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

Khyber Pakhtunkhwa  
Service Tribunal

**Service Appeal No. 46/2022**

Diary No. 4836

Muhammad Zeeshan Ex-Constable No. 2413, District Police  
Mardan.....Appellant.

Dated 12/4/2023

**VERSUS**

The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others  
.....Respondents

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*Witnessed*  
*[Signature]*  
*[Signature]*

①

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

**Service Appeal No. 46/2022**

Muhammad Zeeshan Ex-Constable No. 2413, District Police  
Mardan.....Appellant.

**VERSUS**

The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others  
.....Respondents

**Para-wise comments by respondents:-**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS**

1. That the appellant has not approached this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action or locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the appeal is bad for miss-joinder and non-joinder of necessary parties.

**REPLY ON FACTS**

S. NO.	Para of the Facts/Grounds	Reply with Annexure
1.	That the appellant is the permanent resident of District Mardan and appellant was appointment as Constable vide appointment Order No.15/12/2008.	pertains to record, needs no comments.
2.	That appellant was issued charged sheet and statement of allegation No.67/PA dated 10/02/2020 by respondent No. 03 with the following allegation.  <b>"That Constable Zeeshan No.2413 while posted at Police Station Sheikh Maltoon, Mardan, absented himself from his lawful duty vide D.D. No. 35 dated 19/01/2020 to DD No. 34 dated 13/07/2020 of P.S. Par Hoti till date of his dismissal without any leave/prior permission of the Competent Authority"</b>	Correct to the extent that the appellant while posted at Police Station Sheikh Maltoon remained absent from duty without any leave/permission of the competent authority vide DD report No. 35 dated 19.01.2020 to DD No. 18 dated 03.04.2020 and DD No. 34 dated 13.07.2020 PS Par Hoti till date of his dismissal. That on account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations. <b>(Copies of Charge Sheet with Statement of Allegations, Enquiry Papers, and notice receiving receipt are attached as annexure "A, B &amp; C")</b> .
3.	That in light of above charge sheet, a departmental enquiry was initiated against the appellant. Mr. SHER Nawas	Correct to the extent that proper departmental enquiry was initiated and enquiry was entrusted

	R/O Lines Mardan was nominated as Enquiry Officer. Appellant produced a detailed and comprehensive reply alongwith relevant documents in response to the charge sheet before the enquiry officer.	to Mr. Sher Nawas RI Police Lines Mardan. Rest of the para relates to enquiry proceedings.
4.	That initially the enquiry was conducted regarding the absence of 74 days from P.S .SMT Mardan. Appellant disclosed during the course of enquiry before the Enquiry Officer that appellant is ill due to <b>Chronic Pain of back and left leg.</b> Appellant produced medical prescription/documents in support of his stance before the Enquiry Officer which was positively considered.	Correct to the extent that the appellant was proceeded departmentally on account of his long absence from lawful duty without any leave/prior permission of officers. Therefore, the appellant being member of disciplined Force was bound to bring into notice of the senior officers regarding his illness and or leave thereof.
5.	That as per the story mentioned in the dismissal order, the Enquiry Officer findings to the Respondent 03 with the recommendation that his absence of 30 days may be counted as medical Leave and the rest of absence of 44 days be counted as Leave Without Pay.	Incorrect. The competent authority is not bound to agree with the recommendation of Enquiry Officer, as enunciated in Rule 5 Sub Rule 05 of Police Rules 1975 (amended 2014) which is reproduced as under:-  "On receipt of findings of the Inquiry Officer or where no such officer is appointed, on receipt of the explanation of the accused, if any, the authority shall determine whether the charge has been proved or not. In case of, the charge is proved the authority shall award one or more of major or minor punishment as deemed necessary". Hence, after giving ample opportunities to the appellant by calling in numerous Orderly Rooms, the non-appearance of appellant clearly showed him guilty of misconduct. Besides, the appellant has 92 bad entries & 324-days absence which showed that he is an unwilling worker. Therefore, he was awarded appropriate punishment which does commensurate with the gravity of misconduct of the appellant.
6.	That on 04/04/2022, appellant made his arrival at P.S SMT and performed his duty till 12/07/2020. During this period, the appellant was transferred from P.S SMT to P.S Par Hoti. Due to continuous previous disease, appellant did not make his arrival at P.S Par Hoti and went to his village for further treatment and during stay at his village the appellant continued his treatment and was lying on bed.	Incorrect. Already explained in above Para-4.


7.	<p>That appellant was marked absent regarding the absence from P.S Par Hoti vide DD No. 34 dated 13/07/2020. Appellant was not issued any show cause/charge sheet in this regard. Similarly, no departmental inquiry was conducted in this connection. It would not be out of place to mention here that neither any kind of notice regarding appearance is/was served upon the appellant. Appellant was awarded major punishment in absentia and as such ex-parte action was taken against the appellant. The Enquiry finding of the Enquiry Officer for the period of absent from 74 days was not considered by Respondent 03. Respondent 03 has mentioned the absence of the appellant from P.S Par Hoti in the dismissal Order but in this connection no departmental proceedings were conducted. Similarly, no notice for appearance is/was upon the appellant. Respondent 03 illegally dismissed the appellant from service vide OB No. 1297 dated 05/08/2020. (Copy of the OB No. 1297 dated 05/08/2020 is Annexure "A")</p>	<p>Incorrect. Both period of absence is clearly mentioned in dismissal order, he was called for Orderly Room on 08.07.2020, 15.07.2020, 22.07.2020, 29.07.2020 &amp; 05.08.2020 on the same ground of absence in which charge sheet with statement of allegations was already issued but he did not appear before the competent authority despite receiving and personally signing the notice, hence, he was awarded major punishment of dismissal from service with counting his (74) days absence's period as leave without pay. <b>(Copy of dismissal order is attached as annexure "D")</b>.</p>
8.	<p>That appellant did not absent himself from duty deliberately rather it was due to the chronic disease of back pain which is evident from the medical record already placed with departmental enquiry finding.</p>	<p>Incorrect. Being a part of disciplined force the appellant was supposed to submit an application for leave or inform his Senior Officer through his relative about his illness but he failed to do so and remained absent from duty without any leave/permission of the competent authority.</p>
9.	<p>That appellant aggrieved from the Order of Respondent 03 has filed an appeal before the Respondent 02 and Respondent 02 vide Office endorsement No.2761/ES dated 31/05/2021 reject the appeal of the appellant. (Copy of Memo of appeal and office endorsement No.2761/ES dated 31/05/2021 are Annexure "<u>B</u>" &amp; "<u>C</u>")</p>	<p>Correct to the extent that the appellant preferred departmental appeal which was also decided on merit because he was called in Orderly Room on 26.05.2021, but this time too he failed to produce any cogent justification in his defense. Therefore, his departmental appeal was <b>rejected and filed being time barred</b>.</p>
10.	<p>That impugned both the Orders of Respondent 02 and 03 by filling Departmental Appeal/Mercy Petition before the Respondent 01. But till date, Respondent 01 has not decided the Departmental Appeal/Mercy Petition of appellant inspite of several requests were made by the appellant but in vain. (Copy of Departmental Appeal/Mercy Petition is Annexure "<u>D</u>")</p>	<p>Correct to the extent that the appellant challenged both the orders i.e order of competent authority as well as order of appellate authority but it is pertinent to mention here that the appellant had preferred the revision petition at a belated stage. Also his departmental appeal was dismissed being bereft of any substance as</p>

		well as time barred ( <b>Copy of Revision Petition Order is attached as annexure "E"</b> ).
11.	That appellant is highly aggrieved from Orders of Respondent 02 and 03 and the unjust and cruel attitude of the Respondents. As such, approach this honorable Tribunal by Challenging the same on the following.	That appeal of the appellant is not maintainable in law & rule, is liable to be dismissed on the following grounds.
<b><u>REPLY ON GROUNDS:</u></b>		
A.	That impugned Orders and acts and deeds of the Respondents are against the law. Hence, not tenable.	Incorrect. Orders passed by the competent authority as well as appellate authority are legal and lawful, hence, liable to be maintained as tenable in the eye of law.
B.	That impugned Orders and acts and deeds of the Respondents are incorrect, illegal, without substance, in utter disregard of the well settle principle of law. As such, the same is liable to be set aside.	Incorrect. Para already explained needs no comments.
C.	That impugned Orders and acts and deeds of the Respondents are tainted with mala fide; the same are in derogation of provisions of the Constitution.	Incorrect. Orders passed by the respondents are as per law, constitution and the respondents did not violate any article of the Constitution.
D.	That impugned Orders have been issued illegally by not adopting the proper procedure of conduct enquiry etc.	Incorrect. As the appellant has been dealt by way of proper departmental enquiry and by affording several opportunities of defense.
E.	That Respondents have not treated the appellant in accordance with law, rules and policy on the subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully passed issued the impugned Orders, which are unjust, unfair. Hence, not sustainable in the eyes of law.	Incorrect. That the appellant has been treated in accordance with law, rules, policy and the respondents did not violate any Article of the Constitution of Islamic Republic of Pakistan and orders passed by the competent authority as well as appellate authority are legal, lawful, hence, liable to be maintained.
F.	That the impugned Orders are against the Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973. As no personal hearing and regular inquiry conducted by the Respondents.	Incorrect. Para already explained needs no comments.
G.	That the charge of absence from duty has fully been explained in the Departmental Appeal/Representation and clear from the record but no heed was given to the explanation offered by the appellant.	Incorrect. Stance taken by the appellant is not plausible, because his departmental appeal was decided on merit because he was called in Orderly Room on 26.05.2021, but this time too he bitterly failed to produce any cogent justification in his defense. Therefore, his departmental appeal was <b>rejected and filed being time barred.</b>
H.	That the charge of absence from service was also ill founded and not based on facts. It is pertinent to mentioned here that, appellant has not been issued any charge sheet regarding the absence from duty and appellant is not aware of any other enquiry proceedings in the regard nor any show cause notice, statement of allegation etc, was given to him. Hence ,	Incorrect. Para explained earlier needs no comments.

	the charge of absence is also untenable, baseless and accordingly the impugned Orders are not legally sustainable under the laws and are liable to be set aside.	
I.	That Respondent 03 has terminated the appellant from service by imposing major penalty on the basis of no evidence. Not an iota of material has been brought to prove the allegation leveled against appellant. Therefore, the impugned Orders are arbitrary, unlawful. Hence, not sustainable in the eye of law.	Incorrect. Stance taken by the appellant is not plausible, because he while posted at Police Station Sheikh Maltoon remained absent from duty without any leave/permission of the competent authority vide DD report No. 35 dated 19.01.2020 to DD No. 18 dated 03.04.2020 and DD No. 34 dated 13.07.2020 PS Par Hoti till date of his dismissal. That on account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations. Besides, the appellant was called for Orderly Room by the competent authority on 08.07.2020, 15.07.2020, 22.07.2020, 29.07.2020 & 05.08.2020 but he did not appear despite receiving and personally signing the notice, hence, he was awarded major punishment of dismissal from service.
J.	That no opportunity of personal hearing was offered to the appellant by the competent authority which is mandatory requirement of law. Appellant was condemned unheard as the action has been taken at the back of the appellant which is against the principle of natural justice.	Incorrect. Already explained vide preceding Paras.
K.	That appellant has made absentee due to his long standing illness of "severe back pain" for which the necessary medical documents have been produced before the enquiry officer. The Enquiry Officer has given due to the medical condition of the appellant in his Enquiry Officer Report. However, Respondent 02 and 03 have not taken into account the rationale behind the Enquiry Officer Report and acted against the norms of law and justice and Police Rules as well. (Copy of Medical Prescription is Annexure "E")	Incorrect. Plea taken by appellant is not plausible, being a part of disciplined force he was supposed to submit an application for leave or inform his Senior Officer through his relative about his illness but he failed to do so and remained absent from duty without any leave/permission of the competent authority.
L.	That appellant was not given any opportunity of "Personal Hearing" the competent authority at the time of passing of impugned Orders, which is contrary to the Police Rules 1975. It is settled principle of law that "No one should be condemned unheard."	Incorrect. Para already explained needs no comments.
M.	That the violation was brought into the notice of Respondents by filing Departmental Appeal/Mercy Petition which is still pending.	Incorrect. Stance taken by the appellant is not plausible, because his departmental appeal as well as Revision Petition were decided on merit because he was called in Orderly Room on 26.05.2021, but this time too he bitterly failed to produce any cogent justification in his defense. Therefore, his departmental appeal as well as Mercy Petition were <b>rejected and filed being time barred (Copies of Orders are attached as annexure "F &amp; G")</b> .

**PRAYER:-**

Keeping in view the above facts, it is most humbly prayed that the appeal of the appellant, being badly barred by law and limitation, may kindly be dismissed with costs, please.



**Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)



**Regional Police Officer,  
Mardan.**  
(Respondent No. 02)



**District Police Officer,  
Mardan.**  
(Respondent No. 03)

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

**Service Appeal No. 46/2022**


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Mardan.....Appellant.


**VERSUS**

The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others  
.....Respondents


**COUNTER AFFIDAVIT.**

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.

  
**Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

  
**Regional Police Officer,  
Mardan.**  
(Respondent No. 02)

**ATTESTED**  
  
12/12/2023

  
**District Police Officer,  
Mardan.**  
(Respondent No. 03)



(2) OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230100 & Fax No. 0937-9230111  
Email: dpo@p.gov.pk

2020

Annexure  
"A"  
(8)

67 / PA

Dated 18-12-2020

DISCIPLINARY ACTION

1. SAJJAD KHAN (PSP), District Police Officer Mardan, as competent authority am of the opinion that Constable Zeeshan No.2413, himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATIONS

Whereas, Constable Zeeshan No.2413, while posted at PS Sheikh Maltoon, remained absent from duty without any leave/permission of the competent authority vide DD No.35 dated 19-01-2020 till date.

For the purpose of scrutinizing the conduct of the said accused official with reference to the above allegations, Insp: Sber Nawas B1 Police Lines is appointed as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Officer, record/submit his findings and make within (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused Official.

Constable Zeeshan is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.

(SAJJAD KHAN) PSP  
District Police Officer  
Mardan

*Wheeler*  
*Ali*  
*Rah*

Handwritten notes in Urdu and English, including dates like 19-01-2020 and 18-12-2020, and names like Zeeshan, Sajjad Khan, and Sber Nawas. Includes circled numbers 1, 2, 3, 4, 5, 6, 7, 8.

OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: dpomdn@gmail.com

2020

9

CHARGE SHEET

I, SAJJAD KHAN (PSP), District Police Officer Mardan, as competent authority, hereby charge Constable Zeeshan No.2413, while posted at PS Sheikh Maltoon, as per enclosed Statement of Allegations.

By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.

You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.

Your written defense, if any, should reach the Enquiry Officers within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, ex-parte action shall follow against you.

Intimate whether you desired to be heard in person.

(SAJJAD KHAN) PSP  
District Police Officer  
Mardan

*Handwritten signatures and initials*


نمبر 34 - روزنامہ 13-07-2020

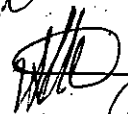
قانونی کارروائی

10

31/10

مقامی عدالت میں وقت 17:45 بجے 13-07-2020 سے سہولت فراہم کرنے کے لیے درخواستیں دائر کی گئی ہیں۔  
رہنما نے تمام درخواستیں سمجھ کر سماعت کی ہے۔  
مقررہ وقت پر عدالت میں حاضری ہو کر درخواستیں دائر کرنے کی تلقین کی ہے۔  
عدالت کے فیصلے پر عمل درآمد کرنے کی تلقین کی ہے۔

  
30/07/2020

Attested  
  
20/8

Sd/-  
Farwahan  
Daud  
110 ps per Note  
30-07-2020

کتابخانه شریفی

تعداد 3 و 1/2 روز

حضرت 18 ظہری عالیہ اور حضرت 20 ظہری عالیہ 3 و 1/2 روز  
 ڈیٹا 2413 حضرت 35 روز 19  
 حضرت 2413 حضرت 35 روز 19  
 حضرت 2413 حضرت 35 روز 19

ماہنامہ

کتابخانہ شریفی

Jan-25-60  
 3-4-2020

W. H. S. S.  
 W. H. S. S.  
 W. H. S. S.

SIR Forwarded  
 AND PE SMT.

1950/12/35

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انکوائری اذعان کنسٹیبل محمد ذیشان نمبر 2413 تھانہ شیخ ملتون

جناب عالی

چارج شیٹ نمبر 67/PA مورخہ 10.02.2020 جاری دفتر جناب DPO صاحب مردان۔

الزامات: کنسٹیبل محمد ذیشان نمبر 2413 کا تبادلہ تھانہ لونڈ خوڑے تھانہ شیخ ملتون ہو چکا تھا جو کہ انتظار کے باوجود مذکورہ ذیشان نے تھانہ شیخ ملتون میں حاضری نہ کر کے بحوالہ مد 35 روز نامہ 19.01.2020 رپورٹ غیر حاضری برخلاف مذکورہ درجہ روز نامہ کی جبکہ بحوالہ مد 18 روز نامہ 03.04.2020 کو اپنی حاضری کی رپورٹ تھانہ شیخ ملتون میں کر کے جس سے کل 74 یوم غیر حاضری بنتی ہیں جس پر مذکورہ کو دفتر جناب DPO صاحب سے چارج شیٹ جاری ہو کر من RI کو انکوائری آفیسر مقرر کیا گیا۔

کارروائی: کنسٹیبل محمد ذیشان نمبر 2413 کو بابت تقسیم کرنے چارج شیٹ اس کے موبائل نمبر 0343-9210427 پر سرکاری ٹیلی فون سے رابطہ کی کوشش کی گئی مگر رابطہ نہ ہو سکا پھر رابطہ کے لئے متعلقہ تھانہ کے محرر سے بذریعہ فون رابطہ کیا گیا جس پر بیٹ آفیسر نے مذکورہ سے باقاعدہ قبیل کر کے پروانہ ارسال کیا (پروانہ لف ہے) بعد میں مذکورہ بحاضری دفتر آ کر اپنا چارج شیٹ وصول کیا اور اپنا تحریری بیان مع میڈیکل چٹ بائے پیش کر کے مذکورہ سے بابت غیر حاضری سوالات کئے گئے مذکورہ نے بتلایا کہ اُس کو کمر درد اور عرق النساء کی شکایت تھی جس کے لئے DHQ ہسپتال سے علاج کروایا ہے۔ والد صاحب بھی فوت ہو چکا ہے، آمدنی کا کوئی معقول ذریعہ نہیں ہے وہ ایک غریب آدمی ہے۔ مذکورہ کے پیش کردہ میڈیکل چٹ ہائے کو چیک کر کے 05 قطعہ میڈیکل چٹ اور ڈاکٹر کا تحریر کردہ ریٹ پایا گیا اور زبانی بھی مذکورہ نے بیماری بتلایا ہے۔ لیکن کنسٹیبل مذکورہ نے کوئی قانونی طریقہ کار اختیار نہیں کیا ہے۔ یعنی محکمہ ہذا کے کسی اصول پر عمل نہیں کیا ہے کیونکہ محکمہ پولیس ایک ڈسپلن فورس ہے اور اُس نے بروقت کسی آفیسر کے نوٹس میں نہیں لایا ہے اور نہ ہی میڈیکل ریٹ کے ساتھ تحریری استدعا کی ہے۔

دوران انکوائری کنسٹیبل محمد ذیشان نمبر 2413 کا سابقہ ریکارڈ چیک کر کے 15.12.2008 کا بھرتی شدہ ہے۔  
Good Entry-Nil, Bad Entry-92 and Absence Bad entries-324days درج پائی گئی۔

اس سلسلہ میں محرر تھانہ شیخ ملتون کا بیان قلم بند کیا گیا ہے۔ (تسلیم کاغذات ہمراہ لف ہیں)۔

سفارشات: کنسٹیبل محمد ذیشان نمبر 2413 نے جو کل 74 یوم غیر حاضری بغیر کسی اجازت کے گزاری ہے معلومات پر پتہ چلا کہ ہار تھا لیکن محکمہ ہذا کے کسی بالا آفیسر کو بروقت آگاہ نہیں کیا گیا اور نہ ہی میڈیکل ریٹ بروقت منظور کیا ہے۔ اس لئے بوجہ بیماری 30 یوم غیر حاضری کو میڈیکل لیو میں شمار کرنے جبکہ 44 یوم غیر حاضری کو بلا خواہ کرنے کی سفارش کی جاتی ہے۔ رپورٹ

بمراہ مناسب حکم گزارش ہے۔

RI پولیس لائن، مردان۔

11/6/2020

نمبر 157/RI مورخہ 11/6/2020

کل صفحات: (23)

Constable Feisun C/2413  
is absent since

Handwritten notes in Urdu script, including the name 'DPO' and other illegible characters.

Constable Feisun C/2413 was called in  
on 3.7.2020, 15.7.2020, 22.7.2020

Handwritten notes in Urdu script, including the name 'Feisun' and other illegible characters.

031  
C

الاعمال / فیکر ٹوٹاؤں

Almir

cc

میں مسیٰ زبیر خان ولدہ عبدالحمید صاحب کراچی  
مقامی پولیس سٹیشن کے ذریعے خود کار سوجواہروں  
میں انٹرنیٹ شدہ صبح 08:00 بجے جبکہ DPO  
کے اردنی روم میں حاضر ہوئے۔

0311-4788332  
0306-0420166

الذیشان

زبیر خان ولدہ عبدالحمید

42010-9934699-5

حساب عالی

مسیٰ زبیر خان ولدہ عبدالحمید صاحب کراچی  
جبکہ DPO کے اردنی روم سے خارج کیا  
جا چکا ہے۔ کہیں صبح 08:00 بجے جبکہ DPO  
کے اردنی روم میں حاضر ہوئے۔ الاعمال میں  
دشمنیت کے تحت

Attest

Handwritten signature

ASJ-PS-JBR  
04-08-20

حساب عالی زبیر خان ولدہ عبدالحمید  
انٹرنیٹ شدہ صبح 08:00 بجے  
میں انٹرنیٹ شدہ صبح 08:00 بجے  
04-08-20



(15)

تفاسیر حکماء

(15)

کتابخانه و کتابخانه منبر 413  
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SR PS JBR  
9-3-2020

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a/c

حکومت آزاد کشمیر

لکھنؤ، 29/7/2020  
ڈی پی او، آزاد کشمیر  
ڈی پی او، آزاد کشمیر

2020-7-8

جناب عالی!  
مقامی پولیس نے اطلاع دی کہ ڈی پی او، آزاد کشمیر  
کو جاریہ ڈی پی او، آزاد کشمیر میں موجود پولیس  
ڈی پی او، آزاد کشمیر میں موجود پولیس کے  
تعمیراتی کاموں کے بارے میں

8220472-343

مسلحان و غیر مسلحان

جناب عالی!  
تعمیراتی کاموں کے بارے میں  
والیسی اور پولیس کے  
ڈی پی او، آزاد کشمیر  
2020-7-8

Handwritten signatures and notes on the right margin.

دعا

بسم

کھار س آمار غم ہے کہ کہب مسمی سلمان طہ عبد الحمید سائن  
 طہ کلان گھر اب کو کلمہ پڑھا جاتا ہے کہ اب کیشل ذمہ دار 2413  
 کے ہار ہے سے کیشل ذمہ دار کے بارے میں مفید خاکت 2013 میں  
 ہو رہی ہے۔ (دو اہل) منہ 0346-8420166 م رابطہ کرتے ہوئے  
 نے بتلایا کہ میں علامہ سائو لہ بیہم میں کہ کام ہو رہا ہے اور  
 آئندہ تاریخ بھی سے بارے میں مطلع کی کہ آئندہ تاریخ بھی  
 اس سلسلے میں کیشل ذمہ دار کے ہار سلمان کیشل ہار ہے

0343-8220472  
 سلمان دار عبد الحمید سائن گھر

Steel  
 The  
 2013

قائمہ صبر  
پروردگار اظہار کیا

نیکل نشان در لعمہ الحیدر سالک کدر

آپکو بڑا ہی پوریوانہ بگاڑ سکا اور صلح لیا جاتا ہے

اہل معرفت سے 15 کہ بوقت 30 بجے 15 بجے 15 بجے

گورنمنٹ سے ملے آئے جناب سرکار سے آفسی امور

سین حاضر ہونے کے حاضر نہ ہونے کی صورت میں

ایکے طرف شکر گاہ میں آئی جائے۔ یہاں سے اطلاع کرے

کفار

نور علی

گورنمنٹ

0363 9910 63  
نشان

14-3-2008



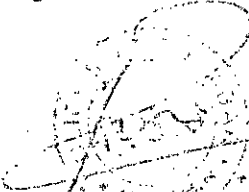
پہاں سے لے کر


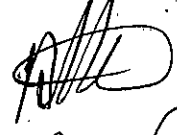

0363 9910 63

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وزارت اطلاعات

فہرست وارڈز کے لئے کنٹری ڈسٹریکشن 2413  
کو مطلع کریں کہ ملی فورسز کی قیادت 15:30 بجے  
کو پیش آگے۔ فورسز کی پائپرز اور دیگر امور کے بارے میں

  
14-07-2020

20

پروانہ  
کتاب

دکار سرفا محکمہ کے لئے کتب خانہ نرسنگ 24/13 دہلی نئی دہلی  
کے ریکورڈوں میں کتب خانہ نرسنگ 8/7/80 کو 16/10/20  
DPO کے تحت درج کیا گیا ہے۔

کریں  
PS JBR  
27-7-2020

افسر نرسنگ  
0340-5793938

03438210427

PS JBR  
07-7-2020

Attested  
with  
myself

OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2020

52/PA

Dated 6/12/2020

21

ORDER ON ENQUIRY OF CONSTABLE ZEESHAN NO.2413

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against the subject official, under the allegations that while posted at Police Station Sheikh Maltoon (now PS Par Hoti), Proceeded against departmentally through Inspector Sher Nawas RI/Police Lines Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.67/PA dated 10-02-2020 on account of the following absence's period from duty without any leave/approval of the competent authority:-

- 1) DD No.35 dated 19-01-2020 to DD No.18 dated 03-04-2020 PS SMT (74 Days)
- 2) DD No.34 dated 13-07-2020 PS Par Hoti till-date.

The Enquiry Officer after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No.167/RI dated 11-06-2020, recommending (30) days his absence's period as medical leave while the rest as leave without pay.

Final Order

Constable Zeeshan was called for O.R on 08-07-2020, 15-07-2020, 22-07-2020, 29-07-2020 & 05-08-2020, but he didn't appear despite receiving and personally signing the notice, while on the other hand, as per his previous record, he was enlisted in Police Department on 15-12-2003 and carried (92) bad entries with no good entry, besides (324) days absence's period, meaning that he is an unwilling worker with paying no attention towards the directives of Senior Officers, therefore, awarded him major punishment of dismissal from service with effect from 12-07-2020 with counting his (74) days absence's period as leave without pay with immediate effect, in exercise of the power vested in me under Police Rules-1975.

OB No. 12/27

Dated 6/12/2020.

(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

Copy forwarded for information & n/action to:-

- 1) The DSP/HQrs Mardan.
- 2) The SHO PS Par Hoti.
- 3) The P.O & I.C.(Police Office) Mardan.
- 4) The OSI (Police Office) Mardan with ( ) Sheets.

*Handwritten signatures and initials*



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Annexure

E

22

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Zeeshan No. 2413. The petitioner was dismissed from service by District Police Officer, Mardan vide OB No. 1297, dated 05.08.2020 on the allegations that he while posted at Police Station Sheikh Maltoon, Mardan absented himself from duty w.e.f 19.01.2020 to 03.04.2020 and 13.07.2020 till date of dismissal from service i.e. 05.08.2020 for a period of 03 months & 07 days. During his service he remained absent for 324 days on different occasions. His appeal was rejected being time barred by Regional Police Officer, Mardan vide order Endst: No. 2761/ES, dated 31.05.2021.

Meeting of Appellate Board was held on 19.05.2022 wherein petitioner was heard in person. Petitioner contended that he was suffering from severe backache.

Perusal of the record revealed that petitioner remained absent for long period of 03 months & 07 days. He has earned 92 bad entries during his ten years service. During his service he remained absent for 324 days on different occasions which establishes that he is habitual absentee and there is no prospects of mending his ways. During the proceedings, he could not submit solid evidence of his innocence. His revision petition is also time barred. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

**SABIR AHMED, PSP**

Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI/1183-89/22, dated Peshawar, the 2/6 2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. One Service Roll and one Fauji Missal of the above named Ex-FC received vide your office Memo: No. 6013/ES, dated 22.10.2021 is returned herewith for your office record.
2. District Police Officer, Mardan.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.



EC/OSI  
for action.  
DPOMardan  
3.6.22

(DR. AMID-ULLAH) PSP  
AIG/Establishment,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

Attested  
AKK  
mspk



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30/1/21  
30/1/21

23

ORDER

This order will dispose-off the departmental appeal preferred by Ex-Sergeant Zeeshan No. 2-13 of Mardan District Police against the order of District Police Officer Mardan, whereby he was awarded major punishment of dismissal from service vide O.B. No. 1257 dated 05.12.2020. The appellant was proceeded against for delinquency on the allegations that he while posted at Police Station Sheikh Mattoch Mardan, absented himself from his lawful duty with effect from 19.01.2020 to 03.04.2020 and 13.07.2020 till date of his dismissal without any leave/prior permission of the competent authority.

Proper departmental enquiry proceedings were initiated against him. He was called in Charge Sheet alongwith Statement of Allegations and Inspector Sher Nawaz Khan (Retired) Reserve Muzammar Police Lines, Mardan was nominated as Enquiry Officer. Enquiry Officer's finalizing report was submitted and findings were that the delinquent Officer that 30 days absence period of the delinquent Officer may be treated as leave without pay.

The delinquent Officer was called in Orderly Room on 08.07.2020, 22.07.2020, 30.07.2020 and 05.08.2020 respectively by the District Police Officer Mardan but failed to appear in connection with his defense which shows that he was not called in his defence. He was awarded major punishment of dismissal from service by the District Police Officer Mardan vide his order O.B. No. 1257 dated 05.12.2020.

Being aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in a court held in the office on 25.05.2021.

From the perusal of service record of the appellant, it has been found that he has been absent from duty for a period beyond any shadow of doubt. He has been absent from duty for a period of 30 days as enlisted in Police Departmental Enquiry Officer's report. He has no good entry. Besides, the appellant in his service record has been absent for 264 days on different occasions which depicts his attitude towards his official duties with paying no attention of the directives of his superiors. The appellant has filed the instant appeal which is time barred by 57 days and 21 days. Hence, order passed by the competent authority does not warrant any further appeal.

Keeping in view the facts and circumstances, PSP Regional Police Officer Mardan, being the appellant's superior, found no substance in the appeal. Hence, the case is hereby closed and not being proceeded.

Order Announced.

Regional Police Officer,  
Mardan

No. 2-13 / 65. Dated Mardan the 5th May 2021.

Copy forwarded to the Regional Police Officer Mardan for information and necessary action vide office Memo No. 5-13/LB dated 15.04.2021. His Service

6000  
01/5/21

S. R. ...

DSP/...  
21/5/21

DP/...  
21/5/21

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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

16

" 9 "  
24

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Zeeshan No. 2413. The petitioner was dismissed from service by District Police Officer, Mardan vide OB No. 1297, dated 05.08.2020 on the allegations that he while posted at Police Station Sheikh Maltoon, Mardan absented himself from duty w.e.f 19.01.2020 to 03.04.2020 and 13.07.2020 till date of dismissal from service i.e. 05.08.2020 for a period of 03 months & 07 days. During his service he remained absent for 324 days on different occasions. His appeal was rejected being time barred by Regional Police Officer, Mardan vide order Endst: No. 2761/ES, dated 31.05.2021.

Meeting of Appellate Board was held on 19.05.2022 wherein petitioner was heard in person. Petitioner contended that he was suffering from severe backache.

Perusal of the record revealed that petitioner remained absent for long period of 03 months & 07 days. He has earned 92 bad entries during his ten years service. During his service he remained absent for 324 days on different occasions which establishes that he is habitual absentee and there is no prospects of mending his ways. During the proceedings, he could not submit solid evidence of his innocence. His revision petition is also time barred. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

**SABIR AHMED, PSP**

Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1183-89/22, dated Peshawar, the 2/6 /2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. One Service Roll and one Fauji Missal of the above named Ex-FC received vide your office Memo: No. 6013/ES, dated 22.10.2021 is returned herewith for your office record.
2. District Police Officer, Mardan.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.



✓  
FC/OSI  
for no action.  
DPO Mardan  
3.6.22

(DR. AHMAD ULLAH) PSP  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

*Handwritten signature and initials*

25

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

**Service Appeal No. 46/2022**


Muhammad Zeeshan Ex-Constable No. 2413, District Police  
Mardan.....Appellant.


**VERSUS**


The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and others  
.....Respondents

**AUTHORITY LETTER.**

Mr. Atta-ur-Rehman Inspector Legal Branch, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

  
**Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 01)

  
**Regional Police Officer,  
Mardan.**  
(Respondent No. 02)

  
**District Police Officer,  
Mardan.**  
(Respondent No. 03)