


FORM OF ORDER SHEET

Court of _____

Appeal No. 151/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	17/01/2024	<p>The appeal of Mr. Muhammad Sadiq presented today by Mr. Muhammad Ilyas Orakzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ . Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 151/2024

Muhammad Sadiq.....(Appellant)

V E R S U S

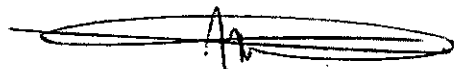
Government of Khyber Pakhtunkhwa through Secretary Home
and others.....(Respondents)

I N D E X

S.No.	Description of Documents	Annex	Pages
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2.	Affidavit		8
3.	Addresses of the parties		9
4.	Copies of appointment order	A	10-11
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6.	Copy of passport	C	13-14
7.	Copies of ex-parte pending and impugned removal order dated 17/10/2023	D	15-19
8.	Copies of departmental appeal and appellate order dated 19/12/2023	E	20-21
9.	Wakalat Nama		22

M. Sadiq
Appellant

Through



Dated: 16/01/2024

Muhammad Ilyas Orakzai
Advocate Supreme Court
of Pakistan.
Cell: 0333-9191892

①

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 151 /2024

Muhammad Sadiq S/o Wali Khan (Ex-Police Constable, no. 689 District Police Hangu)
Kach Banda, P.O. Tehsil and District Hangu.....(Appellant)

V E R S U S

1. Government of Khyber Pakhtunkhwa through Secretary Home,
Civil Secretariat, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Central
Police, Peshawar.
3. Regional Police Officer, Kohat Region, Kohat.
4. District Police Officer, District Hangu.....(Respondents)

**SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PUKHTUNKHWA SERVICE
TRIBUNAL ACT 1974, AGAINST THE
IMPUGNED REMOVAL FROM SERVICE
ORDER DATED 17/10/2023 PASSED BY
THE RESPONDENT NO. 4 AND IMPUGNED
REJECTION OF DEPARTMENTAL
APPEAL/REPRESENTATION VIDE ORDER
DATED 19/12/2023 OF RESPONDENT NO.
3 WHEREBY THE APPLICANT HAS BEEN
DISMISSED FROM HIS SERVICE.**

Prayer:

On acceptance of this appeal, both the impugned ~~removal~~ orders dated 17/10/2023 and 19/12/2023 passed by respondent No. 3 and 4 may kindly be set aside and the appellant may kindly be reinstated in his service with all back benefits with such other relief as may deemed fit in the circumstances of the case may also be granted in favour of the appellant.

Respectfully Sheweth:

1. That the appellant was appointed as Police Constable on 31/03/2011 at District Hangu, since than he was performing his duties with full devotion and honesty and he rendered 12-1/2 years services to the department. (Copies of appointment order is attached as annexure "A").
2. That appellant was submitted an application for Ex-Pakistan leave in connection with his visit to Qatar for the reason that appellant father was serving in Qatar Armed Forces, unfortunately father of appellant was

died there in Qatar, so the appellant was intends to go to Qatar for receiving the ends of all services benefits of his father, the application of the appellant the Ex-Pakistani Leave of 180 days was allowed through office Order No. 504/EC, dated 09/01/2023. (Copy of Office Order/ Notification is attached as annexure "B").

3. That thereafter appellant was proceeded to Qatar on 28/01/2023 in connection of the above fact. (Copy of passport is attached as annexure "C").
4. That as per rules of Doha Qatar the original passport and CNIC was kept/ retrained by the sponsor i.e. (Kafeel), on the completion of Ex-Pakistani Leave the applicant made so many requests to the sponsor/ Kafeel, but in vain, for the reason the appellant submitted another application on 07/07/2023 to the department for further Ex-Pakistani Leave as per law, but that was not allowed to the appellant, it is pertinent to mentioned here that appellant after receiving his passport and CNIC from sponsor/ Kafeel and soon thereafter return to Pakistan on

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09/10/2023 which evident from the copy of Passport annexed with Para No. 3 of the instant appeal.

5. That due to the above mentioned reason the appellant was not return to his country Pakistan on time to joint/ resume his service/ duty, in back-up the respondent No. 4 conducted ex-parte proceeding against the appellant and appellant has been removed from his service through office order No. 4990-92/EC dated 17/10/2023. (Copies of ex-parte pending and impugned removal order dated 17/10/2023 is attached as annexure "D").
6. That against the impugned ~~removal~~ order of respondent No. 4 dated 17/10/2023 the appellant submitted a departmental appeal before the respondent No. 3 on 11/11/20213 which was too dismissed by the respondent No. 3 through office order No. 13450/EC dated 19/12/2023. (Copies of departmental appeal and appellate order dated 19/12/2023 are attached as annexure "E").
7. That appellant aggrieved from both the impugned orders dated 17/10/2023 and 19/12/2023 of

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respondents No. 3 and 4, approached this Hon'ble Tribunal on the following grounds:

GROUND:

- A. That the impugned orders dated 17/10/2023 and 19/12/2023 of respondents No. 3 and 4 are illegal, unlawful, void and ineffective beside being against the law and facts.
- B. That the impugned orders of respondents No. 3 and 4 are illegal, non speaking order, embargoes as the appellant was not served with any show cause notice nor proper inquiry was conducted, so the appellant was remained unheard.
- C. That prior to the issuance of impugned ~~order~~ ^{removal} order no meaningful/ purposeful chance of personal hearing was granted to the appellant, the impugned orders as against the principle of natural justice.
- D. That the impugned orders are violative of Section 24-A of the General Clauses Act as the competent authority

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has failed to cite any reason or justification in the said order.

- E. That it is well established principle of natural justice enshrined in the precedents of the superior Courts as well that where the competent authority is going to impose any penalty etc the regular inquiry to that effect is necessary.
- F. That all the proceedings of said inquiry is ex-parte one and without lawful authority and by unauthorized officer in which they have no experience of the inquiry of any kind.
- G. That each and every citizen of Pakistan (appellant/ employee) shall be treated equally.
- H. That each and every citizen should be treated Under Article 4, 8, 25 of Constitution of Islamic Republic of Pakistan, 1973.
- I. That appellant was not willfully absent from his duty but his absence was due to the reason mentioned in

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the instant appeal which is beyond the control of the appellant.

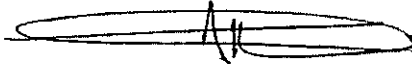
J. That the instant appeal with in time and this Hon'ble Tribunal has jurisdiction to entertain the instant appeal.

K. That appellant will take other ground with permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this appeal, both the impugned ~~orders~~ orders dated 17/10/2023 and 19/12/2023 passed by respondent No. 3 and 4 may kindly be set aside and the appellant may kindly be reinstated in his service with all back benefits with such other relief as may deemed fit in the circumstances of the case may also be granted in favour of the appellant


Appellant

Through



Dated: 16/01/2024

Muhammad Ilyas Orakzai
Advocate Supreme Court
of Pakistan.

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**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2024

Muhammad Sadiq.....(Appellant)

V E R S U S

Government of Khyber Pakhtunkhwa through Secretary Home
and others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Muhammad Sadiq S/o Wali Khan (Ex-Police Constable) R/o
Kach Banda, P.O. Tehsil and District Hangu.

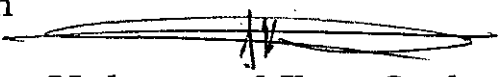
RESPONDENTS:

1. Government of Khyber Pakhtunkhwa through Secretary Home,
Civil Secretariat, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Central
Police, Peshawar.
3. Regional Police Officer, Kohat Region, Kohat.
4. District Police Officer, District Hangu.

M. Ilyas Orakzai
Appellant

Through

Dated: 16/01/2024


Muhammad Ilyas Orakzai
Advocate Supreme Court
of Pakistan.

STABULARY NO. () in
 TO () in
 TO () in

10

Ahmed - A

DISTRICT.
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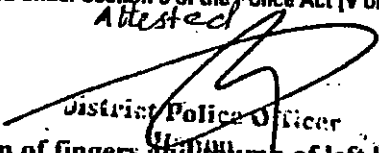
Name	Father's Name	Tribe or caste	Village or Town	Post and Telegraph Office	Police Station	District	Province	Date of Birth	Height	Chest Measurement	Date of Enrolment	Age on Enrolment	Distinctive Marks
Muhammed Sadeeq	Wali Khan	Aghwan	Kach Banda		Hangyu	Hangyu	K-P-K	15-12-1990	5-10 1/2	36x37	31-03-2011		

Verification Roll No. _____ dated _____ received back and attached to the Fauji Misal.

Employment Service prior to present employment, which is approved for pension service

Service or Department	Rank or Grade	Pay of Last Appointment	From	To	Period		
					Years	Month	Days
Reason and character of discharge from above service.			Reference to orders approving above service for pension service in, the Police Department				






I understand that I have been appointed under section 7 of the Police Act (V of 1861), and the purport of that section provisions of the Act and of the Rules issued under it and now in force, by which my discipline and conduct are governed have been explained to me, I agree to serve faithfully under the provisions of the said police Act and to obey all lawful orders issued to me by my superior Officers and undertake not to resign my appointment within three years from the date of my enrolment. I have received a copy of the appointment issued under section 8 of the Police Act (V of 1861).

Attested

 District Police Officer

Attested

 Signature

Roll Impression of fingers and thumb of left hand.

Left little	Left ring	Left middle	Left Index	Left thumb
				

CHARACTER ROLL OF

(Cont.)

6. APPOINTMENTS, PROMOTIONS, REDUCTIONS, DISCHARGES, ETC

1	2	3	4	5
Appointed, promoted, suspended, reduced, discharged, dismissed, resigned or died	To what grade and pay Appointed, promoted or reduced	Date	No. of District Order	Full Signature of Superintendent of Police
Appointed as BPS 5 (3340 - 160 - 8140) @ Rs 3340/PM OB No. 172 Dt: 31-03-2011 Revised Pay Scale 2011 @ Rs 5400/PM on 1-7-2011 D.P.O., Hangu.	T-Scale Constable Rs. 6180 Const. BB-5 Rs. 6440			District Police Officer Hangu. S.V.C. Service from 31/3/2011 to 31/03/2015 has been verified from the pay bills & Acq. Recd. kept in this office record.
Const. Rs. 5660/PM on 1-12-2011 D.P.O. Hangu.	Const. BB-5 Rs. 6440			S.V.C. Service from 1/12/2011 to 30/6/2015 has been verified from the pay bills & Acq. Recd. kept in this office record.
Const. Rs. 5920/PM on 1-12-2012 D.P.O. Hangu.	Const. BB-5 Rs. 6440			S.V.C. Service from 1/12/2012 to 30/6/2015 has been verified from the pay bills & Acq. Recd. kept in this office record.

7. TRANSFERS BEYOND THE DISTRICT.

1	2	3	4
Date	Form	To	Authority for transfer
	Office of the Accountant General Khyber Pakhtunkhwa Peshawar Pay Fixed @ Rs. 2600/13200 Adj. Pay Fixed @ Rs. 2400/13200 R.O.P.S. @ Rs. 340-17185 Pay Fixed @ Rs. 8345/17185 Date of next increment 01-07-2015 01-12-2015		ATTESTED

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NOTIFICATION


Dated Kohat the 9/1/2023

ANNEX "B"

No. 504 /EC, **EX-PAKISTAN LEAVE:-** Constable Muhammad Sadiq No. 689 of Hangu district Police is hereby granted 180-days Ex-Pakistan Leave in connection with his visit to Qatar from the date of availing under the Civil Servant Revised Leave Rules 1981 as per breakup given below:-

1. 120-days : Full pay
2. 60-days : Half pay

He is allowed to proceed abroad.

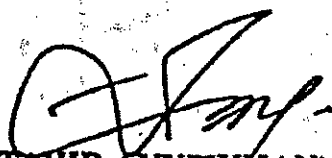

(TAHIR AYUB KHAN) PSP
Regional Police Officer,
Kohat Region.

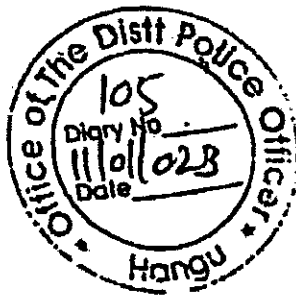
No. 5-5-07 /EC, dated Kohat the 9/01 /2023.

Copy of above is submitted to the:-

1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar for favour of information please.
2. The Addl: Inspector General of Police, KPK, Peshawar. Two spare copies of the notification are enclosed herewith for publication in the KPK Police Gazette Part-II.
3. The District Police Officer, Hangu w/r to his office Memo: No. 11/EC, dated 03.01.2022. Arrival / departure of the official concerned must be intimated to this office.

PO/EC/OHK
For information and
action.


(TAHIR AYUB KHAN) PSP
Regional Police Officer,
Kohat Region.



DISTRICT POLICE OFFICER
HANGU.
11-1-23


ATTESTED

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VISAS / 121

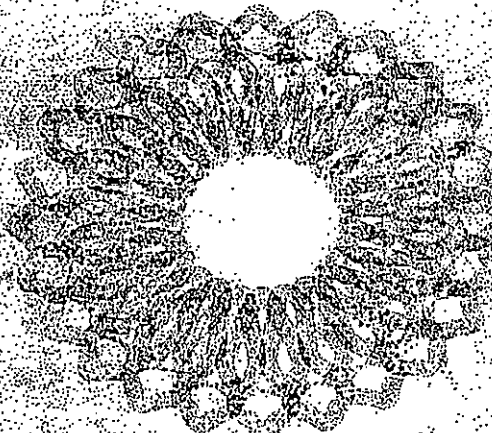
VISAS / 121



Valid Until: 2023-04-28
For More info: www.moi.gov.qa

28 JAN 2023
Arrival

QATAR
DOHA
-9 OCT 2023



VISAS / 121

QATAR
EMIRATI
IMMIGRATION OFFICER
DOHA

88367797

ضوابط

بسم الله الرحمن الرحيم
هذه الضوابط هي التي تحكم دخول المسافرين إلى دولة قطر
والتنقل فيها، وهي من اختصاص وزارة الداخلية القطرية
وغير ملزمة للجهات الخارجية. وتحتفظ الوزارة بحقها
في تعديل هذه الضوابط في أي وقت دون إشعار مسبق.
1- يجب على كل مسافر قبل السفر إلى دولة قطر أن يحصل
على تأشيرة دخول من دولة قطر أو من دولة أخرى معترف
بها دولياً. ولا يمكن السفر إلى دولة قطر بدون تأشيرة
دخول. ولا يمكن السفر من دولة قطر إلى دولة أخرى
بدون تأشيرة خروج. ولا يمكن السفر من دولة قطر
إلى دولة أخرى بدون تأشيرة خروج. ولا يمكن السفر
من دولة قطر إلى دولة أخرى بدون تأشيرة خروج.
2- يجب على كل مسافر قبل السفر إلى دولة قطر أن يحصل
على تأمين طبي يغطي فترة إقامته في دولة قطر.
3- يجب على كل مسافر قبل السفر إلى دولة قطر أن يحصل
على تأمين سفر يغطي فترة إقامته في دولة قطر.
4- يجب على كل مسافر قبل السفر إلى دولة قطر أن يحصل
على تأمين تأمين يغطي فترة إقامته في دولة قطر.
5- يجب على كل مسافر قبل السفر إلى دولة قطر أن يحصل
على تأمين تأمين يغطي فترة إقامته في دولة قطر.

رخصات

هذه الرخصات هي التي تحكم دخول المسافرين إلى دولة قطر
والتنقل فيها، وهي من اختصاص وزارة الداخلية القطرية
وغير ملزمة للجهات الخارجية. وتحتفظ الوزارة بحقها
في تعديل هذه الرخصات في أي وقت دون إشعار مسبق.
1- رخصة دخول: هي الرخصة التي تسمح للمسافر بدخول دولة قطر
والتنقل فيها. وتحتفظ الوزارة بحقها في تعديل هذه الرخصة
في أي وقت دون إشعار مسبق.
2- رخصة خروج: هي الرخصة التي تسمح للمسافر بالخروج من دولة قطر
إلى دولة أخرى. وتحتفظ الوزارة بحقها في تعديل هذه الرخصة
في أي وقت دون إشعار مسبق.
3- رخصة إقامة: هي الرخصة التي تسمح للمسافر بالإقامة في دولة قطر
لفترة محددة. وتحتفظ الوزارة بحقها في تعديل هذه الرخصة
في أي وقت دون إشعار مسبق.

ATTESTED

(15) Annex 'D'

جناب عالی!

گزارش کی جاتی ہے۔ کہ سائل چھ ماہ ایکس پاکستان لیو پریڈون ملک قطر بسلسلہ حصول مرحوم والد کی مراعات کیا ہوا ہے۔
چونکہ سائل کی برخصت عنقریب ختم ہو رہی ہے۔ اور مذکورہ کفیل نے سائل کا پاسپورٹ، ID کارڈ وغیرہ روک رکھا ہے۔ جب تک
ضروری کارروائی حصول مراعات مرحوم والد محترم مکمل نہ ہو جائے۔ بدیں وہ سائل پاکستان آنے سے قاصر ہے۔ اور مزید چار ماہ ایکس
پاکستان لیو کی اشد ضرورت ہے۔

لہذا استدعا ہے کہ سائل کو چار ماہ ایکس پاکستان لیو منظور کرنے کا حکم صادر فرمائیں۔

سین نوازش ہوگی۔

تحریہ

العارض

اپکا تابع فرمان کنشیل محمد صدیق نمبر 689 ضلع ہنگو۔

۱۴/۰۷/۲۰۲۳

7. 7. 2023

ATTESTED



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DISTRICT POLICE OFFICER
HANGU
Tel No. 0925-623878 & Fax No. 0925-620135
Email: dpohangu8@gmail.com

DISCIPLINARY ACTION

1. **MR. ASIF BAHADER, PSP, DISTRICT POLICE OFFICER, HANGU,** as competent authority, am of the opinion that you, **Constable Saddique Ullah No. 689** have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

- i. You, Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu have absented yourself from lawful duty with effect from 14.07.2023 to till date without any leave or prior permission vide DD No. 37, dated 14.07.2023 Police Line, Hangu.
- ii. Your absence shows disinterest, negligence and amount to gross misconduct on your part.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations DSI HQS is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official, record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.

**DISTRICT POLICE OFFICER,
HANGU**

ATTESTED

No. 224 /EC, dated 11 /10 /2023

Copy of above to:-

1. The _____ i- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
2. The **Accused official:-** with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.



Office No. 935
Date: 16.8.23

OFFICE OF THE
DISTRICT POLICE OFFICER,
HANGU
Tel No: 0925-623878 & Fax No: 0925-620135
Email: dpohangu8@gmail.com

CHARGE SHEET

1. **MR. ASIF BAHADER, PSP, DISTRICT POLICE OFFICER, HANGU**, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you, **Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu** rendered yourself liable to be proceeded against, as you have omitted the following act/omissions within the meaning of Rule 3 of the Police Rules 1975:-

- i. You, Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu have absented yourself from lawful duty with effect from 14.07.2023 to till date without any leave or prior permission vide DD No. 37, dated 14.07.2023 Police Line, Hangu.
- ii. Your absence shows disinterest, negligence and amount to gross misconduct on your part.

2. By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Rules ibid and have rendered yourself liable to all or any of the penalties specified in the Rule 4 of the Rules ibid.

3. You are, therefore, required to submit your written statement within 07 days of the receipt of this Charge Sheet to the enquiry officer.

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

4. A statement of allegation is enclosed.

ATTESTED

DISTRICT POLICE OFFICER,
HANGU



(18)

DISTRICT POLICE OFFICER,
HANGU

Tel: 0925-623878 Fax: 0925-620135

No. 132 JEC dated Hangu the 06/09/2023

FINAL SHOW CAUSE NOTICE

I, Nisar Ahmad, PSP, OPM, District Police Officer, Hangu as competent authority, under the Khyber Pakhtunkhwa Police Rules 1975, (Amended 2014) is hereby serve you, Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu as follow:-

i. That consequent upon the completion of inquiry conducted against you by the inquiry officer in which you have given full opportunity of hearing, but you did not appear before him and reportedly has gone to abroad (Qatar) without obtaining/granting any leave or NOC from the competent authority thus, held you guilty for the charges leveled against you and recommended for awarding you a major punishment vide office No. 1056/ DSP/HQR, dated 22.08.2023.

ii. From going through the findings and recommendation of the inquiry officer, the material on record and other documentary proof including your defense before the inquiry officer.

I am satisfied that you have committed the following acts/omissions, specified in section 3 of the said ordinance.

i. You, Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu have absented yourself from lawful duty with effect from 14.07.2023 to till date without any leave or prior permission vide DD No. 37, dated 14.07.2023 Police Lines, Hangu.

ii. Your absence shows disinterest, negligence and amounts to gross misconduct on your part.

As a result thereof, I as competent authority, have tentatively decided to impose upon you major penalty provided under the Rules ibid.

You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.

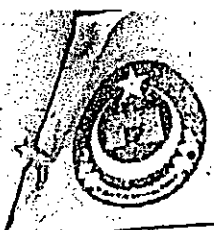
If no reply to this notice is received within 07 days of its delivery in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

The copy of the findings of inquiry officer is enclosed.

ATTESTED

DISTRICT POLICE OFFICER,
HANGU

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OFFICE OF THE
DISTRICT POLICE OFFICER,
HANGU

Tel: 0925-623878 Fax 0925-620135

ORDER

This order is passed on the departmental enquiry against Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu under the Khyber Pakhtunkhwa Police Rules 1975 (Amendment 2014).

Brief facts of the case are as under:-

- i. Constable Saddique Ullah No. 689 while posted at Police Lines, Hangu has absented himself from lawful duty with effect from 14.07.2023 to till date without any leave or prior permission vide DD No.37, dated 14.07.2023 Police Lines, Hangu.
- ii. His absence shows disinterest, negligence and amounts to gross misconduct on his part.

He was served with Charge Sheet and statements of allegations under the Khyber Pakhtunkhwa Police Rules 1975 (Amendment 2014) vide this office No. 224/EC, dated 11.08.2023, to which he failed to submit his reply to DSP, HQrs Hangu, who was appointed as Enquiry Officer to conduct departmental enquiry against him. After completion of enquiry, the Enquiry Officer submitted his findings vide No. 1056/DSP/HQR, dated 22.08.2023 in which the defaulter Constable Saddique Ullah No. 689 was summoned time & again to appear before the Enquiry Officer for submission of reply and to join the enquiry process, but he did not appear and has absented himself from official duty with effect from 14.07.2023 to till date without any leave or permission. As per recorded statement of his brother namely Daud Khan that Constable Saddique Ullah No. 689 has gone abroad to Qatar for labouring, thus, held him guilty for the charges leveled against him and the Enquiry Officer recommended him for major punishment. Consequently, he was summoned in orderly room on 05.09.2023, but he failed to do so. Subsequently, Final Show Cause Notice was issued to him vide this office vide No. 132/EC, dated 06.09.2023 which served through local police at his home address where he did not found present. However, his brother Daud Khan received the copy of said Final Show Cause Notice and also submitted reply in written that Constable Saddique Ullah No. 689 has gone abroad to Qatar for earning livelihood. Subsequently, he was again summoned through a Notice advertised in daily newspaper for appearance before the competent authority within 07 days positively in connection with pending departmental enquiry. Later on, he made his arrival vide DD No. 14, dated 10.10.2023 at Police Lines Hangu and also appeared before the undersigned on 10.10.2023, but no reasonable response could be given in his defence.

Keeping in view of the above and having gone through available record, the undersigned has come to the conclusion that the defaulter Constable Saddique Ullah No. 689 was reportedly gone abroad without obtaining NOC from the department and arrived on 10.10.2023 after prolong absence which indicates that he is no more interested to serve the Police Department. Hence, in these circumstances, his retention in Police Department is a burden on public exchequer, therefore, I, Nisar Ahmad, PSP,QPM, District Police Officer, Hangu in exercise of the powers conferred upon me under the Rules ibid, dispense with general proceedings and awarded him major punishment of Removal from Service from the date of absence i.e. 14.07.2023

Order Announced.

OB No. 669

Dated 17/10/2023

DISTRICT POLICE OFFICER,
HANGU

No. 4990-92/EC, dated Hangu, the 17/10/2023
Copy of above is submitted to the Regional Police Officer, Kohat Region, Kohat for favour of information, please.

2. The DSP HQrs with the directions to collect his official kit forthwith and Pay Officer be made recovery accordingly (if any), and EC, Reader & OHC for necessary action.

DISTRICT POLICE OFFICER,
HANGU

ATTESTED

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KINNEK

بخدمت جناب RPO کوہاٹ ریجن کوہاٹ

درخواست بمعروض بحالی

عنوان:-

جناب عالی!

گزارش ہیکہ سائل کو بحوالہ حکم مجاریہ جناب DPO صاحب ہنگو آرڈر بک نمبر 669 مورخہ 17.10.2023 میں برطرف کیا گیا ہے۔ جبکہ من سائل گھر کا واحد سربراہ اور واحد کفیل ہے۔

بذریعہ درخواست استدعا کیجاتی ہیکہ سائل کی سروس بحالی کیلئے مناسب احکامات صادر فرما کر مشکور فرمائیں سائل عمر بھر دنا گو

ریگا۔

عین نوازش ہوگی

تحریر 11.11.2023

العارض

آپکا فرمان سابقہ کنشیل محمد صدیق 689 حال برخاست ضلع ہنگو۔

M. S. 2

ATTESTED

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ORDER.

This order will dispose of an appeal preferred by Ex-Constable Sadeeq Ullah No. 689 of Operation Staff Hangu, against the punishment order, passed by DPO Hangu vide OB No. 669, dated 17.10.2023, whereby, he was awarded major punishment of removal from service.

Brief facts of the case are that the appellant while posted at Police Lines Hangu absented himself from lawful duty without any leave or prior permission vide DD No. 37 dated 14.07.2023 till 10.10.2023.

Proper departmental enquiry proceedings were initiated against him. The appellant was served with Charge Sheet and Statement of Allegations and SDPO HQrs Hangu was appointed as Enquiry Officer. The Enquiry Officer after fulfillment of codal formalities submitted his findings wherein, the appellant was found guilty of the charges leveled against him.

Keeping in view the recommendations of the Enquiry Officer and the above cited circumstances, the delinquent official was awarded major punishment of removal from service by the District Police Officer, Hangu vide OB No. 669 dated 17.10.2023.

Feeling aggrieved from the order of District Police Officer, Hangu, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in the office of the undersigned on 19.12.2023. During personal hearing, the appellant could not advance any plausible justification in his defense to prove his innocence. Perusal of the record reveals that the delinquent official was awarded 180 days Ex-Pakistan leave vide this office Notification No. 505-07/EC dated 09.01.2023. He made his departure on Ex-Pakistan leave vide DD No. 14 dated 14.01.2023. After availing the leave, he did not report back for duty and was, therefore, marked absent vide DD No. 37 dated 14.07.2023. He reported his arrival in Police Lines Hangu vide DD No. 14 dated 10.10.2023. Hence, he remained absent for 02 Months and 26 days. This shows indiscipline conduct of the appellant towards his official duties. It is pertinent to mention here that he had earlier been also proceeded against departmentally on absenting himself after availing Ex-Pakistan leave in 2018. However, he did not mend his way and continued with the same indisciplined conduct.

Foregoing in view, I, Sher Akbar, PSP, S.St, Regional Police Officer, Kohat, being the appellate authority, am of the considered opinion that the charges of absence from duty have fully established. The punishment of removal from service, awarded by the District Police Officer, Hangu to the appellant is justified and therefore, warrants no interference. Hence, appeal of Ex-Constable Sadeeq Ullah No. 689 is hereby rejected, being devoid of substance and merit.

Signed / S.R.C. / A.A. /

Order Announced
19.12.2023

with record.

DISTRICT POLICE
OFFICER HANGU
No. 13450 / EC, Dated Kohat 19/12/2023

Regional Police Officer,
Kohat Region

Copy forwarded to District Police Officer, Hangu for information and necessary w/r to his office Memo: No. 5431/LB, dated 06.11.2023. His Service Record and Fauji Misal are returned herewith.

2. Ex: Constable Sadeeq Ullah No. 689 of district Hangu.

ATTESTED

