

Before the Khyber Pakhtunkhwa Service Tribunal  
Peshawar

Fayaz Ahmad vs Police Deptt

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6351

Date 10/7/2023


Reliance on reply of Respondents  
No 2 and 3.

Respectfully sheweth,

That the above captioned service appeal  
was fixed for reply per today dated 4-7-2023  
wherein Respondents No 2 and 3 have submitted  
their reply. The Respondents No 1 has not  
submitted reply in the subject appeal.

That reply on behalf of Respondents  
No 2 and 3 may be considered as reply  
of Respondents No 1, please.

Dated 14-07-2023

  
Addl Advocate General  
Camp Court Swat

Received from  
Shahzadullah on  
10/07/23

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1766 /2022

Fayaz Ahmad Ex-Constable No.282 Police Post Sowarai Buner

.....Appellant

**Versus**

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar
2. Regional Police Officer Malakand at Saidu Sharif Swat,
3. District Police Officer Buner.

.....Respondents

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4.	Copies of departmental enquiry	"A"	
5.	Certificate of RPO Office	"B"	

  
SI Legal Buner

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

**Service Appeal No. 1766/2022**

Fayaz Ahmad Ex-Constable No.282 Police Post Sawarai District Buner

..... Appellant

**VERSUS**

1. Inspector General of Police KP Peshawar
2. Regional Police Officer Malakand at Saidu Sharif Swat.
3. District Police Officer Buner

..... Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS** No 2 and 3  
M

**Respectfully Sheweth:-**

**Preliminary objections.**

1. That the appeal is badly barred by Law & limitation.
2. That the appellant has got no cause of action and locus standi to file the present appeal.
3. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
4. That the appellant has not come to the Tribunal with clean hands.
5. That the instant appeal is not maintainable in its present form.
6. That the appellant has concealed the material facts from this Hon'ble Tribunal.

**Reply on facts:-**

1. Pertain to record, hence needs no comments.
2. That the appellant while posted to P.P Sawarai was found guilty of gross misconduct as it was reported vide DD No.26 dated 07/07/2011 P.P Sawarai, that the appellant had left the place of duty and absented himself from official duty without prior permission or approved leave of his high ups and suspended vide OB No. 166 dated 07/09/2011. Proper departmental enquiry was conducted by the committee consisting of Mr. Mohammad Jan Khan DSP/ Hqr and Inspector Said Zamin Shah with issuing proper Charge sheet/ Summary of allegation vide letter No. 380-81/E. dated 07/09/2011. The committee submitted finding report (habitual absentee 137 days absence period) recommended him for major punishment ie. Dismissal from service. Then he was issued final show cause notice vide No. 389/ E dated 29/09/ 2011 and served upon him through local Police on his home address and also called upon for 10/10/2011 vide DD No 17 dated 08/10/2011 PS Nawagai for hearing in person in OR but he failed. On recommendation of the committee for major punishment the DPO Buner award him major punishment i.e dismissal from service from the date of his absence i.e 07/05/2011 under Police Rules 12.21. Moreover, that in the year 2009 when militancy was at its peak and the

services of the appellant were direly needed by the department for the protection of lives and properties of the public, he showed cowardice and left his place of duty without any permission of his high ups. The service record of the appellant showed that he was habitual absentee and not interested in his job. **(Copy of departmental enquiry is attached as Annexure "A")**.

3. Incorrect. Proper inquiry was conducted against the appellant. The appellant willfully absented himself from official duty without any permission or approved leave and did not want to continue his job, hence he was dismissed from service as per law/rules.
4. That every case has its different footing, however the case of present appellant is different from those of others appellants.
5. Incorrect. As stated above, every case has its different footings. Furthermore, the appellant has not preferred any departmental appeal before the appellate authority i.e Regional Police Office, Malakand Region within the statutory period of 03 months nor any record is available in this regard. **(certificate of Respondent No. 2 is attached as annexure "C")**.
6. Incorrect. As stated above, the appellant has not preferred any departmental appeal before the appellate authority within the statutory period of 03 month i.e Regional Police Office, Malakand Region. Furthermore, Appeal of the appellant is badly time barred and has wrongly challenged the legal and valid orders of the respondents before the honorable tribunal through unsound reasons/grounds.

### **GROUND:-**

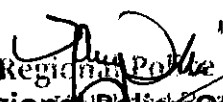
- A. Incorrect. That the order passed by the respondents is legal and in accordance with law/rules and no violation of the article of Islamic Republic of Pakistan has been made by the respondents.
- B. Incorrect. That the order of respondents is legal, lawful and in accordance with law/rules.
- C. Incorrect. That the order passed by the respondents is legal and in accordance with law/rules and no violation of the article of Islamic Republic of Pakistan has been made by the respondents.
- D. Incorrect. The appellant has not been discriminated but he has estopped due to his own conduct because he was failed to make his arrival to the respondent department. Every case has its own footing however the case of present appellant is different from those of other appellants.
- E. Incorrect. Proper inquiry has been conducted against the appellant.
- F. Incorrect. This Para already explained above in detail.
- G. As explained above in detail.

H. That other grounds not specifically answered in the reply, will be agitated with the permission of honorable Tribunal at the time of arguments.

**PRAYER:**

Keeping in view the above facts and circumstances, it is humbly prayed that the appeal of appellant being devoid of legal force may kindly be dismissed with costs.

**Inspector General of Police,  
KPK, Peshawar  
(Respondent No. 01)**

  
Regional Police Officer,  
Regional Police Officer,  
Saidu Sharif, Swat.  
Malakand Region  
(Respondent No. 02)

  
District Police Officer,  
District Police Officer,  
Buner  
Buner  
(Respondent No. 03)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1766 /2022

Fayaz Ahmad Ex-Constable No.282 Police Post Sowarai Buner

.....Appellant

**Versus**

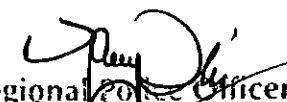
1. Inspector General of Police Khyber Pakhtunkhwa Peshawar
2. Regional Police Officer Malakand at Saidu Sharif Swat,
3. District Police Officer Buner.

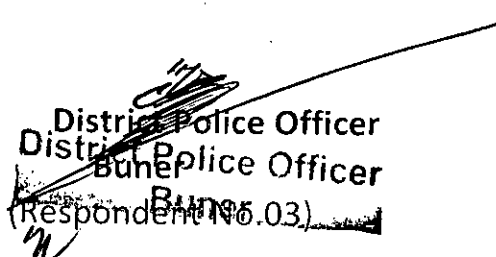
.....Respondents

AUTHORITY LETTER

We the above respondents do hereby authorize and allow Mr. Zahir Shah SI Legal Buner to file the accompany para-wise comments on our behalf in the Honorable tribunal and do whatever is needed in the court.

Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 01)

  
Regional Police Officer,  
Regional Police Officer  
Malakand Region,  
Malakand at Saidu Sharif Swat  
(Respondent No.02)

  
District Police Officer  
District Police Officer  
Buner  
(Respondent No.03)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1766 /2022

Fayaz Ahmad Ex-Constable No.282 Police Post Sowarai Buner

.....Appellant

**Versus**

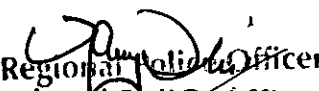
1. Inspector General of Police Khyber Pakhtunkhwa Peshawar
2. Regional Police Officer Malakand at Saidu Sharif Swat,
3. District Police Officer Buner.


.....Respondents

**AFFIDAVIT**

We the above respondents do hereby solemnly affirm and declare on oath that the whole contents of this Para-wise comments is true and correct to the best of our knowledge and belief and nothing has been kept secret from this honorable Tribunal.

**Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 01)**

  
**Regional Police Officer  
Regional Police Officer  
Saidu Sharif Swat  
Malakand at Saidu Sharif Swat  
(Respondent No.02)**

  
**District Police Officer  
District Police Officer  
Buner  
Buner  
(Respondent No.03)**

جنگ سوارده

نقره 26 اورز نامچ 5/7

مهر 1/1

فر 26 اورز غیر فارسی در وقت 20:20 بم حدود 5/7 اسوقت لیسون

تیر جمع فون المدع در 1/2 تنسین فنان الم 200 عیون

سیر سواتو کا در سوار نامی مار، من نسبت به کله سوار در 1/2

تیر المکب تو سواتو کا در اوج اور باره کله سوار تین

در موجد کله سوار لیسون 1/2 تین الم کله سوار

مدرسه کله سوار اور کله سوار در اور نامچ

تیر تیر المده المدع فون در اور نامچ تیر

تیر المده المده باله فوار سال سوار

فنا - ماکو

نقره علق اول

مهر 1/1

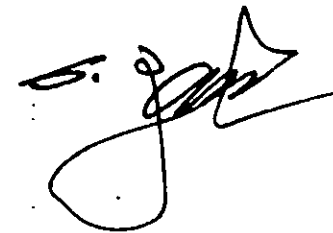
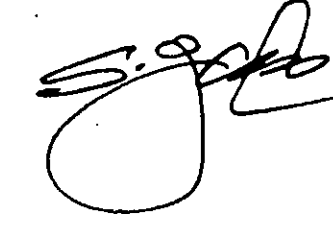
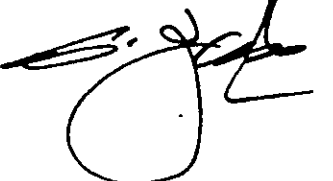
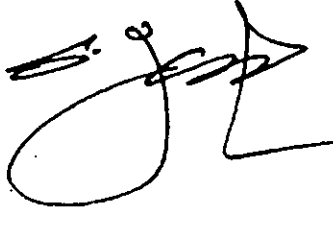
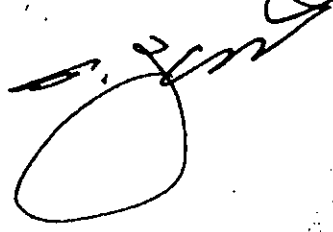
9-5-04



انڈیکس انکوائری نمبر 380-8/7.9.11 بر خلاف کینس فیاض دہر نمبر 202

نمبر	تفصیل کامنڈ	عطا
1	انڈیکس ہذا	
2	ارڈر شیٹ	
1	فائنڈنگ رپورٹ	
2	ڈسپلنری ایکشن، چارج شیٹ	
2	نقلہ 7-5 تا 13-5	
2	نقلہ 14-5 تا 21-5	
1	نقلہ 24-5 نمبر طبری از حوزہ 23-5	
1	پروانہ المدعا علی	
2	نقلہ 15-5، 11-5 ۹.۲.۱۱ ۱۷.۹.۱۱ د برائت اطراف علی	
	میزان	۱۶ قطعاً

در شیب انکواری بر 380-81/E بر خلاف کنسل فیاض احمد 82  
7.9.11

تاریخ کاروائی	مختص مزاحمہ کاروائی
9.9.11 	1 روز مورخ 9.9.11 کو انکواری بر 380-81/E بر خلاف کنسل فیاض احمد بر 282 موصول ہو کر درج دفتر کی گئی۔ کنسل مذکورہ کو بزرگ شرiff ٹھکانہ گئی لغرض مہندی بیان مورخ 7-12 تک طلب کیا گیا۔ <del>DSP/HQ</del>
12.9.11 	1 روز مورخ 12.9.11 کو کنسل مذکورہ حسب طلب دفتر بزرگ آئی۔ ستن پیشینہ بند ہوا۔ بیان مہندی دفتر کہیں صراحتاً گیا ہے۔ برائے مہندی 14.9 کو طلب شدہ ہے۔ <del>DSP/HQ</del>
13.9.11 	1 روز مورخ 13.9.11 کو کنسل مذکورہ دفتر جن کو برائیت کی گئی کہ جو کی سوائزی جا کڑھ پٹری کی ریل کرت اور تعلیم حاضر کی ساتھ لاکر لغرض مہندی مورخ 14.9 کو پیشینہ ہوا ہے۔ <del>DSP/HQ</del>
14.9.11 	کنسل مذکورہ برائے برائیت کے باوجود حاضرین شریف جو کی سوائزی سے بزرگے تو بائیل خون معلومات کی گئی نے بنایا۔ کنسل فیاض احمد بر 282 طرہ کر کے بند آئی کنسل مذکورہ دیرہ دانسہ طرہ اور بیان دینے سے گھر کرتا ہے۔ <del>DSP/HQ</del>
17.9.11 	1 روز مورخ 17.9.11 کو شریف جو کی سوائزی سے خون معلومات ہوئی۔ شریف صاحبے واقف کیا کہ کنسل فیاض احمد نے ناچار طرہ کی ریلو سٹیشن کی ہے۔ کنسل مذکورہ کو بزرگے DSP/HQ ٹھکانہ گئی لغرض مورخ 19.9 کو لغرض مہندی بیان طرہ

۱۹.۹.۱۵۱

*Signature*

۱۹-۹ اور ذہور ۱۹ کو کنٹینر مذکورہ کو پورٹ

قلمذی بیان طلب کیا گیا۔ کنٹینر مذکورہ کو

بڈرٹھ ۵۵۸۵، ٹھکانہ ناوہ گی اطلاع دی گئی

تھی۔ سکڑ باوجود اطلاع سے کنٹینر مذکورہ

~~عدم موجود ہے~~

۲۴.۹.۱۱

*Signature*

۲۴-۹ اور ذہور ۲۴ کو فائنڈر رپورٹ فرمایا

کے گزشتہ ہے

~~۵۵۸۵~~  
~~۵۵۸۵~~

D.H.O.

CHARGE SHEET

I DANISHWAR KHAN District Police Officer, Buner as competent authority do hereby charge you PC Fayaz Ahmed while posted at P.P. Swara as follows:-

2. That you while posted at P.P. Swara committed the following acts of omission / commission amounting to grave misconduct:-

You PC Fayaz Ahmed No. 232 while posted Police Post Swara absented himself from your lawful duties vide D. Report No. 26 dt. 07-05-2010 and remained absent up till now. Your pay has already been stopped vide this office E.O. No. 93 dt. 20/05/2010.

3. By reasons of the above you appear to be guilty of mis-conduct under section - 3 of the N.W.F.P, PESHAWAR (Recovery from Service) Special Powers Ordinance 2000 and have rendered yourself liable to all or any of the penalties specified in section - 3 of the Ordinance ibid.

4. You are, therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the enclosing officer / committee as the case may be.

5. Your written defense should reach to the Enclosing Officer / Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in the case ex parte action shall follow against you.

6. Intimate whether you desire to be heard in person or otherwise.

7. A statement of allegations is enclosed.

DISTRICT POLICE OFFICER,  
BUNER.

No. 379 /E,

Dated 7/09/2010.

● LEGIBLE COPY

**CHARGE SHEET**

I, DANISHWAR KHAN, District Police Officer Buner as competent Authority do hereby charge you FC Fayaz Ahmad while posted at PP Sowarai as follows:-

2. That you while posted at PP Sowarai committed the following acts of omission/Commission amounting to to grave misconduct:-

You Fayaz Ahmad No.282 while posted Police Post Sowarai absented himself from your lawful duties vide DD report No. 26. Dated 07.05.2011 and remained absent up till now. Your pay has already been stopped vide this office OB No. 93 Dated 20.05.2011.

3. By reasons of the above you appear to be guilty of miss-conduct under section -3 of the N.W.F.P Peshawar (Removal from service) Special Power ordinance 2000 and have rendered yourself liable to all or any penalties in section-3 of the ordinance ibid.

4. Your 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.

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

6. Intimate where you desired to be heard in person or otherwise.

7. A statement of allegations is enclosed.

-sd-

**DISTRICT POLICE OFFICER  
BUNER**

No. 379/E

Dated. 07/09/2011

DISCIPLINARY ACTION

DANISHWAR KHAN District Police Officer, Buner as Competent Authority, am of the opinion that F.C. Fayyaz Ahmed has rendered him self liable to be proceeded against who has committed the following acts/omission with the meaning of section 3 of the North West Frontier Province Removal from Service (Special Powers) Ordinance 2000:-

STATEMENT OF ALLEGATION

You Const Fayyaz Ahmed No-232 assigned to Police Post Guana; absented from your lawful duties vide D.D. Report No-26 dt, 07-05-2011 and remained absent up till now. Your pay has already been stopped vide Govt Order 08

For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Officer / Enquiry Committee consisting of the following is constituted under section-5 of the Ordinance:-

- 1 MR- Mehammed Jan Khan DSP/Hqrs
- 2 Inspects 2 Saad Zaman Guana

The Enquiry Officer / Enquiry Committee shall, in accordance with the provisions of the Ordinance, provide reasonable opportunity of hearing to the accused, record its finding and made with twenty-five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

The accused officer and a well versed representative of the Department shall join the proceedings on the date, time and place fixed by the Enquiry Officer / Enquiry Committee.

DISTRICT POLICE OFFICER,  
BUNER.

NO. 380-81/E,  
Dated 7-09/2011

- Copy of above is forwarded to :-
- 1 DSP - Hqrs.
  - 2 L.O - Buner.

DISTRICT POLICE OFFICER,  
BUNER.

LEGIBLE COPY

**DISCIPLINARY ACTION**

I DANISHWAR KHAN District Police Officer Buner as competent Authority, am of the opinion that FC Fayaz Ahmad has rendered himself liable to be proceeded as such committed the following acts/omission with the meaning of section 03 of the North West Frontier Province Removal from service ( Special Power ) ordinance 2000.

**STATEMENT OF ALLEGATIONS**

You constable Fayaz Ahmad No.282 while posted Police Post Sawarai absented from your lawful duty Vide DD report No. 26 dated 07.05.2011 and remained absent up till now your pay has already been stopped vide this office OB No.93 dated 20.05.2011.

For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Officer /Enquiry committee consisting of the following as constituted under section -5 of the ordinance.

1. Mr. Muhammad Jan Khan DSP HQrs:
2. Inspector Said Zamung Shah

The Enquiry Officer /Enquiry committee shall, in accordance with the provisions of ordinance, provide reasonable opportunity of hearing to the accused , record it's finding and made with twenty five days of receipt of this order recommendations as to punishment or other appropriate action against the accused.

The accused officer and well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry committee.

**DISTRICT POLICE OFFICER  
BUNER**

No. 380-81/E

Dated 07.09.2011

**Copy of above is forwarded to:**

1. DSP HQrs:-
2. LO Buner

**DISTRICT POLICE OFFICER  
BUNER**

نقل نم 12 روزنامہ 13-5-11

م 12 سؤی 114 وقت 1330 نوہ 13-5-11  
نثر فیاضی عمر فی 282 غیر صفہ شدہ کوام 26  
روزنامہ 5 بجای 7 بجای آئے ہیں۔ یہاں سے یہاں تک  
کوہ ویا سے غیر صفہ شدہ کوام - ان صفہ شدہ کوام سے  
سؤی بجای 7 بجای آئے ہیں۔ یہاں سے یہاں تک  
کوہ نثر فیاضی عمر فی 282 غیر صفہ شدہ کوام 26

نثر فیاضی عمر فی 282  
نثر فیاضی عمر فی 282

06-13-00

9-9-11  
9-9-11

Sir  
forwarded  
A. M. D.  
31-PP-Semmi  
09-9-11



مسابی

تشریح ۱۹۵۱

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مہاراجہ

نمبر 12 روزنامہ 21-5-11

مہاراجہ صاحب کی طرف سے  
 12 مہینوں کی طرف سے  
 اس وقت تک فی ماہی 282 غیر ملکی  
 28 مہینوں کے لئے 145/54 سے ملنے والی  
 رقم فروغی کے غیر ملکی سے ملنے والی  
 رقموں کی طرف سے ملنے والی رقموں کی  
 نقد رقموں کے لئے فراہم کی گئی ہے۔

مہاراجہ صاحب کی طرف سے

نمبر 12 روزنامہ

مہاراجہ صاحب کی طرف سے

21-5-11

219/11

Sir  
 forwarded  
 A. C. S.  
 9-9-11

نقل مورخ 24 مورخ 23

فصل پندرہ

فصل پندرہ

فصل پندرہ

م 24 المدبر فون / ابو علی علیہ صغریٰ ایک وقت 1810  
مورخ 23<sup>5</sup>/<sub>11</sub> اس وقت صلی زمین سے متعلقہ پولس کارڈ بازار سے  
نوازی غنہ نامہ خون المدبر دی سے شش فیاضی اظہر 282 سے  
متعلقہ پولس کارڈ بازار سوازی آ؟ غیر متعلقہ نوازی  
میتھا پر مگر پولس 2 اس ڈیروا از کتھ کتھ کتھ کتھ کتھ کتھ کتھ  
و اس میں ایک ایک فنڈز کے علاوہ اور سے غیر صغریٰ در  
روزنامہ کی اس میں ایک ایک اور اور در اور مورخ 23  
نقل مورخ 24 مورخ 23

نقل مورخ 23<sup>5</sup>/<sub>11</sub> سے  
کمال بدستور علیہ صغریٰ

نقل مورخ 23<sup>5</sup>/<sub>11</sub> سے  
کمال بدستور علیہ صغریٰ

23<sup>5</sup>/<sub>11</sub> سے بدستور علیہ صغریٰ

نقل مورخ 23<sup>5</sup>/<sub>11</sub> سے  
کمال بدستور علیہ صغریٰ

دفعہ 1 SP/HQ

دفعہ 1 میں آئے ہیں، ان کا نام جو کی سواری

282  
کے بارے میں، جی آر سی کے کنٹریکٹس میں  
کو مطلع کر کے، کہ سلسلہ انکواری ہو رہی  
" 12-9 کو صبا - DSP مع کو پینٹر ہو جائے  
روانہ لکھنؤ اور شمالی ایشیا کے درمیان

Q. D. SP/HQ  
9.9.11

شماره 10 روزنامه 9/11

مبلغ امانت

بمبلغ فون 540 ثبت 09:00 بجے فون 9/11 اسٹریٹ ریڈر کلاں جی۔ بعد فون  
ڈاکٹر شیر امان نے بذریعہ شبلی فون ایف ایکس ڈی اے آئی اے فیاصل اعد 882 کا سلسلہ  
انٹوائٹری فون 12/11 بروز پیر یعنی آئی اے فیاصل مذکورہ کو مطلع کریں۔ پس  
ایف ایکس ڈی اے روزنامہ یوٹر مع تمہیل درپیش ہے

جناب عالی  
تقریباً ہی اصل ہے  
[Signature]  
774095-1  
9-9-2011

149  
100

کروڑی ڈی

حسب ضابطہ تہذیبی  
S.A.O. P.S. Nowshera  
9. 9. 2011

سزا کا تفصیل

سزا کا دور

378/E

سزا کا دور

جسے نقصان پہنچا تھا اس کے لئے نوادرات اور نوادریں سے سزا میں اضافہ

مطلع نامہ سائیکل سواروں کے خلاف سزا نمبر 378/E 7.9.11

DISCIPLINARY ACTION  
A.S. ضابطہ

صالح المراد علی اور عزیز سائیکل سواروں کے خلاف سزا نمبر 378/E

سزا کا دور

17/11/11

17/11/11

نقل بعد روزنامه 17/11

ملازم ٹیلیفون

ASHO وقت 30.11.11 مور 17/11 اس وقت

شیرالان HR درتہ بصراب DSP صاحب ہیڈ کوارٹر ڈکن  
نذر لیم ٹیلیفون الملائع دی کہ فیما میں 282 سکہ کنکوی  
کو مفلو کرے کہ مورخ 18/11 کو صاحب DSP ہیڈ کوارٹر کو  
پیش ہو جائے پس آفدہ الملائع درتہ روزنامہ کے تھیل  
حکم کے خاطر کبیل پورٹ 72 کو دیکھ کنکوی روزنامہ کے عدالت  
مناسب کی آج

صاحب عالی

نقل بملاقات لعل

Reva  
AMHz PS Nawager  
17-9-2011

تعمیراتی

تقریباً 17

دفعہ 10/11 8

تعمیراتی

17 مئی 2011ء  
 اطلاع دہلی کے لئے 13.00 بجے 8/11/11  
 اطلاع دہلی کے لئے 282  
 اطلاع دہلی کے لئے 10/11/11  
 اطلاع دہلی کے لئے 10/11/11  
 اطلاع دہلی کے لئے 10/11/11

تعمیراتی

نقل و حرکت

AMHPS NO 10/11/11  
8-10-2011

Dismissed from  
Service with  
immediate effect

AMH

11/15/2011  
APOL(B)



Reference attached.

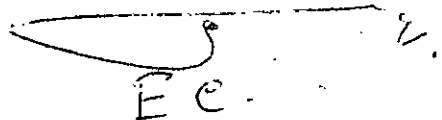
R/Sr,

Constable Fayaz Ahmed  
No. 287, while posted Police Post  
Swarn, absented himself & with-  
out leave or prior permission  
vide D.D. Report No. 26 dated  
07-05-2011 and his was stopped  
vide this office C.B. No. 93  
dt. 20-05-2011 and remained  
absent up till now.

May proceed him departmentally  
or otherwise?

Submitted for kind  
perusal and approval please.  
The relevant papers are  
enclosed herewith.

H.C./working D.P.O. Bena.

  
E.C.

7.5.2011.

placed under suspension

Pay stopped

Proceed departmentally



7/5/11

درخواست برود پیش تنگواہ

حاجی گل محمد  
کوالم عشقوہ لکھنؤ قریب قریب سیرتہ سیرتہ

فیاضی المہرہ ۲۸۸۸ پتو لکھنؤ کا تباد

نوال اڈریک ۶۹ ۲۰۵ ۲-۵ ۲۰۱۱

کوئی نہ عمل سے لیا گیا دقتیں ہیں مقررہ

نہ تباد سے لیکر ابھارتیں صرف ایک نوع ڈوٹی

سہ انجام دی ۳۔ اور سسٹمز سیرفائری کرنا دیا

اور وہاں آسے جانے کے فکر میں ہے

لکھنؤ نوالہ دروازے اندر عینک پیش تنگواہ اور آج

سیرفائری پتو تنگواہ کا حکم صادر کیا جا رہا ہے

حاجی گل محمد  
پیش تنگواہ اور آج سیرفائری

پتو تنگواہ اور آج سیرفائری

تنگواہ کی

۱۱-۵-۱۱

Pay Stopped,

W

Spot Buner.

۱۰۰/۱۰۰

۱۱/۱۵

تنگواہ کی سیرفائری کی جانے کے

۱۲-۵-۱۱

OB/1093


۲۰۵/۱۰

جائزہ

379/E 7.9.2011 جائزہ شد بر خلاف ماسٹل فیاف الہ عمر 282

ہے۔ کہ ماسٹل کے لئے 1000 روپے کی رقم ہے۔ تین سال سے اس دوران میں ہے۔ بار بار غیر حاضر ہو کر رہا۔ اس کے لئے غیر حاضری ریکارڈ میں 137 دن بنتی ہے۔ بار بار بیان کیا کہ طلبہ کیا گیا۔ اولاً تو حاضر نہیں ہو رہا تھا۔ جو بزرگ حقایق SHO مٹانے کی ناکامی حاصل کیا گیا۔ 137 دنوں کو دفتر حاضر ہو کر جو ریکارڈ ماسٹل جو کی سواری میں لکھنا ہے۔ جو کی سواری میں حاضری کرنے کا حکم کیا گیا۔ ماسٹل حاضری کرنے کی جگہ کو خود چلا گیا ہے۔ اور نہ جو کی سواری کو اطلاع دی ہے۔ دفتر ہذا سے کوئی رابطہ کیا ہے۔ طلبہ کے جب ایک دن حاضری کرنا گیا۔ وہ فوری کرنے کے حود ہیں نہیں ہے۔

اگر حکم میں بدستور ہے تو اس سے فوری کی توجہ نہیں کی جاسکتی۔ ریکارڈ میں غیر حاضری 137 دن بنتی ہے۔ بحیثیت انکوائری افسر سفارش کرنا ہوں کہ اسکو فوری طور حکم سے Dismiss کرنے اور اسے جگہ کوئی حقدار معرقتی کرے تاکہ صدر فرمائیں۔

  
Dsl: HQ.  
24.9.2011

2) سیکرٹری سید زین شاہ خان  
جسٹس  
Final Show Cause  
Notice  
Issue

FINAL SHOW CAUSE NOTICE

WHEREAS, in the light of the fact that I am satisfied that you are guilty of removal from Service (Special Powers) Ord: 2000, it is necessary and therefore I am in the opinion that the allegations of misconduct call for any one or more punishment as defined in the aforesaid rules.

I, Danishyar Khan District Police Officer Buner under removal from Service (Special Powers) Ordinance 2000, on the following grounds of action, call upon you Poayaz Ahmmed to show cause within 07 days of the receipt of this notice as to why the proposed punishment should not be awarded to and also to state at the same time, whereas you desire to be heard in person.

GROUND OF ACTION

*In Court: Poayaz*  
The subject of this notice is a constable in the service of the Buner District Police. He was appointed on 01/08/2008. He was found guilty of misconduct on 21/08/2008. The misconduct was that he was found to be absent from duty without any leave for several days. The District Police Officer Buner has conducted an inquiry and has found that the subject of this notice is guilty of misconduct. The District Police Officer Buner has recommended that the subject of this notice should be removed from service. The District Police Officer Buner has also recommended that the subject of this notice should be awarded a punishment of one year's suspension. All these are negligence and in disciplinary act on your part which is against the rules.

And in case your reply is not received within the stipulated period, it shall be presumed that you have nothing to say in your defence and expedient decision shall be taken.

*(Signature)*  
DISTRICT POLICE OFFICER  
BUNER

No. 309  
Date 29/09/2011  
copy to Const. Poayaz Ahmmed  
village Kan Koh  
Buner District Police  
P-5  
Nawangan

LEGIBLE COPY

**FINAL SHOW CAUSE NOTICE**

WHEREAS, in the light of the facts I am satisfied as contemplated by Removal from service (Special Power) Ord: 2000 , is necessary and therefore I am in the opinion that the allegations/misconduct call for any one or more punishment as desired in the afore said rules.

I, Danishwar Khan District Police Officer Buner under removal from service (Special Power) ordinance 2000 on the following grounds of action being, competent Authority call upon you FC Fayaz Ahmad No.282 to show cause within 07 days of the receipt of this notice as to why the proposed punishment should not be awarded to and also to state at the same time whereas you desired to be heard in person.

**GROUND OF ACTION**

You Constable Fayaz Ahmad No.282 absented himself from your lawful duties without leave or prior permission vide report No.26 dated 07.05.2011. In this connection departmental enquiry was conducted by the committee consisting by Mr. Muhammad Jan Khan DSP HQrs and Inspector Said Zamin Shah. The committee submitted their findings report and recommended you from dismissing from service on account of 137 days absentee.

All these are negligence and in disciplinary act on your part which is grass misconduct

And in case your reply is not received within the stipulated period, it shall be presumed that you have nothing to say in your defence and Ex-parte decision shall be taken.

-sd-

**DISTRICT POLICE OFFICER  
BUNER**

No. 389/E

Dated 29/09/2011

Copy to Constable Fayaz Ahmad No. 282 r/o Kankohai, through SHO PS Nawagai

-sd-

**DISTRICT POLICE OFFICER  
BUNER**

بیاد ان کتب فیاض احمد 288

متنالی

بالہ سو کا زولسی کا  $389/c$  سے  $29^{09}$  جاری  
 ہوا ہے۔ DP سے متعلق جو چیزیں جاننا چاہتے  
 ہیں ان میں سے سال 2015 سے زولسی سے متعلق  
 جو مسائل پیش آئے ہیں ان کے جوابات سائیل  
 کے ذریعہ ملازمت کے لوگوں کو ایسے ہی ملانے چاہئے  
 ہیں جنہیں اس کے مطابق جاننا چاہئے۔ مختلف  
 مسائل کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 اس کے علاوہ 07 کو جو سائیل کے ذریعہ  
 جاننا چاہئے وہ اس کے ذریعہ ملانے چاہئے۔  
 اس کے علاوہ اس کے ذریعہ ملانے چاہئے۔  
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 اس کے علاوہ اس کے ذریعہ ملانے چاہئے۔

انہ سائیل کے ذریعہ جاننا چاہئے۔ اور  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔  
 ان کے جوابات سائیل کے ذریعہ ملانے چاہئے۔

**ORDER**

This order will disposed of departmental enquiry against Constable Fayaz Ahmad No. 282 brief facts of the case the Constable Fayaz Ahmad No. 282 was absent from his lawful duty without leave or prior permission vide D.D Report No. 26 dated 07/07/2011 Police Post Sawarai and suspended vide this office OB No. 190 dated 07/09/2011.

Proper departmental enquiry conducted by the committee consisting of Mr. Mohammad Jan Khan DSP / I.P.R and Inspector Said Zamin Shah with issuing proper Charge sheet / Summary of allegation vide this office No. 389 / E dated 07-09-2011.

The committee submitted finding report with the conclusion that the defaulter concerned is habitual absentee and his total period of absence are 137 days and recommended him for major punishment i.e dismissal from service. He was issued show cause notice vide No. 389 / E Dated 29-09-2011 and served upon him through local police at his home address and also call upon for 10-10-2011 vide D.D report No. 27 dated 08-10-2011 P.S Nawagai for heard in person in enquiry room but he failed to attend.

1. Danishwar Khan DPO Buner is competent authority agree with the recommendation of the committee / E.O and award him major punishment by dismissing the Constable Fayaz Ahmad No. 282 from service from the date of his absence i.e 07/05/2011 under Police rules 12.21.

Order announced



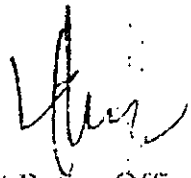
District Police Officer  
Buner.

O.B NO. 190

Dated: 13/10/2011.

Copy to:-

1. Pay Officer for necessary action.
2. District Account Officer Buner for necessary action.
3. O.I.C District Buner.



District Police Officer  
Buner.

**LEGIBLE COPY**

**Order:-**

This order will dispose of departmental enquiry against Muhammad Fayaz No. 282 brief facts of the case is that the constable Fayaz Ahmad No.282 absentee himself from his lawful duty without leave or prior permission vide DD report No. 26 dated 7.7.2011 Police Post Sowarai and suspended vide this office OB No. 66 dated 07.09.2011.

Proper departmental enquiry was conducted by the committee consisting of Mr. Muhammad Jan Khan DSP HQrs: and Inspector Said Zamung Shah Khan with issuing proper charge sheet/summary of allegations vide this office No.380-81/E dated 07.09.2011.

The committee submitted finding report with conclusions that the defaulter concerned is habitual absentee and his total period of absence are 137 days and recommended him for major punishment i-e dismissal from service . He was issued final show cause notice vide 389 /E Dated 23.09.2011 and served upon him through local police on his home address and also and called upon vide DD report No.17 dated 08.10.2011 PS Nawagai for heard him in person in Orderly Room but he failed.

I, Danishwar Khan DPO Buner is competent agree with the recommendation of committee / EO and award him major punishment by dismissing the Constable Fayaz Ahmad No. 282 from service from the date of his absence i-e 07.05.2011 under Police Rules 12.21.

Order announced

-Sd-

District Police Officer  
Buner

OB No.190

Dated 13/10/2011

Copy to:-

1. Pay Officer for necessary action.
2. District Account Officer for necessary action.
3. OHC Buner.

-sd-

District Police Officer  
Buner





OFFICE OF THE  
REGIONAL POLICE OFFICER, MALAKAND  
SAIDU SHARIF SWAT.

Ph: 0946-9240381-82 & Fax No. 0946-9240390  
Email: digmalakand@yahoo.com

No. 2998 /E, dated Saidu Sharif the 08 / 03 / 2023


To: The District Police Officer, Buner

- Subject:
1. SA No. 1401/2022 OF EX-CONSTABLE SAJJAD HUSSAIN NO. 522
  2. SA No. 1765/2022 OF EX-CONSTABLE ABDUL AZIZ NO. 501.
  3. SA No. 1766/2022 OF EX-CONSTABLE FAYAZ AHMAD NO. 282.
  4. SA No. 1767/2022 OF EX-CONSTABLE RASHID KHAN NO. 523

Memorandum:

Reference your office Memo: No. 956/Legal dated 06/03/2023 on the subject cited above.

According to this office record none of the subject Police personnel have preferred departmental appeal for reinstatement into service in this office

  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat

Insp. Legal



1050  
08/03/2023