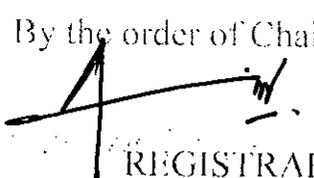


FORM OF ORDER SHEET

Court of _____

Appeal No. 166/2024

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | 2 | 3 |
| 1- | 22/01/2024 | <p>The appeal of Mr. Umaid Khan resubmitted today by Mr. Taimur Ali Khan 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  REGISTRAR</p> |

The appeal of Mr. Umair Khan received today i.e on 08.01.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is not signed by the appellant.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Annexures of the appeal are unattested.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- All the annexures attached with the appeal are illegible which may be replaced by legible/better one.
- 6- Copies of departmental appeal dated 05.12.2022 and revision petition mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 7- Five more copies/sets of the appeal along annexures i.e. complete in all respect may also be submitted with the appeal.

No. 89 /S.T.

Dt. 11-1 /2024.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Taimur Ali Khan Adv.
High Court at Peshawar.

Respected Sir,

1- Removed

2- Removed

3- Removed

4- Removed

5- Better copies of all annexures are prepared

6- Copy of departmental appeal is not available with the appellant, and kindly it may be waived under Rule-6 proviso (g) ^{of KPSTTA} it may be requisite from the department, while revision is attached at page 14.

7- Removed

Resubmitted after compliance



22/01/2024

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

SERVICE APPEAL NO. 166 /2024

Umaid Khan

V/S

Police Department

**APPLICATION FOR FIXING THE INSTANT
APPEAL AT PRINCIPLE SEAT AT PESHAWAR.**

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal in this Honorable Service Tribunal against the order dated 17.04.2023, whereby the appellant was dismissed from service, against the order dated 27.10.2023, whereby the departmental appeal of the appellant was rejected and against the order dated 12.12.2023, whereby the revision of the appellant was also rejected.
2. That instant appeal is in the jurisdiction of Camp Court D.I.Khan of this Honorable Tribunal, but the appellant engaged counsel who is doing legal practice at Peshawar and the appellant also wants to peruse his case at principle seat at Peshawar.
3. That it will be convenient for the appellant as well as for his counsel if the instant appeal is fix at principle seat at Peshawar.

It is therefore most humbly prayed that on the acceptance of this application, the instant appeal may kindly be fixed at principle seat at Peshawar of this Honorable Tribunal.

THROUGH:

APPELLANT



**TAIMUR ALI KHAN
ADVOCATE HIGH COURT**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 166 /2024

Umaid Khan

V/S

Police Department

INDEX

| S.No. | Documents | Annexure | P. No. |
|-------|-----------------------------------------------------------------------------|----------|--------|
| 1 | Memo of Appeal | ----- | 01-04 |
| 2 | Affidavit | ----- | 05 |
| 3 | Copy of medical report | A | 06-08 |
| 4 | Copy of salary slip | B | 09 |
| 3 | Copies of dismissal order dated 17.04.2023, charge sheet and inquiry report | C,D&E | 10-12 |
| 4 | Copies of order dated 27.10.2023, revision and order dated 12.12.2023 | F,G&H | 13-15 |
| 5 | Vakalat Nama | ----- | 16 |

THROUGH:

APPELLANT



(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
Cell# 0333-9390916

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 166 /2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10425

Dated 08-1-2024

Umaid Khan Ex-FC No.2035,
District Police SWTD.

(APPELLANT)

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Dera Ismail Khan Region, Dera Ismail Khan.
3. The District Police Officer, South Waziristan Tribal District.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 17.04.2023, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE, AGAINST THE ORDER DATED 27.10.2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUND AND AGAINST THE ORDER DATED 12.12.2023, WHEREBY THE REVISION OF THE APPELLANT WAS ALSO REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDERS DATED 17.04.2023, 27.10.2023 AND 12.12.2023 MAY KINDLY BE SET ASIDE AND APPELLANT MAY BE REINSTATED INTO HIS SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS HONORABLE TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.

2

RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was working as Khasadar in Khasadar Force before the merger of the FATA and the Khasadars were working on honorary basis and not regularly performed their duty and after the merger of FATA, Khasadar Force was absorbed in police department and the appellant since absorption in Police Department has performed his duty with devotion and honesty, whatsoever assigned to him and no complaint has been filed against him regarding his performing.
2. That the appellant was selected for Training at PTS Swat vide letter dated 20.06.2022, but he became seriously ill and the appellant has informed his superior about his illness and due to his illness, he did not go to PTS Swat for training. **(Copy of medical report is attached as Annexure-A)**
3. That when the appellant was recovered he went to join his duty and was performing his duty and received his salaries regularly, which is evident from his salary slip. **(Copy of salary slip is attached as Annexure-B)**
4. That the appellant was performing his duty and was receiving his salary and when his salary was stopped he inquired about his salary on which he informed that he dismissed from service on 17.04.2023 on the reason that you have not gone for training at PTS Swat and handed him his dismissal order along with charge sheet and inquiry report. **(Copies of dismissal order dated 17.04.2023, charge sheet and inquiry report are attached as Annexure-C,D&E)**
5. The appellant being aggrieved from the order dated 17.04.2023 filed departmental appeal, which was rejected on 27.10.2023, however, the appellant did not keep the copy of departmental appeal, which may be requisite from the department, the appellant then filed revision on 24.11.2023 which was also rejected on 12.12.2023. **(Copies of order dated 27.10.2023, revision and order dated 12.12.2023 are attached as Annexure-F,G&H)**
6. That the appellant has no other remedy except to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

3

GROUNDS:

- A) That the impugned orders dated 17.04.2023, 27.10.2023 and 12.12.2023 are against the law, rules, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That in the inquiry proceeding the appellant was never associated and whole action was taken against him on the basis of ex-parte proceeding which is against the law and rules and as such the impugned order is liable to be set aside.
- C) That charge sheet along with statement of allegations were not communicated to the appellant before passing dismissal order and handed over to the appellant along with the dismissal order, which is violation of law and rules.
- D) That the appellant was ill due to which he did not go to PTS Swat to join training, however, when he recovered from illness, he joined his duty and was performing his duty and also received his salary till his dismissal from service.
- E) That the appellant was previously serving in Khasadar Force of South Waziristan which is very backward area and in Khasadar Force the Khasadars were working on honorary basis and not regularly performed their duty and after merger the people of Ex-FATA still not fully adopted the new system and in Ex-FATA merged areas specially South Waziristan and North Waziristan the administration system is not so develop like other Districts of settle area due to which the people do not strictly follow rules and regulations like the people of settle area and the appellant has adopted the same attitude, therefore, the appellant needs to be treated with lenient view.
- F) That the appellant did not intentionally remain absent to join his training but due to his illness he was unable to join his training and was compel to remain absent from his joining his training, therefore, needs to be treated with lenient view.
- G) That the penalty of dismissal from service imposed upon the appellant is very harsh, which is passed in violation of law and rule, therefore, the same is not sustainable in eyes of law and hence liable to be set aside.
- H) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.
- I) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

4

It is, therefore most humbly prayed that on the acceptance of this appeal, the orders dated 17.04.2023, 27.10.2023 and 12.12.2023 may kindly be set aside and appellant may be reinstated into his service with all back and consequential benefits. Any other remedy, which this honorable tribunal deems fit and appropriate that, may also, be awarded in favour of appellant.



APPELLANT
Umaid Khan

THROUGH:



TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2024

Umaid Khan

VS

Police Department

AFFIDAVIT

I, Umaid Khan Ex-FC No.2035, District Police SWTD, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.


DEPONENT

A (6)

Medical Specialist

Dr. Syed Rehman

MBBS (KMU)

FCPS II MEDICINE (PAK)

Ex- Registrar DHQ Hospital D.I.khan



ڈاکٹر سید رحمان

ایم بی بی ایس (کے ایم یو)

ایف سی پیس II میڈیسن (پاک)

ایگزیکٹو رجسٹرار ڈی ایچ او ہسپتال ڈی ایچ خان

ڈی ایچ او ایس ایس ڈی ایچ خان

ڈی ایچ او ایس ایس ڈی ایچ خان

Patient's Name Umair Kalan Age _____ Sex M Date 15-06-2022

Clinical Record

Rx

High grade fever

120 Oxid. l 18
me ① _____ 1+1

Continues fever 2 days

Cap. Azamex 250g
⑥ _____ 1+1

dry cough

Tab. Penadal
⑤ _____ 2+2

Abdominal pain

Spp. Trimetabul
⑩ _____ 2+2

Cough persists

Tab. Surkex-T
① _____ 1

Chest pain
Aspirin
non fruit

Bed rest for 3 weeks

Not Valid For Court

Whatsapp No. 0346-9878640 کلینک: ایس ڈاکٹمناسٹک سنٹر اندرون جناح 17 میڈیکل کپلیکس ڈیرہ اسماعیل خان

0348-022512 Adm. CBC/EMP/widal/ALT/UIS/BSA

TESTED

MUSLIM MEDICAL LAB
& Diagnostic Service
 Quality, Accuracy, Precision



مسلم میڈیکل لیب
 اینڈ ڈائیگنوسٹک سروس

7

Patient's ID No: 384

Patient Name : UMAID KHAN
 Age : Y/Sex: M
 Date : Tue, 15, JUNE, 2022
 Referred by : DR SYED REHMAN SAHIB

| TEST NAME | NORMAL RANGE | UNIT | RESULT |
|-------------|------------------------------------|------|---------|
| Haemoglobin | (M) 12.5 - 18.0 (F) 11.5 - 15.5 | g/dl | 13.7 |
| TLC (WBC) | 4,000 - 11,000 | c/mm | 13,400 |
| Platelets | 150,000 - 400,000 | c/mm | 130,000 |
| DLC: | | | |
| Neutrophil: | 40 | % | 55 |
| Lymphocyte: | 20 | % | 38 |
| Monocyte: | 01 | % | 05 |
| Eosinophil: | 01 | % | 02 |
| ALT/SGPT | 10 - 30 | U/l | 60 |

Dr. Sahir Khan Betaani
 MBBS, FCPS, Medical Specialist
 D.H.Q Teaching Hospital D.I.Khan

Irfan Ullah
 Lab Technician
 DMLT FPMAS (KPK)

NOT VALID FOR COURT

1ST Floor Jinnah II Medical Complex, Opposite D.H.Q Teaching Hospital, D.I.Khan
 Contact: MD Hafeez 0302-1996199, 0347-9067823

ATTESTED

SLIM MEDICAL LAB
& Diagnostic Service
Quality, Accuracy, Precision



اسلم میڈیکل لیب
ایبڈ ڈائیگنوسٹک سروس

8

Patients ID No: 384
Patient Name : UMAID KHAN
Age : Y/Scx: M
Date : Tue, 15, JUNE, 2022
Referred by : DR SYED REHMAN SAHIB

| TEST NAME | NORMAL RANGE | UNIT | RESULT |
|-----------|--------------|------|--------|
|-----------|--------------|------|--------|

MP:

P. VIVAX _____ POSITIVE (+ve)

P. FALCIPARUM _____ NEGATIVE (-ve)

WIDAL TEST:

TO: 1:80

TH: 1:40

Dr. Sahir Khan Betaani
MBBS, FCPS, Medical Specialist
D.H.Q Teaching Hospital D.I.Khan

Irfan Ullah
Lab Technician
DMLT FPMAS (KPK)

NOT VALID FOR COURT

1ST Floor Jinnah II Medical Complex, Opposite D.H.Q Teaching Hospital, D.I.Khan
Contact: MD Hafeez 0302-1996199 , 0347-9067823

00964350 UMID KHAN CNIC: 2170851456707 Desig: (99999999) Grade: 07 NTN: Buckle No.:
 Gazetted/Non-Gazetted: N

9
 B/1

| PAYMENTS | AMOUNT | DEDUCTIONS | AMOUNT | LOAN/FUND | PRINCIPAL | REPAID | BALANCE |
|------------------------------|------------------|----------------------------|------------------|----------------------------|------------------|-------------------|-------------------|
| For the month of April ,2023 | | | | Date : 28.04.2023 | | | |
| 0001 Basic Pay | 9,669.00 | 3007 GPF Subscription | 1,010.00- | GPF#: | | 36,657.00 | |
| 1001 House Rent Allowance | 1,271.00 | 3530 Police wel:Fud BS-1 t | 193.00- | | | | |
| 1210 Convey Allowance 20 | 1,030.00 | 3534 R. Ben & Death Comp F | 480.00- | | | | |
| 1300 Medical Allowance | 800.00 | | | | | | |
| 1528 Unattractive Area A | 907.00 | | | | | | |
| 1547 Ration Allowance | 363.00 | | | | | | |
| 1567 Washing Allowance | 80.00 | | | | | | |
| 1646 Constabulary R Allow | 160.00 | | | | | | |
| 1902 Special Incentive AI | 413.00 | | | | | | |
| 2168 Fixed Daily Allowanc | 1,456.00 | | | | | | |
| 2314 Risk Allow Police - | 3,947.00 | | | | | | |
| 2347 Adhoc Rel AI 15% 22{ | 928.00 | | | | | | |
| PAYMENTS | 21,024.00 | DEDUCTIONS | 1,683.00- | NET PAY | 19,341.00 | 01.04.2023 | 30.04.2023 |
| Branch Code:211098 | SUPER MARKET | UNITED BANK LIMITED | SUPER MARKET | Accnt.No: 0109000266899499 | | | |

Handwritten signature or stamp.



OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN TRIBAL DISTRICT

C (10)

766 _____ Dated SWTD the 17 / 04 / 2023

ORDER

My order will dispose of departmental enquiry against Constable Umald Khan No 2035 of this District Police SWTD on the allegation that you were selected for training at PTS Swat sides the letter No. 441 Dated, 20/06/2022. But he badly failed to report at training Centre within time. For which he was properly charge sheeted. The Faraz-E Subhan SP investigation unit SWTD was nominated as enquiry officer. The enquiry was conducted, the alleged official did not join the departmental enquiry intentionally. Subsequently, the enquiry officer has submitted finding report stating therein that during enquiry all possible resources are utilized to ensure the joining for Personnel hearing of alleged official but he failed to appear before me. The enquiry Officer recommended for Major punishment against the said official.

After the perusal finding report, and other relevant materials placed before me, I, MR. SHABIR HUSSAIN KHAN MARWAT DISTRICT POLICE OFFICER, SWTD being competent Authority vested in me under Khyber Pakhtunkhwa Police Rules 1975 amended 2014 hereby awards to Major Punishment of Dismissal From Service to the defaulter Constable Umald Khan No 2035 with immediate effect.

Order approved

(Shabir Hussain Khan Marwat)
District Police Officer
SWTD

Copy 767 / 69

- 1. Copy of above is submitted to the
- 2. The Regional Police Officer, Dera Ismail Khan Region
- 3. All Concerned.

(Shabir Hussain Khan Marwat)
District Police Officer
SWTD

15.04.23
17-04-23

OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN TRIBAL DISTRICT

766 dated SWTD the 17.04.2023

OFFICE ORDER

My order will dispose of departmental enquiry against constable Umaid Khan No.2935 of the District Police SWTD on the allegation that you were selected for training at PTS Swat vide letter No. Nil dated 20.06.2022 but he badly failed to report at training Centre well in time. For above reason he was properly charge sheeted. The Fazal E Subhan SP Investigation unit SWTD was nominated as enquiry officer. The Enquiry was conducted the alleged official did not join the departmental enquiry intentionally. Subsequently the enquiry officer has submitted finding report stating that during enquiry all possible resources are utilized to ensure the joining for personal hearing of alleged official but he failed to appear before me. The enquiry officer recommended major punishment against the said official.

After the perusal finding report and other relevant material placed before me I, Mr. Shabir Hussain Khan Marwat District Police Officer, SWTD being competent authority vested to me under Khyber Pakhtunkhwa Police Rules 1975 amended 2014 award major punishment of dismissal from service to the defaulter Constable Umaid Khan No.2035 with immediate effect.

Order announced

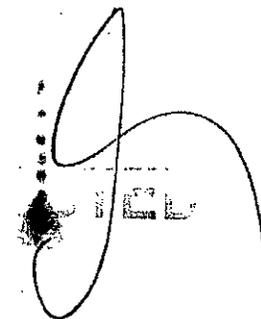
Shabir Hussain Khan Marwat
District Police Officer.
SWTD

Copy. 767/69

Copy of above is submitted to the:-

1. The Regional Police Officer. Dera Ismail Khan Region.
2. All concerned

Shabir Hussain Khan Marwat
District Police Officer.
SWTD



OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN TRIBAL DISTRICT.

D 10

CHARGE SHEET

Shabir Hussain Marwat District Police Officer, South Waziristan as
authority, hereby charged you FC Umair Khan, No 2035 of SWTD Police as

- I. You Constable were selected for Training at PTS Swat vide this office letter No. Nill dated, 20.06.2029 But he badly failed to report at training Centre will in time.
- II. That he was absent from law full duty without prior permission/approval from the high ups.
- III. Being a part of uniformed force you're this act shows gross misconduct on your part.

By reason of the above, you appear to be guilty of misconduct under Police Disciplinary Rules, 1975 with amendments 2014 and have rendered yourself liable to all or any of the penalties specified in the Rules:-

- 2) You are, therefore required to submit your written defense within 7 days of the receipt of this Charge Sheet to the Enquiry Officer as the case may be.
- 3) Your written defense, if any, should reach to the Enquiry Officer within the specified period failing which it shall be presumed that you have no defense to put in and in that case, ex parte action will be taken against you.
- 4) You are also at liberty, if you wish to be heard in person.
- 5) Statement of allegation is enclosed.



Shabir Hussain Marwat
District Police Officer,
South Waziristan Tribal District

Scanned with CamScanner

ATTESTED

**OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN TRIBAL DISTRICT**

CHARGE SHEET

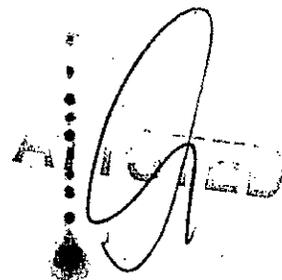
I Shabir Hussain Marwat District Police Officer, South Waziristan as competent authority, hereby charge you FC Umaid Khan No.2035 of SWTD Police as under.

1. You constable were selected for training at PTS Swat vide letter No. Nil dated 20.05.2022 but he badly failed to report at training Centre well in time.
2. That he was absent from law full duty without prior permission/approval from the high ups.
3. Being a part of uniformed force your this act shows gross misconduct on your part.

By reason of the above, you appear to be guilty of misconduct under Police Disciplinary Rules, 1975 with amendments 2014 and have rendered yourself liable to all or any of the penalties specified in the Rule.

- 2) you are, therefore required to submit your written defence within 7 days of the receipt of this charge sheet to the enquiry officer as the case may be.
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- 4) you are also liberty, if you wish to be heard in person.
- 5) statement of allegation is enclosed.

Shabir Hussain Marwat
District Police Officer,
South Waziristan Tribal District



ضلع

فائنڈنگ رپورٹ

دفتر پولیس

جناب عالی:

بجوالہ محکمہ انکوائری بر خلاف کنسٹیبل عمر خان بیلٹ
2035 معروض ہوں کہ مذکورہ کنسٹیبل بجوالہ لیٹر نمبر _____ مورخہ
20.06.2022 جناب ڈپٹی پی او صاحب نے پولیس ٹریننگ سنٹر سوات کے لیے سلیکٹ
کیا تھا۔ اور مذکورہ ہی نے ٹریننگ سنٹر میں حاضری پیش نہ کی جس کو جناب ڈی پی او صاحب نے
چارج شیٹ کر کے انکوائری من ایس پی انوسٹی گیشن کے نام مارک کر دی۔

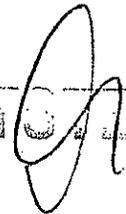
اندریں سلسلہ میں کنسٹیبل مذکورہ کو بذریعہ تحریری نوٹس بار بار اطلاع دی گئی کہ اب آپ بسلسلہ
چارج شیٹ اپنا تحریری بیان اندر 7 یوم پیش کریں لیکن کنسٹیبل مذکورہ دیدہ دانستہ طور پر جواب پیش
کرنے سے قاصر ہے اور تاحال چارج شیٹ وصول نہ کر سکا۔

مذکورہ کنسٹیبل کے متعلق خفیہ طور پر پتہ براری کی گئی جو کہ معلوم ہوا کہ کنسٹیبل مذکورہ جان بوجھ
کر ٹریننگ سنٹر نہیں کیا اور افسران بالا کی جائز حکم کی تعمیل نہیں کی اور تاحال اس سلسلے میں کوئی
دجوہات پیش نہ کر سکا جو کہ پولیس رولز کی خلاف ورزی ہے۔

مذکورہ کنسٹیبل کو قصور وار جان کر میجر پنشنٹ سزا کی سفارش کی جاتی ہے اور مزید حکم آنجناب
افضل ہوگا۔

ایس پی انوسٹی گیشن

ساوتھ وزیرستان





OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

☎ 0996-9280291 Fax # 9280290

dated D.I. Khan the

27/10/2023

No. 5496 /ES
ORDER

F (13)

1. This order disposes off departmental appeal filed by Ex-Constable Umair Khan No 2035 of District Police SWTD, against the order of Major Punishment of (Dismissal from Service), passed by the DPO SWTD, vide his office Order No.766 dated 17.04.2023 on the following allegations,

2. "He was selected for training at PTS Swat vide this office letter No Nil dated 20.06.2022. But he badly failed to report to training center will in time".

"He was absented from lawful duty without any leave or permission from the high ups".

ii. DPO SWTD served the appellans with the charge sheet. Enquiry into the matter was got conducted into through Mr. Faisal E. Subhan SP Investigated Unit SWTD who in his finding report, in which he stated that appellant did not bother to appear before him and recommended to awarded him Major Punishment.

3. Hence, the appellant was awarded Major Punishment of "Dismissal from Service" by the DPO SWTD vide his office Order No.766 dated 17.04.2023.

4. Perusal of the service record of the applicant and comments received from DPO SW Lower the instant appeal is time barred.

5. Keeping in view the above, I, NASIR MEHMOOD SATTI, PSP, Regional Police Officer, Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11, clause-4 (a), of the Police Rules 1975, do not intend to take a lenient view, therefore **REJECT** his appeal being time barred and uphold the order of Major Punishment of (Dismissal from Service) passed by District Police Officer SWTD vide his Order No.766 dated 17.04.2023, with immediate effect.

6. Order Announced


(NASIR MEHMOOD SATTI)PSP
Regional Police Officer
Dera Ismail Khan
14/10

No. 5497 /ES,

Copy of above is sent to the DPO SW Lower with reference to his office letter No. 2018718 dated 17.10.2023, (Encl: Service Roll & Fauji Mistal).


(NASIR MEHMOOD SATTI)PSP
Regional Police Officer
Dera Ismail Khan
24/10



**OFFICE OF THE
REGIONAL POLICE OFFICER,
DERA ISMAIL KHAN
REGION**

No. 8496/ES

dated D.I.Khan the

27.10.2023

ORDER

1. this order dispose off departmental appeal filed by Ex-Constable Umiad Khan No.2035 of District Police SWTD against the order of major punishment of dismissal from service passed by the DPO SWTD. vide his office order No.766 dated 17.04.2023 on the following allegations.
2. "He was selected for training at PTS Swat vide letter No. Nil dated 20.05.2022 but he badly failed to report at training Centre well in time".
"He was absent from law full duty without prior permission from the high ups"
- ii DPO SWTD served the appellant with charge sheet. Enquiry into the matter was got conducted into through Mr. Fazal E Subhan SP Investigation Unit SWTD who in his finding report. in which he stated that appellant did not bother to appear before him and recommended to awarded him major punishment.
3. Hence, the appellant was awarded major punishment of "**Dismissal from service**" by the DPO SWTD vide his office Order No.766 dated 17.04.2023.
4. Perusal of the service record of the applicant and comments received from DPO SW Lower the instant appeal is time barred.
5. Keeping in view the above, I, NASIR MEHMOOD SATTI, PSP, Regional Police Officer, Dera Ismail Khan. in exercise of the of the powers conferred upon me under Rule-11 clause-4 (a) of the Police Rules 1975, do not intend to take lenient view, therefore **REJECT** his appeal being time barred and uphold the order of Major Punishment of (**Dismissal from service**) passed by District Police Officer SWTD vide his Order No.766 dated 17.04.2023. with immediate effect.
6. Order Announced

**NASIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan**

No.8497/ES

Copy of above is sent to the DP SW Lower with reference to his office letter No.2018/ES dated 17.10.2023 (Encl: Service Roll & Fauji Missal)

**NASIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan**

ATTACHED

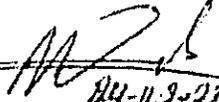
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بھنور جناب انسپکٹر جنرل آف پولیس خیبر پختونخوا ایشادور

جناب عالی

مودہانہ گزارش ہے کہ سائل جنوبی وزیرستان میں بحیثیت کنسٹیبل بھرتی ہوا تھا۔ سائل کو بعد ازاں ٹریننگ کے لیے نامزد کیا گیا لیکن سائل ٹائیفائیڈ کی بیماری سے متاثر ہونے کی وجہ سے ٹریننگ کے لیے پولیس ٹریننگ کالج سوات نہ جاسکا بلکہ وہ سائل کو جناب ریجنل پولیس آفسر ڈیرہ اسماعیل خان نے ملازمت سے برخاست کر دیا۔ سائل کا خاندان معاشی مشکلات کا شکار ہے اور نوکری ختم ہونے کی وجہ سے سائل کے حالات انتہائی مخدوش ہیں۔ بیماری کے میڈیکل کاغذات ہمراہ لف ہیں۔ استدعا ہے کہ سائل کو ملازمت پر بحال کرنے کا حکم صادر فرمائیں۔

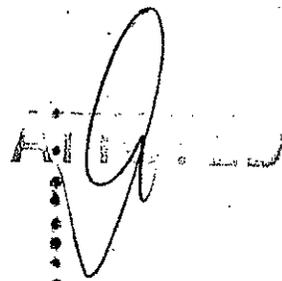
آپ کا تابعدار


کنسٹیبل عمید خان پبلٹ نمبر 2035
11-9-22

وانا، جنوبی وزیرستان

موبائل نمبر 0334-9434993

0302 9777425


CS CamScanner



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

No. S/ 2930 /23, dated Peshawar the 12 / 12 / 2023

H (15)

To: The Regional Police Officer,
Dera Ismail Khan.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-PC Umaid Khan No. 2035 of District South Waziristan, against the punishment of dismissed from service awarded by DPO SWTD vide Order Endst: No. 766, dated 17.04.2023 being time barred.

The applicant may please be informed accordingly.

[Signature]
12/12/23
(AFSAR JAN)
Registrar.

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

12 / 12 / 23

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[Signature]
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Page No. 15

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

No. 2830/23 dated Peshawar the 12/12/1023

To The regional Police Officer.
Dera Ismail Khan.

Subject: REVISION PETITION
MEMO.

The competent authority has examined and filed revision petition submitted by Ex-FC Umaid Khan No.2035 of District South Waziristan against the punishment of dismissal from service by DPO SWTD vide order Fndst: No 766, dated 17.04.2023 being time barred.

The applicant may please be informed accordingly.

(AFSAR KHAN)
Registrar
For Inspector General of Police.
Khyber Pakhtunkhwa, Peshawar.


A
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VAKALAT NAMA

NO. _____/2023

IN THE COURT OF KP Service Tribunal, Peshawar

Umarid Khan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Department

(Respondent)
(Defendant)

I/We, _____

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2023

(Signature)
(CLIENT)

ACCEPTED

(Signature)
TAIMUR ALI KHAN
Advocate High Court

BC-10-4240
CNIC: 17101-7395544-5
Cell No. 03339390916