

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT D.I.KHAN.

Service Appeal No. 2036/2020

Date of Institution ... 18.03.2020

Date of Decision ... 25.11.2021

Muntazir Haadi S/O Shaukhat Ali Khan, R/O Hazara Pakka P.O
Malana D.I.Khan. (Constable No. 8230 FRP D.I.Khan).

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Home
Khyber Pakhtunkhwa Peshawar and three others.

... (Respondents)

MR. GHULAM HURR KHAN BALOUCH,
Advocate

--- For appellant.

MR. NOOR ZAMAN KHATTAK,
District Attorney

--- For respondents.

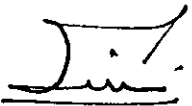
MR. AHMAD SULTAN TAREEN
MR. SALAH-UD-DIN

--- CHAIRMAN
--- MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precise facts forming the background of the instant service appeal are that departmental action was taken against the appellant on the ground of his absence from duty and on conclusion of the inquiry, the appellant was dismissed from service vide order dated 03.12.2018. The departmental appeal of the appellant was also dismissed vide order dated 20.06.2019. The same was challenged by the appellant through filing of mercy petition before the Inspector General of Police Khyber Pakhtunkhwa Peshawar, which was treated



as revision petition and was filed vide order dated 06.03.2020, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the contentions raised by the appellant in his appeal.

3. Learned counsel for the appellant has contended that the absence of the appellant was not willful, rather it was due to severe illness of wife of the appellant; that the inquiry officer had recommended that the period of absence of the appellant may be treated as leave without pay and he may be censured but the competent Authority has wrongly and illegally awarded major penalty to the appellant by removing him from service; that neither final show-cause notice was issued to the appellant nor was he provided copy of the inquiry report and the appellant was thus deprived of his right to properly defend himself; that as per the show-cause notice as well as charge sheet issued to the appellant, the period of absence of the appellant has been mentioned with effect from 13.08.2018, while in the impugned order, the alleged absence of the appellant from 03.06.2018 till 20.06.2018 has also been counted for awarding penalty to the appellant, therefore, the impugned orders are liable to be set-aside on this score alone; that neither final show-cause notice was issued to the appellant nor he was provided copy of the inquiry report, therefore, the appellant was unable to properly defend himself. In the last he requested that the impugned orders being wrong and illegal may be set-aside and the appellant may be reinstated in service with all back benefits.

4. On the other hand, learned District Attorney for the respondents has contended that the appellant remained absent from duty without any leave or prior permission of the competent Authority, therefore, disciplinary action was taken against him; that a regular inquiry was conducted into the matter by providing opportunity of self defense as well as personal hearing to the appellant; that all legal and codal

formalities were complied with in the inquiry proceedings and the appellant was found guilty of the charge leveled against him; that the appellant was in habit of habitual absence and previously too, he had remained absent on various occasions. In the last he requested that the impugned orders may be kept intact and the appeal in hand may be dismissed with costs.

5. Arguments heard and record perused.

6. A perusal of the record would show that the appellant was proceeded against on the allegations of his absence from duty. Show-cause notice as well as charge sheet issued to the appellant would show that his absence has been mentioned therein with effect from 13.08.2018, however it is astonishing that as per the impugned order dated 03.12.2018, the alleged absence of the appellant with effect from 03.06.2018 till 20.06.2018 has also been counted for awarding penalty to the appellant despite the fact that the said period was neither mentioned in the show-cause notice nor in the charge sheet issued to the appellant. On this score alone, the impugned orders are not sustainable in the eye of law. Moreover, neither final show-cause notice was issued to the appellant nor was he provided copy of the inquiry report so as to enable him to properly defend himself.

7. In his departmental appeal, the appellant has taken specific plea that it was due to severe illness of his wife that he remained absent from duty. In order to reach a just and right conclusion of the issue in controversy, it is necessary to ascertain as to whether the plea of the appellant regarding illness of his wife was genuine or otherwise. Keeping in view the facts and circumstances of the case, conducting of de-novo inquiry in the matter is necessary.

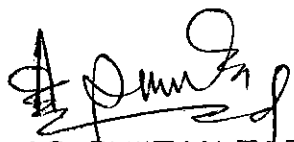
8. In view of the above discussion, the appeal in hand is allowed by setting-aside the impugned orders and the appellant is reinstated for the purpose of de-novo inquiry with directions to the competent Authority to conduct



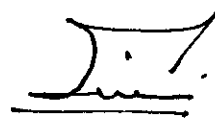
de-novo inquiry in accordance with relevant rules within a period of 90 days of receipt of copy of this judgment. Needless to mention that the inquiry officer shall verify the genuineness or otherwise of the defense plea of the appellant regarding illness of his wife. Appellant shall be associated with the inquiry proceedings by giving him fair opportunity of defending himself. The back benefits shall be subject to outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

25.11.2021



(AHMAD SULTAN TAREEN)
CHAIRMAN
CAMP COURT D.I.KHAN



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN


25.11.2021

Appellant alongwith his counsel Mr. Ghulam Hurr Khan Balouch; Advocate, present. Mr. Muhammad Hafeez, Clerk alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present. Arguments heard and record perused.

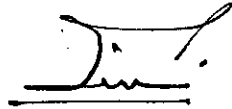
Vide our detailed judgment of today, separately placed on file, the appeal in hand is allowed by setting-aside the impugned orders and the appellant is reinstated for the purpose of de-novo inquiry with directions to the competent Authority to conduct de-novo inquiry in accordance with relevant rules within a period of 90 days of receipt of copy of this judgment. Needless to mention that the inquiry officer shall verify the genuineness or otherwise of the defense plea of the appellant regarding illness of his wife. Appellant shall be associated with the inquiry proceedings by giving him fair opportunity of defending himself. The back benefits shall be subject to outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

25.11.2021



(Ahmad Sultan Tareeh)
Chairman
Camp Court D.I.Khan



(Salah-Ud-Din)
Member (J)
Camp Court D.I.Khan

Due to COVID, 19 therefore to come
up for the same on 21/10/21

Om
Reader

01.10.2021

Nemo for the appellant. Mr. Muhammad Zubair H.C alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

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

Previous date was changed on Reader Note, therefore, notice be issued to appellant as well as his counsel and to come up for rejoinder, if any and arguments before the D.B on 25.11.2021 at Camp Court D.I. Khan.




(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COUR D.I KHAN

23.11.2020

Appellant in person and Mr. Muhammad Jan, learned DDA alongwith Muhammad Saleem, Head, Constable for respondents present.

Written reply/comments on behalf of respondents was not submitted. Representative of respondents seeks time to submit written reply/comments. Granted. To come up for written reply/comments on 23.12.2020 before S.B at Camp Court, D.I.Khan.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, D.I.Khan

23.12.2020

Due to Covid-19, case is
adjourned to 23.02.2021 for
the same as before

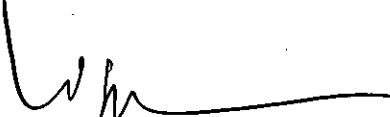

Resder.

23.02.2021

Appellant in person present.

Riaz Khan Paidakhel learned Assistant AG alongwith Muhammad Zubair H.C for respondents present.



Reply/comments on behalf of respondents not submitted. Representative of respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 24.05.2021 before S.B at Camp Court, D.I Khan.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I Khan

Form- A

FORM OF ORDER SHEET

Court of _____
Case No.- 2036 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/03/2020	<p>The appeal of Mr. Muntazir Haddi presented today by Mr. Ghulam Hurr Khan Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: center;">REGISTRAR</p>
2-	14.9.20	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>24.9.2020</u></p> <p style="text-align: center;"> MEMBER</p>
	24.09.2020	<p>Counsel for appellant present. 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 23.11.2020 before S.B at Camp Court, D.I.Khan.</p> <p style="text-align: center;"> (Rozina Rehman) Member (J) Camp Court, D.I.Khan</p>

Appel Deposited
Security Process Fee
30/9/20

BEFORE HON'BLE PROVINCIAL SERVICE TRIBUNEL KPK PESHAWAR

2036/20

Muntazir Haadi

Versus

Govt of KPK

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Appellant,


Muntazir Haadi
Through Counsel

Dated: 14.03.2020


Ghulam Hurr Khan Balouch
Advocate Supreme Court of Pakistan

①

BEFORE HON'BLE PROVINCIAL SERVICE TRIBUNEL, KPK, PESHAWAR

2036/20

Khyber Pakhtukhwa
Service Tribunal

Diary No. 2214

Dated 18/3/2020

Muntazir Haadi

S/O Shaukhat Ali Khan

R/O Hazara Pakka P.O Malana D.I.Khan.

(Constable No. 8230 FRP D.I.Khan)

Appellant

V E R S U S

1. **Government of K.P.K through Secretary Home KPK Peshawar.**
2. **Inspector General of Police, KPK Peshawar.**
3. **Commandant, FRP, KPK Peshawar.**
4. **Superintendent of Police, FRP D.I.Khan Range, D.I.Khan.**

Respondents

Through

Proper Channel

APPEAL AGAINST THE IMPUGNED ORDER NO. 5130-31/EC, DATED: 20.06.2019 PASSED BY RESPONDENT NO. 03 VIDE WHICH THE REPRESENTATION OF THE APPELLANT HAS BEEN TURNED DOWN REFERRED AGAINST THE ORDER NO. 859/FRP DATED: 03.12.2018 OF RESPONDENT NO. 4.

Respectfully Sheweth: -

1. That the Appellant was appointed vide office order dated: 08.01.2011 and thereafter has served as Constable FRP, D.I.Khan with a zeal and zest efficiently and the Appellant has not left any stone unturned during his entire service tenure.
2. That the Respondent No. 04 on the basis of alleged ex-parte show-cause notice, alleged ex-parte statement of allegations, ex-parte enquiry, ex-parte charge sheet, passed an Ex-parte impugned order No. 859/FRP dated: 03.12.2018 vide which the Appellant has been awarded major punishment of Removal from service from the date of his absence (115 days) and treated the same as without pay. Photocopy of impugned order is enclosed as **Annexure "A"**.

Filed to-day

Registrar

3. That the impugned ex-parte order received by the Appellant on 18.03.2019 and the feeling aggrieved from the impugned ex-parte order for removal from service, the Appellant moved a departmental representation, to the Respondent No. 03 through proper channel on 21.03.2019. Thereafter the Respondent No. 03 vide his impugned order NO. 5130-31 dated: 20.06.2019 rejected the departmental representation of the Appellant. Copy of departmental representation, order dated: 20.06.2019 is enclosed as **Annexure "B, C"**.
4. That thereafter the Appellant preferred a review petition to the Respondent No. 02, who without hearing the Appellant dismissed the petition of the Appellant vide his order No. S/1316/20 dated: 06.03.2020. Copy of petition and order dated: 06.03.2020 are enclosed as **Annexure "D, E"**.

That feeling aggrieved from the order of Respondents No. 2, 3, 4, the Appellant respectfully approaches this Hon'ble Tribunal, for setting aside the impugned orders of Respondents and for his reinstatement into the service, interalia on the following grounds amongst others.

G R O U N D S: -

1. That the impugned orders passed by Respondents are illegal, unlawful and without jurisdiction. Hence liable to be set aside.
2. The said order received by the Appellant on during the service span when the Appellant was serving in Police Station Hangu, his wife become severely ill and there was no one to look after at home. In this regard, the Appellant moved an application to the Incharge platoon for information but inspite of it, the Appellant has been marked absent from duty from 03.06.2018 to 20.06.2018 for the reason of malafide and ulterior motives of Incharge Platoon. Copy of leave application is enclosed as **Annexure "F"**.
3. That thereafter the Appellant was serving his duties in Headquarter Peshawar, and during those days, his mother was bed ridden and due to her illness, she was died on 03.09.2018. Due to such sudden shock and to perform her funeral ceremony etc, he in emergency went back to native town and just informed about the sad demise of his mother to his superiors orally. That during the entire period, the father of the Appellant also become severely ill and due to his illness, he also died. But he was again marked absent from duties for certain period of 18.08.2018 to 19.11.2018. Copies of medical prescriptions and Death Certificates are enclosed as **Annexure G, G/**.

4. That the Appellant belong to poor family and is sole caretaker of his family. He has no other lively hood of the Appellant, hence the instant appeal is one to be accepted in the interest of justice and equity.
5. That the impugned ex-parte order of removal from service of the appellant is totally illegal, unlawful and against the settled principals of Natural justice and equity and against the policy of Provincial Government. The Respondents No. 02, 03, 04 have bypassed the policy and issued unlawful orders which are liable to be set aside and the Appellant is to be reinstated on his job in the interest of justice and equity.
6. That the Appellant has been treated in discriminatory manner and the Respondents have malafidly passed the impugned orders.
7. That the entire alleged proceedings has been shown to be conducted at the back of the Appellant and no show cause notice or statement of allegations have been furnished nor the copies of enquiry report have been provided to the Appellant and all the alleged proceedings have been shown on documents without association of the Appellant. Hence on this score too the impugned removal order is liable to be set aside.
8. That the Counsel for the Appellant may kindly be allowed to take any other plea at the time of arguments.

In wake of submissions made above it is respectfully prayed that by accepting this Appeal, all the impugned orders passed by Respondents No. 02 to 04 may kindly be set aside and the Appellant may kindly be reinstated on his job as Constable along with all back benefits in the interest of justice and equity. Moreover the Hon'ble Tribunal may kindly grant any other relief if deem fit.

Appellant,


Muntazir Haadi
Through Counsel

Dated: 14.03.2020


Ghulam Hurr Khan Balouch
Advocate Supreme Court of Pakistan

5

BEFORE HON'BLE PROVINCIAL SERVICE TRIBUNEL KPK PESHAWAR

Muntazir Haadi

Versus

Govt of KPK

AFFIDAVIT

I, **Muntazir Haadi**, Appellant, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to my best knowledge and belief and nothing has been concealed from this Hon'ble Court.

12101-5442405-1
Deponent

Dated: 14.03.2020
Identified by

Signature

Ghulam Hurr Khan Balouch
Advocate Supreme Court of Pakistan

A
6

E-R

My this order will dispose off departmental enquiry conducted against Constable Muntazir Hadi No.8230/FRP under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 (Amended in 2014).

According to daily diary report No.49 dated 03.06.2018 of Model Police Station District Hangu, he remained absent from law full duties with effect from 03.06.2018. He reported back his arrival on 20.06.2018 vide daily diary report No.25 dated 20.06.2018 of Model Police Station District Hangu, total (17) days. According to daily diary report No.34 dated 13.08.2018 of FRP HQrs. Peshawar, he remained absented himself from Refresher Course with effect from 13.08.2018 to 19.11.2018 total (98) days, total absence period comes (115) days without any leave or permission from the competent authority. To this effect he was served with show cause notices. He was required to submit the reply of said show cause notices within stipulated period of 07 days but he failed to do so. He was issued charge sheet along with summary of allegation. Zahoor Ud Din DSP/FRP DIKhan Range was nominated as enquiry officer to unearth the actual facts. After completion of all codal formalities the enquiry officer submitted his findings report along with other relevant papers wherein the defaulter constable was found guilty of the charges leveled against him and his absence period may treated as without pay and "CENSURE". He was called in orderly room and heard in person but he failed to convince the undersigned about his innocence. From perusal of his service record it revealed that he was enlisted as Constable on 08.01.2011, during his service he remained absent from law full duties for (474) days, awarded minor punishment of confinement to quarter guard for 03 days with Rs 500/- and stoppage of 04 annual increments with cumulative effect, also removed from service and reinstated in service by the competent authority previously.

On his previous absence he produced a written statement on affidavit wherein he stated that if he remained absent from duty in future then he will not be objection of any punishment awarded by competent authority.

Keeping in view the facts stated above, I, MR. AMAN ULLAH KHAN, Superintendent of Police FRP D.I.Khan Range, D.I.Khan, in exercise of powers vested in me under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 amended-2014 hereby award Constable Muntazir Hadi No.8230/FRP major-punishment of Removal from service from the date of his absence. His absence period i.e 03.06.2018 to 19.11.2018 total (115) days is treated as without pay.

ORDER ANNOUNCED.

Dated _____/2018.
CB No. 859/FRP
Date of 3/12/2018

(AMAN ULLAH KHAN)
Superintendent of Police,
FRP, DIKhan Range DIKhan.

Attested

Copy for

Pay Officer

بخدمت جناب عزت مآب کمانڈنٹ صاحب، FRP خیبر پختونخوا

درخواست بصورت رحم کی اپیل کہ من سائل کو بطور پولیس کانسٹیبل سروس پر بحالی فرمایا جاوے

عنوان:

جناب عالی!

- سائل حسب ذیل عرض رساں ہے۔
6. یہ کہ من سائل مورخہ 08.01.2011 سے جناب کے زیر انتظام فرنٹیئر ریزرو پولیس خیبر پختونخواہ میں بطور پولیس کانسٹیبل تعینات ہوا اور اپنے فرائض انتہائی دیانتداری اور محنت سے سرانجام دیتا رہا کبھی انصران بالا کو شکایت کا موقع نہ دیا۔
7. یہ کہ من سائل مورخہ 03.06.2018 تا 20.06.2018 تک جب کہ سائل کی ڈیوٹی ماڈل پولیس سٹیشن ہنگو پر رہی متعلقہ محرر کو زبانی طور پر آگاہ کر کے بوجہ بیماری سنگین زوجہ جس کا گھر میں علاج معالجہ کے لیے دیگر فرد نہ تھا مجبوراً چھٹی پر رہا لیکن بعد میں پتہ چلا کہ سائل کی تحریری درخواست وغیرہ نہ ہونے کی وجہ سے غیر حاضر کیا گیا۔ اسی طرح مورخہ 13.08.2018 سے 19.11.2018 کو بھی سائل FRP ہیڈ کوارٹر پشاور سے بوجہ علالت زدجہ کے ڈیوٹی پر حاضر نہ ہو سکا اور نہ ہی ذہنی پریشانی اور جلدی کی وجہ سے کہ مرینس کی حالت خراب ہونے کی اطلاع تھی انصران بالا سے تحریری طور پر چھٹی منظور کر اسکا۔
8. یہ کہ من سائل نے محکمہ طور پر ملنے والے شوکاژ نوٹس کا بھی تحریر جواب دیا، انکو آری انسر DSP FRP جناب ایڈور الہ الدین صاحب کو بھی۔ حاملہ سے آگاہ کیا لیکن سائل کے معاملات کو مد نظر نہ رکھتے ہوئے جناب SP صاحب FRP نے مورخہ 31.12.2018 بذریعہ آرڈر نمبر FRP-859-OB سائل کو ملازمت سے dismissed کر دیا ہے حالانکہ یہ غیر جانبداری دانستہ تھی بلکہ بوجہ شدید مجبوری تھی۔
9. یہ کہ سائل ایک فریب شادی شدہ عیال دار شخص ہے، وہ کہ پولیس سروس سے علاوہ روزگار کا کوئی وسیلہ نہیں ہے اور بیوی کے علاج معالجہ کے اخراجات دگرگیلو ضروریات کی وجہ سے شدید مالی مشکلات کا شکار ہو گیا ہے۔
10. یہ کہ جناب کو اس سلسلہ میں وسیع تر اختیارات حاصل ہیں۔
- گزارش ہے کہ بمنظوری درخواست ہذا من سائل کو دوبارہ بحال کر کے فریب پروری کریں۔ سائل ساری عمر دعا گو رہے گا۔ (نقل حکم SP صاحب مذکورہ لفظ ہے)

العبد

مورخہ 21.03.2019

مظہر ہادی (Dismissed) پولیس کانسٹیبل نمبر 8230/FRP

پلاٹون نمبر 171 FRP، ڈیرہ اسماعیل خان

قومی شناختی کارڈ نمبر 1-5442405-12101

موبائل نمبر 0346-7848583

Attested
مظہر ہادی

بخدمت جناب عزت مآب ڈپٹی کمانڈنٹ صاحب، FRP خیبر پختونخواہ

عنوان: درخواست بہ صورت رحم کی اپیل کہ من سائل کو بطور پولیس کانسٹیبل سروس پر بحالی فرمایا جاوے

جناب عالی!

سائل حسب ذیل عرض رساں ہے۔

1. یہ کہ من سائل مورخہ 08.01.2011 سے جناب کے زیر انتظام فرنٹیئر ریزرو پولیس خیبر پختونخواہ میں بطور پولیس کانسٹیبل تعینات ہوا اور اپنے فرائض انتہائی دیانتداری اور محنت سے سرانجام دیتا رہا کبھی انفران بالا کو شکایت کا موقع نہ دیا۔
2. یہ کہ من سائل مورخہ 03.06.2018 تا 20.06.2018 تک جب کہ سائل کی ڈیوٹی ماڈل پولیس سٹیشن، سنگو پر رہی متعلقہ محرر کو زبانی طور پر آگاہ کر کے بوجہ بیماری سنگین زوجہ جس کا گھڑ میں علاج معالجہ کے لیے دیگر فرد نہ تھا مجبوراً چھٹی پر رہا لیکن بعد میں پتہ چلا کہ سائل کی تحریری درخواست وغیرہ نہ ہونے کی وجہ سے غیر حاضر کیا گیا۔ اسی طرح مورخہ 13.08.2018 سے 19.11.2018 کو بھی سائل FRP ہیڈ کوارٹر پشاور سے بوجہ علالت زوجہ کے ڈیوٹی پر حاضر نہ ہو سکا اور نہ ہی ذہنی پریشانی اور جلدی کی وجہ سے کہ مریض کی حالت خراب ہونے کی اطلاع تھی انفران بالا سے تحریری طور پر چھٹی منظور کر اسکا۔
3. یہ کہ من سائل نے حکمانہ طور پر ملنے والے شو کاز نوٹس کا بھی تحریر جواب دیا، انکو آری انفر DSP صاحب ظہور، این صاحب کو بھی معاملہ سے آگاہ کیا لیکن سائل کے معاملات کو مد نظر نہ رکھتے ہوئے جناب SP صاحب FRP نے مورخہ 31.12.2018 بذریعہ آرڈر نمبر FRP-859-OB سائل کو ملازمت سے dismissed کر دیا ہے حالانکہ یہ غیر حاضری دانستہ نہ تھی بلکہ بوجہ شدید مجبوری تھی۔
4. یہ کہ سائل ایک غریب شادی شدہ عیال دار شخص ہے جو کہ پولیس سروس کے علاوہ روزگار کا کوئی وسیلہ بھی نہ ہے اور بیوی کے علاج معالجہ کے اخراجات و گھریلو ضروریات کی وجہ سے شدید مالی مشکلات کا شکار ہو گیا ہے۔
5. یہ کہ جناب کو اس سلسلہ میں وسیع تر اختیارات حاصل ہیں۔
گزارش ہے کہ بمنظوری درخواست ہذا من سائل کو دوبارہ بحال کر کے غریب پروری کریں۔ سائل ساری عمر دعا گو رہے گا۔ (نقل حکم SP صاحب مذکورہ لف ہے)

العبد

مورخہ 21.03.2019

منتظر ہادی (Dismissed) پولیس کانسٹیبل نمبر 8230/FRP

پلاٹون نمبر 171 FRP، ڈیرہ اسماعیل خان

قومی شناختی کارڈ نمبر 1-5442405-12101

موبائل نمبر 0346-7848583

Attested
منتظر ہادی

ORDER

This order will dispose of the departmental appeal preferred by ex-constable Muntazir Hadi No. 8230 of FRP DI Khan Range, against the order of SP FRP DI Khan Range, DIK issued vide OB No. 859, dated 31.12.2018, wherein he was awarded major punishment of removal from service. The applicant was proceeded against on the allegations that he remained absent from lawful duties with effect from 03.06.2018 to 20.06.2018, for a period of (17) days, similarly he again absented himself from refresher Course at FRP HQs; Peshawar with effect from 13.08.2018 to 19.11.2018 for a period of (98) days, thus his total absence period comes (115) days without any leave or permission from the competent authority.

In this regard he was served with Show Cause Notice. He was required to submit the reply of said Show Cause Notice within stipulated period of 07 days, but he failed to do so. He was issued Charge Sheet alongwith Summary of Allegations and Zahoor Ud Din DSP FRP DI Khan Range was nominated as Enquiry Officer to unearth the actual facts. After completion of all codal formalities the Enquiry Officer submitted his findings alongwith other relevant papers wherein the defaulter constable was found guilty of the charges leveled against him and recommended that his absence period may be treated as leave without pay and censure. He was heard in person but he failed to convince the competent authority regarding to his innocence.

From perusal of his service record it revealed that during his past service he remained absent from lawful duties for 474 days, to which he was awarded minor punishment of confinement to quarter guard for 03 days, fine Rs. 500/- and stoppage of 04 annual increments with cumulative effect, and also removed from service to which later on reinstated in service vide order Endst; No. 5942/EC, dated 13.07.2015.

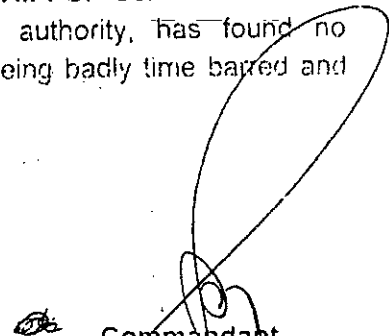
In the light of the above narrated facts and other material available on record, he was awarded major punishment of removal from service vide office OB No. 859, dated 31.12.2018.

Feeling aggrieved against the impugned order of SP FRP DI Khan Range DI Khan the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 19.06.2019.

During the course of personal hearing, the applicant failed to present any justification regarding to his prolong absence. The law helps the diligent and not indolent. Thus the applicant has been found to be an irresponsible person in utter disregard the discipline of the force. Besides, he cannot become a good Police Officer, his retention in service would further embolden the accused officer and impinge upon the adversely on the over all discipline and conduct of the force. There doesn't seem any infirmity in the order passed by the competent authority, therefore no ground exist to interfere in same.

Based on the findings narrated above, I, Sajid Ali PSP Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected being badly time barred and meritless.

Order Announced.


Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar.

No. 5230-31 /EC, dated Peshawar the 20/06/2019.

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

1. SP FRP DI Khan Range, DI Khan. His service record alongwith D-file sent herewith
2. Ex-constable Muntazir Hadi No. 8230 S/O Shaukat Ali Khan, Police Station Parava, Village Hazar Pakka, P.O Malana, District DI Khan.

Attested Copy for Sajid Ali
CSA/Kin

بخدمت جناب انسپکٹر جنرل آف پولیس خیبر پختونخواہ پشاور

Mercy Petition

درخواست بمراد منسوخ فرمائے جانے حکم OB-859-FRP مورخہ 31/12/2018 مصدرہ
ازاں SP FRP ڈیرہ اسماعیل خان و حکم لیٹر نمبر 5130-31/EC مورخہ 20/06/2019
مصدرہ ازاں کمانڈنٹ FRP خیبر پختونخواہ و بحال فرمائے جانے ملازمت من سائل بطور کانشیل۔

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من سائل ڈیرہ اسماعیل خان کارہائشی و سکوتی ہے ایک شریف اور قانون کا پاسدار شہری ہے۔ من سائل مورخہ 08/01/2011 میں فرنیئر ریزو پولیس خیبر پختونخواہ میں بطور کانشیل FRP نمبر 8230 بھرتی ہوا تھا اور سائل جانفشانی اور ایماندار کے ساتھ اپنے فرائض منصبی سرانجام دیتا رہا۔

۲۔ یہ کہ سائل ماڈل پولیس سٹیشن ہنگو میں اپنی ڈیوٹی سرانجام دے رہا تھا کہ اس دوران سائل کی زوجہ شدید بیمار تھی جس کی دیکھ بھال و علاج معالجہ کیلئے گھر پر کوئی دیگر شخص موجود نہ تھا بدیں وجہ من سائل مورخہ 20/06/2018 تا 03/06/2018 تک ڈیوٹی سرانجام دینے سے قاصر رہا اور اس نسبت سائل نے محرر ماڈل پولیس سٹیشن ہنگو کو باضابطہ طور پر آگاہ بھی کیا تھا۔ لیکن بعد میں پتہ چلا کہ سائل کو غیر حاضر کیا گیا ہے۔

۳۔ یہ کہ سائل FRP ہیڈ کوارٹر پشاور میں اپنی ڈیوٹی سرانجام دے رہا تھا کہ اس دوران سائل کی والدہ انتہائی بیمار رہنے کے بعد مورخہ 03/09/2018 کو وفات پا گئیں جس کی وجہ سے سائل مورخہ 18/08/2018 تا 19/11/2018 اپنی ڈیوٹی سے غیر حاضر رہا اور اس غیر حاضری کی نسبت بھی افسران بالا کو باضابطہ طور پر اطلاع دی گئی لیکن سائل کو اس دوران بھی غیر حاضر ظاہر کیا گیا۔ نقل اموات سرٹیفکیٹ لف ہے۔

۴۔ یہ کہ سائل نے اپنی غیر حاضری کی نسبت افسران کو نہ صرف آگاہ کیا تھا بلکہ اپنی صفائی بھی پیش کی اس کے باوجود بھی سائل کو SP-FRP ڈیرہ اسماعیل خان نے بروئے حکم OB-859-FRP مورخہ 31/12/2018 کو ملازمت سے Dismiss کر دیا۔ نقل حکم لف ہے۔

۵۔ یہ کہ من سائل نے حکم مورخہ 31/12/2018 کے خلاف جناب کمانڈنٹ FRP خیبر پختونخواہ پشاور میں حکمانہ اپیل دائر کی جو کہ کمانڈنٹ صاحب نے من سائل کی اپیل بروئے حکم نمبر 5130/31/EC مورخہ 20/06/2019 خارج فرمائی۔ نقل حکم مورخہ 20/06/2019 لف ہے۔

Attested
منتظم کی

۶۔ یہ کہ اس تمام عرصہ کے دوران مسائل کا والد بھی شدید بیمار رہا اور مسائل اپنے والد کے علاج معالجہ میں مصروف رہا۔ مسائل کا والد طویل علالت و علاج معالجہ کے بعد مورخہ 26/07/2019 کو وفات پا چکا ہے۔ نقل اموات شوقلیٹ لف ہے۔

۷۔ یہ کہ مسائل غریب خاندان سے تعلق رکھتا ہے اور خاندان کی کفالت بھی مسائل کے کندھوں پر ہے اور مسائل کے پاس روزگار کا کوئی دیگر ذریعہ بھی نہ ہے۔ مسائل کے چھوٹے چھوٹے بچے ہیں۔ بدیں وجہ ہر دو حکم ہائے متدعو یہ کو منسوخ فرماتے ہوئے مسائل کو بطور کانشیل بحال فرمایا جانا عین قرین انصاف ہے۔

لہذا استدعا ہے کہ بمظہوری درخواست ہذا حکم OB-859-FRP مورخہ 31/12/2018 مصدرہ ازاں SP FRP ڈیرہ اسماعیل خان و حکم لیٹر نمبر 5130-31/EC مورخہ 20/06/2019 مصدرہ ازاں کمانڈنٹ FRP خیبر پختونخواہ کو منسوخ فرمایا جائے اور مسائل کو از مورخہ تعیناتی بطور کانشیل ملازمت پر بحال فرمایا جا کر مسائل کی دادرسی فرمائی جائے مسائل معہ اہلخانہ آپ جناب کیلئے تازیت دعا گور ہیں گے۔

مورخہ 2019 / 1 /

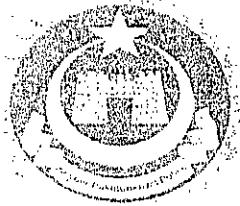
منتظر ہادی۔۔ سابقہ پولیس کانشیل نمبر FRP-8230 پلاٹون نمبر FRP 171 ڈیرہ اسماعیل خان

موبائل نمبر 0346-7848583

منتظر ہادی

Attested
منتظر ہادی

E/13



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

No. S/ 1316 /20, dated Peshawar the 06/03/2020.

To : The Commandant,
Frontier Reserve Police,
Khyber Pakhtunkhwa.

Subject: REVIEW PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-Constable Muntazir Hadi No.8230 of FRP Di Khan against the dismissal from service awarded by SP FRP Dera Ismail Khan vide OB No.859, dated 31.12.2018, being badly time barred.

The applicant may please be informed accordingly.

(SYED ANIS-UL-HASSAN)

Registrar,

For Inspector General of Police,

Khyber Pakhtunkhwa,

Peshawar.

o/c

/

05/03/2020

Attested

سیکٹر

F
14

محمد حسن خان صاحب PTCL منگلو

صناد عالی

لڈاریشن ہے کہ سائل کی بیوی اپنی صحت بہت کمزور ہے

جسکے علاج کے لیے گھر میں کئی دوسرا فرد بھی ہے

مہنگے مکانی ضرورتیں سائل کو ہجرت کی مجموعی دی جاوے

تاکہ سائل بیوی کا علاج کرا سکے

عسین نواز شیش بھنگی

تاریخ 01-06-2018

العارض

منظر کارڈ نمبر 8230

سائل کا مندرجہ ذیل

پتھن 171

Attested

FRP D.I-Khan

منظر کارڈ

6/15

D.H.Q TEACHING HOSPITAL DUKHAN
Out Door Patients Department

Date 3/6/2015 Yearly No

Name

Disease

Handwritten medical notes in Arabic script, including phrases like "Ad. bed rest for 3 weeks" and "Sup. Services".

Attested

Signature

6/16

D.H.O TEACHING HOSPITAL DHOTI
OUTDOOR PATIENT'S DEPARTMENT

Date 13/08/2018

Yearly No 2748

Name: *[Handwritten Name]*

Disease: *[Handwritten Disease]* Rs 20/-

[Handwritten notes and prescriptions]

MI

Admit

Penicillin

1 - 1

Rs 20/-

Syp. Co-trimoxazole

SL 400

Ad. bed rest for *[Handwritten]* MEDICAL OFFICER
D.H.O TH. DHOTI, D.T. KHAR

Attested
[Signature]

67/17

D.H.Q. TEACHING HOSPITAL D.I. KHAN

Out Door Patients Department

Date: 10/09/20/8

Yearly No: 33672

Name: *[Handwritten Name]*

Disease: *[Handwritten Disease]* Rs 20/-

[Handwritten notes and prescriptions]
 sp. Curcuma...
 MS...
 HAs
 Her...
 MS...
 MS...
 MS...
 MS...
 MS...
 MS...
 MS...
 MS...

[Handwritten notes]
 Ad. bed Rest Imath...
 MEDICAL DEELGER
 MTI DHOTH, D.I. KHAN

Attested
[Signature]

9/18

OHIO TEACHING HOSPITAL DIXIAN
OUTPATIENT DEPARTMENT

Date 8/10/2018 Year No 25916

Name [Handwritten Name]

Disease [Handwritten Disease] Rx 201

[Handwritten Notes]

[Handwritten Notes]

[Handwritten Notes]

[Handwritten Notes]

[Handwritten Notes]

MEDICAL DEPARTMENT
ANTI-DIOTH. D. 25916

Attended

[Handwritten Signature]

Attended
with

Dr. B. S. Rao, M.D. (M.D.)
MEDICAL OFFICER
MADRAS DISTRICT

Dr. R. K. Srinivasan

1 + 1

Dr. T. Srinivasan

Dr. B. S. Rao

11/11/2018

Dr. B. S. Rao

ECG

Dr. B. S. Rao

Signature

Diseases: _____ RS. 20/-

Name: _____

Date: 10/11/2018

HEALTH No. _____

D.M.O. TEACHING HOSPITAL, DITIAN

Out-patient's Department

5/19

9/20



GOVERNMENT OF THE PUNJAB DISTRICT BHAKKAR

T.H.Q. HOSPITAL, Darya Khan

Sr. No. _____ O.P.D. No. 5817 Date 26/1/20
Name of Patient محمد حیات s/w/d of محمد حیات Age 20
Gender _____ Address گھر نمبر 12

CNIC (if available) _____
Contact No. 0346-7846268 Diagnosis _____

Vitals

- 1 BP _____
- 2 Pulse _____
- 3 Temp _____
- 4 Weight _____
- 5 Height _____

Clinical History

Rx From Hospital Pharmacy:

PRESCRIPTION

From External Pharmacy:

Adv.
Test / Investigations
MP - stroke
uric acid Test

Please Select your reason for prescribing external medicine:

- Not available
- Patient has known resistance against available Medicine
- Patient Request
- Other: _____

Attended
محمد حیات



9
21

Appointment and instructions for Myocardial Perfusion Imaging (MPI)

Rank Hav Name Shoukal Ali Advised by Dr. Asfanges

You have been scheduled for a myocardial perfusion study on 17-01-2018 at 0800 A

Nuclear Cardiology Department (NCD) is located on the ground floor adjacent to the ramp between OPD and Ma building, Armed Forces Institute of Cardiology / National Institute of Heart Diseases (AFIC / NIHD), Rawalpindi, Pakistan.

The total time this test takes approximately three to five hours and is performed in multiple stages. To ensure the highest quality of testing, all instructions must be followed.

- For 4 hours before your test, do not eat. You are, however, encouraged to drink water to prevent dehydration.
- No caffeine & nicotine containing products; 24 hrs prior to the test. (E.g coffee, tea, cola, de chocolate or decaffeinated products & cigarettes).
- Do not take blood pressure medicine like; Beta Blockers and Calcium Chanel Blockers 24 hrs prior to the test. If you have diabetes, please do not take your diabetic medicine or insulin on the morning of your test. Please bring all your medicines with you on day of study.
- Please do consult your physician before stopping medications. Wear comfortable, loose fitting clothing and flat-soled shoes such as tennis/jogging shoes.
- Please bring your test reports and other medicine related documents with you.
- If you need to cancel your test, please inform us one or two days before your appointment date.
- If you are pregnant or lactating, discuss this with Nuclear physician before taking appointment.
- If you are coming from other city, please reconfirm your appointment 24-48 hrs before the test date on given contact numbers.

1۔ ٹیسٹ سے 24 گھنٹے پہلے اپنی Beta Blockers اور Calcium Chanel Blockers ادویات اپنے

ڈاکٹر کے مشورے سے بند کر دیں اور ٹیسٹ والے دن ادویات اپنے ساتھ لائیں۔

2۔ ٹیسٹ سے 24 گھنٹے پہلے سگریٹ، چائے، کافی، تہوہ یا کولا پینا بند کر دیں۔

3۔ ٹیسٹ سے چار گھنٹے پہلے کھانا بند کر دیں۔ تاہم حسب ضرورت پانی ضرور پیئیں۔

4۔ اپنا تمام سابقہ میڈیکل ریکارڈ ساتھ لے کر آئیں۔

5۔ ٹیسٹ مکمل ہونے میں 4 سے 5 گھنٹے تک لگ سکتے ہیں۔

6۔ ٹیسٹ نہ کروانے کی صورت میں ایک یا دو دن پہلے دیے گئے نمبرز پہ مطلع کریں۔ تاکہ کسی دوسرے مریض کا ٹیسٹ کیا جاسکے۔

7۔ حاملہ یا دودھ پلانے والی خواتین ٹیسٹ کروانے سے پہلے ڈپارٹمنٹ کے اسٹاف کو فوراً مطلع کریں۔

8۔ دوسرے شہروں سے آنے والے مریض 24/48 گھنٹے پہلے دیے گئے نمبرز پر کال کر کے دوبارہ تصدیق کر لیں۔

نوٹ: آپ سے گزارش ہے کہ دیئے گئے وقت پر تشریف لائیں

"If you have any question, please contact us at 051-9271002 ext 3030 from 0800 to 1500 hrs"

Attested
منظر جاری

Lt Col UMER-I-FAROOQ
HOD Nuclear Cardiology

9

(22)

28/11/18

C. Hussain

Dr. G. Hussain
MBBS, FCP (MED)
General Practitioner

29/11/18

Dr. C. M.

Dr. G. Hussain

Dr. G. Hussain

2/12/18

Issued x of months

Dr. G. Hussain
MBBS, FCP (MED)
General Practitioner

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

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Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain

Dr. G. Hussain
MBBS, FCP (MED)
General Practitioner

Dr. G. Hussain
MBBS, FCP (MED)
General Practitioner

9

23

DM

14/6/18.

AN / CEROT MDM

CEROT MDM

36 - 360/100
RSP

CMR Dr. Nisfat Nazar
CMH D.I. KHAN

85/6/14

SAV MDM

Issue Rx for 01

make as she can
(pin or long F)
(pin Religion book)

(Next CT 00)

Handwritten signature

Dr. Kamran Khan
Handwritten signature

MAJ ANIC
DR. G. HUSSAIN IBRAHIM
MBBS, FCPS, (MED)
Classified Medical Specialist
CMH D.I. KHAN

14-8/2018

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R
Rx
Adv: CBC + RFT, LFT

ADP IV drip

- ① Tab Lopin 75mg x 0.0
- ② Tab Ramipac. 1.25mg x 0.0
- ③ Tab Carvedilol 3.125mg x B:0
- ④ Tab ~~Spironolactone~~ Lasix 40mg x 0.0
- ⑤ Tab Aldactone 100mg 1/2 x B:0
- ⑥ Tab Urocard. 40mg x 0.0
- ⑦ Tab Doxyc. 5mg x 0.0
- ⑧ Tab Alp 0.5mg x H.S
- ⑨ Tab Ibuprofen 300mg x 0.0

- ① Lopin 75
- ② Ramipac 1.25
- ③ Carvedilol 3.125
- ④ Spironolactone 25
- ⑤ Pellen-V 44
- ⑥ Avertin 40

Follow up in Room No. 5 Opinion regarding the above cases report

Dr. Ahsan Bilal Khan
Resident Dir. Genl.
AFIC (S) Rawalpindi

Dr. Farooq Hameed Siddiqui
DR. FAROOQ HAMEED SIDDIQUI
17-154095, (M.B.B.S) (F.C.P.S) (F.C.P.S) (F.C.P.S)
Qualified Specialist in Cardiology

DR. SAAD AL-SAYED

Medical Director

Director of Health Services

Ministry of Health

05/14/08/19

05/14/08/19

AK

CTKOB records

Shown to Guy Speer
of varying obstructive NA

DR. IZAHID Y. GOUNINS
MBBS, FCCP, S.M. (U.S.),
Internal Medicine
Chief of Department

99

05/14/08/19

AK

PAH

1 as Max Den

XHS

USG (LDB)

AK

AK

Classified and
Special Agent
in Charge
D. H. M. C.

0811-1455 F7

G
27

~~Dr. Zahid Younis~~

Eyp Transmittal
1 (+)

میدیکل اویس دی کے دل
سولہ ذی الحجہ ۱۴۴۳ھ

میدیکل اویس دی کے دل
سولہ ذی الحجہ ۱۴۴۳ھ

CMH Dera Ismail Khan

CMH Dera Ismail Khan

انجیل: ۱۵/۱۲/۲۰۲۳

Bp 90/59
Pulse 80

IHD (EF 46%)
DMT
Dyspepsia

S.No. 15-7-19 HINT
Date: 15-7-19
Name: DM+
BP: 130/70 IHD+ ICMP E-EF 35%

Adm:

thallium @ Scav. LVEF: 29%

- Cx. Omit
ECG, Cx. RA view

Modale reversible Myocardial
ischaemia

Maj
Dr. Zahid Younis
MBBS, FCPS (Med)
Medical Specialist
CMH Dera Ismail Khan

Eyp Pelton
ITSE/ITS
Ref to AFIC Rsp for Thallium Scav

LAD 7/10, 66% Lcx 4/4 RCA
Anoxia+ / Anemia+ | B/c Paedal
Oedema | Dyspnea (NYHA) III?

GLOBAL MEDICAL STORE

Bannu Road, Near Kotli Imam, D.I.Khan. Mob:0334-1402866

S.No.

Date: 18-6-2019

Customer Name

Shoukat Khan

S.No.	Quantity	Particular	T.p	Amount
1	60 T.	Lasix 40mg	025	150-
2	40 T.	Tacrolimus	334	978-
3	30 T.	Vabain 5mg	329	705-
4	30 T.	Advant 8mg	247	529-
5	30 T.	Prosense	380	570-
6	4 Syr.	Multi 9/10	160	640-
7	4 Syr.	Ginkowin	270	1080-
8	20 W.	Lecobal	460	920-
9	20 P/S	3cc	05	100-
/	/	/	/	/
		5500/-		
			Total	5672/-

Signature: _____

Dr. Syed Azhar Shirazi

G
29

Consultant Cardiologist
Head of Department
Cardiology

MTI. DHQ. Teaching Hospital D.I.Khan.
e-mail: dr.azharshirazi@gmail.com

Name Shoukat Khan Age 17 Sex M
Address Hazara - Provs Date 02.6.2

Bilateral basal fine crept
Shortness of breath

100/60
T2DM

Echo/Doppler Decompensated CHF/DCM
MR 3

D + Renal Insufficiency

10
29

T4

Lasix 40
121

Myocard

3-2-1

Gravick

121

Cecobal

T4

Advant 8-7

Piperac

sp

T

Empoza - 11
121 12.5/800

T-

Cardnit 2-6

121

T

Eprn 40
121

CLINICAL INVESTIGATION

9
30

Patient Name Shaukat Male
Ref: By Dr. _____ Date 2.6.19

REPORT

Test	Result		N: Values
Blood Sugar (F)		mg%	60-110
Blood Sugar (R)	<u>504</u>	mg%	60-140
Blood Urea	<u>66</u>	mg%	10-40
S. Creatinine	<u>1.8</u>	mL/Min	0.6-1.1
SGPT (ALT)		mg%	10-40
Cholesterol		mg%	<130
Anti-HCV			
HBs Ag			
HIV			
Blood Group			
Pregnancy Test			
Urine sugar	<u>+++</u>	<u>+4</u>	
i) Protein	<u>Nil</u>		
ii) pH	<u>5.0</u>		

ECG Report

Ad Jehan
Lab Technician

Dr. Syed Azhar Shirazi

Consultant Cardiologist
Head of Department
Cardiology

MTI, DHQ, Teaching Hospital D.I.Khan.
e-mail: dr.azharshirazi@gmail.com

Name Shoukat Khatun Age _____ Sex FF
Address Prov / Hazara Date 18.6.2019

DM/CCF MRs Renal Insufficiency
J2D17

Tax. Laxix 40 mg
121

T. Trenc Met
121 50/100

T. Vabn 5,
E 5

T. Advant 87
150 L

T. Proseur
u 5

9P Multiglo

9P Cinicowin

9 Cecobd 20
150
9/57 11-20

CLINICAL INVESTIGATION

G
32

Patient Name Shokat

Male

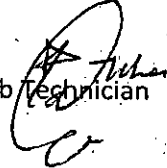
Ref: By Dr. _____

Date 18-june-19

REPORT

<u>Test</u>	<u>Result</u>	<u>mg%</u>	<u>N: Values</u>
Blood Sugar (F)	_____	mg%	60-110
Blood Sugar (R)	<u>189</u>	mg%	60-140
Blood Urea	<u>46</u>	mg%	10-40
S. Creatinine	<u>1.4</u>	mL/Min	0.6-1.1
SGPT (ALT)	_____	mg%	10-40
Cholesterol	_____	mg%	<130
Anti-HCV	_____		
HBs Ag	_____		
HIV	_____		
Blood Group	_____		
Pregnancy Test	_____		
Urine sugar	<u>Trace</u>		
i) Protein	<u>Nil</u>		
ii) pH	<u>5.0</u>		

ECG Report


Lab Technician



GOVERNMENT OF KHYBER PAKHTUNKHWA

حکومت خیبر پختونخواہ
اندرراج وفات سرٹیفکیٹ

611
33

Transaction No: 70012510005356
CRMS No: DSU0125-19-10088
OLD/M REG #:

Death Registration Certificate

Form No: W1073854
اندرراج: یو این کوئل پراوا

Deceased Person's Details		موتی کے کوائف	
Name:	NASEEM-AKHTAR	نام:	نسیم اختر
Nationality:	Pakistani	قومیت:	پاکستانی
CNIC No.:	12101-1753666-8	شناختی کارڈ نمبر:	12101-1753666-8
Date of Birth:	22-July-1956	تاریخ پیدائش:	22-July-1956
Gender:	Female	جنس:	مورت
Sickness Period:		مدت طالت:	
Date of Death:	03-September-2018	تاریخ وفات:	03-September-2018
Date of Burial/Last rite:	03-September-2018	تاریخ تدفین/آخری رسومات:	03-September-2018
Place of Death:	HOME	مقام وفات:	گھر
Reason of Death:	Natural	دلیل وفات:	طبیعی
Nature of Death:	Normal	طبیعت وفات:	جگہ تدفین/آخری رسومات: سنگاں والا
Buried/Last rite at:	SINGAN WALA		

Parental Information		والدین کے کوائف	
Father's Name:	AKBAR ALI	والد کا نام:	اکبر علی
CNIC No.:		شناختی کارڈ نمبر:	
Mother's Name:	SARWAR BIBI	والدہ کا نام:	سرور بی بی
CNIC No.:		شناختی کارڈ نمبر:	

Husband's Information		شوہر کے کوائف	
Name:	SHOKAT ALI	نام:	شوکت علی
CNIC No.:	12101-2738267-3	شناختی کارڈ نمبر:	12101-2738267-3

Address		پتہ	
Address:	Hazara Pakka, P.O. Paroa, Village PAROA	پتہ:	ہزارہ پاکہ، ڈاکخانہ پراوا، گاؤں پراوا،
Tehsil:	PAROA	تھسیل:	پراوا
District:	D. I. KHAN	ضلع:	ڈی ایس ایس خان

Applicant's Details		درخواست دہندہ کے کوائف	
Name:	MUNTAZIR HADI	نام:	مختار ہادی
CNIC No.:	12101-5442405-1	شناختی کارڈ نمبر:	12101-5442405-1
Relation with Deceased:	SON	موتی سے رشتہ:	پوتا
Entry Date:	18-October-2019	تاریخ اندراج:	18-October-2019
Issue Date:	18-October-2019	تاریخ اجراء:	18-October-2019
Entry Status:	Late	اندراج کی حالت:	تأخر

Additional Information:

(Signature)
SECRETARY
 Village Council Paroa 1
 Teh: Paroa, Distt. D.I.Khan
 دستخط و مہر
 یو این کوئل پراوا



is Certificate can be verified at <https://crms.nadra.gov.pk/verify>

V10738547



حکومت خیبر پختونخوا
GOVERNMENT OF KHYBER PAKHTUNKHWA

اندرج وقات سمرٹیکٹ

Death Registration Certificate

Form No: W10738548

Tracking No: 50512510005357

CRMS No: US00125-19-10089

OLD/M REG #:

دفتر اندراج: یو این کونسل ہوا

Deceased Person's Details

متوفی کے کوائف

Name:	SHOKAT ALI KHAN	نام:	شوکت علی خان
Nationality:	Pakistani	قومیت:	پاکستانی
CNIC No.:	12101-2738267-3	شناختی کارڈ نمبر:	12101-2738267-3
Date of Birth:	22-May-1947	پیدائش کی تاریخ:	22-May-1947
Gender:	Male	جنس:	مرد
Religion:	ISLAM	مذہب:	اسلام
Sickness Period:		سختی کی مدت:	
Date of Death:	26-July-2019	تاریخ وفات:	26-July-2019
Date of Burial/Last rite:	26-July-2019	تاریخ تدفین یا آخری رسومات:	26-July-2019
Place of Death:	HOME	جائے وفات:	گھر
Reason of Death:	Natural	دور وفات:	طبعی
Nature of Death:	Normal	کیفیت وفات:	طبیعی
Buried/Last rite at:	SINGAN WALA	جگہ تدفین یا آخری رسومات:	سنگال والا

Parental Information

والدین کے کوائف

Father's Name:	DOST MUHAMMAD	والد کا نام:	دوست محمد
CNIC No.:		شناختی کارڈ نمبر:	
Mother's Name:	WAZIR BIBI	والدہ کا نام:	وزیر بی بی
CNIC No.:		شناختی کارڈ نمبر:	

Address

Address:	Hazara Pakka, P.O. Paroa, Village PAROA	پتہ:	ہزارہ پاکہ، ڈاکاؤ، پرکھہ
Tehsil:	PAROA	تعمیل:	پرکھہ
District:	D. I. KHAN	ضلع:	ڈی ایس ایل خان

Applicant's Details

درخواست گزار کے کوائف

Name:	MUNTAZIR HADI	نام:	مختار ہادی
CNIC No.:	12101-5442405-1	شناختی کارڈ نمبر:	12101-5442405-1
Relation with Deceased:	SON	متوفی سے رشتہ:	پوتا

Information of Burial/Last rite by

تدفین یا آخری رسومات کی معلومات

Name:	MUNTAZIR ALI HADI	نام:	مختار عالم ہادی
CNIC No.:	12101-7329209-1	شناختی کارڈ نمبر:	12101-7329209-1
Relation with Deceased:	OTHER	متوفی سے رشتہ:	دیگر
Entry Date:	18-October-2019	تاریخ اندراج:	18-October-2019
Issue Date:	18-October-2019	تاریخ اجراء:	18-October-2019
Entry Status:	Late	اندراج کی حالت:	تأخر

Additional Information:

B. P. M. I.

SECRETARY
Village Council Paroa
Teh: Paroa, Distt.
D.I. Khan

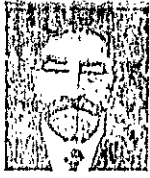


W10738548

This Certificate can be verified at <https://crms.nadra.gov.pk/verify>

GHULAM NUR KHAN

Advocate
D: 09-0807
Date of issue: October 2017
Valid upto: October 2020



وکالت نامہ

کورٹ فیس

بعدالت جناب سردار سید جید بختو بختو پشاور

منجانب ایبیلانٹ

منظر ہادی بنام حلقہ ۱۰۱۱ K.P.K

دعویٰ یا جرم

تفصیل دعویٰ یا جرم ایبیلانٹ

باعث تحریر آئنگہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیروی وجود ہی برائے پیشی یا تصفیہ مقدمہ بمقام K-10 کیلئے غلام نوری (خواجہ) ایبیلانٹ (ایڈووکیٹ سیریم کورٹ ایبیلانٹ ۱۰۱۱)

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص روبرو عدالت حاضر ہوتا ہوں گا اور ہر وقت ہمارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے اور مندرجہ صدر پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے اور اس کے واسطے کسی معاوضہ کے ادا کرنے یا بخزانہ واپس کرنے سے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو وکیل ساختہ پر وادعتہ صاحب موصوف مثل کروہ ذات خود منظر و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ یا درخواست اجراء سے ڈگری و نظر ثانی اپیل گمرانی و جرم درخواست پر دستخط و تہدین کہ نہ کا بھی اختیار ہوگا۔ اور کسی قسم یا ڈگری کرانے اور جرم کا رویہ وصول کرنے اور رسید دینے اور داخل کرنے اور جرم کے بیان دینے اور اس پر غامی یا غامی نامہ فیصلہ بر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکور، بیرون از پکھری صدر بیروی مقدمہ مذکورہ نظر ثانی و اپیل گمرانی و جرم کی مقدمہ یا منسوخی ڈگری یا طرف یا درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از فیصلہ اجراء سے ڈگری بھی صاحب موصوف کو بشرط ادا کیلی مقدمہ مختص بیروی کا اختیار ہونا اور تمام سامانہ پر عدالت صاحب موصوف مثل کروہ ذات خود منظور قبول ہوگا۔ اور اس صورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل یا گمرانی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا ہیر منظر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جانب التوا ہونا چاہیگا، وہ صاحب موصوف کا حق ہوگا۔ اور صاحب موصوف کو اپنی تاریخ پیشی سے پہلے ادا کر دیں گے۔ اور صاحب موصوف کو ہر امر اختیار ہوگا کہ وہ مقدمہ کی بیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا عدالت نامہ لکھ دیا ہے تاکہ سند ہے

سردار سید جید بختو پشاور ۱۰۱۱

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

العبد العبد العبد

منظر ہادی ایبیلانٹ

منظر ہادی

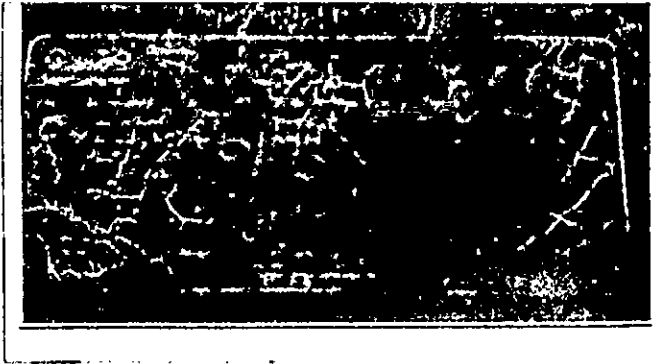
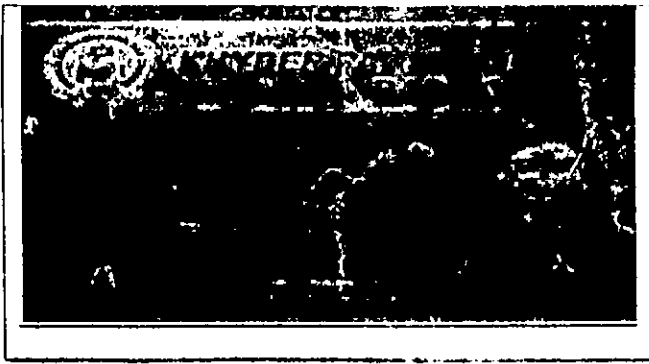
12101-5442405-1

0342-185-5787

Accepted

Achoor

03459831815



VAKALATNAMA

IN THE COURT OF

S-I

DERA ISMAIL KHAN.

.....محمد علی.....Plaintiff /Appellant /Petitioner/Complainant/ Accused

APK Vs
.....Defendant /Respondent / Complainant/ Accused

KNOW ALL to whom these present shall come that I/We.....محمد علی
do hereby appoint **Muhammad Mohsin Ali Advocate High Court** (herein after called the advocate/s) to be my/our Advocate in the above noted case authorise him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the same in the appellate court.
4. To withdraw or compromise the said case or submit to arbitration any differences or dispute that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this...29 day of ...Sept.....2020

Accepted

محمد علی
Muhammad Mohsin Ali
Advocate High Court
District Bar, Dera Ismail Khan.

محمد علی
محمد علی

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2036/2020.

Muntazir Hadi S/o Shaukat Ali Khan R/o Hazara Pakka, P.O Malana, District DI Khan
(Ex-constable No. 8230 FRP DI Khan)Appellant.

VERSUS

1. **Government of Khyber Pakhtunkhwa,**
Through Secretary Home,
Khyber Pakhtunkhwa, Peshawar & OthersRespondents.

Para wise Reply by Respondents

RESPECTED SHEWETH:-

PRELIMINARY OBJECTIONS

1. That the appeal is badly time barred.
2. That the appeal is not maintainable in the present form.
3. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
4. That the appellant has no cause of action to file the instant appeal.
5. That the appellant has not come to this Honorable Tribunal with clean hands.
6. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
7. That the appellant is trying to conceal material facts from this Honorable Tribunal.

WRITTEN REPLY ON BEHALF OF RESPONDENTS.

FACTS:-

1. Correct to the extent that the appellant was recruited in Police Department in year 2011 as admitted. His service record reveals that during service, he remained willfully absent from duty on different occasions for total period of 474 days to which he was awarded different punishment. Besides, he was also dismissed from service on the grounds of absence from duty vide OB No. 859 dated 31.12.2018, which he later on reinstated in service on departmental appeal. (copy of bad entries lists attached herewith as annexure "A").
2. Incorrect and denied. The appellant remained willfully absent from his lawful duty for a long period of 115 days, without prior permission or leave of the competent authority. He was issued Show Cause Notice, but he failed to submit his reply or appear before the competent authority to explain his position. Charge Sheet with Statement of Allegations was issued to appellant and DSP FRP DI Khan Range was appointed as Enquiry Officer. After fulfillment of all codal formalities, Enquiry Officer submitted his findings report, wherein the charges leveled against the appellant was established. He was also heard in person, but he failed to present any justification before the competent authority and after fulfillment of codal formalities he was awarded appropriate major punishment of removal from service by the competent authority under the rules.

3. Incorrect and denied. The appellant has submitted an application on 08.01.2019 for obtaining the copy of removal order, which was received by him on 22.01.2019. Departmental appeal submitted by the appellant on 25.03.2019, which was thoroughly examined and rejected on the grounds of time barred and meritless. A copy of rejection order has already been Endorsed to the appellant on his home address vide this office order Endst; No. 5130-31/EC, dated 20.06.2019. (Copy of his application alongwith departmental appeal is attached herewith as annexure "B & C").
4. Correct to the extent that the review petition submitted by the appellant was thoroughly examined and rejected on the grounds of badly time barred etc.

GROUND:-

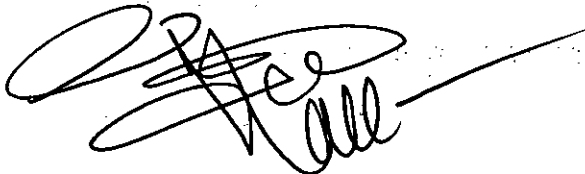
1. Incorrect and denied. The orders of the respondents are based on facts, legally justified and in accordance with law/rules.
2. Incorrect and denied. The appellant remained willfully absent from lawful duty without any leave or prior permission of the competent authority, the allegations were thoroughly proved against him. During course of enquiry, the appellant failed to produce any cogent reasons regarding his prolong absence before the Enquiry Officer or before the competent authority. Moreover, the plea taken by the appellant regarding to the illness of his wife as well as submission of leave application, he has not taken this plea before the Enquiry Officer or before the competent authority during the course of enquiry. Furthermore, the allegations of ulterior motives and malafide act, against the Incharge Platoon is baseless and a propounded story.
3. Incorrect and denied. The appellant was deputed for refresher course at FRP HQ: Peshawar, from where in he remained absent from lawful duty with effect from 13.08.2018 to 19.11.2018 for long period of 98 days, without any leave or prior permission of the competent authority. He badly failed to present any justification regarding his prolong absence from course/duty before the Enquiry Officer. It is pertinent to mention here that the mother of the appellant was died on 03.09.2018 as admitted, while he remained absent from duty with effect from 13.08.2018 meaning thereby that he had already been absented from duty before the death of his mother.
4. Incorrect and denied. It is settled preposition of law that the law helps the diligent not the indolent. The appellant has been found to be an irresponsible person and habitual absentee in performance of official duties, hence he is responsible for the livelihood of his family.
5. Incorrect and denied. The appellant remained willfully absent from lawful duty without any leave or prior permission of the competent authority. On the allegation of absence, he was issued/served with Charge Sheet with Summary of Allegations and proper departmental enquiry was initiated against him under the relevant rules. After fulfillment of all codal formalities, he was awarded appropriate

major punishment of removal from service, which is legally justified and in accordance with law/rules.

6. Incorrect and denied. The appellant has been treated in accordance with facts and rules with any discrimination of ill-will on the part of respondents.
7. Incorrect and denied. On the allegations of absence, the appellant was served with Show Cause Notice on his home address, and his signature was obtained as token of receipt at the copy of Show Cause Notice. (copy attached as annexure "C"). Thereafter, he was issued Charge Sheet with Summary of Allegations and served upon him, to which he replied, but his reply was found unsatisfactory. Besides, he was also cross examined by the Enquiry Officer during the course of enquiry, wherein the appellant admitted the allegations leveled against him. (Copy of his reply attached herewith as annexure "D"). Moreover, he was also heard in person by the competent authority, in the light of natural justice, but he failed to present any justification regarding his innocence. After fulfillment of all codal formalities, required under the law/law, he was awarded major punishment of removal from service.
8. The respondents may also be permitted to produce record/additional grounds at the time of arguments.

PRAYERS:-

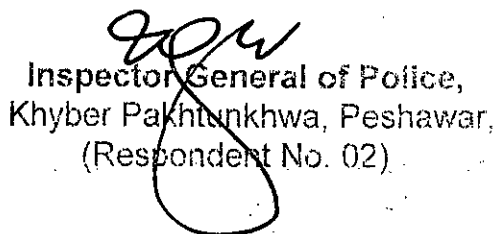
It is therefore, most humbly prayed that in the light of aforesaid facts/submission the service appeal being badly time barred may kindly be dismissed with cost please.



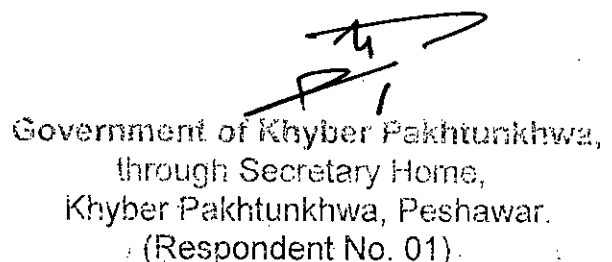
Superintendent of Police FRP,
DI Khan Range, DI Khan
(Respondent No. 04)



Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 03)



Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar,
(Respondent No. 02)



Government of Khyber Pakhtunkhwa,
through Secretary Home,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 01)

"A"

THE DEPARTMENT
ORDER:-

FRP D.I.KHAN RANGE

My this order will dispose off departmental enquiry conducted against **Constable Muntazir Hadi No.8230/FRP** under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 (Amended in 2014).

According to daily diary report No.49 dated 03.06.2018 of Model Police Station District Hangu, he remained absent from law full duties with effect from 03.06.2018. He reported back his arrival on 20.06.2018 vide daily diary report No.25 dated 20.06.2018 of Model Police Station District Hangu, total (17) days. Similarly according to daily diary report No.34 dated 13.08.2018 of FRP HQrs: Peshawar, he remained absented himself from Refresher Course with effect from 13.08.2018 to 19.11.2018 total (98) days, **total absence period comes (115) days** without any leave or permission from the competent authority. To this effect he was served with show cause notices. He was required to submit the reply of said show cause notices within stipulated period of 07 days but he failed to do so. He was issued charge sheet along with summary of allegation. Zahoor Ud Din DSP/FRP DIKhan Range was nominated as enquiry officer to unearth the actual facts. After completion of all codal formalities the enquiry officer submitted his findings report along with other relevant papers wherein the defaulter constable was found guilty of the charges leveled against him and recommended his absence period may treated as without pay and "CENSURE". He was called in orderly room and heard in person but he failed to convince the undersigned about his innocence. From perusal of his service record it revealed that he was enlisted as Constable on 08.01.2011, during his service he remained absent from law full duties for (474) days, awarded minor punishment of confinement to quarter guard for 03 days, fine Rs.500/- and stoppage of 04 annual increments with cumulative effect, also removed from service and reinstated in service by the competent authority previously.

On his previous absence he produced a written statement on affidavit wherein he stated that if he remained absent from duty in future then he will not be objection of any punishment awarded by competent authority.

Keeping in view the facts stated above, **I MR. AMAN ULLAH KHAN**, Superintendent of Police FRP D.I.Khan Range, D.I.Khan, in exercise of powers vested in me under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 amended-2014 hereby award **Constable Muntazir Hadi No.8230/FRP** major punishment of **Removal from service** from the date of his absence. His absence period i.e 03.06.2018 to 20.06.2018, 13.08.2018 to 19.11.2018 total (115) days is treated as without pay.

ORDER ANNOUNCED.

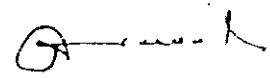
Dated _____/2018.

OB No. 859 /FRP

Dated 31 /12/2018

Copy to:-

1. Pay Officer
2. SRC
3. OHC


(AMAN ULLAH KHAN)
Superintendent of Police,
FRP D.I.Khan Range DIKhan.

31/12

بخدمت جناب عزت مآب کمانڈنٹ صاحب، FRP خیبر پختونخواہ

عنوان: درخواست بصورت رحم کی اپیل کہ من مسائل کو بطور پولیس کانسٹیبل سروس پر بحالی فرمایا جائے

جناب عالی!

مسائل حسب ذیل عرض رساں ہے۔

- 6. یہ کہ من مسائل مورخہ 08.01.2011 سے جناب کے زیر انتظام فرنٹیئر ریزرو پولیس خیبر پختونخواہ میں بطور پولیس کانسٹیبل تعینات ہوا اور اپنے فرائض انتہائی دیانتداری اور محنت سے سرانجام دیتا رہا کبھی انسپران بالا کو شکایت کا موقع نہ دیا۔
- 7. یہ کہ من مسائل مورخہ 03.06.2018 تا 20.06.2018 تک جب کہ مسائل کی ڈیوٹی ماڈل پولیس سٹیشن ہنگو پر رہی متعلقہ محرر کو زبانی طور پر آگاہ کر کے بوجہ بیماری سنگین زوجہ جس کا گھر میں علاج معالجہ کے لیے دیگر فرد نہ تھا مجبوراً چھٹی پر رہا لیکن بعد میں پتہ چلا کہ مسائل کی تحریری درخواست وغیرہ نہ ہونے کی وجہ سے غیر حاضر کیا گیا۔ اسی طرح مورخہ 13.08.2018 سے 19.11.2018 کو بھی مسائل FRP ہیڈ کوارٹر پشاور سے بوجہ علالت زوجہ کے ڈیوٹی پر حاضر نہ ہو سکا اور نہ ہی ذہنی پریشانی اور جلدی کی وجہ سے کہ مزینش کی حالت خراب ہونے کی اطلاع تھی انسپران بالا سے تحریری طور پر چھٹی منظور کر اسکا۔
- 8. یہ کہ من مسائل نے حکمانہ طور پر ملنے والے شوکاژ نوٹس کا بھی تحریر جواب دیا، انکو آئی انسپران DSP جناب نادر الدین صاحب کو بھی جاننا مدت آگاہ کیا لیکن مسائل کے معاملات کو مد نظر نہ رکھتے ہوئے جناب SP جناب FRP نے مورخہ 31.12.2018 بذریعہ آرڈر نمبر FRP-859 OR مسائل کو ملازمت سے dismissed کر دیا ہے حالانکہ یہ غیر حاضری دانستہ تھی بلکہ بوجہ شدید بیماری تھی۔
- 9. یہ کہ مسائل ایک نریب شادی شدہ عمیل دار جنس ہے، دو کہ پولیس سروس سے علاوہ روزگار کا کوئی دوسرا ذریعہ نہیں ہے اور بیوی کے علاج معالجہ کے اخراجات دگر بیلو ضروریات کی وجہ سے شدید مالی مشکلات کا شکار ہو گیا ہے۔
- 10. یہ کہ جناب کو اس سلسلہ میں دستخ ترا اختیارات حاصل ہیں۔

گزارش ہے کہ بمثلوری درخواست ہذا من مسائل کو دوبارہ بحال کر کے غریب پروری کریں۔ مسائل سہاری عمر دعا گور ہے گا۔ (نقل حکم SP صاحب مذکورہ لفظ ہے)

العبد

مورخہ 21.03.2019

تظربادی (Dismissed) پولیس کانسٹیبل نمبر 8230/FRP
پلائون نمبر 171 FRP، ڈیرہ اسماعیل خان
قومی شناختی کارڈ نمبر 1-5442405-12101
موبائل نمبر 0346-7848583

Attested
مستطری کاری

"C-1"

9

ORDER

This order will dispose of the departmental appeal preferred by ex-constable Muntazir Hadi No. 8230 of FRP DI Khan Range, against the order of SP FRP DI Khan Range, DIK issued vide OB No. 859, dated 31.12.2018, wherein he was awarded major punishment of removal from service. The applicant was proceeded against on the allegations that he remained absent from lawful duties with effect from 03.06.2018 to 20.06.2018, for a period of (17) days, similarly he again absented himself from refresher Course at FRP HQs; Peshawar with effect from 13.08.2018 to 19.11.2018 for a period of (98) days, thus his total absence period comes (115) days without any leave or permission from the competent authority.

In this regard he was served with Show Cause Notice. He was required to submit the reply of said Show Cause Notice within stipulated period of 07 days, but he failed to do so. He was issued Charge Sheet alongwith Summary of Allegations and Zahoor Ud Din DSP FRP DI Khan Range was nominated as Enquiry Officer to unearth the actual facts. After completion of all codal formalities the Enquiry Officer submitted his findings alongwith other relevant papers wherein the defaulter constable was found guilty of the charges leveled against him and recommended that his absence period may be treated as leave without pay and censure. He was heard in person but he failed to convince the competent authority regarding to his innocence.

From perusal of his service record it revealed that during his past service he remained absent from lawful duties for 474 days, to which he was awarded minor punishment of confinement to quarter guard for 03 days, fine Rs. 500/- and stoppage of 04 annual increments with cumulative effect, and also removed from service to which later on reinstated in service vide order Endst; No. 5942/EC, dated 13.07.2015.

In the light of the above narrated facts and other material available on record, he was awarded major punishment of removal from service vide office OB No. 859, dated 31.12.2018.

Feeling aggrieved against the impugned order of SP FRP DI Khan Range, DI Khan the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 19.06.2019.

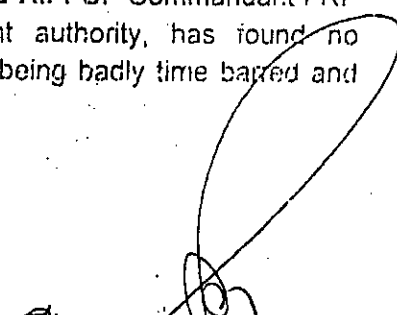
During the course of personal hearing, the applicant failed to present any justification regarding to his prolong absence. The law helps the diligent and not indolent. Thus the applicant has been found to be an irresponsible person in utter disregard the discipline of the force. Besides, he cannot become a good Police Officer, his retention in service would further embolden the accused officer and impinge upon the adversely on the over all discipline and conduct of the force. There doesn't seem any infirmity in the order passed by the competent authority, therefore no ground exist to interfere in same.

Based on the findings narrated above, I, Sajid Ali PSP Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected being badly time barred and meritless.

Order Announced.

existed copy for Sajid

ve kha


Commandant

Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar.

No. 5230-31 /EC, dated Peshawar the 20/06/2019.

Copy of above is forwarded for information and necessary action to

the:-

1. SP FRP DI Khan Range, DI Khan. His service record alongwith D-file sent herewith.
2. Ex-constable Muntazir Hadi No. 8230 S/O Shaukat Ali Khan, Police Station Parava, Village Hazar Pakka, P.O Malana, District DI Khan.

4644/Ri 13-08-2018 34

456 / S.C.N HQ

"C-2"

(9)

No. 727 / FRP
Dated 11-10 / 2018

SUPERINTENDENT OF POLICE FRP DIKHAN RANGE DIKHAN
SHOW CAUSE NOTICE

(Under Rule 5(3)(b) KP Police Rules 1975)

As you Constable Muntazir Hadi No.8230/FRP of FRP have rendered self liable to be proceeded under Rule 5(3) (b) of the Khyber Pakhtunkhwa Police Rules 1975 for the following misconduct.

I) according to daily diary report No.34 dated 13.08.2018 of FRP HQrs: Peshawar, you remained absented yourself from Refresher Course with effect from 13.08.2018 to till date without any leave or permission from the competent authority.

- II) That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
- III) That by taking cognizance of the matter under enquiry the undersigned as competent authority under the said rule proposed stern action against you by awarding one or more of the punishments as provided in Rule 4 the receipt of the notice failing which an ex-part action shall be taken against you.
- IV) you are further directed to inform the undersigned as to whether you wish to be heard in person or not.

Received By منیر عاری
Dated 19-10 / 2018

(AMAN ULLAH KHAN)
Superintendent of Police, FRP
DIKHAN Range DIKHAN
11/10/18

12101-8442405-1
0343-7199171
مذکورہ لاکٹشل کے لئے
مقررہ وصول کیا ہے

(7)

"D"

No. 2161-62 /FRP

dated: 23-11 /2018

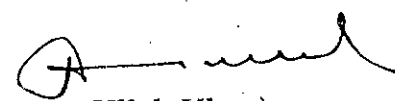
CHARGE SHEET

- I. I, Aman Ullah Khan, SP FRP DIKhan as competent authority, am of the opinion that you Constable Muntazir Hadi No.8230/FRP of FRP DIKhan Range have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.
- II. According to daily diary report No.34 dated 13.08.2018 of FRP HQrs: Peshawar, you remained absented yourself from Refresher Course with effect from 13.08.2018 to till date without any leave or permission from the competent authority. It is a gross "Misconduct" on your part as defined in Rule 2 (iii) of Police Rules 1975 and has rendered yourself liable to be proceeded against departmentally.
- III. By reason of the above, you seem to be guilty as sufficient materials is placed before the undersigned; therefore it is decided to proceed against you in general police proceeding.
- IV. You are; therefore, required to submit your written reply within 07 days of the receipt of this charges sheet to the Enquiry Officer.
- V. Your written reply, if any, should reach the Enquiry Officer within specific period, failing which it shall be presumed that you have no defense to offer and in that case ex-parte action shall follow against you.
- VI. Intimate as to whether you desire to be heard in person or not?
- VII. A statement of allegation is enclosed.

غیر حاضر

23-11-18

13/11/18 13/8/18



(Aman Ullah Khan)
Superintendent of Police, FRP
DIKhan Range DIKha

5

13-12-2018

ماہنامہ

میں سے ہونے والے تمام معاملات میں اس کے ساتھ ساتھ

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Attested

صافی دیکھو

DSP FRP
D.I. Khan
U-12-18

FRP 170
230
FRP
04-12-2018
منظوری

گورنمنٹ سکول لاہور

س = ۱۰۰ - ۱۰۰ = ۰

دوسرے سوالوں کے لیے اور سے غیر متعلقہ ہوں گے ہوں گے

BSP FRP
B.I. Khan

سوال ۹۶

۱۰۰ - ۱۰۰ = ۰

سوال ۹۷

۱۰۰ - ۱۰۰ = ۰

BSP FRP
B.I. Khan

سوال ۹۸

۱۰۰ - ۱۰۰ = ۰

BSP FRP
B.I. Khan



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 91 /ST

Dated: 13/01 /2022

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

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

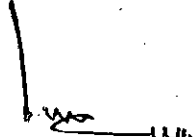
To

The Superintendent of Police F.R.P,
Government of Khyber Pakhtunkhwa,
D.I. Khan Range D.I. Khan.

Subject: JUDGMENT IN APPEAL NO. 2036/2020, MR. MUNTAZIR HAADI.

I am directed to forward herewith a certified copy of Judgement dated 25.11.2021 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR