

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

Appeal No. 1041/2024

Wasim Sajjad

(Appellant)

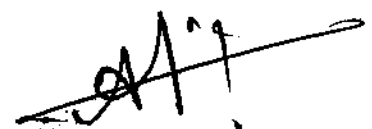
VERSUS

PPO, etc.

(Respondents)

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Deponent

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
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Wasim Sajjad

(Appellant)

VERSUS

PPO, etc.

(Respondents)

PARA WISE COMMENTS OF RESPONDENTS NO. 1 & 2

Respectfully Sheweth

The respondents respectfully submit as under: -

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 17860
Dated 12-11-24

PRELIMINARY OBJECTIONS.

1. That the Appellant has got no cause of action.
2. That the Appeal is not maintainable under the law.
3. That the Appeal is barred by law & limitation.
4. That the Appellant has not been discriminated in any way.
5. That the Appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the Appellant has approached the Honorable Tribunal with unclean hands.
7. That the Appellant has got no cause of action and locus-standi to file the instant Appeal.
8. That the Appellant has been estopped by his own conduct.

ON FACTS

1. Correct, hence needs no comments.
2. Pertains to record, hence no comments.
3. Correct to the extent, hence no comments.
4. Correct, needs no comments.
5. Pertains to record. Hence no comments.
6. In police department, promotion is always subject to seniority cum fitness and fulfillment of eligibility criteria. Correct to the extent, that colleagues of the appellant were promoted as they fulfilled the mandatory criteria required according to Police Rules 1934, but the appellant was deferred due to non fulfillment of the criteria i.e mandatory courses under Rule 19.25 (A). Minutes of the DPC meeting dated 14.07.2023 is attached.
It is pertinent to mentioned that, as the appellant fulfilled the criteria, he was promoted in the subsequent DPC meeting held on 31.07.2024 as an officiating Sub.Inspector. (Minutes of the DPC 2023 & 2024 is attached as A & B)
7. Incorrect, the appeal of the appellant was devoid of merit/law/rules, the appellant being deficient in eligibility criteria.

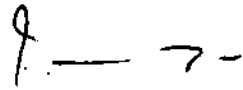
GROUNDS:

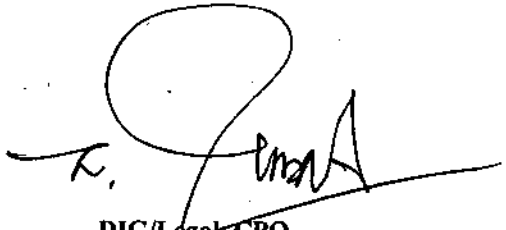
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1. Incorrect, the colleagues of the appellant were promoted because of fulfill their requirements and the appellant was dropped due to incomplete mandatory training courses under Police Rules 19.25 (A).
2. Incorrect, the reply has already been given in the above Para no.1.
3. Incorrect, all officials were treated similarly and equally under the law as well as per the judgments of the apex court. No discrimination has been done by the department but the appellant was deferred due to not fulfill the required criteria.
4. Incorrect, the appellant was dropped due to incomplete mandatory training courses under Police Rules 19.25 (A).
5. Incorrect, the promotion order dated 14.07.2023 did not ignoring the appellant from promotion to the rank of officiating Sub-inspector but he was deferred due to incomplete mandatory training courses under Police Rules 19.25 (A).

PRAYER:

In view of the above Para wise comments, it is most humbly prayed that the Appeal of the Appellant may kindly be dismissed with cost.


**Regional Police Officer
Bannu, Region, Bannu
(IMRAN SHAHID) PSP
(Respondent No.2)
Incumbent**


**DIG/Legal, CPO
For Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
(DR. MUHAMMAD AKHTAR ABBAS) PSP
(Respondent No.1)
Incumbent**

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

Appeal No. 1041/2024

Wasim Sajjad

(Appellant)

VERSUS

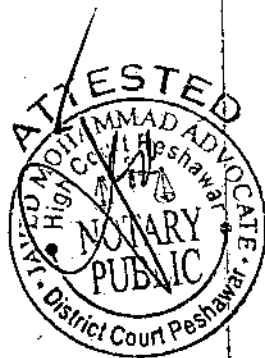
PPO, etc.

(Respondents)

AFFIDAVIT.

I, Mr. Zia UD Din Ahmad (PSP) DPO Bannu representative for Respondent Nos.1 & 2, do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by us are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex. Parte nor their defense has been struck off.



**Deponent
DPO Bannu
Zia Ud Din Ahmad**

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

Appeal No. 1041/2024

Wasim Sajjad

(Appellant)

VERSUS

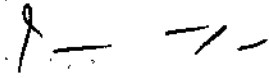
PPO, etc.

(Respondents)

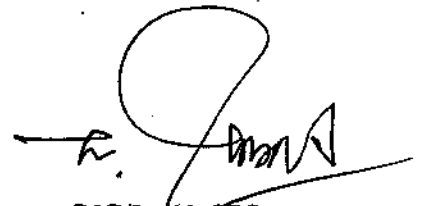
AUTHORITY LETTER.

Mr. Muhammad Farooq Khan DSP Legal Bannu, is hereby authorized to appear before Honorable Tribunal on behalf of the undersigned in the above cited Appeal.

He is authorized to submit and sign all documents pertaining to the present Appeal.



**Regional Police Officer
Bannu, Region, Bannu
(IMRAN SHAHID) PSP
(Respondent No.2)
Incumbent**



**DIG/Legal, CPO
For Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
(DR. MUHAMMAD AKHTAR ABBAS) PSP
(Respondent No.1)
Incumbent**

(4)

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

Appeal No. 1041/2024

Wasim Sajjad

(Appellant)

VERSUS

PPO, etc.

(Respondents)

AFFIDAVIT.

I, Mr. Muhammad Farooq Khan (DSP Legal) District Bann, representative for Respondent Nos.1 & 2, do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by us are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex. Parte nor their defense has been struck off.



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Deponent
DSP/LC
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MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 13.07.2023 OF CONFIRMED ASIS ON LIST "E" FOR PROMOTION TO THE RANK OF SUB INSPECTORS UNDER POLICE RULES, 13.1, 13.4(2), 13.12 (1) & 19.25(A)

A meeting of the Departmental Promotion Committee, comprising the following Officers,

Annexure (A)

- 1) Mr. Qasim Ali Khan (PSP) Chairman
Regional Police Officer, Bannu Region
- 2) Mr. Iftikhar Ali Shah Member
District Police Officer, Bannu
- 3) Muhammad Ashfaq (PSP) Member
District Police Officer, Lakki Marwat

was convened in the office of Regional Police Officer, Bannu Region on 13.07.2023 to consider the cases of confirmed ASIs on list "E" for promotion to the rank of Officiating Sub Inspectors under Police Rule 13.1, 13.4(2), 13.12(1) & 19.25(A). The decisions taken by the Committee are as under:-


S.#	Name, Rank & No.	Decision/Remarks
1.	ASI Munawar Khan No.09/B	Deferred due to incomplete mandatory training courses under Police Rules 19.25(A) and ACR for the period from 01.01.2022 to 30.09.2022.
2.	ASI Abdur Rashid No.70/B	Approved.
3.	ASI Farid Ullah No.92/B	Approved subject to furnishing of good ACR for the year 2020.
4.	ASI Asmat Ullah No.50/B	Deferred due to incomplete mandatory training courses under Police Rules 19.25(A) and ACRs for the years 2019 & 2022.
5.	ASI Muhammad Ajmal No.41/B	Approved subject to furnishing of good ACR for the year 2022.
6.	ASI Muhammad Tahir No.57/B	Approved.
7.	ASI Ghulam Razaq No.51/B	Approved.
8.	ASI Saif ur Rehman No.64/B	Approved.
9.	ASI Pasham Khan No.53/B	Approved.
10.	ASI Nawab Khan No.85/B	Approved.
11.	ASI Karim Khan No.07/B	Approved subject to furnishing good ACR for the period from 26.05.2022 to 31.12.2022.
12.	ASI Mir Tajum No.111/B	Subject to furnishing of good ACR for the year 2022.
13.	ASI Muhammad Shah No.14/B	Approved subject to furnishing of good ACR for the year 2022.
14.	ASI Almar Khan No.80/B	Deferred due to incomplete mandatory training courses under Police Rules 19.25(A).
15.	ASI Muhammad Yosaf No.82/B	Deferred due to incomplete mandatory training courses under Police Rules 19.25(A) and ACR for the year 2022.
16.	ASI Abdul Jalil No.83/B	Deferred due to incomplete mandatory training courses under Police Rules 19.25(A) and ACR for the year 2022.
17.	ASI Abdul Qayyum No.81/B	Approved.
18.	ASI Shafeed Ullah No.04/B	Approved subject to completion of remaining 01 mark in mandatory training courses under Police Rules 19.25(A).

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|-------|----------------------------------|---|--|
| 19. | ASI Imtiaz Khan No.25/B | ✓ | Approved subject to completion of remaining 02 marks in mandatory training courses under Police Rules 19.25(A). |
| 20. | ASI Sher Ali No.102/B | | Approved. |
| 21. | ASI Sami Ullah No.123/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A) and ACRs for the years 2019, 2020, 2021 & 2022. |
| 22. | ASI Abdul Hameed No.28/B | ✓ | Approved subject to completion of remaining 01 mark in mandatory training courses under Police Rules 19.25(A) and furnishing of good ACRs for the years 2019 & 2020. |
| 23. | ASI Dilabaz Khan No.36/B | | Approved. |
| 24. | ASI Nauman Khan No.71/B | | Approved. |
| 25. | ASI Nasib Ullah Shah No.44/B | | Approved. |
| 26. | ASI Muhammad Bakhtiar No.103/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| 27. | ASI Wajid Ali Khan No.43/B | | Approved. |
| 28. | ASI Muhammad Alam Khan No.55/B | | Approved. |
| 29. | ASI Anwar Ullah Khan No.22/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| 30. | ASI Wajid-ur-Rehman No.65/B | | Approved. |
| 31. | ASI Asim No.76/B | | Approved. |
| 32. | ASI Muhammad Basit Shah No.100/B | ✓ | Approved subject to completion of remaining 02 marks in mandatory training courses under Police Rules 19.25(A). |
| 33. | ASI Abdul Waheed No.25/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| ✓ 34. | ASI Wasim Sajjad No.56/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| 35. | ASI Inam Ullah Khan No.52/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| 36. | ASI Annes-ur-Rahman No.89/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |
| ✓ 37. | ASI Muhammad Taimur No.42/B | | Deferred due to incomplete mandatory training courses under Police Rules 19.25(A). |


(IFTIKHAR ALI SHAH)
District Police Officer,
Bannu


(MUHAMMAD ASHFAQ) PSP
District Police Officer,
Lakki Marwat




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

14/7/23.

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Annexure 13²

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 31.07.2024 OF CONFIRMED ASIs ON LIST "E" OF BANNU REGION FOR PROMOTION TO THE RANK OF OFFICIATING SUB INSPECTORS UNDER POLICE ACT (2017) 31(II) AND POLICE RULES (1934) 13.1, 13.4(2), 13.12(1) & 19.25(A).

A meeting of the Departmental Promotion Committee, comprising the following Police Officers was convened in the office of the Regional Police Officer, Bannu Region on 31.07.2024 in connection with the promotion of confirmed ASIs on list "E" Bannu Region to the rank of Officiating Sub Inspectors under Police Act (2017) 31(ii) and Police Rules (1934) 13.1, 13.4(2), 13.12(1) & 19.25(A):

- 1) Mr. Imran Shahid (PSP) Chairman
Regional Police Officer, Bannu Region
- 2) Mr. Zia-Ud-Din Ahmad Member
District Police Officer, Bannu
- 3) Mr. Aqeeq Hussain Member
District Police Officer, Lakki Marwat
- 4) Mr. Muhammad Farooq Khan Member
DSP Legal, Bannu
- 5) Mr. Muhammad Mofeez Khan Member
DSP Special Branch, Bannu Region

The decisions taken by the Committee are as under:-

S.#	Name, Rank & No.	Decision/Remarks
1.	ASI Munawar Khan No. 09/B	Absent/ Deferred due to incomplete ACRs and mandatory marks
2.	ASI Mutabar Khan No.112/B	Deferred due to incomplete ACRs and mandatory marks
3.	ASI Abdul Ghani No. 143/B	Approved
4.	ASI Syed Nawaz No. 17/B	Approved subject to completion of remaining 03 marks in Mandatory Training Courses under Police Rules 19.25(A)
5.	ASI Abdul Majeed No. 147/B	Approved subject to completion of ACRs for the period of 24.08.2023 to 31.12.2023 within a month
6.	ASI Nemer Khan No.148/B	Approved subject to completion of remaining 04 marks in Mandatory Training Courses under Police Rules 19.25(A)
7.	ASI Akhto Jan No. 38/B	Approved
8.	ASI Hamza Ali No. 39/B	Approved
9.	ASI Rehmat Ullah No. 05/B	Approved
10.	ASI Firdous Khan No. 263/B	Deferred due to incomplete ACRs and mandatory marks
11.	ASI Nambiaz Khan No. 264/B	Deferred due to incomplete ACRs and mandatory marks
12.	ASI Ijaz Ahmad No. 265/B	Approved subject to completion of ACRs for the years 2021, 2022 and 2023 within a month
13.	ASI Muhammad Farooq NO. 299/B	Deferred due to incomplete ACRs and mandatory marks
14.	ASI Rafi Ullah No. 268/B	Approved
15.	ASI Shakeel Khan No. 269/B	Approved subject to completion of remaining 01 mark in Mandatory Training Courses under Police Rules 19.25(A)
16.	ASI Insha Ullah No. 270/B	Approved
17.	ASI Murad Ali Khan No. 271/B	Approved subject to completion of ACRs for the period of 24.09.2020 to 31.12.2020 and for the years 2021, 2022 and 2023 within a month
18.	ASI Mudassar Hayat No. 272/B	Deferred due to incomplete ACRs and mandatory marks

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S.#	Name, Rank & No.	Decision/Remarks
19.	ASI Navid Ullah No. 273/B	Approved subject to completion of ACRs for the years 05.04.2021 to 31.12.2021, 2022 and 2023 within a month
20.	ASI Asif Khan No. 274/B	Deferred due to incomplete ACRs and mandatory marks
21.	ASI Inam Ullah No. 275/B	Approved
22.	ASI Inam Ullah Khan No. 276/B	Approved subject to completion of ACRs for the years 2021, 2022 and 2023 within a month
23.	ASI Javid Khan No. 277/B	Deferred due to incomplete ACRs and mandatory marks
24.	ASI Waheed Ullah No. 278/B	Approved subject to completion of remaining 02 marks in Mandatory Training Courses under Police Rules 19.25(A) and ACRs for the year 2021, 2022 & 2023 within a month
25.	ASI Abdul Rauf No. 279/B	Deferred due to incomplete ACRs and mandatory marks
26.	ASI Irfan Ullah No. 280/B	Approved subject to completion of remaining 01 mark in Mandatory Training Courses under Police Rules 19.25(A) and ACRs for the period of 01.01.2023 to 02.05.2023 within a month
27.	ASI Irfan Ullah No. 281/B	Approved
28.	ASI Adil Zaman No. 282/B	Deferred due to incomplete ACRs and mandatory marks
29.	ASI Arshad Khan No. 302/B	Approved subject to completion of remaining 01 mark in Mandatory Training Courses under Police Rules 19.25(A) and ACRs for the year 2021, 2022 & 2023 within a month
30.	ASI Aurangzeb No. 283/B	Deferred due to incomplete ACRs and mandatory marks
31.	ASI Asmat Ullah No. 284/B	Approved subject to completion of ACRs for the years 2021, 2022 and 2023 within a month
32.	ASI Asif Iqbal No. 285/B	Approved subject to completion of remaining 02 marks in Mandatory Training Courses under Police Rules 19.25(A) and ACRs for the period of 09.04.2021 to 31.12.2021, for the year 2022 & 2023 within a month
33.	ASI Sifat Ullah No. 286/B	Deferred due to incomplete ACRs and mandatory marks
34.	ASI Hazrat Usman No. 287/B	Approved subject to completion of remaining 02 marks in Mandatory Training Courses under Police Rules 19.25(A) and ACRs for the period of 24.09.2020 to 31.12.2020 and for the year 2021, 2022 & 2023 within a month
35.	ASI Sajid Khan No. 288/B	Approved subject to completion of ACRs for the period of 24.09.2020 to 31.12.2020 and for the year 2021, 2022 & 2023 within a month
36.	ASI Javed Rasool No. 289/B	Absent/ Deferred due to incomplete ACRs
37.	ASI Wajid Khan No. 290/B	Deferred due to incomplete ACRs and mandatory marks
38.	ASI Murshid Khan No. 291/B	Deferred due to incomplete ACRs and mandatory marks
39.	ASI Anwar Kamal No. 292/B	Deferred due to incomplete ACRs and mandatory marks
40.	ASI Muhammad Kashif Khan No. 293/B	Deferred due to incomplete ACRs and mandatory marks
41.	ASI Misbah UD Din No. 294/B	Deferred due to incomplete ACRs and mandatory marks. He is also under inquiry
42.	ASI Ali Nawaz No. 295/B	Absent/ Deferred due to incomplete ACRs and mandatory marks
43.	ASI Shafqat Ullah No. 298/B	Absent/ Deferred due to incomplete ACRs and mandatory marks
44.	ASI Zahid Ullah No. 296/B	Approved subject to completion of ACRs for the period of 03.08.2021 to 31.12.2021, year 2022 & 2023 within a month
45.	ASI Javed Khan No. 06/B	Approved subject to completion of ACRs for the year 2021, 2022 & 2023 within a month

Asif Iqbal