

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL No. 2205/2023.

Tehseen Ullah .....Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

& Others.....Respondents.

INDEX

S#	Description of document	Annexure	Page
1	Parawise comments	-	1-4
2	Copies of punishments	A-B	5-6
3	Copies of Statement of allegations & Charge Sheet	C & D	7-8
4	Copy of enquiry report	E	9
5	Copies of Statement of allegations, Charge Sheet & Show Cause Notice	F, G & H	10-12
6	Copy of DIG order	I	13-14
7	Copy of IG order	J	15
8			
9			
10			

11-1-24

Peshawar

*F. Ullah*  
Legal Branch  
Suptd.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL No. 2205/2023.

Tehseen Ullah .....Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

& Others.....Respondents.

WRITTEN REPLY BY RESPONDENTS.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 10412

Dated 08-1-24

Respectfully Sheweth:

Preliminary Objections.

1. That the appellant has got no cause of action and locus standi to file instant appeal.
2. That the appeal is bad due to misjoinder and nonjoinder of necessary parties.
3. That the appeal is barred by law and & limitation.
4. That the appellant has not come to this Tribunal with clean hands.
5. That the instant appeal is not maintainable in its presents form.
6. That the appellant concealed the material facts from this Hon'ble Tribunal.
7. That the appellant has been estopped by his own conduct to file the appeal.

REPLY ON FACTS.

1. This para pertains to service record of the appellant, hence, no comments.
2. Correct to the extent of length of his service (8 years) whereas, his short span of service carries seven (7) bad entries with no good entry. Moreover, he has been found habitual absentee and also held major penalty of reduction in pay as well as minor penalty of stoppage of one increment without cumulative effect at his record /credit. **(Copies of punishment award as annexures "A & B")**.
3. Para No. 03 of appeal is incorrect as proper departmental enquiry was conducted by issuing the appellant with charge sheet and summary of allegation vide No. 102/CC/PA dated 06.07.2021 on account of his involvement in a criminal case vide FIR No. 657 dated 01.07.2021 u/s 506/427/15AA PPC PS Bunr, District Swat. Moreover, appellant's acquittal in the ibid case makes no ground for re-instatement in service as criminal proceedings and departmental proceedings are two separate legal tracks and do not affect each other. **(Copies of Charge Sheet + Statement of allegations are annexures "C & D")**.
4. Para No. 04 of appeal is incorrect as the appellant was acquitted on account of compromise and without proper trial in the case. Besides, he was properly dealt in both departmental enquiries i.e on account of his prolonged absence and his involvement in a criminal case worth to notice that the appellant was called/ summoned time and again but he did not bother even to appear before the Enquiry Officer. Consequently he was recommended for appropriate penalty in an ex-parte action under relevant rules. **(Copy of enquiry report is annexure "E")**.
5. Para No. 05 of appeal is incorrect as the appellant was issued proper Show Cause Notice /Charge Sheet and statement of allegations. He was called time and again to appear before the Enquiry Officer; rather he deliberately absented and did not appear.


2


appear before the Enquiry Officer, rather he deliberately absented and did not appear. Hence, all codal formalities were fulfilled and was, therefore, recommended for ex-parte action. (Copies of Show Cause Notice, Charge Sheet + Summary of Allegations are attached as annexures "F, G & H").

6. Correct to the extent of instant appeal being time barred as admitted by the appellant, however, rest of the para is incorrect and baseless. Hence, denied. (Copy of DIG order is attached as annexure "I").
7. Correct, his appeal was rejected being meritless on valid and legal grounds.
8. Correct, the Revision Petition filed by the appellant was dismissed by the respondent No. 1 as Competent Authority on valid and legal grounds. (Copy of IG order is attached as annexure "J").
9. Correct, however, reply to this para is already detailed in para No. 3 above.
10. Incorrect and baseless as the appellant had rendered himself guilty of misconduct by not joining the departmental enquiry proceeding. He was, therefore, recommended for ex-parte action under relevant rules.
11. Incorrect and baseless. This para is already replied in para No. 3 and 4 above.
12. The respondents seek leave to raise additional grounds at the time of arguments. P

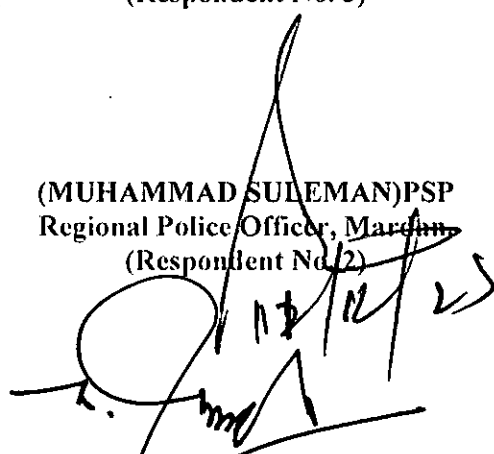
Prayer.

Keeping in view the above narrated facts, it is humbly prayed that the instant appeal being devoid of merits may very kindly be dismissed with costs, please.

  
ROOH UL AMIN KHAN  
Sub Divisional Police Officer, Lahor  
(Respondent No. 4)

  
(HAROON RASHID KHAN)PSP  
District Police Officer, Swabi.  
(Respondent No. 3)

(MUHAMMAD SULEMAN)PSP  
Regional Police Officer, Mardan.  
(Respondent No. 2)

  
(DR. MUHAMMAD AKHTAR ABBAS)PSP  
DIG/Legal, CPO  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 1)

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL No. 2205/2023.

Tehseen Ullah .....Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

& Others.....Respondents.

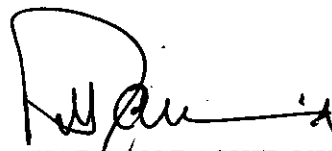
POWER OF ATTORNEY.

We, the respondent No. 1 to 4 do hereby appoint Mr. Shafeeq Ahmad DSP Legal/Topi Swabi

as special representative on our behalf in the above noted appeal. He is authorized to represent us before the Tribunal on each and every date fixed and to assist the Govt: Pleader attach to Tribunal.

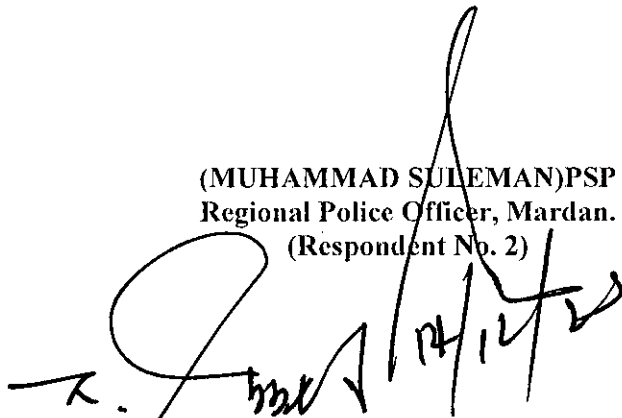


ROOH UL AMIN KHAN  
Sub Divisional Police Officer, Lahor  
(Respondent No. 4)



(HAROON RASHID KHAN)PSP  
District Police Officer, Swabi.  
(Respondent No. 3)

(MUHAMMAD SULEMAN)PSP  
Regional Police Officer, Mardan.  
(Respondent No. 2)



(DR. MUHAMMAD AKHTAR ABBAS)PSP  
DIG/Legal, CPO  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 1)

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL No. 2205/2023.

Tehseen Ullah .....Appellant.

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

& Others.....Respondents.

AFFIDAVIT:-

I the respondent No. 3 do hereby solemnly affirm and declare on oath that the contents of the written reply are correct/true to the best of my knowledge/ belief and nothing has been concealed from the honorable Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.



(HAROON RASHID KHAN)PSP  
District Police Officer, Swabi.  
(Respondent No. 3)

**ATTESTED**



08-01-2024

(5)

(545)

"A"

OFFICE OF THE DISTRICT POLICE OFFICER, SWABI.

ORDER.

Constable Tehsin Ullah No.545, of this District Police was deputed for Muharram Duty to District Kohat. He departed from this District for Kohat but did not report for duty in Kohat, which is against the discipline and amounts to gross mis-conduct. Therefore, he was served with Show Cause Notice. His reply to the Show Cause Notice was received, perused and he was heard in Orderly Room, but his reply was found un-satisfactory.

Therefore, I, Syed Khalid Hamdani, PSP,QPM, District Police Officer, Swabi, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules 1975, hereby award Constable Tehsin Ullah No.545, Major Punishment of reduction in pay up to time scale, with immediate effect.

O.B No. 928

Dated 05/11/2019.

(SYED KHALID HAMDANI) PSP,QPM  
District Police Officer, Swabi.

OFFICE OF THE DISTRICT POLICE OFFICER, SWABI.

No. 8923-25/PA, dated Swabi, the 05/11/2019.

Copies to the: -

1. Pay Officer.
2. Establishment Clerk.
3. Fauji Missal Clerk.

**ATTESTED.**

  
District Police Officer, Swabi.

✓  
انہ - 11/05 - 2019

(545) (6)

"B"

**ORDER**

This Order will dispose of the departmental enquiries against **Constable Tehseen Ullah No.545**, who while posted to Police Lines Swabi, willfully absented himself from duty w.e.f 22.04.2021 to 02.05.2021, 05.05.2021 to 07.05.2021, 16/05.2021 to 26.05.2021, 29.05.2021 to 06.06.2021 and 12.06.2021 till date without any leave or prior permission of the authority. He was issued with charge sheet alongwith summary of allegations and Mr. Taj Muhammad SDPO, Lahor was appointed as Enquiry Officer, wherein he conducted proper departmental enquiry, recorded statements of all concerned, collected evidence and submitted his findings, wherein he has been found guilty for the mis-conduct and recommended defaulter Constable Tehseen Ullah No.545 for awarding Major Punishment.

On account of his involvement vide case FIR No.657 dated 01.07.2021 U/S 506/427/15AA PPC PS Banrh Distt Swat, he was issued with charge sheet alongwith summary of allegations, while Mr. Bashir Ahmad Yousafzai, DSP Swabi was appointed as enquiry officer. The Enquiry officer conducted proper departmental enquiry, recorded statements of all concerned, collected evidence and submitted his findings, wherein he was found guilty and recommended defaulter Constable Tehseen Ullah No.545 for awarding Suitable Punishment.

The undersigned has gone through the enquiry papers and findings of the enquiry officers and by agreeing with the recommendation of the enquiry officers issued Final Show Cause Notices to defaulter. The Final Show Cause Notices were sent to SHO PS Kalu Khan for service upon him; consequently Final Show Cause Notices were handed over to his real brother namely Ubaid Ullah for service upon him on 22.09.2021. He was clearly directed vide Para No.05 of the Final Show Cause Notice to submit his reply within seven days of the receipt of the Notice, otherwise ex-parte action will be taken against him however, he did not bother to submit his reply nor appear for personal hearing even after lapse of 34 days which shows his dis-interest in Police service and has nothing to offer in his defence hence ex-parte action.

Therefore, I, **Muhammad Shoaib Khan, PSP**, District Police Officer, Swabi, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules 1975, hereby award **Constable Tehseen Ullah No.545**, Major Punishment of dismissal from service with immediate effect. He will not be entitle for payment of any salary for the period of his absence on the principle no work no pay.

RECEIVED

*[Signature]*

*[Signature]*

**(MUHAMMAD SHOAIB KHAN) PSP**  
DISTRICT POLICE OFFICER, SWABI

O.B No. 1103

Dated 09/11 /2021.

**OFFICE OF THE DISTRICT POLICE OFFICER, SWABI**  
No. 4560-64/PA, dated Swabi, the 09/11 /2021.

Copies to the: -

1. DSP H.Qrs Swabi.
2. Establishment Clerk.
3. Fauji Missal Clerk.
4. Pay Officer, Swabi
5. Official concerned

*[Handwritten notes and signatures at the bottom of the page, including 'کال' and 'پروانہ']*



(7) "c"

OFFICE OF THE  
DISTRICT POLICE OFFICER SWABI  
PHONE# 0938-920050 FAX# 0938-920054  
EMAIL: dpo\_swabi@yahoo.com

DISCIPLINARY ACTION UNDER KPK POLICE RULES-1975

I, **Muhammad Shoaib Khan**, District Police Officer, Swabi as competent authority am of the opinion that Constable Tehseenullah No. 545 has rendered himself liable to be proceeded against as he has committed the following acts/omission within the meaning of section 02 (iii) of KPK Police Rules-1975.

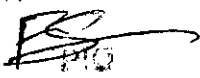
STATEMENT OF ALLEGATIONS

It is alleged that Constable Tehseenullah No. 545 has been charged vide case FIR No.657 dated 01.07.2021 U/S 506/427/15-AA Police Station Swat. His this act is highly against the discipline and amounts to gross misconduct.

This amounts to grave misconduct on his part, warranting departmental action against him.

For the purpose of scrutinizing the conduct of the said official Mr. Basheer Ahmad Yousafzai DSP Swabi is hereby deputed to conduct proper departmental enquiry against the aforesaid official, as contained in section 6 (I) (a) of the afore mentioned rules. The enquiry officer after completing all proceedings shall submit his verdict to this office within (7) days, Constable Tehseenullah No.545 is directed to appear before the enquiry officer on the date, time and place fixed by the later (enquiry officer). A statement of charge sheet is attached herewith.

ATTESTED

  
District Police Officer, Swabi

  
**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER  
SWABI

No. 102 /CC/PA

Dated: 06/07 /2021





⑧ "D"

OFFICE OF THE  
DISTRICT POLICE OFFICER SWABI  
PHONE# 0938-920050 FAX# 0938-920054  
EMAIL: [dpo\\_swabi@yahoo.com](mailto:dpo_swabi@yahoo.com)

CHARGE SHEET UNDER KPK POLICE RULES-1975


Whereas I am satisfied that formal enquiry as contemplated by Khyber Pakhtunkhwa Police Rules 1975 is necessary and expedient.

And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4 (b) a & b of the aforesaid Rules.

Now therefore as required by Rules 6(1) of the aforesaid Rules I **Muhammad Shoaib Khan, PSP**, District Police Officer Swabi charge you **Constable Tehseenullah No.545**, on the basis of statement of allegations attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defence to offer and exparte action will be taken against you.

ATTESTED

  
District Police Officer, Swabi

  
**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER, SWABI

7 Jul 21  
⑨  
"E"  
DY No. 731 /S.  
DATED: 01 / 10 / 2021.

**SUBJECT: DEPARTMENTAL PROCEEDINGS AGAINST CONSTABLE Tehsin Ullah NO. 545 POSTED AT POLICE LINES SWABI, UNDER SECTION 6 OF KPK POLICE RULES 1975.**

It is submitted that the subject Departmental enquiry against the above named Police Official was entrusted to SDPO Swabi vide Endst: No. 102/CC/PA, dated 06-07-2021; the allegations are as under: -

**STATEMENT OF ALLEGATIONS: -**

It is alleged that constable tehseen ullah No. 545 has been charged in case vide FIR No. 657 dated 01.07.2021 u/s 506/427/15AA PS Swat, which is highly against the discipline.

**PROCEEDINGS:**

In this connection, the alleged Police Official, Constable Tehseen Ullah Belt No. 545, was summoned to attend the office vide this office letters Nos. 485/S dated 06.07.2021, 677/S dated 08.09.2021, but he didn't comply with the directions. Moreover, another letter vide this office Diary No. 691/S dated 04.09.2021 was also sent on his home address through SHO PS Kalu Khan to attend the office but in vain. Apart from this, Several Phone Calls were made to the above alleged Constable, but his cell Phone was not responding. The delinquent Police Official is posted at Police Lines Swabi for duty and Muharrar Police Lines Swabi was enquired about his whereabouts. He stated that the delinquent has been absent from duty w.e.f 12.06.2021 till date.

In such circumstances, the undersigned decided to take **Ex-Parte action** against the alleged Constable because several chances were given to him to defend himself against the allegations but he failed. Moreover, the instant enquiry has also exceeded its stipulated period of time.

**FINDINGS:**

In light of the above proceedings, it is transpired that the delinquent constable has no cogent reason to put forward as a defensive move against the allegations, which means that he has willfully committed the negligence/mis-conduct.

**RECOMMENDATION:**

Hence, relying upon the findings, delinquent Constable Tehseen Ullah Belt No. 545, is found guilty in the above mentioned allegations. He is, therefore, recommended for "**Suitable Punishment**", if agreed, please.

ATTESTED

  
PIO

  
Sub-Divisional Police Officer,



(10) "F"  
OFFICE OF THE  
DISTRICT POLICE OFFICER SWABI  
PHONE# 0938-920050 FAX# 0938-920054  
EMAIL: [dpo\\_swabi@yahoo.com](mailto:dpo_swabi@yahoo.com)

DISCIPLINARY ACTION UNDER KPK POLICE RULES-1975

I, **Muhammad Shoaib Khan**, District Police Officer, Swabi as competent authority am of the opinion that Constable Tehseenullah No.545, has rendered himself liable to be proceeded against as he has committed the following acts/omission within the meaning of section 02 (iii) of KPK Police Rules-1975.

STATEMENT OF ALLEGATIONS

That Constable Tahseenullah No.545 while posted to Police Lines Swabi absented himself from duty w.e. from 22.04.2021 till date without any leave/prior permission of the competent authority. Therefore, he was served with Show Cause Notice. He has been directed time and again to receive his Show Cause Notice but all these directions fell on deaf ears. .

This amounts to grave misconduct on his part, warranting departmental action against him.

For the purpose of scrutinizing the conduct of the said official Mr. Taj Muhammad DSP Lahor is hereby deputed to conduct proper departmental enquiry against the aforesaid official, as contained in section 6 (I) (a) of the afore mentioned rules. The enquiry officer after completing all proceedings shall submit his verdict to this office within (7) days, Constable Tahseenullah No.545, is directed to appear before the enquiry officer on the date, time and place fixed by the later (enquiry officer) a statement of charge sheets is attached herewith.

  
**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER, SWABI

No. 93 /CC/PA

Dated: 21/06 /2021

**ATTESTED**  


District Police Officer, Swabi.

*Muhammad Shoaib Khan*  
*21/06/21*

(11) "Q"



OFFICE OF THE  
DISTRICT POLICE OFFICER SWABI  
PHONE# 0938-920050 FAX# 0938-920054  
EMAIL: [dpo\\_swabi@yahoo.com](mailto:dpo_swabi@yahoo.com)

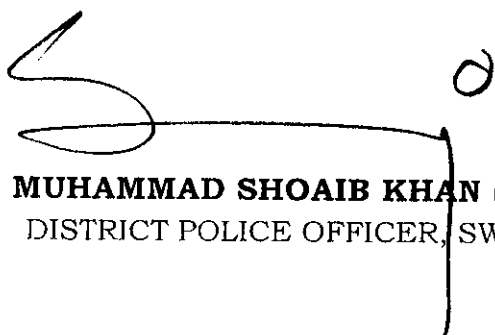
CHARGE SHEET UNDER KPK POLICE RULES-1975

Whereas I am satisfied that formal enquiry as contemplated by Khyber Pakhtunkhwa Police Rules 1975 is necessary and expedient.

And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4(b) a & b of the aforesaid Rules.

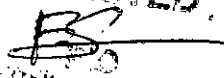
Now therefore as required by Rules 6(1) of the aforesaid Rules I **Muhammad Shoaib Khan, PSP**, District Police Officer Swabi charge you **Constable Tahseenullah No.545**, on the basis of statement of allegations attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defence to offer and exparte action will be taken against you.



**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER, SWABI

ATTESTED.

  
Officer: Police Station Swabi.

NR/11/2011  
21/12/11

(12)

"H"

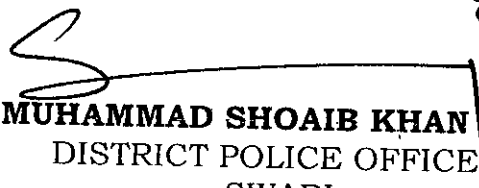
**SHOW CAUSE NOTICE**

**I, Muhammad Shoaib Khan, District Police Officer, Swabi** as competent authority under Police Disciplinary Rules 1975, hereby served upon you, **Constable Tehseenullah No.545** as follow:

Whereas you Constable Tehseenullah No.545 while posted to Police Lines Swabi absented yourself from duty w.e. from 22.04.2021 till date without any leave/prior permission of the competent authority, which is against the discipline and amounts to gross mis-conduct.

You are hereby directed to show cause of your irresponsible acts towards performing your professional responsibilities within 05 days, as to whether you will not be punished as defined by Police rules.

In case of none submission of your reply within 05-days of its delivery in the normal course of circumstances, it shall be presumed that you have no defense to offer, and ex-parte action shall be taken against you.

  
**MUHAMMAD SHOAIB KHAN (PSP)**  
**DISTRICT POLICE OFFICER,**  
**SWABI**

**ATTESTED.**

  
District Police Officer, Swabi

APD/11/2021  
21/5/21

13

"1"

1

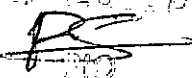
ORDER.

This order will dispose-off the departmental appeal preferred by Ex-Constable Tehsoon Ullah No. 545 of Swabi District Police against the order of the then District Police Officer, Swabi, whereby he was awarded major punishment of dismissal from service vide OB No. 1103 dated 09.11.2021. The appellant was proceeded against departmentally on the allegations that he while posted at Police Lines, Swabi absented himself from his lawful duty with effect from 22.04.2021 to 02.05.2021, 05.05.2021 to 07.05.2021, 16.05.2021 to 26.05.2021, 29.05.2021 to 06.06.2021 and 12.06.2021 till date of his dismissal without any leave or prior permission of the competent authority.

He was issued Show Cause Notice but the delinquent Officer did not submit reply to the Show Cause Notice within stipulated time, therefore, proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Sub Divisional Police Officer, (SDPO) Lahor, Swabi was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities, submitted his findings wherein he reported that the delinquent Officer was contacted time and again to appear before the enquiry Officer, but he failed and remained absent, which showed that he was no more interested in Police Service. He recommended the delinquent Officer for ex-parte action.

Besides the above, the appellant was issued another Show Cause Notice alongwith statement of allegations and was proceeded against departmentally through the then Sub Divisional Police Officer, (SDPO) Swabi, on account of his involvement in case vide FIR No. 657 dated 01.07.2021 U/S 506/427/15AA Police Station Bunnh Swat. The Enquiry Officer after fulfilling codal formalities, submitted his findings wherein he reported that the delinquent Officer was contacted time and again to appear before the enquiry Officer, but he failed and remained absent, which showed that he was no more interested in Police Service. He recommended the delinquent Officer for ex-parte action.

The then District Police Officer, Swabi perused the findings and by agreeing with the recommendation of Enquiry Officers, issued him Final Show Cause Notices which were sent through local Police for service upon him. Consequently Final Show Cause Notices were handed over to his brother namely Ubaid Ullah for service upon him on 22.09.2021. He was clearly directed in Final Show Cause Notices to submit his replies within seven days otherwise ex-parte action will be taken against him, however he did not bother to submit his replies nor appear for personal hearing

ATTESTED  
  
District Officer, Swabi.



14

"I/2"

even after lapse of 34 days which show his dis-interest in Police Service and has nothing to offer in his defense. Therefore he was awarded major punishment of dismissal from service vide this office OE: No. 1103 dated 09.11.2021.

Feeling aggrieved from the order of the then District Police Officer, Swabi, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room hold in this office on 22.03.2023.

From the perusal of service record of the appellant, it has been found that allegations leveled against the appellant have been proved beyond any shadow of doubt. The service record of the appellant revealed that he was enlisted in Police Department on 15.12.2009 and earned 07 bad entries with no good entry. Besides, the appellant in his short span of service remained absent for 248 days including the instant absence period, on different occasions which depicts his lethargic attitude towards his official duties with paying no attention of the directives of Senior Officers. On perusal of previous service record of the appellant, it was noticed that he is habitual absentee and prior to this, the appellant was also awarded major punishment of reduction in pay as well as minor punishment of stoppage of one increment without cumulative effect on account of same allegations i.e absence. Besides the above, the appellant was also found involved in the aforementioned criminal case. Moreover, the appellant approached this forum at a belated stage by filing the instant appeal which is time barred by 01 year, 02 months and 29 days without advancing any cogent reason regarding such delay. Hence, the very conduct of appellant is unbecoming of a disciplined Police Officer. Therefore, the order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Muhammad Ali Khan, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit as well as badly time barred by 01 year, 02 months and 29 days.

Order Announced.

*Muhammad Ali Khan*

Regional Police Officer,  
Mardan.

No. 2179 /ES, Dated Mardan the 12/04 /2023.

Copy forwarded to District Police Officer, Swabi for information and necessary action w/r to his office Memo: No. 35/Insp: Legal dated 13.03.2023. His Service Record is returned herewith

OB/Sc/AD Legal



112 3/4  
18-4-23

*D. Swabi*  
14/4

ATTESTED

*[Signature]*  
District Police Officer, Swabi

Swabi, Peshawar.

123



"J"  
15  
25/8/23

**OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.**

**ORDER**

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted Ex-FC Tehseen Ullah No. 545. He was dismissed from service on allegations that he while posted at Police Lines Swabi absented himself from his lawful duty w.e.f 22.04.2021 to 02.05.2021, 05.05.2021 to 07.05.2021, 16.05.2021 to 26.05.2021, 29.05.2021 to 06.06.2021 & 12.06.2021 till date of his dismissal without permission. He was also involved in case vide FIR No. 657, dated 01.07.2021 u/s 506/427/15AA PS Buur Swat. He was acquitted by Judicial Magistrate, Swat on the basis of compromise vide judgment dated 23.06.2022. RPO Mardan rejected his appeal vide order Endst: No. 2179, dated 12.04.2023.

Meeting of Appellate Board was held on 17.08.2023 wherein petitioner was heard in person. Petitioner contended that the absence was not deliberate & that he was acquitted from the said FIR.

Perusal of the record revealed that the application of the petitioner is time-barred. The Board unanimously decided to file/reject the revision petition on the grounds of time limitation.

Sd/-

**AWAL KHAN, PSP**  
Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 2187-95 /23, dated Peshawar, the 28-08 /2023.

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. Service Roll and Fauji Missal of the above named Ex-FC received vide your office Memo No. 5261/ES, dated 09.08.2023 is returned herewith for your office record.
2. District Police Officer, Swabi.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-IV CPO Peshawar.

*[Handwritten signature]*  
District Police Officer, Swabi

**ATTESTED**

*[Handwritten signature]*

District Police Officer, Swabi

**(DR. TAHIR ULLAH) PSP**  
AIG/Establishment,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

*[Handwritten signature]*  
28/8/23