

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**In the matter of**

**Service Appeal NO: 1088/2022**

Sajjad Ahmad S/O Dilawar, Ex-Warder (BPS-07) attached to Central Prison Haripur ..... (APPELLANT)

**VERSUS**

1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. Superintendent Headquarters Prison Peshawar.
3. Superintendent Central Prison Haripur

..... (RESPONDENTS)

**INDEX**

<b><u>Sr. No</u></b>	<b><u>Description of Documents</u></b>	<b><u>Annexure</u></b>	<b><u>Page No</u></b>
1	Joint para-wise Comments		1-4
2	Counter Affidavit		5
3	Show Cause Notice	<u>Annex-A</u>	6
4	Impuned Order	<u>Annex-B</u>	7
5	Departmental Appeal	<u>Annex-C</u>	08-15
6	Personal Hearing	<u>Annex-D</u>	16
7	Service Record	<u>Annex-E</u>	17
8	Other documents		

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**In the matter of  
Service Appeal NO: 1088/2022**

Sajjad Ahmad S/O Dilawar, Ex-Warder (BPS-07) attached to Central Prison  
Haripur ..... (APPELLANT)

**VERSUS**

1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. Superintendent Headquarters Prison Peshawar.
3. Superintendent Central Prison Haripur  
..... (RESPONDENTS)

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO: 01  
to 03**

Respectfully Sheweth,

**Preliminary Objections:**

- i. That the appellant has got no cause of action/locus standi to file instant appeal.
- ii. That the instant appeal is badly time barred.
- iii. That the appellant has concealed the material facts from this Honorable Tribunal, hence liable to be dismissed.
- iv. That the appellant has not come to this Honorable Tribunal with clean hands.
- v. That the appellant has filed the instant appeal just to pressurize the respondents.
- vi. That the appellant has filed the instant appeal on malafide motives.
- vii. That the instant appeal is against the prevailing law and rules.
- viii. That the appellant is stopped by his own conduct to file this instant appeal.
- ix. That the present appeal is not maintainable in the present form and also in the present circumstances of the case.
- x. That the appeal is bad for misjoinder and non joinder of necessary parties.

**OBJECTION ON FACTS:**

1. Pertains to record.
2. Incorrect and not admitted. That the respondent no. 03 issued show cause notice against a delinquent warder for the charges mentioned against the show cause notice under rule 5(i)(a) read with rule 7 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011. (Copy attached as **Annex-A**). That the appellant namely Sajjad Ahmad remain absent from duty in line w.e.f 19-12-2021 to 15-02-2022 i.e 58 days without the permission of the competent authority, hence violated Rule-1082/1083 of Khyber Pakhtunkhwa Prison Rules 2018. Moreover, a show cause notice was properly intimated to the appellant as the signature of the appellant is exist on the show cause notice after receiving the show cause notice.
3. Incorrect and not admitted. That the impugned order was issued by respondent no. 03 against the appellant Sajjad Ahmad according to law and rules (**Copy of the impugned order is attached as Annex-B**).
4. That the appellant filed departmental appeal before the competent authority which was rejected by the competent authority and upheld the decision of the respondent no. 03. (**Copy attached as Annex-C**).
5. Incorrect and not admitted. That the petitioner was directed to appear before the Worthy Inspector General of Prisons on 13-05-2022 at 10:00 AM for personal hearing before the departmental appeal (Copy attached as **Annex-D**). The departmental appeal was rejected by the competent authority and upheld the decision of the respondent No.03.
6. Incorrect.

**OBJECTION ON GROUNDS:**

- A. Incorrect and not admitted. Show Cause notice under rule 5(i)(a) read with rule 7 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 was properly issued to the appellant Sajjad Ahmad who remain absent from duty and lines w.e.f 19-12-2021 to 15-02-2022 i.e 58 days without the permission of competent authority and was properly received from the appellant after his signature on the show cause notice which was already annexed.
- B. Incorrect and not admitted. That the appellant was proceeded under rule 03 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 ammended in 2021 for the charges of his misconduct as mentioned in the show cause notice served upon the appellant the competent authority grant him the opportunity of personal hearing on 22-03-2022. The competent authority in exercise of power conferred under rule 14 (5) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 having considered

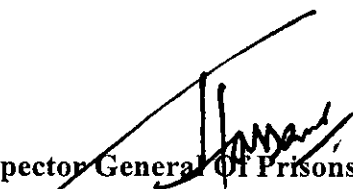
by Superintendent Central Prison Haripur, except this instant case, an another report submitted by Superintendent Central Prison Haripur regarding his absence from duty w.e.f 19-03-2022 to 27-03-2022 (09 days), non-serious in performing of assign duties his previous track record wherein he remain absent from duty w.e.f 03-03-2020 to 17-03-2020 (14 days) and 21-03-2020 to 29-05-2020 (69 days) and 17-09-2020 to 21-09-2020 (05 days) and 14-03-2021 to 30-04-2021 (48 days) and 21-07-2021 to 05-08-2021 and 17-08-2021 to 19-08-2021 (19 days). The competant authority awarded major penalty of "**Removal from Service**" to the appellant. His total absence period is 222 days.


- C. Incorrect and not admitted. The opportunity of personal hearing was properly provided to the appellant on 22-03-2022 by the competant authority but the appellant does not bother to appear before the competant authority.
- D. Incorrect and not admitted. The answer has been given in para-B above.
- E. Incorrect and not admitted. That the impuned order of the competant authority is according to Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011 and the detail reply has given in para-B above.
- F. Incorrect and not admitted. The answer has been given in para-E above.
- G. Incorrect and not admitted. That impuned order was issued to the appellant after completing all the codal formalities under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011.
- H. Incorrect and not admitted. That the appellant time and again violated the rule his previous track record shows that he is not serious in performance of his duties. That the appellant had 222 days absence in his total two years service which shows his negligence to his official duties. **(Copy of Service Record is attached as Annex-E).**
- I. Incorrect and not admitted. That the doctorine of **AUDI AULTERM PARTEM** was properly provided to the appellant before passing the impuned order.
- J. Incorrect and not admitted. That all the codal formalities under Government of Khyber Pakhtunkhwa (Efficiency and Discipline) Rule 2011 have been observed before passing the major penalty of removal from service.
- K. Incorrect and not admitted. The answer has been given in para-5 of the facts above.
- L. Incorrect and not admitted. That the petitioner is not serious in performing of his official duties and his previous service record in his short sevice tenure is full of negligence and wilfull absence toward his official duties, being a


M. Incorrect and not admitted. The answer has been given in para-H above.


**PRAYER :**

It is humbly prayed that upon acceptance of the above submission of joint parawise comments on behalf of respondents No. 1 to 3, the appeal of the appellants may graciously be dismissed being devoid of merit and against the law.

  
**Inspector General of Prisons**  
**Khyber Pakhtunkhwa, Peshawar**  
Respondent No. 1

  
27.12.2022

  
**Superintendent**  
**Headquarter Prison Peshawar**  
Respondent No. 2

  
**Superintendent**  
**Central Prison Haripur**  
Respondent No. 3

(5)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**In the matter of  
Service Appeal NO: 1088/2022**

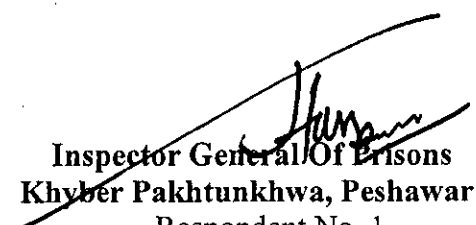
Sajjad Ahmad S/O Dilawar, Ex-Warder (BPS-07) attached to Central Prison  
Haripur ..... (APPELLANT)

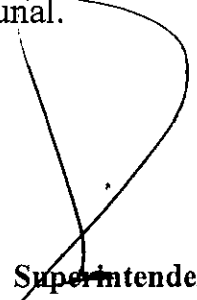
**VERSUS**

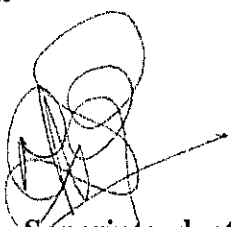
1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. Superintendent Headquarters Prison Peshawar.
3. Superintendent Central Prison Haripur  
..... (RESPONDENTS)

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO: 01  
to 03**

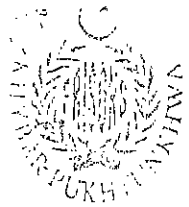
We the undersigned respondents do hereby solemnly affirm and declare that the contents of the Joint para-wise Comments in the above cited appeal are true and correct to the best of our knowledge and belief and that no material facts have been concealed from this Honourable Service Tribunal.

  
**Inspector General Of Prisons  
Khyber Pakhtunkhwa, Peshawar  
Respondent No. 1**

  
**Superintendent  
Headquarter Prison Peshawar  
Respondent No. 2**

  
27-12-2022

**Superintendent  
Central Prison Haripur  
Respondent No. 3**



re. cc.

OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR

(6)

Ph/Fax: 0995-920066

No. 1153

Dated 24 / 02 / 2022.

**SHOW CAUSE NOTICE UNDER RULE-5 (i) (a) READ WITH RULE-7 OF THE KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS (EFFICIENCY & DISCIPLINE) RULES, 2011.**

I, Muhammad Hamid, Superintendent Circle Headquarters Prison Haripur as competent authority do hereby charge you following Warders attached to Central Prison Haripur as follows:-

S.#	Name	Desig	Faults
01	Arshad <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 03-02-2022 to 05-02-2022 (03 days) without permission of Superintendent Central Prison Haripur.
02	Imran Hussain Shah <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 17-02-2022 to 19-02-2022 (03 days) without permission of Superintendent Central Prison Haripur.
03	Muhammad Waleed <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 28-01-2022 to 06-02-2022 (10 days) without permission of Superintendent Central Prison Haripur.
04	Shahid Iqbal <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 06-02-2022 to 11-02-2022 (06 days) without permission of Superintendent Central Prison Haripur.
05	Haroon Ur Rasheed <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 11-02-2022 to 13-02-2022 (03 days) without permission of Superintendent Central Prison Haripur.
06	Sajjad Ahmed <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 19-12-2021 to 15-02-2022 (58 days) without permission of Superintendent Central Prison Haripur.
07	Fazal Khalique <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 08-12-2021 to 19-12-2022 (12 days) without permission of Superintendent Central Prison Haripur.
08	Muhammad Zahid <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 21-12-2021 to 01-01-2022 & 09-02-2022 to 20-02-2022 (24 days) without permission of Superintendent Central Prison Haripur.
09	Saleem Ul Haq <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 01-01-2022 to 06-01-2022 (06 days) without permission of Superintendent Central Prison Haripur.
10	Arsalan Mushtaq <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 04-01-2022 to 19-01-2022 (16 days) without permission of Superintendent Central Prison Haripur.
11	Hussain Ahmed <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 29-01-2022 to 09-02-2022 (12 days) without permission of Superintendent Central Prison Haripur.
12	Sajjad Khan <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 14-02-2022 to 20-02-2022 (07 days) without permission of Superintendent Central Prison Haripur.
13	Bakht Baidar <i>[Signature]</i>	Warder	You were remained absent from duty and lines w.e.f 12-02-2022 to 20-02-2022 (09 days) without permission of Superintendent Central Prison Haripur.

Your this practice is a grave misconduct on your part & entails you for strict disciplinary action under the E & D Rules-2011.

I, Muhammad Hamid, Superintendent Circle Headquarters Prison Haripur as competent authority, am satisfied by the report submitted by Superintendent Central Prison Haripur & there is no need of holding any further inquiry.

Now therefore, you above named accused Warders are hereby called upon to show cause within seven (07) days as to why admissible Minor or Major Punishment may not be awarded to you for your above stated act of misconduct.

*[Signature]*

SUPERINTENDENT  
CIRCLE H/Qs PRISON HARIPUR

Encl: No. 1154-67 /Dated: / /2022.

1. The Superintendent Central Prison Haripur for information w/r to No.1311 dated.22-02-2022 & No. 1310 dated. 22-02-2022, Moreover their reply may be sent to this office before personal hearing for further perusal please.

2. Accused Warders attached to Central Prison Haripur for information and reply in feedback.

*[Signature]*  
SUPERINTENDENT



OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR

No. 1763-1- Date 29/03/2022

Phone/Fax: 0995-920066

7

**OFFICE ORDER:**

WHEREAS, Accused **Sajjad Ahmed S/o Dilawar Warder (BPS-07)** attached to **Central Prison Haripur** was proceeded against, under Rules-3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 amended in 2021 for the charges of his misconduct as mentioned in the Show cause Notice served upon him.

WHEREAS, he furnished his reply, which was found unsatisfactory.

AND WHEREAS, the undersigned being the competent authority granted him the opportunity of personal hearing on 22-03-2022 as provided for under rules ibid. Moreover, he didn't appear before undersigned and not complied the orders of this office.

NOW THEREFORE, in exercise of powers conferred under Rule-14(5) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline ) Rule 2011 amended in 2021, having considered the charges, evidence on record & Reports submitted by Superintendent Central Prison Haripur, except this instant case, an another report submitted by Superintendent Central Prison Haripur regarding his absent from duty w.e.f 19-03-2022 to 27-03-2022 (09 days), non-serious in performance of assigned duties, his previous track record wherein he remained absent from duty w.e.f 03-03-2020 to 17-03-2020 (14 days), w.e.f 21-03-2020 to 29-05-2020 (69 days), w.e.f 17-09-2020 to 21-09-2020 (05 days), w.e.f 14-03-2021 to 30-04-2021 ( 48 days), w.e.f 21-07-2021 to 05-08-2021 & 17-08-2021 to 19-08-2021 (19 days), undersigned being the competent authority awarded Major Punishment of, "**Removal From Service**" to **Sajjad Ahmed S/o Dilawar Warder (BPS-07)** attached to **Central Prison Haripur** with immediate effect.

Further, his absence period w.e.f 19-12-2021 to 15-02-2022 ( 58 days) & 19-03-2022 to 27-03-2022 ( 09 days) will be treated as Extra Ordinary Leave Without Pay.

Note: his total absence is 222 days.

  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR

Endst: No: 1764-68 /

Copy of the above is forwarded to:

- 1) The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please.
- 2) The Superintendent Central Prison Haripur for information, w/r to the No.1311 dated. 22-02-2022 & No. 2202/WE dated. 29-03-2022 please.
- 4) The DAO Haripur for information and necessary action please.
- 5) The Private Secretary to Special Assistant to Chief Minister for Prisons Khyber Pakhtunkhwa Peshawar for information please.
- 6) **Sajjad Ahmed S/o Dilawar Warder (BPS-07)** attached to **Central Prison Haripur** c/o Superintendent Central Prison Haripur at home address for information please.

  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR





INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

91-9210334, 9210406

91-9213445

8

No. Estb/Ward/Orders/ 15891 /-

Dated 18 - 05 - 2022 /-

ORDER:

**WHEREAS,** Ex-Warder **Sajjad Ahmed S/O Dilawar** while posted at Central Prison Haripur was awarded the major penalty of **"Removal from Service"** and **"his absence period w.e.f 19-12-2021 to 15-02-2022 and 19-03-2022 to 27-03-2022 treated as extra ordinary leave without pay"** by the Superintendent Headquarters Prison Haripur vide his office order No. 1763 dated 29-03-2022 due to his Misconduct/for his willful absence for period quoted above.

**AND WHEREAS,** the said Ex-Warder preferred his departmental appeal for setting-aside the penalty awarded to him, which was examined in light of the available record of the case and it was observed that the charges leveled against the appellant were proved.

**AND WHEREAS,** he was afforded an opportunity of personal hearing on 13-05-2022. During the course of hearing, he explained his position but failed to prove and justify his innocence.

**NOW THEREFORE,** keeping in view the facts on record, the provision of rules in vogue and in exercise of powers conferred under Rule-17 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 read with Rule-05 of Khyber Pakhtunkhwa Service Appeal Rules 1986, decision of the Superintendent Headquarter Prison Haripur is upheld and appeal of the appellant is hereby rejected being without any substance.

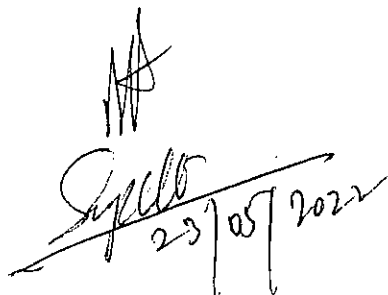
**INSPECTOR GENERAL OF PRISONS,  
KHYBER PAKHTUNKHWA, PESHAWAR.**


Encls: No. 15892-95 /-

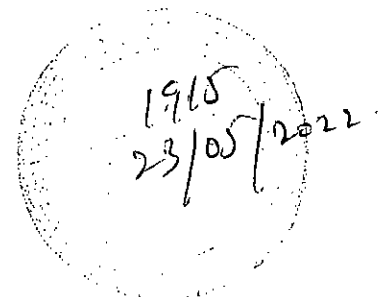
Copy of the above is forwarded to:

1. The Superintendent Headquarters Prison Haripur for information and necessary action with reference to his letter No. 2138/WE dated 19-04-2022.
2. Superintendent Central Prison Haripur for information and necessary action. He is directed to inform the appellant accordingly and make necessary entry in his Service Book under proper attestation.
3. The District Accounts officer concerned for information and necessary action.
4. Appellant concerned C/O Superintendent Central Prison Haripur for information.

  
PB

  
Sajjad Ahmed  
23/05/2022

  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

  
19/05  
23/05/2022



OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR

No. 2354 /-

Dated 11/05/2022 /-

Phone/Fax: 0995-920066

19

To,  
Mr. Sajjad Ahmed S/o Dilawar Ex-Warder (BPS-07),  
R/o Sando Gali P/o Gali Tehsil & District Abbottabad (0344-6052959).

Subject:- DEPARTMENTAL APPEAL.

Memo,

Refer to the Inspector General of Prisons Khyber Pakhtunkhwa Peshawar  
No. 15130 dated. 11-05-2022 (copy attached).

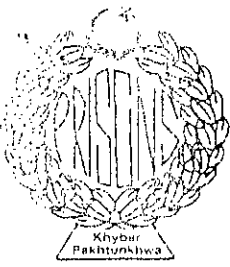
You are hereby informed to attend the office of the Inspector General of Prisons  
Khyber Pakhtunkhwa Peshawar on **13-05-2022 at 10:00 AM** for personal  
hearing in the subject cited Departmental Appeal as filed by you before  
competent authority.

  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR

Endst: No: 2355 /

Copy of the above is forwarded to the Inspector General of Prisons Khyber  
Pakhtunkhwa Peshawar for information w/r to the No as referred above please.

  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR



INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406 091-9213445

<https://www.facebook.com/kpkprisens>

Email: [prisensig@gmail.com](mailto:prisensig@gmail.com)

No. 15130 /-

Dated. 11-05-2022 /-

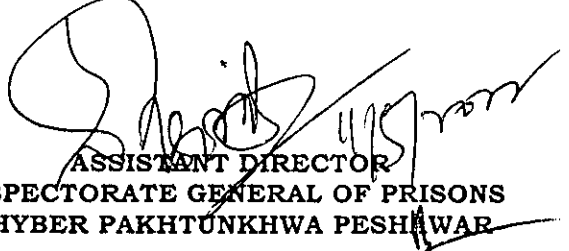
**BY FAX**

To,

The Superintendent,  
Circle Headquarter Prisons Haripur


Subject: **DEPARTMENTAL APPEAL**  
Memo;


I am directed to refer to your letter No. 2138/WE dated 19-04-2022 on the subject and to convey that **Ex-Warder Sajjad Ahmad S/o Dilawar** attached to Central Prison Haripur may be directed to appear before the worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar on **13-05-2022 at 10:00 AM** for personal hearing in the instant case. Also depute a well conversant officer alongwith Service Book as well as original record of the case to attend this office on the date and time fixed above please.

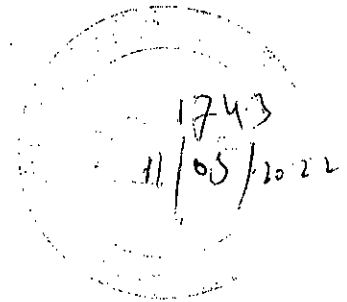
  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

Enclst; No. \_\_\_\_\_ /-

Copy of the above is forwarded to PA to Worthy I.G, Prisons Khyber Pakhtunkhwa Peshawar for information.

  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

Pis  
  
Sajjad



INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406 091-9213445

<https://www.facebook.com/kpkprisons>

Email: [prisonsig@gmail.com](mailto:prisonsig@gmail.com)

No. 13355 - 1-68

Dated. 14. 03-2-22

To,

The Superintendent,  
Circle Headquarters Prison Haripur

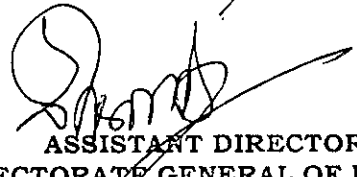
Subject: **DEPARTMENTAL APPEAL**

Memo:

I am directed to refer to the subject and to forward herewith a copy of departmental appeal (self-explanatory) submitted by Warder Sajjad Ahmed S/O Dilawar attached to Central Prison Haripur on the captioned subject.

Please look into the matter and furnish your necessary views/comments alongwith history of his service on the below noted format for further necessary action by this office:

S.No.	Name & Parentage	Rank	Date of Birth	Date of appointment.	Detail Of Postings	Penalty if any awarded
-------	------------------	------	---------------	----------------------	--------------------	------------------------

  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

PB  
Supdt

1487

16/4/22

12

**BEFORE INSPECTOR GENERAL OF PRISONS KHYBER  
PAKHTUNKHWA PESHAWAR.**

Handwritten notes and signatures in a grid format, including the name 'Sajjad' and dates like '29/3/22'.

Departmental Appeal  
By Sajjad Ahmed warder  
Central Prison Haripur

DEPARTMENTAL APPEAL AGAINST ORDER NO. 1763 DATED 29-03-2022 PASSED BY THE SUPERINTENDENT CIRCLE H.Q. PRISON HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED WITH THE PENALTY OF "REMOVAL FROM SERVICE".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL IMPUGNED ORDER DATED 29-03-2022 MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN SERVICE FROM THE DATE OF REMOVAL WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,

Respectfully the following few lines are submitted for kind consideration and favorable order please:-

1. That on 19-03-2022, while appellant posted at Central Prison, Haripur and performing his official duties fell seriously ill and was taken to the DHQ Hospital Haripur by his colleague, where he was examined by the Doctor and prescribed some medicines with advice of 03 (three) days bed rest for the restoration of his health. After medical treatment appellant was brought back to his room and laid on bed. Appellant informed Prison Lines Moharrir "Raqaat Shah" and handed over the medical certificate for sanction of medical leave from competent authority. Even after 03 days rest appellant was not in a position to do his duty and he kept continued his rest and medicines. On 26-03-2022 appellant felt some better and took over his duties. He continued to perform his duties till 29-03-2022 when called by Superintendent Circle HQ Prison Haripur to his office and ordered his removal

from service without discussing any cause. There was only 04 days leave without MC for which the appellant has been removed from service. **(Copies of Medical Certificate and Removal Order dated 29-03-2022 are attached as "A & B")**.

2. That the appellant was unable to move and join duties due to his illness and remained confined to bed. As the appellant was under medical treatment of doctor and could not attend duties because of illness. However he kept informed Moharrir Prison Lines Haripur about his ailing condition and requested for sanction of medical leave from the competent authority.
3. That no proper departmental inquiry was conducted against the appellant. Neither he was issued with a Charge Sheet nor Show Cause Notice before awarding major penalty of removal from service. Even the appellant was never provided with the opportunity of personal hearing. The appellant was condemned unheard and principle of natural justice was seriously violated in his case.
4. That so far as the question of past leave of year 2020 and 2021 is concerned, in this regard it is submitted that this was a past and closed chapter and the matter had already been settled for that period by granting leave without pay by the competent authority. Even in the instant punishment letter dated 29-03-2022 the past leave has been sanctioned as EOL by the competent authority. The problem was that

appellant has an old and ailing mother. Appellant is the resident of Village Sandogali (Sherwan) Abbottabad situated in a far flung hilly area and there is no one at home to look-after his ailing mother. When ever her illness took serious turn, the appellant was called by her for help and taking her to the doctors for medical treatment but in prison department leave is not easily granted and the employees are often marked as absent in such a situation.

5. That appellant is the only bread earner of his family consisting upon his aged/ailing parents and school going brothers and sisters. The appellant is already under financial distress as he has to support a large family and there is no source of income and at present he has also been removed from service as well.
6. That as the appellant has sufficient leave balance at his credit. The appellant deserve to be granted medical Leave for 07 days out of his Leave balance.
7. That if the appellant is provided with a chance of personal hearing he will really prove his innocence before your Highness about his compulsion which he had to face due to illness.

It is, therefore, earnestly requested that keeping in view the aforementioned facts & circumstances the impugned order dated 29-03-2022 of the Superintendent Circle H.Q. Prison Haripur may kindly be set aside and the appellant be granted medical/earned leave, for a period of 07 days out of his leave

- 4 -

(15)

account and re-instated him in service from the date of removal with all consequential service back benefits. Appellant shall always pray for your good health and long life. Thanking you sir in anticipation.



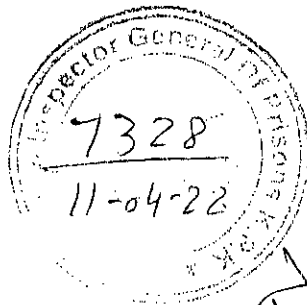
(Sajjad Ahmed)  
Ex-Warder (BPS-07)  
Central Prison Haripur

ADDRESS:

Village: Sandogali (Sherwan)  
Tehsil & Distt: Abbotabad.  
Cell No. ~~0342-983093A~~  
0315-0587043

Dated: 05-04-2022

0344-6052-959  
0301-5562-154



13/4/22





OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR  
No. 1658 - 1 - Date 21/03/2022  
Phone/Fax: 0995-920066

(16)

To  
The Superintendent,  
Central Prison Haripur.

Subject:- PERSONAL HEARING.  
Memo:

Following accused Warders (BPS-07) attached to your Jail may be directed to attend the office of undersigned on Tuesday 22-03-2022 (from Sr No.1 to Sr. No.10) & on Thursday 24-03-2022 (from Sr No.11 to Sr. No.17) for Personal Hearing at 10.00AM positively:-

- EDL -1) Adnan 11  
✓3) Mohsin Anees 51  
10 days EDL 5) M. Waleed 10 + 7 days M-L  
7) Shahid Iqbal 6 + 11 = 17  
EDL -9) Haroon Ur Rasheed 03 ✓10) Sajjad Ahmed 58 dismissal  
EDL -11) Fazal Khaliq 12 + 12 = 24 ✓12) M. Zahid 21 - 02 months  
13) Saleem Ul Haq 06 - EDL 14) Arsalan Mushtaq 16 - EDL  
15) Hussain Ahmed 12 EDL 16) Sajjad Khan 07 - EDL  
17) Bakht Baidar 09 - EDL

Moreover, they may directed to appear in proper uniform and their service books may also be endorsed please.

02  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR



OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR

No. 2138 — WE-1

Dated 19-04-2022

Phone/Fax: 0995-920066

To,

The Inspector General of Prisons,  
Khyber Pakhtunkhwa Peshawar.

Subject:- **DEPARTMENTAL APPEAL.**

Respected Sir:

Kindly Reference to the No.13355/WE dated 14-03-2022

The requisite information pertaining to appeal of Mr. Sajjad Ahmed S/o Dilawar Ex-Warder (BPS-07) attached to Central Prison Haripur is furnished as under on the prescribed format for further necessary action please:-

S #	Name & Parentage	Rank	D.O.B	Date of Appointment	Detail of Postings	Penalty if any awarded
01	Sajjad Ahmed S/o Dilawar	Warder (BPS-07)	26-06-1996	05-10-2019	1. CP Haripur w.e.f 05-10-2019 to till date of "Removal from Service" i.e 29-03-2022.	1. Awarded minor Punishment of "Censure" due to absence of 14 days w.e.f 03-03-2020 to 17-03-2020 vide this office No. 1300 dated. 12-05-2020. 2. Awarded minor Punishment of "Stoppage of Three Annual Increments without future effect" due to absence of 69 days w.e.f 21-03-2020 to 29-05-2020 vide this office No. 2159 dated.14-07-2020. 3. Awarded minor Punishment of "Censure" due to absence of 05 days w.e.f 17-09-2020 to 21-09-2020 ( 05 days) vide this office No. 3769 dated. 10-12-2020. 4. Awarded minor Punishment of "Stoppage of Two Annual Increments without future effect" due to absence of 48 days w.e.f 14-03-2021 to 30-04-2021 vide this office No. 4202 dated. 13-07-2021. 5. Awarded minor Punishment of "Stoppage of One Annual Increment without future effect" due to absence of 19 days w.e.f 21-07-2021 to 05-08-2021 & 17-08-2021 to 18-08-2021 vide this office No. 6405 dated. 09-12-2021. 6. Awarded Major Punishment of "Removal from Service" due to absence of 58 & 09 days w.e.f 19-12-2021 to 15-02-2022 & 19-03-2022 to 27-03-2022 vide this office No. 1763 dated. 29-03-2022.

Keeping in view of the above service history, non-serious behavior toward performance of duties and negligence, it is humbly requested that his departmental appeal may please be rejected for the best interest of Jail and Department please.

  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR