


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 2464/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/11/2024	<p>The appeal of Mr. Farman Ullah presented today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 21.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S.A No. 2464/2024

Farman Ullah

versus

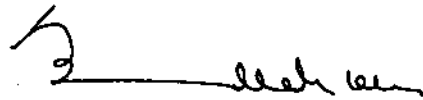
CCPO & others

**I N D E X**

S.#	Description of Documents	Annex	Page
1.	Memo of Appeal		1-4
2.	Judgment dated 27-12-2002	"A"	5-7
3.	Judgment in Writ Petition dated 02-11-10	"B"	8-9
4.	S. A. No. 04/2014 dated 24-12-2013	"C"	10-13
5.	Order dated 28-11-2018	"D"	14-15
6.	Promotion order of colleagues, 12-02-19	"E"	16-18
7.	Representation dated 28-06-2022	"F"	19-20
8.	Notification dated 12-05-2000	"G"	21-23
9.	Rejection order dated 18-10-2022	"H"	24
10.	S. A No. 1768/22 dated 15-11-2022	"I"	25-27
11.	Order dated 30-09-2024	"J"	28-29
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13.	Rejection order dated 21-10-2024	"L"	31

Appellant

Through



Saadullah Khan Marwat  
Advocate, 21-A, Nasir  
Mansion, Shoba  
Bazaar, Peshawar

Dated 13-11-2024

Ph: 0300-5872676

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S.A No. 2464/2024

Farman Ullah S/o Muhammad Karim,  
Head Constable, Capital City Police,  
Peshawar. . . . . Appellant

Versus

- 1. Capital City Police Officer, Peshawar.
- 2. Provincial Police Officer, KP, Peshawar.
- 3. Superintendent of Police,  
Hqr: Peshawar . . . . . Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974  
AGAINST OFFICE ORDER NO. 14076-82 / EC,  
DATED 21-10-2024 OF R NO. 1 WHEREBY  
REPRESENTATION OF APPELLANT WAS FILED /  
REJECTED.**

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**Respectfully Sheweth:**

- 1. That on 19-09-2000, appellant filed appeal 2202/2000 before the hon'ble Tribunal whereby appellant was dismissed from service which appeal came up for hearing on 27-12-2002 and then the hon'ble Tribunal was pleased to modify the same and major penalty of dismissal from service was converted into minor penalty of stoppage of two annual increments and reinstated him in service with all back benefits. (Copy as annex "A")

2. That appellant filed Writ Petition No. 1869/2009 before Peshawar High Court, Peshawar which came up for hearing on 02-11-2010 and then the hon'ble court was pleased to hold that:-

Resultantly, this Writ Petition is allowed and respondents are directed to depute petitioner for requisite training, any when occasion arises and while considering him for the same, the minor penalty imposed upon him in disciplinary proceedings shall not come in his way. (Copy as annex "B")

3. That on 24-12-2013, appellant filed appeal No. 04/2014 before the hon'ble Service Tribunal to select him being senior for Intermediate College Course at PTC Hangu. The said appeal came up for hearing on 28-11-2018 and then the hon'ble Tribunal was pleased to dispose of the same as by then appellant was deputed for the course to PTC Hangu. (Copies as annex "C" & "D")
4. That on 12-02-2019, colleagues of appellant were promoted to the rank of Sub-Inspectors. (Copy as annex "E")
5. That on 28-06-2022, appellant submitted representation before R. No. 02 to promote him to the rank of Assistant Sub-Inspector B-11 and Sub-Inspector B-14 because his colleagues were performing duties as Sub-Inspectors B-14 and to also depute / select him for Upper College Course as well as to allow him seniority as per Notification dated 12-05-2000. (Copies as annex "F" & "G")
6. That on 18-10-2022, the said representation of appellant was rejected / filed by R. No. 01. (Copy as annex "H")
7. That on 15-11-2022 appellant filed Service Appeal No. 1768 / 2022 before this hon'ble Tribunal challenging order dated 18-10-2022 which came up for hearing on 30-09-2024 and then hon'ble Tribunal was ordered that the instant service appeal is remanded back to the respondents to pass a speaking appellate order within 10 days of the receipt of this order. The said order was remitted

to respondents for compliance on 15-10-2024. (Copies as annex "I", "J" & "K")

8. That on 21-10-2024, R. No. 01 passed an order in the light of the order dated 30-09-2024 of the hon'ble Service Tribunal which is not a speaking order at all and the controversy involved in the matter has not been dealt with in accordance with law and rules on the subject. (Copy as annex "L")

Hence this appeal, inter alia, on the following grounds:-

**GROUND S.**

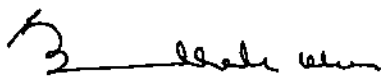
- a. That admittedly appellant was senior but due to the aforesaid minor punishment he was deprived of benefits of future carrier.
- b. That colleagues of appellant are serving the force as Sub-Inspectors B-14 but appellant as Head Constable B-09.
- c. That it was the lapses of the respondents who misinterpreted the judgment of the hon'ble Service Tribunal by blocking his future carrier as per the minor punishment while minor punishment of stoppage of annual increment is not a grave penalty in the eyes of law nor it comes in way of promotion.
- d. That appellant agitated the matter not only before respondents but also before the legal forum but due to mis-application of mind to the matter of respondents, appellant is still facing agonies.
- e. That order dated 21-10-2024 of the respondent is in total disregard and against law and rules as the averments made in the appeal were not taken into task but such order is not per the mandate of law, so requires interference by the hon'ble Tribunal.

- f. That at present appellant is performing his duties as Head Constable while his colleagues are performing their duties as confirmed Sub-Inspectors and Inspectors, so he be also treated alike to avoid discrimination.


It is, therefore, most humbly prayed that on acceptance of the appeal, the impugned order dated 21-10-2024 of the respondents be set aside and appellant be awarded promotion to the rank of Sub-Inspector B-14 with his colleagues, he be allowed for mandatory course, if any, as well as seniority with all consequential benefits, with such other relief as may be deemed proper and just in circumstances of the case.

  
Appellant

Through

  
Saadullah Khan Marwat

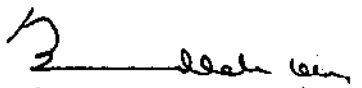
  
Arbab Saif-ul-Kamal

  
Amjad Nawaz  
Advocates,

Dated: 13-11-2024

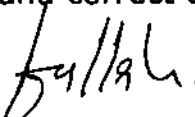
**CERTIFICATE:**

As per instructions of my client, no such like Service Appeal has earlier been filed by the appellant before this Hon'ble Tribunal.

  
Advocate

**AFFIDAVIT**

I, Farman Ullah S/o Muhammad Karim, Head Constable, Capital City Police, Peshawar (appellant), do hereby solemnly affirm and declare that contents of Service Appeal are true and correct to the best of my knowledge and belief.

  
DEPONENT

A 5

27-12-02

**BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR.**

APPEAL NO. 2202/2000

Date of Institution .....19-9-2000

Date of Decision..... 27-12-2002

Farmanullah (FC No.6),  
S/O Mohammad Karim, R/O village Mirzai,  
Kandary, Post office shabqadar; Tehsil  
And District, Charsadda...

(APPELLANT)

**VERSUS**

1. Government of NWFP thorough Secretary, Pomer & T.A Department, Peshawar.
  2. Inspector General of Police, NWFP Peshawar.
  3. Deputy Inspector General of Police, Crimes Branch, NWFP Peshawar.
  4. Superintendent of Police, Crimes Branch, NWFP, Peshawar.
  5. D.S.P. Crime Branch, NWFP Peshawar .....
- (RESPONDENTS)

MR. WAQAR AHMAD SETH,  
Advocate.

Mr. SULTAN MEHMOOD,  
Government Pleader

Mr. KHAN AKBAR KHAN  
MR. MOHAMMAD SHAUKAT

For appellant  
For respondents.

CHAIRMAN.  
MEMBER

**KHAN AKBAR KHAN CHAIRMAN.** This is a service appeal filed by appellant Farmanullah, under section 4 of the NWFP Service Tribunal Act, 1971 against the order dated 20/5/2000 passed by respondent No. 4 whereby the appellant has been dismissed from service and against the order dated 4.9.2000 passed by R.No-3 whereby his departmental appeal has been rejected.

2. Briefly stated the facts are, that the appellant while posted as FC Crimes Branch, received a charge sheet alongwith statement of allegations from respondent No. 4. (Annex A and B), to which the appellant submitted his reply (Annex-C). An enquiry was conducted and then final show cause notice was issued to the appellant, to which the appellant submitted his reply on 9-5-2000 (Annex- D & E). Finally, the appellant has been dismissed from service vide order dated 20.5.2000 of respondent No.4. (Annex-F). The appellant submitted his departmental appeal before respondent No.3 on 29-5-2000 (Annex-G), which was rejected on 4-9-2000 (Annex-H), hence the present appeal.

3. The grounds of appeal are; that the impugned order is against the principle of natural justice; that the Authorized officer has also acted on an authority in the present case; that the impugned order has been given retrospective effect; that the allegations leveled against the present appellant are totally false, incorrect and baseless and that the appellant was not given a chance to cross-examine the witnesses nor any witness was examined in the presence of the appellant. The prayer of the appellant is that on acceptance of present appeal, the impugned orders may be set aside and he may be reinstated in service with all back benefits.

4. Respondents have been served. They appeared through their respective representative/counsel, submitted reply and contested the appeal vehemently. In rebuttal, the appellant also submitted his rejoinder.

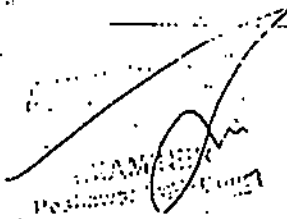
5. We have heard the arguments of the learned counsel for the appellant and P.P for the State at length and perused the record with their assistance. The perusal of record would show that the allegations against the present appellant are that while posted as MTC Crimes Branch, took the official vehicle No.A-118/NWFP to Punjab Province without the prior approval of the competent authority, loaded the same with "Atta" and while bringing the same to NWFP he was checked and detained alongwith official vehicle. An



**PESHAWAR HIGH COURT, PESHAWAR**  
FORM OF ORDER SHEET

Court of.....  
Case No..... of.....

Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1	2
02.11.2010.	<p><u>W.P.No. 1869/2009 with Interim Relief.</u></p> <p>Present: Mr. Saadullah Khan Marwat, Advocate, for the petitioner.</p> <p>Mr. Akhtar Naveed, AAG, for the official-respondents.</p> <p align="center">***</p> <p><u>IMTIAZ ALI, J.-</u> Through this constitutional petition, petitioner, namely, Farmanullah, who is constable in Investigation Branch Central Police Office Peshawar, has sought a direction to respondent No.1 to depute him to Training Center for undergoing requisite course.</p> <p>2. The grievance of petitioner is that in pursuance to an enquiry conducted against him, he was dismissed from service on 20.05.2000. On appeal, however, NWFP Service Tribunal vide its order dated 27.12.2000 set-aside the impugned order of dismissal by converting major penalty of dismissal from service to that of minor penalty of stoppage of two (02) annual increments without cumulative effect and reinstated the petitioner in service with all-back benefits. His grievance is that although such</p> <p align="right">was reinstated in service</p>

  
PESHAWAR HIGH COURT

Received by \_\_\_\_\_  
 Date of Delivery of Copy 11-11-10  
 Date of Presentation of Copy 11-11-10  
 Total \_\_\_\_\_  
 Copying Fee \_\_\_\_\_  
 No of Pages 47  
 Date of Presentation of Application 3-11-10

5705

11-11-10

Examiners  
 Peshawar High Court Peshawar  
 Authorized Under Section 75 Acts Order

CERTIFIED TO BE TRUE COPY

5705  
 5705

We are in total agreement with learned Law Officer  
 that the ground on which petitioner was ignored and other  
 considerations were sent to undertake the courses in question  
 is not sustainable in law.  
 7. Resultantly, this writ petition is allowed and  
 respondents are directed to depute petitioner for requisite  
 training, if and when occasion arises, and while  
 considering him for the same, the minor penalty imposed  
 upon him in disciplinary proceedings shall not come in his  
 way.

9

C 10

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S.A No. 4 /2013

Farman Ullah S/o Muhammad Karim,  
Head Constable, Investigation Branch  
C.P.O, Peshawar. . . . . Appellant

Versus

1. Capital City Police Officer,  
Peshawar.
2. Provincial Police Officer, KPK,  
Peshawar.
3. Superintendent of Police,  
Headquarter, Peshawar . . . . . Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL AGAINST OFFICE ORDER NO. 19285 /  
CRC, DATED 05.12.2013 OF R NO. 1 WHEREBY  
APPEAL AGAINST OFFICE ORDER DATED  
03.10.2013 WAS REJECTED FOR NO LEGAL  
REASON AND APPELLANT, BEING SENIOR, WAS  
NOT SELECTED FOR INTERMEDIATE COLLEGE  
COURSE AT PTC HANGU.**

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**Respectfully Sheweth:**

1. That appellant was appointed as constable on 02.07.1991 and was serving the force to the best of his ability and to the entire satisfaction of superiors.

2. That on 12.05.2000, Deputy Inspector General of Police, Peshawar range Peshawar issued notification wherein the incumbents mentioned therein were selected for Lower School Course to P.T.C, Hangu. The name of appellant was figured at serial No. 7 but he could not be deputed to bring his name on promotion list B-1 according to the merit as by then, he was over age. (Copy as annex "A")
3. That on 20.05.2000, appellant was dismissed from service on complaint of Smuggling some bags of Atta, against which appeal was preferred before the then NWFP, Service Tribunal which was accepted on 27.12.2002. (Copies as annex "B" & "C")
4. That D.I.G of Police deputed some other constables to PTC, Hangu for acquiring course since 2003 till 2008 but appellant was ignored on the score of minor penalty of stoppage of 2 Annual Increment.
5. That appellant filed writ petition No. 1869/2009 to depute him to PTC, Hangu for training which was accepted on 02.11.2010 by the Hon'ble Court with direction to the department to depute him for training as minor penalty shall not come hurdle in this respect in his way. (Copies as annex "D" & "E")
6. That thereafter, appellant was deputed to PTC, Hangu and qualified the same vide PTC, Hangu DMC / History Sheet issued by Commandant PTC, Hangu. (Copy as annex "F")
7. That as a result of said training, appellant was promoted to the rank of officiating Head Constable, B-7 vide order dated 23.08.2012. Later on, he was confirmed in the said rank. (Copy as annex "G")

8. That on 26.08.2013, appellant submitted representation before respondent No. 1 to depute him to PTC, Hangu for Intermediate College Course but of no avail. (Copy as annex "H")
9. That on 03.10.2013, respondent No. 1 made selection for Intermediate College Course at P.T.C, Hangu of the incumbents mentioned therein and appellant, being senior, was ignored for no legal reason. (Copy as annex "I")
10. That on 22.11.2013, appellant made representation against the aforesaid Notification, received on 21.11.2013 which was rejected on 05.12.2013. (Copies as annex "J" & "K")

Hence this appeal, inter alia, on the following grounds:-

**GROUND S.**

- a. That it is an admitted fact that appellant is senior than the deputed Head Constables because he was appointed as such on 02.07.1991 while the deputed incumbents at Serial No. 1, on 25.06.1994, at Serial No. 2, on 17.11.1991, at Serial No. 3, on 28.12.1995, at Serial No. 4, on 28.11.1994, at Serial No. 5, on 07.11.1991, and so on.

From the aforesaid dates, it is quite clear that appellant was most senior to his junior fellows. Juniors are now serving the force as ASI / SI.

- b. That appellant was ignored time and again on minor punishment which was of no avail to department but was held time and again for ulterior motive.

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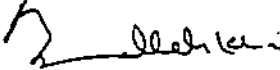
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- c. That lapses of the department should not be attributed to appellant. Had he been deputed well within time with other colleges even with juniors, he would have completed all the requisite courses but should have been serving the department as ASI / SI by now.
- d. That by keeping in view the aforesaid facts, appellant was not only discriminated but was punished for no legal reason even for minor punishment. Such act of the respondents is based on malafide.

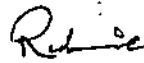
It is, therefore, most humbly prayed that on acceptance of the appeal, the impugned order dated 03.10.2013 be modified and appellant be deputed to PTC, Hangu for training for Intermediate Collage Course, with such other relief as may be deemed proper and just in circumstances of the case.

Appellants

Through

  
Saadullah Khan Marwat

  
Arbab Saif-ul-Kamal

&  
  
Miss Rubina Naz  
Advocates,

Dated: 24.12.2013

D 14

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 04 / 2018

Farman Ullah S/o Muhammad Karim,  
Head Constable, Investigation Branch  
C.P.O, Peshawar. . . . . Appellant

Versus

W.P. Province  
Farman - 1679  
dated 24-12-13

1. Capital City Police Officer,  
Peshawar.
2. Provincial Police Officer, KPK,  
Peshawar.
3. Superintendent of Police,  
Headquarter, Peshawar . . . . . Respondents

U/S of STACL

APPEAL/AGAINST OFFICE ORDER NO. 19285 /  
CRC, DATED 05.12.2013 OF R NO. 1 WHEREBY  
APPEAL AGAINST OFFICE ORDER DATED  
03.10.2013 WAS REJECTED FOR NO LEGAL  
REASON AND APPELLANT, BEING SENIOR, WAS  
NOT SELECTED FOR INTERMEDIATE COLLEGE  
COURSE AT PTC HANGU.

Filed to file

24/12/13

U/S of STACL

Respectfully Sheweth:

1. That appellant was appointed as constable on 02.07.1991 and was serving the force to the best of his ability and to the entire satisfaction of superiors.

in certified copy

15

Service Appeal No. 04/2014

Date of Institution: 24.12.2013

Date of Decision: 28.11.2018

Farman Ullah

Vs

Capital City Police Officer Peshawar & 2 others.

Judgment/Order:

28.11.2018

MUHAMMAD HAMID MUGHAL, MEMBER (J) Brother of the appellant on behalf of appellant present.

Arguments of learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney heard. File perused.

The appellant has filed the present service appeal to be deputed to PTC Hangu for training for Intermediate College Course.

During the course of arguments it was brought to the knowledge of this Tribunal that during the pendency of the present service appeal, the appellant participated in the Intermediate College Course at Police Training College Hangu. Copy of result/Notification dated 10.05.2018 regarding the result of the candidates, who appeared in the final examination of Intermediate College Course produced and the name of appellant also figures therein.

In view of above the present service appeal has become infructuous and as such the same is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

  
(Hussain Shah)  
MEMBER

  
(Muhammad Hamid Mughal)  
MEMBER

ANNOUNCED  
28.11.2018



E 16

POLICE DEPTT.

CCP PESHAWAR.

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II  
 ORDERS BY THE CAPITAL CITY POLICE OFFICER KHYBER PAKHTUNKHWA PESHAWAR.

NOTIFICATION

Dated 12/2/2019.

No. 4174 JEC-I, PROMOTION TO THE RANK OF OFIC: SI6, As per Recommendation of Departmental Promotion Committee meeting held on 22-01-2019, the following SI(ACB)/ASIs on list "E" of Capital City Police Peshawar is hereby promoted to the rank of ofg: sIs with immediate effect.

S.No.	Rank, Name & No	Present Posting	Remarks
1.	SI (ACB) Maqsood Ahmad No.1946/71/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
2.	SI (ACB) Muhammad Afzal No.13/J/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
3.	SI (ACB) Sajjad Ali No.125/P	Police School of Inv: H-Abad	However, he will complete and qualify mandatory Training / course and will earn 09 points.
4.	SI (ACB) Khan Muhammad 1276/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
5.	ASI Taj Muhammad No. 1277/P	CCP/Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
6.	ASI Khalista Khan No.1279/P	CCP; Pesh:	However, he will complete and qualify mandatory Training / course and will earn 09 points.
7.	ASI Zakir Ullah No. 3113/1332/P	Traffic Warden	However, he will complete and qualify mandatory Training / course and will earn 09 points.
8.	SI (ACB) Sheukat Khan - 1280/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
9.	SI (ACB) Mukhtar No. 1281/P	CCP; Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
10.	SI (ACB) Mushtaq No. 1282/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
11.	SI (ACB) Mukamil Shah No.1283/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
12.	SI (ACB) Muhammad Jariq-1284/P	Traffic, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
13.	SI (ACB) Jamshaid No.1285/P	Traffic, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
14.	SI (ACB) Shakir Ullah No.1286/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
15.	SI (ACB) Sultan Sher No.1287/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will earn 09 points.
16.	SI (ACB) Jan Badshah No.1289/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
17.	SI (ACB) Shakar Ghayas-1290/P	Inv: CCP; Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
18.	SI (ACB) Shauqat Ahmad No.1291/P	CPD	However, he will complete and qualify mandatory Training / course and will earn 09 points.
19.	SI (ACB) Javed Khan No.1292/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
20.	SI (ACB) Zulfiqar No.1293/P		

70.	SI( ACB) Imdaz Ahmad No. 784/P	CCP/Traffic	
71.	SI( ACB) Saeed Jan No. 795/P	ACE	However, he will complete and qualify mandatory Training / course and will earn 09 points.
72.	ASI Muhammad Ashfaq No. 796/P	CCP/Traffic	However, he will complete and qualify mandatory Training / course and will 03 more points.
73.	ASI Azaz Alam Khan Khaili No. 783/P	CPC, Peshawar	However, he will complete and qualify mandatory Training / course and will 04 more points.
74.	ASI Qazi Muhammad Arif No. 790/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
75.	ASI Asif Ali Khan No. 785/P	CCP, Peshawar	
76.	ASI Mumtaz Khan No. 791/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will 02 more points.
77.	ASI Saleem Khan No. 786/P	D.I. Khan	However, he will complete and qualify mandatory Training / course and will 03 more points.
78.	ASI Muhammad Waqas Yousaf No. 798/P	Nowshera	However, he will complete and qualify mandatory Training / course and will 03 more points.
79.	ASI Inam Ullah No. 787/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will 06 more points.
80.	ASI Muhammad Ayaz No. 799/P	Nowshera	However, he will complete and qualify mandatory Training / course and will 02 more points.
81.	ASI Muhammad Asif Khan No. 788/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will 01 more points.
82.	ASI Ayub Khan No. 789/P	D.I. Khan	
83.	ASI Bilal Hussain No. 792/P	ACE	However, he will complete and qualify mandatory Training / course and will 03 more points.
84.	ASI Mamoon Rashid No. 800/P	CCP, Peshawar	
85.	ASI Adil Sayed No. 801/P	Nowshera	However, he will complete and qualify mandatory Training / course and will 05 more points.
86.	ASI Syed Asghar Khan No. 802/P	Nowshera	
87.	Lady ASI Mughis No. 804/P	CCP, Peshawar	However, she will complete and qualify mandatory Training / course and will earn 09 points.
88.	Lady ASI Sumaira Jabeen No. 805/P	CCP, Peshawar	However, she will complete and qualify mandatory Training / course and will earn 09 points.
89.	Lady ASI Mehwish Bukhari No. 807/P	CCP, Peshawar	
90.	Lady ASI Nadia Shaheen No. 808/P	CCP, Peshawar	However, she will complete and qualify mandatory Training / course and will earn 09 points.
91.	ASI Muhammad Idrees No. 1376/P	CCP, Peshawar	
92.	ASI Muhammad Ishaq No. 1377/P	School of IT Police Lines	However, he will complete and qualify mandatory Training / course and will earn 09 points.
93.	ASI Farhad Khan No. 1334/P	Traffic, Peshawar	However, he will complete and qualify mandatory Training / course and will 05 more points.
94.	ASI Mured Ali No. 1336/P	CTD	However, he will complete and qualify mandatory Training / course and will 02 more points.
95.	ASI Saeed ur Rahman No. 1337/P	Charsadda	However, he will complete and qualify mandatory Training / course and will 02 more points.
96.	ASI Muhammad Rizq No. 1338/P	Lower Kohistan	However, he will complete and qualify mandatory Training / course and will 01 more points.
97.	ASI Yasen Ullah No. 1339/P	PTC Hangu	However, he will complete and qualify mandatory Training / course and will 05 more points.
98.	ASI Fazal Hayat No. 1340/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will 06 more points.
99.	ASI Muhammad Khalid No. 1341/P	ACE	However, he will complete and qualify mandatory Training / course and will earn 09 points.
100.	ASI Shabir Hussain No. 1342/P	CCP/Traffic Peshawar	However, he will complete and qualify mandatory Training / course and will 01 more points.

Notification

101	ASI Nisar Ahmad No.1343/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
102	ASI Muhammad Ibrahim No.1344/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
103	ASI Farooq Shah No.1345/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
104	ASI Sald Rasool No.1346/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
105	ASI Zia-ud-Din No. 1347/P	Nowshera	However, he will complete and qualify mandatory Training / course and will earn 09 points.
106	ASI Zahid Ullah No.04/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
107	ASI Ghazanfar Rafiq No. 1348/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
108	ASI Asif Khan No.1349/P	CCP, Peshawar	However, he will complete and qualify mandatory Training / course and will earn 09 points.
109	ASI Habib Ullah No. 1350/P	CCP, Peshawar Legal Branch	However, he will complete and qualify mandatory Training / course and will earn 09 points.
110	ASI Sajid Ahmed No. 1351/P	D.I. Khan	However, he will complete and qualify mandatory Training / course and will earn 09 points.
111	ASI Arshad Zaman No.1352/P	CCP, Peshawar Legal Branch	However, he will complete and qualify mandatory Training / course and will earn 09 points.

The following SIs(ACB) and ASIs are hereby deferred from promotion to the rank of offy: SIs due to the reason noted against each:-

S.No.	Rank, Name & No	Present Posting	Reason
1.	SI(ACB) Bakhtiar Khah No. 1278/P	CCP/Traffic	Deferred due to Incomplete ACR 2017
2.	SI(ACB) Ajmal Khan No. 1309/P	CCP/Traffic	Deferred due to Incomplete ACRs 2016 & 2017
3.	SI(ACB) Asif Khan No. 771/P	CCP, Peshawar	Deferred due to Incomplete ACRs 2016 & 2017
4.	ASI Abdul Ali No. 1376/P	CCP, Peshawar	Deferred due to Incomplete ACR: 2014/6m, 2015, 2016 & 2017
5.	SI(ACB) Abbas Ali No. 1330/P	CCP, Peshawar	Deferred due to Incomplete ACRs 2016 & 2017

CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 4175-94/EC-1

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

1. The Adtl: Inspector General of Police, Investigation, Special Branch & Elite Force, KPK, Peshawar.
2. The Commandants, ERP & Police Training College, Hangu.
3. The Deputy Inspectors General of Police, Operations, CTD, Training KPK, Mardan & D.I Khan.
4. The Asstt: Inspector General of Police, Establishment KPK, Peshawar.
5. The Senior Superintendents of Police, Operations, Investigation & Traffic, Peshawar.
6. The District Police Officers, Charsadda, Nowshera & Lower Kohistan.
7. The Director, Anti Corruption Estt: KPK, Peshawar.
8. The Commandant, CPC University Campus, Peshawar.
9. The Director, School of PDMR Mardan.

Notification

To

The Honorable Inspector General  
Of Police KPK Peshawar

Subject:

APPLICATION FOR GRANT OF SENIORITY WITH MY COLLEAGUES  
VIDE NOTIFICATION NO. 3132 DATED 12-05-2000 AND WRIT PETITION  
NO. 1869/2009 OF PESHAWAR HIGH COURT PESHAWAR DATED 02-11-  
2010 AND TO DEPUTE ME TO PTC HANGU FOR UPPER COURSE OF SUB  
INSPECTOR BPS-14:

Respected Sir,

Reference:

1. Service Tribunal judgment dated 27-12-2002 reinstated me with all back benefits.
2. Honorable High Court judgment writ petition No. 1869/2009 dated 02-11-2010.
3. IGP NWFP order No. 1248/E-II Dated 15-01-2003 to implement the judgment of service Tribunal/NWFP/Peshawar

Most respectfully, it is requested that at present I am working as IHC/ASI in District Peshawar, Police Station vest Cantt Peshawar.

My Colleagues as per Notification No. 3132 dated 12-05-2000 are getting facilities of the promotion of ASI BPS-11 and Sub-Inspector BPS-14.

1. Nisar Ahmad
2. Musharaf Khan
3. Farid Ullah
4. Habib Ullah
5. Shah Awais Khan
6. Shakir Ullah
7. Muhammad Ibrahim

Being juniors and other passed upper course and performing duty as sub inspector BPS-14 in Peshawar District. Kindly allowed me

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promotion/seniority as ASI BPS-11 and select me for upper course of Sub inspector, BPS-14 in the near coming terms 2022 to PTC Hangu. It is also requested to allow me seniority as per Notification No. 3132 dated 12-05-2000 issued in our favor already. (Orders Attached)

It is therefore most humbly requested that the application be accepted as prayed for.

Thanks

Applicant

Farman Ullah S/O Muhammad Karim,

Belt No. 5204 IHC/ASI

Police Station Vest Cantt Peshawar.

Dated: 28-06-2022

Cell No. 0333-9604955

Sir,  
Forwarded/Pl

Muzki

SHO/PS W. Cantt

30-06-22.

G 21

12-5-2000

POLICE DEPARTMENT.

PESHAWAR RANGE.

FOR PUBLICATION IN THE N.W.F.P. POLICE GAZETTE PART-II. ORDER  
BY THE DY: INSPECTOR GENERAL, OF POICE, P.R PESHAWAR.

NOTIFICATION.

Dated of PESH: the 12<sup>th</sup> May, 2000.

NO 3/32/EC, PROMOTION LIST B-I:- The following Constables of Peshawar Range including C.P.O University Campus, Peshawar have qualified B-I Examine on held by the P.T.C Hangu Authorities on 13-1-2000, at Police Lines, Peshawar. Their names are brought on promotion List B-I according to their merit.

S. No.	NAME	NUMBERS	DISTT./UNIT,
1.	Said Rasool.	No. 3787	Peshawar.
2.	Sana-Ullah	No. 6	=
3.	Riaz Khan	No. 1848	=
4.	Muhammad Riaz.	No3577	=
5.	Shakir-Ullah	No. 3815/5185 P	=
6.	Muhammad Khalid	No.3697.	=
7.	Farman Ullah.	No 43/CB	=
8.	Abdul Ghafoor	No 1858	=
9.	Aurangzeb	No. 4038	=
10	Nisar Ahmad	No3977	=
11	Shabir Hussain	No 1486	=
12	Muhammad Asif	No3361.	=
13.	Abdul Naseer	No.2399	=
14	Khushnud-ul Hasan	No1040	=
15	Arshad Zaman	No. 11/40 Tr.	=
16	Fazal Hayat	No.3690	=
17.	Sajid Ahmad	No.3536	=
18	Shcr Ahmad	No. 3955	=
19	Shakir-Ullah	No 4027/289 Tr.	=
20	Falak Taj	No 2611	=
21	Nazif-ur-Rehman	No. 196	=
22	Tila Muhammad	No 457	=
23	Farid Khan	No. 3575	=
24	Farid Ullah	No. 3525	=
25.	Habib-Ullah	No. 109/2864 CB	=

All others  
Sub Inspector  
w/e  
Appointed  
Head Constable

but  
not send  
for lower  
college fees

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26	Musharaf Khan	No 3990/39 CB.	=
27	Shawais Khan	No. 145	=
28	Muhammad Jan	No 56	=
29	Taj Mir Shah	No. 409	=
30	Muhammad Sher	No. 4090	=
31	Muhaamd Rafic	No 51/SB	=
32	Zardad Khan	No 3.83	=
33	Mohsin Ali	No 2305/68	=
34	Ayaz Ali	No 2555	=
35	Gulzad Khan	No 4070	=
36	Raj Wali	No 921	=
37	Sibghat Ullah	No. 3253	=
38	Javaid Khan	No. 742	=
39	Shakeel Ahmad.	No. 3716	=
40	Muhammad Javaid	No. 4041	=
41	Safdar Khan	No 3014	=
42	Abdur Rehman	No 177	=
43	Ishtiaz Khan	No 1727	=
44	Noor-Ullah	No 794	=
45	Shah Vali	No 3967	=
46	Sajid Hussain	No 3839	=
47	Saif-Ur-Rehman	No. 26/CID/199	=
48	Said Badshah	No 3964	=
49	Mosal Khan	No 3154	=
50	Waqaf Khan	No 1238	=
51	Asmat Khan	No 2822	=
52	Muhammad Ibrahim	No3093	=
53	Rehman Gul	No 95	Charsadda
54	Iftikhar Ali	No 421	=
55	Nasrullah	No 924	=
56	Said Umar	No 919	=
57	Shaukat Ali	No 130	=
58			=
59	Fazal Badshah	No 305	=
60	Muhammad Israar	No 749	=
61	Niaz Ali Shah	No. 42	=
62	Naseem Jan	No 231	=
63	Tahir Khan	No. 838	=
64	Mukhtiar	No 693	=
65	Zahir Shah	No 118	=
66	Hascen Ullah	No 522	=

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67	Irshad Ahmad	No 21	=
68	Umar Hayat	No. 55	=
69	Iqbal Said	No. 772	=
70	Marjan Ali	No 888	=
71	Faiz-ur-Rehman	No 91	=
72	Shakeel Ahmad	No 489	=
73	Naiksar Ali	No 588	=
74	Israr Muhammad	No 468	=
75	Nusir Khan	No 924	=
76	Jamal Shah	No 943	=
77	Hussain Khan	No 765	=
78	Bartaj Ali	No 105	=
79	Tilawat Shah	No 339	C.P.O.
80	Muhammad Diyar	No. 110	=
81	Naheed Shah	No 46	=
82	Bahdur shah	No 230	=
83	Niamat Gul	No 56	=
84	Mian Niaz Muhammad	No 293	=

(M. RAFFAT PASHA)

Deputy Inspector General of Police.  
Peshawar Range Peshawar.  
Phone-9210989

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

1. The Inspector General of Police NWFP, Peshawar.
2. The \_\_\_\_\_ General of Police, Crime Branch, NWFP Peshawar with two spare copies for publication in the Police Gazette Part-II.
3. The Superintendent of Police, Peshawar.
4. The Superintendent of Police Charsadda.
5. The Superintendent of Police, Nowshara.
6. The Director GPO, University Campus, Peshawar.

sd/ -

(M. RAFFAT PASHA)

Deputy Inspector General of Police.  
Peshawar Range Peshawar

Attested  
by





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OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR.

No: 19057 /EC-1, dated Peshawar the 19/10 2022. THE POLICE ACT, 1919 (ACT NO. 4 OF 1919)

To: .  
The Asst: Inspector General of Police  
Internal Accountability Branch,  
Khyber Pakhtunkhwa, Peshawar.

Subject: **APPLICATION OF IHC MUHAMMAD FARMAN NO. 5204 OF  
CSP, PESHAWAR.**

Memo:

Please refer to your office letter no. 866-68/CPO/IAB, dated 05.07.2022 on the subject cited above.

It is submitted that as per DSP/legal opinion the service record vis-a-vis of his alleged B1 colleagues was checked thoroughly and decided that the application of the applicant is not maintainable and without substance and badly time barred. He has availed the fruits of the Service Tribunal judgment. The appellant's seniority is rightly placed with his colleagues of Intermediate College Course as mere on the ground and of appearance and qualifying B1 examination with Police personnel whom now serving as SI after earning promotion while applicant lost his seniority due to his own ill conduct. Therefore, his application filed.

1/10/2022

*[Signature]*  
For CAPITAL CITY POLICE OFFICER  
PESHAWAR

I 251

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S.A No. \_\_\_\_\_/2022

Farman Ullah S/o Muhammad Karim,  
Inter Head Constable, Capital City  
Police, Peshawar. .... Appellant

Versus

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 1978

Dated 18-11-2022

1. Capital City Police Officer, Peshawar.
2. Provincial Police Officer, KP, Peshawar.
3. Superintendent of Police,  
Hqr: Peshawar ..... Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL AGAINST OFFICE ORDER NO. 19051 /  
EC-I, DATED 19.10.2022 OF R NO. 1 WHEREBY  
REPRESENTATION OF APPELLANT WAS FILED /  
REJECTED FOR NO LEGAL REASON.**

Filed to-day  
Registrar  
18/11/22

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**Respectfully Sheweth:**

1. That on 19-09-2000, appellant filed appeal 2202/2000 before the hon'ble Tribunal whereby appellant was dismissed from service which appeal came up for hearing on 27-12-2002 and then the hon'ble Tribunal was pleased to modify the same and major penalty of dismissal from service was converted into minor penalty of stoppage of two annual increments and reinstated him in service with all back benefits. (Copy as annex "A")

2. That on 24-12-2013, appellant filed appeal No. 04/2014 before the hon'ble Service Tribunal to select him being senior for Intermediate College Course at PTC Hangu. The said appeal came up for hearing on 28-11-2018 and then the hon'ble Tribunal was pleased to dispose of the same as by then appellant was deputed for the course to PTC Hangu. (Copies as annex "B" & "C")
2. That on 28-06-2022, appellant submitted representation before R. No. 02 to promote him to the rank of Assistant Sub-Inspector B-11 and Sub-Inspector B-14 because his colleagues were performing duties as Sub-Inspectors B-14 and to also depute / select him for Upper College Course as well as to allow him seniority as per Notification dated 12-05-2000. (Copies as annex "D" & "E")
3. That on 18-10-2022, the said representation of appellant was rejected / filed by R. No. 01. (Copy as annex "F")

Hence this appeal, inter alia, on the following grounds:-

**GROUND S.**

- a. That admittedly appellant was senior but due to the aforesaid minor punishment he was deprived of benefits of future carrier.
- b. That colleagues of appellant are serving the force as Sub-Inspectors B-14 but appellant as Inter Head Constable B-09.
- c. That it was the lapses of the respondents who misinterpreted the judgment of the hon'ble Service Tribunal by blocking his future carrier as per the minor punishment while minor punishment of stoppage of annual increment is no penalty in the eyes of law nor it comes in way of promotion.
- d. That appellant agitated the matter not only before respondents but also before the legal forum but due to mis-application of mind to the matter of respondents, appellant is still facing agonies.

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- e. That the impugned order dated 18-10-2022 of R. No. 01 is not per the mandate of law, so requires interference and rejection.

It is, therefore, most humbly prayed that on acceptance of the appeal, the impugned order dated 18.10.2022 of R. No. 01 be set aside and appellant be awarded promotion to the rank of Sub-Inspector B-14 with his colleagues, he be allowed for mandatory course, if any, as well as seniority with all consequential benefits, with such other relief as may be deemed proper and just in circumstances of the case.

فرمان اٹل  
Appellant

Through

سید سعید اللہ خان  
Saadullah Khan Marwat

Arbab Saif-ul-Kamal

Amjad Nawaz  
Advocates,

Dated: 15-11-2022

**CERTIFICATE:**

As per instructions of my client, no such like Service Appeal has earlier been filed by the appellant before this Hon'ble Tribunal.

سید سعید اللہ خان  
Advocate

**AFFIDAVIT**

I, Farman Ullah S/o Muhammad Karim, Inter Head Constable, Capital City Police, Peshawar (appellant), do hereby solemnly affirm and declare that contents of Service Appeal are true and correct to the best of my knowledge and belief .

فرمان اٹل  
DEPONENT

J 28

Service Appeal No.1768/20222 titled "Farman Ullah Vs. Police Department"

ORDER

30<sup>th</sup> Sept. 2024

Kalim Arshad Khan, Chairman: Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General alongwith Mr. Qasim Ali Khan, Capital City Police Officer, Peshawar present.

2. Appellant's case in brief, as per averments of the appeal, are that on 19.09.2000, he had filed appeal No.2202/2000 before this Tribunal, whereby, he had assailed his dismissal from service which was modified into minor penalty of stoppage of two annual increments and he was reinstated into service with all back benefits vide judgment dated 27.12.2002; that on 24.12.2013, he filed Appeal No.04/2014 for his selection for Intermediate College Course at PTC Hangu and during pendency of the said appeal, he was selected for the said course and the appeal became infructuous; that on 28.02.2022, appellant submitted representation for promotion to the rank of Assistant Sub Inspector (BPS-11) and Sub Inspector (BPS-14) as his colleagues were performing duties as Sub Inspectors, as well as for selection for Upper College Course and seniority as per Notification dated 12.05.2000; that his representation was filed vide order dated 18.10.2022, hence, the instant appeal.

3. Arguments heard. Record perused.

4. Perusal of the appellant's case, it is noted that he initially filed Appeal No. 2202/2000 on 19.09.2000, challenging his dismissal from service, which resulted in a modification to a minor penalty of

stoppage of two annual increments and reinstatement with all back benefits, as per the judgment dated 27.12.2002. Subsequently, the appellant filed Appeal No. 04/2014 on 24.12.2013 regarding his selection for the Intermediate College Course at PTC Hangu, which became moot when he was selected for the course during the appeal's pendency. Most recently, on 28.02.2022, he submitted a representation for promotion to Assistant Sub Inspector (BPS-11) and Sub Inspector (BPS-14), noting that his colleagues had been performing duties in these roles, alongside requests for selection for the Upper College Course and clarification of his seniority as per the Notification dated 12.05.2000.


5. Perusal of the order dated 19.10.2022 shows that the representation of the appellant has been filed and that too with the signature of someone else and not by the CCPO himself.

6. In view of the above situation, instant service appeal is remanded back to the respondents to pass a speaking appellate order within 10 days of the receipt of this order. Costs shall follow the event. Consign.

7. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 30<sup>th</sup> day of September, 2024.*

  
(Rashida Bano)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

  
15-10-24

K 30

To  
Capital City Police Officer,  
Peshawar

Subject; APPLICATION FOR COMPLIANCE OF ORDER DATED  
30.09.2024 PASSED BY THE HON'BLE SERVICE TRIBUNAL  
PESHAWAR IN SERVICE APPEAL NO.1768/2022.

*Respected Sir,*

Please comply with the Order dated 30.09.2024 passed by the Hon'ble Service Tribunal Peshawar in Service Appeal No.1768/2022 in its true letter and spirit and obliged please. (Certified Copy Attached).

Thanking Your Sir,

Dated: 15.10.2024

Appellant

*Farman Ullah*  
Farman Ullah  
Assistant Sub Inspector  
Police Station West Cantt  
Cell No.0333-9604955

Received.

*15/10/24* *لے فیق*

15062 = Diary no-  
15-10-24

OFFICE OF THE  
CAPITAL CITY POLICE OFFICER  
PESHAWAR  
Telephone No-991-710753 Fax No. 991-9113597



ORDER

In compliance with the Hon'ble Service Tribunal judgment dated 30/07/2024 this order will dispose of the departmental appeal preferred by IIC Farman Ullah No.5204 requesting therein for grant of seniority with candidates who qualified in the year 2000 and seats nomination for the Upper College course at P.T. Hangu. Facts leading to the departmental appeal preferred by the appellant was proceeded against deponent on the charges and after proper proceedings he was dismissed from Service on 20.05.2000. His departmental appeal was also rejected by the appellate authority wide order dated 04.09.2000. Feeling aggrieved, the appellant had filed service appeal No. 2202/2000 before the Khyber Pakhtunkhwa Service Tribunal against the impugned Order which was modified into 20.05.2000. His departmental appeal was also rejected by the appellate authority wide order dated 04.09.2000. Feeling aggrieved, the appellant had filed service appeal No. 2202/2000 before the Khyber Pakhtunkhwa Service Tribunal against the impugned Order which was modified into 20.05.2000. His departmental appeal was also rejected by the appellate authority wide order dated 04.09.2000.

The service record view-vis of alleged BI candidates that was thoroughly checked and the following points came to light:-  
(i) The candidates of III examination had qualified Lower College Course on 20.09.2000, while he qualified Lower College Course on 20.09.2011.  
(ii) The candidates of III examination had qualified Lower College Course on 20.09.2009 respectively. Their names were brought to List "D" from 15.01.2010 to 20.09.2009 respectively. ASI on 13.06.2012 while the appellant had qualified Intermediate College Course on 31.03.2018, hence his name was brought to List "D".  
(iii) That candidates of BI examination were promoted to the rank of (C)IC, SI on 12.02.2019 while his name is rightly on List "D" as IHC with his intermediate Colleague.  
(iv) As per Rules 13.02 of the Police Rules 1974, provided that "in each district a list shall be maintained in card index form (form 13.8(1)) of all constables who have passed the Lower School Course and are considered eligible for promotion to Head Constable."  
In light of the above facts and applicable rules, the appellant qualified Lower College Course on 20.09.2011 and was placed in List "C" along with his Lower College Course, Police Department, seniority is determined on the completion date of the Lower College Course. The appellant completed his Lower College Course and correctly placed on the seniority list based on the relevant Rules. Therefore, his appeal for seniority is not maintainable under the relevant rules and also badly time-barred. Consequently, his departmental appeal is rejected/void.

(OASIM KHAN) P.S.  
CAPITAL CITY POLICE OFFICER  
PESHAWAR

Order is announced

No. 14676-89  
Copy of above is sent for information & necessary action, please

SSP/Operations CCF, Peshawar  
SSP/Police & DSP/Police CCF, Peshawar  
Establishment CCF, Peshawar  
CRP/MIC/AS



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