

22.07.2022

Nemo for appellant.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Nasir Khan Focal Person for respondents present.

Representative of respondents submitted comments today. Notice be issued to appellant/counsel for 28.09.2022 for arguments before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

28.09.2022

Appellant present in person. Nascir Ud Din Shah, learned Assistant Advocate General alongwith Javid Shah, Focal Person for respondents present.

Former requested for adjournment as his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 14.12.2022 before D.B



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

14th Dec. 2022

Due to strike of the Bar and Mrs. Rozina Rehman, learned Member (J) being on leave, this matter is adjourned to 06.03.2023 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

SCANNED
KFST
Peshawar



(Fareeha Paul)
Member(E)

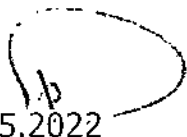
01/12/22

(Fareeha Paul)

28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 17.05.2022 for the same as before.


Reader


17.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Mr. Nazir Senior Clerk for the respondents present.

Written reply/comments on behalf of respondents submitted which is placed on file. Copy of the same is handed over to the learned counsel for the appellant. To come up for rejoinder if any, and arguments before the D.B on 22.07.2022.


(MIAN MUHAMMAD)
MEMBER (E)

30.07.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for full hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 15.12.2021 before the D.B.

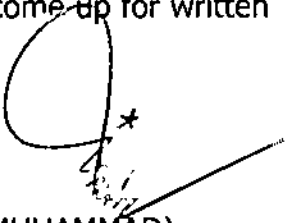
AS
30/7/21
AG for respondents


Chairman

15.12.2021

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply/comments on behalf of respondents not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. To come up for written reply/comments on 28.02.2022 before D.B.

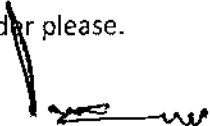


(MIAN MUHAMMAD)
MEMBER (E)

Form-A

FORM OF ORDER SHEET

Court of _____

Case No. - 5796 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/06/2021	<p>The appeal of Mr. Fahin Jan presented today by Mr. Muhammad Ayub Khan Shinwari Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be up there on <u>30/07/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 5796 /2021

Fahim Jan

versus

I.G Police, KP & others

INDEX

Sr No	Description of document	Dated	Annex	Pg No
1.	Service Appeal and affidavit			1-3
2.	Copy of appointment order		A	4
3.	Copy of impugned order		B	5
4.	Copy of Departmental Appeal		C	6

Dated: / /2021

Appellant,

Through

Muhammad Ayub Khan Shinwari

LL.B; LL.M

ADVOCATE

Supreme Court of Pakistan

CHAMBER

7-A, Haroon Mansion,

Khyber Bazar, Peshawar

Cell: (Clerk) 03219068514

Handwritten marks at the top of the page.

The Honorable,

1. Inspector General Police,
Khyber Pakhtunkhwa, Peshawar

2. D.I.C Police, Kohat

Departmental Appeal against Order dated 11-02-2021

Sir,

The applicant humbly submits as follows:

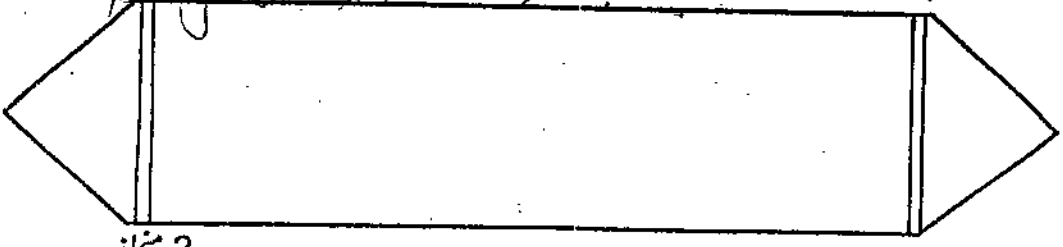
1. That I was appointed as Constable on 29-08-2001 and ever since then I have performed my duties to the entire satisfaction of my seniors.
 2. That I was performing duties with full devotion, to my utter surprise vide Order dated 11-02-2021, I have been awarded major punishment of "Dismissal from service" on the allegation of absence from duty.
 3. That the allegation of absence from duty is totally wrong and incorrect. Lastly I was posted on duty with the worthy Chief Secretary, Khyber Pakhtunkhwa and I was performing my duties regularly, I have never absented from duty. Furthermore, I have not received any charge sheet as mentioned in the order dated 11-02-2021.
 4. That before passing the order dated 11-02-2021, I have not given any chance of hearing. Furthermore the order dated 11-02-2021 has been issued without giving me any Charge Sheet, Statement of allegation, show cause, final show cause etc.
 2. That I have served the Department for more than 20 years with full devotion, the penalty imposed is too harsh and I have been deprived from my service and salary, which is my only source of income.
- It is, therefore, most humbly requested that the order dated 11-02-2021 may kindly be set aside and I may kindly be re-instated in service with all back benefits.

Applicant, *Fahim Jan*
 22-2-21
 Fahim Jan S/o Shah Azam Khan,
 Constable, Salary No 00672036
 Khair Kalya, Sada, Lower Kurram
 Cell No : 0300-2922147

Copy to:

District Police Officer, Kurram

بعدالت کا فیصلہ



بنام آئی بی لوکس

منہج جان

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سامنے
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندر ہے۔

REVISED

20

_____ ماہ _____

_____ واہ الع

بمقام
_____ کے لئے منظور ہے۔

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.7596/2021

Mr. Fahim Jan.....**PETITIONER**

V E R S U S

Provincial Police Officer & 3 others.....**RESPONDENTS**

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Reply		1-2
2.	Affidavit		3
3.	Authority letter		4
4.	Absent Report		5
5.	Charge Sheet		6
6.	Newspaper		7
7.	Absorption Order	A	8-10
8.	Re-instatement order by RPO Kohat		11
9.	Dismissal Order	B	12
10.	Re-instatement Order		13
11.	Again dismissal order		14



NASIR KHAN
Focal Person,
DPO Kurram.

For

Respondent No.3

①

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL No.5796/2021.

Mr. Fahim Jan s/o Shah Azam Khan Caste, Mangal resident of village Khar Kali Lower Kurram Sadda, District Police Kurram.

.....**Petitioner.**

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Kohat Region Kohat.
3. District Police Officer, Kurram.

.....**Respondents.**

COMMENTS ON BEHALF OF RESPONDENTS NO.1,2,3.

Respectfully Sheweth:-

The Parawise comments are submitted as under:-

PRELIMINARY OBJECTIONS:-

- i. That the appellant has got no cause of action.
- ii. That the appellant has got no locus standi to file the Instant appeal.
- iii. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
- iv. That the appellant is stopped to file the instant appeal due to his own act/conduct.
- v. That the appeal is bad in eyes of law and not maintainable.
- vi. That the appellant has not approached the honorable Tribunal with clean hands.

Para wise Comments on facts.

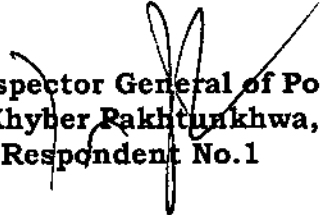
1. Pertains to record regarding appointment of appellant as Levy Sepoy in Kurram Levy Force in erstwhile FATA. After promulgation of 25th Constitutional Amendment, the services of erstwhile levies/Khassadar personnel have been absorbed in Khyber Pakhtunkhwa, Police in accordance with Kurram Levy Force Act, 2019 and levy force (Absorption in the Khyber Pakhtunkhwa Police) Rules, 2019. Hence, the appellant was absorbed in Khyber Pakhtunkhwa, police newly merged district Kurram. **Annexure "A"**.
2. Incorrect, the appellant deliberately willfully absented from lawful duty without leave/permission after his absorption in KP Police.
3. Correct, to the extent of issuance of charge sheet with statement of allegation to the appellant name is mentioned. Therefore, there was no option except dismissal of the appellant, who was burden on public exchequer. Copy of order is **Annexure "B"**.
4. The departmental appeal of the appellant was under process in the office of respondent No.2 and the appellant approached this Honorable Tribunal thus the departmental appeal has become functus officio.

GROUND:-


- a. Incorrect, the impugned order is passed by respondent No.3 according to facts and rules.
- b. Incorrect, the appellant was treated in accordance with law/rules. Further added that a charge sheet was issued to him according to attendance of the appellant, but the appellant did not resume his duty willfully.
- c. The appellant had willfully absented from lawful duty without permission and did not resume his duty within prescribed period as mentioned in show cause notice.
- d. Incorrect, the appellant never performed his duty and remained absent, as mentioned in impugned order by respondent No.3. He was dismissed from service after completion of all codal formalities under the law/rules.
- e. The appellant was preceded in accordance with law/rules and a legal and speaking order was passed by the respondent No.3.
- f. Respondent may be allowed to raise or additional documents at the time of hearing of petitioner.
- g. Furthermore, the petitioner was re-instated into service vide OB No. 325 dated 11.10.201 but he again did not joined his duty and lateron again dismissed vide OB No. 116 dated 08.04.2022 (copy attached).

Prayers:-

In view of the above, it is prayed that the appeal being not maintainable may graciously be dismissed with costs, please.


Inspector General of Police
Khyber Pakhtunkhwa,
Respondent No.1


District Police Officer, Kurram.
Respondent No.3


Regional Police Officer,
Kohat Region, Kohat.
Respondent No.2
 Regional Police Officer
 Kohat Region Kohat

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.

SA No.5796/2021.

Mr. Fahim Jan s/o Shah Azam Khan Caste, Mangal resident of village Khar Kali Lower Kurram, Sadda, District Police Kurram.

.....**Petitioner.**

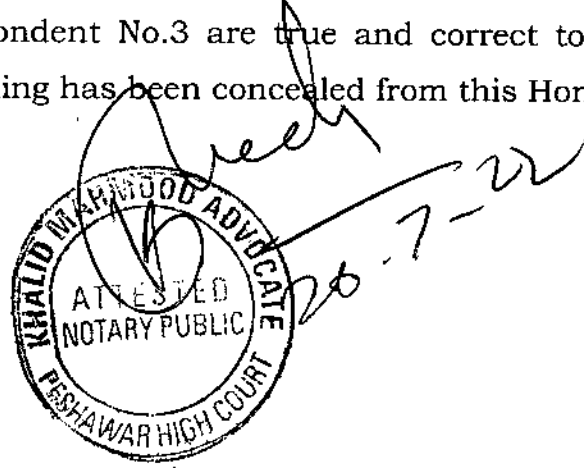
VERSUS.

- 1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2. Regional Police Officer, Kohat Region Kohat.
- 3. District Police Officer, Kurram.

.....**Respondents.**

AFFIDAVIT.

I, Mr. Nasir Khan Senior Clerk Kurram Police Force Focal Person. (The authorized representative of respondent No.3) do hereby solemnly affirm and declared on oath that the contents of this accompanying Para Wise Comments on behalf of respondent No.3 are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



DEPONENT. *Cur*
 CNIC. No.61101-2008170-1
 Cell No.0300-5932556

(4)

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.

Mr. Fahim Jan s/o Shah Azam Khan Caste, Mangal resident of village Khar Kali
Lower Kurram Sadda, District Police Kurram.

.....**Petitioner.**

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Kohat Region Kohat.
3. District Police Officer, Kurram.

.....**Respondents.**

AUTHORITY LETTER.

Mr. Nasir Khan s/o Shundi Gul Caste, Alisherzai resident of village Sateen
Post Office & Tehsil Sadda District Lower Kurram (Focal Person) to District Police
Officer Kurram bearing CNIC No.61101-2008-170-1 is hereby authorized to institute
Parawise comments duly signed by respondents in the Honorable Court on behalf of
the respondents.


District Police Officer, Kurram.
Respondent

تن ابرم

تقلد نبر ۹ اور ناچے

فصل نبر

رپورٹ غیر حاضری عبدالحمید فورم $\frac{10}{20}$ // وقت ۱۰:۰۰ بجے اس وقت میں یوں
 رپورٹ کرتا ہے۔ کہ ۵۸۰۔۰۰۰ اور دفنان اور کانسٹیبل فہیم خان کچھ کر کے
 نیلے ڈیسس سے بحال ہوا تھا۔ کہ فورم $\frac{10}{20}$ کا کو حکم DP۵ صاحب کے لوہیں
 لائن ابرم کو تبادلہ کیا جاتا ہے۔ کہ مذکورہ بالا ۵۸۰ اور کانسٹیبل اپنے جانی تھناتی
 پر حاضری نہیں ہوتے۔ کہ مذکورہ بالا ۵۸۰ اور کانسٹیبل کے بھیجے ہزاروں کنٹرول روم سے
 بار بار اطلاع کی جاتی ہے۔ کہ اپنے اپنے جانی تھناتی پر حاضری ہوجائے۔ لیکن مذکورہ
 ۵۸۰ اور کانسٹیبل کا حاضری کوئی امید نہیں ہے۔ مذکورہ ۵۸۰ اور کانسٹیبل کے خلاف رپورٹ
 غیر حاضری درج اور ناچے کر تقلد علیحدہ مرتب کر کے مذکورہ کادراوی تیار اسرار
 بالائی عدالت میں ارسال ہوتی۔

صبا علی

~~Page sheet~~
 Fahren. ✓

تقلد بلاتقی اصل سے

(A)

یو ایس ایف آفیسر عبدالحمید

DSP-1MV

(6)



**OFFICE OF THE
DISTRICT POLICE OFFICER**

KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email: policekurram1@gmail.com

No.66...../PA Dated Parachinar 18-01-2022

CHARGE SHEET

MR. ARBAB SHAFIULLAH JAN DISTRICT POLICE OFFICER

KURRAM as competent authority under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014), am the opinion that Con Fahim Jan s/o Shah Azam Khan 1 had rendered yourself liable to be proceeded against as you have committed the following act within the meaning of the Police Rules 1975 amended 2014:

1. That you are absent from the legitimate duty and work as property dealer without the prior permission of the competent authority.
2. That you were directed to submit the reply of the show cause notice No. 4153-56 dated 12.11.2021 but you failed.
3. Your this act, shows lack of interest in delivering of official duties.
4. Your this act is gross misconduct on your part as police personnel.

By reason of the above, you appear to be guilty of misconduct under the Police Rule 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the Police Rules.

You are, therefore, required to submit your written statement within (03) days of the receipt of this charge sheet to the inquiry officer.

Your written defense if any should reached the inquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and ex-parte action shall be taken against you.

A statement of allegation is enclosed.


District Police Officer
Kurram

Annex-1

Annex A (8)

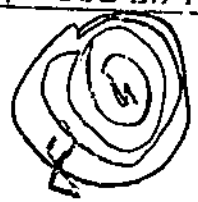
**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT.**

NOTIFICATION

Peshawar dated the, 14/2/2020

No.SO(Police)HD/SMY 2019 Merged Area/ 403-13 In pursuance of the provisions contained in section 9 of the Khyber Pakhtunkhwa Levies Force Act, 2019 (Khyber Pakhtunkhwa Act No.XXXV of 2019) read with rule 3 of the Levies Force (Absorption in the Khyber Pakhtunkhwa Police) Rules, 2019, the Home and Tribal Affairs Department, with the prior approval of the Cabinet and on the recommendation of the Provincial Police Officer, hereby orders absorption of the following members of Levies Force of Kurram Tribal District in the Khyber Pakhtunkhwa Police with effect from the date of the initial appointment of the said members:

S.#	Name	Father's Name	Previous Rank	Rank in which Absorbed
1	Majid Ali	Sharbat Ali	SUB BS-13	SI-BS 14
2	Niaz Mohammad	Raham Din	SUB BS-13	SI-BS 14
3	Ashiq Ali	Muhammad Hassan	SUB BS-13	SI-BS 14
4	Siraj Ud Din	Sahib Din	SUB BS-13	SI-BS 14
5	Mazir Hussain	Wazir Ali	SUB BS-13	SI-BS 14
6	Kafoor Khan	Salim Khan	SUB BS-13	SI-BS 14
7	Nasim Hassan	Ali Faqir	N/SUB BS-11	ASI BS-11
8	Suhbat Khan	Gul Baz Khan	N/SUB BS-11	ASI BS-11
9	Rehmat Ali	Haidar Ali	N/SUB BS-11	ASI BS-11
10	Hakim Hussain	Sarwar Khan	N/SUB BS-11	ASI BS-11
11	Muhammad Ullah Jan	Jadran	N/SUB BS-11	ASI BS-11
12	Sayed Jamal Hussain	S Hashim Hussain	N/SUB BS-11	ASI BS-11
13	Haider Ghulam	Safdar Ali	N/SUB BS-11	ASI BS-11
14	Ali Askar	Ghulam Akbar	N/SUB BS-11	ASI BS-11
15	Abdul Nabi	Ali Nabi	N/SUB BS-11	ASI BS-11
16	Mehboob Ali	Mardan Ali	N/SUB BS-11	ASI BS-11
17	Nusrat Hussain	Nawab Hussain	N/SUB BS-11	ASI BS-11
18	Imtiaz Hussain	Rajab Ali	N/SUB BS-11	ASI BS-11
19	Mansab Ali	Muhammad Hanif	N/SUB BS-11	ASI BS-11
20	Hidayat Hussain	Nijat Hussain	N/SUB BS-11	ASI BS-11
21	Gamil Hussain	Nabi Hussain	N/SUB BS-11	ASI BS-11
22	Shabir Hussain	Muhammad Ali Khan	N/SUB BS-11	ASI BS-11
23	Shabir Hussain	Muhammad Hussain	N/SUB BS-11	ASI BS-11
24	Jamal Hussain	Lal Hussain	N/SUB BS-11	ASI BS-11



PROVINCIAL POLICE OFFICER
KURRAM TRIBAL DISTRICT

S#	Name	Father's Name	Previous Rank	Rank in which Absorbed
166.	Akbar Ali	Haji Hussain	L/NAIK BS-6	Constable-BS-7 B-1
167.	Ashiq Hussain	Noorda Ali	L/NAIK BS-6	Constable-BS-7 B-1
168.	Shir Zaman	Dawood Shah	L/NAIK BS-6	Constable-BS-7 B-1
169.	Jawad Hussain	Sardar Ali	L/NAIK BS-6	Constable-BS-7 B-1
170.	Syed Kamil Hussain	S Muhammad Arzal	L/NAIK BS-6	Constable-BS-7 B-1
171.	Haider Hussain	Najaf Ali	L/NAIK BS-6	Constable-BS-7 B-1
172.	Mukhtar Ali	Aziz Ali	L/NAIK BS-6	Constable-BS-7 B-1
173.	Syed Gul	Baseer Khan	L/NAIK BS-6	Constable-BS-7 B-1
174.	Zakir Hussain	Noor Ali	L/NAIK BS-6	Constable-BS-7 B-1
175.	Muhammad Zadin	Agal Din	L/NAIK BS-6	Constable-BS-7 B-1
176.	Shahid Wazir	Badshah Wazir	L/NAIK BS-6	Constable-BS-7 B-1
177.	Hamid Hussain	Habib Ali	L/NAIK BS-6	Constable-BS-7 B-1
178.	Hamid Ali Shah	Qambar Ali	L/NAIK BS-6	Constable-BS-7 B-1
179.	Umar Khan	Adam Khan	L/NAIK BS-6	Constable-BS-7 B-1
180.	Karnal Hussain	Muhammad Hassan	L/NAIK BS-6	Constable-BS-7 B-1
181.	Miram Khan	Mira Khan	L/NAIK BS-6	Constable-BS-7 B-1
182.	Fahim Jan	Shah Azam Khan	L/NAIK BS-6	Constable-BS-7 B-1
183.	Rahim Shah	Haji Sultan Jan	L/NAIK BS-6	Constable-BS-7 B-1
184.	Kamil Jan	Sardar Khan	L/NAIK BS-6	Constable-BS-7 B-1
185.	Sawab Ali	Muhammad Ameer	L/NAIK BS-6	Constable-BS-7 B-1
186.	Shawqat Ali	Nusrat Hussain	L/NAIK BS-6	Constable-BS-7 B-1
187.	Samin Ali	Mehboob Ali	L/NAIK BS-6	Constable-BS-7 B-1
188.	Nawab Ali	Gulab Shah	L/NAIK BS-6	Constable-BS-7 B-1
189.	Lal Zameer	Abbey	L/NAIK BS-6	Constable-BS-7 B-1
190.	Inayat Hussain	Muhammad Ghulam	L/NAIK BS-6	Constable-BS-7 B-1
191.	Ahmad Hussain	Zawar Hussain	L/NAIK BS-6	Constable-BS-7 B-1
192.	Jalal Hussain	Sabir Hussain	L/NAIK BS-6	Constable-BS-7 B-1
193.	Amjad Ali	Anwar Ali	L/NAIK BS-6	Constable-BS-7 B-1
194.	Abbas Ali	Muhammad Khan	L/NAIK BS-6	Constable-BS-7 B-1
195.	Zakir Hussain	Nasir Hussain	L/NAIK BS-6	Constable-BS-7 B-1
196.	Basher Hussain	Raza Hussain	L/NAIK BS-6	Constable-BS-7 B-1
197.	Sayed Jabir Hussain	Sayed Muhsin	L/NAIK BS-6	Constable-BS-7 B-1
198.	Sayed Ghayoor Hussain	Sayed Ajeeb Hussain	L/NAIK BS-6	Constable-BS-7 B-1
199.	Mashad Ali	Muhammad Hussain	L/NAIK BS-6	Constable-BS-7 B-1
200.	Khyal Muhammad	Said Muhammad	L/NAIK BS-6	Constable-BS-7 B-1
201.	Muhammad Shafiq	Hakim Khan	L/NAIK BS-6	Constable-BS-7 B-1
202.	Fazal Rabi	Fazal Muhammad	L/NAIK BS-6	Constable-BS-7 B-1
203.	Muhammad Zahir Shah	Haji Muhammad Essa	L/NAIK BS-6	Constable-BS-7 B-1
204.	Nasir Hussain	Sabz Ali	L/NAIK BS-6	Constable-BS-7 B-1
205.	Gulab Hussain	Gul Arzal	L/NAIK BS-6	Constable-BS-7 B-1
206.	Ramzan Ali	Haider Ali	L/NAIK BS-6	Constable-BS-7 B-1
207.	Qasim Hussain	Iqbal Hussain	L/NAIK BS-6	Constable-BS-7 B-1
208.	Kabir Hussain	Ghulam Hussain	L/NAIK BS-6	Constable-BS-7 B-1
209.	Muhammad Siddique	Mir Khan	L/NAIK BS-6	Constable-BS-7 B-1
210.	Noor Rehman	Hazal Khannan	L/NAIK BS-6	Constable-BS-7 B-1
211.	Sayed Ibrar Hussain	Sayed Mirza Hussain	L/NAIK BS-6	Constable-BS-7 B-1
212.	Sayed Najmal Hussain	Sayed Shabir Hussain	L/NAIK BS-6	Constable-BS-7 B-1

⑨

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S.#	Name	Father's Name	Previous Rank	Rank in which Absorbed
1435.	Laig Hussain	Ali Ghulam	SEPOY BS-5	Constable- BS-7
1436.	Bakht Gul	Matt Mangal	SEPOY BS-5	Constable- BS-7
1437.	Malik	Saif Ullah Khan	SEPOY BS-5	Constable- BS-7
1438.	Sayed Ali Abbas	Sayed Abbas Kazmi	SEPOY BS-5	Constable- BS-7
1439.	Shujaat Hussain	Sultan Hussain	SEPOY BS-5	Constable BS-7
1440.	Asamat.w. KUDAN	AKBAR KHAN	NAIK BS-7	Const B-1 (BS-7)

2. The above absorption shall be subject to the following terms and conditions:

- (i) Their services shall be governed under the Khyber Pakhtunkhwa Police Act, 2017 and the rules made thereunder.
- (ii) A member shall not be entitled for absorption, if he has resigned from Levies Force Service or has been terminated from the Service laid on account of misconduct, inefficiency or any other grounds or has been retired from Service under the Federal Levy Force (Amended) Service Rules 2013, before commencement of the Khyber Pakhtunkhwa Levies Force Act, 2019 (Khyber Pakhtunkhwa Act No. XXXV of 2019).
- (iii) Their services shall be considered regular and they shall be eligible for pension and deduction of General Provident fund in terms of the Khyber Pakhtunkhwa Civil Servant Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).
- (iv) Their seniority shall be determined in accordance with rule 6 of the Levies Force (Absorption in Khyber Pakhtunkhwa Police) Rules 2019.
- (v) They shall undergo training as provided in rule 5 of Levies Force (Absorption in Khyber Pakhtunkhwa Police) Rules, 2019.

Secretary
to Government of the Khyber Pakhtunkhwa
Home and Tribal Affairs Department

No. & date even.

CC to:

1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa.
3. Regional Police Officer, Kohat
4. District Police Officer Kurram Tribal District.
5. Deputy Commissioner Kurram Tribal District
6. PS to Chief Secretary Government of Khyber Pakhtunkhwa
7. PS to Secretary, Home & TAs Department, Khyber Pakhtunkhwa.
8. PS to Special Secretary-II, Home & TAs Department, Khyber Pakhtunkhwa.
9. PS to Secretary, Establishment Department, Khyber Pakhtunkhwa
10. Manager Printing Press for notifying the same in the official gazette.
11. Office record file.

Section Officer (General & Khasadars)

OASJ

(11)

POLICE DEPTT:

KOHAT REGION

ORDER.

This order will dispose of a departmental appeal moved by Ex-Constable Fahim Jan of district Kurram, against the punishment order, passed by DPO Kurram vide OB No. 139, dated 11.02.2021 whereby he was awarded major punishment of dismissal from service on the allegations of absence from lawful duty without any leave or prior permission from his seniors.

Comments as well as relevant record were requisitioned from DPO Kurram and perused. Record indicates that no proper departmental proceedings were initiated against him as per rules and the appellant was not provided any personal hearing opportunity by the enquiry officer.

Above in view, the undersigned reached to the conclusion that the punishment order passed by DPO / Kurram is too harsh and does not commensurate with the gravity of offense. Therefore, in exercise of the powers conferred upon the undersigned, the punishment order of dismissal from service is modified into minor punishment of forfeiture of two years approved service. The appellant is hereby reinstated into service and the intervening period is treated as leave without pay.

Order Announced

23-09-2021

Mohammad Zafar Ali
(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

No. 15580 /EC, dated Kohat the 21-09-2021.

Copy to District Police Officer, Kurram for information and necessary action w/r to his office Memo: No. 551, dated 28.07.2021.

PA/SRC
for
[Signature]
DPO
01/10/21

Mohammad Zafar Ali
(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

Office of The District Police Officer
By No. 2475
D.I. 4-10-21
District Kurram

Amir K. B.

12



**OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA**

Tel/Fax: 0926-311354*Email:policekurram@gmail.com

No. 3298-3393/PA Dated Parachinar. 11-10-2021

OFFICE ORDER

In compliance with the order of worthy Regional Police officer Kohat Region Kohat vide No. 15580/EC dated Kohat the 21.09.2021, Constable Fahim Jan is hereby reinstated into service with effect from 21.09.2021 and the punishment order of dismissal from service is modified into minor punishment of forfeiture of two years approved service. The interim period may be considered as without leave without pay on the principle of no work no payment. Further, he is directed to report to Police Line Parachinar.

**District Police Officer
Kurram**

OB No - 325 dated 11/10/2021
No. & date is even:

Copy forwarded for favor of information to the:

1. Regional Police officer Kohat Region Kohat w.r.t his order cited above, please.
2. District Account officer, Kurram .
3. All DSPs in Kurram
4. SRC Kurram Police for n/a and made red entry in his service book.
5. OASI Kurram Police.
6. Official concerned.

**District Police Officer
Kurram**

~~A-2-A~~

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**OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA**

Tel/Fax: 0926-311354*Email: policekurram@gmail.com

No. 637 /PA Dated Parachinar 11-2-2021

ORDER

This order is passed on the Charge Sheet against Constable Fahim in s/o Shah Azam Khan, Salary No. 00672036 under the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014).

Brief facts are that while posted at Upper Kurram had absented himself from official duty reported by OHC **since long** without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duties.

He was served with charge sheeted he never bothered to reply charge sheet.

In view of the above I, Tahir Iqbal District Police Officer Kurram in exercise of the powers conferred upon me, hereby award him a major punishment of "Dismissal from Service" with immediate effect and his absence period is treated as leave without pay.

OB No. 139

Date 11-02 /2021

District Police Officer
Kurram

No and Date is even:

Copy of the above is forwarded to the Reader/SRS/OHC for necessary action.

District Police Officer:
Kurram



(14) /

**OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA**

Tel/Fax: 0926-311354*Email:policekurram1@gmail.com

ORDER

This order is passed on the Charge Sheet against Constable Fahim Ullah P.No. 672036 under the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014).

Brief of the fact is that constable Fahim Ullah has been charged willingly absent till the date without prior permission of the competent authority which is tantamount to misconduct and inefficiency.

That consequent upon the completion of inquiry conducted against constable Fahim Ullah by the inquiry officer for which constable Fahim Ullah was given opportunity vide charge Sheet No. 3390/PA dated Parachinar the 14.10.2021 and No. 3389/PA dated Parachinar the 14.10.2021, but did not appear before the inquiry officer.

Upon the findings and recommendations of the inquiry officer vide No. 23/DSP Inv:/Kurram dated 25.01.2022 & No. 54/DSP/Inv: dated 24.03.2022, the material on record and other connected evidence including defense the inquiry officer concluded that constable Fahim Ullah has to defend himself. Hence, the inquiry officer recommended major punishment for the delinquent Police personnel.

It is worth mentioning that the said constable once has been dismissed vide order No. 139 dated 11.02.2021 and later, reinstated into the service by the worthy Regional Police officer Kohat vide order No.15580/EC dated 21.09.2021 but did not join the duty after reinstatement till the date.

Further, again notice regarding his continued absence before and after reinstatement, has already been published in daily Aaj Subah news paper dated 23rd January 2022.

Final show cause issued to the office of the undersigned vide No. 400/PA dated Parachinar the 23.02.2022 but did not reply and also not appeared before the undersigned for defense.

In view of the above I, Arbab Shafiullah Jan District Police Officer Kurram in exercise of the powers conferred upon me, hereby award him a major punishment of "Dismissal from Service" under the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014) with immediate effect.

**District Police Officer
Kurram**

OB. No. 116

Dated 08.04.2022

Copy forwarded to the:

1. Regional Police Officer Kohat Region Kohat.
2. District Account officer Kurram.
3. All DSPs/SHOs in Kurram
4. Pay Officer Kurram.
5. SRC Kurram Police
6. RI Kurram Police to collect equipments.
7. OASI Kurram Police..
8. Concerned.

District Police Officer