

**بعدالت جناب خیبر پختونخواہ سروس ٹریبونل،  
کیمپ کورٹ ڈیرہ اسماعیل خان**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3245  
Dated 30-1-2023

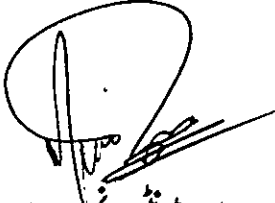
درخواست دربارہ اجازت برائے داخل کیے جانے کنٹنس بوساطت ریسپانڈنٹس  
بحوالہ سروس اپیل نمبر 1507/2022 عنوان محمد کھیل بنام انسپکٹر جنرل آف  
پولیس صوبہ خیبر پختونخواہ پشاور وغیرہ

جناب عالی!

نہایت مودبانہ التماس ہے کہ مذکورہ سروس اپیل میں کنٹنس بوساطت ریسپانڈنٹس نمبر 1 تا 4 مرتب ہو کر  
بغرض Submit کرانے عدالت ہذا کیمپ کورٹ ڈیرہ اسماعیل خان پیش کئے گئے۔

یہ کہ معزز عدالت نے اپنے حکم مورخہ 19.01.2023 میں ڈیفنس ٹوسٹرک آف کر دیا ہے۔ جبکہ عدالت  
ہذا کی طرف سے کوئی نوٹس بھی موصول نہیں ہوا ہے۔

لذا بذریعہ درخواست استدعا ہے کہ متذکرہ آرڈر ڈیفنس ٹوسٹرک آف پر نظر ثانی فرماتے ہوئے کنٹنس ہذا  
داخل معزز عدالت کئے جانے کا حکم صادر فرمایا جاوے۔

  
ریسپانڈنٹس نمبر 4 تا 1  
بذریعہ نمائندہ

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,**  
**PESHAWAR.**

Service Appeal No. 1507 /2022

Muhammad Shakeel Khan s/o Muhammad Ayub Khan r/o Maqbool Abad Tehsil Paharpur,  
District Dera Ismail Khan(Ex-Constable #. 115 DIKhan) ...(Appellant)

**Versus**

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General of Police, Establishment, KP Peshawar
3. The Regional Police Officer, D.I.Khan.
4. The District Police Officer, D.I.Khan ...(Respondents)

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**DEPONENT**

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR.**

Service Appeal No. 1507 /2022

Muhammad Shakeel Khan s/o Muhammad Ayub Khan r/o Maqbool Abad Tehsil  
Paharpur, District Dera Ismail Khan(Ex-Constable #. 115 DIKhan) ...(Appellant)

**Versus**

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General of Police, Establishment, KP Peshawar
3. The Regional Police Officer, D.I.Khan.
4. The District Police Officer, D.I.Khan ...(Respondents)

**WRITTEN REPLY ON BEHALF OF RESPONDENTS**

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no cause of action.
2. That the appeal is bad for misjoinder/non-joinder of necessary parties.
3. That the appeal is badly barred by law & limitation.
4. That the appellant has not come to the Honourable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct.
6. That the appellant has concealed the material facts from the Honourable Tribunal.
7. That the instant appeal is badly time barred.
8. That the instant appeal is not maintainable in its present form.

**REPLY ON FACTS**

1. Correct to the extent that the appellant was enlisted in police department on 31.05.2006 and thereafter he applied for the post of meter reader in WAPDA Department through proper channel and on selection/ appointment he joined the said department on 10.01.2017.
2. Correct to the extent that appellant was allowed to apply for the post of Meter Reader in PESCO Wapda vide letter No. 8237/E-IV, dated 06.07.2015 by AIG Establishment, Khyber Pakhtunkhwa, Peshawar.
3. Pertains to record.
4. Correct to the extent that as per record of this office lien was granted to him for 02 years period which was applicable from 10.01.2017 to 10.01.2019 as per Order Book No.94 dated 10.01.2019.
5. Incorrect. After the expiry of lien the appellant submitted an application to Respondent No.3 (DIG DIKhan), which was regretted. **(Copy Annexure "A")**.
6. Incorrect. the appellant applied after the expiry of lien period of 02years, i.e. from 10.01.2017 to 10.01.2019 as per Order Book No. 94, dated 10.01.2019, henc his application validly rejected. **(Copy Annexure "B")**.
7. That appellant has got no cause of action. The order of reliving is silent about lien. Moreover, he was not repatriated from PESCO during lien period but his contract was expired and not extended. Hence the orders passed by Respondents No. 1 & 3 are in accordance with law/rules. **(Copy Annexure "C")**
8. Pertains to record.

9. Correct to the extent that in compliance with judgment of honourable KP Service Tribunal, Peshawar dated 28.06.2022 the competent authority has constituted a committee under chairmanship of DIG/HQrs for disposal of departmental presentation and the appellant heard in person. After threadbare discussion, the committee unanimously recommended that the representation of the appellant may be filed on the following grounds:- (Copy Annexure "D")
- i. He did not apply for extension in his lien period after expiry of two years nor he submitted application before expiry of lien period i.e. 10.01.2019 for re-joining Police Department.
  - ii. The PESCO authorities has not extended the contract period of the petitioner and relived from the post, therefore, he is no more a Govt: employee to apply for re-joining Police Department on the ground of retain him lien.
  - iii. His application had already been decided and filed by the competent forum being time barred.
  - iv. He is not fit or police service being involved in criminal charges.
10. From the perusal of record the appellant was granted lien for 02 years which was applicable from 10.01.2017 to 10.01.2019 vide OB No. 94 dated 10.01.2019 but he did not apply for extension of lien, hence rejected being not maintainable.
11. Infact the appellant applied after the expiry of lien period of 02 years, hence the rejection orders were passed by the Respondent No. 1 & 3 in accordance with law/rules. Therefore the instant appeal is not maintainable on the following grounds.

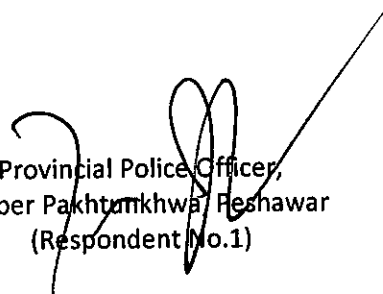
#### **REPLY ON GROUNDS**


- a. Correct to the extent that but thereafter he applied for the post of meter reader in WAPDA Department through proper channel and on selection/ appointment he joined the said department on 10.01.2017.
- b. Incorrect. the orders were passed by Respondents No. 1 & 3 are in accordance with law/rules.
- c. Incorrect. No such right has been refused by the Respondents, infact the appellant applied after the expiry of lien period of 02 years, hence his application was validly rejected.
- d. Incorrect. As per Annexure "C" on expiry of contract the period was not extended by PESCO. The appellant applied for reinstatement after the period of 02 years of lien, hence the orders were passed in accordance with law/rules.
- e. Incorrect. The orders of Respondents No. 1 & 3 are in accordance with law/rules. Infact the lien was granted to the appellant for 02 years period which was applicable from 10.01.2017 to 10.01.2019 as per OB No. 94, dated 10.01.2019 and he did not apply for extension of lien.

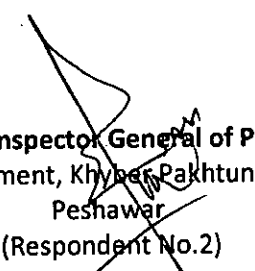
- f. Incorrect. As per Annexure "C" on expiry of contract the period was not extend by PESCO. The appellant applied for reinstatement after the period of 02 years of lien i.e. 10.01.2017 to 10.01.2019 and he did not apply for its extension, hence the orders were passed by the Respondents in accordance with law/rules.
- g. Incorrect. The lien was granted to the appellant for 02 years which was applicable from 10.01.2017 to 10.01.2019 but he did not apply for extension its. As far as the FIR is concerned the appellant charged in criminal case vide FIR No. 300, dated 15.10.2016 u/s 302/34 PPC PS/Paharpur and as per Honourable Peshawar High Court order dated 24.11.2016 the applicant released on bail, therefore his contention that he could not obtain extension of lien due to in jail is not acceptable.
- h. Incorrect. The appellant grant NOC and perform duty as a meter reader in PESCO and after the expiry of contract applied for rejoin in police department even though his lien has expired and had not apply for its extension. Therefore, instant appeal is not maintainable.
- i. Pertains to record.
- j. Incorrect. In compliance with judgment of honourable KP Service Tribunal, Peshawar dated 28.06.2022 the competent authority has constituted a committee under chairmanship of DIG/HQrs for disposal of departmental presentation and the appellant heard in person. From the perusal of record the appellant was granted lien for 02 years which was applicable from 10.01.2017 to 10.01.2019 vide OB No. 94 dated 10.01.2019 but he did not apply for extension of lien, hence rejected being not maintainable.
- The Respondents also seek permission to produce additional documents/grounds at the time of arguments.

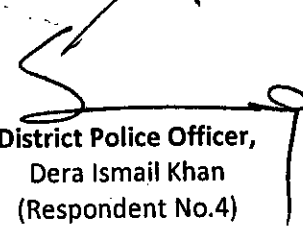
**PRAYER**

In view of above, it is prayed that on acceptance of these Parawise Comments the instant appeal may kindly be dismissed being meritless and time barred, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)

  
Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.3)

  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.2)

  
District Police Officer,  
Dera Ismail Khan  
(Respondent No.4)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,**  
**PESHAWAR.**

Service Appeal No. 1507 /2022

Muhammad Shakeel Khan s/o Muhammad Ayub Khan r/o Maqbool Abad Tehsil Paharpur,  
District Dera Ismail Khan(Ex-Constable #. 115 DIKhan) ...(Appellant)

**Versus**

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
  2. The Deputy Inspector General of Police, Establishment, KP Peshawar
  3. The Regional Police Officer, D.I.Khan.
  4. The District Police Officer, D.I.Khan
- ...(Respondents)

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS**

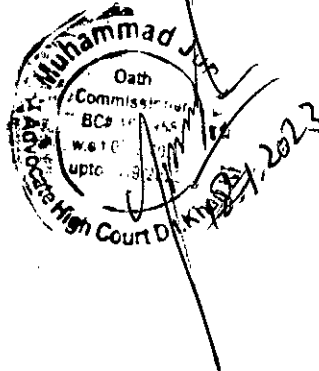
We, the respondents do hereby solemnly affirm and declare on oath that the contents of comments-written reply to Appeal are true & correct to the best of our knowledge and nothing has been concealed from this Honourable Tribunal.

Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)

Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.2)

Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.3)

District Police Officer,  
Dera Ismail Khan  
(Respondent No.4)



**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR.**

**Service Appeal No. 1507 /2022**

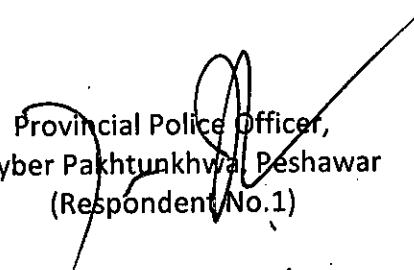
**Muhammad Shakeel Khan s/o Muhammad Ayub Khan r/o Maqbool Abad Tehsil Paharpur,  
District Dera Ismail Khan(Ex-Constable #. 115 DIKhan) ...(Appellant)**

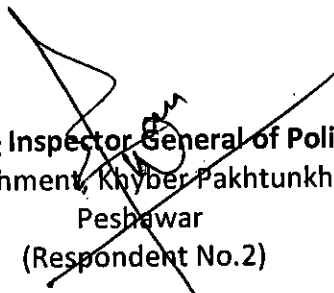
**Versus**


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3. The Regional Police Officer, D.I.Khan.
4. The District Police Officer, D.I.Khan ...(Respondents)

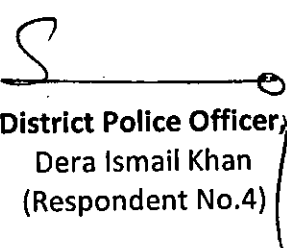
**A U T H O R I T Y**

We, the respondents do hereby authorised Inspector/Legal, DIKhan to appear before the Service Tribunal Khyber Pakhtunkhwa, Peshawar, on our behalf, He is also authorised to produce/ withdraw any application or documents in the interest of Respondents and the Police Department.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)

  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.2)

  
Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.3)

  
District Police Officer,  
Dera Ismail Khan  
(Respondent No.4)

OFFICE OF THE  
REGIONAL POLICE OFFICER  
PERRA ISMAIL KHAN  
REGION

Amre kure and F...  
8/06/2019

The District Police Officer,

APPLICATION

In regard to your office memo No. 1234/REG dated 30.07.2019  
The competent authority has also the following information on file  
with a letter under reference.

"Rejected"

The applicant may be in some accordance.

REGIONAL POLICE OFFICER  
PERRA ISMAIL KHAN

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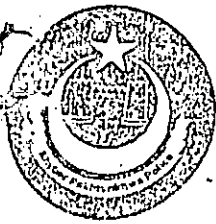
30-07-2019  
17/08/2019  
Khan No. 115  
S. K. K.

C.H.C.  
30/08/2019  
17/08/2019



18





OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

No. 3034 /ES,

Dated DIKhan the 18/6/2019

To,

The District Police Officer,  
D.I.Khan

SUBJECT:- APPLICATION

Reference your office memo No.1822/EC dated: 10-04-2019  
The competent authority has passed the following remarks  
on your office letter under reference:-

Regretted

The applicant may be informed accordingly.

Regional Police Officer  
Dera Ismail Khan



تعمیراتی کاروں کے لیے  
115 نمبر پر مشتمل

الحاجی

23.03.2019

میں نے اس پر غور کیا ہے اور اس کے لیے  
میں نے اس پر غور کیا ہے اور اس کے لیے  
میں نے اس پر غور کیا ہے اور اس کے لیے

25

(10)

17/17/2017

ORDER

(A/B)

11/1/17



Constable Mohammad Shakeel No.115 of this District Police Dikhan has applied for the post of Meter Reader in PESCO WAPDA vide CPO letter No.8537/E-IV dated: 06.07.2015. In the mean while he was charged in criminal case vide FIR No.300 dated: 15.10.2016 u/s 302/34-PPC, PS/Paharpur Dikhan and departmental proceeding initiated against him. He was placed under suspension.

Now he has applied to be relieved to join the new place of posting in PESCO WAPDA.

The perusal of record shows that in the FIR unknown accused were charged with muffled faces but later on eye witness Manzur Hussain charged the applicant alongwith his uncle for the occurrence. It further reveals that the said eye witness submitted his statement on affidavit on the basis of which Honourable High Court released the applicant on bail.

In view of above, the disposal of departmental enquiry at this stage may cause injustice, therefore, the same may be kept pending. However, the applicant re-instated in service and allowed to be relieved to join at new place of posting.

In case of conviction in Criminal Case the papers will be sent to the PESCO Department for necessary departmental action against the applicant Mohammad Shakeel No.115.

*[Signature]*  
District Police Officer  
Dera Ismail Khan

*[Signature]*

CB 94  
10-1-17

CO

*[Handwritten mark]*

(16/1)

ORDER

Constable Mohammad Shakeel No.115 of this District Police D.I.Khan has applied for the post of Meter Reader in PESCO WAPDA vide CPO letter No.8537/E-IV dated: 06/07/2015. In the mean while he was charged in criminal case vide FIR No.300, dated: 15-10-2016 u/s 302/34-PPC PS/Paharpur DIKhan and departmental proceeding initiated against him. He was placed under suspension.

Now he has applied to be relieved to join the new place of posting in PESCO. WAPDA.

The perusal of records shows that in the FIR un-known accused were charged with muffled faces but later on eye witness Manzar Hussain charged the applicant alongwith his uncle for the occurrence. It further reveals that the said eye witness submitted his statement on affidavit on the basis of which Honourable High Court released the applicant on bail.

In view of above, the same may be kept pending. However, the applicant re-installed in service and allowed to be relieved to join at new place of posting.

In case of conviction in Criminal Case the papers will be sent to the PESCO Department for necessary departmental <sup>ac</sup>tion against the applicant. Mohammad Shakeel No.115.

District Police Officer  
Dera Ismail Khan

8537/EV - NOC  
 31-05-2006  
 06-06-2016  
 14-12-2016  
 10-01-2017  
 01-03-2019  
 DIG  
 Liens

0346-7997000

البيروت - شارع فلسطين 115 - رقم الهاتف 0346-7997000

البيروت

29-08-2019

Handwritten notes in Arabic script, including the word "ملاحظات" (Notes) and "ملاحظات" (Notes) repeated several times.

(23)

No. 115.83 P-IV dated Peshawar the 21 / 11 / 2019

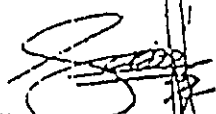
The Regional Police Officer,  
DIKhan.

Subject: APPLICATION FOR RE-JOINING TO POLICE DEPARTMENT

Ex-Constable Muhammad Shakeel No. 115 of District Police DIKhan has submitted an application stating therein that he was enlisted in Police Department on 21.05.2008 and thereafter he applied for the post of Meter Reader in WAPDA Department through proper channel and on selection / appointment he joined the said department on 10.01.2017. Now he has requested for his rejoining back Police Department.

It is submitted that lien was granted to him for 02 years period, which was applicable from 10.01.2017 to 10.01.2019 as per DPO Order Book No. 94 dated 10.01.2019. From 10.01.2019, he did not apply for extension of lien which is his fault.

Meaning thereby, his lien stood finished on 10.01.2019. From Police Department: Under such circumstances, his instant request is not maintainable so it is filed.

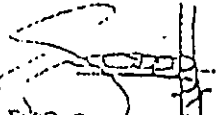
  
(SADIQ BALOCH) PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.  
21.11.2019

115.83

P-IV dated Peshawar the 21 / 11 / 2019

Copy of above is forwarded for information to Manager HRM

Peshawar with his office letter No. 2346-49/HR/ESCO, dated 14.12.2016.

  
(SADIQ BALOCH) PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.





OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
CENTRAL POLICE OFFICE,  
KHYBER PAKHTUNKHWA, PESHAWAR

No. 11582 /E-IV dated Peshawar the 21/11/2019

To,

The Regional Police Officer  
Dera Ismail Khan

SUBJECT: APPLICATION FOR RE-JOINING TO POLICE DEPARTMENT.

Memo:

Ex- Constable Muhammad Shakeel No.115 of District Police DIKhan, has submitted an application stating therein that he was enlisted in police department on 31-05-2006 and thereafter he applied for the post of Metter Reader in WAPDA department through paper channel and on selection / appointment he joined the said department on 10-01-2017. Now he has requested for his re-joining back police department.

It is submitted that lien was granted to him for 02 years period which was applicable from 10-01-2017 to 10-01-2019, das per DPO order book No.94 dated: 10-01-2019 from 10-01-2019 he did not applied for extension of lien which is fault.

Meaning thereby, his lien stood finish on 10-01-2019 from police department under such circumstances, his instant request his not maintainable so it his filled.

(SADIQ BALOCH) PSP  
AIG/Establishment  
For inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
21-11-2019

No. 11583 / F-IV dated Peshawar the 21/11/2019

Copy of above is forwarded for information to Manager HRM department in his office letter No.2346-49/HR/PESCO, Dated: 14.12.2016.

(SADIQ BALOCH) PSP  
AIG/Establishment  
For inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
21-11-2019

**PESHAWAR ELECTRIC SUPPLY COMPANY**

Wapda House Shami Road Peshawar - Pakistan  
Phone No. +9291921997 Fax No. +92 91 9212335  
Website: [www.pesco.gov.pk](http://www.pesco.gov.pk) Email: [dghrpesco@gmail.com](mailto:dghrpesco@gmail.com)

No. 2346-49 /HR Pesco Rec 2015-16Dated: 14/12/2016

Mr. Muhammad Shakil Khan S/o Muhammad Ayub Khan  
C/o Marwat Arms Dealer Panyala Road Paharpur D.I.Khan  
Contact # 03467887000

**SUBJECT:- EMPLOYMENT IN PESCO AS METER READER BPS-07 ONLY  
FOR ONE YEAR CONTRACT**

You are hereby informed that you have provisionally been appointed as Meter Reader (BPS-07) in PESCO on contract basis on the following Terms & Conditions.

1. Pay at Rs.2220/- Per Month in the Basic pay scale No.07 (9,220-510-24599/-
2. Initial contract period will be one year, extendable by another period subject to satisfactory performance.
3. The service rendered under the present contract shall not qualify for pension / Gratuity and will not entitle you for regular employment.
4. Your will be governed by leave Rules contained in the Pakistan WAPDA Leave Rules for WAPDA Employee, 1982. However, provisions contained in Rules 9 (b).11, 12, 13, 14, 17, 19, 20 (in so far as leave under Rule (b) is concerned), 20(A) shall not apply.
5. You will be allowed allowance including House Rent Allowance as admissible to other employees of the WAPDA/PEPCO/PESCO from time to time.
6. Traveling Allowance for journeys as admissible under the WAPDA Travelling, Allowance Rules, as amended from time to time, to Regular Employees for the corresponding Pay Scale shall be admissible.
7. Medical Facilities as admissible under the WAPDA Medical Attendance Rules 1979 as amended from time to time.
8. In respect of other matters, not specified in the letter you will be governed by the Rules / Regulations as applicable to PESCO / WAPDA employees.
9. You will be governed under the Pakistan WAPDA Employees (Efficiency and Discipline) Rules, 1978 adopted by WAPDA / PEPCO/ PESCO or any other such rules as adopted / framed

by WAPDA/PEPCO / PESCO from to time as amended from time to time.

10. You will not be entitled to contribute towards WAPDA Employee's General Provident Fund not you will be entitled to become member of contributory WAPDA Employees
11. You will not have any Seniority and will not be placed on Regular Seniority List of the Cadre in which the post for time being held by you is included.
12. Your whole time will be at the disposal of the PESCO / WAPDA. You may be employed in any manner required by appropriate authority without claim for extra recommendation. You will devote your whole time to the PESCO / WAPDA's business and at all time obey the rules prescribed for the time being for the regulation of service in the post to which you have been employed you will be liable to active anywhere within or whole Pakistan in any post under PESCO/WAPDA or company of Federal Government or Provincial Government or ..... A corporation set up established by the authority.
13. The appointment on contract shall be liable to termination on one month 's Notice or payment of one month's pay in lieu thereof either side without assigning any reason. However your services can be terminated without any notice if you are found guilty of dishonesty. Misconduct.
14. In case you resign or leave the service at any time before completion you shall defray to the PESCO/WAPDA the such of Rs.50,000/- Rs. As liquidated damages, in addition to the salary received during training and boarding if any borne by PESCO / WAPDA. You will produce as such on non-judicial stamp paper of the value of Rupees 100/- to this effect by [www.pesco.gov.pk](http://www.pesco.gov.pk)).
15. You will make a declaration in writing of all movable and immovable property shares, certificate, insurance policies, cash and jewellery of the value of Rs.50,000/- into service. The members of family according to the Pakistan WAPDA Employee rules, 1978 are as under.
  - a. Your wife/wives. Real / step children, residing with the employee and wholly depended you.
  - b. Any other relations of the employee when residing and wholly depended upon you.
16. You should before reporting to the office, produce a certificate of Medical fitness from the Medical Superintendent, WAPDA Hospital Peshawar, If Medical Superintendent, WAPDA Hospital Peshawar refers to a Specialist for opinion or if you are retired to obtain any & pay / test or Electro Cardiogtain, the cost of such consultation / service/test etc. will be borne by your.

17. You will be divulge, either or indirectly, to any person any knowledge information or a confidential nature which you may acquire concerning the affairs. Property, enterprise and undertaking of the PESCO / WAPDA during the course of your service.
18. You will be required to furnish an oath (Half Nama) in writing in the form prayed by for all purpose.
19. You will be required to acquaint yourself with the process of photo billing in the Company. Your contract will further be extended subject to achievement of progress / goals set by the company
20. You may be posted anywhere in PESCO jurisdictions. You are connect in furnish are undertaking on non-judicial stamp paper value of Rs. 50/- to the effect the you will not approach in any political figure/ personality nor you will exert any pressure for your transfer posting in your initial period of 3 years if your contract is extended.
21. This offer of appointment is provisional and subject to
  - a. Medical fitness.
  - b. Confirmation / verification of your educational certificate / degree and other requisite formalities.
  - c. In case these documents are found forge/ bogus/ incorrect at heated stage, your service shall stand terminated from the date of jointly service conduct any notice. Legal action will be initiated against you under the relevant leave. Undertaking in this regard is required to be furnish on non-judicial stamp paper Rs.50/- as performance (available on [www.pesco.gov.pk](http://www.pesco.gov.pk)) duly attested by Notary Public with your arrival report.
  - d. You will not be paid any salary till the time your verified documents are received

If the above terms & conditions of appointment are acceptable to you please send your written acceptance in person to the office of undersigned on 26.12.2016

This issued with the approval of chief Executive Officer, PESCO Peshawar.

Manager (HRM)  
PESCO Peshawar

Copy

1. Finance Director PESCO HQ
2. Medical Supdt: WAPDA Hospital Peshawar.
3. Circulation File.



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
CENTRAL POLICE OFFICE,  
KHYBER PAKHTUNKHWA.

RECOMMENDATIONS OF THE COMMITTEE

The Competent Authority has constituted a committee comprising of the following officers vide Order No. 7891-97/E-IV dated 29.08.2022 in light of the Khyber Pakhtunkhwa Service Tribunal in service appeal No. 1637/2019 dated 28.06.2022 to dispose of the representation of the petitioner ex-Constable Muhammad Shakeel Khan:-

- |  |          |
|--|----------|
| 1. Deputy Inspector General of Police /Headquarter   | Chairman |
| 2. Asstt: Inspector General of Police /Establishment | Member   |
| 3. Asstt: Inspector General of Police / Legal        | Member   |
| 4. DSP HQrs: DI Khan                                 | Member   |
| 5. OHC, DI Khan                                      | Member   |

The committee held its meeting on 06.09.2022 at 1100 hrs in CPO Peshawar and the AIG Establishment thoroughly briefed the committee members as follows:-


1. The petitioner was enlisted as Constable in District DI Khan on 31.05.2006.
2. He applied for the post of meter reader in WAPDA through departmental permission dated 06.07.2015.
3. In the meanwhile, he was charged in criminal case vide FIR 300 dated 15.10.2015 u/s 302/34 PPC PS Paharpur District DI Khan. Therefore, he was suspended and proceeded departmentally.
4. Later on, he submitted application to relieve him to join new place of posting in PESCO, WAPDA.
5. DPO DI Khan vide OB No. 94 dated 10.01.2017 reinstated him in service with direction to relieve him and join new place of posting.
6. After joining PESCO, WAPDA another FIR vide No. 231 dated 16.04.2018 u/s 53 Child Protection Act/377 PPC at PS DI Khan was lodged against him due to which his contract period was not extended further.
7. He submitted application on 01.03.2019 to re-join Police Department which was filed by the RPO DI Khan. Later on, he submitted another application to CPO, upon which the competent authority has recorded remarks that "Lien was granted for 02 years period which was applicable from 10.01.2017 to 10.01.2019 as per DI Khan order Book No. 94 dated 10.01.2019, he did not apply for extension of his lien which is his fault. Meaning thereby, his lien stood finished on 10.01.2019 from Police Department."

After threadbare discussion, the committee unanimously recommended that the representation of the petitioner may be filed on the following grounds:-


1. He did not apply for extension in his lien period after expiry of two years nor he submitted application before expiry of lien period i.e 10.01.2019 for re-joining Police Department.
2. The PESCO authorities has not extended the contract period of the petitioner and relieved from the post, therefore, he is no more a Govt: employee to apply for re-joining Police Department on the grounds of retain his lien.
3. His application had already been decided and filed by the competent forum being time barred.
4. He is not fit for police service being involved in criminal charges.

  
AIG/Establishment/Legal  
Khyber Pakhtunkhwa

  
DSP HQrs, DI Khan

  
OHC DI Khan

(Approved)

  
Deputy Inspector General of Police,  
Headquarters, Khyber Pakhtunkhwa  
Peshawar.  
(Chairman)