

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT, SWAT.

Service Appeal No. 670/2020

Date of Institution ... 20.01.2020
Date of Decision ... 08.04.2022

Mian Sajjad Shah (Police Constable No.657) R/O Village Ganshal
Chagharzy District Buner.

... (Appellant)

VERSUS

District Police Officer, Buner and two others.

... (Respondents)

Shamsul Hadi,
Advocate

... For appellant.

Muhammad Riaz Paindakhel,
Assistant Advocate General

... For respondents.

Salah-Ud-Din

... Member (J)

Rozina Rehman

... Member (J)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the jurisdiction of this Tribunal through above titled appeal with the prayer as copied below:

“On acceptance of this appeal the impugned orders dated 02.04.2019 and 28.10.2019 regarding major penalty i.e. Removal from service of appellant may kindly be set aside and the appellant may kindly be reinstated into service with all back benefits.”

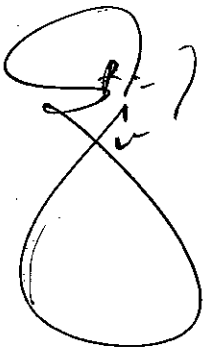
2. Brief facts of the case are that appellant was appointed as Constable. During service, he got seriously ill and remained absent

being advised by the concerned Doctor, however, he was dismissed from service which order was set aside by the respondent No.3 and he was reinstated in service. The appellant remained under treatment but he was once again directed by the respondents to join a course despite his health issues and he was once again removed from service without observing legal formalities vide order dated 02.04.2019. He filed departmental appeal which was also regretted but was not communicated in time to the appellant, hence, the present service appeal.

3. We have heard Shamsul Hadi Advocate learned counsel for appellant and Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

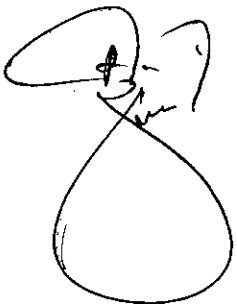
4. Shamsul Hadi Advocate learned counsel appearing on behalf of appellant, inter-alia, submitted that the appellant was not treated in accordance with law and canons of natural justice. That respondents had not given fair trial as enshrined under Articles-4 & 25-A of the Constitution of Islamic Republic of Pakistan, 1973. He was condemned unheard; that no charge sheet and show cause notices were communicated to the appellant and no proper inquiry was conducted in the matter. He, therefore, requested for acceptance of the instant service appeal.

5. Conversely, learned AAG submitted that the appellant was habitual absentee and was not interested in his job. It was submitted that there were 26 bad entries including major punishment and that his record was replete with bad entries. He was a member of the



disciplined force, was detailed to PTC Hangu wherefrom, he was returned as unqualified. He was once again selected for Basic Recruit Course, but he did not mark his presence and deliberately absented himself, therefore, show cause notice was issued which was properly replied. He was once again selected for the third time for the recruit training but he did not join and he also refused from social work without permission of his seniors, therefore, he was proceeded against departmentally and was ultimately dismissed from service. However, on his departmental appeal, lenient view was taken but he once again deliberately absented himself, therefore, he was rightly punished according to law after fulfillment of all codal formalities.

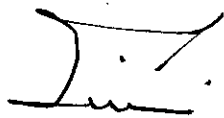
6. From the record it is evident that while posted at Police Lines Daggar, District Buner appellant failed to attend Basic Recruit Training and dropped himself several times from the said course. He absented himself whenever he was selected for the training/course, therefore, he was proceeded against departmentally and was served with charge sheet/summary of allegations and Muhammad Naeem Khan SDPO Totalai was appointed as Inquiry Officer who conducted inquiry and submitted his report in respect of the appellant to be a habitual duty shirker who deliberately dropped himself from recruit training. Subsequently, a final show cause notice was served upon him but he could not produce cogent reasons. He was called in Orderly Room on 26.03.2019 in order to hear him in person. In personal hearing the defaulter recruit declared himself patient of dizziness and epilepsy. It was also noted by District Police Officer, Buner that his medical history reveals that he had sudden irritable episodes and suicidal

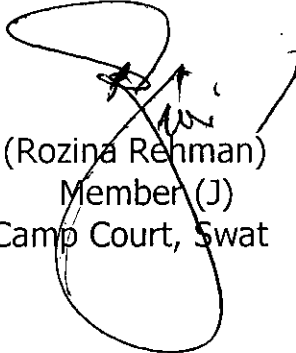


ideation. Despite such a disease, he was removed from service vide order dated 03.04.2019. His departmental appeal and revision petition under Rule11-A met the same fate. From perusal of the entire record, we have come to the conclusion that the appellant is a patient of epilepsy which fact was admitted by the District Police Officer, Buner himself in the impugned order but neither his ailment/disease nor his medical record was taken into consideration by the authority.

7. Keeping in view the above discussion coupled with other material available on file, we are of the opinion that disciplinary proceedings initiated against the appellant suggest that the appellant was not afforded proper opportunity of defense. Proceedings so conducted are also in a hotchpotch manner, therefore, the impugned orders are set aside, appellant is reinstated in service for the purpose of de-novo inquiry to be conducted within 60 days of the receipt of this judgment with direction to the respondents to check the entire medical record of the appellant and then to decide the case through a speaking order. Needless to mention that the appellant shall be provided proper opportunity of defense during the inquiry proceedings. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
08.04.2022


(Salah-ud-Din)
Member (J)
Camp Court, Swat


(Rozina Rehman)
Member (J)
Camp Court, Swat


ORDER
08.04.2022

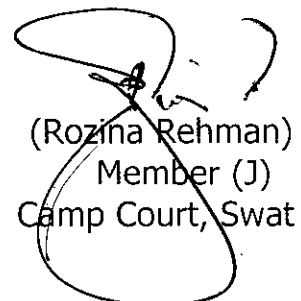
Appellant present through counsel.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

Vide our judgment of today of this Tribunal placed on file, the impugned orders are set aside, appellant is reinstated in service for the purpose of de-novo inquiry to be conducted within 60 days of the receipt of this judgment with direction to the respondents to check the entire medical record of the appellant and then to decide the case through a speaking order. Needless to mention that the appellant shall be provided proper opportunity of defense during the inquiry proceedings. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
08.04.2022

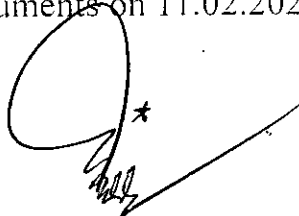

(Salah-Ud-Din)
Member (J)
Camp Court, Swat


(Rozina Rehman)
Member (J)
Camp Court, Swat

06.01.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that his counsel is not available today due to general strike of the Bar. Adjourned. To come up for arguments on 11.02.2022 before D.B at camp court Swat.



(Mian Muhammad)
Member(E)



(Salah Ud Din)
Member(J)
Camp Court Swat

11.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 08.04.2022 for the same as before at Camp Court Swat.



Reader

06/04/2021

Due to COVID-19, the case is adjourned to

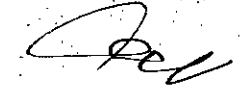
08/06/2021 for the same.



READER

8.6-21

*Due to COVID-19, the case is adjourned
to 3.11.21 for same.*



Reader.

03.11.2021

Appellant alongwith clerk of counsel present. Mr. Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

Appellant requested for adjournment on the ground that his counsel is out of station. Adjourned. To come up for arguments before the D.B on 06.01.2022 at Camp Court Swat.



(Atiq-Ur-Rehman Wazir)
Member (Executive)
Camp Court, Swat



(Salah-Ud-Din)
Member (Judicial)
Camp Court, Swat

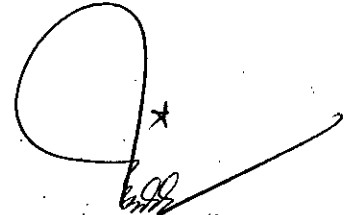
01.02.2021

Learned counsel for the appellant present.

Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Mr. Noshewan, ASI for respondents is present.

Representative of the respondents submitted written reply/comments which is placed on file.

Adjourned to 06.04.2021 for arguments before D.B at camp court Swat.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small star-like mark.

(Mian Muhammad)
Member(E)
Camp Court Swat

10.09.2020

Counsel for appellant present. Preliminary arguments heard.
File perused.

Points raised need consideration. Admitted to 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 respondents for written reply/comments. To come up for written reply/comments on 02.11.2020 before S.B

Appellant Deposited
Security Process Fee
11/9/20

Member (J)
Camp Court, Swat

02.11.2020

Nemo for appellant. Mr. Muhammad Jan learned DDA alongwith Nowsherwan Inspector (Legal) for respondents present.

Representatives of respondent seeks time to submit ~~Written reply/comments~~ Time was sought. To come up for written reply/comments on 07.12.2020 before S.B at Camp Court, Swat.

Member (E)
Camp Court, Swat

07.12.2020

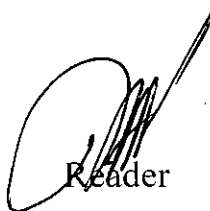
Due to COVID-19, case is adjourned to 01.02.2021 for the same as before.

Reader

Due to Corona virus tour
to Camp Court Swat has been cancelled.
To come up for the same on 04-06-2020


Reader

04.06.2020 Due to Covid-19, the case is adjourned. To come up for the
same on 09.07.2020, at camp court Swat.


Reader

09.07.2020 Bench is incomplete. Therefore, the case is adjourned.
To come up for the same on 10.09.2020, at camp court
Swat.





Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 670 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/01/2020	<p>The appeal of Mr. Mian Sajjad Shah resubmitted today by Mr. Shamsul Hadi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR — 27/1/2020</p> <p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05/03/2020</u>.</p> <p style="text-align: right;"> MEMBER</p> <p>05.03.2020</p> <p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 07.05.2020 before S.B at Camp Court, Swat.</p> <p style="text-align: right;"> Member Camp Court, Swat.</p>

The appeal of Mian Sajjad Shah Police Constable No. 657 District Police Buner received today i.e. on 20.01.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Affidavit may be got attested by the Oath Commissioner.

No. 207 /S.T,

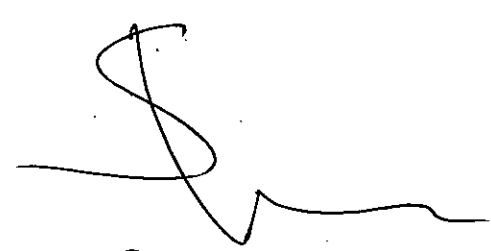
Dt. 20-01-2020.


REGISTRAR - 20/01/2020
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Shamsul Hadi Adv. Swat.

R, SFS

Serial no. 1 and 2 of objection slip are still not provided by the concerned Department.


27-1-2020

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No. 670/2020.

Mian Sajjad Shah.....Appellant

V E R S U S

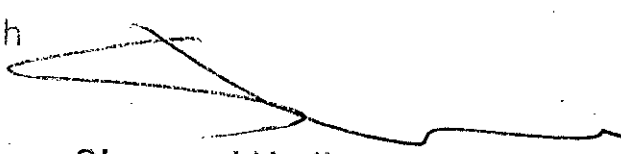
District Police Officer Buner and others..... Respondents

I N D E X

S.N	Description of Documents	Annex	Pages
1.	Memo of Appeal.		1-3
2.	Affidavit.		4
3.	Application for condonation of delay along with affidavit.		5-6
4.	Addresses of the Parties.		7
5.	Copy appointment order.	A	8
6.	Copies of medical prescriptions , orders dated:06.07.2018 & 02.10.2018.	B	9-18
7.	Copies of impugned office order dated:02.04 2019.	C	19-
8.	Copies of Department Copies of order dated:28.10.2019.	D	20
6.	Wakalat Nama		21


Appellant

Through


Shams ul Hadi

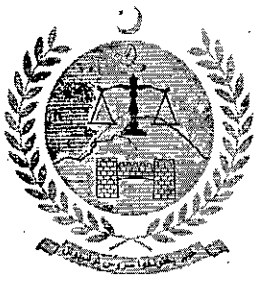
Advocate, Peshawar.

Dated:14/01/2020.

Office: Near Al-Falah Mosque, Hayat

Abad, Mingora.

Cell No. 0347-4773440.



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

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

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

No. _____/ST Dated ____/____/2022

To:

The District Police Officer, Buner.

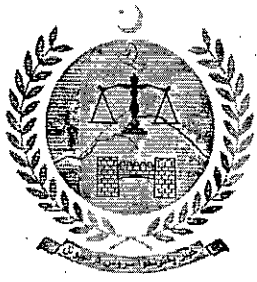
SUBJECT:- JUDGMENT IN SERVICE APPEAL NO. 670/2020, MIAN SAJJAD SHAH VERSUS THE DISTRICT POLICE OFFICER, BUNIR ETC.

I am directed to forward herewith a certified copy of order dated 08.04.2022, passed by this Tribunal in the above mentioned *service appeal* for compliance.

Encl. As above.


(WASEEM AKHTAR)

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

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

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

No. _____/ST Dated ____/____/2022

To:

The District Police Officer, Buner.

SUBJECT:- JUDGMENT IN SERVICE APPEAL NO. 670/2020, MIAN SAJJAD SHAH VERSUS THE DISTRICT POLICE OFFICER, BUNIR ETC.

I am directed to forward herewith a certified copy of order dated 08.04.2022, passed by this Tribunal in the above mentioned *service appeal* for compliance.

Encl. As above.

(WASEEM AKHTAR)
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.

**BEFORE THE KHYBER PAKHTOON KHWA SERVICES
TRIBUNAL, PESHAWAR**

Service Appeal No. 670/2020.

Mian Sajjad Shah (Police Constable No.657)

R/O Village Ganshal Chagharzy District Buner.....Appellant

VERSUS

1. District Police Officer, Bunir.
2. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Inspector General of Police, Malakand Region,

Saidu Sharif Swat.....Respondents

Khyber Pakhtunkhwa
Services Tribunal

Diary No. 504

Dated: 20/01-2020

**APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE IMPUGNED OFFICE
ORDERS DATED:02.04.2019 & 28.10.2019.**

Filed to-day

Registrar

20/01/2020

PRAYER IN APPEAL:

On acceptance of this appeal the impugned Orders dated: 02.04.2019 & 28.10.2019 regarding major penalty i-e Removal from service of appellant may kindly be set aside and the appellant may kindly be reinstated to his service with all back benefits of service.

Respectfully Sheweth:

1. That initially the appellant joined the respondent/department since long and as such performed his duties with zeal and zest. (Copy of appointment order is annexure-A)

That in the year 2018, the appellant due to sever illness advised by the Concerned doctor for complete rest and also advised for avoiding harsh physical training and as such the appellant brought the same in knowledge of the concerned

Registrar

27/11/2020

Re-submitted to -day
and filed.

2

authority and also request for exemption of some physical training till recovery of his health issues, but respondent No.1 without caring for illness of the appellant, through order dated:06.07.2018 dismissed the appellant from service but the same order was set aside by the respondent No.3 and as such the appellant was re-instated to his service through office order dated:02.10.2018 .(Copies of medical prescriptions orders dated:06.07.2018 & 02.10.2018 are annexure-B)

3. That thereafter without waiting for completion of appellant's medical treatment, with ill intention again, the appellant was directed to join a physical test/course, so the appellant well within time brought the issue of his physical/health condition in the knowledge of respondent No.1, but without observing legal formalities, the appellant was removed from service through impugned order dated:02.04.2019 and as such the appellant was retrospectively dismissed from service from the date of his absence.(Copies of impugned office order dated:02.04 2019 is annexure-C)

4. That against the said order, the appellant filed departmental appeal which was regretted vide impugned order dated:28.10.2019 but the same was not communicated to appellant within time and finally when the appellant approached the appellate authority where rejection order of departmental appeal was handed over to appellant on 027.12.2019.(Copy of ~~Departmental Appeal~~ order dated:28.10.2019 is annexure-D)

That being aggrieved from the impugned orders, the appellant approached this Hon'ble Tribunal on the following grounds amongst other inter alia:

GROUND:

A. That the impugned office orders are against the facts, law and procedure, hence, untenable being unjust and unfair.

- B. That the appellant was removed from service retrospectively which is a void order and now it is settle preposition of law that no limitation runs against void order nor the same has any legal sanctity.
- C. That the whole departmental proceedings against the appellant was based on personal ill will and with ill intention a harsh and illegal penalty was imposed on the appellant.
- D. That earlier too, the appellant was dismissed from service on basis of same ground where the appellant was reinstated to his service, so the removal of service of appellant on the same ground clearly showing the ill intention of appellant, which needs interference of this Hon;ble tribunal.
- E. That no opportunity in shape of personal hearing was afforded to the appellant nor statement of allegation or show cause notices were served on appellant personally, So legal formalities were ignored by the respondents and a harsh penalty was imposed upon appellant.

It is, therefore, most humbly prayed that On acceptance of this appeal the impugned Orders dated: 02.04.2019 & 28.10.2019 regarding major penalty i-e Removal from service of appellant may kindly be set aside and the appellant may kindly be re-instated to his service with all back benefits of service.

Appellant


Mian Sajjad Shah

Through


Shams ul Hadi

Advocate, Peshawar.

Dated: 14/01/2020

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2020.

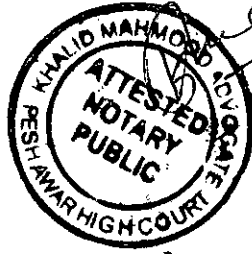
Mian Sajjad Shah.....Appellant

V E R S U S

District Police Officer Buner and others..... Respondents

AFFIDAVIT

I, **Shams ul Hadi**, Advocate, Peshawar do hereby as per information conveyed to me by my client, solemnly affirm and declare that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.




ADVOCATE

5

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.**

Service Appeal No. _____/2020.

Mian Sajjad Shah.....Appellant

VERSUS

District Police Officer Buner and others..... Respondents

APPLICATION FOR CONDONATION OF DELAY

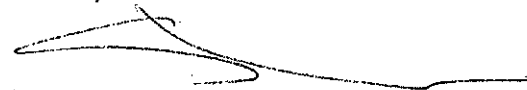
Respectfully Sheweth:

1. That the captioned appeal has been filed before this Hon;ble Tribunal where no date of hearing fixed so far.
2. That departmental appeal of the appellant was regretted by the respondent No.1 on 28.10.2019 but the same was not communicated to the appellant within time, hence the delay if any can not be attributed to appellant because the appellant after receiving the impugned order of departmental authority on 27.12.2019 approached this august court well within time.
3. That the appellant was removed from service retrospectively hence the same is a void order and now it's a settled preposition of law that no limitation run against a void order but if at all time if any lapsed, that's may kindly be condoned, as the same was not willful.

It is, therefore, prayed that on acceptance of this application the delay if any may kindly be condoned.

Through


Applicant


Shams ul Hadi
Advocate High court.

✍ 6

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No. _____/2020.

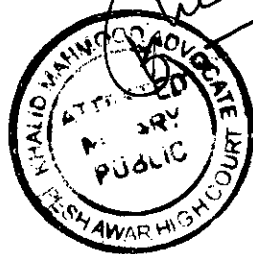
Mian Sajjad Shah.....Appellant

VERSUS

District Police Officer Buner and others..... Respondents

AFFIDAVIT

I, **Shams ul Hadi** Advocate, Peshawar do hereby as per information conveyed to me by my client solemnly affirm and declare that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



✍

ADVOCATE

7

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR.**

Service Appeal No. _____/2020.

Mian Sajjad Shah.....Appellant

V E R S U S

District Police Officer Buner and others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Mian Sajjad Shah (Police Constable No.657)

R/O Village Ganshal Chagharzy, District Buner.

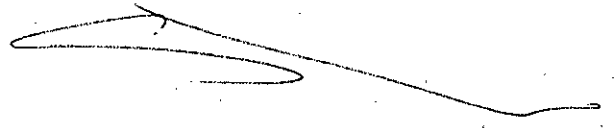
Cell No.0346-2380937.

RESPONDENTS:

1. District Police Officer, Buner.
2. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Inspector General of Police, Malakand Region,
Saidu Sharif Swat.


Appellant

Through



Shams ul Hadi

Advocate, Peshawar.

Dated: 14/01/2020

Annex
A

~~Handwritten scribble~~
2

Order

Mr. Mian Sajad Shah S/O Khudad Khan R/O Ganshal PS Gulbandi is hereby enlisted as recruit constable BPS 05 (6985-340-17185) on the existing vacancy of this district with immediate effect and allotted constabulary No. 657.

OP No. 74
DT. 15.09.015

Handwritten signature
District Police Officer,
Buner

ATTESTED

to be true copy
Attestate

Handwritten signature

Handwritten signature

Handwritten signature

District Police Officer,
Buner

ڈاکٹر علی احسان مفتی

ایم، بی، بی، ایس، ایف، سی، پی ایس (پاک)
کنسلٹنٹ سائیکاٹرسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

PMDC #13097-N

NOT VALID FOR
COURT PROCEEDINGS

پروفیسر ڈاکٹر خالد مفتی

الف، آر، سی سائیک (یونے)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ڈسٹریکٹو ایسوسی ایشن
ڈیپلو ایچ او فیوشپ (پیجنگ)
فارمر پریسل خیبر میڈیکل کالج پشاور

PMDC #399-N

Name: سیاد شاہ Age 25 Sex M Status M B.P. Date 19/7/19

PT. ID 9380 Temp Address: لوہر

Rx

Sedav

0 + 2

att

566

LS - 23/11/19

CF - 4/8/16

دوبارہ معائنہ _____ ماہ کے بعد
نوٹ: ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں

ATTESTED
to be true copy
Advocate

کلینکل سائیکا لوجسٹ
خاستہ نوریین ایم، ایس، سی (سائیکالوجی)
ڈپلومڈ کلینکل سائیکالوجی

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، منشیات و جنسیات، سر درد اور مرگی

عبادت ہسپتال EE-32 نشتر آباد چوک، پشاور فون: 091-2561063

ای میل: ibadathospital@yahoo.com

ڈاکٹر علی احسان مفتی

ایم، بی، بی، ایس، ایف، سی، پی ایس (پاک)

کنسلٹنٹ سائیکاٹرسٹ

میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

PMDC #13097-N

NOT VALID FOR COURT PROCEEDINGS

10
پروفیسر ڈاکٹر خالد مفتی

ایف، آر، سی سائیک (یو کے)

چیف ایگزیکٹو: عبادت ہسپتال پشاور

انٹرنیشنل ڈسٹنگویٹڈ فیلوشپ آف امریکن سائیکاٹریک ایسوسی ایشن

ڈیپلوما آف اوپیلوشپ (بیجنگ)

فارمر پرنسپل خیبر میڈیکل کالج پشاور PMDC #399-N

Name: شیہا شاہ Age 25 Sex M Status M B.P. 110/70 Date 23/01/19

PT. ID 300330 Temp 98.6 Address: لوئر

Rx

(40)

- Secluro 20mg

0 + 1/2

0 + 1

0 + 1 1/2

جاری 0 + 2

- Evit Tab

0 + 1

- Rivotril drops

وٹنر صبح خور

3/01/19
23/ 2019
Epileptic form
Cont. see things for 30-35 mins
- Sudden Irritable episodes
- Suicidal ideation
دوا جاری
دو ماہ کے بعد
دو ماہ کے بعد
نوٹ: ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں

گت، ٹک، جی، ایم، کا، اسٹال
فاسٹ نوڈس پر ہینڈ کریں
ATP

کلینکل سائیکا لو جسٹ
خاستہ نوریں ایم، ایس، سی (سائیکالوجی)
ڈپلومان کلینکل سائیکا لوجی

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، نفسیات و جنسیات، ہر درد اور مرگی

ATTESTED

to be true copy Advocate

عبادت ہسپتال EE-32 نشتر آباد چوک، پشاور فون: 091-2561063

ای میل: ibadathospital@yahoo.com

ڈاکٹر علی احسان مفتی

پروفیسر ڈاکٹر خالد مفتی

NOT VALID FOR COURT PROCEEDINGS

ایم، بی، بی، ایس، ایف، ایس، پی، ایس (پاک)
کلینک سائیکالوجسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

ایف، آر، سی سائیک (پو کے)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ڈسٹیکوٹڈ فیڈریشن آف امریکن سائیکالوجک ایسوسی ایشن
ڈیپلوم ایچ او فیڈریشن (بیجنگ)
فارمر پریسل خیبر میڈیکل کالج پشاور

Date 14-03-17

Name Sajid Age 23 Sex M/F Status S/M BP 120/80 Pulse 80
Temp Weight Address Bonair

کلینک سائیکالوجسٹ
مس نجمہ
ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینک سائیکالوجی
مس کرن داؤد
ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینک سائیکالوجی
خاستہ نوریین
ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینک سائیکالوجی
نوٹ
ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں
دوبارہ معائنہ _____ ماہ کے بعد

- follow up
- Multi improved

Rf
- Sedans 2mg
2 + 0
- Amoo
0 + 1
- Rivatril 4mg
③ 4mg 3 times per day
③ 4mg 3 times per day

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، منشیات و جنسیات، سر درد اور مرگی

091-2561063: پشاور فون: EE-32 نثر آباد چوک،

Ibadathospital@yahoo.com ای میل:

ATTESTED
to be true copy
Advocate

ڈاکٹر علی احسان مفتی

NOT VALID FOR
COURT PROCEEDINGS

پروفیسر ڈاکٹر خالد مفتی

ایم، بی، بی، ایس۔ ایف، سی، پی، ایس (پاک)
کنسلٹنٹ سائیکیاٹرسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

ایف، آر، سی سائیک (بوکے)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ڈیپٹنگ ویڈیو شیڈ فیلوشپ آف انریکن سائیکیاٹرک ایسوسی ایشن
ڈیپلو ایچ او نیوشپ (بیجنگ)
فارمر پرنسپل خیبر میڈیکل کالج پشاور

(12)

Date

28/11/16

Name

Sajad

Age

22

Sex M/F

Status S/M BP

120

80 Pulse

Temp

Weight

Address

Bunato

کلینکل سائیکالوجسٹ

مس نجمہ

ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینکل سائیکالوجی

مس کرن داؤد

ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینکل سائیکالوجی

خاستہ نورین

ایم، ایس، سی (سائیکالوجی)
ڈپلومہ ان کلینکل سائیکالوجی

نوٹ:

ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں

دوبارہ معائنہ: ماہ کے بعد

ط 7

Sedavo

2 + 0 20

gonal

2 + 0 + 1

~~gonadif~~

~~gonadif~~

~~gonadif~~

~~gonadif~~

3

دولہا

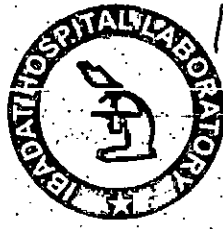
2020

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، منشیات و جنسیات، سر درد اور مرگی

EE 31 نثر آباد چوک، پشاور فون: 091-2561063

Ibadathospital@yahoo.com

ATTESTED
to be a copy
Advocate



Name : Sajad
Age : 00 Yrs
Sex : M

S.No. 51
Date 28/11/16
Ref: Prof Khalid Mufti.

Test	Result	Normal.
Bilirubin	0.8	(00—1.0 mg/dl)
SGPT	36	(05—45 U/l)
Alk.Phos	127	(100—290U/L)
Protein	6.5	(5.0—8.0 G/dl)
Albumin	3.0	(2.5—5.0 G/dl)

Sign

ATTESTED
to be true copy
Advocate

پروفیسر ڈاکٹر خالد مفتی 14

ڈاکٹر علی احسان مس

NOT VALID FOR
COURT PROCEEDINGS

ایم، بی، بی، ایس، ایف، سی، پی، ایس (پاک)
کنسلٹنٹ سائیکاٹرسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

ایف، آر، سی سائیک (بوکے)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ڈسٹریکٹو اینڈ فیوشپ آف امریکن سائیکاٹریک ایسوسی ایشن
ڈیپلوما ایچ او فیوشپ (بیجنگ)
فارمر پریسل خیر میڈیکل کالج پشاور

Date 76/07/16 110/70
Name Sajad Age 22 Sex M/F Status S/M BP Pulse
Temp Weight Address

کلینکل سائیکا لو جسٹ

مس نجمہ
ایم، ایس، سی (سائیکا لوجی)
ڈپلومہ ان کلینکل سائیکا لوجی

مس کرن داؤد
ایم، ایس، سی (سائیکا لوجی)
ڈپلومہ ان کلینکل سائیکا لوجی

خاستہ نورین
ایم، ایس، سی (سائیکا لوجی)
ڈپلومہ ان کلینکل سائیکا لوجی

نوٹ
ڈاکٹر کے مشورے کے بغیر زوالی بند نہ کریں

حاصل
3/5/16
دولہا دی نس

Sedano

2 + 0

Gonal

2 + 0 + 1

Vitamen

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Advocate

دوبارہ معائنہ _____ ماہ کے بعد

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، منشیات و جنسیات، سر درد اور مرگی

EE-32 نشتر آباد چوک، پشاور فون: 091-2561063

ای میل: Ibadathospital@yahoo.com

ڈاکٹر علی احسان مفتی

NOT VALID FOR
COURT PROCEEDINGS

پروفیسر ڈاکٹر خالد مفتی

ایم، بی، بی، ایس۔ ایف، سی، بی، ایس (پاک)
کنسلٹنٹ سائیکاٹرسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

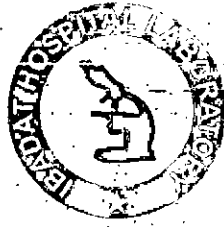
ایف، آر، سی سائیک (پوسٹ)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ڈسٹریکٹو یونیورسٹی آف امریکن سائیکاٹریک ایسوسی ایشن
ڈیپلو ایچ او فیلوشپ (بیکنگ)
فارمر پریسل نیبر میڈیکل کالج پشاور

Date 04-06-10
Name Sajjad Shah Age 23 Sex M/F Status S/M BP 100/80 Pulse
Temp Weight Address Bonair

کلینکل سائیکا لو جسٹ	h/o - 4 yrs	
مس نجمہ ایم، ایس، سی (سائیکا لوجی) ڈیپلومہ ان کلینکل سائیکا لوجی	- Burden on head - low mood - Anxiety	Rx - Sedano 2mg Dose 1/2 + 0 Dose 1 + 0 Dose 1 1/2 + 0 Dose 2 + 0
مس کرن داؤد ایم، ایس، سی (سائیکا لوجی) ڈیپلومہ ان کلینکل سائیکا لوجی		- Conadil-F ✓ Dose 1 + 0 + 1 2 + 0 + 1
خانستہ نورین ایم، ایس، سی (سائیکا لوجی) ڈیپلومہ ان کلینکل سائیکا لوجی		- Vitaneu 0 + 1
نوٹ: ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں		- Indad 10mg Dose 1 + 0 + 1 Dose 1/2 + 0 + 1/2 جرمہ
دوبارہ معائنہ۔۔۔۔۔ ماہ کے بعد		⑥ منہ تم

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، منشیات و جنسیات، سر درد اور مرگی

EE-3 نثر آباد چوک، پشاور فون: 091-2561063
Ibadathospital@yahoo.com ای میل
ATTESTED
to be true copy
Advocate



Name : Sajjad Ali

S.No. 28

Age : 00 Yrs

Date : 04/06/16

Sex : M

Ref: Prof Khalid Mufti.

Test	Result	Normal.
------	--------	---------

Prolactin

7.4

(M.3.0---14. ng/ml)
(F. 3.0—23 ng/ml)

Sign

ATTESTED

to be true copy
ADVANCED

ORDER

17

This order will dispose-of departmental enquiry against Recruit Mian Sajad Shah No. 657 of this district police vide this office No. 35/Enquiry, dated 14/06/2018.

Briefs facts are that:-

Recruit Mian Sajad Shah No. 657 while posted to Police Lines Daggar was summoned for Fatigue Duty but he refused from Fatigue duty. Besides this he is a habitual absentee and usually remain absent without prior permission. He has been enlisted in this District Police in 2015 but he has not attained the required training and has been dropped three times from recruit course due to absence. Therefore he was proceeded departmentally and served with charge sheet/Disciplinary action under police rules 1975. Mr: Muhammad Naeem Khan SDPO Totalai was appointed as enquiry officer to conduct departmental enquiry against Recruit Mian Sajad Shah No. 657. The enquiry officer in its finding submitted that the official concerned is guilty of the allegation level against him and recommended him for major punishment of dismissal from service under chapter 12 (21) of Police rules or provide him another chance for attaining the recruit training course. Subsequently he was called in OR on 03/07/2018 in order to give him opportunity of self defense. In personal hearing the defaulter recruit declared himself patient of dizziness and epilepsy. Whereas, according to his own statement he is a patient, so he is unfit for serving in Police Department and whereas his service record reveals 21 bad entries and his three (3) time failure of attaining the recruit training course.

Now therefore, I Sadiq Baloch, District Police Officer Buner as Competent Authority and in exercise of the power vested in me under Police Disciplinary Rules-1975, award Recruit Mian Sajad Shah No. 657, major punishment of dismissal from service under the Police rules chapter 12 (21), with immediate effect.

Order announced.



DISTRICT POLICE OFFICER,
BUNER

OB No. 74

Dated: 06/07/2018

No. 3754 /Enq, dated Daggar the 06/07/2018.

Copy to all concerned.

Attested
ATTESTED
to be true copy
Advocate

District Police Officer
Buner

18

ORDER

Ex-constable Mian Sajad Shah No. 657 submitted an appeal before the worthy Regional Police Officer Malakand Swat against the punishment order i-e dismissal from service vide this office OB No.94, dated 06/07/2018.

The worthy Regional Police Officer, Malakand Region at Saidu Sharif Swat disposed-of the Departmental appeal under Police Rules 1975 and the appellant is re-instated in service and major punishment from dismissal from service is converted to minor punishment of censure.

In view of the order Endst: No. 8084/E, dated 25/09/2018 issued by the worthy Regional Police Officer, Malakand Region at Saidu Sharif Swat ex-constable Mian Sajad Shah No.651 is hereby re-instated and his period of absence is treated as leave without pay and award punishment of censure. The same constabulary i-e No. 657 is allotted to him.

Order announced.


**DISTRICT POLICE OFFICER,
BUNER**

OB NO. 141


DT: 02/10/2018.

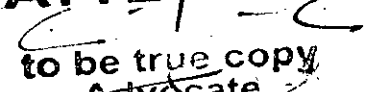
No. 5464-66/A, dated Daggar the 02/10/2018.

copy to:-

1. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
2. The District Accounts Officer, Buner.
3. All concerned.


**DISTRICT POLICE OFFICER,
BUNER**

Attested

District Police Officer
Buner

ATTESTED

to be true copy
Advocate

ORDER

19 Anwar

This order will dispose of departmental enquiry against Recruit Mian Sajad Shah No. 657 of this district police vide this office No. 02/Enquiry, dated 20/02/2019.

Briefs facts are that:-

Recruit Mian Sajad Shah No. 657 while posted to Police Lines Daggar, has been enlisted in this District Police in 2015 but has not yet attained the basic recruit training and has dropped himself several times from the said course. He usually absents himself whenever, he is selected for the training course. Therefore he was proceeded departmentally and served with charge sheet/summary of allegations and. **Mr. Muhammad Naeem Khan SDPO Totalai** was appointed as enquiry officer to conduct departmental enquiry against him. The enquiry officer submitted in its findings that the delinquent official is a habitual absentee and deliberately dropped himself from recruit training and previously he has been dismissed from service for the same charges but later on re-instated in to service. Likewise, the enquiry officer recommended him for major punishment. Subsequently, a final show cause notice was served upon the delinquent official but he could not produce any cogent reason in his defense. Therefore, he was called in OR on 26/03/2019 in order to hear him in person. In personal hearing he declared himself patient of dizziness and epilepsy while his medical history reveals that he has sudden irritable episodes and suicidal ideation.

Now therefore, **I Muhammad Irshad, District Police Officer Buner** as Competent Authority and in exercise of the power vested in me under Police Disciplinary Rules-1975, award Recruit Mian Sajad Shah No. 657, major punishment of removal from service with effect from 07/02/2019.

Order announced.

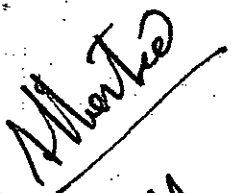


DISTRICT POLICE OFFICER,
BUNER

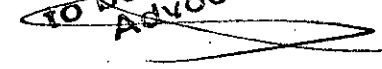
OB No. 56

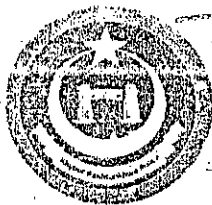
✓ Dated: 02-04 /2019

No. 2375 /Enq, dated Daggar the 03/04 /2019.

Copy to all concerned.



District Police Officer
Buner

ATTESTED
TO be true copy
Advocate




OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND

SAIDU SHARIF SWAT.

Ph: 0946-9240381-88 & Fax No. 0946-9240390

Email: digmalakand@yahoo.com

Announced
D
20

ORDER:

This order will dispose off appeal of Ex-Constable Mian Sajjad Shah No: 657 of Buner District for reinstatement in service.

Brief facts of the case are that Ex-Constable that the appellant was enlisted on 15/09/2015 as Constable and having 3 years 6 months and 18 days of service. That the appellant is habitual absentee and total recorded absences on his part from the date of appointment to the date of disraissal are 93 as a result of which he was punished 23 times in his three and half years of service. That the appellant has been returned as unqualified vide Commandant PTC, Hangu vide Signal No. 236/GC, dated 22/01/2016. Besides this he was selected again on 24/10/2017 and for the third time on 10/05/2018 and recently he has been selected for the fourth time on 09/02/2019 but he absented himself deliberately. Charge Sheet and Statement of Allegations were issued to the appellant and S/DPO Totalai was appointed as enquiry officer to scrutinize the conduct of the official. The enquiry officer submitted finding report and reported that the official is a habitual absentee and deliberately drop himself from training previously he has been dismissed from service for the same charges but later on reinstated in to service. Likewise, the enquiry officer recommended him for major punishment of dismissal from service. In light of the departmental enquiry proceedings and findings of enquiry officer the appellant was found guilty of the charges. Therefore, he was called in orderly room and heard in person but he could not produce any cogent reason in his defense. In view of the above he was dismissed from service vide DFO Buner office OB No. 56 dated 02/04/2019.

He was called in Orderly Room on 23/10/2019 and heard him in person. It is clear crystal from his service record that the appellant is not interested in Police service as he has been returned to the District from Police Training College, time and again as unqualified. Besides, there are 26 bad entries in his service record including dismissal from service. The appellant also failed to produce any substantial material in his defence. Therefore his appeal for reinstatement in service is hereby filed.

Order announced.

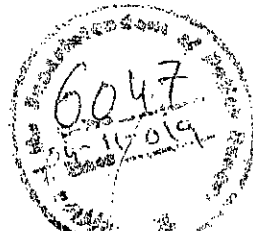
Regional Police Officer,
Malakand Region, Saidu Sharif Swat
S. Naqvi

No. 11509 /E,

Dated 28/10/2019.

Copy of above for information and necessary action to District Police Officer, Buner with reference to his office Memo: No. 305/Enq, dated 02/05/2019. Service Roll and Fauji Missal of the above named Constable is returned herewith for record in your office.

Eng. Walek
R. N. N.



ATTESTED
to be a copy
Advocate

الحی بعدالت کروس لم بیونیل شاہ راجہ راجہ راجہ راجہ

کورٹ فیس

قیمت ایک روپیہ

14 جنوری 2020 منجانب

عیال سجاد شاہ نام DP-0 پورن پورن

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی وجواب دہی و کل کاروائی متعلقہ آن مقام کروس لم بیونیل کے شخص العیال سجاد شاہ کے طرف سے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

المرقوم 14 ماہ جنوری 2020

العبد _____ گواہ شہادہ العبد _____
بمقام کروس لم بیونیل کے لئے منظور ہے

ATTESTED

Attested
to be true copy
Advocate

Shams-ul-Hadi Adh

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 670/2020

**Main Sajad Shah (Ex- Police Constable No. 657)
R/O Village Ganshal Chaghrazai District BunerAppellant**

VERSUS

1. The District Police Officer, Buner.
2. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
3. The Deputy Inspector General of Police, Malakand Saidu Sharif Swat.

..... Respondents

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**DISTRICT POLICE OFFICER,
BUNER.**

(Respondent No. 01)

D

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 670/2020

Main Sajad Shah (Ex- Police Constable No. 657)
R/O Village Ganshal Chaghrazai District BunerAppellant

VERSUS

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 3. The Deputy Inspector General of Police, Malakand Saidu Sharif Swat.
- Respondents

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS.

Respectfully sheweth:
Preliminary Objections:-

1. That the present service appeal is time barred.
2. That the service appeal is not maintainable in its present form.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the instant appeal is bad due to mis-joinder and non-joinder of necessary parties.
5. That the appellant has concealed the material facts from this Honorable Tribunal.
6. That the appellant has got no cause of action and locus standi to file instant appeal.
7. That the appellant has been estopped due to his own conduct.

ON FACTS:

1. Correct to the extent. That the appellant was enlisted in the respondent department on 15.09.2015 as constable. He was habitual absentee and often remained absent from duty and he was not interested to his job. There are 26 bad entries including major punishment exist in his service record. (Copies of bad entries as Annexure "A").
2. Incorrect. That Police department being a discipline force, after appointment in Police department every Police officials & Officers, as per Police Rules Chapter 19 shall under go for necessary basic training. Therefore in the month January 2016 the appellant was detailed to PTC Hangu for his basic recruit training course, where from he was returned to district as un-qualified vide Commandant PTC Hangu Signal No. 236/GC, dated 22.01.2016. Thereafter on 24.10.2017 he was again selected for basic recruit course but he did not make his presence at training school Swabi and was deliberately absented. Therefore the respondent No. 01 issued him

Show Cause Notice on which he submitted his reply, wherein he showed that because of his illness he did not join training and One Month time is required for his recovery of illness. Similarly on 10.05.2018 for 3rd time he was once again selected for his basic recruit training but like his previous conduct he did not join his basic training course. Thus he was serving as un-trained constable. In the mean while at Police Lines Daggur on 06.05.2018 he was called for social work (Fatigu Duty) but he refused from Fatigu Duty and absented from his law full duty with out permission of his senior therefore he was proceeded departmentally and finally on 06.07.2018 he was dismissed from service. However on his departmental appeal the respondent No. 03 in lenient view re-instate him in service and awarded a punishment of censure vide office order No. 8084, dated 25.09.2018. It is also worth mentioned here that there is no written bed rest are exemption from physical training advise by medical officer exist in the attached medical documents with service appeal. **(Copies of Signal PTC Hangu, Show Cause Notice & Reply on it, DD Report No. 43, dated 06.05.2018 dismissal Order dated 06.07.2018 & office Order dated 25.09.2018 are Annexed as Annexure "B, C, D, E, F & G" respectively).**

3. Incorrect. That as explained in the above Para 02, under Police Rules Chapter No. 19 every Police officials & Officers shall under go for necessary basic training and the appellat had not qualified his basic recruit training and was serving as un-trained constable therefore he was selected for basic recruit course for 4th time in the year of 2019 but as his previous conduct he deliberately absented and not appeared for his requisite necessary training, thus he was proceeded departmentally charge Sheet and statement of allegation were issued to the appellat SDPO Circle Totalai was appointed enquiry officer, who found him guilty for allegation leveled against him and submitted his finding report wherein he recommended him for major punishment. There after he was issued final show cause Notice and his reply to the show cause notice was found un-satisfactory and also heard him in person in OR but he did not produce any cogent reason in his defense. So after fulfillment all codal formalities he was removed from service vide office order on 02.04.2019. **(Copies of Charge Sheet, Statement of allegation, finding report, Enquiry papers, Final Show Cause Notice, Reply to the Show Cause Notice & removal order are Annexed as Annexure "H" "I" "J" "K" "L" & "M".)**
4. Correct to the extent that appellat filed departmental appeal before the respondent No. 03, who called the appellat in OR on 23/10/2019 and heard him in person, but he failed to produce any cogent reason in his defense so his departmental appeal was rejected vide office order No. 11549/E, dated 28/10/2019, which was communicated to him well in time and there after the appellat also filed revision petition under rules 11A of KPK Police Rules 1975 before the respondent No. 02 which was also rejected on 11/08/2020, but the same order is not challenged in the

Show Cause Notice on which he submitted his reply, wherein he showed that because of his illness he did not join training and One Month time is required for his recovery of illness. Similarly on 10.05.2018 for 3rd time he was once again selected for his basic recruit training but like his previous conduct he did not join his basic training course. Thus he was serving as un-trained constable. In the mean while at Police Lines Daggar on 06.05.2018 he was called for social work (Fatigu Duty) but he refused from Fatigu Duty and absented from his law full duty with out permission of his senior therefore he was proceeded departmentally and finally on 06.07.2018 he was dismissed from service. However on his departmental appeal the respondent No. 03 in lenient view re-instate him in service and awarded a punishment of censure vide office order No. 8084, dated 25.09.2018. It is also worth mentioned here that there is no written bed rest are exemption from physical training advise by medical officer exist in the attached medical documents with service appeal. **(Copies of Signal PTC Hangu, Show Cause Notice & Reply on it, DD Report No. 43, dated 06.05.2018 dismissal Order dated 06.07.2018 & office Order dated 25.09.2018 are Annexed as Annexure "B, C, D, E, F & G" respectively).**

3. Incorrect. That as explained in the above Para 02, under Police Rules Chapter No. 19 every Police officials & Officers shall under go for necessary basic training and the appellatant had not qualified his basic recruit training and was serving as un-trained constable therefore he was selected for basic recruit course for 4th time in the year of 2019 but as his previous conduct he deliberately absented and not appeared for his requisite necessary training, thus he was proceeded departmentally charge Sheet and statement of allegation were issued to the appellatant SDPO Circle Totalai was appointed enquiry officer, who found him guilty for allegation leveled against him and submitted his finding report wherein he recommended him for major punishment. There after he was issued final show cause Notice and his reply to the show cause notice was found un-satisfactory and also heard him in person in OR but he did not produce any cogent reason in his defense. So after fulfillment all codal formalities he was removed from service vide office order on 02.04.2019. **(Copies of Charge Sheet, Statement of allegation, finding report, Enquiry papers, Final Show Cause Notice, Reply to the Show Cause Notice & removal order are Annexed as Annexure "H" "I" "J" "K" "L" & "M".)**
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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 670/2020

Main Sajad Shah (Ex- Police Constable No. 657)
R/O Village Ganshal Chaghrazai District BunerAppellant


VERSUS

1. The District Police Officer, Buner.
2. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
3. The Deputy Inspector General of Police, Malakand Saidu Sharif Swat.

..... Respondents

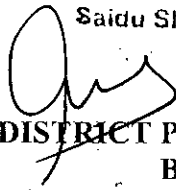
AFFIDAVIT

We the above respondents do hereby solemnly affirm and state on oath that the whole contents of the accompany Para-wise comments are correct and true to the best of our knowledge and belief and nothing has been concealed from this Honorable Court.


**PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA PESHAWAR
(Respondent No. 02)**


**DEPUTY INSPECTOR GENERAL OF POLICE,
MALAKAND REGION SAIDU SHARIF SWAT
(Respondent No. 03)**

**Regional Police Officer,
Malakand Region,
Saidu Sharif, Swat.**


**DISTRICT POLICE OFFICER,
BUNER.
(Respondent No. 01)**

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 670/2020

Main Sajad Shah (Ex- Police Constable No. 657)
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VERSUS

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3. The Deputy Inspector General of Police, Malakand Saidu Sharif Swat.

..... Respondents

AUTHORITY LETTER

We the above respondents do hereby authorize and allow Mr. Newsherwan Inspector Legal District Buner to file the accompany Para wise comments before the Honorable Court, on our behalf and do whatever is needed in the court.


**PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA PESHAWAR
(Respondent No. 02)**


**DEPUTY INSPECTOR GENERAL OF POLICE,
MALAKAND REGION SAIDU SHARIF SWAT**

Regional Police Officer, (Respondent No. 03)

**Malakand Region,
Saidu Sharif, Swat.**


**DISTRICT POLICE OFFICER,
BUNER.**

(Respondent No. 01)

CHARACTER ROLL OF


(Continued)

Serial No:


15. CENSURES AND PUNISHMENTS

Charge: Absentee during recruit course.
 Punishment: 3 days, counted as leave without pay, vide commandant PIC Hangey signal no. 298/4c, dated 27-1-2016.


OB No 18
 Dt: 18-2-16


 DPO Buncel

Charge: Absence:
 02 days Leave without pay.
 OB No: 23, Dt: 01-03-2016.



 DPO Buncel

01 day L.w.o Pay.
 OB No: 25, Dt: 7-3-2016.


 DPO Buncel


Charge: Absence:
 02 days L.w.o Pay vide PIC Hangey memo no. 298/4c, dt: 27-1-16.

OB No: 18 - Dt: 18-2-16.


 DPO Buncel


Charge: Absence:
 201 days L.w.o Pay.

OB No: 61, Dt: 24-06-2016.


 DPO Buncel

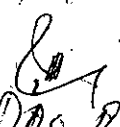
Charge: Absence.
 Punishment: Awarded 1 day E-drill and 2 days leave without pay.

OB No: 75
 Dt: 10-8-16


 DPO Buncel

Charge: Absence
 Punishment: 1 day leave without pay.

OB No: 89
 Dt: 15/9/16


 DPO Buncel

Serial No:

15. CENSURES AND PUNISHMENTS - Contd.

Charge Absence

Punishment: Awarded one day E. Doill.

OB No: 87

Dt: 7-9-16

[Signature]
DPO Burea
@

Charge Absence:

Punishment: 05 days L.w.o pay and 02 days

E. Doill.

OB No: 95

Dt: 26-9-16.

[Signature]
DPO Burea

Charge Absence

Punishment: 2 days leave without pay

OB No: 101

Dt: 10/10/16

[Signature]
DPO Burea
@

Charge Absence

Punishment: 21 days leave without pay and
warned to be careful in future

OB No: 113

Dt: 10-11-16

[Signature]
DPO Burea
@

Charge Absence:

01 day L.w.o pay

OB No: 120, Dt: 24-11-16.

[Signature]
DPO Burea

Punishment: 8 days leave without pay

OB No: 119

Dt: 23-11-16

[Signature]
DPO Burea

CHARACTER ROLL OF

Serial No:

15. CENSURES AND PUNISHMENTS - Contd.

Punishment 4 days leave without pay

OB No 66

DT 2-5-18

DPD Bunt

Punishment 3 days leave without pay

OB No 67

DT 4-5-18

DPD Bunt

Punishment 4 days leave without pay

OB No 89

DT 26-6-18

DPD Bunt

Charge Absence
punishment 4 days leave without pay

OB No 93

DT 3-7-18

District Police Officer

DPD Bunt

ORDER

Under Police Disciplinary Rules-1975,
award Recruit main Sajad Shah No: 657,
major punishment of dismissal from service
under the Police rules Chapter 12 (2), with
immediate effect.

Order announced.

OB No: 94, DT: 06-07-2018.

District Police Officer
DPD Bunt

Charge Absence 04 days leave with
out pay

OB No, 10

DT = 14-1-19

DPD Bunt

P

CHARACTER ROLL OF

(Continued)

Serial No:

15. CENSURES AND PUNISHMENTS - Contd.

Punishment: 1 day leave without pay

OB No. 110

dt. 28/8/17

del

DPO Buar
e

Punishment: 3 days leave without pay

OB No. 113

dt. 31/8/17

del

DPO Buar
e

Punishment: 14 days leave without pay
1.8.2017 to 14/8.2017 (14) days

OB No. 130

dt. 2/10/17

del
DPO Buar
e

Punishment: 7 days leave without pay

OB No. 169

dt. 21-12-17

del
DPO Buar
e

Punishment: 5 days leave without pay

OB No. 7

dt. 15-1-18

del
DPO Buar
e

Punishment: 3 days leave without pay

OB No. 20

dt. 18/2/18

del
DPO Buar
e

Punishment: 7 days leave without pay

OB No. 25

dt. 21-2-18

del
DPO Buar
e

8

Amnestia B

FML - CENDI PTC HGU 221500

IN/ 94
22-1

BI - DP BUNER 160

NO 236/GC @ 22-1-164 SUBC, UNQUALIFIED OJ/RECU
SAJJAD SHAH NO 657 OF BUNER DISTI PRESENTLY
UNDER GOING RECURITE COURSE AT PTC HGU HAS BEEN
RETURNED TO DISTI AS UNQUALIFIED ON HIS OWN
REQUEST VIDE THIS OFFICE OB NO 61 @ 21-1-

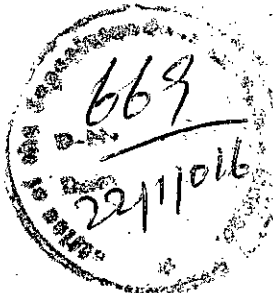
~~OAH/EL~~

~~DP/BUNER~~

R

22-1520

~~NT/DP~~ AL20



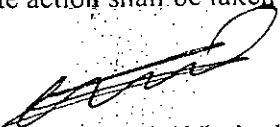
13660
9
Amman
c

SHOW CAUSE NOTICE

I **Muhammad Irshad**, District Police Officer, Buner as competent authority, hereby serve Show Cause Notice upon you **Recruit Mian Sajad Shah No.657** while posted to Police Lines Daggar District Buner, as follow:-

You **Recruit Mian Sajad Shah No.657** while posted to Police Lines Daggar District Buner, it is alleged that you have directed to report at PTS Sawabi for recruit course. But you absented yourself from recruit course held at PTS Sawabi with deliberately. Instead of reporting there you presented yourself in Police Lines Daggar. Your this act amounts to gross misconduct, inefficiency and negligence on your part.

You are therefore directed to explain your position within 7 days of the receipt of this Show Cause Notice, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.


(Muhammad Irshad)
District Police Officer,
Buner

No: 6695 /Enquiry

Dt: 31/10 /2017

Copy to

RI Police Lines with the deliver to serve the Show Cause Notice upon the defaulter Recruit, obtain his signature and return to this Office for further action please.

Name :- _____

Signature :- _____

Date :- _____

صالحی

کو الیمو لو سٹو کا پوسٹل نمبر 6695/E جاری خدمت میں ہے۔
 31-10-17
 2015ء میں طبی
 کیمپ میں شرکت کرنے کے بعد 2016ء میں طبی حصول کرنے سے
 ریٹائرمنٹ کو ریس کیلئے 6695/E نمبر جاری کیا گیا ہے۔ لیکن یہ طبی
 ریسورس کو ریس سائٹس زبانی بیماری میں مبتلا ہو کر بوجہ بیماری
 کو ریس سے ان کو الیمو لو سٹو فیلچ لیا گیا ہے۔ اس لیے 2015ء
 میں بیماری کے علاوہ معالج و تندرستی کے بارے میں کئی کئی
 بار طبی شفا لینے میں لگے ہیں۔ اب دوبارہ حسب حکم افسران بالا
 صاحبان میرا سٹیشن ریٹائرمنٹ کو ریس کیلئے بھرتی کر کے 24
 کو الیمو لو سٹو پوسٹل نمبر 6695/E میں جاری کی رپورٹ مطلوب
 ہے۔ لیکن بوجہ بیماری کو ریس میں شامل نہ ہو سکا۔
 میرا اس بار وفاقی زبانی تندرستی کو ریس
 میں ملائی شرکت کرونگا۔ اور طبی بوجہ بیماری
 میں بار تندرستی سے رہ گیا ہوں۔

لہذا بیماری کو مدنظر رکھ کر شوکارا جس
 میں کوئی عیب نہ ہو اور روایتی آفیشل طبی عیب

Must
 to be careful
 in future

Mia

کشمیر ماہیاد شاہ بلڈ نمبر 657
 قلعہ ٹولیس اردا

146
 6-11-17

پولیس لائن

ملع بونیر

تعداد 43 روزنامہ 06/5/18

رد 43 رپورٹ غیر حاضری صلا وقت 07:00 بجے مورخہ 06/5/18 درج ذیل کے
 ریکورڈ میں سجاد شاہ 657 کو فٹیل کیلئے طلب کر کے
 عدم موجودگی پر ریکورڈ میں سجاد شاہ مذکورہ بالا
 سال 1440ھ میں حکم پولیس میں عبثی پر مبنی تامل
 ٹرینٹ کیلئے نہیں کیا گیا ہے۔ جب ہی ٹرینٹ کیلئے سسرٹن
 کا وقت قریب آتا ہے تو مذکورہ کیس پر فوجی کرپٹو جانیے
 اس پر زیر فقیر نے دفتر جٹا۔ DPo صاحب کے فٹیل
 کیلئے مذکورہ کو طلب کر کے حدود لائن میں عدم موجودگی
 مذکورہ کیلئے بذریعہ فون رابطہ پر مذکورہ نے واضح کیا
 کہ میں فٹیل کیلئے عبثی نہیں ہو سکتا۔ یاد رہے مذکورہ
 عادی غیر حاضر رہا ہے اور جب ہی طلبی میں آتا ہے
 تو گھر خود گارج کر جاتا ہے۔ جس کے خلاف کئی بار رپورٹ
 غیر ڈسپلن اور غیر حاضری درج 12 روزنامہ کیلئے لکھی گئی ہے۔ لکھی گئی ہے
 بعض نمائندہ رپورٹ غیر حاضری درج 12 روزنامہ پر کر کے
 یہاں پہنچی ہے۔ حکم اہتمام آفسران بالا کے وقت میں

ISSUE SHOW CAUSE NOTICE

جا علیا

OR
 Sir DPo Buner
 5/5/18

DPo BUNER

متر از اعلیٰ
 A [Signature]

Forwarded mm. PC Daffer 06-5-18

Forwarded

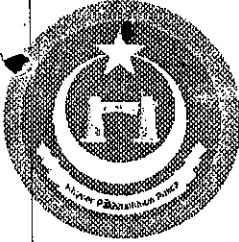
Ri-PC-Buner Sir, 7-5-18

forwarded to PC Daffer 06-5-18

[Signature]
 DSP-Ho-Buner
 7-5-18

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Annexure C



OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND

AT SAIDU SHARIF SWAT. Ph: 0946-9240381-83 & Fax No. 0946-9240390 Email: digmalakand@yahoo.com

ORDER:

This order will dispose off appeal of Ex-Constable Mian Sajjad Shah No. 657 of Buner District for reinstatement in service.

Brief facts of the case are that the above named recruit was enlisted in Buner District Police as Constable having 02 years 9 months and 21 days service. The appellant is habitual absentee and total recorded absence on his part from the date of appointment to the date of dismissal are 66 days as a result of which he was punished 22 times in his less than three years of service. The appellant has been returned as unqualified by Commandant PTC, Hangu vide Signal No. 236/GC, dated 22/01/2016. Besides, he was selected again on 24/10/2017 and for the third time on 10/05/2018 but he absented himself deliberately. Charge Sheet and Statement of Allegations were issued to the appellant and SDPO Totalai was appointed as enquiry officer to scrutinize the conduct of the official. The enquiry officer submitted finding report and stated that the official concerned has committed gross misconduct and has committed the above acts and the enquiry officer recommended him for major punishment of dismissal from service under chapter 12 Rule 21 of Police Rules. In light of the departmental enquiry the appellant was found guilty of the charges. Therefore he was called in Orderly Room and was heard in person but he could not produce any cogent reason in his defense. The defaulter Constable is patient of epilepsy. He falls down while standing on active duty. He might have been wrongly recruited by submitting bogus medical fitness certificate. Already three times he has been rusticated from PTC Hangu. He does not perform police duties, absent himself from duties and uses political influence for avoiding the departmental actions. If he reinstated and continued as non-trained constable then it will be burden on the department. In view of the above the District Police Officer, Buner dismissed him from service vide his office OB No. 94 dated 06/07/2018.

He was called in Orderly Room on 19/09/2018 and heard him in person. The appellant explained his poor family background. Therefore, taking a lenient view the order passed by District Police Officer, Buner is set aside and he is hereby reinstated in service. The period of absence is treated as leave without pay. He is awarded the punishment of censure.

Order announced.

(MUHAMMAD SAIED) PSP Regional Police Officer, Malakand, at Saidu Sharif Swat **Naqi**

No. 8084 /E.

Dated 25-09-2018.

Copy to District Police Officer, Buner for information and necessary action with reference to his office Memo: No. 4536/Enquiry, dated 29/08/2018. The Service Roll, Fauji Missal of the above named Constable is returned herewith for record in your office.

Copy of S-Roll & Missal sent with complete conduct list.

(14)

Annexure H

NO. 02 / Enquiry,


Dated 20/02 / 2019.

CHARGE SHEET

I Shahid Ahmad, District Police Officer, Buner as competent authority, under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, hereby charge you FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar District Buner as follow:-

1. You FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar District Buner, it has been alleged that you have been appointed in 2015 as constable and you have been selected for recruit course thrice and each time you make lame excuses, and always absent yourself when time to go for training commence near and doesn't bother to go for recruit course and still you are untrained. Your this act amounts to gross misconduct and inefficiency on your part which rendered you liable to be proceeded against departmentally under Police Disciplinary Rules-1975.
2. By reasons of the above, you appear to be guilty of misconduct and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Disciplinary Police Rules, 1975.
3. You are; therefore, require to submit your written reply within 07 days of the receipt of this Charge Sheet to the Enquiry Officer under Rules-6 Sub Rules (i) (b) of Police Disciplinary Rules 1975.
4. Your written reply, if any, should reach the Enquiry Committee 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 as to whether you desire to be heard in person or not?
6. A statement of allegations is enclosed

No. 32 S. AG
05-3-019


(Shahid Ahmad)
District Police Officer,
Buner

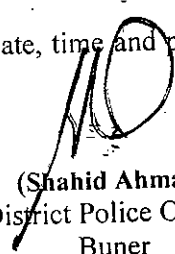
15

DISCIPLINARY ACTION

I **Shahid Ahmad** District Police Officer, Buner as competent authority under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, is of the opinion that Constable **FC Mian Sajjad Shah No.657** while posted to Police Lines Daggar District Buner, have rendered himself liable to be proceeded against departmentally and committed the following acts/omission as defined in Rule-2 (iii) of Police Disciplinary Rules 1975.

STATEMENT OF ALLEGATIONS

1. He FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar District Buner, it has been alleged that he has been appointed in 2015 as constable and he has been selected for recruit course thrice and each time he makes lame excuses, and always absent himself when time to go for training commence near and doesn't bother to go for recruit course and still he is untrained. His this act amount to gross misconduct/negligence on his part which rendered him liable to be proceeded against departmentally under Police Disciplinary Rules-1975.
2. For the purpose of scrutinizing the conduct of said officer with reference to the Above allegations **Mr. Naeem Khan SDPO Totalai** is appointed as Enquiry Officer under Rules 5 (4) of Police Disciplinary Rules 1975.
3. The Enquiry Officer shall conduct proceedings in accordance with provision of Police Disciplinary Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within ten (10) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer under Rules 6 (v) of Police Disciplinary Rules 1975.
4. The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry Officer.


(Shahid Ahmad)
District Police Officer,
Buner

OFFICE OF THE DISTRICT POLICE OFFICER, BUNER

No. **1374-75** /Enquiry, Dated Daggar the **20/02** /2019

Copy of above is sent to:

1. The Enquiry Officer for initiating proceeding against the accused officer namely under Police Disciplinary Rules, 1975.
 2. Concern defaulter officer through RI Police Lines.
- 20-12-19

جائزہ رپورٹ

سلسلہ حکمانہ انلوائمری برخلاف ریکورڈ کنٹریل میاں سجاد شاہ بر 657
متفقہ نوٹس لائن ڈگر بحوالہ بھی نمبر 1374-75/Enquiry
20-2-2019

جنا عالی

بحوالہ مشمولہ بھی نمبر 1374-75/Enquiry بحالیہ از دفتر جناب DPO صاحب نوشہرہ
20-2-2019
معرض ہوں۔ کہ بھی متذکرہ میں ریکورڈ میاں سجاد شاہ بر 657 متفقہ نوٹس
لائن ڈگر پر الزام عائد کیا گیا ہے۔ کہ مذکورہ کنٹریل میاں 2015 میں پہلی ہو چکی
تھا حال ان میں ہے۔ تین بار ٹریننگ کیلئے منتخب ہونے پر کنٹریل مذکورہ
ہمیشہ جان بوجھ کر غیر حاضر ہو کر ٹریننگ سے رہ جاتا ہے۔ مذکورہ کنٹریل بحالیہ
حکمانہ انلوائمری عمل میں لانے کی خاطر بھی متذکرہ من DSP سرکل
طوطائی کو مارک ہو کر دوران انلوائمری حور نوٹس لائن Hجہت عالمہ محمد غلام
لائن انسر صاحب اور کنٹریل میاں سجاد شاہ سے بیانات کے لئے۔ اسی طرح
کنٹریل مذکورہ کی غیر حاضری رپورٹ کی نقل اور علامہ طرف سے مذکورہ کنٹریل
کا سابقہ ریکارڈ طلب کر کے لف انلوائمری ہذا ہے۔

بیانات حور اور لائن انسر صاحب سے صاف واضح ہے کہ کنٹریل سجاد شاہ بر 657
ریکورڈ ٹریننگ کیلئے حال ہی میں حور 2019 کو منتخب ہو کر بدستور غیر حاضر ہے۔
اور کنٹریل مذکورہ نے ہی اپنے بیان میں واضح کیا۔ کہ حور 2019 کو اسے اطلاع
ملائی تھی۔ کہ برائے سید کھل اور ٹریننگ سٹر جانے کیلئے آیا ہے۔ تو کنٹریل مذکورہ
گھر خود میں شب باقی پر حور تھا۔ اطلاع کے پیش نظر بروقت نوٹس لائن میں
حاضر نہ ہو سکا۔ اور ٹریننگ کیلئے اپنے آپ کو فٹ قرار نہ پا کر دماغی مر لیں ظاہر کیا۔
مگر کوئی سید کھل کاغذ دوران انلوائمری من 4/5 کو پیش نہیں کی۔ بوقت ضرورت
سید کھل کاغذات پیش کرنے کا کہا ہے۔ حتم شدہ بیانات لف انلوائمری ہذا
مفضل اور قابل ملاحظہ ہے۔

جنا عالی

انلوائمری ہو کر پایا گیا۔ کہ کنٹریل مذکورہ عادی غیر حاضر باس اور ٹریننگ کرنے
سے معذرت خواہ ہے۔ بطابق ریکارڈ رپورٹ علامہ طرف سے مذکورہ

کنٹریل کی عملہ میں Good انٹری ایک ، Bad انٹری 26 ہیں۔ اور ایک بار
برخواست کیا گیا ہے۔

قبل ازیں بھی مذکورہ کنٹریل بخلاف حکمانہ انلوائری میں DSP سرکل طوطائی
مارک ہوئی تھی۔ جسکے خاتمہ تک رپورٹ میں آفسران بالہ کو کنٹریل مذکورہ کی برخواستگی
یا ایک اور موقع دینے کا سہارا نہیں کیا گیا تھا۔ کردہ سابقہ انلوائری کے فرورٹسٹ
کا بیان شامل انلوائری ہذا ہے۔

مزید یہ ہے۔ کہ جب بھی مذکورہ کنٹریل ٹرننگ کیلئے سلیٹ ہو جائے۔ تو
مذکورہ اپنے آپ کو دماغی بیمار ظاہر کر کے ادویات استعمال کرنے کا بہانہ بنا لیا ہے۔
سلیکشن گورنر ان غیر حاضر ہو کر ٹرننگ سے بچا گیا ہے۔ بجائے غیر حاضر
اگر اپنے علاج معالجہ کی سہولت کاغذات کیساتھ آفسران بالہ نوڈیشن ہو کر
عرض جعوض کرتا۔ تو مذکورہ کو ایک موقع دیا جاتا۔

قبل ازیں بھی نوڈری سے برخواست ہو کر آفسران بالہ نے اسکو موقع دیکر
روپاہہ بحال کیا ہے۔ اب کنٹریل مذکورہ بحوالہ مرد 22 روز 2/019 07 پولیس لائن
سے بدستور غیر حاضر ہے۔ جو کہ عادی غیر حاضر باش ہے۔ ریکورڈ ٹرننگ
کیلئے سلیٹ ہو کر غیر حاضر نہ بلکہ غیر ڈسپن کا مظاہرہ کیا ہے۔
جن سے مستقبل میں ایک اچھا پولیس افسر بننے کی توقع نہیں کی جاسکتی۔

اگر اشتقاق ہو۔ تو کنٹریل مذکورہ کو سنگین سزا دینے کی سفارش کی جاتی ہے۔

DSP/TOTALA
28-2-019

OR

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]
DPO Bure

برنامہ نوٹس

اند پٹکس محلانہ انلوٹری

سلسلہ محلانہ انلوٹری برخلاف ریلوٹ کسٹل مہا ساجڑا سا 657
مہینہ نوٹس لاس ڈر خوالہ آمدہ قہی 1374-75/Enquiry
20-2-2019

عینبار	فصل ماخذات	کدرد قطعا	کیفیت
1	اند پٹکس ہذا	1 قطم	
2	خانہ ننگ ریلوٹ	2 قطعا	
3	قہی انٹرنی 1374-75/Enquiry + ریلوٹ محلانہ مہا ساجڑا سا 657 20-2-2019	3	
4	فصلہ 22 روزانہ 7 نوٹس لاس ڈر	1 قطم	
5	بیان ازان جت عالم MITL PL	"	
6	بیان ازان محمد غلام طاہر	"	
7	بیان ازان کسٹل مہا ساجڑا سا 657	9 قطعا	
8	سابقہ انلوٹری		
	میزان	18 قطعا	

R/R/DSP/T
2-8-2-2019

NO-37RT
19-2-19

(17)

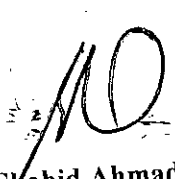
NO. 02 /Enq.

Dated 20/02 /2019.

CHARGE SHEET

I Shahid Ahmad, District Police Officer, Buner as competent authority, under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, hereby charge you FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar District Buner as follow:-

1. You FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar District Buner, it has been alleged that you have been appointed in 2015 as constable and you have been selected for recruit course thrice and each time you make lame excuses, and always absent yourself when time to go for training commence near and doesn't bother to go for recruit course and still you are untrained. Your this act amounts to gross misconduct and inefficiency on your part which rendered you liable to be proceeded against departmentally under Police Disciplinary Rules-1975.
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4. Your written reply, if any, should reach the Enquiry Committee 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 as to whether you desire to be heard in person or not?
6. A statement of allegations is enclosed


(Shahid Ahmad)
District Police Officer,
Buner

صالح نوشی

نقل و حرکت روز 7² 07/019

پولیس لائن

در 27 دسمبر 2019ء کو علی ALU وقت 10:30 بجے فوراً 7² 019 در 7 صبح
 ایک روٹ میں سجا دینا 657 کا رکن خواہ عدو د تھا۔ جوڑ میں تھانہ
 وڈ توریہ کھیل کا سیکشن ایک روٹ کورس ATC میں تھو چکا ہے جسکو ہم
 افسران پبلک پروفیشنل معائنہ پولیس لائن طلب کرتے تھے۔ فوراً جوڑت
 بوقت 07:00 بجے اور 07:30 بجے افسر وڈ توریہ کو عرض میں پبلک معائنہ
 پولیس لائن روڈ کی یہ ڈوائس کی مشعل فریج، جوڑ کا اطلاع جوالم
 وڈ 56 روز 7² 019 نہ شدہ۔ کوڈرہ روز 7² 019 میں تھانہ
 انتظار کے باوجود وڈ توریہ تاحال پولیس لائن قافلہ آ رہا۔ یہاں تک
 پولیس لائن معلوم ہوا کہ وڈ توریہ ایک روٹ میں سجا دینا 657
 سال 2015 میں کھیل کے پولیس لائن میں تھانہ؟ لیکن تاحال
 ایک روٹ کورس میں ہے اور یہ بھی وڈ توریہ کا سیکشن ایک روٹ کورس
 کے لیے ATC میں تھو جاتا ہے۔ وڈ توریہ دیکھ دانتے طور پر جوڑ
 کار نے زتا ہے اور غیر فریج جاتا ہے اور یہ دوسرے سیکشن ایک روٹ
 ٹریننگ کے سیکشن میں تھانہ جس کو وڈ توریہ میں تھانہ کے
 آج تانہ وڈ توریہ کے بارہا اسی طرح کرتے ایک روٹ کورس کے ایک
 میں ہے قبل ازیں وڈ توریہ پولیس کی قیمتی ٹھکانہ ڈرو تھانہ
 کی بد قسمتی کے دوبارہ بحال ہو چکا ہے۔ وڈ توریہ کے قلم میں
 ہے پولیس لائن کی خانے تھانے علاوہ مستقبل میں کوئی فائدہ
 میں ہے وڈ توریہ کو حکم پولیس سے خارج ہو گیا۔ دوسری طرف اڈی
 کو روزگار کا موقع ملے گا۔ وڈ توریہ کے خلاف ایک روٹ کورس
 دس روزہ ایک روٹ کورس میں تھانہ کے ساتھ ساتھ ایک روٹ کورس
 معصومیت میں ارسال کی جا رہی ہے۔

ATTESTED
Hospital

نقل و حرکت
 20-12-2019
 20-2-2019

ATTESTED

[Signature]

CO BURET

20-12-2019

بیان آرائین بت عالم HC مہر ڈیویس لائن


بیانی ہوں کہ میں ڈیویس لائن ڈیویس میں ہمیشہ مہر لائن تینت ہوں۔
 کنٹیل میں سپاڈشاہ $\frac{652}{sps}$ کا ارد گرد کر خواہے جو در و در تھانہ جوڑ میں
 تینت تھانہ کہ درگروٹ کورس PTC پتو پتو منب ہو کر جوڑ $\frac{72}{019}$
 کو بھی منڈیکل ڈیویس لائن طلب کیا گیا۔ مذکورہ کو تھانہ جوڑ
 سے بھی منڈیکل ڈیویس لائن روانہ کرتے مذکورہ لائن خاطر
 نہ آیا ہے بلکہ خلاف بحوالہ نو 22 روزنامہ $\frac{72}{019}$ ڈیویس غیر حافی
 درج روزنامہ کئی دفعہ مذکورہ لائن سے بدستور غیر حافی
 تفصیلی نقل ہمراہ لپی ہے

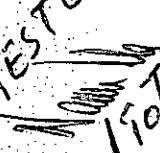
MHC-PL-Dagger
 20-2-2019

ATTESTED
 DSP/TOTAL

بیان عدم ہتھیان ما پولیس ہٹن

بیان ہوں کہ میں پولیس اسٹیشن لاہور میں شہیت لائونگ آفسر تعینات ہوں
 ڈیکوٹ کنٹریل میں سجاد شاہ بہ 057 عمارد کمر خواہ خود در تمام جوڑ میں
 تعینات تھا۔ مذکورہ ڈیکوٹ کوپیس PT ۷۷ سینڈون کیے سہ الحکم انسران مالام
 منویہ ہو کر جوڑم 07 02 019 کو بعض میڈیکل پولیس لائونگ طلب کر کے مذکورہ نے
 تمام جوڑ سے روانگی کے بعد پولیس ہٹن حاضر نہ آیا جگہ فلاپ خواہ بعد 22 روز نام
 07 02 019 ڈیکوٹ سید صافی درجہ روز نام کی مذکورہ پولیس ہٹن میں بہ ستمبر
 غیر حاضر ہے۔ وہی بیان ہے


 Loppudaggar
 26-2-19

ATTESTED

 DSP/Talera

بیان ازلان میان سجاد شاہ نمبر 657 معتمدہ گارڈ کمر خواہ کھانہ چوڑ

25/02/2019

بیان لیا گیا کہ میں جوخ 09/09/2015 کو حکم دیکھ کر کس میں محنت کسٹل
 عورتی ہوا جوخ 03/01/2016 کو ریکورڈ ٹرننگ کی خاطر PTC سٹو
 جاکر جہاں رٹرننگ کے آغاز یعنی 14 یوم گزارنے کے بعد حضور
 رسا غنی حکم آیا۔ دوران ٹرننگ میں اکثر زمین پر گر کر اٹھا۔
 PTC سٹو کے آفسران نے مجھے بوجھ بھاری ان کو الفاہرہ واپس لے
 لینے ایسا طاری ہو گئی تھی میں لگا تھا۔ لیکن بوجھ بھاری
 میں غیر حاضر رہ کر میں ازیں مجھے آفسران بالہ نے بوجھ غیر حاضر
 نواری کے برطانت لگا تھا۔ پھر دو تین ماگزیٹ کے بعد میں
 حساب دیگہ کے ضیبت میں اسد عاثر کے صاحب و صوف نے
 میرا اسد عاثر کے مجھے دوبارہ بحال کرا لیا۔ حساب DP
 بونیز میرا انتقالی گارڈ کمر خواہ کھانہ چوڑ کے اسد ڈوئی روا مارا۔
 جوخ 07/2/2019 کو میں رٹرننگ کے مطالبی شب باشی رہ کر جوڑ کھاتا رہ
 اطلاع ملی۔ کہ تم رٹرننگ کیلئے قحطب ہو کر PTC سٹو جانے کیلئے
 آیا رہے۔ لیکن میں رسا غنی ادویات استعمال کر رہا ہوں۔ PTC رٹرننگ
 سہ قابل نہیں ہوں۔ بہت بوجھ میں غیر حاضر کرتے تین چار دن بعد
 رٹرننگ لائن آیا۔ لیکن ٹرننگ لائن کے حورے میرا حاضر نہیں لگا
 یہ ہے میں حضور جاکر نا حال غیر حاضر ہوں۔ جوخ 22/02/2019 کو حضور کھاتا
 گھانا ڈی نے مجھے بزرگ عزت اطلاع دی۔ کہ برورد ہر جوخ 25/02/2019 کو خطاب
 DSP کا نقل طوطائی کو ایک کا رہی ہے۔ اطلاع کے پشتر نظر آیا
 اس کے ساتھ ساتھ نقل کاغذات فرود نہیں ہے کسی بھی وقت میں اسکا
 اس کے ساتھ ساتھ آفسران بالہ کو سید کر لیا ہوں۔ کہ میں رٹرننگ کا
 سہ قابل نہیں ہوں۔ بہت بوجھ میں غیر حاضر ہوں۔ یہی میرا بیان ہے۔ جو حکم
 درست ہے۔

ATTESTED
DSP / Talwan

ال
ساکن گائتسال صدر طلبانڈی
بیان سجاد شاہ نمبر 657

فائینڈنگ رپورٹ

سلسلہ حکمانہ انکوائریوں پر خلاف دیگر کٹیل میاں سجاد شاہ 657 پیمنٹ
پولیس لڑین ڈیگر ڈیوالر چھٹی نمبر
3321-22/Enquiry
13-6-2018

جناب صاحب

والہ مشورہ چھٹی نمبر 3321-22/Enquiry جاریہ از دستہ جناب DPO صاحب ضلع
13-6-2018
لو غیر حاضر ہیں۔ کہ چھٹی متذکرہ میں کٹیل میاں سجاد شاہ 657 پیمنٹ پولیس لڑین
ڈیگر ضلع لڑین نمبر پر الزام عائد کیا گیا ہے۔ کہ مذکورہ دیگر کٹیل کو ٹریک ڈیگر ڈیوالر
طلب کر کے مگر مذکورہ غیر حاضر بنا گیا۔ جسے ساتھ بار بار رابطہ کیا گیا۔ مگر مذکورہ
ٹریک ڈیگر ڈیوالر پر حاضر نہیں ہوئے۔ مذکورہ عادی غیر حاضر باقی ہے۔ امید ہے کسی اجازت
کے غیر حاضر ہوئے ہوں گے۔ ان کے علاوہ مذکورہ پولیس فورس میں سال 2015
حیثیت دیگر کٹیل جھڑپ ہوئے۔ مگر تا حال دیگر کٹیل کو رس نہیں کیا ہے۔
اور جو غیر حاضر ہیں۔ بار پولیس ڈیگر ڈیوالر سے ڈرافٹ ہو چکا ہے۔
صن کا یہ فعلے قابل حاضری ہے۔ مذکورہ کٹیل کے خلاف حکمانہ انکوائری
عملے میں لڑنے کی خاطر چھٹی متذکرہ میں DPO سر کے رابطے جاری مارک ہو کر انہوں میں سلسلہ
انکوائریوں ہو کر تعلقات غیر حاضر ہیں، حاضر پولیس لڑین ڈیگر سے طلب کرنا
انکوائریوں جزا قابلہ مل رہی ہے۔ مذکورہ کٹیل کے علاوہ چیک ہو کر مذکورہ فورس
15 کو حکم پولیس میں جھڑپ ہو کر اس وقت سے تا حال علامہ کے مطابق
2015 ایک اچھی کٹیل لڑی اور 22 ستر یا بیابان علامہ میں درج ہیں۔ مذکورہ کٹیل اس
عہد میں مکے 66 یو، 5 گھنٹے اور 25 منٹ غیر حاضر رہ چکا ہے۔

ان کے علاوہ مذکورہ کٹیل کا بیان لیا جا کر میں کا بیان نمٹ قابل مشورہ ہے۔
مذکورہ نے اپنے بیان میں واضح کیا۔ کہ وہ 15 کو حکم پولیس میں جھڑپ ہو کر فورس
16 کو ٹریک کیتے مقب ہو کر دیگر ساتھیوں کیساتھ بغرض عصر ٹریک PTC ہنگو
مل گیا۔ سندرہ یوم ٹریک ستر میں گزار کر بیمار ہوا۔ اور اور جو بیماریاں مزید ٹریک حاصل
نہیں ہو کر فورس 16 کو ٹریک سے ڈالیں اور پولیس لڑین ڈیگر میں حاضر ہو کر لڑیں۔
اور علامہ؟ صاحب کرنا تھا۔ ان کے بعد سال 2017 میں وہ دوبارہ ٹریک کیتے مقب ہو کر
مگر اور جو بیماریاں ٹریک ستر مانسپورہ نہ جاسکے۔ تیسری بار وہ مئی 2018 میں

صغیر خیرہ

پولیس ٹریننگ کیمپے عقب ہو کر لیکن اس بار 15 بجے بیاد علی اور اس ٹریننگ
 سنٹر کو چھڑا دیا گیا۔ وہ 15 بجے بیاد علی کا پلنگ پر ٹھہر گیا اور اس کے ساتھ
 سے۔ جس سے اب قہر سے بیوقوفی پھرنا بیان ہو گیا۔ اس سے بعد تو بیاد علی
 بوجہ بیاد علی پر 15 بجے۔ انہوں نے سیکشن میں انٹرویو لیا اور وہ ٹریننگ کیمپے جہاں
 کا مندر کیا گیا۔ اور بیاد علی کے لقب پر پورٹ ڈاکٹر جہاں تیز کے وقت
 حرکت لے لی اور قابل ملے جہاں سے۔

خدا لا

انٹرویو کے بعد بیان الزام عائد کیلئے بیاد علی شاہ 657، تعلقات خاص علی،
 غیر حاضر اور مذکورہ کا ملنا چمک کرنے سے پتا گیا۔ مگر مذکورہ کیلئے جو
 15 بجے دیکر کیلئے حکم لیا گیا تھا جو پورے مندر اور پورے بار جو
 ٹریننگ کیمپے عقب ہو کر بیاد علی کے ساتھ آئے۔ جس سے پورے
 ٹریننگ مندرہ بیاد علی ہو کر ضلع ذہن کیا گیا۔ جس سے پورے
 حاضر علی کے لیے پولیس اور بیاد علی کے لیے پولیس میں ایک۔ پورے مندرہ سال 2017
 2018 میں دیکر ٹریننگ آریس کیا گیا۔ اور اس کے بعد ٹریننگ مندرہ کو
 عقب ہو کر مندرہ بوجہ بیاد علی ٹریننگ کیمپے نہ جاسکا۔

اور 25 دن غیر حاضر رہا۔ 15 بجے سے تا حال تک 66 بجے
 سنایا ہو چکا ہے۔ مذکورہ نے اپنے بیان میں غیر حاضر اور اور ٹریننگ
 کیمپے نہ جانا بوجہ بیاد علی بیان کیا۔ اور بیان میں مذکورہ
 اپنے ٹریننگ کیمپے عقب ہونے ٹریننگ کیمپے جہاں تیز۔ کیونکہ
 وہ قہر سے حرکت لیا ہو چکا ہے۔ مذکورہ نے بیاد علی کے لقب پر
 ڈاکٹر جہاں تیز پر مہر سائیکل ٹیوٹ کے وقت پولیس کو
 ملے نظر۔

کیلئے مندرہ کو سروس میں سال سے کم ہے۔ اور پولیس کے تحت ملوم
 ہو جائے۔ کہ وہ جہاں قابل پولیس آخیر ثابت نہیں ہوگا۔ تو پورے اور
 اس کے بعد سے تین سال کے اندر کچھ وقت باپ 12 خیرہ نے کچھ
 ملوم سے پورے انکو آریس کے علیحدہ کر سکتا ہے۔

صفت غیر

جو کہ مذکورہ کیٹیلی کی سندوں میں سال سے کم ہے۔
 لہذا اگر اتفاق ہو تو ریکورڈ کیٹیلی میں سجاد شاہ 657 کو
 یو ایس رولز باب 12 فقہہ اچھ کے تحت حکم سے ہر طرف کرنے کا حکم
 صادر فرما رہیں۔ یا ریکورڈ کیٹیلی مذکورہ کو ریکورڈ پر ٹرانسکریپٹ کر کے
 ایک اور قسط میں بھیجے گا حکم صادر فرماتے ہیں۔ ریکورڈ پر سجاد شاہ
 صدر شہاب حکم اس کے خلاف ہے۔

DSP/Totalai

27-6-2018

(29)

181/RT

NO. 35 /Enquiry

Dated 14/06 /2018

19-6-18

CHARGE SHEET

I Muhammad Irshad, District Police Officer, Buner as competent authority, under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, hereby charge you Constable Mian Sajjad Shah No.657 while posted to Police Line Daggar as follows:-

1. You Constable Mian Sajjad Shah No.657 while posted to Police Line Daggar, were summoned for fatigue duty but found absent. You were contacted again and again but in response you refused from fatigue duty. Besides this you are a habitual absentee and usually remain absent without prior permission. You have been appointed in 2015 in Police but still you have not attained the required training and have been dropped three times from recruit course due to absence. Your this act amount of gross misconduct, inefficiency and negligence on your part which rendered you liable to be proceeded against departmentally under Police Disciplinary Rules-1975.
2. By reasons of the above, you appear to be guilty of misconduct and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Disciplinary Police Rules, 1975.
3. You are; therefore, require to submit your written reply within 07 days of the receipt of this Charge Sheet to the Enquiry Officer under Rules-6 Sub Rules (i) (b) of Police Disciplinary Rules 1975.
4. Your written reply, if any, should reach the Enquiry Committee 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 as to whether you desire to be heard in person or not?
6. A statement of allegations is enclosed


(MUHAMMAD IRSHAD)
District Police Officer,
Buner

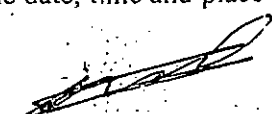
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DISCIPLINARY ACTION

I Muhammad Irshad District Police Officer, Buner as competent authority, under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, is of the opinion that Constable Mian Sajjad Shah No.657 while posted to Police Line Daggar have rendered himself liable to be proceeded against departmentally and committed the following acts/omission as defined in Rule-2 (iii) of Police Disciplinary Rules 1975.

STATEMENT OF ALLEGATIONS

1. He Constable Mian Sajjad Shah No.657 while posted to Police Line Daggar, was summoned for fatigue duty but found absent. He was contacted again and again but in response he refused from fatigue duty. Besides this he is a habitual absentee and usually remain absent without prior permission. He has been appointed in 2015 in Police but still he has not attained the required training and has been dropped three times from recruit course due to absence. His this act of gross misconduct, inefficiency and negligence on his part which rendered him liable to be proceeded against departmentally under Police Disciplinary Rules-1975.
2. For the purpose of scrutinizing the conduct of said officer with reference to the above allegations Mr. Muhammad Naeem Khan SDPO Totalai is appointed as Enquiry Officer under Rules 5 (4) of Police Disciplinary Rules 1975.
3. The Enquiry Officer shall conduct proceedings in accordance with provision of Police Disciplinary Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within ten (10) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer under Rules 6 (v) of Police Disciplinary Rules 1975.
4. The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry Officer.


(MUHAMMAD IRSHAD)
District Police Officer,
Buner

OFFICE OF THE DISTRICT POLICE OFFICER, BUNER

No. 3321-22 /Enquiry, Dated Daggar the 13/06/2018

Copy of above is sent to:

1. The Enquiry Officer for initiating proceeding against the accused officer namely under Police Disciplinary Rules, 1975.
2. RI Police Line Daggar with directions to serve the charge sheet to the defaulter official.

این کس غیر خامری آردان شرکت خان مجارستان 6570 مقیم در تهران

شماره	در شیر خامری	تاریخ فوت	در خامری	تاریخ و دست	کلی شیر خامری
1	37	15-30 28-11-017	29	16-30 29-11-017	51-81-00
2	46	20-00 30-11-017	06	08-20 1-12-017	00-12-20
3	17	18-00 3-12-017	12	11-30 10-12-017	06-17-30
4	25	18-00 10-12-017	27	18-10 15-12-017	05-08-10
5	19	13-00 26-12-017	26	15-00 26-12-017	00-02-00
6	42	18-00 07-1-018	38	17-00 3-1-018	00-23-00
7	39	18-00 15-1-018	27	15-00 18-1-018	07-22-00
8	15	03-10 30-1-018	32	15-00 30-1-018	00-06-00
9	26	15-20 4-2-018	15	10-25 11-2-018	00-19-55
10	15	10-00 20-2-018	07	14-30 22-2-018	02-04-30
11	21	10-30 27-2-018	19	10-20 3-3-018	03-23-50
12	11	09-10 9-3-018	13	12-00 11-3-018	02-02-50
13	08	08-20 24-3-018	07	15-00 26-3-018	01-06-40
14	05	08-10 28-3-018	20	11-00 29-3-018	01-02-50
15	20	18-00 8-4-018	17	11-30 11-4-018	02-17-30
16	19	10-30 17-4-018	23	10-40 21-4-018	04-00-10
17	09	08-55 24-4-018	16	12-00 24-4-018	00-03-55

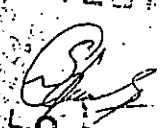
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10:07:10	14.10	(32)	07:00		
	16-5-08	28	6-5-08	43	18
00 02:35	09:30		07:05	58	(19)
	23-5-08	15	23-5-08		
04 01 00	09:40		08:10	05	(20)
	8-6-08	15	4-6-08		
03 00 40	09:40		09:00	14	(21)
	14-6-08	14	12-6-08		
03 00 00	08:40		08:40	09	(22)
	21-6-08	10	18-6-08		
66 05:25	میران				

ما سالی

اندر کس غیر خامری آران
 انکروت بیان سمار 657 مرتب
 غیر انکروت قلم کمر انکروت

M. P. Daffar
 21-6-08

ATTESTED

 L.O. BAKER
 21-6-08

33

Annexure

No. 1952 / Enq:

Dated 18/03/2019

FINAL SHOW CAUSE NOTICE

I, **Muhammad Irshad** District Police Officer, Buner as competent authority, under Khyber Pakhtunkhwa Police Disciplinary Rules-1975, do hereby serve you, **FC Mian Sajjad Shah No.657** of this District Police as follow:

1. (i) that consequent upon the completion of enquiry conducted against you by the enquiry officer for which you were given opportunity of hearing vide communication No. 02/Enq., dated 20/02/2019:
(ii) On going through the finding and recommendation of the enquiry officer, the material available on record and other connected papers including your defense before the enquiry officer.

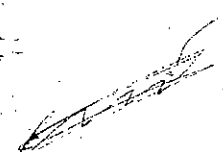
I am satisfied that you have committed the following acts/omissions specified in Rule-3 of Police Disciplinary Rules 1975.

You FC Mian Sajjad Shah No.657 while posted to Police Lines Daggar, have been appointed in 2015 as constable and you have been selected for recruit course thrice and each time you make large excuses, and always absent yourself when time to go for training commence near and doesn't bother to go for recruit course and still you are untrained.

2. As a result thereof, I, **Muhammad Irshad** District Police Officer, Buner as a competent authority, have tentatively decided to impose upon you one or more penalties including **Dismissal from Service** as specified in Rule-4 of the Ibid Rule.

3. You are therefore, required to show cause as to why the aforesaid penalties should not be imposed upon you and also intimate whether you desire to be heard in person.

4. If no reply to this Notice is received within seven (07) days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.


(Muhammad Irshad)
District Police Officer,
Buner

Copy to the:

1. RI Police Lines Daggar with the direction to serve the copy of this Show Cause Notice upon **FC Mian Sajjad Shah**, and copy of the same may be sent to this Office.

Good = 01

Minor Major

26

01

Amnesti
جواب فائل شوکار خوشی

معروف خدمت ہوں کہ سائل کا نام 9-9-2019 کو محکمہ پولیس میں بزرگ NTS ہوئی

ہوا تھا۔ جیلہ حرمہ کا 01-01-3 کو پولیس ریکروٹ کلاس کورس میں

بشمولیت کی خاطر جی ٹی سی ہٹو ہوا یا گیا۔ لیکن بد قسمتی سے سائل بدوران

ٹرننگ سرید طور پر بیمار ہوا جس کے باعث سائل کو صلح واپس کیا

گیا۔ اس وقت سے لیکر اب تک سائل شاور کے ایک سکا سائیکسٹ

ڈاکٹر حالہ رضی سے زیر علاج ہے۔ جیلہ ڈاکٹر کے اپنے کے مطابق مجھے دیکھ

اپنے علاج کا کورس مکمل کرنا ہے۔ بدیں وہ میں تین دفعہ پولیس ریکروٹ

کلاس کورس میں شامل نہ ہو سکا۔ میرا یہ دعویٰ حقیقت ہے۔ میں نے

کبھی چھوٹی بیان بنا کر ٹرننگ سے اخراج نہیں کیا ہے اور نہ آئندہ ایسا کرونگا۔

میرا تعلق ایک عزیز گرانے سے ہے جو خط غربت سے بھی نیچے زندگی بسر

کر رہے ہیں۔ میں آپ سے وعدہ کرتا ہوں کہ جب میرا علاج کا کورس جب مکمل

ہو جائے تو تیسرے صوبہ پولیس ریکروٹ کلاس کورس کا ٹرننگ کرونگا۔

لکیرا اگر آپ صاحبان مہربانی فرما کر میرے خلاف لگائے گئے الزامات

کو کالعدم قرار دیکر مجھے ایک موقع دے دیا جاوے تو میں صاحبان

آپ صاحبان کو دعائیں دیتا رہوں گا۔ فقط
العارضہ

آپ کا تابع فرمان ریکروٹ

میاں سجاد شاہ بلٹ نمبر 657

متعین پولیس لانڈیز

19-03-2019

OR

(35)

Announced M

ORDER

This order will dispose of departmental enquiry against Recruit M Sajad Shah No. 657 of this district police vide this office No. 02/Enq dated 20/02/2019.

Briefs facts are that:-

Recruit Mian Sajad Shah No. 657 while posted to Police Lines Daggan has been enlisted in this District Police in 2015 but has not yet attained basic recruit training and has dropped himself several times from the course. He usually absents himself whenever he is selected for the training course. Therefore he was proceeded departmentally and served with charge sheet/summary of allegations and **Mr: Muhammad Naeem Khan SD Totalai** was appointed as enquiry officer to conduct departmental enquiry against him. The enquiry officer submitted in its findings that the delinquent official is a habitual absentee and deliberately dropped himself from recruit training and previously he has been dismissed from service for the same charges but later on re-instated in to service. Likewise, the enquiry officer recommended him for major punishment. Subsequently, a final show cause notice was served upon the delinquent official but he could not produce any cogent reason in his defense. Therefore, he was called in OR on 26/03/2019 in order to hear him in person. In personal hearing he declared himself patient of dizziness and epilepsy while his medical history reveals that he has sudden irritable episodes and suicidal ideation.

Now therefore, **I Muhammad Irshad, District Police Officer Buner** as Competent Authority and in exercise of the power vested in me under Police Disciplinary Rules-1975, award **Recruit Mian Sajad Shah No. 657**, major punishment of removal from service with effect from 07/02/2019.

Order announced.

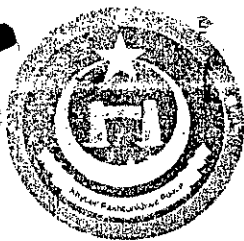
**DISTRICT POLICE OFFICER,
BUNER**

OB No. 56

Dated: 02-04 /2019

No. 2375 /Enq, dated Daggan the 03/04 /2019.

Copy to all concerned.



OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND

SAIDU SHARIF SWAT.

Ph: 0946-9240381-88 & Fax No. 0946-9240390

Email: digmalakand@yahoo.com

ORDER:

This order will dispose off appeal of Ex-Constable Mian Sajjad Shah No. 657 of Buner District for reinstatement in service.

Brief facts of the case are that Ex-Constable that the appellant was enlisted on 15/09/2015 as Constable and having 3 years 6 months and 18 days of service. That the appellant is habitual absentee and total recorded absences on his part from the date of appointment to the date of dismissal are 93 as a result of which he was punished 23 times in his three and half years of service. That the appellant has been returned as unqualified vide Commandant PTC, Hangu vide Signal No. 236/GC. dated 22/01/2016. Besides this he was selected again on 24/10/2017 and for the third time on 10/05/2018 and recently he has been selected for the fourth time on 09/02/2019 but he absented himself deliberately. Charge Sheet and Statement of Allegations were issued to the appellant and SDPO Totalai was appointed as enquiry officer to scrutinize the conduct of the official. The enquiry officer submitted finding report and reported that the official is a habitual absentee and deliberately drop himself from training previously he has been dismissed from service for the same charges but later on reinstated in to service. Likewise, the enquiry officer recommended him for major punishment of dismissal from service. In light of the departmental enquiry proceedings and findings of enquiry officer the appellant was found guilty of the charges. Therefore, he was called in orderly room and heard in person but he could not produce any cogent reason in his defense. In view of the above he was dismissed from service vide DPO Buner office OB No. 56 dated 02/04/2019.

He was called in Orderly Room on 23/10/2019 and heard him in person. It is clear crystal from his service record that the appellant is not interested in Police service as he has been returned to the District from Police Training College, time and again as unqualified. Besides, there are 26 bad entries in his service record including dismissal from service. The appellant also failed to produce any substantial material in his defence. Therefore his appeal for reinstatement in service is hereby filed.

Order announced.

Regional Police Officer,
Malakand Region, Saidu Sharif SWAT
Naqvi

No. 11544 /E,

Dated 28/10 /2019.

Copy of above for information and necessary action to District Police Officer, Buner with reference to his office Memo: No. 3055/Enq, dated 02/05/2019. Service Roll and Fauji Missal of the above named Constable is returned herewith for record in your office.

Eng. Clerk
R. recd
District Police Officer
Buner





37

Amethi O

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

192/E
19/8/20

20, dated Peshawar the 11/10/2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Mian Sajjad Shah No. 657. The petitioner was removed from service w.e.f 07.02.2019 by District Police Officer, Buner vide OB No. 56, dated 02.04.2019 on the allegations that he was enlisted on 15.09.2015 but has not yet attained the Basic Recruit Training and has dropped himself several times from the said course. He usually absents himself whenever he is selected for the training course. He has been returned as unqualified vide Commandant, PTK, Peshawar signal No. 236/GC, dated 22.01.2016 besides this he was again deputed for the said Recruit Course on 04.10.2017, third time on 10.07.2018 and fourth time on 09.02.2019 but he absented and dropped himself again from the training. His appeal was filed by Regional Police Officer, Malakand vide order No. 11549/R, dated 28.10.2019.

Meeting of Appellate Board was held on 21.07.2020 wherein petitioner was heard in person. During hearing petitioner contended that he was innocent.

Perusal of the record reveals that the petitioner is habitual absentee and total recorded absence from the date of appointment to the date of dismissal are 93 as a result of which he was punished 23 times in his entire service. Previously he was dismissed from service for the same charges but later on reinstated into service. He was deputed for Recruit Course for the fourth time on 09.02.2019 but he absented and dropped himself again from the training. He has earned 28 bad entries during his service. The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

This order is issued with the approval by the Competent Authority.

Sd/-
DR. ISHTIAQ AHMED, PSP/PPM
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

N.S. 3327-3332/20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Malakand at Swat. One Service Roll and one Fauji Missal containing departmental enquiry of the above named Ex-FC received vide your office Memo: No. 1371-72/GB/WPC, dated 31.01.2020 is returned herewith for your office record.
2. District Police Officer, Buner.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

7072
19/10/20

ECI DPO, Buner

Encls: Service Roll + Missal + Enquiry file

(KASHIF ZULFIQAR) PSP
AIG/Establishment,
Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar