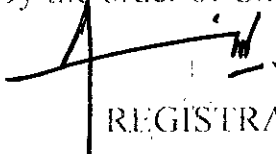


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

175/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/01/2024	<p>The appeal of Mst. Roshtima resubmitted today by Mr. Shakir ud Din Shahid 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 Mst. Roshtina received today i.e on 18.01.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of the appellant is incomplete be completed according to the rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2 Annexure-A of the appeal is incomplete be completed.
- 3- Page nos. 11 and 12 of the appeal are illegible which may be replaced by legible/better one.

No. 138 /S.I.

Dt. 19-1 /2024.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Shakir uddin Shahid Adv.
High Court at Peshawar.

Dear Sir.

- Objection removed and resubmitted.
but objection no 2.

That the name of appellant at Serial
no 194 and complete orders are not available
with me..

Dear Sir, kindly this appeal put to the
before Hon,ble Tribunal.

Shakir uddin Shahid
Advocate

[Signature]
24/01/2024

BEFORE THE CHAIRMAN SERVICE TRIBUNAL PESHAWAR

S.A No. -----/2024

ROSHTIMA VS Additional Chief Secretary Hone& others

**APPLICATION FOR FIXATION OF ABOVE TITLE SERVICE APPEAL
BEFORE THE PRINCIPAL SEAT AT PESHAWAR.**

Respectfully Sheweth:

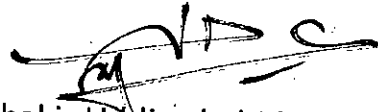
1. That the above title service appeal has been filed before this service tribunal in which no date of hearing has yet been fixed.
2. That the applicant basically belong to District Chitral but presently residing in Peshawar and has recently embraced Islam and learning religious education.
3. That the applicant has admitted and learning religious education at Al Banat Madrassa at Sheikh Abad Peshawar.
4. That the applicant being a woman and after embracing Islam is acquiring Islamic Teaching in order to understand and perform the religious rituals as per the teaching of Islam, and for this reason is unable to attend the court at Camp Court Service Tribunal Swat, furthermore the counsel of the applicant is also a resident of District Peshawar and remain busy in courts in Peshawar and due to this reason cannot attend the dates at camp court service tribunal Swat.

It is therefore humbly prayed that on acceptance of this application the above mentioned service appeal may kindly be fixed before the principal seat at Peshawar.



Applicant

Through



Shaker Uddin shahid

Advocate High Court

AFFIDIVATE:

It is stated on oath that the contents of this application are true and correct to the best of my knowledge and believe and nothing has been kept concealed from this Honorable Court.



DEPONENT

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. **175**/2024

Ex Lady Constable Roshtima Appellant

VERSUS

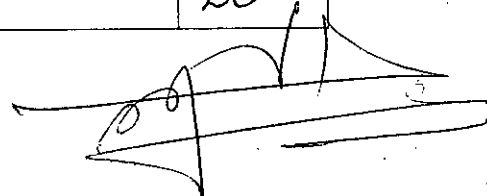
Additional chief secretary Home & tribal affairs & others

..... Respondents

INDEX

S. No	Description	Annexure	Pages
1.	Memo of Appeal		1-6
2.	Affidavit		7
3.	Copy of Appointment		8-11
4.	Copy of Nikkah Nama		12
5.	Copy of order dated 18 th April 2023		13
6.	Copy of Extension Application dated 17 th Jun 2023		14
7.	Copy of Termination order Dated 18 th August 2023		15
8.	Copy of Departmental Appeal		16-18
9.	Copy of letter dated 10 th November 2023		19
10.	Copy of Wakalat Nama		20

Dated 18-01-2024



Skhakar Uddin Shahid

Advocate High Court

(I)

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No **175**/2024

Ex Lady Constable Roshtima wife of Jamshid Ahmad Resident of
Post office Broze Village Domoon Tehsil and District Lower Chitral.

Appellant

VS

1. Additional Chief Secretary Home & tribal Affairs Department
Civil Secretariat Peshawar, Khyber Pakhtunkhwa.
2. Deputy Commissioner/Commandant Levies District Lower
Chitral.
3. District Account Officer District Lower Chitral.

Respondents

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974, AGAINST THE IMPUGNED OFFICER
ORDER NO. 1645-53 /DCC/CLC-23 DATED. 18-08-2023.**

Respectfully Sheweth:

1. That the appellant was appointed as lady Constable in chitral
levies against the Kalaash community quota in the year of
2010.(copy of appointment is annexed as annexure "A")

②

2. That in the year of May 2023 the appellant embraced Islam leaving her original faith and thereafter she got married to a Muslim husband. (copy of Nikkah Nama is annexed as annexure "B")
3. That the appellant for the above purpose applied for leave to the competent authority and the competent authority granted two months leave from 17th April 2023 to 16th June 2023. (Copy of order is annexed as annexure "C")
4. That the after expiry of the above mentioned period of two months the appellant again applied to the competent authority for extension of the leave period on ¹⁸⁻⁰⁶~~18-06~~ 2023. (copy of application is annexed as annexure "D")
5. That the appellant got admitted in Islamic school/Madrassa and became busy learning the teaching of Islam, in the meanwhile the appellant received termination order sent through constable Usman at Home. (Copy of termination order is annexed as annexure "E")
6. That against the mentioned above termination order the appellant submitted departmental appeal before the appellate forum which has not decided even after the expiry of 90th days. (copy of appeal is annexed as annexure "F")
7. That feeling aggrieved from the above mentioned order, the not responding of the departmental appeal to the appellate forum, the appellant approached this Honorable Tribunal for

setting aside for above mentioned order and her reinstatement in the service on the following grounds inter alia.

Grounds:

- A. That the impugned orders are against the law, facts and circumstances of the case, hence not tenable in the eye of law and liable to be set aside.
- B. That the termination order of respondent is unwarranted, against the fact and law on the subject and is not sustainable at all.
- C. That no show cause notice was given to the appellant, neither any inquiry was conducted nor any opportunity of personal hearing was given to the appellant to defend and clear her position, and without any fault the appellant was terminated from service. That's why the impugned termination order is not only illegal, unlawful, vide abinitio but is also against the law as well as against the natural justice.
- D. That as no show cause notice was given to appellant as well as no inquiry was conducted, and the respondent passed the impugned order, which clearly proves the malafide and mal intention as well as malpractices of the respondents against the appellant and the impugned order is not sustainable in the eye of law.
- E. That the impugned termination order is the violation of the fundamental rights of the appellant which is guaranteed and protected by the constitutional of Islamic republic of Pakistan 1973.

4

- F. That during the departmental Appeal the appellate forum issued a letter to the Respondent No 2 for submission their comments, after that the respondent No 2 admitted his letter No 1896/DCC/CLC, Dated 10TH November 2023 that the Government of Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline) Rules, 2011 has not been adopted in the case.(copy of letter dated 10th November 2023 is annexed as annexure "G")
- G. That the appellant had newly entered in the religion of Islam therefore she was not aware of teaching rituals rites and others teaching of the religions of the same time it was compulsory for her to get knowledge of all these matters.
- H. That the appellant had been busy acquiring knowledge of her newly adopted but the authority did not pay any heed to the appellant explanation and terminated the appellant from service without any proper procedure. Despite the fact that the appellant had already submitted application for extension of leave period.
- I. That the termination of the appellant was without any justification because the appellant already explained her position that she had adopted Islam as her religion.
- J. That the appellant was condemned unheard as neither any proper inquiry was conducted nor any other procedure was adopted before the issue of the impugned order dated 18-08-2023 therefore the whole proceeding is a nullity in the eyes of law.

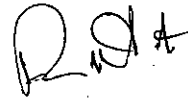
5

- K. That it was the legal right of the appellant to be treated in accordance with law and to be given an opportunity of being heard but it was not done in the case of the appellant in the impugned termination order was issued in a hasty and illegal manner which cannot be sustained due to legal and procedural infirmities.
- L. That from every angle the impugned termination order is null and void and not sustainable in the eye of law and is liable to be set aside.
- M. That the departmental appeal of the appellant before the appellate forum has not been decided within the statutory period of three months, therefore the appellant has become entitled to file the instant appeal. Furthermore the instant appeal is within time.
- N. That any other grounds with the leave of this Honorable service Tribunal will be raised at the time of arguments.

It is therefore, humbly prayed that on acceptance of the instant Appeal the impugned order dated 18-08-2023 may kindly be set aside and the appellant may kindly be re-instated with all back benefits.

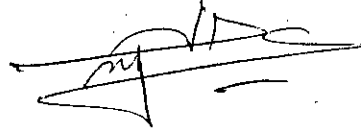
Any other relief to which the appellant is entitled under the facts and circumstances of the case may also be granted to the appellant.

⑥



Appellant

Through



Shakir Uddin Shahid



Suraj Wahid

& 

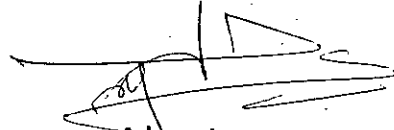
Maryam Qaisar

Advocates High Court

Peshawar

NOTE:

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Honorable Tribunal.



Advocate

② ⑦

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No-----/2024

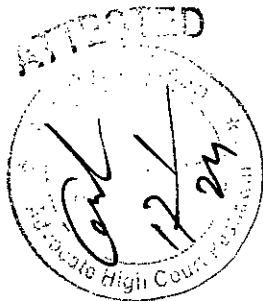
Ex Constable Roshtima **Appellant**

VERSUS

Deputy Commissioner & Others. **Respondents**

AFFIDAVIT

I, Roshtima wife of Jamshid Ahmad Resident of Post Office Broze Village Domoon Tehsil & District Lower Chitral, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



Roshtima

DEPONENT

CNIC No. 15201-3315970-4

CELL No. 0345-8698850

A handwritten signature in black ink, appearing to read "Shakir Uddin Shahid".

Identified by

Shakir Uddin Shahid

Advocate High Court

S. #	Name of Candidate	Fathers Name	Address
95.	Ibrar Nabi	Ghulam Nabi	Shishkoh
96.	Tajuddin	Shaharuddin	Gollen Birmogh
97.	Fatehur Rehman	Nadir Shah	Gollen Isloor
98.	Sikandar Khan	Shuun Khan	Gohik
99.	Saeedur Rehman	Mohd Nawab Khan	Miragram-2
100.	Sher Khan	Mohd Akbar	Borghil /
101.	Mohd Faraz Khan	Sarfaraz Khan	Wasim
102.	Saeed Zaman	Khan Zaman	Arandu Akroi
103.	Saim Ahmad	Yamboo Khan	Bint Nisar
104.	Azizuddin	Gul Ahmad	Gobor
105.	Shahid Hussain	Bahauddin	Bashqar Bala
106.	Imtiaz Ahmad	Sher Mohd	Bang /
107.	Aziz Hayat	Munajat Khan	Rabat Arkan
108.	Shoaib Sultan	Shahbaz Khan	Utral
109.	Wasim Abas	Nigahban Shah	Harchin
110.	Ishaq Khan	Rozgar Khan	Yarkhoon /
111.	Rustam Ali	Nadir	Barzin
112.	Shah Nawaz	Zar Mohd	Parabag
113.	Jahagir Khan	Lagal Khan	Begusht
114.	Shahbaz Karim Shah	Phokhtoon Wak	Balim
115.	Mohd Alam	Aziz Amam	Dubargar /
116.	Rehmat Wazir Khan	Ab Modad	Yarkhoon Lash /
117.	Nasiruddin	Salahuddin	Shushit /
118.	Rehmatullah	Mohdullah Khan	Zethor
119.	Rehmat Wali Khan	Burballah Khan	Sanik
120.	Mohd Irshad	Sarfaraz Shah	Laspur
121.	Amir Wali Shah	Dordana Shah	Awi
122.	Jamal Nasir	Yaqoob Khan	Gobor
123.	Habib Rahim	Mohd Karim	Arandu
124.	Hassan Ali Shah	Zartali	Safid Arkari
125.	Bulbul Nayab	Mir Nayab Khan	Harchin
126.	Hassan Wali	Shamsur Rehman	Arandu
127.	Ahmad Wali	Sardar Wali Khan	Arandu
128.	Anwar Maundad	Pehlawan Shah	Oweer Arkari
129.	Qurbanuddin	Zahoor Uddin	Awi Shoghoor
130.	Hamrur Rehman	Saidur Rehman	Mirdan Miansher
131.	Ikhlasuddin	Abidur Rahim	Gobor
132.	Sher Ahmad	Mohd Gul	Gobor
133.	Mohd Ali Shah	Sher Wazir Khan	Harchin
134.	Miraj Ali	Badshah	Laspur
135.	Mohd Azam	Gul Mohd	Arandu
136.	Mursakn Khan	Novrooz Khan	Arandu Domul
137.	Mirza Wali Jan	Hajim Jan	Ursoon
138.	Mohd Din	Din Mohd	Ursoon
139.	Mohd Ilyaz	Zarin Khan	Jinjratekoh
140.	Mohd Yousaf	Gul Ahmad	Gobor
141.	Mujeobur Rehman	Azizur Rehman	Gobor
142.	Shah Wakuliah	Shah Wali Khan	Gobor
143.	Ayaz Murad Khan	Mirza Nazir	Raman
144.	Rehmat Akbar	Saeed Mehmood	Arandu
145.	Fazal Ayub	Fazal Mohd	Domul Nisar
146.	Zakirullah	Mohd Ali	Arandu

8

S. #	Name of Candidate	Fathers Name	Address
147.	Behran Khan	Malook	Arandu
148.	Sher Ahmad	Sulayman	Jinjratekoh
149.	Jalaluddin	Mohd Jalal	Ursoon
150.	Hazrat Yousaf	Sultan Yousaf	Ursoon
151.	Qadim Khan	Mohd Zaman	Akroi
152.	Ahmad Zahid	Mohd Zahid	Domil
153.	Mohd Islam	Mohd Ali	Domil
154.	Jalilur Rehman	Hazrat Umar	Domil
155.	Hajar Ahmad	Rehmat Shair	Bomburate
156.	Abdul Malik	Gul Zareen	Domil
157.	Muheebullah	Zahir Siddiq	Ursoon
158.	Safdar Khan	Namrooz Khan	Domil
159.	Salehuddin	Sultan Jan	Domil
160.	Mohd Ishaq	Mohd Khan	Domil
161.	Izaluddin	Amir Khan	Ursoon
162.	Itaf Hussain	Sahib Siddiq	Ursoon
163.	Mamoon Rashid	Fazal Hamid	Domil
164.	Azmatullah	Mohd Akbar	Arandu
165.	Habibullah	Bashah Jan	Domil
166.	Zubair Rehman	Abdul Jabbar	Bomburate
167.	Ikramullah	Rahimullah	Arandu
168.	Sher Nawaz Khan	Sher Zadin	Domil
169.	Munrud Din	Mohd Tajuddin	Jinjratekoh
170.	Rizwanullah	Mohd Younas Khan	Bomburate
171.	Mohd Sharifullah	Mohd Sharif	Bomburate
172.	Abdul Wahab	Ghulam Rauf	Rumboor
173.	Azizullah	Mehrabullah	Birr
174.	Zafarullah	Shamshur	Birr
175.	Barkatullah	Baramat Khan	Bomburate
176.	Mohd Saleh	Abdus Samad	Bomburate
177.	Amir Hamza	Amir Mohd	Rumboor
178.	Haji Hanim	Mehmood Khan	Bomburate
179.	Fazlur Rehman	Abdul Qayum	Rumboor
180.	Khosh Baig	Jamiullah	Birr
181.	Riaz Ahmad	Shikari	Birr
182.	Shair Shah	Faqir Shah	Bomburate
183.	Dil Nawaz Khan	Siam Khan	Bomburate
184.	Sahib Nasir	Noor Baig	Bomburate
185.	Riaz Ahmad	Shapir	Bomburate
186.	Iqbal Shaheen	Dazo Khan	Bomburate
187.	Sher Nazir	Macharak Shah	Rumboor
188.	Main Khan	Panja	Rumboor
189.	Hazratuddin	Muhyuddin Khan	Akroi
190.	Lila	Mohd Ayub	Rumboor
191.	Shokoor Gul	Duroom Shah	Bomburate Amsh
192.	Zahir Gul	Zam	Bomburate Brune
193.	Nasrin	Shadi Khan	Birr
194.	Roshima Bibi	Abdur Rehman	Birr
195.	Mas Hagum	Muhammad	Mardin
196.	Mir Afzal	Atzal Baig	Gabor
197.	Miraguddin	Shamsuddin	Arandu
198.	Fazal Amin	Hazrat Amin	Birr
199.	Sayed Ahmad	Nizamuddin	

JK

S. #	Name of Candidate	Fathers Name	Address
200.	Bahader Khan	Zafar Iqbal	Begusht
201.	Abdullah Khan	Mirza Khan	Begusht
202.	Samiullah	Ghulam Haider	Rumboor
203.	Zakir Ahmad	Habib Gul	Ursoon
204.	Alhajur Rehman	Hakim Khan	Barenis
205.	Nasirullah	Nasir Ali Khan	Reshun
206.	Abdul Salam Raza	Mohd Zahr Raza	Reshun
207.	Fairoz Ali Khan	Sher Ali Khan	Reshun
208.	Maqsood Ali Khan	Mansoor Ali	Jang Bazar
209.	Sajjad Ahmad Khan	Mir Salim Khan	Lakhap Mastuj
210.	Shafiq Ahmad	Sher Khan	Chuinj Mastuj
211.	Mohd Saeed Khan	Noor Saeed Khan	Chiewdok

The above appointments shall remain on probation for a period of 6 months. They appointments can be terminated any time without assigning any reason during the probation period.

- They will produce health and age certificate from Medical Superintendent, DHQ, Hospital Chitral
- They will produce surety from three notables of their areas to the effect that they will refund the cost of Government rifles, if damaged, or the cost of training etc incurred on them if they absconded. The Government will have the right to confiscate their property in such cases.
- They will have to serve in any part of the country failing which he will be liable to dismissal from service or imprisonment for seven years or both.
- They will have to undergo training as and when required.
- They will under take oath to serve the country and the force faithfully and obediently.
- They must obey all legal orders of their superiors during their tenure of service, failing to do so will make them liable to dismissal from service or imposition of major penalty.

(Rehmatullah Khan Wazir)
 District Coordination Officer/
 Commandant Border Police
 Chitral

No: 922-1138/BPC/20

Copy forwarded to the:-

1. The District Police Officer, Chitral for information and with the request to verify his antecedents and report to this office.
2. The Medical Superintendent, DHQ, Hospital, Chitral for information & necessary action
3. The Section Officer, Budget Government of Pakistan (L.K) SAFRON Division Islamabad
4. The Section Officer, B&A Government NWFP Home & TAs Department Peshawar.
5. The District Accounts Officer, Chitral for information & necessary action.
6. The Subedar Major, Border Police Chitral for information and necessary
7. The Candidates concerned for information and compliance. They are directed to submit their consent to the condition of their appointment order within 07 days failing which their appointment will be considered as cancelled.

District Coordination Officer/
 Commandant Border Police
 Chitral

فارم نکاح نامہ

بروز دوسون نلع پترال و محمد علی پترال

محمد علی پترال ولد شریف مظاہر سائیدہ برہنہ تحصیل

17-11-1994

محمد علی پترال ولد شریف مظاہر سائیدہ برہنہ تحصیل

15-11-1994

نیواری

NIL

NIL

21/03/2023

محمد علی پترال ولد شریف مظاہر سائیدہ برہنہ تحصیل

محمد علی پترال

15-11-1994

محمد علی پترال ولد شریف مظاہر سائیدہ برہنہ تحصیل

محمد علی پترال

محمد علی پترال

محمد علی پترال

محمد علی پترال

محمد علی پترال

21/03/2023

محمد علی پترال

(12)



THE DEPUTY COMMISSIONER/ COMMANDANT LEVIES FORCE,
LOWER CHITRAL

1319 22

Dated Chitral the 18th April 2023

ORDER

Sepoy Keshu Lal Chitral Quarter Levies Force has been granted Earned Leave with full pay for (forty six) days with effect from 13.04.2023 to 18.05.2023 (inclusive) as admissible under the rule 4 (1) (ii) of Khyber Pakhtunkhwa Civil Servant Revised Leave Rule 1981.

On the expiry of leave the official concerned will resume the charge of the same post at the same station. His leave will be cancelled any time if required.


Deputy Commissioner
Commandant Chitral Levies
Lower Chitral

Even number and date

Copy forwarded for information & necessary action to the:-

1. District Accounts Officer, Lower Chitral.
2. Subedar Major Incharge Chitral Levies, Lower Chitral
3. Sepoy concerned with reference to his application dated 14.04.2023 for information & compliance.


Deputy Commissioner
Commandant Chitral Levies
Lower Chitral

(13)

خدمت جناب ڈیٹس ملٹری ہاؤس / مائنٹننس لیویئر فیلڈ لٹریچرل

درخواست نمبر / توسیع پتہ / رخصت

جناب عالی!

سائلہ حسن ذیل عرض رسالہ میں۔

(1) یہ کہ سائلہ آپ کا زیر سایہ لنٹیل کی پوسٹ پر
خصیات سرانجام دیں ہے۔

(2) یہ کہ چونکہ سائلہ اسلام قبول کر چکی ہے اور شادی بھی
اسلامی روایات کا مطابق کر چکی ہے اسلئے سائلہ
نے اسلامی تعلیمات وغیرہ کا حصول بہ حال مصروف ہے
اور سائلہ کو ابھی مزید چھٹی کی ضرورت ہے تاکہ سائلہ
اسلامی روایات وغیرہ سے مکمل اگاہی حاصل کرے۔

لہذا آپ سے استدعا ہے کہ سائلہ کی بہ چھٹی
میں مزید دو مہینے کی توسیع عطا فرما کر
مشکور فرمائے سائلہ دیا کر رہے گی۔

سائلہ

روشنیمہ لیڈری کٹیل

لیویئر لٹریچرل

المترقوم 17-06-2023

15



**THE DEPUTY COMMISSIONER, LOWER CHITRAL
COMMANDANT CHITRAL LEVIES**

Tel: (0943) 412055, Fax: (0943) 412421, FB: - Twitter: - Instagram: @DCLowerChitral
No. 1645-53/DCC/CLC-28 Dated Chitral the 18th August, 2023

ORDER:

As reported on 10.08.2023 that *Lady Constable Roshtima Bibi*, posted at HQ Chitral Levies Lower Chitral is absent from her duty for the last two months i.e. 16.06.2023, without approval / sanction of legal leave from the competent authority.

WHEREAS, the competent authority (Commandant) has verbally directed the official to report to her duty station through Subedar Major dated 14.08.2023, the official has not reported back to her duty station.

WHEREAS, due to non-compliance of the official orders and frequent absenteeism the undersigned being competent authority to terminate her service under Levies (Amended) Rule 2013.

WHEREAS, she was given numerous warnings and directions both verbal and in writings to correct her discipline and to resume her duty forthwith, but of no avail, AND, as per recent report she has requested for transfer to Birir Post in her sweet will, without attending her present posting.

NOW, THEREFORE, I, *Muhammad All Khan*, Deputy Commissioner/Commandant Chitral Levies Lower Chitral being Competent Authority and in exercise of the powers conferred upon me in The PATA Levy Force (Amended) Rule 2013 under Section-10 Schedule-IV, hereby terminate *Lady Constable Roshtima BIBI* (EPN:00523512) from her service under the *ibid* Rule with immediate effect in the best interest of the force and public service.

Muhammad All Khan
DEPUTY COMMISSIONER
COMMANDANT

DISTRIBUTION FOR INFORMATION & NECESSARY ACTION:

1. The Commissioner Malakand Division Swat
2. The District Police Officer, Chitral Lower
3. The District Accounts Officer, Chitral
4. The Assistant Commissioner / Deputy Commandant Levies Lower Chitral
5. The Accountant Chitral Levies
6. The Subedar Major Levies HQ Chitral
7. Official Concerned
8. Office record / Notice Board HQ

Muhammad All Khan
DEPUTY COMMISSIONER
COMMANDANT

(15)

BEFORE THE SECRETARY HOME & TRIBAL AFFAIRS DEPARTMENT
CIVIL SECRETARIAT PESHAWAR KHYBER PAKHTUNKHWA

APPEAL / REPRESENTATION AGAINST THE ORDER NO 1645-53/DCC/CLC
DATED 18-08-2023.

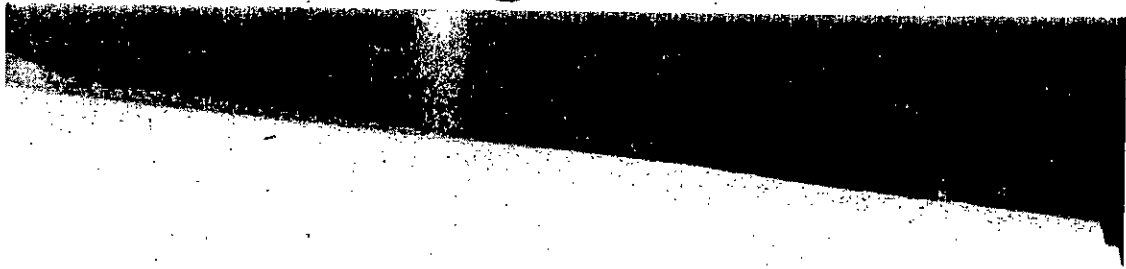
Respected Sir,

The appellant submits as under..

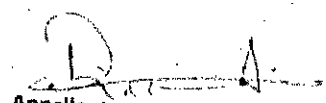
1. That the appellant appointed as lady constable in chitral levies against the Kalaash community quota in the year of 2010. (copy of appointment order is attached)
2. That the appellant was originally belong to the kaalash community and permanently residing in that far of area of chitral.
3. That in the year of May 2023 the appellant embraced Islam leaving her original faith and thereafter she got married to a Muslim husband. (copy of Nikah Nama is attached)
4. That the appellant for the above purpose applied for leave to the competent authority and the competent authority granted two months leave from 17-04-2023 to 16-06-2023. (copy of order is attached)
5. That the after the expire of the above mentioned period of two months the appellant again applied to the competent authority for extension of the leave period on 17-06-2023. (copy of application is attached)

6. That the appellant had newly entered in the religion of Islam therefore she was not aware of the teaching rituals rites and others teaching of the religions of the same time it was compulsory for her to get knowledge of all these matters.
7. That the appellant got admitted in Islamic school/ Madrassa and became busy and learning the teaching of Islam. in the meanwhile the appellant received dismissal order sent through the constable Usman at home. (copy of dismissal order is attached)
8. That the appellant had been busy acquiring knowledge of her newly adopted religion but the authority did not pay any heed to the appellant explanation and dismissed the appellant from service without any proper procedure. Despite the fact that the appellant had already submitted application for extension of leave period.
9. That the dismissal of the appellant was without any justification because the appellant already explained her position that she had adopted Islam as her religion.
10. That the appellant had remained very punctual and efficient in the performance of her duties since 2010 to 2023 and there was no complaint whatsoever against the appellant.
11. That the appellant was condemned unheard as neither any proper inquiry was conducted nor any other legal procedure was adopted before the issue of the impugned order dated 18-08-2023 therefore the whole proceeding is a nullity in the eyes of law.
12. That it was the legal right of the appellant to be treated in accordance with law and to be given an opportunity of being heard but it was not done in the case of the appellant in the impugned order dismissal was issued in a hasty and illegal manner which cannot be sustained due to legal and procedural infirmities.

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It is therefore, humbly prayed that on acceptance of this appeal/representation the impugned order dated 18-08-2023 may kindly be set aside and the appellant may kindly be re-instated in service with all back benefit.


Appellant

Constabal Roshtima Bibi w/o
Jamshid Ahmad post office
broze Village Domoon tehsil
& District Lower Chitral

Dated: 17-10-2020

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**THE DEPUTY COMMISSIONER, LOWER CHITRAL
COMMANDANT LOWER CHITRAL LEVIES**

Tel: (0943) 412055, Fax: (0943) 412421 | FB: -Twitter-Instagram: @DCLowerChitral

No. 1896 /DCC/CLC-

Dated Chitral the 10th November, 2023

To:

The Section Officer (L&K),
Government of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department, Peshawar

Subject:

DEPARTMENTAL APPEAL/REPRESENTATION AGAINST THE ORDER NO. 1645-53/DCC/CLC DATED 18.08.2023.

Memo:

Please refer to your letter No. SO(L&K)/HD/Lower Chitral 357-61 dated 24/10/2023 on the subject cited above.

The undersigned being competent authority and commandant of the force under the PATA Levies Service (Amended) Rule 2013 exercised Rule (10) Schedule-II grounds of penalty clause (b) and dismissed the personnel from her service under Schedule-IV clause (9) of the *ibid* Rule. Moreover, the dismissed employee has been tried under Levies Rule and the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 has not been adopted in the case, please.


DEPUTY COMMISSIONER
COMMANDANT

صبر خندخواہ سروس ٹریڈنگ اور

مورخہ
مقدمہ
دعویٰ
جرم

سہ 2 منجانب
روشنیہ بنام
ایڈیشنل جف سکریٹری سروس ٹریڈنگ اور

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام سروس ٹریڈنگ اور

کیلیے سٹاک ایڈیشن سٹاک ایڈیشن سٹاک ایڈیشن

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے کے تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہموارہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے
سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2024

18 ماہ 01

المرقوم

العبد دگ واہ العبد

ایڈیشنل جف سکریٹری

مقام سروس ٹریڈنگ اور

Accepted
Accepted
Accepted