

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1309/2018

BEFORE: SALAH UD DIN --- MEMBER(J)
MIAN MUHAMMAD --- MEMBER(E)

Daulat Khan Ex Constable No. 1528 Capital City Police
Peshawar..... (*Appellant*)

VERSUS

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Capital City Police Officer, Peshawar.
3. Superintendent of Police Rural Peshawar.
4. Superintendent of Police Head Quarter Peshawar.....(*Respondents*)

Present:

FAZAL SHAH MOHMAND,
Advocate

--- For Appellant.

NASEER-UD-DIN SHAH,
Assistant Advocate General

--- For respondents

Date of Institution.....26.09.2018

Date of Hearing.....03.01.2023

Date of Decision.....06.01.2023

JUDGEMENT

MIAN MUHAMMAD, MEMBER(E):- The instant service appeal has been instituted with the prayer that “on acceptance of this appeal the impugned orders dated 03.03.2015 of respondent No. 1 and order dated 31.12.2014 of respondent No. 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits”.

02. Brief facts of the case as averred in the service appeal, are that the appellant was appointed in the respondent department as Constable in the year 2009. He was dismissed from service vide order dated

31.12.2014 on the allegation of absence from duty. Feeling aggrieved, the appellant filed departmental appeal on 19.01.2015, which was rejected vide appellate order dated 03.03.2015. The appellant then submitted Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 on 10.03.2015 which also met the same fate and was rejected vide order dated 23.12.2015. The appellant has filed the instant service appeal on 26.09.2018 by invoking jurisdiction of this Tribunal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the above mentioned impugned orders, which is under judicial scrutiny before this Bench.

03. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant as well as learned Assistant Advocate General for the respondents and have gone through the record with their valuable assistance.

04. Learned counsel for the appellant contended that mother of the appellant fell seriously ill in May 2014 and being the sole male member in the family at home he had to look after his ailing mother. His absence was, therefore, not intentional but it was due to the said reason that he could not attend the duty. He next argued that when the appellant reported for duty after recovery of his mother, he was informed that he had been dismissed from service. It was vehemently contended that neither charge sheet/statement of allegations nor any Show Cause Notice was ever served upon the appellant and the inquiry proceedings were

conducted in absence of the appellant, therefore, the appellant was condemned unheard. He further argued that before passing the impugned order of dismissal of the appellant, mandatory provisions of Khyber Pakhtunkhwa Police Rules, 1975 were not complied with which has rendered the impugned orders as illegal. Moreover, he strongly contested that the Khyber Pakhtunkhwa Police Rules, 1975, before the amendment of 2014, provided that the Superintendent of Police (H.Q) was only competent to appoint enquiry officer and take departmental action against a constable. The episode of alleged absence of appellant since 17.05.2014 was before the amendment in the said rules, therefore, the respondents were obligated under the law to have followed those rules and the relevant competent authority should have taken the impugned action under the old Rules. By not doing so, the entire proceedings initiated by S.P (Rural) Peshawar had become coram-non-judice, rendering the impugned order void and not maintainable in the eye of law.

05. Learned Assistant Advocate General for the respondents contended that the appellant was an habitual absentee who had earned 23 bad entries and two minor penalties. He next argued that while posted at Police Station Mattani Peshawar the appellant remained willfully absent from duty for 07 months and 14 days (17.05.2014-31.12.2014) without prior permission or leave from the competent authority which was unbecoming of a personnel of discipline force. He further argued that proper charge sheet and summary of allegations were issued to the appellant and proper inquiry was conducted into the allegations against the appellant through SDPO/Rural. He was also provided ample

opportunity of self defense but he failed to prove his innocence. Moreover, final Show Cause Notice was also issued to the appellant which had been received by the appellant himself. Since all the codal formalities were fulfilled before passing the impugned order, the appeal in hand may therefore, be dismissed, he concluded.

06. Perusal of the record reveals that the appellant while posted at Police Station Mattani, was absent from his lawful duty without prior permission/leave from the competent authority. He was therefore, dismissed from service on the ground of absence from duty w.e.f. 17.05.2014 till the passing of impugned order dated 31.12.2014. The appellant challenged the impugned order through departmental appeal on 19.01.2015 which was rejected/filed on 03.03.2015, thereafter the appellant filed revision petition on 10.03.2015 which was also rejected vide order dated 23.12.2015, hence the service appeal filed in the Service Tribunal on 26.09.2018.

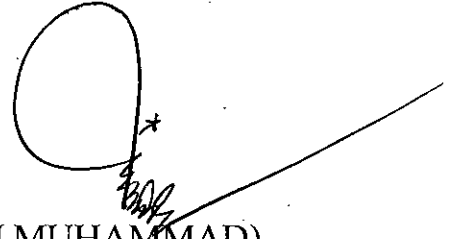
07. The service appeal of the appellant is badly time barred. The settled proposition of law dictates that when an appeal of the civil servant is time barred before the appellate authority, then the appeal before the Service Tribunal is also not competent and maintainable. Reliance is placed on PLD 1990 Supreme Court 951, 2006 SCMR 453 and 2007 SCMR 513. This Tribunal can take merits of the case into consideration only when the appeal is within time. August Supreme Court of Pakistan in its judgement reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on the ground of limitation then its merits need not to be discussed.

08. As a sequel to the foregoing discussion, the instant service appeal being not maintainable, stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

09. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 06th day of January, 2023.*



(SALAH UD DIN)
MEMBER (J)



(MIAN MUHAMMAD)
MEMBER (E)

ORDER

06.01.2023

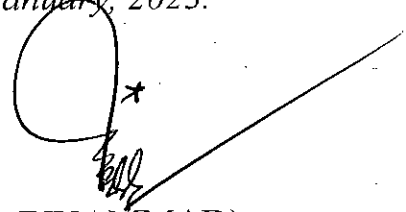
Mr. Fazal Shah Mohmand, Advocate for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

02. Vide our detailed judgement of today separately placed on file consisting of (05) pages, the instant service appeal being not maintainable stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

03. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 06th day of January, 2023.*



(SALAH UD DIN)
MEMBER (J)

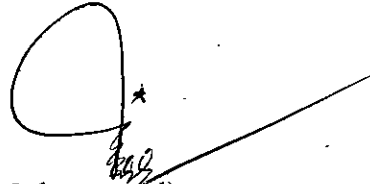


(MIAN MUHAMMAD)
MEMBER (E)

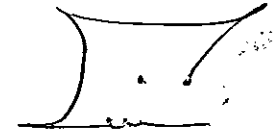
04.01.2023

Appellant in person present. Mr. Muhammad Raziq, Head Constable alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Certain points need further consideration, therefore, to come up for order on 06.01.2023 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

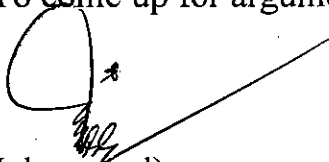
22.12.2022

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

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar.

Adjourned. To come up for arguments on 03.01.2023 before D.B.

SCANNED
K-EST
Peshawar



(Mian Muhammad)
Member (E)

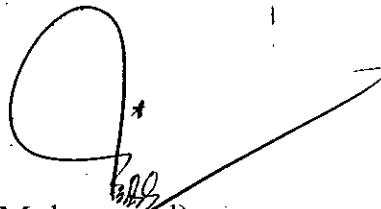


(Salah-ud-Din)
Member (J)

03.01.2023

Learned counsel for the appellant present. Mr. Muhammad Raziq, Head Constable alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Arguments heard. To come up for order on 04.01.2023 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

26.04.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment being not prepared for arguments today. Adjourned. To come up for arguments on 24.05.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

24th May, 2022

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

Former seeks adjournment due to engagement of learned senior counsel for the appellant before the Hon'ble High Court. Last opportunity is granted. To come up for arguments on 09.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

9-8-2022

Due to the Public holiday the case is adjourned to 9-11-2022

9-11-22

Since 9th November has been declared as public holiday, therefore the case is adjourned to 22.12.22 as before



01.06.2021

Junior to counsel for appellant present.

Javid Ullah learned Assistant Advocate General for respondents present.

Former submitted rejoinder with a request for adjournment. Adjourned. To come up for arguments on 03.09.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

03.09.2021

Due to summer vacations, the case is adjourned to 13.01.2022 for the same as before.



READER

13.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Request is accorded. To come up for arguments before the D.B on 26.04.2022.



(Atiq-ur-Rehman Wazir)
Member(E)

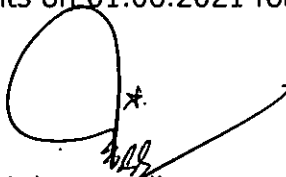


Chairman


25.02.2021

Appellant in person and Addl. AG for the respondents present.

Due to general strike on the call of Pakistan Bar Council, learned counsel for the appellant is not available. To come up for arguments on 01.06.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

~~_____~~

~~_____~~

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~~_____~~

~~_____~~

~~adjourned. Adjournd. To come up for arguments~~

~~03.06.2021 before D.B.~~

(Rozina Kinnian)
Member (J)

Chairman

01.06.2021

Junior counsel for appellant present.

Javed/Ullah learned Assistant Advocate General for respondents present.

Former submitted rejoinder with a request for adjournment. Adjourned to come up for arguments on 03.09.2021 before D.B.

(Rozina Rehman)
Member (J)

Chairman

Kashir Jattal

01.06.2021

Appellant in person present.

Muhammad Azeem Butt learned Additional Advocate General for official respondents present. Counsel for private respondent No.6 present.

It is evident from the order dated 02.04.2021 that the case was fixed for announcement of order which could be

22.09.2020

Counsel for the appellant and Addl. AG alongwith Abdur Razaq, H.C for the respondents present.

Learned counsel for the appellant mainly argued that the impugned order dated 31.12.2014 was passed by an officer who was not competent for the purpose as per schedule appended with the Khyber Pakhtunkhwa Police Rules, 1975.


In order to settle the proposition regarding competence of Police Officer in carrying out departmental proceedings and other relevant points, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Notices have already been given to respondents who have submitted the reply/comments. The matter is, therefore, posted before a D.B for arguments on 08.12.2020. The appellant may furnish rejoinder to the reply/comments within a fortnight, if so advised.


Chairman

08.12.2020 Appellant with counsel and Mr. Muhammad Jan, DDA for the respondents present.

An application has been submitted, whereby, extension in time/period for depositing security and process fee has been sought.

Keeping in view the prevailing circumstances due to COVID 19, the application is allowed. The appellant shall make the requisite deposit within further three working days from today. After the requisite deposit notices be issued to respondents for 25.02.2021. Adjourned to the mentioned date for arguments before the D.B.


(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

Appellant Deposited
Security & Process Fee

10/12/2020

Service Appeal No. 1309/2018

02.03.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Aziz Shah, Reader for the respondents present. Reply not submitted. Representative of the department seeks further time to furnish reply. Adjourned to 15.04.2020 for reply and preliminary hearing before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

15.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 13.07.2020 for the same. To come up for the same as before S.B.

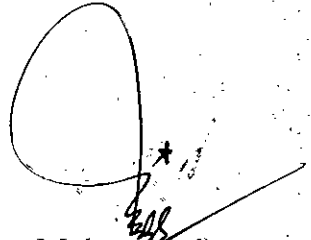

Reader

13.07.2020

Counsel for the appellant and Addl: AG for respondents present.

Notices be issued to respondents for reply.

Adjourned to 22.09.2020 before S.B.


(Mian Muhammad)
Member(E)

28.10.2019

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requires time to prepare the brief and also submit requisite reply.

Adjourned to 10.12.2019 before S.B.



Chairman

10.12.2019

Appellant in person and Addl. AG for the respondents present.

Requests for adjournment due to general strike of the Bar. Adjourned to 21.01.2020 before S.B.



Chairman

21.01.2020

Appellant in person present. Addl. AG on pre-admission notice present on behalf of the respondents.

Former requests for adjournment due to general strike of the Bar. Adjourned to 02.03.2020 before S.B.



Chairman

1309/2018

18.07.2019

Counsel for the appellant present.

Learned counsel for the appellant contended that the impugned order dated 31.12.2014 was passed by Superintendent of Police (Rural) Peshawar. He was of the view that the Khyber Pakhtunkhwa Police Rules, 1975, before the amendment of 2014, provided that the Superintendent of Police (H.Q) was only competent to appointment and taking departmental action against a constable. The episode of alleged absence of appellant was on 17.05.2014 which was before the amendment of rules, therefore, the respondents were obligated under the law to have followed and appointed the competent authority for the purpose of impugned action under the old rules. By not doing so the proceedings before S.P (Rural) Peshawar had become coram-non-judice, rendering the impugned order void.

In order to resolve the controversy and also the issue of delay involved in submission of instant appeal the respondents are put on pre-admission notice for 11.09.2019. The assistance of DSP (Rural) shall be appreciated in the matter.


Chairman

11.09.2019

Appellant in person.

Requests for adjournment as his learned counsel is engaged today before the Apex Court at Islamabad.

Adjourned to 28.10.2019 for preliminary hearing before S.B.


Chairman

09.07.2019

Appellant with counsel and Asst: AG for respondents present.

Learned counsel for the appellant partly argued the matter and request^{ed} for time to produce certain documents indicating the competent authority for the purpose of departmental proceedings and passing of impugned order against the appellant.

Adjourned to 11.07.2019 before S.B.

Chairman 


11.07.2019

Mr. Wakeel Khan Advocate for learned counsel for the appellant and Addl. AG for the respondents present.

A request for adjournment is made due to illness of son of learned counsel for the appellant. Adjourned to 18.07.2019 for hearing before S.B.

Chairman 

19.03.2019. Learned counsel for the appellant present and request for adjournment. Adjourn. To come for further proceeding on 17.04.2019 before S.B


(Hussain Shah)
Member

17.04.2019 Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 28.05.2019 before S.B.


Member

28.05.2019 Counsel for the appellant and Addl. AG for the respondents present.

Learned counsel for the appellant requests for adjournment as he could not prepare brief of instant matter due to engagement in various cases before the Honourable High Court today. Adjourned to 09.07.2019 for preliminary hearing before S.B.


Chairman

10.1.2019

Appellant in person present.

Requests for adjournment as his learned counsel is busy before the Honourable High Court. Adjourned to 21.02.2019 for preliminary hearing before S.B.



Chairman

21.02.2019

Learned counsel for the appellant present. Heard.

The appellant (Ex-Constable) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal At 1974 against the order dated 13.02.2014 of his dismissal from service, against the order dated 03.03.2015 regarding rejection of his departmental appeal and against the order dated 23.12.2015 whereby departmental appeal under Rule 11-A of the Khyber Pakhtunkhwa Police Rules 1975 submitted by the appellant was rejected.

The present appeal appears to be hopelessly time barred. In the interest of justice, pre-admission notice be issued to the respondents. To come up for reply of the respondents and preliminary hearing on 19.03.2019 before S.B.



Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1309/2018


S.No.	Date of order / proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/10/2018	<p>The appeal of Mr. Daulat Khan resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRARY 11/10/18</p>
2-	<p>17-10-18</p> <p>SCANNED KF IT Peshawar</p> <p>21-11-2018</p>	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21-11-18</u>.</p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p> <p><i>Since, 21 November has been declared as Public holiday on account of 12th Rabiulawal therefore the case is adjourned to come up for the same on 10-1-2019</i></p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>

The appeal of Mr. Daulat Khan Ex-Constable No. 1528 CCP Peshawar received today i.e. on 26.09.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereof are not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 3- Annexure- B of the appeal is illegible which may be replaced by legible/better one.

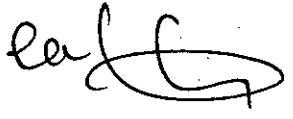
No. 1437 /S.T,

Dt. 27-9 /2018.


REGISTRAR 27/9/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

Sir, Resubmitted after necessary completion. Charge sheet and show cause notice was not communicated to the appellant while copy of departmental appeal is placed on file.

 Adv

14-10-18

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1309 /2018

Daulat Khan..... Appellant

VERSUS

PPO and Others..... Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-3
2.	Application for condonation of delay with affidavit		4
3.	Copies of Medical Chits	A	5-15
4.	Copy of Order dated 13-02-2014	B	16
5.	Copy of departmental appeal and Order dated 02-10-2014	C & D	16-A-17
6.	Copy of Appeal & Order dated 23-12-2015	E & F	17-A to 17-B
7.	Wakalat Nama		18

Dated:-24-09-2018

Appellant

Through


Fazal Shah Mohmand
Advocate Peshawar.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

- 1 -

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1309/2018

Daulat Khan Ex Constable No 1528 Capital City Police Peshawar
.....**Appellant**

V E R S U S

1. Provincial Police Officer KPK Peshawar.
2. Capital City Police Officer, Peshawar.
3. Superintendent of Police Rural Peshawar.
4. Superintendent of Police Head Quarter Peshawar.

.....**Respondents**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1476

Dated 26/9/2018

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE ORDER DATED 03-03-2015 PASSED BY
RESPONDENT NO 1 WHERE BY DEPARTMENTAL APPEAL
OF THE APELLANT FILED AGAINST THE ORDER DATED
31-12-2014 OF RESPONDENT NO 2 HAS BEEN
REJECTED/FILED.**

PRAYER:-

On acceptance of this appeal the impugned orders dated 03-03-2015 of respondent No 1 and Order dated 31-12-2014 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant joined the respondent Department in the year 2009 remained posted to various Stations and since then he performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.

2. That in May 2014, the appellant while posted to Police Station Mattani, the mother of the appellant fell ill and the appellant being the sole male family member at home, had to look after his mother, therefore was unable to had attended his duties, therefore informed the SHO concerned requesting for leave and took his mother to the Medical officer who advised medicines and bed rest time and again. **(Copies of Medical Chits are enclosed as Annexure A).**

3. That after recovery when the appellant arrived for duty he was told that he has been dismissed from service by respondent No 3 vide order dated 31-12-2014, where after he obtained copy

Filed to-day
Registrar

26/9/18
Re-submitted for day
and filed.
Registrar

of the order and filed appeal before respondent No 2. **(Copy of the Order dated 31-12-2014 is enclosed as Annexure B).**

4. That the appellant preferred departmental appeal before respondent No 2 which was rejected vide Order dated 03-03-2015 **(Copy of order dated 03-03-2015 is enclosed as Annexure D) while appeal is Annexure - (C) 2**
5. That the appellant then approached respondent No 1 under Rule 11-A of the Police Rules 1975 but there too his petition was rejected. **(Copy of appeal & order are Annexure - (E & F) 2**
6. That the impugned order dated 03-03-2015 of respondent No 2 and order dated 31-12-2014 of respondent No 3 are against the law, facts and principles of justice on grounds inter alia as follows:-

GROUND S:-

- A. That the impugned orders are illegal and void abinitio.
- B. That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- C. That the impugned order is void being without lawful authority, as respondent No 3 has got no authority to have dismissed the appellant from service.
- D. That no charge sheet and show cause notice were communicated to the appellant.
- E. That ex-parte action has been taken against the appellant and he has been condemned unheard.
- F. That no inquiry was conducted to find out the true facts and circumstances.
- G. That even otherwise the period of absence has been regularized by treating the same as leave without pay, thus he could not be punished on this ground twice.
- H. That even otherwise the absence from duty was neither willful nor deliberate rather the same was because of circumstances compelling in nature and were beyond the control of the appellant as well.

- I. That the impugned orders are not speaking orders and thus not tenable in the eyes of law.
- J. That the appellant was not provided the opportunity of personal hearing and the impugned order is defective as well.
- K. That the appellant did nothing that would amount to misconduct.
- L. That the appellant has about 5 years of service with unblemished service record and is jobless since his illegal dismissal from service.
- M. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated: 24-09-2018

Through

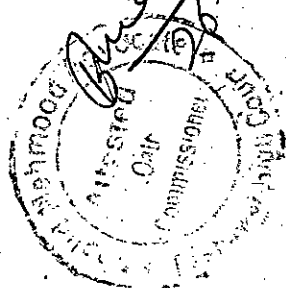
[Signature]
Appellant
[Signature]
Fazal Shah Mohmand
Advocate, Peshawar

A F F I D A V I T

I, Daulat Khan Ex Constable No 1528 Capital City Police Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

[Signature]
Fazal Shah Mohmand
Advocate Peshawar



[Signature]
DEPONENT

- 4 -

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2018

Daulat Khan.....Appellant

V E R S U S

PPO & others.....Respondents

Application for the condonation of delay if any.

Respectfully submitted:-

- 1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
- 2. That the grounds of appeal may be considered as integral Part of this application.
- 3. That the impugned order being void ab-initio, illegal and time factor becomes irrelevant in such cases and the appeal is as such within time.
- 4. That the law as well as the dictums of the superior Courts also favors decisions of cases on merit.

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

Dated 24-09-2018

[Signature]
Appellant

Through

[Signature]
Fazal Shah Mohmand

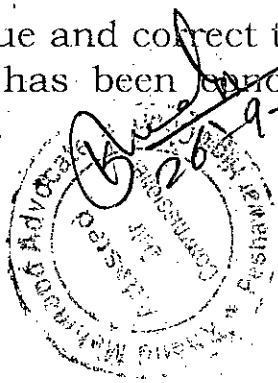
Advocate, Peshawar

A F F I D A V I T

I, Daulat Khan Ex Constable No 1528 Capital City Police Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by
[Signature]

Fazal Shah Mohmand
Advocate Peshawar



[Signature]
DEPONENT

AWAMI KHIDMAT

Gynae Center & Hospital

عوامی خدمت گائنی سنٹر اینڈ ہسپتال

Medical Laboratory 24 گھنٹے سروس

URINE, STOOL & SERENOLOGY

Patient's Name: Mrs. Davulsther Age: 2 Sex: F Date: 18/05/2024

Test Required: Toxo Plasma H.c.v. H.I.S.M. Test Lab No: _____

HAMETOLOGY

TEST	NORMAL RANGE	RESULT	TEST	NORMAL RANGE	RESULT
Hameoglobine	M(14-18) F(12-16)		Platelet Count	(15000-450000)	
R.B.C Count	M(4.5-6.5) F(3.9-5.6)	M/cumm	E.S.R.(Westergen)	M(01-05) F(05-20)	MM/1h
W.B.C Count	(4000-11000)	/cumm	Bleeding Times	Up to 5 min	
Differential Count		%	Clothing Times	Up to 11 min	
Neutrophils	(45-75)	%	Malaria Parasites		
Lymphocytes	(20-45)	%	Plasmodium Vivax		
Monocytes	(06-10)	%	Plasmodium Falciparum		
Eosinophils	(01-06)	%			
Basophils	(00-01)	%			

IMMUNOLOGY

TEST	NORMAL RANGE	RESULT	TEST	NORMAL RANGE	RESULT
Bilirubin Total	0.1-10 mg/dl	Mg/dl	Creatinine	0.5-1.5	Mg/dl
Bilirubin Direct	0.0-0.3 mg/dl	Mg/dl	Cholesterol	150-200	Mg/dl
Bilirubin Indirect	Up to 0.8 ng/dl	Mg/dl	Triglyceride	50-150	Mg/dl
Alt (GPT)	Up to 40 U/L	U/L	Uric Acid	M2.5-5 F2.0-6.0	Mg/dl
Alk Phasphatase	Up to 90 ch up to 39	U/L	Glucose Fasting	70-110	Mg/dl
Urea	20-45	Mg/dl	Glucose Radom	Up to 170	Mg/dl

BIOCHEMISTRY

TEST	NORMAL RANGE	RESULT	TEST	NORMAL RANGE	RESULT
ASO Titre		Blood Group	Widal Test		
Rehmotiod Factor		RH Factor	S. Typhil O		
HBS Ag	Negative	Pregnancy	S. Typhil H		
Anti HCV	Negative	Sputum For AFB	Mp Test		
Hiv Antibodies		Toxoplasma	Leishnfania Test		
Brucella Abortus		H. pylori Test	Ict Tb		
Brucella Melntesis		VDRL	Mantoux Test		

Signature: _____

پتہ: ناگمان چوک کریانہ روڈ

CR
E.S.D

NAGUMAN WELFARE CLINICAL LABORATORY

Naguman Chowk,
Haji Safdar Khan Market.
Reg No: HRA/500/R/18



ناگمان ویلفیئر کلینیکل لیبارٹری

ناگمان چوک حاجی صفدر خان مارکیٹ
Lab. Tech: Muhammad Ali
(DMLT)

KPK Medical Faculty Peshawar
Mob: 0301-8885132

Name محمد علی خان Age 9 Sex F Date 04/06/2019

Test Required

LFT's

HAEMATOLOGY

SERIOLOGY

Test	Result	Unit	N-Range	Result
Hb		Grams%	F12-16M14-18	RA Factor
T.L.C		Cmm	4000-11000/cmm	H.Pylori
D.L.C				Widal Test
Polymorphs		%	45-75%	TO: TH:
Lymphocytes		%	20-45%	AO: AH:
Epsionophils		%	1-6%	IcT TB
Monocytes		%	2-8%	Anti H.c.v
Basophils		%	0-1%	Pregnancy Test
ESR		mm/h	M0-10 F0-15	Skin Mantoux:
Bleeding Time	mts	Second	2-5 Minutes	Blood Group
Clotting Time	mts	Seconds	3-10 Minutes	Rh Factor
Platelets Count		cmm	150000-450000	HBS Ag
ASO Titre			Less than 200 U/M	Toxplasmosis
MP				Brucella
MP/ICT				Abortus
Typhidot				Melitenus
IgG				
IgM				

BIO CHEMISTRY

Test	Result	Unit	N-Range	Test	Result	Unit	N-Range
BGlucose(F)		Mg%	70-110mg%	S-Uric Acid		Mg%	M3-7mg F2-6mg
B-Glucose(R)		Mg%	80-150mg%	S-Chelostrol		Mg%	Less than 200
B-Urea		Mg%	20-50mg%	S.G.P.T (ALT)	31	U/L	5-45 U/L
S-Creatinine		Mg%	0.5-1.5mg%	Alk Phos	184	U/L	60-360
S-Calcium		Mg%	8.5-10.5	Triglycride		Mg%	upto 200
LDL Chol		mg/dl	<135	S-Bilirubin(T)	0.6	Mg%	upto 1.0
HDL Chol		mg/dl	735				

Remarks:

ناگمان ویلفیئر کلینیکل لیبارٹری شہد رُوڈ حاجی صفدر خان مارکیٹ

Lab Tech

Handwritten signature/initials.

SAJJAD

Medical Laboratory
Shabqadar Road Naguman.



MICROBIOLOGIST
SARDAR ALI

MSC (Microbiology) Karachi University
BSC (Medical Technology)
Punjab University.

SAJJAD AHMAD

DMLT
NWFP Medical Faculty

IJAZ AHMAD

DMLT
KPK Medical Faculty
0301-5969617

Name M/D Dolat Khan Age - Sex F Date 29/10/2014

Test Required Urine R/E Lab. No. - Consultant -

URINE EXAMINATION		
PHYSICAL	CHEMICAL	MICROSCOPY OF CENTRIFUGED DEPOSIT
Quantity <u>10 ml</u>	Albumin <u>Traces</u>	Red Cells <u>01 - 02</u> /HPF
Colour <u>P. Yellow</u>	Sugar <u>Nic</u>	Pus Cells <u>02 - 04</u> /HPF
PH <u>Acidic</u>	Ketone Bodies	Eptih, Cells <u>(+)</u> /HPF
SP, Gravity <u>-</u>	Bile Salt	A, Urates <u>(+)</u> /HPF
	Bile Pigment <u>Nic</u>	Granular Cast /HPF
	Others	Others <u>Nic</u>
Pregnancy		

Faces Examination	Microscopy Examination	
Colour	Red Cells	H. Nana Ova
Consistency	Pus Cells	T. Saginata
Reaction	Hook Worm	Anti Histolytica cyst
Mucus	Whip Worm	Giardia Lambila cyst
Blood	Round Worm	Enta moeba histalitica cyst
Parasites	Pin Worm	Remarks

SEMEN ANALYSIS			
Normal Values		Time Passed	
Volume (2.6 ml)	Sperm Count	Millions /ml	60 - 120 Million / ml
Colour (Grey - Yellow)	Active	%	>70%
Viscosity (Viscous)	Sluggish	%	>20%
PH	Dead	%	>10%
Remarks	MORPHOLOGY		
	Normal Shape	%	80 - 85%
	Abnormal Shape	%	15 - 20%
	Pus Cells	%	/HPF

Signature

سجاد میڈیکل لیبارٹری شہقادر روڈ ناگمان چوک

CR
2014

SAJJAD

MEDICAL LABORATORY

Shabqadar Road, Naguman Chowk

Ph: 091-6224515



MICROBIOLOGIST
SARDAR AHMA

MSc (Microbiology) Karachi Uni.
BSc (Medical Technology)
Punjab University

SAJJAD AHMA

DMLT
NWFP Medical Faculty

IJAZ AHMAD

DMLT
NWFP Medical Faculty: 0301-5969617

Name M/O Dolat Khan Age — Sex F Date 20-7-2016

Test Required PBC, ALT Lab No: — Consultant —

BIO CHEMISTRY	NORMAL VALUES	RESULTS	HEMATOLOGY	NORMAL VALUES	RESULTS
Blood Glucose (F)	60 - 110 mg/dl	mg/dl	H.B. %	F = 12 - 14 M = 14 - 18	12.0 G/dl
Blood Glucose (R)	70 - 150 mg/dl	mg/dl	R.B.C Count	F.3.9-5.6 M.4.9-6.5 mil	— M.cmm
Blood Urea	15 - 40 mg/dl	mg/dl	T.L.C Count	4000-11000 M/cmm	9,100 M.cmm
S. Bilirubin	Up to 1.0 mg/dl	U/L	D.L.C Count		—
S.G.P.T.	Up to 45 U/L	26 U/L	Polymorphs	40-75%	70 %
S. Alk, Phosphates	Up to 90 U/L	mg/dl	Lymphocytes	20-45%	24 %
Cholesterol	Up to 200 U/L	mg/dl	Eosinophils	1-6%	05 %
S. Uric Acid	M.3.5 - 7 F.3.5 - 6 mg/dl	mg/dl	Monocytes	2-4%	01 %
S. Creatinine	0.5 - 1.5 mg/dl	mg/dl	Platelets Counts	15000-400000 M/cmm	M.cmm
SEROLOGY			E.S.R (wg)	0-20	Mm/1st.hr
Widal Test:			B.T.	Up to 3 min	min
TO			C.T.	Up to 7 min	min
TH			Montoux Test		
AH			M.P.		
BH					
R.A. Factor					
Toxo Plasmosis					
H.B.s Ag.					
Blood Group					
Rh. Factor					
ICT for TB					
H. Pylori					
A.S.O. Titre					
Pregnancy Test					
H.C.V					
A.F.B					

سجاد میڈیکل لیبارٹری شہبقدار روڈ ناگمان چوک

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NAGUMAN WELFARE CLINICAL LABORATORY

Naguman Chowk,
Haji Safdar Khan Market.

Reg No: HRA/500/R/18



ناگمان ویلفیئر کلینیکل لیبارٹری

ناگمان چوک حاجی صفدر خان مارکیٹ

Lab. Tech: Muhammad Ali
(DMLT)

KPK Medical Faculty Peshawar
Mob: 0301-8885132

Name M/0 دولت خان Age 9 Sex F Date 22/09/14

Test Required

HBS/H001 HBS.Y./TLC/DLC

HAEMATOLOGY

SERIOLOGY

Test	Result	Unit	N-Range	Result
Hb	13.1 g/dl	Grams%	F12-16M14-18	RA Factor
T.L.C	9600	Cmm	4000-11000/cmm	H.Pylori
D.L.C				Widal Test
Polymorphs	15 %	%	45-75%	TO: TH:
Lymphocytes	31 %	%	20-45%	AO: AH:
Epsionophils	02 %	%	1-6%	IcT TB
Monocytes	02 %	%	2-8%	Anti H.c.v
Basophils	00 %	%	0-1%	Pregnancy Test
ESR		mm/h	M0-10 F0-15	Skin Mantoux:
Bleeding Time		mts	Second	Blood Group
Clotting Time		mts	Seconds	Rh Factor
Platelets Count		cmm	150000-450000	HBS Ag
ASO Titre			Less than 200 U/M	Toxplasmosis
MP				Brucella
MP/ICT				Abortus
Typhidot				Melitenus
IgG				
IgM				

BIO CHEMISTRY

Test	Result	Unit	N-Range	Test	Result	Unit	N-Range
BGlucose(F)		Mg%	70-110mg%	S-Uric Acid		Mg%	M3-7mg F2-5mg
B-Glucose(R)		Mg%	80-150mg%	S-Cholestrol		Mg%	Less than 200
B-Urea		Mg%	20-50mg%	S.G.P.T (ALT)		U/L	5-45 U/L
S-Creatinine		Mg%	0.5-1.5mg%	Alk Phos		U/L	60-360
S-Calcium		Mg%	8.5-10.5	Triglycide		Mg%	upto 200
LDL Chol		mg/dl	<135	S-Bilirubin(T)		Mg%	upto 1.0
HDL Chol		mg/dl	735				

Remarks:

ناگمان ویلفیئر کلینیکل لیبارٹری شبقدر روڈ حاجی صفدر خان مارکیٹ

Lab Tech

mfo Daulat - 10 -
Date 10/11/2014

Cep Evion 600g
جیوین ۶۰۰

Ap Hepto Com -
" - "

T Zinetac 300g
زینتاک ۳۰۰

Ap Serbok
" - "

T Jettlex 25g
1 - 1



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2/5

TRUST LAB SYSTEM



Add: Dir Medical Center
Basement Shop # 7-8
L.R.H. Road Peshawar.

Consultant

Dr. Noor-Ul-Faileen
MBBS, MD(IRA) (L.R.H)

NAME :- M/O DOLAT KHAN DATE & TIME :-10/11/014
SEX :- FEMALE REP NO :- 1673
AGE :- Yrs REF BY Dr,WALI MOHAMMAD WAZIR
SPECIMEN :- BLOOD
TEST REQUIRED ANTI HCV BY ELISA.

RESULT

ANTI HCV ----- REACTIVE.
INDEX VALUE ----- (20.5)
CUT OFF ----- (2.00)
(3rd GENERATION ELISA METHOD)

Lab Incharge

All queries / Discrepancies if any may be referred to our lab within 24 hours of reporting for re-evaluation / confirmation.
Open 24 hours a day. Contacts: 0311-5454186 - 0308-5901870 (NOT VALID FOR COURT PURPOSES)

Handwritten signature

TRUST LAB SYSTEM




-12-
Add: Dir Medical Center
Basement Shop # 7-8
L.R.H Road Peshawar.

Consultant
Dr. Noor-Ul-Faileen
MBBS, MD(IRA) (L.R.H)

NAME :- M/O DOLAT KHAN DATE & TIME :- 10/11/014
SEX :- FEMALE REP NO :- 1673
AGE :- Yrs REF BY Dr, WALI MOHAMMAD WAZIR
SPECIMEN :- BLOOD
TEST REQUIRED S.CALCIUM, H,PYLORI

RESULT

TEST	NORMAL RANGE	UNITS	RESULT
S.CALCIUM	8.1-----10.0	mg/dl	8.5
H,PYLORI	-----		NEGATIVE


Lab Incharge

All queries / Discrepancies if any may be referred to our lab within 24 hours of reporting for re-evaluation / confirmation.
Open 24 hours a day. Contacts: 0311-5454186 - 0308-5901870 (NOT VALID FOR COURT PURPOSES)



Reg No: HRA/500/R/202000018

Cell: 0301-5919098



ناگمان ویلفیئر میڈیکل سنٹر (رجسٹرڈ)

چلڈرن ری حائیڈریشن اینڈ وومن میٹرنٹی ہوم

ناگمان چوک شب قدر روڈ حاجی صفدر مارکیٹ

Pt Name: M/o Saikat Khan Add: Nafim Age: Wt Sex Date: 10-11-2024

Clinical Record

Rx

H.B.S

Positive

Teb. Tenova

1000 mg 1000 mg 1000 mg

Teb. Zolano 10mg

1000 mg 1000 mg

Cap. Eggo - 40mg

1000 mg

Cap. Favinol - 40mg

1000 mg 1000 mg

Teb. Indral - 10mg

1000 mg 1000 mg

زیر نگرانی: ڈاکٹر کرامت اللہ مہمند

ہسپتال سے 24 گھنٹے (دن رات) سپیشلسٹ ڈاکٹروں کے زیر نگرانی طبی امداد فراہم کی جاتی ہے اور قے دست والے بچوں کو گلوکوز بھی لگایا جاتا ہے۔

CR
EG



BioCare

MEDICAL LABORATORY

-14-

Molecular
Diagnostic
Division

MR No : B-89447-281/14 Date : 24/12/2014 3:05 PM
Patient Name : M/O Dolat Khan Sex/Age : Female / ?Year(s)
Ref By : Dr Wali Muhammad Wazir Specimen : Serum
Test Req : HBV DNA PCR

Quantitative Real Time PCR Report

HBV DNA	NOT DETECTED
VIRAL LOAD	< 100 copies / ml
	< 20 IU / ml

METHOD:

Real Time HBV DNA PCR is based on following steps

- Extraction of Viral DNA from patient's sample is performed by using silica-based "Micro Column" technique.
- A fluorogenic "Internal Control" is added parallel to samples in each column to check the validity of the assay.
- Positive and Negative "Quality Controls" are also run with each assay to further certify the results.
- Simultaneous amplification and quantification of viral DNA is performed on Real Time PCR machine "PIKO REAL" of Thermo Scientific-USA.
- Quantitative standards are run with each assay to quantify viral load.

PRINCIPLE:

Diagnosis is based on the amplification of specific regions of the HBV genome. Fluorescent labeled sequence specific probes are used for the detection of the amplified product.

SENSITIVITY:

Sensitivity of the Real Time PCR assay for HBV DNA is 20 IU/ml (100 copies/ml)

NOTE:

The result of HBV DNA PCR performed in different laboratories should not be compared because each laboratory uses its own kits / methodologies which have different sensitivity and specificity.

Dr. M. Ibrahim
M.B.B.S., F.C.P.S
Consultant
Lady Reading Hospital, Peshawar.

Mr. Inamullah
B.Sc, M.L.T (B.M.U. Karachi)
M.Sc, Microbiology (Karachi)
Consultant Microbiologist

Mr. Irfan Ullah
D.M.L.T (C Path) G.I.M.S (Peshawar)
B.Sc, M.L.T. (B.M.U. Karachi)
Consultant Medical Technologist

Mr. Ruedad Khan
D.M.L.T (C Path) Med. Faculty (KPK)
B.Sc (Hons) M.L.T Peshawar University
Consultant Medical Technologist
Lady Reading Hospital Peshawar.

Mr. Farhad Ali
D.M.L.T (C Path) Med. Faculty (KPK)
Pathology Technician
Lady Reading Hospital Peshawar.

Mr. M. Riaz
D.M.L.T (C Path) Med. Faculty (KPK)
Pathology Technician
Lady Reading Hospital Peshawar.

Quality Lab Services For All Diagnostic Tests

Not Valid For Court

Haematology, Chemical Pathology, Hormones, & Tumour Markers, PCRs, Genotyping

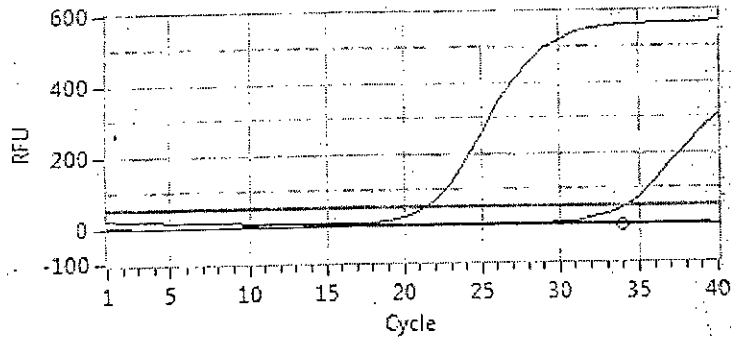
Ground Floor, Shingrilla Hotel, Dabgari Garden's Peshawar. Ph: 091-2581518 Cell: 0300-5820690

CR
2/10

-15-

HBV Quantitative Real Time PCR Report

MR#	89447
Amplification Kit	AmpliSens® HBV-FRT
Instrument	PikoReal 24 (ThermoFisher Scientific)



Results Interpretation

No.	Color	Name	Sample Type	Ct. Value	Given Conc (IU/ml)	Calc Concentration	
						IU/ml	Copies/ml
1		M/O Dolat Khan	Unknown	NaN	--	< 20	< 100
2		QS1	Standard	21.35	100,00,000	100,00,000	5.0 X10 ⁷
3		QS2	Standard	34.80	1000	1000	5.0 X10 ³

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170

1 - ~~10/11~~ "B" -16-

ORDER

This is an office order for disposal of departmental proceedings against Constable Dolat No. 1528 of CCP, Peshawar on the grounds that he while posted at P.S Mattani absented himself from lawful duty with effect from: 17.05.2014 till to-date without leave or permission.

On the basis of above mentioned allegations, disciplinary proceedings were initiated against him and SDPO Rural Circle was appointed as Enquiry Officer.

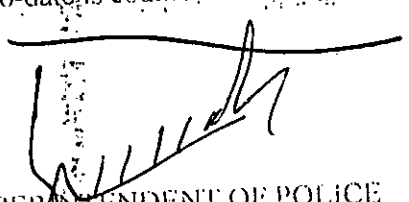
Findings of the enquiry officer were received and perused by the undersigned wherein the E.O found him guilty and recommended him for major punishment.

He was issued final Show Cause Notice vide memo: No. 5678/SPR, dated: 09.12.2014 which was served upon him on his postal address through I/C PP Naguman of PS Daudzai vide memo: No. 5677/SPR, dated: 09.12.2014. His signature was also obtained as token of receipt wherein he stated that he will attend this office on 18.12.2014 but he neither joined the enquiry proceedings nor reported at his place of posting till to-date which shows that he does not take interest in his legitimated duty.

His service record was also checked which reveals that he was enlisted in service on 01.08.2009 and during his service he carries 01-Good, 23 Bad Entries, and 02 minor punishment.

Keeping in view the above, the undersigned came to conclusion that the alleged Constable Dolat No. 1528 is guilty of the charges. He is, therefore, awarded the major punishment of "Dismissal from Service" under Police Rules 1975 with immediate effect and the period he remained absent from duty till to-date is counted without pay.

Order announced.


SUPERINTENDENT OF POLICE
RURAL, PESHAWAR.

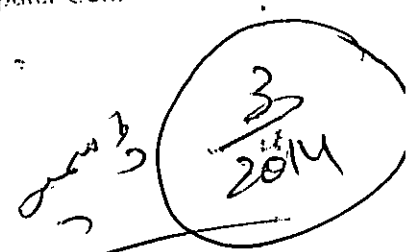
OB NO. 4122

DATED: 31-12-14

No. 76 /SP-R, dated : Peshawar the 31 / 12 /2014.

Copy to:-

- The CCPO, Peshawar.
- The SP HQrs: Peshawar.
- SDPO Rural (Enquiry Officer) & SDPO Sadder.
- Pay Officer, FMC, CRC, OSI & Computer Cell.


3
2014

Dy: No.	225 PA - (2011)
Dt:	19.1.2011
Encl:	1

درخواست نمبر دوبارہ بجای ٹوری
 No. 22/11/2015

تذریعہ حضور انور کے امن سائل فحکمہ پولیس کے لیے درمیان سال 2009
 کا بقیہ شدہ ہے اور دوران اس سائل کے ضمن میں بالآخر کسی قسم کی شکایت
 کا موقع نہیں دیا گیا اور ایسی کوئی بھی شکایت نہیں آئی ہے۔
 کسمال 4/1/2011 سے 5/1/2011 تک 17 گروہوں سے رابطہ کیا گیا اور انہیں اس وقت
 ہی سے اور صدر ایگرو خود آجائیں یہ بین وچ سائل کو عرفیہ ایکٹ
 میں باقی رہ گیا خود جلد آجائیں اور یہی حوالہ دی دیا گیا تھا اور طلبہ
 معالجہ کا خاطر گو یہ موجود رہتا ہے اور یہی حوالہ دی دیا گیا تھا اور طلبہ
 جنسیت اور عمر کے بارے میں وچ گوری تمام ڈیڑھ گھنٹہ کے دوران میں
 وچ سائل کو غیر حاضر ٹھہرایا گیا اور ایسی غیر ظاہری سائل کو وچ
 سے اور وچ ڈیڑھ گھنٹہ کے دوران میں سائل غریب اور نالیم دار شخص
 سائل رہیں اور اس بارے میں شکایت نہیں ہے اور کت مادی مسئلہ کے ساتھ ساتھ

FMC کے ذریعہ فوج کی خدمت میں ہزاروں درخواستیں آ رہی ہیں
 جن میں سے کچھ اس سائل کی حالت پر مشتمل ہیں اور ان کی تین دہائیوں
 کے دوران میں اس سائل کی حالت پر مشتمل ہیں اور ان کی تین دہائیوں
 کے دوران میں اس سائل کی حالت پر مشتمل ہیں اور ان کی تین دہائیوں

Dy: Supdt. of Police
 Legal, CCI/Peshawar
 22.1.2011

تذریعہ حضور انور کے امن سائل فحکمہ پولیس کے لیے درمیان سال 2009
 کا بقیہ شدہ ہے اور دوران اس سائل کے ضمن میں بالآخر کسی قسم کی شکایت
 کا موقع نہیں دیا گیا اور ایسی کوئی بھی شکایت نہیں آئی ہے۔
 کسمال 4/1/2011 سے 5/1/2011 تک 17 گروہوں سے رابطہ کیا گیا اور انہیں اس وقت
 ہی سے اور صدر ایگرو خود آجائیں یہ بین وچ سائل کو عرفیہ ایکٹ
 میں باقی رہ گیا خود جلد آجائیں اور یہی حوالہ دی دیا گیا تھا اور طلبہ
 معالجہ کا خاطر گو یہ موجود رہتا ہے اور یہی حوالہ دی دیا گیا تھا اور طلبہ
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 وچ سائل کو غیر حاضر ٹھہرایا گیا اور ایسی غیر ظاہری سائل کو وچ
 سے اور وچ ڈیڑھ گھنٹہ کے دوران میں سائل غریب اور نالیم دار شخص
 سائل رہیں اور اس بارے میں شکایت نہیں ہے اور کت مادی مسئلہ کے ساتھ ساتھ

0306-5962780

DEP
 For comment
 For depo

ORDER

This office order will dispose off departmental appeal of ex-constable **Daulat Khan 1528** who was awarded the major punishment of **Dismissed** under the PR-1975 by SP/Rural Peshawar vide OB No. 4122 dated 31.12.2014.

The allegations levelled against him were that he while posted at PS Mattani Peshawar absented himself from duty w.e.f. 17.5.2014 to 31.12.2014 (**7-months & 14-days**).

Proper Departmental Proceedings were initiated against him and SDPO-Rural was appointed as the E.O. He failed to join the inquiry proceedings. On receipt of the findings of the E.O. the Competent Authority issued him FSCN at his home address through local Police but he failed to appear or submit his written reply within stipulated period as such he was awarded the above major punishment.

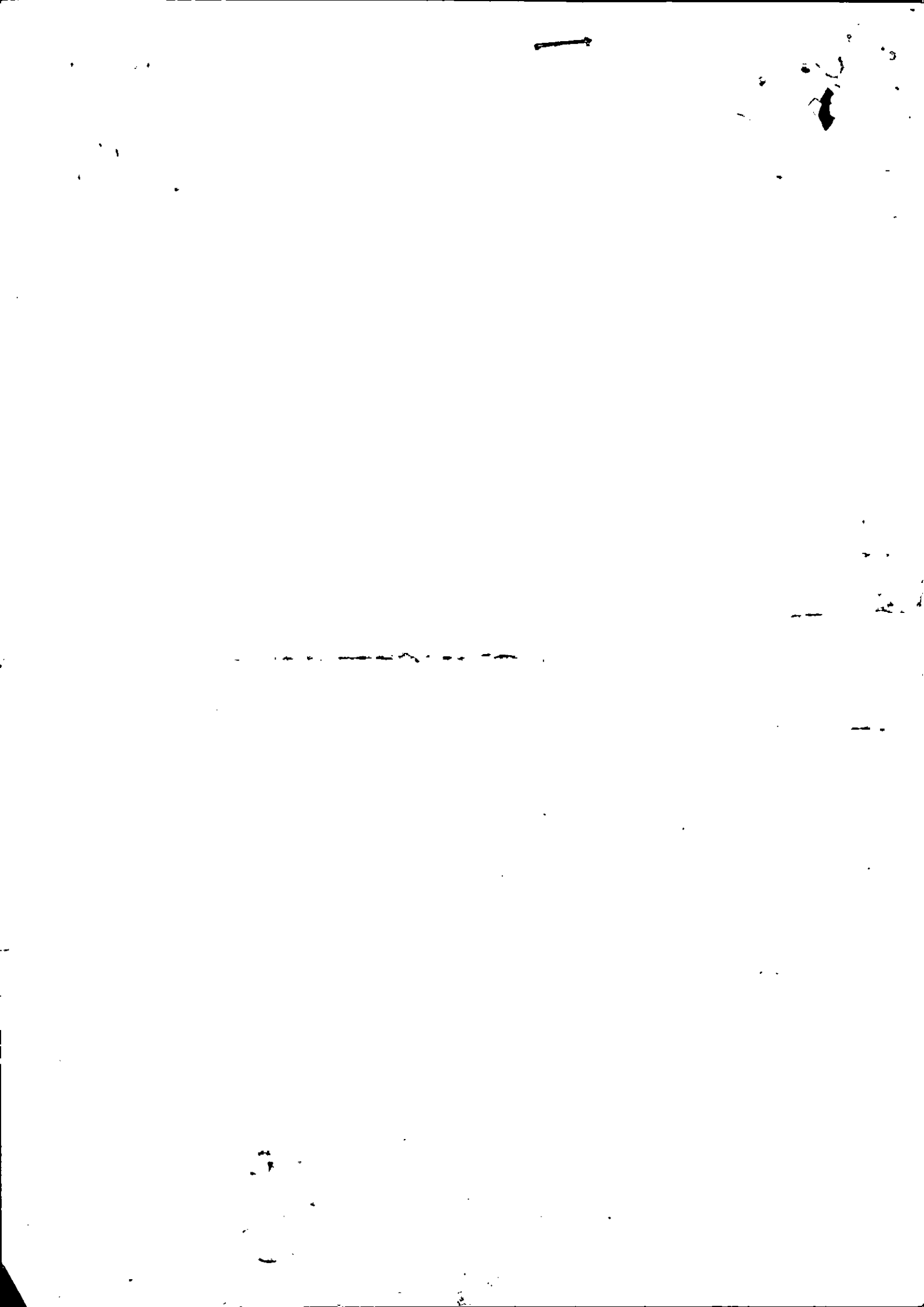
The relevant record was perused along with his explanation. He was also heard in person in OR on 27/2/2015 but he failed to defend himself. The allegations stand proved against him. He deserves no leniency. The order of SP-Rural is upheld and his appeal for re-instatement in service is rejected/failed.


**CAPITAL CITY POLICE OFFICER,
PESHAWAR.**

No. 507-12/PA dated Peshawar the 3.3.15

Copies for information and n/a to the :-

- 1/ SP-Rural, Peshawar
- 2/ PO/ OASI
- 3/ CRC along with S.Roll for making n/entry.
- 4/ FMC along with FM.
- 5/ Official concerned.



کثرت جناب انہی کی طرف سے پتہ پتہ اور غیر مختصر طور پر
 درخواست اور اپیل براد و ہم فرما اور اسل کو رینی وزارت
 پر بحال کروانے

Reg
 pls
 -17/A-

جناب عالی کے اسل سے ذیل عرض اپیل فرمائیے
 1) ہم اسل ایک تعلیم یافتہ و شریف گورنمنٹ لکھنؤ کے
 اور پولیس ڈیپارٹمنٹ میں لیپور کمنٹیل حورف 08/09 کو بھرتی ہوئے تھے
 (ماخذات لفظی)

2) ہم اسل چونکہ اپنی ڈیوٹی انتہائی بجا انداز سے سر انجام دے رہے تھے۔ مگر اس
 دوران حورف 05/2014 کو اسل کی والدہ شدید بیمار ہو گئی اور
 اس دوران اسل کے علاوہ گویا کوئی اور موجود نہ تھا جس
 کی وجہ سے اسل کو بیت مجبوری کی حالت میں اپنی ڈیوٹی سے غائب
 ہونا پڑا۔

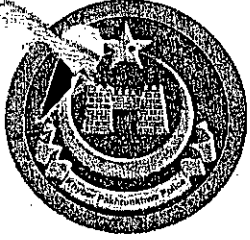
3) ہم اسل اپنی والدہ کی خدمت میں معذور نہ تھا۔ مگر اس دوران اسل
 کی بھڑاسنگی کا اور اسل کی والدہ کی جانب سے حورف 12/01/13 کو
 حورف میں ہوا۔ (ماخذات لفظی) (p. 05)
 4) ہم اسل نے بعد میں جناب اسل کی پٹی اوچھا کر اپیل نگراری لیکن وہ بھی سٹرو
 کی گئی۔ اور اسل چونکہ بحال نہ ہوئے۔ بیت پریشانی میں مبتلا رہے۔ اور گویا
 واحد کفیل ہے۔ اور علاج حاجم کی وجہ سے قرضدار ہوئے ہیں۔

5) ہم اسل اسل کے لئے درخواست ہے۔ کہ منظور کی درخواست ہے۔ اسل پر ہم فرمایا
 ہے کہ اور بحال کروانے کا حکم صادر فرمایا جائے۔ اور اسل کی حالت
 دعا گو رہے گا۔

1589/2-11
 10-3-018

اسل اور اس کا فوٹو منہ دور

5962780



"F"

-17/B-

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

No. S/ 6340 / 1 , Dated Peshawar the 23/12/2015

ORDER

This order is hereby passed to dispose off departmental appeal under Rule 11-a of Khyber Pakhtunkhwa Police Rule-1975 submitted by **Ex-Constable Daulat Khan No. 1528**. The appellant was awarded punishment of dismissal from service by SP/Rural Peshawar vide OB No. 4122 dated 31.12.2014, on account of absence of 07 months and 14 days.

He preferred an appeal before the CCPO, Peshawar against the order of SP/Rural Peshawar which was filed vide his order No. 507-12/PA, dated 03.03.2015.

The Review Petition Board meeting was held on 26.11.2015, wherein the appellant heard in person and enquiry papers were also perused in detailed. The ex-official is habitual absentee; having 25 bad entries in his service record and also could not submit plausible reason in his defence. Hence the appeal of Ex- Constable Daulat Khan No. 1528 is hereby rejected.

This order is approved by the Competent Authority.

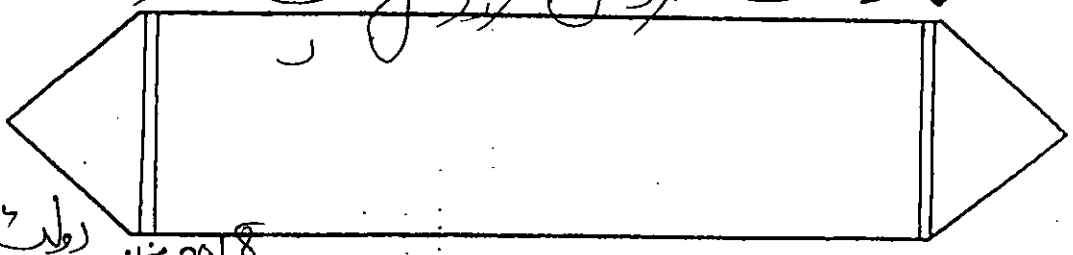
Najeeb
(NAJEEB-UR-RAHMAN BUGVI)
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

No. S/ 6341-49 /15,

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar.
2. Supdt: of Police, Rural Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PRO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. PA to AIG/Establishment CPO, Peshawar.
8. Office Supdt: E-IV CPO Peshawar.
9. Central Registrar, CPO.

بعدالت سرویس ٹرنووٹ کے سہ



دولت خانہ 2018ء منجانب

دولت خانہ بنام ۲۲۵ وٹیر

---	موزخہ
---	مقدمہ
---	دعویٰ
---	جزم

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ سید رکاب لور کے لئے لٹنر سٹاؤن لیمٹڈ کے لئے

آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار دیا گیا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلیہ دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ
 برداشتہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ 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
 مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

وکیل صاحب

المرقوم 20
ماہ ستمبر 2018ء

العبد _____ واد العبد _____

بمقام لور کے لئے منظور ہے۔
 Accepted
 (Signature)

BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 309/2019

Daulat Khan NoAppellant

Versus

- 1- Senior Superintendent of Police HQrs:, Peshawar.
- 2- Superintendent of Police Rural, Peshawar.
- 3- Capital City Police Officer, Peshawar.
- 4- Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.....Respondents

Reply on behalf of Respondents No. 1, 2, 3 & 4.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS.

- 1- That the appellant has not come with clean hands to this Hon'ble Tribunal.
- 2- That the petition is not maintainable due to mis-joinder and non-joinder of necessary parties.
- 3- That the appeal is time barred.
- 4- That the appellant concealed material facts from the Hon'ble Tribunal.
- 5- That the appellant is estopped by his own conduct.
- 6- That the appellant has got no cause of action/locus standi.

FACTS:-

- 1- First part of para No.1 is correct to the extent that the appellant joined the replying department in the year 2009, while rest of para is incorrect and denied on the ground that the appellant is a habitual absentee and earned in his short service 23 Bad Entries and two minor punishment. It is worth to mention here that the present service appeal is badly time barred.
- 2- Para No.2 is totally incorrect. In fact the appellant while posted at PS Mattani Peshawar rendered himself for departmental action on the charges of wilful absence w.e.f.17.05.2014 to 31.12.2014 (Total 07 months & 14 days).
- 3- Para No.3 is incorrect. Proper charge sheet and statement of allegations was issued to appellant and enquiry was conducted by SDPO/Rural Circle upon the finding of enquiry officer he was issued Final Show Cause Notice vide No.5678/SPR dated 09.12.2014 which he received by himself. His signature was also obtained as token of receipt wherein he stated that he will attend the office of respondent No.3 (Copy annexed) but he failed to appear or submit his written

*Checked -
Im
21/11/19*

reply. As the charges of deliberate absence were stood proved, hence he was awarded the major punishment.

- 4- Para No.4 is correct to the extent that he filed departmental appeal which after due consideration was filed/rejected on the ground that the allegations leveled against him were proved.
- 5- Para No.5 is correct to the extent that the appellant filed review petition before the appellate authority which was also reject on the ground that the appellant is a habitual absentee and also could not submit plausible reason in his defence.
- 6- Incorrect. The punishment orders passed by the competent authority as per law/rules. The appeal of the appellant being devoid of merits may kindly be dismissed on the following grounds.

GROUND:-

- A- Incorrect. The orders are just, legal and have been passed in accordance with law/rules.
- B- Incorrect. Proper charge sheet and statement of allegation was issued to him. Proper enquiry was conducted against him by SDPO/Rural. The appellant was provided ample opportunities of hearing, he was also heard in person in orderly room on 27.2.2015, he was also issued Final Show Cause Notice to which he received by himself after fulfilling all codal formalities he was awarded major punishment.
- C- Incorrect. The punishment order passed by the competent authority as per law/rules.(copy is annexure as "B")
- D- Incorrect. Proper charge sheet and statement of allegation were issued to him and a Final Show Cause Notice was also issued to him to which he received.
- E- Incorrect. The appellant is habitual absentee. He was wilfully absented himself from his lawful duty.
- F- Incorrect. Proper departmental enquiry was conducted against him by SDPO/Rural. The enquiry officer reported that the appellant is a habitual absentee and not interested in lawful duty.
- G- Incorrect. The punishment order passed by the competent authority as per law/rules.
- H- Incorrect. The appellant wilfully absented himself from his lawful duty without permission/leave. The appellant is a habitual absentee and does not deserve any leniency.
- I- Incorrect. The punishment orders are speaking orders passed by the competent authority as per law/rules.

J- Incorrect. The appellant was provided full opportunities of personal hearing but the appellant failed to defend himself.

K- Incorrect. The charges of deliberately absence was proved against him.

L- Incorrect. The appellant has blemish service record. The appellant in his short service of 05 years earned 23 Bad Entries and 02 minor punishment. The appellant himself is responsible for the situation by committing gross misconduct.

M- Respondents also seek permission of this Honorable Service Tribunal to raise additional grounds at the time of arguments.

PRAYERS:-


In view of the above, and keeping in view the gravity of slackness, willful negligence and misconduct of appellant, it is prayed that his appeal being devoid of any legal force may kindly be dismissed.



Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.



Capital City Police Officer,
Peshawar.



Superintendent of Police,
HQrs: Peshawar.



Superintendent of Police,
Rural: Peshawar.

BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 309/2019

Daulat Khan No Appellant

Versus

- 1- Senior Superintendent of Police HQrs:, Peshawar.
- 2- Superintendent of Police Rural, Peshawar.
- 3- Capital City Police Officer, Peshawar.
- 4- Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar..... Respondents

AFFIDAVIT

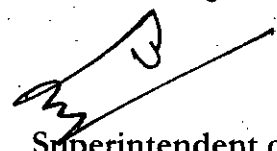
We respondents No. 1,2,3, & 4 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.



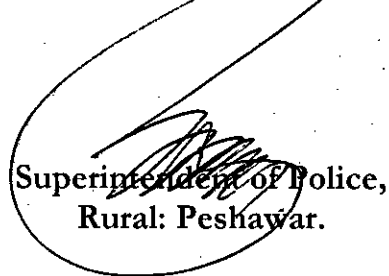
**Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.**



**Capital City Police Officer,
Peshawar.**



**Superintendent of Police,
HQrs: Peshawar.**



**Superintendent of Police,
Rural: Peshawar.**

آفس فون نمبر: 86

413-5 Daud Zai
09.12.2014

کیپٹل سٹی پولیس، پشاور

اصغر خان

S. H. Ak

S. H. Ak Daud Zai

از دفتر ایس پی رورل

بظرف: ایس ایچ او تھانہ داؤد زئی

حوالہ نمبر: 5677 مورخہ: 9/12/2014

عنوان: جھکمانہ انگوٹری

تعمیراتی محکمہ کنسٹیبل دولت بلٹ نمبر: 1528 ولد امت خان سکنہ نیچی، تھانہ داؤد زئی پشاور کو مطلع کریں کہ وہ بسلسلہ جھکمانہ کاروائی 2/3 دن کے اندر اندر زبردستی کے دفتر میں حاضر ہو جائے۔

اس کے علاوہ مذکورہ کولف شدہ شوکانز نوٹس حوالہ کر کے اس کے یا اس کے گھر کے سربراہ سے اس پروانہ پر تین عدد دستخط کر کے ایس پی رورل کے پاس جمع کرانے کے لئے ارسال فرمائیں۔

ایس پی رورل

74

(76)

صاف 13

میں اس خبر کے بارے میں اجازت مانگ رہی
کہ صبح 12 بجے کوئی کال آئی تھی
کچھ وقت بعد 5 بجے کوئی کال آئی تھی

ان کے پاس

دہلیت ہوا کہ میں نے

17301-61876785

0306-5962780

99

صاف 13

میں نے اس خبر کے بارے میں اجازت مانگ رہی
کہ صبح 12 بجے کوئی کال آئی تھی
کچھ وقت بعد 5 بجے کوئی کال آئی تھی

S. P. Daulazi
17-12-2014

❖ SCHEDULE-I

POWER OF PUNISHMENT TABLE

S #	DEPARTMENTAL PUNISHMENTS	AUTHORITIES COMPETENT TO AWARD PUNISHMENT TO:					
		Deputy Superintendent of Police/Deputy Superintendent of Police (Legal)	Inspector/Inspector(Legal)	Sub Inspector/Sub Inspector Legal	Assistant Sub Inspector	Head Constable	Constable
1.	A-Major Punishments: (i) Dismissal, removal from service, compulsory retirement.	Provincial Police Officer	DPO/SSP	DPO/SSP	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP
	(ii) Reduction from substantive rank to lower rank or from higher stage to lower stage in the same time scale of pay.	Provincial Police Officer	DPO/SSP	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP
2.	B-Minor Punishments: Withholding of promotion for one year or less.	PPO/Addl: IGP/CCPO/RPO/DIG	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP
3.	(i) Fine up to rupees Fifteen thousand (15000/-)	Provincial Police Officer	---	---	---	---	---
	(ii) Fine up to rupees Ten thousand (10000/-)	Addl: IGP/CCPO	---	---	---	---	---
	(iii) Fine up to rupees Ten thousand (10000/-)	RPO/DIG	---	---	---	---	---
	(iv) Fine up to rupees Five thousand (5000/-)	---	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP
	(v) Fine up to rupees one thousand (1000/-)	---	---	---	ASP/DSP	ASP/DSP	ASP/DSP
4.	Stoppage of increments for a period not exceeding three (3) years with or without cumulative effect.	PPO/Addl: IGP/CCPO/RPO/DIG	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP
5.	Censure	PPO/Addl: IGP/CCPO/RPO/DIG	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP
6.	Forfeiture of approved service up to two (2) years	PPO/Addl: IGP/CCPO/RPO/DIG	DPO/SSP/SP	DPO/SSP/SP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP
7.	Confinement to quarters guard up to fifteen (15) days of Constables and Head constables.	---	---	---	---	DPO/SSP/SP/ASP/DSP	DPO/SSP/SP/ASP/DSP

NASIR KHAN DURRANI (PSP)
Inspector General of Police,
Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Service Appeal No 309/2019

Daulat Khan.....**Appellant.**

V E R S U S

SSP & Others.....**Respondents**

REPLICATION ON BEHALF OF THE APPELLANT.

REPLY TO PRELIMINARY OBJECTIONS.

All the objections raised by the respondents are incorrect and as such denied. The appellant has got a valid cause of action and locus standi to bring the present appeal, the appellant has approached this honorable tribunal with clean hands and instant appeal is well within time. Instant appeal is maintainable in its present form in which all necessary parties have been impleaded, the appellant is not estopped by his conduct to file instant appeal and the appellant has concealed nothing from this honorable Court.

REPLY TO FACTS/GROUNDS:

Comments of the respondents are full of contradictions, rather amounts to admissions and are based on malafide. Respondents have failed to show that the version of the appellant is incorrect. Even respondents have failed to show and substantiate their version referring to any law and rules. In the circumstances the appellant has been deprived of his rights without any omission or commission on his part and he has been deprived of his rights guaranteed by the Constitution and law of the land. Respondents have failed to deny that ex-parte action has not been taken against the appellant and that the appellant were issued Charge Sheet and Show Cause Notice being mandatory as per law. Respondents have also failed to deny the fact that any inquiry was conducted in the matter as per law on the subject. The appellant has been condemned unheard and as such the impugned order is liable to be struck down. The impugned order is void being passed without lawful authority as such even time factor becomes irrelevant in such eventuality.

Respondents have tried to twist the facts, and tried to cover their, omissions, commissions and lacunas. The valuable rights of the appellant are involved from which he cannot be deprived. The appellant could not be made to suffer for the fault of others as no one could be punished for the fault of others. In the circumstances the appellant has not been treated according to law and rules being his fundamental right.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for.

Dated: ~~07~~ 12-2020

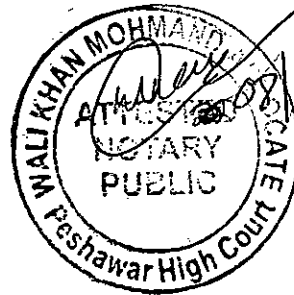
Through

Fazal Shah Mohmand
Appellant
Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

AFFIDAVIT

I, Daulat Khan Ex Constable No 1528, Capital City Police Officer, Peshawar, (the appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Daulat Khan
DEPONENT



S.A # 309 / 2019.

Daulat Khan

VERSUS

P.P.O & others

Application For Allowing the
Appellant to submit Security
Process fee -

Respectfully Submitted;

① That the above titled Service appeal is pending adjudication before this Honorable Tribunal and fixed for today i.e, 8-12-2020.

② That the titled case was admitted on previous date of hearing, due to some reasons the appellant has ~~not~~ not submitted the Security Process fee.

It is therefore, humbly prayed that on acceptance of this application the appellant may kindly be allow to submit Security Process fee.

Date: 8-12-2020.

Appellant
Through

Rabia Muzaffar (Adv)
Junior Counsel for the
appellant

ORDER

This office order will dispose off departmental appeal of ex-constable **Daulat Khan 1528** who was awarded the major punishment of **Dismissed** under the PR-1975 by SP/Rural Peshawar vide OB No. 4122 dated 31.12.2014.

The allegations levelled against him were that he while posted at PS Mattani Peshawar absented himself from duty w.e.f. 17.5.2014 to 31.12.2014 (**7-months & 14-days**).

Proper Departmental Proceedings were initiated against him and SDPO-Rural was appointed as the E.O. He failed to join the inquiry proceedings. On receipt of the findings of the E.O. the Competent Authority issued him FSCN at his home address through local Police but he failed to appear or submit his written reply within stipulated period as such he was awarded the above major punishment.

The relevant record was perused along with his explanation. He was also heard in person in OR on 27/2/2015 but he failed to defend himself. The allegations stand proved against him. He deserves no leniency. The order of SP-Rural is upheld and his appeal for re-instatement in service is rejected/filed.


**CAPITAL CITY POLICE OFFICER,
PESHAWAR.**

No. 507-12/PA dated Peshawar the 3.3.15

Copies for information and n/a to the :-

- 1/ SP-Rural, Peshawar
- 2/ PO/ OASI
- 3/ CRC along with S.Roll for making n/entry.
- 4/ FMC along with FM.
- 5/ Official concerned.

ORDER

This is an office order for disposal of departmental proceedings against **Constable Dolat No. 1528** of CCP, Peshawar on the grounds that he while posted at P.S Mattani absented himself from lawful duty with effect from: 17.05.2014 till to-date without leave or permission.

On the basis of above mentioned allegations, disciplinary proceedings were initiated against him and SDPO Rural Circle was appointed as Enquiry Officer.

Findings of the enquiry officer were received and perused by the undersigned wherein the E.O found him guilty and recommended him for major punishment.

He was issued final Show Cause Notice vide memo: No. 5678/SPR, dated: 09.12.2014 which was served upon him on his postal address through I/C PP Naguman of PS Daudzai vide memo: No. 5677/SPR, dated: 09.12.2014. His signature was also obtained as token of receipt wherein he stated that he will attend this office on 18.12.2014 but he neither joined the enquiry proceedings nor reported at his place of posting till to-date which shows that he does not take interest in his legitimated duty.

His service record was also checked which reveals that he was enlisted in service on 01.08.2009 and during his service he carries 01-Good, 23 Bad Entries, and 02 minor punishment.

Keeping in view the above, the undersigned came to conclusion that the alleged **Constable Dolat No. 1528** is guilty of the charges. He is, therefore, awarded the major punishment of "**Dismissal from Service**" under Police Rules 1975 with immediate effect and the period he remained absent from duty till to-date is counted without pay.

Order announced.


SUPERINTENDENT OF POLICE
RURAL, PESHAWAR.

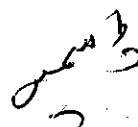
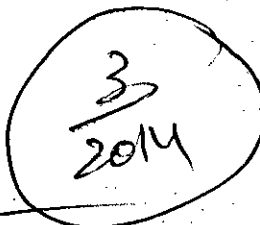
OB NO: 4122

DATED: 31-12-14

No. 76 /SP-R, dated Peshawar the 31 / 12 / 2014.

Copy to:-

- The CCPO, Peshawar.
- The SP HQrs: Peshawar.
- SDPO Rural (Enquiry Officer) & SDPO Saddar.
- Pay Officer, FMC, CRC, OSI & Computer Cell.

CHARGE SHEET

I, Superintendent of Police, Rural, Capital City Police Peshawar, as a competent authority, hereby, charge that **FC Dulat No.1528** of Capital City Police Peshawar with the following irregularities.

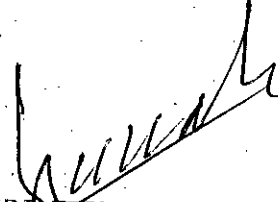
"That you **FC Dulat No.1528** posted at **PS Mattani** were absented from your lawful duty w.e.f. **17.05.14 till to date** without taking permission or leave. This amounts to gross misconduct on your part and is against the discipline of the force."

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that have no defence to put in and in that case expert action shall follow against you.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.


SUPERINTENDENT OF POLICE,
RURAL, PESHAWAR

No. _____ /SP Rural.
Dt _____ / _____ /2014

DISCIPLINARY ACTION

I, Superintendent of Police, Rural, Capital City Police Peshawar as a competent authority, am of the opinion that **FC Dulat No.1528** has rendered him-self liable to be proceeded against under the provision of Police Disciplinary Rules-1975

STATEMENT OF ALLEGATION

"That **FC Dulat No.1528** while posted at **PS/Mattani** absented himself from duty w.e.f. **17.05.14 till to date** without permission which amounts to gross misconduct on his part and against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and DSP - Rural is appointed as Enquiry Officer.

2. The Enquiry Officer shall, in accordance with the provisions of the Ordinance, provide reasonable opportunity of hearing to the accused officer, record its finding and submit within stipulated period of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.

3. The defaulter official and well conversant representative of the department shall join the proceedings on the date time and place fixed by the enquiry Office.


SUPERINTENDENT OF POLICE,
RURAL, PESHAWAR

No. 76 /PA, dated Peshawar the 25.09. /2014

Copy to E.O to submit finings within stipulated period under period under Police Rules 1975.

From: The Deputy Superintendent of Police,
Rural Sub-Division, Peshawar.

To: - The Superintendent of Police,
Rural, Peshawar.

Subject:- **DISCIPLINARY ACTION AGAINST FC DAULAT NO. 1528
OF POLICE STATION MATTANI PESHAWAR.**

Memo:- Please refer to your office No. 76/E/PA dated 25.09.2014 on the subject cited above.

Allegations:

Constable Daulat No. 1528 while posted at Police Station Mattani Peshawar, remained absent from lawful duty vide D.D No. 05 dated 17.05.2014 to till date without taking any leave or permission of his senior officers. In this regard he was issued Charge Sheet & Statement of Allegations by the W/SP/Rural and the undersign was appointed as E.O to scrutinize the conduct of the said official.

Proceedings:

The alleged Constable along-with Moharrar Police Station Mattani were called through DD No. 18 dated 26.09.2014 PS Mattani and this office Memo: No. 2447/s dated 12.11.2014 to appear before the undersigned. But reply (DD report) from Muharrir PS Mattani revealed that the subject constable is still absent from the duty vide DD No. 05 dated 17.05.2014 to till date.

Findings:

Constable Daulat No. 1528 absented himself intentionally, deliberately and without taking any leave or permission of his senior officers w.e.f 17.05.2014 to till date. From the above discussion, it is evident that the defaulter police official is a habitual absentee and not interested in the job of police force. His regular disappearance from the duty is highly objectionable and also the absence period is so long.

Recommendations:-

It is therefore, I am of the opinion that the under-enquiry Constable Daulat No. 1528 of PS Mattani is recommended for MAJOR PUNISHMENT on grounds of ex-parte, if approved.

Submitted for your kind perusal please.

No. 2698/S.

Dated 04/12/2014

er (06).

Issue SCN

Mu
(MUHAMMAD ASHEAQ)
DEPUTY SUPERINTENDENT OF POLICE
RURAL SUB-DIVISION PESHAWAR

S. Ahmad
5/12/14

FINAL SHOW CAUSE NOTICE

I Superintendent of Police, Rural, Capital City Police, Peshawar as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve you **FC Daulat No. 1528** of Capital City Police, Peshawar as follows.

1 (i) That consequent upon the completion of enquiry conducted against you by the enquiry officer for which you were given opportunity of hearing.

(ii) On going through the findings and recommendation of the enquiry Officer, the material on record and other connected papers produced before the E.O.

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

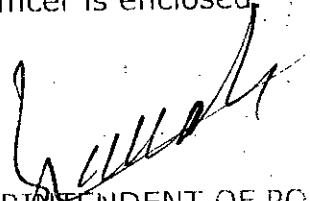
"That you FC Daulat No. 1528 while posted at P.S Mattani remained absent from duty w.e.f 17.05.2014 till to date without taking permission or leave. This act amounts to gross misconduct on your part and against the discipline of the force"

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of major punishment under Police Disciplinary Rules 1975 for absence.

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

4. If no reply to this notice is received within 7 days of its delivery, in normal course of circumstances, it shall, be presumed that you have no defense to put in and in that case as ex-parte action be taken against you.

5. The copy of the finding of the enquiry officer is enclosed.


SUPERINTENDENT OF POLICE,
RURAL, PESHAWAR

No. 5698 /PA, SP Rural: dated Peshawar the 9/12 /2014.

Copy to official concerned