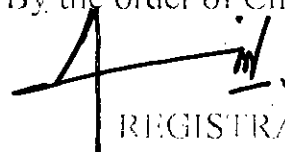


FORM OF ORDER SHEET

Court of _____

Appeal No. 2352/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/11/2023	<p>The appeal of Mr. Adil Khan presented today by him. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

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

Service Appeal No. 2352/2023

Adil Khan

Vs

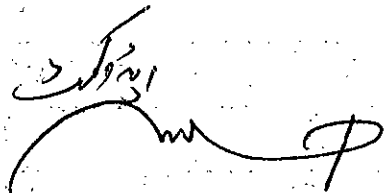
Inspector General of Police Khyber Pakhtunkhwa & Others

INDEX

S. No	Description of Documents	Annexure	Pages
1	Grounds of appeal, certificate, memo of addresses of the parties, C.M and Affidavit		1-8
2	Copy of CNIC	"A"	9
3	Copy of letter/Order dated 21/01/2019	"B"	10
4	Copy of notification dated 13/02/2020	"C"	11-14
5	Copy of certificate dated 01/02/2022	"D"	15
6	Copy of impugned order dated 20/09/2021	"E"	16
7	Copy of impugned order dated 30/05/2022	"F"	17
8	Copy of impugned order dated 26/07/2023	"G"	18
9	Wakalatnama		19

APPELLANT

THROUGH



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 3/11/2023

①

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

Service Appeal No. 2352/2023

Police Line miranshah Distt. NW

Adil Khan (Ex-Constable) Son of Syed Wali Khan Resident of Post
Office Eidak Khadi, Tehsil Mir Ali North Waziristan Tribal District.

..... (Appellant)

Versus

- (1) Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
- (2) Regional Police Officer (RPO) Bannu Region Bannu.
- (3) District Police Officer (DPO) District North Waziristan.

..... (Respondents)

**SERVICE APPEAL UNDER SECTION 4 OF SERVICE
TRIBUNAL ACT, 1974 READ WITH ALL THE
RELEVANT PROVISIONS OF LAW AGAINST THE
DISMISSAL FROM SERVICE ORDER OF THE
APPELLANT PASSED BY RESPONDENT NO.3 VIDE
DATED 20/09/2021 AND ALSO AGAINST THE
ORDER OF RESPONDENT NO.2 AS DEPARTMENTAL
APPELLATE AUTHORITY VIDE DATED 30/05/2022
AS WELL AGASINST THE ORDER DATED
26/07/2023 PASSED BY RESPONDENT NO.1
WHEREBY THE REVISION PETITION FILED BY THE
APPELLANT HAS ALSO BEEN DISMISSED.**

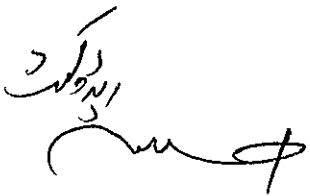
**PRAYER: ON ACCEPTANCE OF THIS SERVICE APPEAL, THE
IMPUGNED ORDERS MENTIONED ABOVE MAY
VERY KINDLY BE SET ASIDE BY RE-INSTATING
THE APPELLANT IN SERVICE WITH FULL BACK
BENEFITS AND WITH RETROSPECTIVE EFFECT..**

Adil Khan

(2)

Respectfully Sheweth:-

- 1) That the Appellant is well qualified and permanent resident of Tehsil Mir Ali North Waziristan Tribal District.
(Copy of CNIC of the Appellant is hereby annexed as Annexure-A)
- 2) That in the year 2019 the Appellant moved an application to Assistant Commissioner Mir Ali Tribal Sub Division for change of Khassadari Service, which was duly accepted by considering the request of the Appellant for Khassadari Service of his Uncle Noor Wali Khan.
(Copy of order/letter dated 21/01/2019 is hereby annexed as Annexure-B)
- 3) That after 18th amendment the erstwhile FATA merged into Province Khyber Pakhtunkhwa and the Khassadar Force was orders absorption in the Khyber Pakhtunkhwa Police vide notification dated 13/02/2020.
(The of notification dated 13/02/2020 is hereby annexed as Annexure-C)
- 4) That, thereafter the Appellant completed his training held from 1st November 2021 to 1st February 2022 at Mir Ali Camp and in this respect Office In-Charge Police Training also issued certificate dated 01/02/2022 to the Appellant.
(Copy of certificate is hereby annexed as Annexure-D)
- 5) That since then the Appellant performing his duties with great zeal and zest and to the entire satisfaction of his high-ups, but all of sudden he received the impugned order of dismissal from service dated 20/09/2021 on the ground long absence from duty.
(Copy of impugned order dated 20/09/2021 is hereby annexed as Annexure-E)
- 6) That the Appellant then filed an Appeal before Respondent No.2, which was dismissed vide order dated 30/05/2022.
(Copy of impugned order dated 30/05/2022 is hereby annexed as Annexure-F)



7) That the Appellant then filed Revision Petition before Respondent No.1, which was also dismissed vide impugned order dated 26/07/2023.

(Copy of impugned order dated 26/07/2023 is hereby annexed as Annexure-G)

8) That now the Appellant has got no other choice but to knock at the door of this Honourable Tribunal for the remedy and the ends of justice with a prayer in the head note of this Service Appeal, inter alia on the following grounds.

GROUND

- a) That all the three impugned orders are illegal, against the law and principal of justice and as such liable to be set aside.
- b) That the Respondent No.2 made altogether different observation in his impugned order dated 30/05/2022. "that the Appellant is not fit for police duty physically and mentally" although the Appellant has been dismissed from service on the ground of long absence, moreover the plea of the Appellant have not been taken into consideration by the Departmental Authorities which is obviously the violation of the principle of ***Audi Alter Partum*** and as such the dismissal from service order impugned herein are totally in effective upon the rights of the Appellant is liable to be turn down in the interest of justice.
- c) That the law on the subject has totally been misconceived by the Departmental Authorities whereas the Appellant has been awarded with the major penalty in a very cruel and harsh manner in-spite of the fact that the Appellant was never in fault.
- d) That the Appellant has rendered his entire service career with above board performance and spotless career and upto the satisfaction of all his superior moreover he has been awarded with many commendation by his superior officers.
- e) That no show-cause notice whatsoever has been issued to the Appellant nor any opportunity of personal hearing is given to the Appellant.
- f) That all the impugned orders are arbitrary and discriminatory both in law and in facts.
- g) That the impugned orders also indicating the malafide and harshness of the Departmental Authorities which is also against

(4)

the rights of the Appellant enunciated by the services law as well guaranteed and secure Article 4 and 5 of the Constitution of Islamic Republic of Pakistan, 1973.

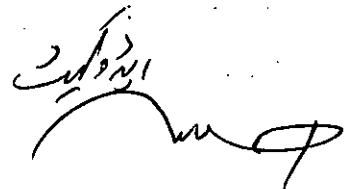
- h) That the absence period, mentioned in the impugned order could be converted into sanctioned leave in circumstance of the case under the law and cannon of justice.
- i) That the Counsel for Appellant seeks permission to rely and advance additional grounds at the time of hearing of this Appeal.

For the aforesaid reasons and others to be stated at the time of arguments, it is, therefore, most humbly prayed that on acceptance of instant appeal, this Honourable tribunal may very graciously be pleased to set aside the impugned orders mentioned above may very kindly be set aside by re-instating the Appellant in service with full back benefits and with retrospective effect.

Any other relief, if this Honourable tribunal may deem fit in the circumstances may also be granted.

APPELLANT

THROUGH



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 13/11/2023

5

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

Service Appeal No. _____/2023

Adil Khan

Vs

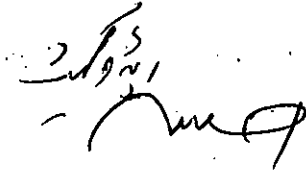
Inspector General of Police Khyber Pakhtunkhwa & Others

CERTIFICATE

It is to certify that no such like appeal has ever been moved by the appellant before this Honourable Tribunal and the contents of this appeal are true and correct.

APPELLANT

THROUGH



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 3 / 11 / 2023

6

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

Service Appeal No. _____/2023

Adil Khan

VS

IGP KP & Others

MEMO OF ADDRESSES OF THE PARTIES

Address of the Appellant:

Adil Khan (Ex-Constable) Son of Syed Wali Khan R/O Post Office Edak
Khadi Tehsil Mir Ali North Waziristan Tribal District.

Addresses of the Respondents:

- 1) Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
- 2) Regional Police Officer (RPO) Bannu Region Bannu.
- 3) District Police Officer (DPO) District North Waziristan.

APPELLANT

THROUGH



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 01/11/2023

7

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

C.M No. /2023 in Service Appeal No. _____/2023

Adil Khan

Vs

Inspector General of Police Khyber Pakhtunkhwa & Others

**SUBJECT: APPLICATION FOR SUSPENSION OF THE
IMPUGNED ORDERS DATED 20/09/2021,
30/05/2022 AS WELL AS 26/07/2023 TILL THE
DECISION OF THE MAIN APPEAL.**

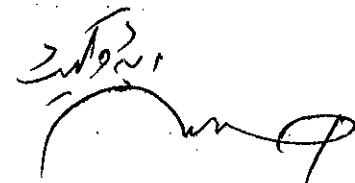
Respectfully Sheweth;

- 1) That the applicant has filed connected Service Appeal before this Honourable Tribunal, which will take a lot of time in its disposal.
- 2) That the applicant has good prima facie case and balance of convenience also lies in favour of applicant, which is based on documentary evidence.
- 3) That the applicant will suffer irreparable loss if the operation of impugned orders dated 20/09/2021, 30/05/2022 as well as 26/07/2023 not suspended.
- 4) That the grounds of main appeal may kindly be considered as part and parcel of this Application.

It is, therefore, requested to suspend the operations of impugned orders dated 20/09/2021, 30/05/2022 and 26/07/2023, issued by the respondents till final decision of the accompanied appeal.

APPELLANT

THROUGH



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 13/11/2023

C

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

C.M No. /2023 in Service Appeal No. _____/2023

Adil Khan

Vs

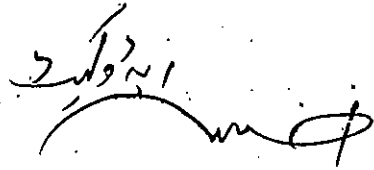
Inspector General of Police Khyber Pakhtunkhwa & Others

AFFIDAVIT

I, Adil Khan Son of Syed Wali Khan R/O Post Office Ediak Khadi Tehsil Mir Ali North Waziristan Tribal District, do hereby solemnly affirm and declare that all contents of this application are true, correct to the best of my knowledge and belief.

IDENTIFIED

DEPONENT



**IHSAN ULLAH BANGASH
ADVOCATE HIGH COURT**

Dated: 3/11/2023



PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name
Adil Khan

(9) "A"



Father Name
Syed Wali Khan

عادل خان

سید والی خان



Holder's Signature

Attested
[Signature]

Gender | Country of Stay
M | Pakistan

Identity Number
21505-1823286-3

Date of Birth
15.03.2000

Date of Issue
08.04.2019

Date of Expiry
08.04.2029

21505-1823286-3
مستند شناختی: ڈاک خان میرک، خادی، تحصیل میر علی، ضلع
نارتھ وزیرستان



101281065205
مستند شناختی: ڈاک خان میرک، خادی، تحصیل میر علی، ضلع
نارتھ وزیرستان

Umar M. Malik
Registrar General of Pakistan

گمشدہ کارڈ ملنے پر قریبی لیڈیکس میں ڈال دیں

Attested
2/2/19

10

B



OFFICE OF THE
ASSISTANT COMMISSIONER
MIRALI TRIBAL SUBDIVISION

No. 220 / AC/S/Khassadari
Dated: 21 / 01 / 2019.

From; The Assistant Commissioner,
Mirali Tribal Sub Division.

To; The Deputy Commissioner,
Tribal District North Waziristan.

Subject:- CHANGE OF KHASSADARI SERVICE.
Mento:

One Mr. Adil Khan S/O Syed Wali Khan resident of Daur Khaddi Tehsil Mirali has applied for transfer of Khassadari Service of his uncle namely Noor Wali Khan s/o Sahib Wali in his name. Company Commander and Sectional Malik have also recommended the said transfer of Khassadari service and they have also no objection over transfer to the said Khassadari Service in the name of Mr. Adil Khan S/O Syed Wali Khan resident of Daur Khaddi Tehsil Mirali.

It is therefore, recommended that request of the applicant may be considered for Khassadari Service of his uncle Noor Wali Khan of Coy No. 14 please.


ASSISTANT COMMISSIONER,
MIRALI TRIBAL SUBDIVISION.

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

NOTIFICATION

Peshawar dated the, 13/2/2020

No.SO(Police)HD/SMY 2019 Merged Area/362-72 In pursuance of the provisions contained in section 5 of the Khyber Pakhtunkhwa Khasadars Force Act, 2019.(Khyber Pakhtunkhwa Act No.XXXIV of 2019) read with rule 3 of the Khasadar Force (Absorption in the Khyber Pakhtunkhwa Police) Rules, 2019, the Home and Tribal Affairs Department, with the prior approval of the Cabinet and on the recommendation of the Provincial Police Officer, hereby orders absorption of the following members of Khasadars Force of North Waziristan Tribal District in the Khyber Pakhtunkhwa Police with effect from the date of the initial appointment of the said members:

S.No.	Name	Father's Name	Previous Rank	Rank in which Absorbed
1.	Navid Khan	Gul Behram	Subedar Major BPS-9	Inspector BPS-16
2.	QudratUllah	Abdul Sattar	Subedar Major BPS-9	Inspector BPS-16
3.	M Gul ✓	Nazir Gul	Subedar BPS-07	Sub Inspector BPS-14
4.	Saber Jan	Gul Miray	Subedar BPS-07	Sub Inspector BPS-14
5.	Mir Nawaz	Subedar Aadam	Subedar BPS-07	Sub Inspector BPS-14
6.	Ahmad Gul ✓	Khazan Gul	Subedar BPS-07	Sub Inspector BPS-14
7.	Said Jalal	GulShanar	Subedar BPS-07	Sub Inspector BPS-14
8.	M Aslam Khan	Zar Salam	Subedar BPS-07	Sub Inspector BPS-14
9.	Mir Akbar	Mirat khan	Subedar BPS-07	Sub Inspector BPS-14
10.	Azam Khan	Shah Dim khan	Subedar BPS-07	Sub Inspector BPS-14
11.	AsmatUllah	GulQayum khan	Subedar BPS-07	Sub Inspector BPS-14
12.	Badshah Khan	Shah Wazir	Subedar BPS-07	Sub Inspector BPS-14
13.	Abidullah Jan	Moin Ullah Jan	Subedar BPS-07	Sub Inspector BPS-14
14.	Jehanzeb Khan	Noor Sadey Jan	Subedar BPS-07	Sub Inspector BPS-14
15.	Masood Rehman	Sher Ali	Subedar BPS-07	Sub Inspector BPS-14
16.	Rasool Daraz	Badshah Lal	Subedar BPS-07	Sub Inspector BPS-14
17.	Inam Ullah	Taj Muhammad	Subedar BPS-07	Sub Inspector BPS-14
18.	Sher Wali	GianKhel	Subedar BPS-07	Sub Inspector BPS-14
19.	Dawood Khan	Qayum khan	Subedar BPS-07	Sub Inspector BPS-14
20.	Shahab-u-Din	Nawab khan	Subedar BPS-07	Sub Inspector BPS-14
21.	Riaz Noor	Saeed khan	Subedar BPS-07	Sub Inspector BPS-14
22.	Mujceeb Ullah	Shah Mehmood	Subedar BPS-07	Sub Inspector BPS-14

Attested
2/12/21
(12)

S.No.	Name	Father's Name	Previous Rank	Rank in which Absorbed
2018.	Ahmad Noor	Muhammad Noor	Sepoy BPS-2	Constable BPS-07
2019.	Asher Ullah	Zarmali khan	Sepoy BPS-2	Constable BPS-07
2020.	Hazrat Sahib	Muhammad khan	Sepoy BPS-2	Constable BPS-07
2021.	Shariyat Ullah	Makhan	Sepoy BPS-2	Constable BPS-07
2022.	Asmat Ullah	Asal Mir Khan	Sepoy BPS-2	Constable BPS-07
2023.	Adil Khan	Syed Wali Khan	Sepoy BPS-2	Constable BPS-07
2024.	Samin Ullah	Naik Nawaz Khan	Sepoy BPS-2	Constable BPS-07
2025.	Akbar khan	Sher Abbas Khan	Sepoy BPS-2	Constable BPS-07
2026.	Samad Iqbal	M Yousaf Khan	Sepoy BPS-2	Constable BPS-07
2027.	Safdar Rehman	Nauroz khan	Sepoy BPS-2	Constable BPS-07
2028.	Syed Umer	Said Rasool	Sepoy BPS-2	Constable BPS-07
2029.	Noorsan ullah	Noor dara khan	Sepoy BPS-2	Constable BPS-07
2030.	Hidayat Ullah	Minadar khan	Sepoy BPS-2	Constable BPS-07
2031.	Abdul Abid	Abdul Manan	Sepoy BPS-2	Constable BPS-07
2032.	Imran Ullah	Umer Daraz	Sepoy BPS-2	Constable BPS-07
2033.	Abdul Khaliq	Biram Ullah	Sepoy BPS-2	Constable BPS-07
2034.	Nazir Ullah	Sakaw	Sepoy BPS-2	Constable BPS-07
2035.	Rehman Ullah	Noor shamad	Sepoy BPS-2	Constable BPS-07
2036.	M Rahman	Dinar Jan	Sepoy BPS-2	Constable BPS-07
2037.	Nazim Ullah	Gulzar Alam	Sepoy BPS-2	Constable BPS-07
2038.	Khabir Ullah	Sakhi Jan	Sepoy BPS-2	Constable BPS-07
2039.	Kamran Ullah	Aure khan	Sepoy BPS-2	Constable BPS-07
2040.	Navid ullah	Wazam khan	Sepoy BPS-2	Constable BPS-07
2041.	Taj Ali khan	Shermala khan	Sepoy BPS-2	Constable BPS-07
2042.	Abdul Sami	Rasool khan	Sepoy BPS-2	Constable BPS-07
2043.	Kamran khan	Taj Ali khan	Sepoy BPS-2	Constable BPS-07
2044.	Inayat Ullah	Gul ZarooF	Sepoy BPS-2	Constable BPS-07
2045.	Hikmat Ullah	Barakat khan	Sepoy BPS-2	Constable BPS-07
2046.	M Rahim	Shadam khan	Sepoy BPS-2	Constable BPS-07
2047.	Sejad ullah	Tora Baz khan	Sepoy BPS-2	Constable BPS-07
2048.	Sfar Ullah	Shahzad gul	Sepoy BPS-2	Constable BPS-07
2049.	Wali Muhammad	Qadim khan	Sepoy BPS-2	Constable BPS-07
2050.	Mukthar ud Din	Gul Karam khan	Sepoy BPS-2	Constable BPS-07
2051.	Noor Zali Khan	Sahib Zad Gul	Sepoy BPS-2	Constable BPS-07
2052.	Wali Muhammad	Sikandar khan	Sepoy BPS-2	Constable BPS-07
2053.	Noor Janat Gul	Akbar Ali khar	Sepoy BPS-2	Constable BPS-07
2054.	Ali Noor	Aqal khan	Sepoy BPS-2	Constable BPS-07
2055.	Mohsin khan	Dod Gul	Sepoy BPS-2	Constable BPS-07
2056.	Sadam Hussain	Mir Nawaz	Sepoy BPS-2	Constable BPS-07
2057.	Mustafa Noor	Haji Jalat khan	Sepoy BPS-2	Constable BPS-07
2058.	Sheraz Khan	Awaz Khan	Sepoy BPS-2	Constable BPS-07
2059.	Hamid Rehman	Salam	Sepoy BPS-2	Constable BPS-07
2060.	Said Mohammad	M Subkhan	Sepoy BPS-2	Constable BPS-07
2061.	Inayat Khan	Nasir-ur-Din	Sepoy BPS-2	Constable BPS-07
2062.	Gul Sahib Khan	Noor Baqi jan	Sepoy BPS-2	Constable BPS-07
2063.	Saif ur Rehman	Sail Gai	Sepoy BPS-2	Constable BPS-07
2064.	Abdul Ghaffar	RemanSyed	Sepoy BPS-2	Constable BPS-07
2065.	Shafir Jan	Salim khan	Sepoy BPS-2	Constable BPS-07

Attested
1/2/21
[Signature]

13

S.No.	Name	Father's Name	Previous Rank	Rank in which Absorbed
2781.	Abid Ullah	Sifat Ullah	Sepoy BPS-2	Constable BPS-07
2782.	Yasin Rehman	Asad Khan	Sepoy BPS-2	Constable BPS-07
2783.	Ashraf Ullah	Gul Jaram khan	Sepoy BPS-2	Constable BPS-07
2784.	Muhammad ishaq	Gul Pali	Sepoy BPS-2	Constable BPS-07
2785.	Hakim Ullah	Zamid Ullah	Sepoy BPS-2	Constable BPS-07
2786.	Qader khan	Mutabar Khan	Sepoy BPS-2	Constable BPS-07
2787.	Imam ud din	Faiz Ullah	Sepoy BPS-2	Constable BPS-07
2788.	Shams Ullah	Ihsan Ullah	Sepoy BPS-2	Constable BPS-07
2789.	Guhar Ayub	Salih nor jan	Sepoy BPS-2	Constable BPS-07
2790.	Mohammad Juaid	Ahmed behram	Sepoy BPS-2	Constable BPS-07
2791.	Abuzar khan	Haj Nawaz	Sepoy BPS-2	Constable BPS-07
2792.	Jalal Khan	Minabar khan	Sepoy BPS-2	Constable BPS-07
2793.	Rehmat Ullah	Inzar gul	Sepoy BPS-2	Constable BPS-07
2794.	Naqib ur Rehman	Qadar Khan	Sepoy BPS-2	Constable BPS-07
2795.	Mohammad Asim	Khan Muhammad	Sepoy BPS-2	Constable BPS-07
2796.	Hassan Iqbal	Muhammad Din	Sepoy BPS-2	Constable BPS-07
2797.	Mojahid Noor	Hidayatullah	Sepoy BPS-2	Constable BPS-07
2798.	Abdul Wahid	Abdul Majid khan	Sepoy BPS-2	Constable BPS-07
2799.	Shahid Ullah	Muhammad Israr	Sepoy BPS-2	Constable BPS-07
2800.	Haroon Rashid	Wazira khan	Sepoy BPS-2	Constable BPS-07
2801.	Rehman Ullah	Zakir Ullah	Sepoy BPS-2	Constable BPS-07
2802.	Abid Ullah	Rasool Mir	Sepoy BPS-2	Constable BPS-07
2803.	Akhtar Gul	Pir Maid	Sepoy BPS-2	Constable BPS-07
2804.	Mehmood Khan	Sailadar Khan	Sepoy BPS-2	Constable BPS-07
2805.	Shahzar Khan	Ali Bat Khan	Sepoy BPS-2	Constable BPS-07
2806.	Pir Zali Khan	Sham your khar	Sepoy BPS-2	Constable BPS-07

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

- (i) Their services shall be governed under the Khyber Pakhtunkhwa Police Act, 2017 and the rules made thereunder.
- (ii) A member shall not be entitled for absorption, if he has resigned from Khasadar Force Service or has been terminated from the Service ibid on account of misconduct, inefficiency or any other grounds or has been retired from Service under the Khyber Khasadars Rules-1950 and Khasadars Service Rules-2011, before commencement of the Khyber Pakhtunkhwa Khasadars Force Act, 2019 (Khyber Pakhtunkhwa Act No. XXXIV of 2019).
- (iii) Their services shall be considered regular and they shall be eligible for pension and deduction of General Provident fund in terms of the Khyber Pakhtunkhwa Civil Servant Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).
- (iv) Their seniority shall be determined in accordance with rule 6 of the Khasadars Force (Absorption in Khyber Pakhtunkhwa Police) Rules 2019.

Attested
2/12/21

14

- (v) They shall undergo training as provided in rule 5 of Khasadars Force (Absorption in Khyber Pakhtunkhwa Police) Rules, 2019.

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

No. & date even.

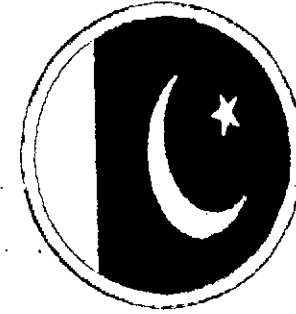
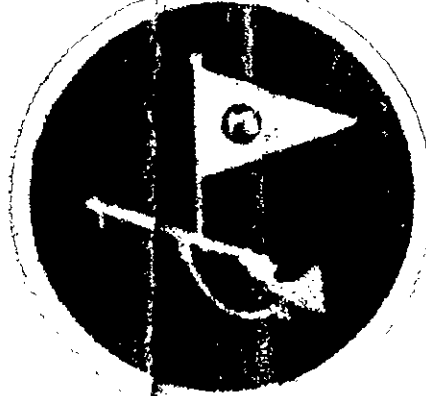
CC to:

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

Section Officer (Levies & Khasadars)

DPO NWID
20/2

50



CERTIFICATE

It is certified that Adil Khan son of Said Wali Khan earmarked for Police Training (4th Training Cycle) has successfully completed the trg held from 1st November 2021 to 1st February 2022 at Mir Ali Camp.

15

Attested
[Signature]

Dated:

1 February 2022

[Signature]

Officer-In-Charge Police Training

1

Attested

Order

16

E

My order will paramount to Departmental proceeding initiated against Head Constable Adil Khan S/o Syed Wali Khan while posted at Police lines Miranshah were found to indulge in the following:-

- That he was selected for recruit/basic training Course commencing from 31.05.2021 at Hqrs Tochi Scouts Miranshah training centre vide DIG training KPK letter No.5132/Trg: dated 25.05.2021, but he did not comply the lawful order of high-ups and absented himself from Govt: duty without any cogent reason, leave or permission of the competent authority.
- That you kept yourself absent intentionally from the said training and did not take interest in it.
- This all speaks of gross misconduct on your part and you are liable to be proceeded under Police Rules-1975.
- Such act on your part is against the service rules/discipline and amounts to gross misconduct and negligence.

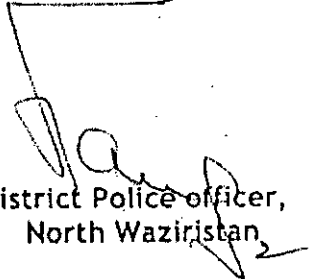
He was served with Show Cause Notice to this effect. He was repeatedly informed through concerned SHO to receive Show Cause but he deliberately refusal to receive Show Cause Notice. Such attitude is quite contrary to law and rules being the member of a disciplined Force. Final Show Cause notice also issued but he did not reply.

Therefore, I Mr. ShafiUllah Khan, District Police Officer, North Waziristan in exercise of the power vested in me under Police Rules-1975, hereby impose upon him major punishment of "Dismissal from service" with effect from the date of his absence from Govt: duty. He is directed to deposit all the Govt: articles/items allotted to him from the concerned branches.

RI/EO to collect the Govt: items /weapons etc if any from the above person.

OB. No: 472

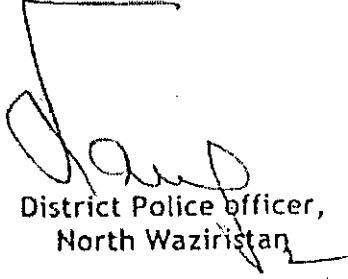
Dated 20/09/2021


District Police officer,
North Waziristan

No. 2089-96 /SRC dated 20.09.2021

Copy of the above is submitted for favour of information:

1. The District Accounts Officer, North Waziristan for necessary action.
2. The RI/EO Police line Miranshah for necessary action.
3. The PO, OASI, EC & SRC for n/action.


District Police officer,
North Waziristan

ORDER:

Attested
17
F
Legal

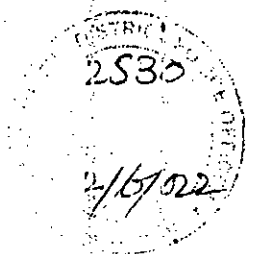
This order will dispose off departmental appeal preferred by Ex-PC Adm. Khan s/o Syed Wali Khan of North Waziristan District Police, wherein he has prayed for setting aside the order of major punishment of "dismissal from service", imposed upon him by DPO North Waziristan vide OE No.472 dated 20.09.2021 on the following allegations:-

- That he was selected for recruit/basic training course commencing from 31.05.2021 at HQs: Tochi Scouts Miranshah Training Centre vide DIG Training KP letter No.5132/Trg dated 25.5.2021, but he did not comply the lawful order and absented himself from govt. duty without any cogent reason, leave or permission of the competent authority which speaks gross misconduct on his part.

Comments from DPO North Waziristan vide his letter No.5473/SRC dated 08/04/2022 were received and perused. The appellant was also heard in person in orderly room on 26.05.2022. He is not fit for police duty physically and mentally.

Therefore, I, Syed Ashfaq Anwar, PSP, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014) hereby endorsed the order of DPO North Waziristan vide OE No.472 dated 20.09.2021. His appeal is rejected as he is not fit for police duty physically and mentally.

ORDER ANNOUNCED
OB No. 185
Dated: 30/05/2022.

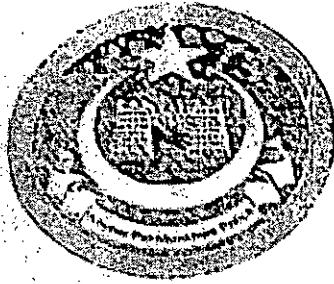


(Large handwritten signature/initials)
Regional Police Officer,
Bannu Region,
Bannu.

No. 2230 /B.C. dated Bannu the 30/05/2022
Cc:

DPO-North Waziristan for information and necessary action with reference to letter No. 5473/SRC dated 08/04/2022 along with complete Character and Service Record of Ex-PC Adm. Khan s/o Syed Wali Khan for record in your office which may be acknowledged, please.

OB-655
08/06/2022
SRC
For M.F.
DPO/1/2022



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

No. S/ 1925 /23, dated Peshawar the 26/07/2023

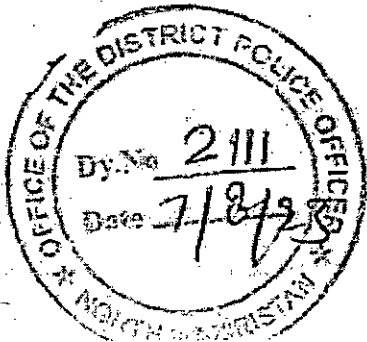
To : The Regional Police Officer,
Bannu.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-Constable Adil Khan s/o Syed Wali Khan of North Waziristan district Police against the penalty dismissal from service awarded by DPO North Waziristan vide OB No. 472, dated 20.09.2021, being time barred.

The applicant may please be informed accordingly.



(Signature)
25/07
(AFSAR JAN)
Registrar.

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

To,

12184/SB

8772
10/07/2023 19

SS
12/07/23 I.G.P. KPK POLICE

✓

Subject: - Appeal for The settling a side the ~~service Punishment~~ of dismissal for

Respected Sir,

With ~~due~~ respect it is requested that

I was appointed as "Khasadar" on the post of "Nephew who made martyred during the performance of official duty."

Since my appointment till impugned order I have been performing my duty with great zeal and zest. All of a sudden I came to know that I have dismissed from my service vide (OB No. 472) dated 20-09-2021, wherein, it has been mentioned that I was Absented from training Programme. Sir, neither I have been informed by any one with regards to my selection to training course nor I have been served with Charge Sheet etc.

The instant impugned order has been issued by the Authority in ex parte. I have not been an opportunity of defence. Thus I have been condemned as unheard which is injustice. Being a brother of "Shahood" ex-Khasadar and in view of the above it is therefore humbly requested that I may kindly be reinstated into service with all benefits and obliged.

(please) Mob: 0335 63 65 78 62
0336 49 42 26

ATTN

To

The Regional police officer
Commut.

Subject: Appeal for setting aside the punishment
of dismissal from service

R/Sir,

with due respect, it is requested that

I was appointed as Kharsadar on the post of my ^{competent} ~~competent~~ who had embraced Shahad during the performance of official duty. Since my appointment till the impugned order, I have been performing my duty with great zeal and zest. All of a sudden I came to know that I have dismissed my from Service vide OB no. 472 dated 20/9/2001, wherein it has been mentioned that I was absent from programme. Sir, neither I have been informed by anyone with regards my selection to training nor I have been served with charge sheet etc. The instant impugned order has been issued by the authority in exparte. I have not been given any opportunity of defence. Thus I have been embroiled as unheard which is injustice. Being a brother of Shahed, I ex-Kharsad and in view of the above, it is therefore humbly prayed that I may kindly be reinstated into service with all benefits and obliged pleas.

Dpo North

No 331/EC
dt 24/10/02

Appellant

District North Magistrate

Postal No. 0345 2475 & Co.

A. J. [Signature]

For comments and also submit my service record and enquiry file

وکالت نامہ

بعدالت حساب حسین صاحب ہوبالی سرسولہ کراچی ۷۲۰۲۶

۱۳ نومبر ۲۰۲۳ء منجانب

مورخہ

مقدمہ علت نمبر

جرم

تھانہ

عادل بنام انسیدر فیصل لوہس کراچی

سرسولہ

باعث تحریر آئیکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ ان مقام لسبار / سولہ کے لئے کامران اللہ مروت ایڈووکیٹ ہائی کورٹ مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا نیز وکیل صاحب کو راضی نامہ و مقرر ثالث و حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجراء اور وصولی چک روپیہ اور عرضی اور درخواست ہر قسم کی تصدیق زراں پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر خانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہوگا تھانہ باہر ہو تو وکیل صاحب پابندی ہوں گے پیروی مقدمہ مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے

۲۰۲۳ء

ماہ

۱۳

المرقوم

العبد

گواہ شدہ

العبد

کے لئے منظور ہے

بمقام

Accepted

الحضرت

عادل بنام

KHYBER PAKHTUNKHWA BAR COUNCIL

KAMRAN ULLAH

Advocate

bc-20-2611

Date of issue: October 2023

Valid upto: October 2026

Secretary KP Bar Council

ADVOCATE HIGH COURT

عادل خان

