistant Sub-Inspector, Sub-Inspector and Inspector, shall be same as provided for Assistant Sub-Inspectors, Sub-Inspectors and Inspectors under the Khyber Pakhtunkhwa Police Act, 2017.
 - (4) The Constable and Assistant Sub-Inspector shall be promoted on seats allocated for them in their respective districts and regions. The promotion within the Traffic Wardens shall be upto the rank of Inspector subject to completion of requisite promotional and capacity building courses as determined by Provincial Police Officer.
 - (5) An Inspector of Police Warden Service shall be eligible for promotion as Deputy Superintendent of Police against general posts of Deputy Superintendents of Police, if he successfully completes the requisite courses including Advance Course provided under these rules and also qualifies specialized courses of minimum two (02) weeks each in the Police School of Intelligence, Police School of Investigation, Police School of Tactics and Police School of Public Disorder and Riot Management besides (04) weeks general policing orientation course and (08) weeks field attachment with Sub-Divisional Police Officer office and Police Stations. Deputy Superintendent of Police so promoted shall be eligible to be posted anywhere on any assignment.

22.A.13. **Telecommunication and Transport Branch.**—(1) There shall be a Telecommunication and Transport Branch at the Central Police Office. The Branch shall consist of Telecommunication Wing and Transport Wing, each to be headed by an officer not below the rank of Superintendent of Police.

(2) The Telecommunication Wing shall be responsible for-

- (i) the prompt communication of orders and dissemination of information to the concerned quarters while keeping its confidentiality;
- (ii) linking all Police Establishments with the WT System; provided that all Police Units and Districts shall have their Control Rooms linked with the Central Control Room at Peshawar; and
- (iii) linking and making liaison with police patrols and Police Establishments.

(3) The Head of Telecommunication Wing shall be responsible for-

- (i) efficient working of the Telecommunication Wing;
- (ii) upkeep of the equipments in the Telecommunication Wing;
- (iii) quarterly inspection of the Base station and equipments;
- (iv) management of human resource;
- (v) ensuring accessibility of the equipments to authorized persons;
- (vi) maintenance of record and logbooks;
- (vii) modernization of equipments;
- (viii) condemnation process of equipments;
- (ix) maintenance of workshop;
- (x) preparing annual procurement plan;
- (xi) recommending use of code words for approval by the Provincial Police Officer; and
- (xii) any other function assigned by the Provincial Police Officer.

(4) The Head of Transport Wing shall be responsible for-

- (i) efficient working of the Transport Wing;
- (ii) upkeep of the vehicles at the central pool and supervise the upkeep at the Provincial level;
- (iii) quarterly inspection of the vehicles and equipments;
- (iv) management of human resource;
- (v) distribution of vehicles in the Province;
- (vi) maintenance of record;
- (vii) modernization of equipments;
- (viii) condemnation process of the vehicles;
- (ix) maintenance of workshop;
- (x) developing a system of efficient use of POL and maintenance amount;
- (xi) annual procurement plan relating to maintenance of vehicles;
- (xii) preparing annual procurement plan; and
- (xiii) any other function assigned by the Provincial Police Officer.

(5) The Deputy Inspector General of Police at the Central Police Office shall supervise the functioning of Telecommunication and Transport Branch and shall be responsible to the Provincial Police Officer on matters relating to transport and telecommunication.

(6) The appointment on various posts in the Telecommunication Wing and Transport Wing shall be in accordance with the criteria as provided in Appendix 22.A.A.

(Appendix 22.A.1)
TECHNICAL STAFF SPECIAL BRANCH

S.#	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of Recruitment
1	2	3	4	5
1.	DSP Technical			By promotion, on the basis of seniority-cum-fitness, from amongst Inspectors Technical with five years service as such and have successfully qualified advance course with modules relating to Technical.
2.	Inspector Technical			By promotion on the basis of seniority-cum-fitness from amongst Sub Inspectors Technical with five years service as such and have successfully qualified technical upper college course.
3.	Sub-Inspector			By promotion on the basis of seniority-cum-fitness, from amongst Assistant Sub-Inspectors Technical with three years service as such.
4.	Assistant Sub Inspector Technical	(i) (a) B.Sc Electronics or Telecommunication or equivalent qualification from a recognized Board of Technical Education; or (b) Three years diploma in Electronics or Telecommunication from a recognized Board or Institute of Technical Education; and (ii) Three years experience in the field of electronics or telecommunication and computer literate	18-30	(i) seventy-five percent (75%) by promotion on the basis of seniority-cum-fitness, from amongst Head Constables Technical with three years service as such and have successfully qualified technical intermediate course; and (ii) twenty-five percent (25%) by initial recruitment on the recommendations of Provincial Public Service commission.

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Handwritten notes in Urdu:
 1. DSP Technical
 2. Inspector Technical
 3. Sub-Inspector
 4. Assistant Sub Inspector Technical

5.	Head Constable Technical			<p>By promotion on the basis of seniority-cum-fitness, from amongst Constables Technical with three years service as such and have successfully qualified basic recruit course, B-1 Examination and technical lower course.</p> <p>Note: (i) Constable Technical, who qualified basic recruit course shall be eligible for B-1 Examination and on the basis of B-1 Examination would be eligible for lower course; and</p> <p>(ii) the lower course and the B-1 Examination shall be based on special modules relating to Technical.</p>
6.	Constable Technical	Secondary School Certificate with One year diploma in electronics or Telecommunication with basic computer knowledge.	18-25	By initial recruitment through accredited testing agency.

Note: (i) In case of initial recruitment of Assistant Sub-Inspector Technical and Constable Technical, the condition of required height and chest of the general cadre of Assistant Sub-Inspector and Constable shall also be applicable to this cadre, however,-

(a) ~~the Provincial Police Officer, may give relaxation in height and chest to minimum extent of 2 inches and 1 1/2 inches, respectively; and~~

(b) running shall be as follows:

- i. Male candidates 1 Km in seven minutes
- ii. Female candidates 1 Km in eight minutes

(ii) the syllabus for examination for initial recruitment of Assistant Sub-Inspector Technical and Constable Technical shall be provided to the Provincial Public Service Commission and the approved testing agency, as the case may be, with the approval of Provincial Police Officer;

(iii) the procedure for the selection of Assistant Sub-Inspector Technical and Constables Technical, except as provided under this Appendix shall be same as provided for the selection of Assistant Sub-Inspector and Constables in the general cadre;

(21)

- (c) Cross-Country Run;
(5 Miles in 50 Minutes for Men,
5 KMs in 50 Minutes for Women) 20 Marks
- (d) 09 Feet Wall Climbing; and 10 Marks
- (e) 20 Feet Rope Climbing. 10 Marks

Note:

- (1) Lady Police candidates shall be exempted from Rope Climbing and wall climbing tests. The total marks obtained by a Lady Police candidate in Rifle Shooting, Pistol Shooting and Cross-Country Run shall be adjusted in the scale of 100 marks.
- (2) Each category of marks shall be further elaborated by Provincial Police Officer through standing orders.
- (6) A candidate who tops shall be declared as Cadet, provided that marks obtained by the candidate in the Cadetship Examination shall not be, in any case, less than 60% of the total marks".

8. In rule 13.8,-

- (i) in sub-rule (2), after the words "ten percent of vacancies", the words "in the manner as provided in sub-rule (3) and (4)" shall be added; and
- (ii) after sub-rule (2), as so amended, the following new rules shall be added, namely:

"(3) Each District shall maintain list "C-II" of all those Constables for promotion to Head Constables, who have not passed the lower school course at the Police Training School and have exceeded upper age limit for the lower school course and are otherwise considered suitable for promotion;

(4) For the purpose of sub-rule (3), a Selection Board consisting of District Head of Police of the district concerned and two other officers not below than the rank of Superintendent of Police shall be constituted by the Capital City Police Officer or Regional Police Officer, as the case may be, to consider on the basis of outstanding performance and good reputation of Constables for placement on list C-II; provided that in District Peshawar, Senior Superintendent of Police Operation shall be member of the Board in place of District Head of Police."

9. After rule 13.9, the following new rule shall be added, namely:

"13.9A. Upper age limit for lower, intermediate and upper college courses and its duration.--(1) The upper age limit for Lower School Course shall be forty (40) years.

(2) The upper age limit for intermediate college course required for promotion to Assistant Sub-Inspector; shall be upto forty-eight (48) years and the duration of this course shall be sixteen (16) weeks.

(3) There shall be no upper age limit for joining upper college course and the duration of the course shall also be sixteen (16) weeks.

(4) Quota of seats for upper college course shall be allocated to each Region in proportion to the existing strength of Sub-Inspectors of that Region. The cutoff date for calculating the upper age limit for lower school and intermediate college course shall be the 31st day of the month of December falling before the commencement of the course."