

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 15292/2020

Date of Institution ... 11.11.2020

Date of Decision ... 01.12.2021

Zafran Ullah S/o Nasid Ullah R/o Ghani Khel, Domail, District Bannu.

... (Appellant)

VERSUS

Deputy Commissioner, District Bannu and three others.

... (Respondents)

Imran Khan,
Advocate

... For Appellant

Muhammad Rasheed,
Deputy District Attorney

... For Respondents

ROZINA REHMAN

...

MEMBER (JUDICIAL)

ATIQ-UR-REHMAN WAZIR

...

MEMBER (EXECUTIVE)

JUDGMENT

ATIQ-UR-REHMAN WAZIR MEMBER (E):- Brief facts of the case are

that the appellant while serving as Sepoy in Levy Force was suspended from service on the charges of absence from duty vide order dated 19-11-2014 and was later on terminated from service vide order dated 10-12-2014. Feeling aggrieved, the appellant filed departmental appeal dated 07-01-2015, which was processed at some length but was not responded to the appellant within the stipulated timeframe, but in the meanwhile, in the wake of 25th Constitutional Amendment, the Levy Force was merged with Khyber Pakhtunkhwa Police. After merger, the appellant filed departmental appeal to the Inspector General of Police Khyber Pakhtunkhwa, which was filed vide order dated 01-10-2020, hence the instant

service appeal with prayers that termination order dated 10-12-2014 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that the appellant has not been treated in accordance with law, as merit of the petition of appellant has not been decided by either of the respondents; that the appellant suffered a lot due to merger of levy force into police, which resultantly changed the appellate authority of the appellant, hence his departmental appeal remain un-decided for a longer time; that fair opportunity was required to be provided to the appellant to defend his cause, but due process has not been followed and that the appellant was terminated from service mere on the charges of absence and that too on medical grounds; that the appellate authority filed departmental appeal of the appellant vide order dated 01-10-2020, which was only addressed to Regional Police Officer with no copy to the appellant, hence the appellant received copy of the order on 03-11-2020, thereafter the appellant filed the instant service appeal; that mother of the appellant was seriously ill and nobody except the appellant was available to take her to hospital, who later on died and such certificates were presented to the competent authority, which were not considered at all.


03. Learned Deputy District Attorney for the respondents has contended that the appellant was proceeded against on the charges of willful absence from lawful duty for a month time; that the appellant was served with several notices to join duty and state reason of his willful absence, but he did not pay any heed; that the appellant was suspended from service vide order dated 19-11-2014 and to this effect, final show cause notice was also served upon him; that the appellant neither responded to the notices nor advanced any valid reason of his willful absence, hence he was terminated from service vide order dated 10.12.2014.

04. We have heard learned counsel for the parties and have perused the record.

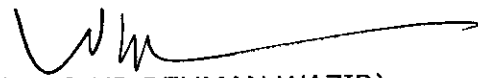
05. Record reveals that the appellant was initially appointed as Sepoy in Federal Levy Force vide order dated 18-04-2011. The appellant was suspended from service vide order dated 19-11-2014 on the charges of absence from duty for few days and was subsequently terminated from service under Federal Levy Force (Amended) Rules, 2013, where no procedure is devised in such rules for proceeding the force personnel for the charges of misconduct, rather Rule-18 of the Rules ibid provides that conduct of the force personnel shall be regulated by rules/instructions issued by Federal Government from time to time. The impugned order provided for penalty to the appellant in terms of termination from service, which as rightly argued by the learned counsel for the appellant is not included in the list of penalties provided in the rules applied on the appellant. The order, therefore, having been passed in blatant disregard of law can only be termed as void. We have also noticed that the appellant was proceeded summarily and was not afforded opportunity to defend his cause and to this effect, the Supreme Court of Pakistan in its judgment reported as 2008 SCMR 1369 has held that in case of imposing major penalty, the principles of natural justice required that a regular inquiry was to be conducted in the matter, otherwise civil servant would be condemned unheard and major penalty of dismissal from service would be imposed upon him without adopting the required mandatory procedure, resulting in manifest injustice. We have observed that absence of the appellant was neither so long nor willful, but he availed such leave due to compelling reasons by submitting his medical certificates. Even otherwise, absence on medical grounds without permission of the competent authority could not be considered an act of gross misconduct entailing major penalty of dismissal from service, but the respondents did not consider his case on compassionate ground and was terminated in an arbitrary manner, which was not warranted. Reliance is placed on 2008 SCMR 214. The appellant suffered for longer for change of his appellate authority for no fault of him and was deprived of his legal right for absence on medical grounds, which however was not warranted.

In view of the foregoing discussion, the instant appeal is accepted. The termination order dated 10-12-2014 is set aside and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
01.12.2021



(ROZINA REHMAN)
MEMBER (J)



(ATIQ UR REHMAN WAZIR)
MEMBER (E)

ORDER

01.12.2021


Learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted. The termination order dated 10-12-2014 is set aside and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

01.12.2021


(ROZINA REHMAN)
MEMBER (J)


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

06.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 13.07.2021 for the same as before.


READER

13.07.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG alongwith Yaqub, H.C for the respondents present.

Respondents have not submitted reply/comments. They are directed to submit written reply/comments in office within 10 days, positively. If written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 01.12.2021 before the D.B.

stipulated period has passed and reply has not been submitted.


Chairman

P.S

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

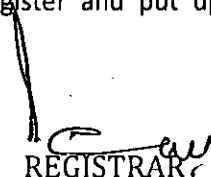

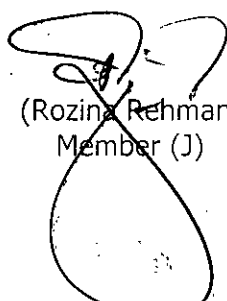

Chairman



FORM OF ORDER SHEET

Court of _____

Case No.- 15292 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/12/2020	<p>The appeal of Mr. Zafranullah resubmitted today by Mr. Imran Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p>
	18.01.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/01/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>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 06.04.2021 before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

Appellant Deposited
Security & Process Fee


25/3

The appeal of Mr. Zafranullah son of Nasid Ullah r/o Ghani Khel Domail District Bannu received today i.e. on 11.11.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ① Copy of departmental appeal dated 23.2.2015 mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- ② Memorandum of appeal may be got signed by the appellant.

No. 3819 /S.T,


Dt. 12/11 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Imran Khan Adv. Pesh.

Note: -

The objection has been removed and
copy of appeal has now filed.


dated = 28/01/20

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2020

Zafran Ullah(Appellant)

V E R S U S

Deputy Commissioner, District Bannu

and others.....(Respondents)

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal		1-5
2.	Affidavit		6
3.	Addresses of the Parties		7
4.	Copies of CNIC and Service Card	A	8
5.	Copy of appointment order	B	9-10
6.	Copy of suspension and termination order	C	11-12
7.	Copies of appeal dated 07/02/2015 and comments	D	13-14 14-A
8.	Copy of Appeal to IG with comments	E	15-23
9.	Copy of medical documstns	F	24-26
10.	Wakalat Nama		27

Appellant

Through

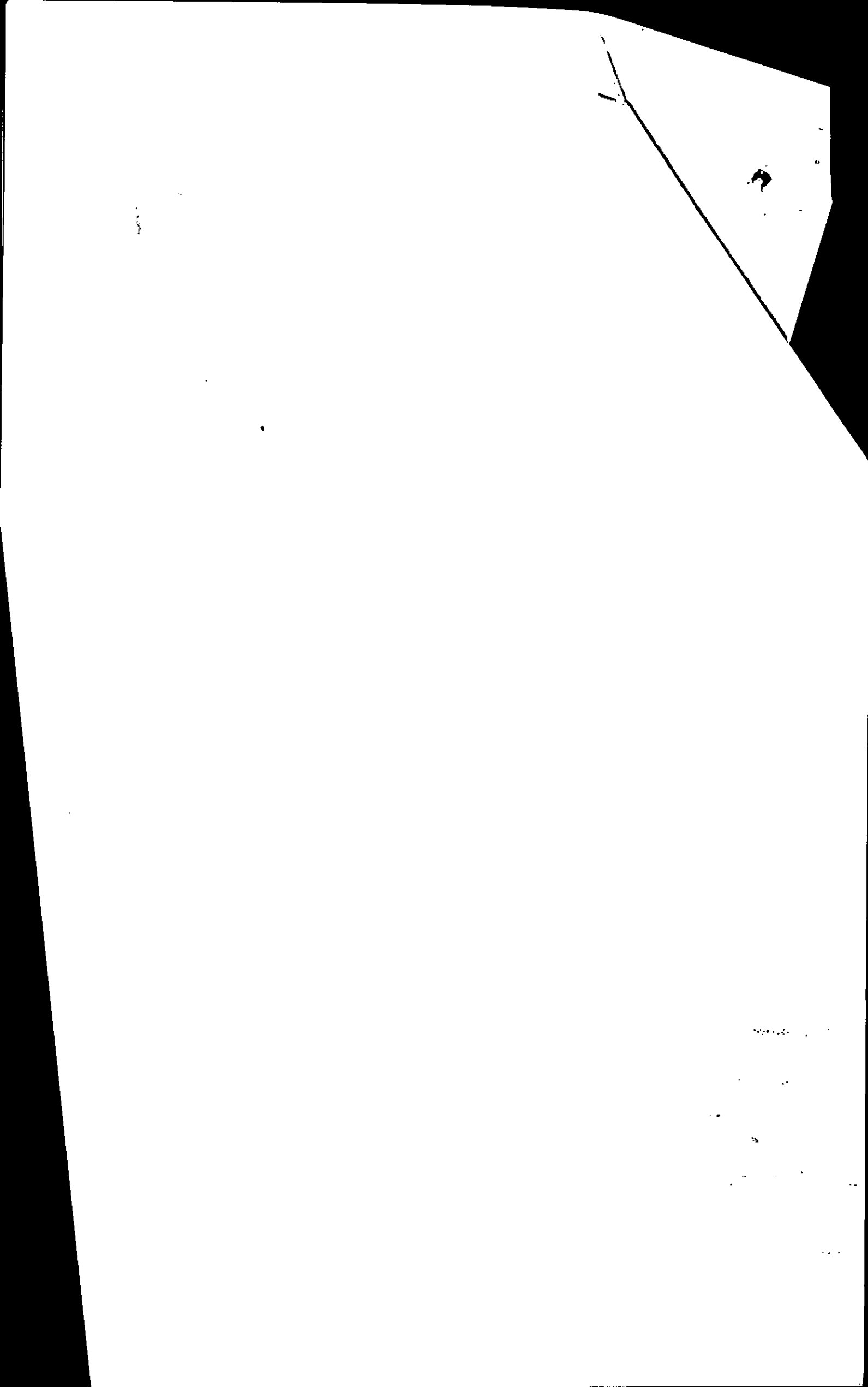


Imran Khan

Advocate High Court,
Peshawar.

Cell: 0333-9410989

Dated: 11/11/2020



①

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 15292 /2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 14480

Dated 11/11/2020

Zafran Ullah S/o Nasid Ullah R/o Ghani Khel, Domail, District
Bannu.....(Appellant)

V E R S U S

1. Deputy Commissioner, District Bannu.
2. District Police Officer, District Bannu.
3. Inspector General of Police, Khyber Pakhtunkhwa, IGP Office,
CPO, Peshawar.
4. Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat, Peshawar.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICE TRIBUNAL ACT
1974.**

Prayer:

*On acceptance of this Service Appeal, the
termination order dated 10/12/2014 may kindly be
set aside and the petitioner may kindly be
reinstated into service with all back benefits.*

Filed to-day

Registrar

11/11/2020

**Re-submitted to -day
and filed.**

Registrar

01/12/2020

2

Respectfully Sheweth:

1. That the appellant is the peaceful law abiding citizen of Pakistan and has never ever violated any law and rule of the country in his entire life. (Copies of CNIC and Service Card are attached as annexure "A").
2. That appellant was initially appointed as Sepoy in Federal Levy Force "FR" Bannu on dated 18/04/2011 on regular basis in BPS-05 along with usual allowance as admissible under the rules. (Copy of appointment order is attached as annexure "B").
3. That appellant has performed his duties diligently to the satisfaction of his officers.
4. That on the grounds of absence from duty the appellant was suspended from service by the Deputy Commissioner, Bannu/ Commandant Levy Force FR Bannu vide order dated 19/11/2014. (Copy of suspension order is attached as annexure "C").

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5. That in a period of less than a month of his suspension the appellant was terminated from service by the Deputy Commissioner, Bannu/ Commandant Levy Force FR Bannu vide order dated 10/12/2014.
6. That within the stipulated period of time the appellant has filed Departmental Appeal against the impugned order 10/02/2014 passed Deputy Commissioner/ Commandant Levy Force FR Bannu whereby the services of appellants have been terminated. (Copies of appeal dated 07/01/2015 and comments are attached as annexure "D").
7. That the comments were called by the Secretary Law and order "FATA" from "DC Bannu" but the departmental appeal of the appellant has not been decided by the Secretary Law and Order FATA. (Copy of comments is attached as annexure "E").
8. That during the pendency of the departmental appeal of the appellant, the 25th Constitutional Amendment was passed by Parliament and in

pursuance of the amendment levies and Khasadar Force were merged into KP Police Force.

9. That after the merger the appellant filed Departmental Appeal before the Inspector General of Police Khyber Pakhtunkhwa, wherein comments were called from Deputy Commissioner, but the appeal has not been decided on merit.
10. That the appellant having no other adequate alternate remedy, but to approach this Hon'ble Tribunal for redressal of her grievances, on the following grounds:

GROUND:

- A. That on merits the petition of appellant has not been decided by either of the respondents.
- B. That the mother of the appellant was sick and hospitalized in Peshawar. (Copy of medical documstns are attached as annexure "F").
- C. That the appellant has suffered due to the change of nomenclature of post of the high-up's as his departmental appeal remain un-decided on merit so for.

- D. That fair opportunity should be provided to petitioner to defend himself, as, due process has not been followed in case of the suspension and termination of appellant.

- E. That the order of IG KP was communicated/ provided to the appellant on 03/11/2020, therefore, the appellant immediately filed appeal before this Hon'ble Tribunal.

- F. That appellant will take other grounds at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that by accepting of this Service Appeal, the termination order dated 10/12/2014 may kindly be set aside and the petitioner may kindly be reinstated into service with all back benefits.

Any other relief which has not been mentioned may also be granted in favour of appellant.

Appellant



Through



Imran Khan
Advocate High Court,
Peshawar.

Dated: 11/11/2020

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BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2020

Zafran Ullah(Appellant)

V E R S U S

Deputy Commissioner, District Bannu

and others.....(Respondents)

AFFIDAVIT

I, Zafran Ullah S/o Nasid Ullah R/o Ghani Khel, Domail, District Bannu, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT

CNIC No. 111017210431-1

[Signature]
dated 11/11/20

[Signature] 20
11-11-
ATTESTED NOTARY PUBLIC
KHALID MAHMOOD ADVOCATE
PESHAWAR HIGH COURT

Imran Advocate
[Signature]

(7)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2020

Zafran Ullah(Appellant)

V E R S U S

Deputy Commissioner, District Bannu

and others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Zafran Ullah S/o Nasid Ullah R/o Ghani Khel, Domail, District Bannu.

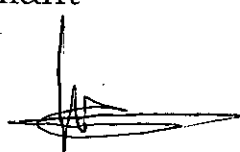
RESPONDENTS:

1. Deputy Commissioner, District Bannu.
2. District Police Officer, District Bannu.
3. Inspector General of Police, Khyber Pakhtunkhwa, IGP Office, CPO, Peshawar.
4. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.

Appellant

Through

Dated: 11/11/2020



Imran Khan

Advocate High Court,
Peshawar.

"A"

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SERVICE CARD



Name: **ZAFRAN U LLAH**
 Designation: **L/SEP**
 S No: **69**

Signature Holder **ADM/AFS BANNU**

حکومت پاکستان
 قومی شناختی کارڈ
 11101-7210431-1
 زعفران علی خان

Name: **ZAFRAN U LLAH**

Father's Name: **NASHEED U LLAH** Blood Group: **B-**

Home Address: **GHANI KHEL P/O AZEEM KHA BANNU**
TEHSIL & DISTT: BANNU

H.I.C No: **1110103172104311**

T2X3KC نامی کارڈ: 11101-7210431-1 نامی کارڈ
 نوڈ نمبر: قومی شناختی کارڈ، نام: زعفران علی خان، ڈاکو: عظیم محمد، تحصیل: بانی
 تعلق: بانی

تاریخ: 13/09/2021 تاریخ: 13/09/2011
 سرگرمی کارڈ کے برقراری کیس میں ڈال دیں



"B"

(9)

(69)

**OFFICE OF THE
DISTRICT COORDINATION OFFICER/
POLITICAL AGENT FRONTIER REGION BANNU**

OFFICE ORDER.

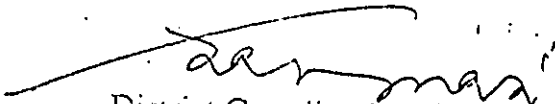
No. 1168-77 DCO-Levy Force/11.

Dated. 18/4/2011

As recommended by the Departmental Selection Committee in its meeting held on 14th and 15th February 2011, minutes duly approved by SAFRON Division Islamabad vide letter No.F.4(5)-LK/2010 (Pt), Dated 28/03.2011 and FATA Secretariat vide letter No. CS(F)/N/4-Levy/Concept Paper/2011 dated 25.03.2011, Mr. Zafranullah s/o Nasidullah, s/o Ghani Khel is hereby appointed as Sepoy in Federal Levy Force FR Bannu on regular basis in BPS-05 along with usual allowances as admissible under the rules against the newly temporary created posts with immediate effect on the following terms and conditions:-

CONDITIONS:-

1. You will remain on probation for period of one year. You can be terminated at any time without assigning any reason during the probation period.
2. You will provide health and age certificate.
3. You will provide surety of three notables of your area to the effect, that you will refund the cost of Government Rifles, if damaged or the cost of training etc incurred on you if absconded. The Government will have the right to confiscate their property in such case.
4. You will have to undergo/qualify pre-induction training as and when required.
5. You will undertake Oath to serve the country and the force faithfully and obediently with out any bias and favouritism.
6. You must obey all legal orders of your superiors during tenure of service, failing to do so will make you liable to dismissal from service or imposition of major penalty.
7. You will be liable to transfer anywhere in Frontier Region Bannu. You may be transferred to any other district or agency or Frontier Region in the public interests if deemed necessary.
8. You will be entitled to receive pay and allowances as per pay scales notified by the Government from time to time.
9. You will be governed by such rules and orders related to leave, traveling allowance, medical allowance, pay etc as may be issued by the Government for the category of Government Servants to which you belong.
10. You should report for duty to Assistant Political Agent FR Bannu within ten (10) days from the date of issuance of this office order failing which your appointment will be considered as cancelled

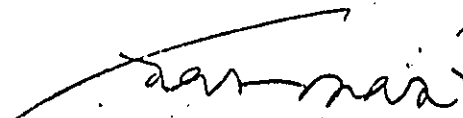

District Coordination Officer/Political Agent
Frontier Region Bannu.

Even No & dated.

Copy of the above is forwarded to:-

1. The Additional Chief Secretary FATA Secretariat Peshawar.
2. The Secretary to Government of Pakistan, SAFRON Division Islamabad.
3. The Deputy Secretary Law & Order/Narcotics Law and order Department, FATA Secretariat Peshawar.
4. The District Police Officer, Bannu.

5. The Assistant Political Agent FR Bannu for information with the direction to verify their antecedents and report to this office.
6. The Agency Surgeon FR Bannu.
7. The Section Officer (Budget) Ministry of SAFRON, Government of Pakistan Islamabad.
8. The Section Officer Narcotics Law & Order Department FATA Secretariat Peshawar.
9. The District Accounts Officer Bannu for information and necessary action.
10. Official Concerned for information and strict compliance.


District Coordination Officer/Political Agent
Frontier Region Bannu.




"C"
**OFFICE OF THE
DEPUTY COMMISSIONER/COMMANDANT LEVY
FORCE, FR B A N N U**

No. 251 /DC/APA/Levy Clerk Dated Bannu the 19 / 11 / 2014

Office Order


As reported by Incharge Levy Force Shallgaza Check Post and Levy Incharge DPs Camp Bakka Khel FR Bannu, the following Levy Personnel are absent from duty till date despite proper notices served upon them. This willful absence from duty is against the service discipline. They are therefore suspended from service with effect from 03/11/2014.

1. Zafran s/o Nasheed Ullah Levy Sepoy Serial No.69
2. Noor Alam Levy Sepoy Serial No.35
3. Imtiaz Khan Lance Naik
4. Imran Khan Lance Naik
5. Irfan Sepoy


Sd/-
Deputy Commissioner/Commandant,
Levy Force, FR Bannu

Even number & date
Copy forwarded to the:

1. District Comptroller of Accounts, Bannu
2. Political Tehsildar (U) FR Bannu to conduct preliminary enquiry and submit report/findings within 15-days positively.


Assistant Political Agent/Deputy
Commandant Levy Force, FR Bannu

BANNU 07/11/2014



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OFFICE OF THE

**DEPUTY COMMISSIONER/COMMANDANT LEVY
FORCE, FR BANNU**

No. 266-72 /DC/APA/Levy Clerk


Dated Bannu the 10 / 12 / 2014

Office Order

As per report of Political Tehsildar (U) FR Bannu and Levy Incharge Levy Force FR Bannu, the following Levy personnel are absent from government duty and also refused to Political Tehsildar (U) FR Bannu to perform government duty other then Tehsil building.. Furthermore, they again violated the under taking^s signed by them and are still and have not attended this office so far for duty:

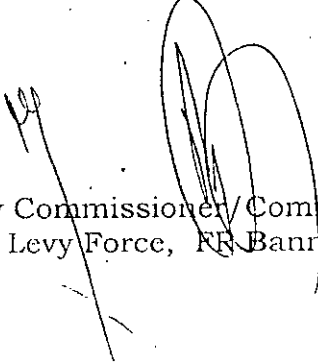
1. Imran Khan Lance Naik
2. Imtiaz Khan Lance Naik
3. Zafran Ullah s/o Nashid Ullah Levy Sepoy S.# 69

In view of the above, the above Levy Personnel are hereby terminated from services under Levy Rule-10 Schedule-II with immediate effect, i.e. 08/12/2014, due to their absence/refusal from government duty.


Deputy Commissioner/Commandant,
Levy Force, FR Bannu

Even number & date
Copy forwarded to the:

1. Assistant Political Agent, FR Bannu
2. Political Tehsildar (U) FR Bannu
3. Sub: Major Levy Force FR Bannu.
4. Official concerned for information.


Deputy Commissioner/Commandant,
Levy Force, FR Bannu

BANNU 247

"D"

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BY FAX

FATA SECRETARIAT
Law & Order Department
PESHAWAR

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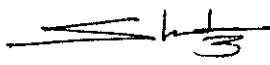
No. CS (F)/N/4-Levy/Appeal/503-c4
Dated: 23.2.2015

✓ Deputy Commissioner
FR Bannu

Info: PS to Secretary Law & Order
Lance Naik Imran Khan
Levy Force, FR Bannu


Subject: APPEAL AGAINST THE IMPUGNED ORDER 10.12.2014 PASSED BY
DEPUTY COMMISSIONER/COMMANDANT LEVY FORCE FR BANNU
WHEREBY THE SERVICES OF THE APPELLANTS HAVE BEEN
TERMINATED.

I am directed to enclose herewith an application/appeal submitted by Lance Naik Imran Khan and Lance Naik Imtiaz Khan Levy Force FR Bannu on the subject for views/comments, please.


Shabir Khan
Section Officer
(NARCOTICS)

RECEIVED
No. 1902-
Dt. 23/2/15
Deputy Commissioner (Levy Force) Bannu

Levy clerk


DEB
23/2

BANNU 09/1/15

14



**OFFICE OF THE
DEPUTY COMMISSIONER/PA
FR BANNU**

Dated Bannu 13 / 07 / 2017

No. 520/DC/APA/Levy Clerk

To

The Section Officer (Levy & Khassadar)
Law & Order Department,
FATA Secretariat Peshawar.

Subject:- APPEAL FOR RE-INSTATMENT -ZAFRAN ULLAH

Memo:- Please refer to your letter No.CS (F) 4-Levy / Appeal / 930-31 dated 17.04.2017 on the subject noted above.
The requisite views / comments are furnished as under:-

1. It is correct that Mr.Zafranullah s/o Nasheedullah was appointed as Levy Sepoy on 18.4.2011 in Levy Force FR Bannu.
2. He remained absent from duty w.e.f. 13.10.2014 and departmental proceedings were lodged against him.
3. He was served with several notices to resume duty and state reason of his willful absence from duty but he did not pay any heed to the directions.
4. That he was suspended from service vide this office order No.251/DC/APA/Levy\clerk dated 19.11.2014 and on 03.12.2014 final show cause notice was issued to him with the direction to resume duty within two days failing which he would be terminated from service but he did not comply with.
5. That subsequently due to his willful and intentional absence from duty he was terminated from service vide this office order No.266-72/DC/APA/levy Clerk dated 10.12.2014.
6. That neither the appellant responded to the notices of this office nor advanced any valid reason of his willful absence therefore he was terminated from service as provided in the rules.
7. That the appellant had a remedy of appeal within thirty days as provided in rule-11 of Federal Levies Force (Amended) Service Rules, 2013 which he did not avail.
8. That the appellant (Ex-Levy Sepoy) has no locus stand at this stage, however if the authority deem it appropriate lenient view can be taken in the case.

Deputy Commissioner/ PA
FR Bannu

BANNU 07/1

کونسل کی طرف سے منظور شدہ پروگرام کے تحت

کی بنیاد پر:

پرائمری اسکول کے تحت (1) سے لے کر پندرہویں
تک سیکھنے والے طلبہ کے لئے ایک ایسی اسکیم
تیار کی جائے گی جو ان کے فوری و مستقبل
کی تمام ضروریات کو پورا کرے۔
اس کے علاوہ ایسی ایسی اسکیمیں بھی
تیار کی جائیں گی۔

گورنمنٹ کے پاس اس کے لئے
بجٹ کی ضرورت ہے۔

عسکری اداروں کے

تعمیرات

ان کے لئے جو رقمیں منظور کی گئی ہیں

2

07/01/2005

15

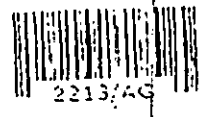
OHC
Fax Report

دفعہ ذرا ابھی کے لئے پتہ اور نام کے ساتھ ساتھ...

District Police Officer
BANNU 11/6

EA-11

18-3-2020



Main body of the report containing Urdu text, including a signature and date. The text appears to be a detailed account or report related to the case.

SE-1K

18-3-2020

1789
18/03/2020

AIQ/E

LOS
14/3

9341 9768 664

محترم جناب انسٹرکشنز ڈائری آف پولیس اینڈ ایجوکیشن

وہ خواتین کے مسائل اور بچوں کی تعلیم میں سہولتیں - یا SPU پولیس میں کوئی حکم
معاذکرہ میں - جو کہ میں پہلے سے ایجنڈے میں ذکر کیا تھا۔ تمہیں ایک ایجنڈے میں ذکر ہے
والا اسٹریٹ کے نوٹری سے برخواست کیا

ذرا پتہ

سٹوڈنٹوں کو قبل از میل قریب 30 روز پہلے کوئی دستاویز - مسائل کی جانچ بہت مشکل ہے
مسائل کی کیفیت سے سب کچھ پتہ چلے گا۔ وہ زائد کی حساب سے دیکھ رہی کرتا ہے
یہ مسائل کی والدین پر بہت بوجھ پڑے ہوئے ہیں۔ 3 بجار پڑی ہیں۔ اس کی بنیاد کی وجہ سے برخواست اور نوٹری سے فارغ ہو گئے
یہ سٹوڈنٹوں کو قبل از میل قریب 30 روز پہلے کوئی دستاویز - مسائل کی جانچ بہت مشکل ہے
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مشورہ عوامی
تاریخ 3-11-11

امین

ڈیپٹی سٹیبل فوڈس پولیس میں بذریعہ ایسا اڈا - کامات پر بھرتی کیا گیا ہے

میں خوشنور احمد ولد ناشید احمد منہج نبوی کی پیل ڈیوٹی پر سہولت عینی فضل علیہم السلام
0311 9768664

کمیٹی سلسلہ بحالی ملازمت لیویز فورس سیاہی ازان زعفران اللہ

صواب عالی!

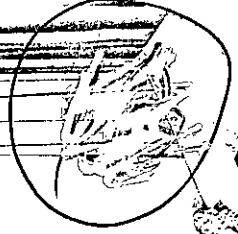
مستی زعفران اللہ ولد ناشر اللہ قوم وزیر سکنہ غنی محل

عظیم محلہ ڈاکخانہ تحصیل ڈوہیل بوالہ آرڈر انکوئری منیجر 1168-77/deo levy clerk 18-4-011 مورخہ 3/4 سال کوئری کرنے بعد کوئری سے غیر حاضر رہا جو ڈیوٹی کے مطابق مستحق بالہ کوئری سے بوالہ انکوئری لیڈر آرڈر منیجر۔ 266-72/DE/APA/levy clerk مورخہ 15-12-014 درخواست ہو چکی۔ دونوں آرڈر کاپی جاریہ صواب عالی سے حاصل کی گئی ہے۔ اب چونکہ تمام ایف آر بنوں ضلع بنوں میں شامل کیا گیا ہے اور تمام حاکم دار اور لیویز فورس کو حکم دیں کہ ان میں سے ہمیں بھیجے گئے ہیں اور اب وہ قواعد پولیس کے

زیر تحت ہے۔
لہذا۔ مستحق زعفران اللہ نے درخواست برائے بحالی ملازمت گزری ہے اور وجہ غیر حاضری اپنی والدہ قدرہ کا علاج معالجہ میں مصروفیت ظاہر کی ہے۔ اب پولیس رولز کے اقطاعات ضروری ہو گیا ہے۔ کہ اس بارے میں پہلے باقاعدہ انکوئری کی جائے کہ آیا مستحق بالہ کے والدہ کا علاج معالجہ حقیقت پر مبنی ہے یا اپنی مرضی سے بلکہ غیر حاضر ہو چکی ہے۔ اس بارے میں علاقہ کے چند اشخاص سمیٹ کر (1) مجیب اللہ (2) رفیق اللہ خان (3) نعیم خان سے تحقیق انکوئری اور بیانات تیار کیے گئے ہیں جو لفٹ قابل و لفظ ہے۔ اگر مزید انکوئری کی ضرورت ہے تو SHO ڈوہیل سے انکوئری کر لی جائے کیونکہ مستحق زعفران اللہ علاقہ تھانہ ڈوہیل کا رہائشی ہے۔ اگر مستحق بالہ زعفران کی والدہ کی بیماری حقیقت ثابت ہوئی تو بحالی ملازمت کتبہ رسم کا دروازہ کھولنے کا امکان ہے۔ بصورت دیگر غلط موقف اختیار کرنے کی صورت میں افسران بالہ کا حکم افضل ہے۔ رپورٹ بشرف ملاحظہ و مناسب حکم افسران بالہ ارسال خدمت ہے۔

SHO/PS/SDW
22-06-020





میں مستی زعفران اللہ ولد ماشاء اللہ علیہ صل اعظم صل واصل خودالی طور پر
 خانہ بھوں . نام ، ولادت کی تاریخ سے . مستی زعفران اللہ علاقہ غنی
 صل اعظم صل کا مستقبل رہا لکھی ، پیدائشی ماشاء اللہ ہے زعفران اللہ کے بھائی اور
 3 نہیں ہے . مستی والدین زندہ حیات میں . جسکی کفصل ذیل ہے .

- 1 ، ماشاء اللہ مستی زعفران اللہ کا والد صاحب ہے . جو کہ انھوں پر حضور ہے .
- 2 ، آ - ر بی بی جو کہ زندہ حیات ہے . اور کافی سے بیمار پڑھی ہے .

بھائی گمان

- 1 ، علم اللہ ولد ماشاء اللہ لکھنؤ 24/25 سال بے روزگار ہے .
- 2 ، ذکر اللہ لکھنؤ 23/24 سال بے روزگار ہے .
- 3 ، سادراخان ولد لکھنؤ 22/23 سال موٹر سائیکل فینڈنگ -
- 4 ، اصم اللہ ولد لکھنؤ 17/18 سال بے روزگار ہے .
- 5 ، 3 نہیں ہے . ایک شادی شدہ ہے . 2 نہیں مستی والد کے زیر کفالت ہے .

مستی زعفران گورکھ پور کا واحد سربراہ ہے . اور بے روزگار ہے . لیونیز فورس میں بطور
 سپاہی ہوتی ہوا تھا . مگر کوجہ غیر حاضر ہی کوئی ملک سے پھرتے ہوئے . وہ اپنی والدہ کی بیمار
 میں مصروف تھا . لیونیز گورکھ پور سے اعلیٰ ہے . لکھنؤ یافتہ ہے . جو الیگزینڈر
 گھاؤں کو علاقہ میں سیکے ساتھ کوئی دشمنی و غم نہ ہیں ہے . کسی غیر ممنوعہ تنظیموں
 سے تعلق نہیں ہے . جسکی میں لکھنؤ گورکھ پور .

المرزوق اللہ خان ولد رحمہ زاد خان سلمہ غنی صل والی خانہ اعظم صل واصل

ENIE 2 11102-0347986-3

mob 0347-9423991

میں مسی زعفران اللہ ولد ماشہ اللہ سکندر غنی ضل ڈالخانہ عظیم کلہ تحصیل ڈوسل
کو ذاتی طور پر جانتا ہوں۔ ناک ولایت سلوٹ کے رہنے والے ہیں۔ مسی مالہ گھر
سجاد اور سربراہ ہے۔ حکم کو لیکھل لہو نیر فورس میں لہور سپاہی کبری ہوا تھا جو
جوہر غیر حاضر کو تری سے برخواست ہو گیا، اور مسی مالہ رہی والدہ کی بیمار اور
علاج وصالہ میں مصروف تھا۔ یونکہ گھر سے بہت اعلیٰ ہے، والد صاحب بھی انکھوں
پر معذور ہے، مسی زعفران اللہ جوان ہے، تعلیم یافتہ ہے، بے روزگار ہے، علاقہ
میں کوئی دشمنی نہیں ہے، مسی مالہ کے والدین زندہ عیاش ہے، والد بھی ہے، ① علم اللہ
② ذکر اللہ ③ سجاد خان ④ اہلیم اللہ ہے جو چاروں بے روزگار ہے، ⑤ بیٹن
ہے، ایک شادی شہر ہے، اور دو بیٹن گھر میں مسی کے زیر سپاہ رہتی ہے
مسی مالہ کا شریف گھرانے سے تعلق ہے۔ نیپ چلن اور نیپ سیرت
ہے، جسکی میں لہو لہو کر رہا ہوں۔

الو نجیب اللہ ولد شہاد و وزیر خان سکندر مدی ضل ڈالخانہ عظیم کلہ تحصیل ڈوسل
eNIE = 222011479365-1
Mob = 0301-8961372-

Najib

میں سہمی زعفران اللہ ولہ ماشاء اللہ سکینہ عنی ضیل تحصیل ڈومیل کوڑالی اور
 حاجتاہوں . تاکہ ملریٹ سکولت دیکھیے . سہمی مالہ محلہ لہونہ
 فورس میں جوئی ہوا تھا . مگر اپنی والدہ صاحبہ کی بیماری میں معروضت
 کی وجہ سے کوئی سے پرچاستے ہو گیا ہے . گوٹا ماٹوں میں سہمی کے سالو
 کوئی دشمنی نہیں ہے . سید علی اور سید سیرت فوجان ہے . بے روٹار ہے
 اور اپنے گوٹا واحد سرپرست اعلیٰ ہے . سہمی مالہ کے رہنے والی ہے اور
 بے روزگار ہے . 3 بھینس ہے . جو کہ ایک سساری سدر ہے . اور 2 اپنے بھائی
 کے زیر کفالت ہے . والدین زندہ حیات ہے . سہمی کا والد اٹھوں پر حضور
 ہے . اور والدہ کافی عرصہ سے بیمار ہو رہی ہے . جسکی میں اقدار
 مگر ماہوں .

اکرم نعیم خان ولد عبدالغفور سکینہ عنی ضیل ڈاکخانہ عظیم صہ ڈومیل

CNIC = 11102-0345918-1 @NaamChau
 Mob = 0343-9149669

769/C

21

3995
15-6-20

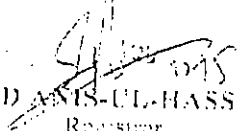
OFFICE OF THE INSPECTOR GENERAL OF POLICE,

KHYBER PAKHTUNKHWA

No. 5074 /E-V dated Peshawar the 13/05/2020

28
SA-SDW
19-6-2020

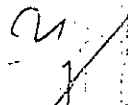
Copy of overleaf alongwith its enclosures is forwarded to
DPO/Bannu for comments


(SYED ANIS-UL-HASSAN)
Registrar
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

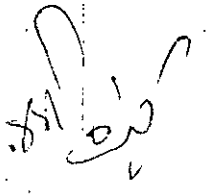
No 7188-93 DT 15/6/20

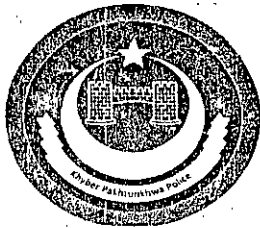
All SDPOS/PA/Reader
For n/acton

SDPO-SWD - SHO SWD
for n/acton


District Police Officer
BANNU 12/6


SDPO. GANTT
BANNU





OFFICE OF THE
DISTRICT POLICE OFFICER,
BANNU.

Phone No: 0928-9270038.

Fax No: 0928-9270045.

Dated 4/8/2020.

No. 9778

To

The Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.

Subject: APPEAL IN R/O EX-LEVY SEPOY ZAFRAN ULLAH FOR REINSTATEMENT INTO SERVICE

Memo:

BRIEF FACTS:

It is submitted that Zafran Ullah s/o Nasheed Ullah of Ex-Levy Force moved an application for reinstatement into service.

The applicant was appointed as Sepoy in Levy in 2011 vide order No.1168-77/DCO dated 18.04.2011.

The applicant was dismissed/removed from service vide order No.266-72/DC/APA/Levy Clerk Dated 10.12.2014 on account of his willful absence, without permission or information from his high ups or seniors. In that time the applicant was serving under the command of Deputy Commissioner Bannu which is subject related to his good office, however, being a civil servant he shall lay an appeal before the competent forum i.e. Commissioner Bannu within 30 days. The levies/Khasadar were merged in police force in 2019 and the appellant moved a mercy petition.

Report is submitted, please

enclose (52)

[Signature]
District Police Officer,
Bannu



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. S/ 3832 /20, dated Peshawar the 01/10 /2020.

To: The Regional Police Officer,
Bannu.

Subject: APPEAL IN R/O EX-LEVY SEPOY ZAFRAN ULLAH FOR
REINSTATEMENT INTO SERVICE.

Memo:

Please refer to your office Memo: No. 9778, dated 04.08.2020.

The Competent Authority has examined and filed the application submitted by
Ex-Levy Sepoy Zafran Ullah s/o Nasheed Ullah for re-instatement in service.

The applicant may please be informed accordingly.

(SYED ANIS-UL-HASSAN)

Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Matr. No. 7426

M.H. 167

Gynecology UNIT

Dr. Jamila Mahrez Dabbas
PROFESSOR

DISCHARGE SLIP

Dr. Abida Ibra
ASSOCIATE PROFESSOR

Name of the Patient: Amal W/O Nashed
 Bed No: 7
 Age: 28 yrs
 Sex: F
 D/O Admission: 16/12/14 To 23/12/14
 D/O Discharge: 23/12/14
 D/O Operation: 18/12/14
 Father/Husband: N/S

Diagnosis: GSPy e 7 wks Gestational amenorrhoea e R. sided
 Operation: laparotomy b/b (cornual end) tubal ectopic pregnancy
 R: partial Salpingectomy

TREATMENT IN HOSPITAL

- ⇒ 40 of whole blood
- 1. Duj. Clafam 1gm BD (ATD)
- 2. Duj. Ringer U + Toradol
- 3. Duj. Papyl 1000mg TDS
- 4. Duj. Ceftriaxone 1g BD
- 5. Duj. Ca gluconate 10% 10ml 1/2 8hr
- 6. Duj. Vitals + vitals + gravimetric in IL R/L 100ml 1/2 8hr

TREATMENT IN HOME

- 1. Tab. Cefspan 400mg O/S (D+D)
- 2. Tab. Papyl 400mg O/S (D+D)
- 3. Tab. Ibretolic
- 4. Tab. Oksen D

Near Civil Hospital Karak

Contact No: 0331-9246690 / 0345-9647223 / 0336-0989611

DR. MOHAMMAD ISMAIL
M.B.B.S
M.C.P.S (Medicine)
F.C.P.S. (II) Cardiology

The Heart Center
Karak City



Patients Name: Amer Behi Age 27 Sex M Date: 17/5/2024

ECHO CARDIO GRAPHY

Measurements	Observed	Normal Range (mm)
Parameter	Values	
Range:		
Aortic Root Dimension	20-40	EPSS
Left Atrial Dimension	19-39	P III
LV End Diastolic Dimension (cm/sec)	36-56	E Velocity
LV End Systolic Dimension (cm/sec)	25-41	A Velocity
IVS Thickness	8-12	E: A Ratio
LVPW Thickness	7-11	RVSP
Rt. Vent Dimension	7-25	
LV Function Indices		
Fractional Shortening	Ejection Fraction	
IVRT (mm Hg)	E.Wave UT	
Sys		Dias

	Peak	Meen		Doppler	2-D	Regurgitation
Mitral valve						
Triscuspla Valve						
Aortic Valve						
Pulmonic Valve						

Comments: _____

Conclusion: _____

Cardiologist



Handwritten text in Urdu script, including the words "اسٹیشن پر" (at station) and "میں" (in).

DEALS Mr. Saeed Jaleel
gandza jaleel
gandza

Case No. 511207 D EP
USP
d. Jaleel P
mentary
Had Surveying
to edge
program

KN

ILL

Handwritten notes including "Rings", "Jaleel", "Shah", "Saeed", and "Jaleel".

5115

val of up
Rings

5115

Handwritten notes including "M. Jaleel" and "EP".

gynecologist



Dr. Qudsia Qazi

M.B.B.S.
F.C.P.S. (Gynae)

Assistant Professor Gynae "B" Unit
Lady Reading Hospital Peshawar

ڈاکٹر قدسیہ قاضی کامران
ایم بی بی ایس
ایف سی پی ایس (گائنی)

اسٹینٹ پروفیسر گائنی بی یونٹ
لیڈی ریڈنگ ہسپتال پشاور

26

Pt. Name Aman Begum W/O Akhtarullah Age 27 Sex F Date 11-11-20

CLINICAL RECORD

101 P4T1
Post op
laparotomy
with 3 months
abscence of
pain
abdomen

- Re
- ① Cap. Dalacin C
300mg
10 q 11/11
 - ② Tab. Flagyl comp
10 q 11/11
 - ③ Tab. Caplan
10 q 11/11
 - ④ VC - ca
10 q 11/11
 - ⑤ Tab. Chymolac
10 q 11/11

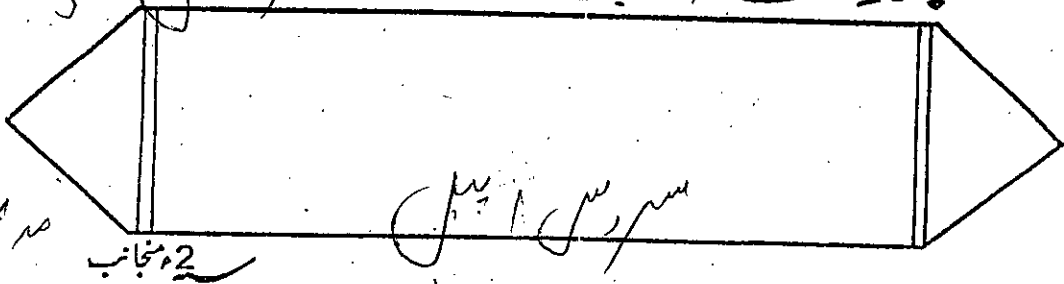
Pre-op
Pus
closed
ul-bulby
Pulve
USG
Normal
ultra
seen
No
adnexal
pathology

Not Valid For Medicolegal Purpose

0333-9161030
0334-4201318

رابطہ: کلینک: 1-C تیسری منزل اباسین ہسپتال، ڈگری گارڈن پشاور

بعدالت جانب سرس اپیل نامہ



IGP KPK
مسلمہ

محمد بنام
محمد عبداللہ

موزخہ
مقدمہ
دعوی
جرم

باعث تحریر آنکہ

A.H.C

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کیلئے محمد عبداللہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپہ ار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائتہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 10 ماہ 20

واہ الع

کے لئے منظور ہے۔

محمد عبداللہ

بمقام

Sign and accepted

by Imran Khan Advocate

27

محمد عبداللہ کیلئے محمد عبداللہ
محمد عبداللہ کیلئے محمد عبداللہ

1/12 DB 1

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 15292/2020

Zafran Ullah S/O Nasheed Ullah R/o Ghani Khel Domel, District
Bannu.....Appellant

VERSUS

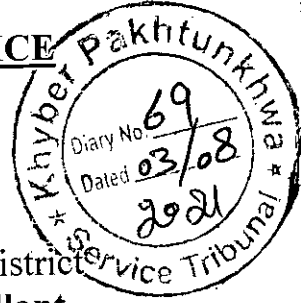
Deputy Commissioner, Bannu and three others' Respondents

INDEX

S No	Description of documents	Annexure	Pages
1.	Comments		1-3
2.	Authority letter		4-5
3.	Affidavit		6
4.	Copy of notices	R-1	
5.	Oath statement of appellant on Stamp paper	R-2	
6.	Copy of notices and reports	R-3	
7.	Para-wise reply submitted by respondent NO. 1 to the Section Officer, FATA Secretariat, Peshawar submitted through letter NO. 505/DC/Levy Clerk dated 16.03.2015 and covering letter NO. 844/DC/Levy Clerk dated 14.05.2015 and NO. 279/DC/APA/Levy Clerk dated 16.10.2015	R-4	
8	Order of appellant authority/Secretary (Law & Order) FATA Secretariat Peshawar	R-5	


Deputy Superintendent of Police,
Bannu

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**



Service Appeal No. 15292/2020

Zafran Ullah S/O Nasheed Ullah R/o Ghani Khel Domel, District Bannu.....Appellant

VERSUS

Deputy Commissioner, Bannu and three others Respondents

Joints Para-wise reply on behalf of respondents No. 1 to 4.

Respectfully Sheweth.

Joints Para-wise Reply by Respondents No. 1 to 4 are as under: -

Preliminary Objections.

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

OBJECTIONS ON FACTS.

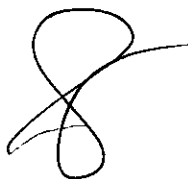
1. Incorrect.
2. Pertains to record.
3. Incorrect. The appellant remained absent from sufficient period of time and departmental proceedings were initiated against him. He was served with several notices to join duty and state reason of his willful absence from duty but he did not pay any heed. Copy

of notices are enclosed as R-1). The appellant despite of written affidavit (R-2) failed to report to duty. Again notices were issued to him to join his duty but he failed to join the duty. (Copy of notices is enclosed R-3). Thereafter, the appellant was suspended from service on 19.11.2014. On 03.12.2014 final Show Cause notice was issued to him with the directions to resume duty within two days and in case of failure, he would be removed from service. The appellant neither responded to the notices nor advanced any valid reason of his willful absence, therefore, on 10.12.2014, he was terminated from service by respondent No.1 vide order No. 251/DC/APA/Levy Clerk dated Bannu the 19.11.2014.

4. Correct. Detail reply is given in Para-3 above.
5. Detail reply is given in Para-3 above.
6. Incorrect. The appellant had a remedy of appeal within thirty days as provided in Rule-11 of the Federal Levies Force (Amended) Service Rule, 2013 which he did not avail. The other two levy official namely Imran Khan and Imtiaz who was also terminated vide the impugned order dated 10.12.2014 filed appeal before appellate authority. Comments was submitted by the respondent accordingly. (Copy of comments enclosed as R-4). However, their appeal was dismissed and the order of Deputy Commissioner, Bannu/Levy Commandant was upheld. (Copy of order is enclosed as R-5).
7. Pertains to record.
8. Pertains to record.
9. Pertained to record.
10. Incorrect.

OBJECTION ON GROUNDS

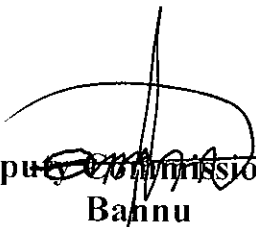
- A. Incorrect. The petition of the appellant has been decided on merit by the respondents Department. He was served with several



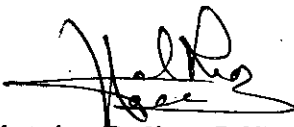
notices to resume duty and state reasons of his absence from duty but he did not pay any heed to the directions. He was suspended from service on 19.11.2014 and on 03.12.2014 final show-cause notice was issued to him with the directions to resume duty within two days otherwise ex-parte action would be taken and would be terminated but he did not comply with the same.

- B. Incorrect.
- C. Incorrect.
- D. Incorrect. Several notices were issued to him but he remained absent. Detail reply is given in Para-A above.
- E. Pertains to record.
- F. That for rebuttal to the arguments of the appellant, the respondents may be allowed to raise additional grounds & material at the time of arguments.

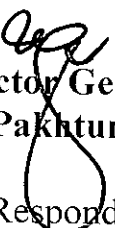
It is, therefore, requested that the instant appeal of the appellant being devoid of merit, baseless, frivolous, illegal and against the facts/record, be dismissed with heavy cost.


Deputy Commissioner,
Bannu


(Respondent No.1)


District Police Officer,
Bannu

(Respondent No.2)


Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

(Respondent No. 3)


Chief Secretary,
Khyber Pakhtunkhwa, Peshawar

(Respondent No.4)



OFFICE OF THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079

AUTHORITY LETTER

Muhammad Farooq Khan, DSP Legal, Bannu is hereby authorized to attend the Khyber Pakhtunkhwa Service Tribunal, Peshawar in Service Appeal No. 15292/2020 case titled "Zafran Ullah versus Deputy Commissioner, Bannu and others" and submit the Joint Para-wise reply also on behalf of respondent No.1 to the Hon'ble Tribunal.


Deputy Commissioner,
Bannu

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 15292/ 2020

Zafran Ullah s/o Nasheed Ullah r/o Ghani Khel Domel, District Bannu
..... (Appellant)

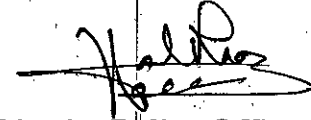
VERSUS

Deputy Commissioner Bannu etc (Respondents)

AUTHORITY LETTER.

Mr. Muhammad Farooq Khan, DSP Legal Bannu, is hereby authorized to appear before The Service Tribunal Khyber Pakhtunkhwa Peshawar on behalf of the undersigned in the above cited case.

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



**District Police Officer,
Bannu.
(Respondent No. 2)**



**Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.
(Respondent No. 3)**



**Chief Secretary,
Khyber Pakhtunkhwa Peshawar.
(Respondent No. 4)**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 15292/ 2020

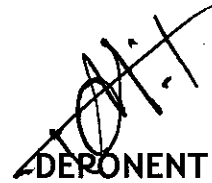
Zafran Ullah s/o Nasheed Ullah r/o Ghani Khel Domel, District
Bannu..... (Appellant)

VERSUS

Deputy Commissioner Bannu etc(Respondents)

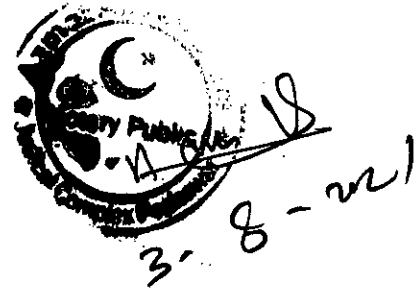
AFFIDAVIT

I, Muhammad Farooq Khan, DSP Legal representative for
Respondent Nos. 1, 2 & 3, do hereby solemnly affirm and declare that the
contents of the accompanying comments submitted by me are true and
correct to the best of my knowledge and belief and that nothing has been
concealed from this Honourable Tribunal.


DEPONENT

11101-1483421-1

ATTESTED:


3-8-2021

نوٹس

دسترسٹ پرائیویٹ لٹریچر ایجنسی

بنائے۔ عرفان اللہ ولدہ ناشر۔ سب سے پہلی بار نوٹس الف آریٹون

گمراہ آپ کو بذریعہ نوٹس سے مطلع کیا جاتا ہے۔ آپ کو ضرور 2014ء سے غیر حاضر چک کر رہے ہیں۔ اور آپ نے آئندہ جاز سے بھی

تعمیر کر چکی ہے۔ یا اجازت نہیں لی ہے۔

لکھنا آپ دیکھ سکتے ہیں۔ آپ کو دو سالوں کے اندر دفتر ہذا بدورتان دستری

اوقات میں حاضر ہو جائیں۔ بصورت دیگر ایک طرف بند کر دیں اور

فوری رجسٹریشن اور 2012ء - دفعہ 10 شروع کر دیں اور

آئیے آج ہی قانونی کارروائی عمل میں لائی جائے گی۔ جس میں آپ

کوڑی سے پر خالص ہے۔ جس سے پتہ چلتا ہے۔ اور لید میں ایک ایسی قسم

کا پتہ غلط ہے۔ اس لیے اس کو قبول نہیں ہو گا۔

نوٹس

کامیابی کے اظہار

چنانچہ ڈیپٹی کمشنر، ٹرانزٹ سوشل فورس آریٹون۔

نوٹس

M: 031-999-9664

64



OFFICE OF THE
DEPUTY COMMISSIONER / PA
FR BANNU

No. 505 /DC/Levy Clerk Dated Bannu the 16/03/2015

To:
The Section Officer, Narcotics
FATA Secretariat Peshawar

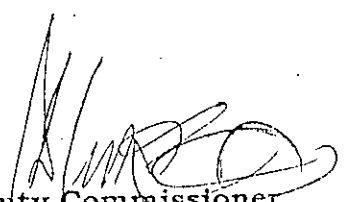
Subject: APPEAL AGAINST THE IMPUGEND ORDER 10/12/2014 PASSED BY
DEPUTY COMMISSIONER/COMMANDENT LEVY FORCE FR BANNU
WHEREBY THE SERVICE OF THE APPELLANTS HAVE BEEN TERMINATED

Memo:
Please refer to your fax letter No.CS (F)N/4-Levy/Appeal/504-04 dated
23/02/2015, on the subject cited above.

The Para wise comments of the subject cited case are as under;

- 1- Para-1 is Correct to the extent that they were serving in levy force. However they always remained absent from duty and did not take interest in the performance of duty.
- 2- Para-2 is in Correct. The political Tehsildar did not allow them. The Political Tehsildar has no personal grudges with applicants rather he was trying to maintain discipline in the force.
- 3- Para-3- is in Correct. The inquiry was conducted in a transparent manner.
- 4- Para-4. Incorrect.
- 5- Para-5. Incorrect.
- 6- Para-6 No comments.

Submitted please


Deputy Commissioner
PA FR Bannu

(101)

BEFORE THE SECRETARY (LAW & ORDER)/APPI
FEDERAL LEVY FORCE, FATA SECRETARIAT

THORITY
AR

Appeal for reinstatement into service.

Imran Khan, Imtiaz Khan, Ex-Lance Naiks, (FR) Bannu

...appellant---

Vs

1. Deputy Commissioner/ Commandant Levy Force (FR) Bannu
2. Political Tehsildar (FR) Bannu

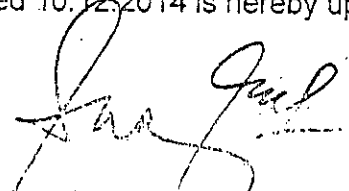
...respondents

ORDER No.CSF/N/4-Levy/Appeal/2882-83. Appellants as well as representative of Commandant (FR) Bannu present and heard in person. Brief facts of the case are that the appellants were terminated from service due to their willful absence and refusal to perform duties on 08.12.2014. The appellants in their appeal stated that they were not absent but due to the personal grudges of Political Tehsildar (FR) Bannu their services were terminated.

Perusal of the record reveals that the Political Administration of (FR) Bannu had served proper notices upon the appellants for resuming their duty. Due to their absence they were suspended w.e.f 03.11.2014. Later on notices were served upon the appellants to join duty. On 01.12.2014, undertaking was obtained from the appellants that they will perform their duty regularly in case of failure any action taken against them by the administration will be acceptable to them. Despite their written affidavit the appellants failed to report to duty at Bakka Khel Camp. An enquiry into the matter was ordered and on the recommendations of enquiry officer, the appellants were terminated from service. Appellants were enquired as to why they failed to join duty despite of their written undertaking to be punctual in future. The appellants put forth illness as reason for not joining duty. However, they failed to produce any documentary evidence in support of their stance.

In light of the record produced by rep of Commandant (FR) Bannu Levy Force and statements/ arguments of appellants, it transpired that despite of sufficient opportunities provided, the appellants did not join duties and remained absent which proved that they are unwilling to perform duty as per Rules. Hence, order of the Commandant (FR) Bannu Levy Force bearing No.266-72/DC/APA/Levy Clerk dated 10.12.2014 is hereby upheld.

Announced
20.11.2018


Secretary (Law & Order)
Appellate Authority



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 2509 /ST

Dated: 16/12 /2021

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

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


To

The Deputy Commissioner/Commandant, Levy Force,
Government of Khyber Pakhtunkhwa,
FR Bannu.

Subject: JUDGMENT IN APPEAL NO. 1292/2020, MR. ZAFRAN ULLAH.

I am directed to forward herewith a certified copy of Judgement dated 01.12.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

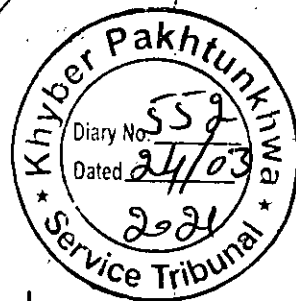
Before the chairman services Tribunal

Zafranullah

vs

IGP KPK and others

Time for requisite deposit extended for further 03 days.



Signature dated 24/3/21

Application for Extension of time to deposit cost of notices to respondents.

Respectfully sheweth:-

① That the above mentioned service appeal is pending before this honorable court in which next date of hearing is

6 4/21

② That the ^{clerk} of counsel of the ~~appellant~~ appellant was changed and the counsel was under an assumption that the cost of notices has already been deposited.

It is, therefore, requested that the counsel may kindly be allowed to deposit the cost of notices to respondents.

Put up to the court with relevant appeal.

Reads

Signature of counsel dated 24/3/2021

Imran Advocate

dated 24 3/21