

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD

Service Appeal No. 587/2019

Date of Institution ... 23.04.2019

Date of Decision ... 19.07.2022

Qasim Khan S/O Sardar Muhammad R/O Chamhad, Tehsil &
District Abbottabad. Ex-Constable # 552.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Home &
Tribal Affairs, Peshawar and three others.

... (Respondents)

MR. ZULFIQAR AHMED,
Advocate

--- For appellant.

MR. NASEER-UD-DIN SHAH,
Assistant Advocate General

--- For respondents.

MR. KALIM ARSHAD KHAN
MR. SALAH-UD-DIN

--- CHAIRMAN
--- MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precisely stated the facts necessary for disposal of the instant service appeal are that, departmental action was taken against the appellant on the allegations of his absence from duty. On conclusion of the departmental inquiry, the appellant was awarded major penalty of dismissal from service vide impugned order dated 30.03.2018 passed by District Police Officer Abbottabad. The departmental appeal of the appellant was rejected vide order dated 26.03.2019. The appellant has now approached this

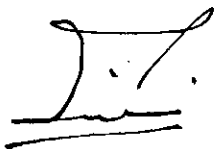


Tribunal through filing of the instant service appeal for redressal of his grievance.

2. Respondents contested the appeal by way of submitting para-wise comments, wherein they refuted the stance taken by the appellant in his appeal.


3. Learned counsel for the appellant has contended that whole of the proceedings were conducted at the back of the appellant without providing him an opportunity of self defense; that the appellant was seriously ill due to injuries previously sustained by him in a road accident; that the absence of the appellant was not willful rather he remained absent from duty due to illness; that several applications were sent to the competent Authority for leave, however no action was taken upon the applications of the appellant; that the appellant was proceeded against ex-parte and his fundamental rights guaranteed under the Constitution were badly violated. In the last, he requested that the impugned orders being wrong and illegal may be set-aside and the appellant may be reinstated in service with all back benefits.

4. On the other hand, learned Assistant Advocate General, while controverting the arguments advanced by learned counsel for the appellant, has argued that the appellant was a member of discipline force, however he remained absent from duty for considerable long period, without any sanctioned leave or permission of the competent Authority; that charge sheet as well as statement of allegations were issued to the appellant and the same were served upon his father as the appellant was not available in his house; that the appellant was well aware of the inquiry proceedings against him but he intentionally avoided his appearance before the inquiry officer, therefore, ex-parte action was taken against him; that final show-cause notice was also issued to the appellant and the same was also



served upon the father of the appellant as he was not present in his house; that the proceedings were conducted against the appellant in accordance with relevant rules by complying all legal and codal formalities; that the appellant is in habit of remaining absent from duty without any sanction leave or permission of the competent Authority and previously too, he was dismissed from service; that the departmental appeal of the appellant was time barred, hence the instant service appeal is not maintainable. In the last, he requested that the impugned orders may be kept intact and the appeal in hand may be dismissed with cost.

5. Arguments heard and record perused.

 6. A perusal of the record would show that the appellant while posted at Police Station Lines Abbottabad was marked absent vide daily diary No. 68 dated 05.10.2017. Departmental action was taken against the appellant and charge sheet as well as statement of allegations were issued to him, which were served upon his father as the appellant was not found present in his house. It appears from the record that the appellant was well aware of the inquiry proceedings initiated against him on account of his absence from duty but he deliberately avoided his appearance before the inquiry officer, therefore, ex-parte action was taken against him. It is an admitted fact that the appellant remained absent from duty without obtaining any leave or permission of the competent Authority. The appellant has though annexed copies of leave applications alongwith his appeal, which are addressed to the District Police Officer Abbottabad, however none of the same bears any endorsement or diary number, which could show that the same were actually submitted in the office. Learned counsel for the appellant was unable to point out any material illegality or irregularity in the

impugned orders. Moreover, copy of history of service record of the appellant as annexed with the comments of the respondents would show that previously too, the appellant was dismissed from service vide O.B No. 212 dated 08.06.2016 on account of his absence from duty. The appellant was a member of disciplined force, however his track record would show that he had remained absent on various occasions without any sanctioned leave or permission of the competent Authority. The absence of the appellant from duty without any sanctioned leave or permission of the competent amounts to misconduct and he has been unable to justify his absence from duty through any plausible reason.

7. In view of the above discussion, the appeal in hand is being devoid of merit stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
19.07.2022



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD



(KALIM ARSHAD KAHN)
CHAIRMAN
CAMP COURT ABBOTTABAD

Service Appeal No. 587/2019

ORDER
19.07.2022

Learned counsel for the appellant present. Mr. Zahoor Ahmad, Inspector (Legal) alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is being devoid of merit stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
19.07.2022



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad



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

16.03.2022


Due to retirement of the Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same before on 18.05.2022



Reader

18.05 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on ground that he has not prepare the case. Adjourned. To come up for arguments before D.B on 19.07.2022 at camp court Abbottabad.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

14.10.2021

Clerk of counsel for appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Shamraiz Khan, ASI (Legal) Mujahid Shah, H.C for the respondents present.

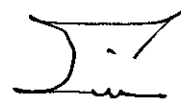
Respondents have furnished reply/comments. Placed on record. To come up for arguments on 29.11.2021 before the D.B at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

29.11.2021

Appellant in person present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is unable to attend the Tribunal today due to his illness. Adjourned. To come up for arguments on 14.02.2022 before the D.B at Camp Court Abbottabad.


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


Chairman
Camp Court Abbottabad

22.10.2020

Nemo for parties.

Usman Ghani learned District Attorney present.

Written reply on behalf of respondents was not submitted. Notice be issued to appellant/counsel and respondents for submission of reply, for 17.12.2020 before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

*Due to COVID-19 case is
adjourned to 18-03-2021*



18.03.2021

Learned counsel for the appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Mr. Shamraiz Khan SI for respondents present.

Reply/comments on behalf of respondents not submitted. Representative of respondents requested for time to submit reply/comments. Request is allowed. To come up for reply/comments on 14/7/2021 before S.B at Camp Court Abbottabad.



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on 16/4/20
at camp court abbottabad.



Reader

Due to summer vacation case to come up for the same on 122
10/20 at camp court abbottabad.



Reader

587/2019

25.10.2019

Junior to counsel for the appellant present. Learned counsel is not present due to the demise of Haji Faridooon Khan, Advocate. Junior to counsel for the appellant requested for adjournment. Adjourn. To come up for preliminary hearing on 20.12.2019 before S.B at camp court, Abbottabad.

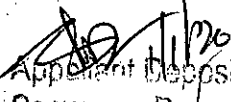



Member
Camp court, A/Abad

20.12.2019

Counsel for the appellant Qasim Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department. He was imposed major penalty of dismissal from service vide order dated 03.04.2018 on the allegation of absence from duty. The appellant filed departmental appeal which was rejected vide order dated 26.03.2019 hence, the present service appeal on 23.04.2019. Learned counsel for the appellant further contended that neither proper inquiry was conducted nor he was associated in regular inquiry nor any show-cause notice was issued to the appellant nor any absence notice was issued to the appellant at his home address nor any advertisement was also published in the newspaper, therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 18.02.2020 before S.B at Camp Court Abbottabad.


Appellant Deposited
Security & Process Fee

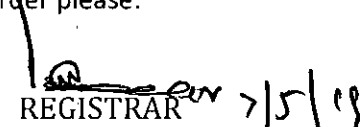
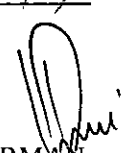


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

Form-A

FORM OF ORDER SHEET

Court of _____

Case No. 587/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/05/2019	<p>The appeal of Mr. Qasim Khan received today by post through Mr. Zulfiqar Ahmad Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;">  REGISTRAR 7/5/19 </p>
2-	10.5.19	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>12-07-19</u></p> <p style="text-align: right;">  CHAIRMAN </p>
09.07.2019		<p>None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance and preliminary hearing for 17.09.2019 before S.B at Camp Court Abbottabad.</p> <p style="text-align: right;">  (Muhammad Amin Khan Kundi) Member Camp Court Abbottabad </p>

17.09.2019

~~25.10.2019~~

Appellant in person present and requested for adjournment on the ground that his counsel is not available today. Appellate is present due to general strike of District Bar Association of Abbottabad. The denial of Mr. Muhammad Faridooon Khan Advocate.

Appellant requested for adjournment. *MA* To come up for preliminary hearing on 20.12.2019 before S.B at camp court, Abbottabad.

~~Camp Court Abbottabad~~

Member
Camp Court Abbottabad

Memo.
Camp Court A/Abad

~~25.10.2019~~


~~Appellate is present in person. Counsel for the Appellate is present due to general strike of District Bar Association of Abbottabad. The denial of Mr. Muhammad Faridooon Khan Advocate. Appellant requested for adjournment. Appellate to come up for preliminary hearing on 20.12.2019 before S.B at camp court, Abbottabad.~~

Member
Camp Court A/Abad

The appeal of Mr. Qasim Khan son of Sardar Muhammad r/o Chamhad Tehsil and District Abbottabad Ex-Constable received to-day by post i.e. on 23.4.2019 is returned to the counsel for the appellant with the direction to submit Two copies/sets of the appeal along with annexures i.e. complete in all respect within 15 days.

No. 804 /S.T,

Dt. 24-4- /2019


Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Mr. Zulfiqar Ahmad Adv.
High Court A. Abad.

*Sir, Compliance has been
Carried out. Submitted
for further legal action pl
Advocate High
Court H.H. 6/5/19*

BEFORE THE SERVICES TRIBUNAL KHYBER
PUKHTUN KHAWAPESHAWAR

QASIM KHAN
Appeal no. 587/2019
VERSUS

DIG, HAZARA & OTHERS

APPEAL AGAINST DISMISSAL

SERVICE APPEAL

INDEX

S. No.	Description	Annexure	Pages
1	Service Appeal with affidavit		1 to 6
2	Copies of Commendation Certificates	"A"	7 to 9
3	Copy of Medical Certificates	"B"	10 To 15
4	Copies of applications sent to DPO, Abbottabad	"C"	16 TO 22
5	Copy of inquiry report	"D"	23
6	Copy of dismissal order issued by respondent No. 3	"E"	24
9	Copy of departmental Appeal & Order thereon	"F" & "G"	25 To 28
10	Wakalatnama	"H"	29

..... APPELLANT

Qasim

Dated 20/04/2019

Through

Zulfiqar Ahmed
(ZULFIQAR AHMED)
Advocate High Court
Abbottabad

BEFORE THE SERVICES TRIBUNAL KHYBER
PUKHTUNKHWA, PESHAWAR

Appeal No. 587/2019

*Qasim Khan S/O Sardar Muhammad R/O Chamhad, Tehsil &
District Abbottabad Ex. Constable # 552.*

... APPELLANT
Pukhtunkhwa Service Tribunal

VERSUS

Diary No. 1650

Dated 23/4/2019

- 1 Govt. of KPK through secretary Home & TA, Peshawar.
- 2 Deputy Inspector General of Police Hazara Division Abbottabad.
- 3 District Police Officer Abbottabad.
- 4 Additional SP, Abbottabad.

...RESPONDENTS

=====

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER OF RESPONDENT # 3 DATED 30/03/2018 WHEREBY THE PETITIONER WAS DISMISSED FROM SERVICE AS WELL AS THE ORDER OF RESPONDENT # 2 WHEREBY DEPARTMENTAL APPEAL WAS REFUSED IS WITHOUT ANY PLAUSABLE EXPLANATION ILLEGAL, VOID WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND SAME IS NOT TENABLE IN THE EYES OF LAW AND ARE LIABLE TO BE SET ASIDE.

=====

Filed to-day
Registrar
23/4/19

Re-submitted to -day
and filed.
Registrar
2/5/19

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED INQUIRY RECOMMENDATIONS AND THE ORDERS OF RESPONDENT NO 2 & 3 MAY KINDLY BE SET ASIDE AND THE APPELLANT RESTORED IN SERVICE FROM THE DATE OF DISMISSAL AND ALSO PENALTY IMPOSED UPON THE APPELLANT MAY ALSO BE SET ASIDE AND ANY FURTHER PROCEEDINGS IN CONSEQUENCE OF IMPUGNED ORDER MAY ALSO BE SET ASIDE BEING UNLAWFUL AND AGAINST THE SETTLED NORMS OF JUSTICE.

Respectfully Sheweth; -

The facts giving rise to the instant appeal are arrayed as under.

FACTS:-

1. *That the appellant was appointed in the police department as constable on 21/01/2008 in District Abbottabad.*

2. *That during the posting at various stations the dignity of the department was given priority and performance to this effect has invited the officers of the police department to recognize the services of the appellant by awarding rewards with commendation certificates. (Copies of Commendation certificates are attached as annexure "A").*

3. That during posting at Police station Nawanshehr on 10.04.2015, appellant critically injured in the road accident and has remain admitted in Ayub Teaching Hospital for a longer period, this accident is the main reason which jolted the life of appellant. **(Copies of Medical Certificates are attached as annexure "B")**.
4. That after recovery from accident injuries, appellant again reported for duty and was posted at Police lines Abbottabad where the appellant again got seriously ill due to the previous injuries and the appellant physical condition was worst to join the service and by post many applications were sent to worthy DPO, Abbottabad as intimation and for seeking leave. **(Copies of applications sent to DPO, Abbottabad are attached as annexure "C")**.
5. That due to his alleged absence, an inquiry was initiated through ASP, Abbottabad Miss. Sonia Shamroz (respondent No.4), who gave an ex-parte report without observing the relevant law on the subject of service of the appellant. **(Copy of inquiry report is attached as annexure "D")**.
6. That basing on inquiry report of the ex-parte recommendations, a final show cause notice was issued and finally the appellant was dismissed from service vide OB No. 98 dated 30/03/2018 without taking into consideration that the punishment was recommended ex-parte and the

appellant was not given any chance to properly associate in the course of inquiry conducted by the ASP, Abbottabad (respondent No.4) and the appellant was dismissed from service. (Copy of dismissal order issued by respondent No. 3 is attached as annexure "E").

7. That feeling aggrieved the appellant submitted departmental appeal before D.I.G, Hazara, Abbottabad, which was also dismissed / rejected on 26/03/2019. (Copy of appeal and the order thereon is attached as annexure "F" & "G").

That the impugned order of respondent No 2 & 3 are liable to be set aside inter – alia on the following grounds:-

GROUND S:-

- a. That the report of inquiry officer respondent No. 4 and the orders of respondent # 2 & 3 are illegal arbitrary, void, without lawful authority and also without jurisdiction and hence liable to be set aside.
- b. That patently orders of dismissal from service are illegal without lawful authority and result of misreading and non-reading.
- c. That the illegal and without jurisdiction orders of respondents # 2 & 3 have resulted in mis-carriage of justice and amounted to abuse of process of law


which has adversely effected the appellant by the un fair partial, un reasonable and discriminatory orders of respondent # 2 & 3 basing on the ex-parte recommendation passed by respondent No. 4.

- d. That there was no proper inquiry was conducted by respondents even no right of cross examination was provided to the appellant and the impugned orders are passed in violation of the settled norms of justice.
- e. That the appeal is within time and this Honorable tribunal has got jurisdiction in the matter.
- f. That further points will be submitted at the time of arguments.

PRAYER: _ It is therefore most humbly prayed that on acceptance of instant appeal, the impugned inquiry recommendations and impugned orders of respondent # 2 and 3 may kindly be set aside and the appellant reinstated in service with all back benefits under the law.

Dated: 20/04/2019

Through

...APPELLANT

(ZULFIQAR AHMAD)
Advocate High Court
Abbottabad

BEFORE THE SERVICES TRIBUNAL KHYBER
PUKHTUNKHWA, PESHAWAR

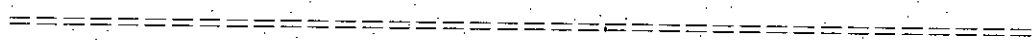
*Qasim Khan S/O Sardar Muhammad R/O Chamhad, Tehsil &
District Abbottabad Ex. Constable # 552.*

... APPELLANT

VERSUS

Govt. of KPK & Others

...RESPONDENTS



APPEAL AGAINST DISMISSAL

AFFIDAVIT

*I, Qasim Khan S/O Sardar Muhammad R/O Chamhad, Tehsil & District
Abbottabad Ex. Constable # 552, Do hereby solemnly affirm and declare
on oath that the contents of foregoing appeal are true and correct to the
best of my knowledge and belief and nothing has been concealed therein.*

No such appeal is pending an any other court.

...DEPONENT

Dated 20/04/2019

Identified by -

(ZULFIQAR AHMAD)
Advocate High Court
Abbottabad



COMMENDATION CERTIFICATE



K.P.K. POLICE
CLASS III

ATTESTED
ZULFIKAR AHMAD
Sub-Inspector of Police, Abbottabad

Granted FC Qasim 1422 Atlee

Son of _____ resident of _____

Village _____ Police Station _____

in recognition of FOD his good performance in Case
FIR NO 120/13 U/S 17031 Haraba Ps Mirpur

OB No. 263

Dated 10-9-13


DISTRICT POLICE OFFICER
ABBOTABAD

2

8

COMMENDATION CERTIFICATE



K.P.K. POLICE
CLASS III

ATTESTED
ZULFIQAR
9/10
A.H.M.

Granted FC Qasim No 1422 AHC Cell - Abbottabad

Son of _____ resident of _____

Village _____ Police Station _____

in recognition of For his good performance.

OB No. 173

Cash Rs. 1000/-

Dated 17-06-2013

DISTRICT POLICE OFFICER
ABBOTABAD Police Officer

3 9
COMMENDATION CERTIFICATE



K.P.K. POLICE
CLASS III

Granted FC QASIM 1422 Attc

Son of _____ resident of _____

Village _____ Police Station _____

in recognition of For his good performance.

OB No. 219

Rs. 2000/-

Dated 30-7-13

(Signature)

District Police Officer
Abbottabad
DISTRICT POLICE OFFICER
ABBOTABAD

4

10

PATIENT'S NAME: _____

YEARLY No: _____ Dated _____ 201

FACE VALUE Rs. 5/-

BENAZIR BHUTTO SHAHEED TEACHING HOSPITAL
Outpatient Department
ABBOTTABAD



ATTESTED
ZULFIQAR AHMED
12/06/2016

PATIENT'S NAME: Ujra B...
YEARLY No: 3711 Dated 11/07 20116

Wt.

Temp.

Pulse

B.P.

Dr.

Lumbago
Sciatic

SLR ↑ by limited
by Muscular
x B.D

Adm. Cap. Muscular
for 45 weeks
Adm. J. Adm. P.
till 16
DR. IKRAM ULLAH KHAN
P.M.O.
S.S. Teaching Hospital
Abbottabad

B
|||

5

DHIS - 02 (F)

11

Ant To: _____

OUT DOOR PATIENT TICKET

District _____ CRF No: _____

Facility Name _____

Name: _____ Age: _____ Sex: _____

Father's/Husband's Name _____

Monthly OPD Serial No: 1453

Provisional Diagnosis: _____

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings	
4/01/16	<u>LBA</u>	4 tabs Nystex 4 @ 1
SLR	Venereal test for 27 days was 04/16.	20 Bovexin 20 @ 1 20 Ligite 20 @ 1
(98) 100	at MCHARGES Medical Officer Police Hospital	Neurimutone @ 1 20 Laprazone 0.5m @ 1
Ad rest for days	(100)	

DHISA
DISTRICT HEALTH
INFORMATION SYSTEM

Adler
4/1/16

DR. KRAM ULLAH KHAN
PMD
BBS Teaching Hospital
Abbottabad



ARMED
Abbottabad

6

12

PATIENT'S NAME: _____
YEARLY No: _____ Dated: _____ 201

ATTESTED
ZULFIQAR AHMED
Advocate
[Signature]

BENAZIR BHUTTO SHAHEED TEACHING HOSPITAL
Outpatient Department
ABBOTTABAD
FACE VALUE RS-5/-



70243
No. 6

M. A. Khan
Gen. M.D.

PATIENT'S NAME: _____
YEARLY No: 129746 Dated: 23/12 2011

Wt.
Temp.
Pulse
B.P.
R.R.

G. Backache
Vindign
Epigastric
discomfort

107.7
mm Hg
S.R.T.

Ty Brexin 20
new

Advised
for 2 weeks
few

Ty Molidin 4
as

DR. IKRAM ULLAH KHAN
PMO
B.S Teaching Hospital
Abbottabad

Ty Apom 4
new



AYUB TEACHING HOSPITAL ABBOTTABAD

Filter Out Patient Department

Website: www.ath.gov.pk, Online Complaint: www.cm.ath.gov.pk

13



B. No. 2177

S. No. 014
26 Years

Name Qasim Khan

Age 26 Years Sex Male

Department _____ Address Abbottabad

Hospital Yearly No. 368038

Dated 07-May-2015-11:17:20 AM

Patient Status: Routine

Print by: Rameez Hameed No. 10

~~ADMITTED~~
ADMITTED

C/O RTA - 1 month back
Wound on (L) hand
middle pharynx.
E/o
on X-ray (middle pharynx
of (L) hand involved.
in X-ray.

Rx.
Tab. velosef 500mg
1-1
Tab. ...
1-1
Tab. ...
1-1

adv
= Bed rest for one week
w.e.f 07/5/15
Home rest.
for one week.
10.5.15

INCHARGE
Medical Officer
Police Hospital A.T.D.

Dr. ADAL GINGER
Ayub Teaching Hospital
Abbottabad



AYUB TEACHING HOSPITAL
ABBOTTABAD

Filter Out Patient Department

Website: www.ath.gov.pk, Online Complaint: www.cm.ath.gov.pk

B. No. 1790

S. No. 028

Name Qasim Age 25 Years Sex Male
Department _____ Address Abbottabad
Hospital Yearly No. 349286 Dated 23-Apr-2015 11:00:09 AM
Patient Status :- Routine Print by : Imran Raza Rs _____



ATTESTED
ZULFIQAR AHMED
Advocate
14

C/O
Injury (L) hand
Plegies

Adv X Ray of hand.
AD
Exchige wire

Physiotherapy

Bed Rest for two weeks

Verified Bed Rest
for 2 weeks w.c

MEDICAL OFFICER
Ayub Teaching Hospital
Abbottabad
23/4/15

23 ⁰⁴/₁₅
23 ⁰⁴/₁₅
INCHARGE
Medical Officer
Police Hospital A T D

Rx:

Tab: Diagenic-P
1+1

Tab: Mobikare 500mg
1+1

Tab: Mexip 500mg
1+1

Adv: Change dressing.

درد کن مکمل آرام کریں

Verified rest for 2 weeks
w/o of 11/04/15

Signature of M.O / S.R

13/04/15 Consultant

Courtesy: MASS Pharma (PVT) Ltd.

INCHARG
Medical Office
Police Hospital A

Dow
11/4/2015

AYUB TEACHING HOSPITAL



ABBOTTABAD
Department of Orthopedics & Trauma

DISCHARGE CARD Unit-B

Bed 2

Professor & Head of Department
Dr. Shahid Sultan
FCPS (Ortho)

Associate Professor
Dr. Naseem-ur-Razaq Durrani
MBBS, MRCS, FCPS (Ortho)

Senior Registrar
Dr. Muhammad Younas
MBBS, MCPS, FCPS (Ortho)

Patient's Name	Qasim Khan		
Age	25	Sex	Male
Address	Abbottabad		
Date of Admission	10/4/2015	Date of Operation	
Date of Discharge	11/4/2015	Admission No	1058/30
Diagnosis	RTA & wounds on multiple sites of body		
Operation			
Follow up visit			

ایم ای ڈی - مشعل، جسرات، اور پی ڈی - 9:00 بجے

15

محفوظ جناب DPO صاحب ضلع ایبٹ آباد

جناب عالی

موجودہ گزار شدہ میسج نمبر 1015 پولیس اسٹیشن ایبٹ آباد
میں فراٹھن سرانجام دے رکھا تھا کہ مورخہ
10-17 کو افاقت بیمار ہو گیا اور فراٹھن کی بچا
آورگی سے حاضر ہو گیا اس بیمارگی کی وجہ سے طبی کہ
سائیل کا سابق مورخہ 10-15 کو 04 کو شہرہ روڈ ایبٹ آباد
ہو گیا تھا اور ایوب میڈیکل ہسپتال میں داخل رہا۔
حسک میڈیکل سرٹیفکیٹ لیا ہے۔

بعد از علاج وعالجہ مختلف قنات عیادت میں ڈیولٹ
پر مامور رہا۔

اب برسر حال پولیس اسٹیشن ایبٹ آباد ہے۔
کہ اسکی سابق روڈ نمبر 1017 کی اسٹریٹ دو بارہ
10-17 کو روٹ ٹاؤٹ اور کارسنگ کے تمام
شہرہ۔

انٹیماس ہیک سائیل کو 10-17 کو 03
رضعت عطا فرمائی۔ اظہار عارضہ سے

السامعہ

کتیبہ قاسم خان نمبر 285 پولیس اسٹیشن ایبٹ آباد
المستوفی
10-17 کو 04

محفوظ جناب DPO صاحب ضلع ایبٹ آباد

ATTESTED
ZULFOCAR HAMEED
Advocate
Court Sub-Station

جناب عالی

مورد بیانہ گزارش میں سائیل پولیس اسٹیشن ایبٹ آباد
میں فرانسس پیک سہ ماہیہ کے مورخہ
10-5-17 کو افاتک بیمار ہو گیا اور فرانسس پیک
آورنگ میں حاضر ہو گیا اس بیمار کی وجہ یہ تھی کہ
سائیل کے ساتھ مورخہ 10-5-17 کو روتھ روڈ ایبٹ آباد
ہو گیا تھا اور ایبٹ آباد ہسپتال میں داخل ہوا۔
حکومت ہسپتال سرٹیفکیٹ لگا رہی۔

بعد از علاج و علاج مختلف نتائج میں دلوان
پر مامور رہا۔

اب سرسبز حال پولیس اسٹیشن ایبٹ آباد ہے۔
کہ اسکی سابقہ روتھ روڈ کے اثرات دوبارہ
10-5-17 کو رونما ہو گئے اور بیمار سرکار کے سائیل
شہریا۔

التماس پیک سائیل کو 10-5-17 کو 11-5-17
رضعت عطا فرمائی۔ اطوار عاوضیہ

کنستبل قاسم خان
المرقوم

04 010
017

ATTACHED
ZULFIQAR AHMED
Advocate High Court
Faisalabad

مقرر حساب DPO صاحب ایسٹ آباد

حساب عالی

موجودہ گزارہ سیکرٹری سائل ایسٹ آباد
 باب نہیں پورا اور فریضہ کے اقسام
 دیئے ناممکن ہے کیونکہ سہری جوٹ
 نالفرہ ہے لہذا اٹھاسہ سیکرٹری کو
 $\frac{11}{017}$ تا $\frac{12}{017}$ 30 رخصت عطا فرماویں
 تاکہ عمل ناممکن ہو سکے اور جلد اپنے فریضہ
 سرانجام دے سکے
 اطلاعاً عرض ہے

الصلوات

محمد

کنسٹیبل قاسم خان ٹبر 255 پولیس اسٹیشن ایسٹ آباد

المستوفی
 $\frac{11}{017}$ 03



خدمت جناب سید صاحبہ ایف ایف ایف

جناب عالی

میں نے گزشتہ دنوں میں آپ کی طبیعت اور
حالیہ حالت درست نظر کرنے پر فریاد
حاصل کرنا چاہتا ہے کہ نیک نیت خجالت
میں ہوتے ہیں لہذا اس مسئلہ کو از
موضع 12/04 تا 01/05 2017ء
اطلاع دے رہا ہوں

السلامتہ

Dr. Jinnah

کنسٹبل قاسم خان نمبر 298 لاہور لاہور ایف ایف ایف

المقوم 12/03 017

ATTESTED
ZULFIQAR AHMED
Advocate
COURT AHMEDABAD

عقد جناب DPO صاحب ایٹ آباد

جناب ملک

موجودہ گزشتہ سائنس تا حال صحت
باب میں ہوا ہے کہ جو کہ جسمانی اور
تحتیاتی طور پر ہے۔

تخلی گزشتہ 03/01/02

رخصت عطا فرمادیں۔
اطلاعیات کے لئے

السلامت

کنستبل قاسم خان گزشتہ 02/01/02

المترقوم 02/01/02



مخبر صاب د پو ایت آباد

جناب عالی

گزارش غفوریکہ مسائل انصافت کی عالی
کتبت انصافت علم کی دوائی استقامت و کرم
کی تمام مسائل کی دوائی و کرم

لہذا اس لئے کہ از مورخہ $\frac{02}{018}$ تا $\frac{03}{018}$
رضعت منابت فرماویں

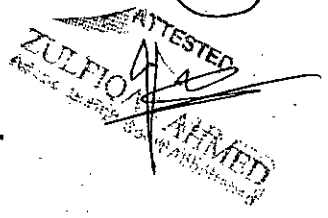
اطلاعیہ فرمادہ

الصدیق

(Signature)

کتبت منابت خان پورہ کراچی

المخبر صاب $\frac{02}{018}$ 01



خدمت خراب P.O. صاحب ایسٹ آباد

خواب عالی

موت گانہ لہذا اس سے سائل کا حال مفاد پر
 نہ ہو گا جسکی وجہ سے سائل کو آرام کی ضرورت
 ہے جسکی وجہ سے سائل ایسی ڈیوٹی مسلسل
 سر انجام دینے سے قاصر ہے۔ لہذا موت گانہ
 پر اسکی سائل کو از خود $\frac{03}{018}$ 04 07
 $\frac{03}{018}$ 28 رخصت و عطا فرماویں

اطلاعات کے لئے

العارضہ

(Signature)

کنسٹبل صاحب خان عمر 28 کا ریٹائرمنٹ ایسٹ آباد

الحمد للہ $\frac{03}{018}$ 03

DII

(23)

FINDING OF THE DEPARTMENTAL ENQUIRY CONDUCTED AGAINST
CONSTABLE QASIM NO.552 OF POLICE LINES

ATTESTED
ZULFIQAR
Advocate High Court Abbottabad

BRIEF OF ALLEGATIONS:

A departmental enquiry was received by the W/District Police Officer, Abbottabad against Constable Qasim No.552 of Police Lines with the allegation that "he while posted at Police Lines Abbottabad absented himself vide Daily Diary No.68 dated 05-10-2017 and still absent without any leave or permission.

PROCEEDINGS:

Undersigned summoned charged official despite repeated summons who didn't appeared for enquiry.

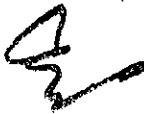
FINDINGS:

During course of enquiry initially undersigned summoned charged official to appear before the undersigned as well to submit reply for this absence but he failed to appear. At the next stage undersigned contacted his father through official PTCL and conveyed message, who appeared before the undersigned and ensured appearance of his son within seven days but did not appeared. Similarly, according to information, charged official is drug addict who is under treatment and still not leaving the drugs. Eventually undersigned through different sources tried for appearance of charged official but no fruitful result could be achieved, despite this he is still absent w.e.f 05-10-2017 up till now. (period of absence 04 months and 13 days).

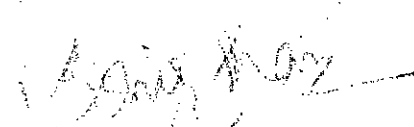
Keeping in view, undersigned recommend him for major punishment i.e. dismissal from service in light of ex-partee action please.

PA

Issue FSCN



DDO/AA


ADDE SUPERINTENDENT OF POLICE,
ABBOTTABAD.

ORDER

This office order will dispose of the departmental enquiry against Constable Qasim No. 552 Police Lines Abbottabad. He while posted at Police Station Lines Abbottabad absented himself vide Daily Dairy No. 68 dated 05-10-2017 and are still absent (04 months and 13 days) without any leave or information

He was issued Charge Sheet along with statement of allegations. Ms. Sonia Shamroze Khan Addl: SP Abbottabad was appointed as Enquiry Officer. She conducted proper departmental enquiry against the delinquent officer and recorded statements of all concerned. He was provided ample opportunity to defend himself and rebut the allegations leveled against him. After conducting proper departmental enquiry, the Enquiry Officer submitted her findings, wherein allegations have been proved. Consequently he was issued Final Show Cause Notice. He was summoned to appear in Orderly Room on 29-03-2018. He was given a patient hearing but he had nothing plausible to state in his defence.

Therefore, in exercise of the powers vested in the undersigned under of Police Disciplinary Rules-1975, I, Syed Ashfaq Anwar PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of Dismissal from service with immediate effect.

Order announced

District Police Officer
Abbottabad

No. 1075-77/PA 3-4-2018

CC.

1. Establishment Assistant.
2. Pay Officer, DPO Office Abbottabad.
3. OASI DPO Office alongwith complete Enquiry File containing

20 pages for completion of record.

213/Na-98

30-3-18

entry
S.odd
W.B.R

Handwritten marks and stamps at the top of the page, including a circled '552', a signature 'AK', and a circular stamp with the number '24'.

Official stamps and signatures on the right side of the page, including a circular stamp with 'MULTI-PART' and 'ATTACHED' text, and a signature.

17

FILE

21

25

To

The DIG Police,
Hazara Division,
Abbottabad.

ZULFIKAR AHMED
ADVOCATE
Abbottabad

**SUBJECT: DEPARTMENTAL APPEAL UNDER POLICE DISCIPLINARY
RULES 1975 AGAINST THE ORDER NO.1075-77 DATED
03.04.2018 ISSUED BY THE WORTHY DPO ABBOTTABAD
VIDE WHICH APPELLANT WAS DISMISSED FROM
SERVICE.**

**PRAYER: ON ACCEPTANCE OF THE INSTANT DEPARTMENTAL
APPEAL THE APPELLANT MAY KINDLY BE REINSTATED
IN SERVICE WITH ALL BACK BENEFITS.**

Venerated Sir,

FACTS:

1. That, the appellant was recruited in the police department as a constable by fulfilling all the standard requirement on 21.01.2008.
2. That, appellant during service, due to his efficient position / services for the department got various distinction certificates, as reward, by the worthy DPO Abbottabad. *(Copies of certificates are annexed with the appeal)*
3. That, the appellant, being employee of KP Police Force and has taken part in different operations against the culprits / gangsters etc and being a member of special (branch) always led the raids by putting his life at stake just to save and protect the lives of other innocent people.
4. That, during posting at Police Station Nawansher on 10.04.2015 appellant badly injured in the road accident and has remain admitted

- 9. That, whole proceedings were conducted on the back of appellant and he was condemned unheard through violating the principles of natural justice i.e. none should be condemned unheard.
- 10. That, while conducting so-called one sided inquiry proceeding neither inquiry officer nor the dismissing authority considered the service of more than 10 years of appellant for police department and the order of the authority based on the one sided inquiry report and is devoid of legal and factual force and harsh from which angle it is viewed and analyzed, I also soliciting and seek opportunity of personal hearing.

It is, therefore, humbly requested that keeping in view the length of service of the appellant as well as his sacrifices for the police department and public at large the order of the dismissal issued by the worthy DPO Abbottabad may kindly be set aside and the appellant may kindly be reinstated in the service with all back benefits.

Yours sincerely.



(QASIM KHAN)
 S/o Sardar Muhammad Khan
 Ex-Police Constable No.552,
 Police Lines, Abbottabad.

Dated:-/2018

in Ayub Teaching Hospital for a longer period, this accident is the main reason which jolted the life of appellant. *(Medical certificates are attached)*

5. That, the appellant was recently posted at police lines Abbottabad, as the appellant got head injuries in a previous road accident as mentioned in Para No.4 of instant appeal and in recent past due to that injuries his physical condition was too bad to join the service and by post many applications were sent to worthy DPO Abbottabad as intimation and for seeking leave. *(Copies are attached)*
6. That, no formal charge sheet or prior or final show cause notice was given to the appellant and neither appellant ever received any such notice.
7. That, appellant was never called or informed regarding inquiry proceeding and whole action was taken in absentia, and appellant never been remained the part of enquiry.
8. That, appellant was just one time called by the DPO Abbottabad on 29.03.2018 at orderly room and via P.S to DPO dismissal order was verbally conveyed to the appellant and on coming to know of dismissal order of the appellant from service, the father of appellant approached the DPO office Abbottabad and collected the dismissal order on 18.04.2018. *(Copy of the order is attached)*

ORDER

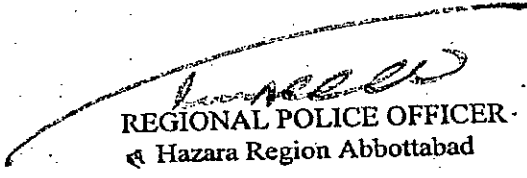
ATTESTED
ZULFIQAR
Advocate
PUNJAB

28

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 submitted by *Ex-Constable Qasim Khan No:552* Abbottabad District against the order of punishment i.e. *Dismissal from service* awarded to him by the District Police Officer, Abbottabad vide his OB No: 98 dated 30.03.2018.

Facts leading to punishment awarded to him are that he while posted in Police Lines, absented himself vide DD No: 68, dated 05.10.2017 to 30.03.2018 without any leave or permission.

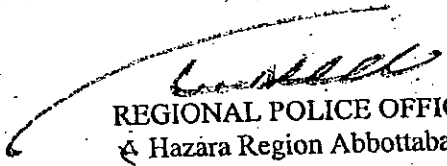
After receiving his appeal, comments of DPO Abbottabad were obtained which were examined/ perused. The undersigned called appellant in O.R on 20.03.2019 where he failed to explain any plausible reason in his defence. Since he had been dismissed twice, he should have amend his way and serve the department. Therefore the punishment awarded to him by the DPO Abbottabad i.e. *Dismissal from service* is genuine, hence his appeal is *filed*.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

No. 938

/PA, dated Abbottabad the 26/3/2019.

Copy of above is forwarded to the District Police Officer, Abbottabad w/r to his office letter No: 5665, dated 08.11.2018 for information and necessary action. Service Roll & Fauji Missal are returned for record to your office.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

وکالت نامہ

کورٹ فیس

بعدالت جناب سدر میں سسر ہیرنل ٹینڈر پختونخواہ سیاد

عنوان: ٹاسم خان بنام حکومت

منجانب: ایڈووکیٹ

نوعیت مقدمہ: Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب ذہی کل کاروائی متعلقہ آل مقام ایبٹ آباد ذرا العنار احمد انڈسٹریز یا ایبٹ آباد کورٹ کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی ذہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہویا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔ لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 20/4/2019

ایبٹ آباد
بمقام: ایبٹ آباد

ACCEPTED
ZULFIQAR
ATTEST
H
court

فاسم خان ولد ذرا العنار احمد انڈسٹریز یا ایبٹ آباد (ایڈووکیٹ)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL PESHAWAR CAMP COURT, ABBOTTABAD.**

SERVICE APPEAL NO. 587/2019

Qasim Khan s/o Sardar Muhammad r/o Chamhad, Tehsil and District Abbottabad
Ex-Constable No. 552.

.....APPELLANT.

VERSUS

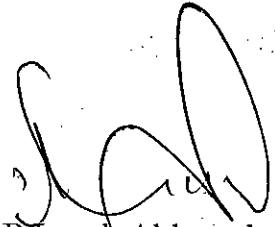
1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department Peshawar.
2. Deputy Inspector General of Police, Hazara Division Abbottabad.
3. District Police Officer, Abbottabad.
4. Additional SP, Abbottabad.

.....RESPONDENTS.

Para wise comments on behalf of Respondent No. 2, 3 & 4.

INDEX

S.No.	Detail of Documents	Annexure	Page No.
1	Reply	-	1 to 3
2	Affidavit	-	4
3	Detail of absence.	"A"	5
4	Copies of Charge sheet, Summary of allegation and summon Khyber Pakhtunkhwa Police Act 2017	"B, B-1&B-2"	6 to 8
5	Copy of O.B No. 98 dated 30.03.2018.	"C"	9
TOTAL		-	09


DSP Legal, Abbottabad.

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO. 587/2019

Qasim Khan s/o Sardar Muhammad r/o Chamhad, Tehsil and District Abbottabad
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.....APPELLANT.

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department Peshawar.
2. Deputy Inspector General of Police, Hazara Division Abbottabad.
3. District Police Officer, Abbottabad.
4. Additional SP, Abbottabad.

.....RESPONDENTS.

The Para-wise comments by respondent No. 2, 3 & 4 :-

Respectfully Sheweth

PRELIMINARY OBJECTIONS:-

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct to file the instant appeal.
3. That the appellant has not come to the Hon'ble Tribunal with clean hands.
4. That the appellant has suppressed material facts from the Hon'ble Tribunal.
5. That the instant Service Appeal is not maintainable for non-joinder/ mis-joinder of unnecessary parties.
6. That the instant Service Appeal is time barred.

ON FACTS:-

1. Correct.
2. Correct, but this para needs explanation to the effect that the appellant was habitual absentee and during his entire service, time and again, remained absent from lawful duties for 09 times. (Detail of absence is attached as annexure "A").
3. Incorrect, the official record of the nearby Police station, where the accident, as per appellant's stance had taken place, is silent about the aspect, however if it is so, then it was the duty of the appellant to surface the medical document coupled with the report but he did not bother to do so.

4. Correct to the posting of appellant at Police lines Abbottabad, while rest of the para is incorrect. However, it is worth mentioning here that the appellant is habitual absentee and time & again absented himself from lawful duties without prior permission from the competent authority.
5. Correct to the extent of initiation of inquiry, the rest para needs explanation to the effect that appellant deliberately avoid to join the departmental proceedings against him and to that effect charge sheet was dully served upon through his father as the appellant according to his father, was not present at his home (Copies attached as Annexure B, B-1, B-2).
6. The official respondents rightly dismissed the appellant from service vide OB No. 98 dated 30.03.2018. All the codal formalities were fulfilled by the official respondents. (Copy of OB No. 98 dated 30.03.2018 is attached as Annexure "C").
7. First paragraph is correct and reply to the second paragraph is that the orders of the respondent No. 2 & 3 are legal and liable to be maintained as the appellant has not come to this Tribunal with clean hands.

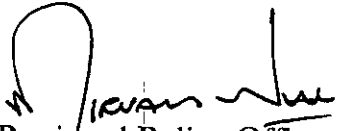
GROUND:-

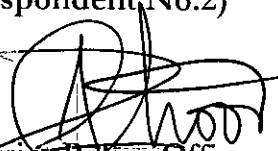
- a. Incorrect, the report of the enquiry officer i.e. respondent No.4 and dismissal orders of the appellant, issued by the respondent No. 2 and order of the respondent No. 3 regarding dismissal of the appeal *Inter-Alia* are legal, valid with lawful authority and within jurisdiction.
- b. Incorrect, the order of dismissal is legal and liable to be maintained.
- c. Incorrect, the orders of the respondent No. 2 & 3 are legal and in accordance with law as well all codal formalities have been fulfilled by the respondents.
- d. The appellant being a member of discipline force, violated all the discipline norms and subjected himself to be proceeded against departmentally. Furthermore, he avoid to receive the notices of departmental action against him and remained at large.
- e. Incorrect the appeal is time barred and retain the suchlike appeals, the precious time of the honourable Tribunal obviously be killed.


- f. That the official respondents through the help of the Advocate General / District Attorney, after leave of the honourable tribunal will also adduce further grounds during arguments.

PRAYER.

In view of above, it is most humbly prayed that the instant service appeal does not hold any legal force which may graciously be dismissed with cost.


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


District Police Officer,
Abbottabad.
(Respondent No. 3)


Addl: Superintendent of Police,
Abbottabad
(Respondent No. 4)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL PESHAWAR CAMP COURT, ABBOTTABAD.**

SERVICE APPEAL NO. 587/2019

Qasim Khan s/o Sardar Muhammad r/o Chamhad, Tehsil and District Abbottabad
Ex-Constable No. 552.

.....APPELLANT.

VERSUS

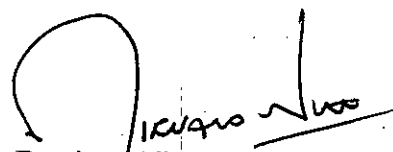
1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department Peshawar.
2. Deputy Inspector General of Police, Hazara Division Abbottabad.
3. District Police Officer, Abbottabad.
4. Additional SP, Abbottabad.

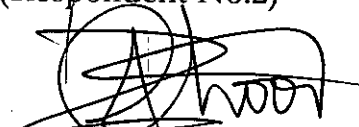
.....RESPONDENTS.

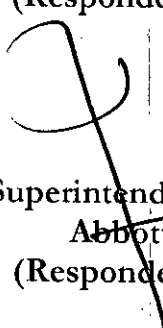
AFFIDAVIT.

We, do hereby affirm on oath that the contents of written reply are true to the best of our knowledge & belief and nothing has been concealed from the honorable Service Tribunal.

Submitted please.


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


District Police Officer,
Abbottabad
(Respondent No. 3)


Addl: Superintendent of Police,
Abbottabad
(Respondent No. 4)

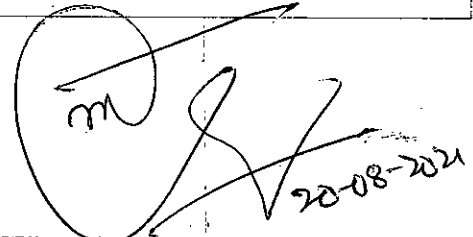
Answer - "A"

PUNISHMENT RECORD OF EX-CONSTABLE QASIM KHAN NO.552

DATE OF ENROLMENT: 21-01-2008

DETAIL OF PUNISHMENT

CHARGES	PUNISHMENT AWARDED
07 days absented	Leave Without Pay
12 hours & 15 mints absented	Warned to be Careful in Future
02 days absented	Leave Without Pay
Gross misconduct	Censure
01 day Absented	Fine Rs:100/
06 hours absented	Fines Rs:50
17 days absented	Leave Without pay
03 days absented	Warned in Future
50 days absented	Dismiss from service
37 days absented	Leave Without pay
Total Absented Days = 117 days, 18 hours & 15 mints	


20-08-2021

**INCHARGE ESTABLISHMENT
BRANCH DPO OFFICE,
ABBOTTABAD**

Annexure "B"

CHARGE SHEET

I Syed Ashfaq Anwar (PSP) District Police Officer Abbottabad as competent authority hereby charge you Constable Qasim No. 552, Police Liens Abbottabad, as explained in the attached statement of allegations.

- 2). You appear to be guilty of misconduct under Police disciplinary Rules 1975, and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.
- 3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet in the Enquiry Officer.
- 4). Your written defense, if any shall reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
- 5). Intimate whether you desire to be heard in person or otherwise.
- 6). A statement of allegations is enclosed.

SYED ASHFAQ ANWAR (PSP)
District Police Officer
Abbottabad

OX

میرا بیٹا قاسم گھر خود سے موجود نہیں ہے
میں نے اسے اپنی چارج 2 ٹیٹ ڈھول کر لیا ہے
سرکار خان خالد کیل قاسم نمبر 552 سے 28/12/17

Received
14/12/17
5:00 PM

B-1

DISCIPLINARY ACTION

I Syed Ashfaq Anwar (PSP) District Police Officer Abbottabad as Competent Authority of the opinion that you Constable Qasim No. 552, Police Liens Abbottabad, rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

STATEMENT OF THE ALLEGATIONS

- 1). You while posted at Police Lines Abbottabad absented yourself vide Daily Diary No. 68 dated 05-10-2017 and are still absent without any leave or permission.
- 2). For the purpose of scrutinizing your conduct with reference to the above allegations, Mis. Sonia Shamroz Addl: SP Abbottabad is appointed as Enquiry Officer.
- 3). The Enquiry Officer shall in accordance with the provision of this ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action the accused.
- 4). The accused a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer.

SYED ASHFAQ ANWAR (PSP)
District Police Officer
Abbottabad

No: 586 /PA, Dated Abbottabad the 05/12 /2017.

CC:

1. Constable Qasim No. 552, Police Liens Abbottabad, with the direction to submit his defense within 07 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer of the date, time and place fixed for the purpose of departmental proceedings.

Received
 on 14/12
 5 PM
 2017

دریافت شد
 در تاریخ 14 دسامبر
 552

حکم ہذا کی تعمیل مذکورہ اسپتال کے والد صاحب سے کروائی گئی ہے
 بیانیہ حکم تاسم گھر پر وجود نہ ہے جو کسی کام کے سلسلے میں تری ہو کر
 گیا ہو اسے میں نے حکم ہذا ایک ماہی دھلا کر لی ہے تاسم کے گھر آئی
 ہے اس کو حکم ہذا سے آگاہ کر دیا گیا کہ وہ 2 دن کے اندر اندر
 دفتر ہذا میں پیش ہو کر جواب دے

Amir
 MLHC PP Chamaad
 21-2-18

سرکار محمد ولد شیر احمد خان قوم توتولی سکنہ چھبید
 بد

NIL - 13101-9164858-5

Mobile:- 0343 9551445

Q.K.

552

Annexure 'C'

UP
B...
S...

ORDER

This office order will dispose of the departmental enquiry against **Constable Qasim No. 552 Police Lines Abbottabad**. He while posted at Police Station Lines Abbottabad absented himself vide Daily Dairy No. 68 dated 05-10-2017 and are still absent (04 months and 13 days) without any leave or information

He was issued Charge Sheet along with statement of allegations. **Ms. Sonia Shamroze Khan Addl: SP Abbottabad** was appointed as Enquiry Officer. She conducted proper departmental enquiry against the delinquent officer and recorded statements of all concerned. He was provided ample opportunity to defend himself and rebut the allegations leveled against him. After conducting proper departmental enquiry, the Enquiry Officer submitted her findings, wherein allegations have been proved. Consequently he was issued Final Show Cause Notice. He was summoned to appear in Orderly Room on 29-03-2018. He was given a patient hearing but he had nothing plausible to state in his defence.

Therefore, in exercise of the powers vested in the undersigned under of Police Disciplinary Rules-1975, I, Syed Ashfaq Anwar PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of **Dismissal from service** with immediate effect.

Order announced

**District Police Officer
Abbottabad**

entry
S.odd
w.p.r

No/075-77/PA 3-4-2018

CC.

1. Establishment Assistant.
2. Pay Officer, DPO Office Abbottabad.
3. OASI DPO Office alongwith complete Enquiry File containing 20 pages for completion of record.

013 No- 98

30.3.18

1422

ORDER

Constable Qasim No 1422 while posted at Police Lines Abbottabad absented himself from Official duty willfully and deliberately vide D.D No. 33 dated 08-06-2015 to 30-06-2016 (22 days), vide DD No. 10 dated 11-01-2016 for 28 days (total 50 days) without any leave or information.

He was issued Charge Sheet along with statement of allegations and Mr. Asif Goher DSP, Havelian was deputed as Enquiry Officer, who conducted proper departmental enquiry against the delinquent official and recorded the statements of all concerned. He has provided ample opportunity to the delinquent officer to defend the allegations leveled upon him. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings, wherein allegations have been proved. He was summoned to appear in Orderly Room but he failed to appear in Orderly Room.

Forgoing in view, the undersigned is of the considered opinion that there are no chances that Constable Qasim No. 1422 will become a good Police Officer. His further retention in service is bound to affect the discipline of the entire force. Therefore, in exercise of the powers vested in the undersigned under Rules 2(iii) of Police Disciplinary Rules-1975, I, Muhammad Khurram Rashid P.S.P, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of Dismissal from Service w.e.f date of absence with immediate effect.

Order announced.


District Police Officer, Abbottabad.

OB- No 212
8-9-2016

