

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT SWAT

SERVICE APPEAL NO. 1039/2016

Date of institution ... 07.09.2016

Date of judgment ... 07.10.2019

Kamran Khan S/o Itbar Gul
Ex-Police Constable No. 1714
R/o Khwar, Timergara, Tehsil & District Dir (Lower)

... (Appellant)

VERSUS

1. District Police Officer, Lower Dir at Timergara.
2. Regional Police Officer, Malakand, Saidu Sharif, Swat.

... (Respondents)

Appeal under section-4 of the Khyber Pakhtunkhwa Service Tribunal Act r/w the relevant rules against the order No. 10048 of Regional Police Officer, Malakand, Saidu Sharif, Swat dated 30.12.2015, whereby the departmental appeal/application of the appellant for reinstatement and for setting aside/cancellation of the order of DPO, Lower Dir, at Timergara dated 18.12.2014 (O.B No. 1340 dated 19.12.2014), was dismissed.

Mr. Sanaullah, Advocate.

.. For appellant.

Mr. Anwar-ul-Haq, Deputy District Attorney

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. HUSSAIN SHAH

.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Our this judgment shall dispose of the instant service appeal as well as Service Appeal No. 1040/2016 titled "Kamran Khan Versus District Police Officer, Lower Dir at Timergara and another" as both the appeals have been filed by the appellant against the same impugned order dated 19.12.2014 whereby the appellant was dismissed from service.

2. Appellant alongwith his counsel and Mr. Anwar-ul-Haq, Deputy District Attorney alongwith Mr. Zewar Khan, S.I (Legal) for the respondents present.

Arguments heard and record perused.

M. Amin
7.10.2019

3. Brief facts of both the cases are that the appellant was serving in Police Department. He was imposed major penalty of dismissal from service vide order dated 19.12.2014 on the allegation of absence from duty without permission of the higher authority. The appellant filed departmental appeal on 27.12.2015 which was rejected vide order dated 30.12.2015 thereafter, the appellant filed revision petition on 18.01.2016 which was rejected vide order dated 21.06.2016 hence, the present service appeal on 07.09.2016.

4. Respondents were summoned who contested the appeal by filing written reply/comments.

5. Learned counsel for the appellant contended that the appellant was serving in Police Department. It was further contended that the appellant was imposed major penalty of dismissal from service vide order dated 19.12.2014 on the allegation of six months absence from duty with effect from 02.08.2014 till the impugned order. It was further contended that neither charge sheet, statement of allegation was framed or served upon the appellant nor proper inquiry was conducted nor the appellant was provided opportunity of cross examination therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside and prayed for acceptance of appeal.

6. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving in police Department. He was imposed major penalty of dismissal from service vide order dated 19.12.2014 on the allegation of absence from duty. It was further contended that the appellant was required to file departmental appeal within one month but he has filed departmental appeal on 27.12.2015 after a delay of one year. It was further contended that the appellant also filed revision petition against the order of departmental authority decision which was rejected on 21.06.2016 therefore, the appellant was required

M. Manu
7.10.2019


to file service appeal within one month but he has also filed service appeal on 07.09.2016 after sufficient delay therefore, it was vehemently contended that the departmental appeal as well as service appeal are time barred. It was further contended that the appellant was imposed major penalty of dismissal from service by the competent authority after fulfilling all the codal formalities and prayed for dismissal of appeal.

7. Perusal of the record reveals that the appellant was imposed major penalty of dismissal from service vide order dated 19.12.2014 on the allegation of absence from duty. The appellant was required to file departmental appeal within one month but he has filed departmental appeal on 27.12.201⁵ after a delay of more than one year. The record further reveals that the appellant also filed revision petition against the order of departmental authority decision dated 30.12.2015 and the revision petition of the appellant was also rejected vide order dated 21.06.2016 therefore, the appellant was also required to file service appeal within one month but he has filed service appeal on 07.09.2016 after sufficient delay therefore, departmental appeal as well as service appeal are badly time barred. Though the appellant has submitted application for condonation of delay but no cogent ground for such delay has been mentioned. As such, without touching the merit of case both the service appeals are hereby dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.10.2019



(HUSSAIN SHAH)
MEMBER
CAMP COURT SWAT


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT SWAT

07.10.2019

Appellant alongwith his counsel and Mr. Anwar-ul-Haq, Deputy District Attorney alongwith Mr. Zewar Khan, S.I (Legal) for the respondents present. Arguments heard and record perused.

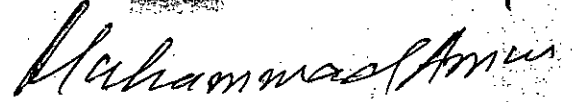
Vide our detailed judgment of today consisting of three pages placed on file, without touching the merit of case present service appeal is hereby dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

07.10.2019



(HUSSAIN SHAH)
MEMBER
CAMP COURT SWAT




(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT SWAT

07.05.2019

Appellant in person and Mr. Mian Amir Qadir learned District Attorney present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 02.07.2019 before D.B at Camp Court, Swat.



Member


Member
Camp Court, Swat.

02.07.2019

Appellant in person present. Mian Amir Qadir, DDA for respondents present. Arguments could not be heard due to general strike of the Bar. Adjourn. Case to come up for arguments on 02.09.2019 before D.B at camp court Swat.



Member


Member
Camp Court Swat

02.09.2019

Appellant in person present. Mian Amir Qadir, DDA alongwith Mr. Abaseen, ASI for respondents present. Representative of the respondents are absent. Appellant seeks adjournment as his counsel is not available today. Adjourn. To come up for arguments on 07.10.2019 before D.B at camp court Swat.



Member


Member
Camp Court Swat

09.01.2019

Clerk of counsel for the appellant present. Mr. Rasheed Ahmad, DSP (Legal) alongwith Mr. Mian Ameer Qadir, District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 05.03.2019 before D.B at Camp Court Swat.


(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member

05.03.2019

Appellant in person and Mian Amir Qadar, District Attorney alongwith Zewar Khan, S.I (Legal) for the respondents present.


Appellant requests for adjournment due to non-availability of his learned counsel. Adjourned to 04.04.2019 before the D.B at camp court, Swat.



Member


Chairman
Camp Court, Swat

04.04.2019

Appellant in person and Mr. Mian Ameer Qadir, District Attorney alongwith Mr. Zewar Khan, S.I (Legal) for the respondents present. Due to strike of Pakistan Bar Council, learned counsel for the appellant is not available today. Adjourn. To come up for arguments on 07.05.2019 before D.B at Camp Court Swat.

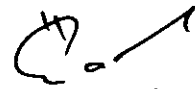

(M. Amin Khan Kundi)
Member
Camp Court Swat


(M. Hamid Mughal)
Member
Camp Court Swat

06.12.2018

Appellant in person and Mr. Usman Ghani learned District Attorney alongwith Mr. Zewar Khan SI legal for the respondents present. Adjournment requested. Adjourn by way of last chance. To come up for arguments on 07.01.2019 before D.B at Camp Court Swat.



Member


Member
Camp Court, Swat

07.01.2019

Clerk of the counsel for appellant present. Mr. Mian Amir Qadir, District Attorney for respondents present. Clerk of the counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 09.01.2019 for arguments before D.B at Camp Court Swat.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member
Camp Court Swat

06.09.2018

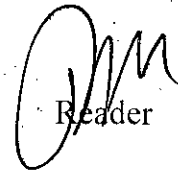
Appellant Kamran Khan in person alongwith his counsel Mr. Sanaullah, Advocate present. Mr. Fazal Mabood, Inspector alongwith Mr. Usman Ghani, District Attorney for respondents present. Learned counsel for the appellant made a request for adjournment to assist the Tribunal on the point of limitation. Case to come up for arguments on 06.11.2018 before D.B at camp court Swat.


Member


Chairman
Camp Court Swat

06.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 05.12.2018 at camp court Swat.


Reader

05.12.2018

Appellant absent. Mr. Usman Ghani learned District Attorney present. Case called but none appeared on behalf of appellant. Adjourn. To come up for arguments on tomorrow i.e. on 06.12.2018 before D.B at camp court Swat.

Member



Member
Camp Court, Swat

1039/16

06.06.2018

Appellant Kamran in person alongwith Mr. Sanatullah Advocate present. Mr. Zewar Khan, S.I (Legal) alongwith Mr. Usman Ghani, District Attorney for the respondents present.

Copy of previous dismissal of the appellant received on fax from DPO, Dir (Lower) which is placed on file. However, learned counsel for the appellant stated at the bar that many appeals of constables who were dismissed from service and later-on reinstated and today four cases of similar view and facts have been adjourned to 04.07.2018. So keeping in view the similarity in the grievances of the appellant as well as other appellants whose cases have been adjourned to 04.07.2018, this case will be heard on one and the same date. To come up for arguments on 04.07.2018 before the D.B at camp court, Swat.

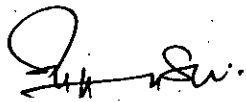

Member


Chairman
Camp Court, Swat

04.07.2018

Appellant was reportedly busy in funeral ceremony of his relative. However, his counsel Mr. Sanaullah, Advocate present. Mr. Fazal Mabood, Inspector (Legal) on behalf of the respondents alongwith Mr. Usman Ghani, District Attorney present. Counsel for the appellant requested for adjournment that he will argue the case in presence of the appellant. Requested is accepted To come up for arguments on 06.09.2018 before the D.B at camp court, Swat.


Member


Chairman
Camp court, Swat.

4.7.2018

01.02.2018

Appellant in person and Addl: AG alongwith Zewar Khan, S.I (Legal) for the respondents present. Counsel for the appellant is not in attendance due to general strike of the bar. To come up for arguments on 04.04.2018 before D.B at Camp Court, Swat.



Member


Chairman
Camp Court, Swat

04.04.2018

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Zewar Khan, S.I (legal) for the respondents present. Appellant submitted an application for adjournment on the ground that his counsel is ill. Granted. To come up for arguments on 05.06.2018 before D.B at Camp Court, Swat.


Member



Chairman
Camp court, Swat

05.06.2018

Appellant, Kamran in person alongwith Mr. Sanullah Khan Advocate present. Mr. Zewar Khan, S.I (Legal) alongwith Mr. Usman Ghani, District Attorney for the respondents present. Arguments partly heard.

Counsel for the appellant made a request for adjournment to search certain case law on the point of limitation. Granted. To come up for further arguments tomorrow i.e. on 06.06.2018 before the D.B at camp court, Swat.


Member


Chairman
Camp Court, Swat

1039/2016


09.02.2017

Appellant in person and Zewar Khan, SI (Legal) alongwith Mian Amir Qadar, GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 06.04.2017 before S.B at camp court, Swat.


Chairman
Camp Court, Swat.

06.04.2017

Appellant in person present and submitted fresh Wakalatnama. Mr. Zewar Khan, S.I (legal) alongwith Mian Amir Qader, Government Pleader for respondents also present. Written reply by respondents submitted. To come up for rejoinder and arguments on 04.09.2017 before D.B at Camp Court Swat.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Camp Court Swat

05.09.2017


Since 4th September, 2017 has been declared as public holiday on account of Eidul Azha, therefore, case is adjourned to 05.12.2017 for the same at camp court, Swat. Notices be issued to the parties for the date fixed.


Chairman
Camp court, Swat.

05.12.2017

Appellant in person and Mian Amir Qadar, District Attorney alongwith Fazal Maabood, Inspector (Legal) for the respondents present. Counsel for the appellant is not in attendance. Requested for adjournment. Granted. To come up for arguments on 01.02.2018 before the D.B at camp court, Swat.


Member

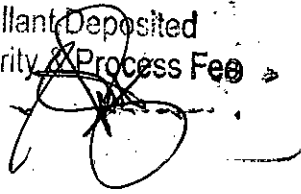

Chairman
Camp court, Swat

24.10.2016

Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant submitted that the appellant was recruited as a constable in the year 2010 who was dismissed from service vide original impugned order dated 19.12.2014 on the charge of absence from duty w.e.f 02.08.2014 and his departmental appeal dated 27.12.2015 was also rejected vide order dated 30.12.2015. He submitted that the instant appeal is within time. The learned counsel further argued that no charge sheet or statement of allegations was issued nor any departmental enquiry was conducted. He further argued that no opportunity of hearing has been provided to the appellant.

The points raised at the bar need further consideration, therefore, admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on 15.12.2016.

Appellant Deposited
Security & Process Fee




PIR BAKHSH SHAH
Member

15.12.2016

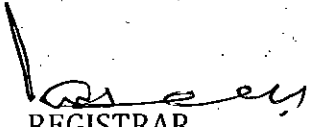

Counsel for the appellant and Addl. AG for respondents present. Since the appeal pertains to territorial limits of Malakand Division, therefore, the appeal is assigned to S.B at Camp Court Swat for reply on 09.02.2017 before S.B.


Chaudhary

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1039/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/10/2016	<p>The appeal of Mr. Kamran Khan resubmitted today by Mr. Maazullah Barkandi Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24-10-16</u></p> <p style="text-align: right;"> MEMBER</p>

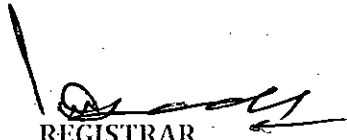


The appeal of Mr. Kamran Khan son of Itbar Gul Ex-Police Constable No. 1714 Dir Lower received today i.e. on 07.09.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.

No. 1473 /S.T,

DI. 07/9 /2016



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Aimat Khan Barkandi Adv. Pesh.

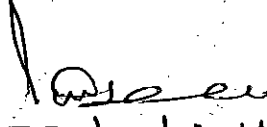
Respected Sir,

The appellant has submitted application before the concerned department for the provision of the above required documents but the same has not yet been provided by the department. It is, therefore, requested that the appellant may be given 15 more days to get the required copies of the documents.

Thank you


 22/9/16
Aimat Khan Barkandi
Adv. Pesh.

Further 15 days time extended.


22/9/2016

Respected Sir,

The appellant submitted application for provision of the above required documents but the concerned office denied to provide the same. It is, therefore, requested that the case may be put before the Chairman for disposal/hearing on the available record.

 6/10/16
Aimat Khan Barkandi Adv.

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1039 /2016

Kamran KhanAppellant

VERSUS

District Police Officer, Lower Dir at Timergara.

and anotherRespondents

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S.No	Description of documents.	Annexure	Pages.
1.	Memo of appeal		1-4
2.	Application for condonation of delay		5-6
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4.	Copy of letter dated 30.12.2015 of RPO swat	B	8
5.	Copy of departmental appeal	C	9
6.	Copy of Educational Testimonials & Domicile	D	10-12
7.	Waklatnama		13


Appellant

Through


Aimat Khan Barkandi
Advocate Peshawar

①

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1039/2016

Kamran Khan S/o Itbar Gul

Ex-Police Constable No.1714

R/o Khwar, Timergara, Tehsil & District Dir (lower)

.....Appellant

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 975

Dated 07-9-2016

VERSUS

- 1) District Police Officer, Lower Dir at Timergara.
- 2) Regional Police Officer, Malakand, Saidu Sharif, Swat

.....Respondents

Appeal u/s 4 of the KPK Service Tribunal Act, r/w the relevant rules against the Order No.10048 of Regional Police Officer, Malakand, Saidu Sharif, Swat dated 30.12.2015, whereby the departmental-appeal/ application of the appellant for reinstatement and for setting aside/ cancellation of the order of DPO, Lower Dir, at Timergara dated 18.12.2014 (O.B No.1340 dated 19.12.2014), was dismissed.

Filed to-day
[Signature]
Registrar
21/9/16

PRAYER

On acceptance of this appeal the impugned orders dated 30.12.2015 and 18/19.12.2014 of

both the respondents may be set-aside and the appellant may be reinstated to his post with all back-benefits admissible by the law and rules.

Respectfully Submitted:-

- 1) That the appellant belongs to District Lower Dir, Timergara and has passed Matric from BISE, Malakand as a student of Govt. Centennial Model High School, Timergara.
- 2) That the appellant joined the Police Force on 03.04.2010 and performed his duty efficiently with no complaint from any quarter.
- 3) That due to some exigency, the appellant rushed to his hometown but on 18.12.2014 without any knowledge the appellant was dismissed by the DPO Lower Dir Timergara. (Copy of the order is Annexure "A")
- 4) That the appellant submitted departmental appeal/application for reinstatement before the Deputy Police Range, Malakand Division on 27.12.2015, however, it was dismissed by the Regional Police Officer, Malakand Division, Saidu Sharif, Swat vide Office order No.10048 Saidu Sharif dated 30.12.2015. (Copy is Annexure "B")
- 5) That the appellant prays for setting aside both the impugned orders of the respondents on the following grounds:-

GROUNDS

- A. That the impugned orders of the respondents are against the law and service rules.
- B. That both the respondents have misconstrued the case and the exigency faced by the appellant and due to which the appellant had left for his hometown. The appellant has not been absent willfully from his duty.
- C. That the appellant has submitted his departmental appeal/ application for reinstatement, but illegally been rejected, and not properly considered.
- D. That the appellant has done his duty properly before he was dismissed from service and there has been no complaint in this respect.
- E. That the very dismissal order from service is a harsh order and is not approved by the law and precedent cases.
- F. That no proper show cause notice has been served on the appellant nor has the appellant availed proper opportunity of hearing before his dismissal from service.

It is, therefore, prayed that on acceptance of this appeal the impugned orders dated 30.12.2015 and 18/19.12.2014 of both the respondents may be set-aside and the appellant may be reinstated to his post with all back benefits admissible by the law and rules.

Any other relief which this hon'ble Tribunal deems fit and proper in the circumstances may also be granted to the appellant.

[Signature]

Appellant

Through

[Signature]

Mazullah Barkandi

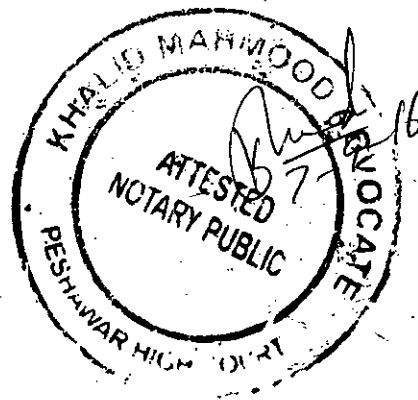
&

[Signature]

Aimal Khan Barkandi
Advocate, Peshawar

Verification

It is verified that the contents of accompanying appeal are true and correct and has been drafted as per my instruction and nothing has been concealed therein.



[Signature]
Deponent

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2016

Kamran KhanAppellant

VERSUS

District Police Officer, Lower Dir at Timergara.

and anotherRespondents

APPLICATION FOR CONDONATION OF
DELAY IN FILING THE ABOVE NOTED
APPEAL

Respectfully Submitted:

- 1) That this application is filed alongwith the above noted appeal.
- 2) That after the dismissal order was passed on 19.12.2014, the appellant submitted application/ departmental-appeal on 27.12.2015, as the appellant was not provided the dismissal order in time nor was given proper notice.
- 3) That the appellant did not file appeal in time as the appellant did not find proper opportunity of hearing.

It is, therefore, respectfully prayed that on acceptance of this application the delay in filing the above titled appeal may kindly be condoned.

[Signature]
Appellant

Through

[Signature]

Mazullah Barkandi

&

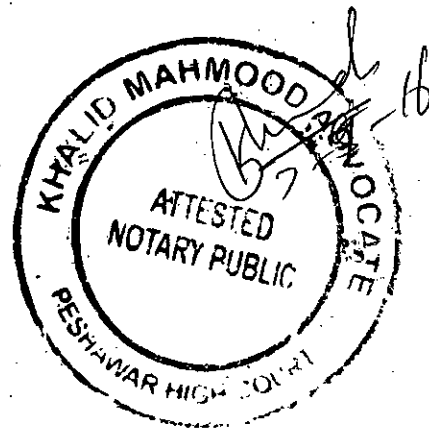
[Signature]

Aimat Khan Barkandi
Advocates Peshawar

AFFIDAVIT

I, Kamran Khan S/o Itbar Gul Ex-Police Constable No.1714 R/o Khwar, Timergara, Tehsil & District Dir (lower), do hereby affirm and declare on oath that the contents of accompanying Application are true and correct and has been drafted as per my instruction and nothing has been concealed therein.

[Signature]
Deponent



(7)

Amir
A

OFFICE OF THE DISTRICT POLICE OFFICER, DIR LOWER AT TIMERGARA

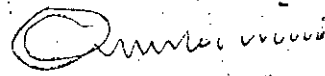
ORDER

This order will dispose of the departmental enquiry conducted against Constable Kamran Khan No.1714, who while posted at Police Station Lal Qilla absented himself from duty with effect from 02/08/2014 to date without any leave or prior permission from his superior. Therefore, he was issued charge sheet coupled with statement of allegations and Mr. Muzakir Shah Khan DSP HQrs was appointed as Enquiry Officer to conduct proper departmental enquiry and submit finding.

The Enquiry Officer during the course of enquiry recorded the statements of all concerned. The Enquiry Officer in his finding recommended that the above named defaulter constable previously been dismissed from service and habitual absentee and not fit for Police service further.

Therefore, I Mr. Ghulam Habib Khan, District Police Officer, Dir Lower in exercise of power vested to me under P((E& D) Rules 1975, awarded him a punishment of dismissal from service with immediate effect and period of absence is treated as leave without pay.

ORDER ANNOUNCED


District Police Officer,
Dir Lower at Timergara

OB No. 1340
Dated 19-12-2014.

Attested to be
true copy
A

8

24

Innexe

530 513 5A

B

52

4/1/16

From The Regional Police Officer, Malakand, at Saidu Sharif, Swat.

To The District Police Officer, Dir Lower.

No. 10048 /E, dated Saidu Sharif, the 30-12- /2015.

Subject: APPLICATION FOR RE-INSTATEMENT IN SERVICE.

Memorandum:

Ex-Constable Kamran Khan No. 1714 of Dir Lower Distri presented application 27/12/2015 for re-instatement in service.

His application has been examined by worthy Regional Poli Officer, Malakand and filed being time barred.

EC

(OFFICE SUPDT:)

For Regional Police Officer, Malakand, at Saidu Sharif Swat

Signature
4/1/16

A ABC
Informed accordingly
and keep pending
in his Roll

No 2237 /EB
Dt 13-01-2016
Copy to stops TMB, to inform
the applicant

Signature

Signature

Signature
15-1-2016

Attested to
be true LOPB

Signature

Signature
15-1-2016

نخستین جناب ڈیٹی انسپکٹر جنرل آف پولیس، دہلاکنڈ ریجنج

درخواست نمبر 10 دوبارہ تقرری،

جناب عالی!

مہود بانہ گورنمنٹ کی باقی ہے کہ سائیل حکم پولیس دیر پائین میں مورثہ 03-04-10

کا بھرتی شہرہ ہے ڈیوٹی نہایت ایماں داری سے سرانجام دی ہے۔

یہ کہ سائیل افسران بالا نے محوالہ آرڈر ایک نمبر ¹³⁴⁰ _{date: 19.12.14} حکم پولیس سے

ڈسٹنس کرنے کا حکم صادر فرمایا ہے چونکہ سائیل انتہائی خراب آدمی حکم

پولیس میں نوکری کرنے کا بے حد شوقین ہے۔ لہذا

استدعا ہے کہ سائیل کے نکالی کے احکامات صادر فرمادیں۔

عین نوازش ہوگی

مورثہ 27/12/2015

الغرض یہ

K. S. R.

ولد اعتبار گل

تابع دار سابق کانسٹیبل کامران خان فیسرا
سکنہ ضلع ڈیرہ اسماعیل خان حکم پولیس دیر (نو پینا)

0344-1964464 سائیل نمبر

Attested to be true copy

A

4811

10 Annexure "D"

ID: 1110820216590



BOARD OF INTERMEDIATE & SECONDARY EDUCATION MALAKAND

SHAKDARA N.W.F.P PAKISTAN SECONDARY SCHOOL CERTIFICATE EXAMINATION DETAILED MARKS & PROVISIONAL CERTIFICATE

Session 2008 (Annual)

Roll No: 33810
Group: Science

Kamran

Son of Itbar Gul

of GOVT: CENTENIAL MODEL HIGH SCHOOL TIMERGARA

has secured the marks shown against each subject in the Secondary School Certificate Examination held in the month of April as Regular candidate.

Subject Name	Marks		MARKS OBTAINED				
	TH / A	PR / B	Theory / Paper-A	Practical / Paper-B	Total	In Words	
1. English	75	75	45	50	95	Ninety-Five	
2. Urdu	75	75	70	62	132	One Hundred Thirty-Two	
3. Pakistan Studies	75		45		45	Forty-Five	
4. Islamic Education	75		64		64	Sixty-Four	
5. Physics	85	15	66	8	74	Seventy-Four	
6. Chemistry	85	15	53	9	62	Sixty-Two	
7. Biology	85	15	45	9	54	Fifty-Four	
8. Mathematics	75	76	44	35	79	Seventy-Nine	
Total = 900					Marks	605-B	Six Hundred Five
Date of Birth (In Figures)	02 March, 1991		Remarks				
(In Words)	Second, March, One Thousand Nine Hundred Ninety-One						

Prepared By: Farid-ur-Rahman

Checked By: Fayyaz

Note: Errors/Omissions excepted. Any mistake in D.O.B & Name etc must be intimated with.

30 days after receiving the above certificate.

Computer Cell BISE, Malakand

13.07.2008, 12:45 PM


Controller of Examinations
BISE, Malakand



DOMICILE CERTIFICATE

N.W.F.P.
DISTRICT DIR LOWER

Declaration

No 5222 date 27/7/08

I Kamran declare that I was born of parents who are permanently Domiciled in North West Frontier Province by birth, having settled in it. I belong to village/Mohallah Timergara Tehsil Timergara District Dir Lower having been born in it.

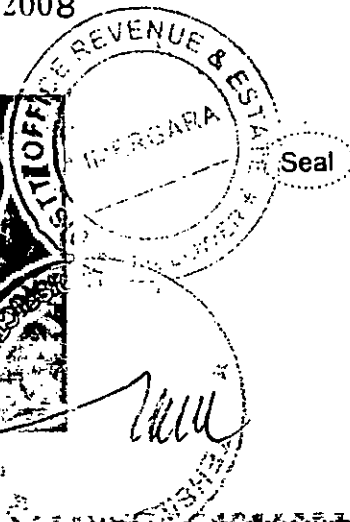
[Signature]
Signature of applicant

Pursuance to the declaration filed above by Itbar Gul Kamran

Son/Daughter/ Wife of Itbar Gul it is hereby certified that the said Mr/Mrs/Miss Kamran is born of parents who are

permanent residents of N.W.F.P. District Dir Lower belonging to it by birth / settled in it. I have satisfied myself from my personal knowledge/verification overleaf that the above declaration is true.

This 22nd day of July 2008



[Signature]
Deputy District Officer
Revenue & Estates
Timergara

Countersigned

[Signature]
Collector / District Officer
Revenue & Estates
District Dir Lower

تصدیق

تصدیق کی جاتی ہے۔ کہ مسی اسلاؤہ کا اوران ولدانت ازکچہ المتارک
 سکول تارکہ میں زیر تعلیم رہ چکا اچکی ہے۔ جسکا جسکی داخلہ نمبر 3336

اور تاریخ پیدائش ہے۔ جنس اسیل سن لوت

1990-04-20 مختار پبل ایڈمانٹر

Head Master
 G.P.S. Timargara
 Distt: DIR (L)

(1) یہ کہ مسی اسلاؤہ کا اوران ولدانت ازکچہ المتارک
 ساکن تارکہ قوم اتی کھیل ذیلی شان لوسوی کا کی اصلی پیدائش ہے
 جو کہ میرے حلقہ نیابت میں واقع ہے۔

(2) یہ کہ مسی اسماؤہ زکورہ نے نل ازیں کوئی ڈومیسائل سرٹیفکیٹ حاصل نہیں کیا۔

(3) یہ کہ فارم ہذا پر چسپاں تصویر درخواست کنندہ کی ہے جو کہ میری تصدیق کردہ ہے۔

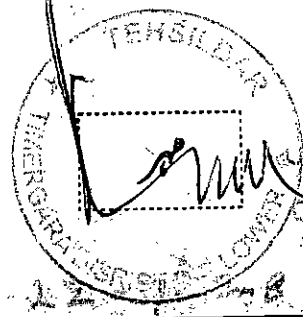
(4) یہ کہ مسائل اسلاؤہ ڈومیسائل سرٹیفکیٹ کا حقدار ہے جس کو میری ذاتی ذمہ داری پر ڈومیسائل سرٹیفکیٹ دیا جائے۔

Khan
 General
 Urban Council
 Dir Lower

تصدیق کنندہ نمبر: 1- نام خان محمد ولدیت سرتت خان سکونت
 شناختی کارڈ نمبر: 0434620-02 دسخط مہر

ECTUREP
 mt. Degree College
 Targara, Distt. Dir.

تصدیق کنندہ نمبر: 2- نام سہم مہر ولدیت محمد اکبر سکونت
 شناختی کارڈ نمبر: 0976536-3-02 دسخط مہر



دسخط
 نام
 عہدہ
 نمبر
 تاریخ

تصدیق متعلقہ تحصیلدار

نوٹ: 1- ڈومیسائل فارم پر تصویر نوٹ سے چسپاں کیا ہے۔

2- فارم میں انگریزی صفحے کے کوائف انگریزی میں تائید کئے جائیں۔

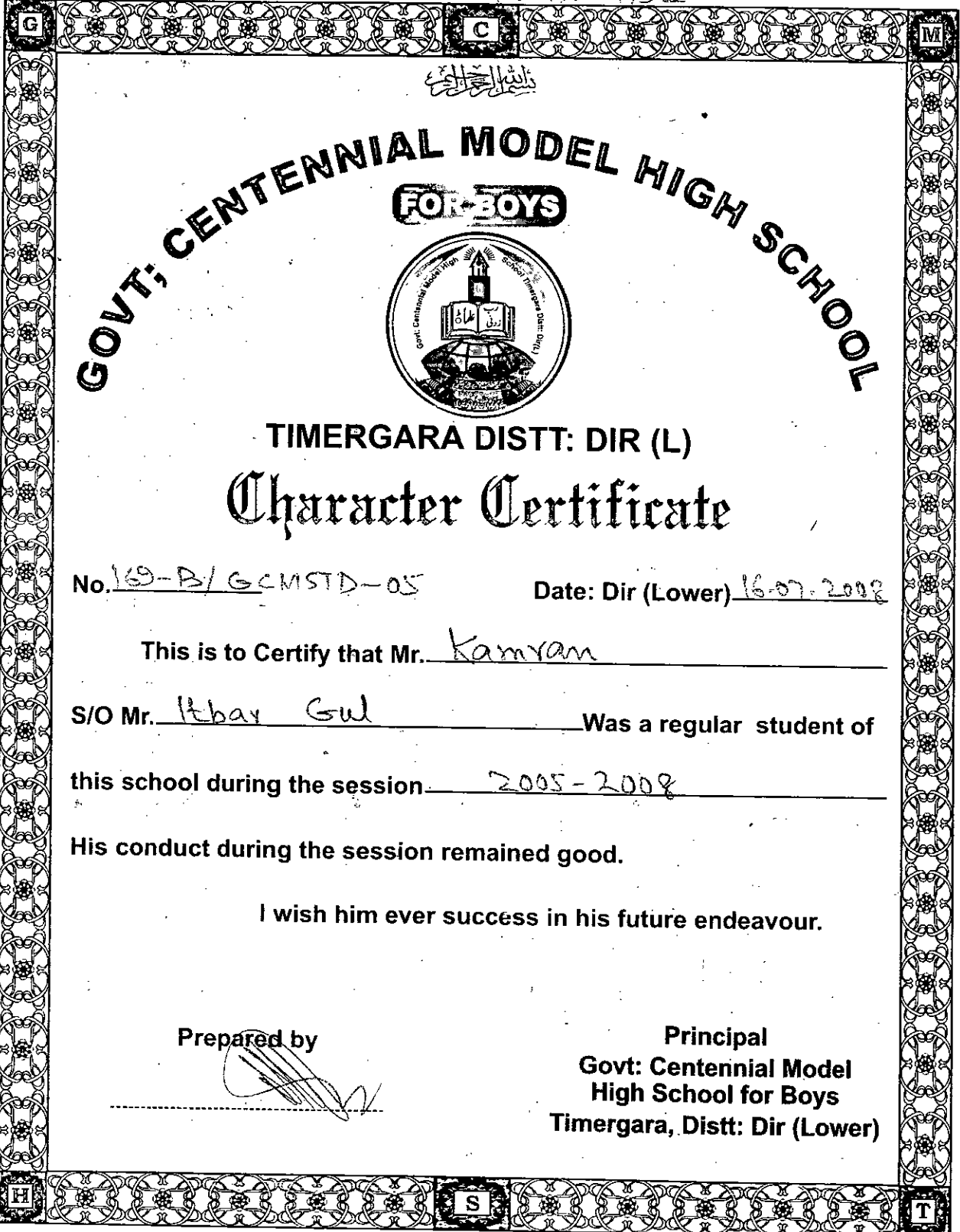
3- فولڈ شدہ اور پھٹے ہوئے فارم قابل قبول نہیں ہوئے۔

4- ذمہ دار فارم جو کہ تمام تحصیل دفاتر میں دستیاب ہیں کے علاوہ کوئی اور یا فونو کابی فارم قابل قبول نہیں ہوگا۔ (دفتر تحصیلدار)

دسخط مہر جاری کنندہ ڈومیسائل فارم

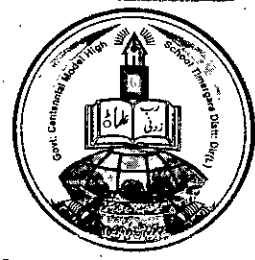
12

Ad. No: 4792



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

GOVT; CENTENNIAL MODEL HIGH SCHOOL
FOR BOYS



TIMERGARA DISTT: DIR (L)

Character Certificate

No. 19-B/GCMSTD-05

Date: Dir (Lower) 16-07-2008

This is to Certify that Mr. Kamran

S/O Mr. Hbar Gul Was a regular student of

this school during the session 2005-2008

His conduct during the session remained good.

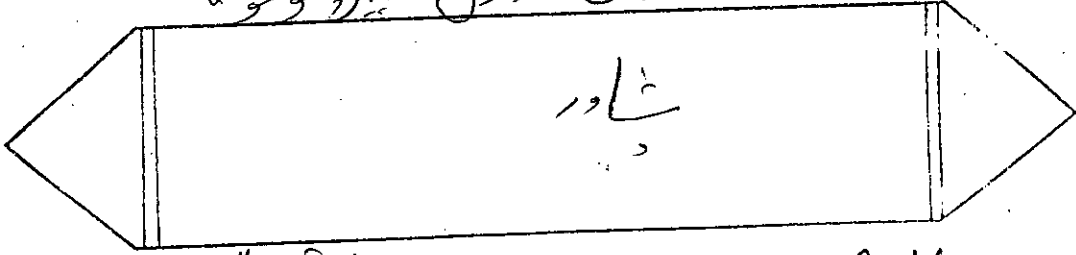
I wish him ever success in his future endeavour.

Prepared by

A handwritten signature in black ink is written over a dashed line.

Principal
Govt: Centennial Model
High School for Boys
Timergara, Distt: Dir (Lower)

پتھریلٹ سروس ٹرینوں کی ضرورت مختصراً



موزخہ	16-9-7	7 ستمبر، 2016ء پنجاب گامران خان
مقدمہ	---	(سروس اپیل)
دعویٰ	---	(گامران بنام ڈی بی اے)
جمعہ	---	---

ولد (مبارک)
سکنہ فورڈ، ٹیکرہ
ضلع رپڑ (لوئر)
اپریل 2016

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
 وکلاء آن مقام میشا اور کیلئے محمد اللہ بابر لڈی، اہل خانہ بابر لڈی، فیض عیسیٰ اہل خانہ
 کو اپنا مقرر کرنے کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ از عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخ
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیار حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔
 کوئی راز یا پیشی مقام دور، 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۔


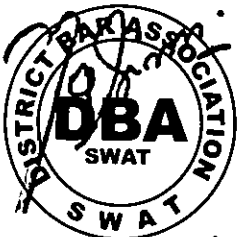

Accepted and attested
 Anam Ullah
 Anam Ullah Baskandi
 Adr. Pesh

اندرم 7 ماہ 9 2016


میشا اور کے لئے منظور ہے۔
 Accepted
 Anam Ullah Baskandi
 Adr. Pesh

بمقام
 Faiz Baksh
 Pesh
 Accepted
 Attested

گامران خان ولد امبارک سکنہ فورڈ
 ضلع رپڑ، ٹیکرہ، ضلع رپڑ
 (5-2302-4656230-15)

 <p>بار کونسل نمبر: 10-93-20 بار ایسوسی ایشن نمبر: رابطہ نمبر: 5333 946 53 59</p>	  <p>سرین نمبر: 16493 ڈسٹرکٹ بار ایسوسی ایشن سوات</p>
--	--

بعدالت جناب: سرور سید محمد علی بی بی اور سید محمد علی بی بی

<p>منجانب: مدعی</p>  <p>کا سرکاری نمبر: بی او</p>	<p>دعویٰ اور خواست: سرور سید محمد علی بی بی</p> <p>علت نمبر: مورخہ: جرم: تھانہ:</p>
---	--

بامستحضر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

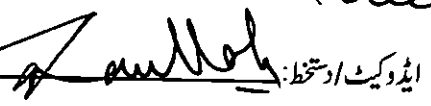
آن مقام صلہ سید محمد علی بی بی کے لئے **دعویٰ اور خواست** کو مدعا علیہ کے طور پر تسلیم کیا گیا ہے کہ صاحب کے موجودہ مقدمہ کی کل کاروائی کا کمال اختتام ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے، دعویٰ، جواب، دعویٰ، اقبال، دعویٰ، واپس مقدمہ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ برآختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوا کے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وصول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، مقدمہ کی بھی عدالت میں بوجہ عدم پیروی داخل دفتر ہونے کی صورت میں وکیل موصوف ذمہ دار نہیں ہوگا؛ لہذا وکالت نامہ لکھ دیا تاکہ سند ہے

المرقوم: 6/4/17

الع بد **گواہ شد** الع بد

مقام **سید محمد علی بی بی اور سید محمد علی بی بی** کے لئے منظور ہے۔

attested and accepted

ایڈوکیٹ/ دستخط: 

کامران خان صاحب اعینا و صل
 سائلین بیکٹر گاہ لوہر دیر
 03468003610

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 1039/2016.

Ex Constable Kamran Khan No.1714 r/o Lower Dir..... Appellant.

VERSUS

- 1) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 2) District Police Officer Dir Lower.....Respondents.

PARA WISE REPLY ON BEHALF OF RESPONDENTS.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS.

- 1) That the present service appeal is not maintainable in its form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

ON FACTS:

1. Needs no comments.
2. Pertains to records and needs no comments.
3. Incorrect, The appellant absented himself from duty without any leave or prior permission of his seniors and he has not advanced any cogent reasons about his absence from duty. After completing all the legal formalities the appellant was dismissed from service. (Copy of daily dairy report is enclosed as annexure 'A').
4. Incorrect, The competent authority rightly dismissed the appeal of the appellant in accordance with merit.
5. The appellant has got no cause of action to file instant appeal.

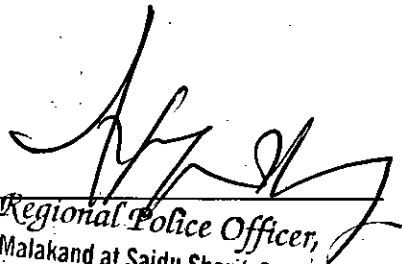
ON GROUND

- (A). *Incorrect, All the orders of the respondents are in accordance with Law and service rules.*
- (B). *Incorrect, The appellant has not brought the matter faced to him in the notice of his seniors and willfully absented himself. Being member of disciplined force, the appellant was required to bring the matter into the notice of his seniors, but he failed to do so. He was issued charge sheet+ statement of allegation and proper inquiry conducted to scrutinize the conduct of the appellant. (Copy of charge sheet, statement of allegation enquiry report as attached as Annexure " B' & C" D"& E").*
- (C). *Incorrect, the respondent has rightly rejected the appeal of the appellant after carrying out thorough scrutiny of the record. All these acts has been carried out in accordance with Law.*
- (D). *Incorrect, The appellant is habitual absentee and prior to this he was proceeded departmentally for two times in connection with his willful absence from duty.*
- (E) *Incorrect, Proper charge sheet and statement allegation were issued to appellant and opportunity of personal hearing was given to him, but he failed to produce any cogent reasons in his self defence, therefore he was dismissed from service after completing all legal formalities.*
- (F) *Incorrect, The appellant was issued proper charge sheet, statement allegation and proper enquiry was conducted to scrutinize the conduct of the delinquent official. Opportunity of personal hearing was given to him, but he failed to produce any cogent reason in his self defence. Therefore he was dismissed from service after completing all legal formalities.*

PRAYER:

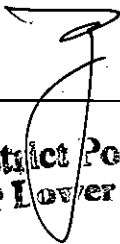
It is therefore humbly prayed that on acceptance of this Para-wise reply the service appeal may graciously be dismissed along with costs.

Regional Police Officer,
Malakand at Saidu Sharif, Swat.



Regional Police Officer,
Malakand at Saidu Sharif, Swat.

District Police Officer,
Dir Lower.



District Police Officer
Dir Lower at Timerga

Annex - "A"

ضرباً علیہ السلام

محرم الحرام ۱۳۳۵ھ بمطابق ۱۷ اکتوبر ۱۹۱۶ء

۱۔ ۱۷ اکتوبر ۱۹۱۶ء کو لاہور میں منعقد ہونے والے جلسے کی

میں شرکت کرنے والے حضرات کی فہرست مندرجہ ذیل ہے۔

۲۔ ۱۷ اکتوبر ۱۹۱۶ء کو لاہور میں منعقد ہونے والے جلسے کی

میں شرکت کرنے والے حضرات کی فہرست مندرجہ ذیل ہے۔

۳۔ ۱۷ اکتوبر ۱۹۱۶ء کو لاہور میں منعقد ہونے والے جلسے کی

میں شرکت کرنے والے حضرات کی فہرست مندرجہ ذیل ہے۔

OSI - Janna
30/10/14

Approved
Dtd 30.10.14

Annex "D"

فائینڈنگ رپورٹ

انکوائری نمبری 1576/EB مورخہ 31.10.014

برخلاف

کنشیل کامران خان نمبر 1714 متحینہ تھانہ لعل قلعہ۔

جناب عالی!

بجوال انکوائری بالا برخلاف بالا معروض ہوں۔ کہ مذکورہ کنشیل مورخہ 03.04.010 کا بھرتی شدہ ہے۔ مورخہ 04.07.011 سے تہذیب لعل قلعہ میں تعینات تھا۔ جہاں سے بحوالہ 33 روز نامہ 02.08.014 تھانہ لعل قلعہ سے نمونہ نمبر ہو کر کنشیل تہذیب لعل قلعہ نمبری 887 تاریخ غیر حاضری سے بند ہو کر تاحال ابدستور غیر حاضر چلا آ رہا ہے۔ جسکے خلاف جناب DPO صاحب نے دیرپائیں نے انکوائری کا حکم فرما کر انکوائری کاغذات سن DSP ہیڈ کوارٹر کو حوالہ ہوئی۔

انکوائری شروع ہو کر بدروزان انکوائری SHO انسپیکٹر سید زماں شاہ خان، محرر محمد عثمان MASI کے بیانات تیار کر کے کنشیل مذکورہ کے پیشی دا طلاعیاں کیلئے روانہ جاتے ہوئے ریڈر (DPO) مورخہ 10.12.014, 01.12.014, 11.11.014 کو SHO تیرگرہ ارسال کیے گئے۔ لیکن مذکورہ کنشیل بیانات دفتر سید زماں شاہ خان پر مقامی پولیس نے مذکورہ سے رو رو گواہان امجد خان ولد اعتبار گل ساکن تیرگرہ خور، ریاض ولد کیمین خان ساکن سرانی بالا حال تیرگرہ بیان تیار کر کے اپنے بیان میں تحریر کیا ہے کہ وہ مذکورہ پولیس میں نوکری نہیں کرنا چاہتا ہے۔

بعد تازہ بندی بیانات و معلومات انکوائری سے پایا گیا کہ مذکورہ ایک عادی غیر حاضر باش ہے۔ اس کی بھی مذکورہ کنشیل نے نوکری کرنا چاہتا ہے۔ جب نمبری 1307 مورخہ 27.08.012 تک پولیس سے ڈسمن کیا گیا تھا جو کہ بحوالہ آرڈر نمبر 7989/E مورخہ 11.12.012 جاری جناب RPU صاحب ملاکنڈ رینج تھری صاحب دوبارہ بحال ہوا ہے۔ اسکے علاوہ مذکورہ کنشیل کے کئی انکوائریز بوجہ غیر حاضری ہو چکی ہے۔ لیکن مذکورہ اپنے عادت غیر حاضری سے باز نہیں آتا ہے۔ لہذا ایک بوجھ ہے۔ لہذا مذکورہ کنشیل کو حکمہ پولیس سے درخواست کرنے کی۔ غار نمبر 1714

DSP / HQrs

خلعہ دیر تیرگرہ پائیں۔

Handwritten notes: "including report of the E.O. received and submitted please" and "17/11"

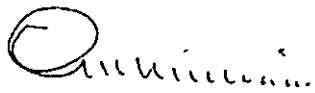
CHARGE SHEET

I, **Ghulam Habib Khan**, District Police Officer, Dir Lower at Timergara as competent authority, hereby charge you Constable **Kamran Khan** No.1714 committed as follows :-

That you while posted at Police Station Lal Qilla, absented yourself from duty without any leave or prior permission from your superior, vide DD No.33 of PS Lal Qilla, with effect from 02/08/2014 to date, which is gross misconduct on your part.

By the reason of above you appear to be guilty of mis-conduct and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the disciplinary Rules, 1975.

- 2- You are: therefore, require to submit your written reply within 25 days of the receipt of this charge sheet to the enquiry officer.
- 3- Your written reply, if any, should reach the enquiry officer, within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall follow against you.
- 4- Intimate to whether you desire to be heard in person or not?
- 5- A statement of allegation is enclosed.


District Police Officer,
Dir Lower at Timergara

No. 21293 /EC,

Dated 31-10-2014.

Constable **Kamran Khan** No.1714 s/o Itbar Gul r/o Timergara
through SHO Timergara.

Noted
Copied
June 30, 2008

Amnet E

ORDER

This order will dispose of the departmental enquiry conducted against Constable Kamran Khan No.1714, who while posted at Police Station Lal Qilla absented himself from duty with effect from 02/08/2014 to date without any leave or prior permission from his superior. Therefore, he was issued charge sheet coupled with statement of allegations and Mr. Muzakir Shah Khan DSP HQrs was appointed as Enquiry Officer to conduct proper departmental enquiry and submit finding.

The Enquiry Officer during the course of enquiry recorded the statements of all concerned. The Enquiry Officer in his finding recommended that the above named defaulter constable previously been dismissed from service and habitual absentee and not fit for Police service further.

Therefore, I **Mr. Ghulam Habib Khan**, District Police Officer, Dir Lower in exercise of power vested to me under P((E& D) Rules 1975, awarded him a punishment of **dismissal from service** with immediate effect and period of absence is treated as leave without pay.

ORDER ANNOUNCED

OB No. 1340
Dated 13-12-2014

Ghulam Habib Khan
District Police Officer,
Dir Lower at Timergara
13/12/14

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(20)
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Pl. All. FME
file
Rec
Dir
02/12/2014

Annex - 2
Enquiry No. 1576 /EB,
Dated Timergara the 31-10-2014

DISCIPLINARY ACTION

I, Ghulam Habib Khan, District Police Officer, Dir Lower at Timergara as competent authority as of the opinion that you Constable Kamran Khan No.1714 have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.

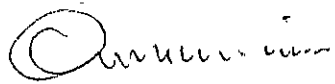
STATEMENT OF ALLEGATION

That he while posted at Police Station Lal Qilla, absented himself from duty without any leave or prior permission from his superior, vide DD No.33 of PS Lal Qilla, with effect from 02/08/2014 to date which is gross misconduct on his part.

2- For the purpose of scrutinizing the conduct of said office, with reference to the above allegation Mr. Muzakir Shah Khan DSP HQrs appointed as enquiry officer.

3- The enquiry officer shall conducted proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within twenty five(25) days of the receipt of his order, recommendation as to punishment or other appropriate action against the accused officer.

4- The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry officer.


District Police Officer,
Dir Lower at Timergara

dated 31-10-2014. 31/K

No. 21291-92 /EC,

- 1- Mr. Muzakir Shah Khan DSP HQrs
Mr. Hidayat Ullah Khan SDPO Adanzai (Enquiry Officer) for initiating proceeding against the above defaulter officials under Police Rules 1975 in the light of attached 03 documents.
- 2- Above named defaulter official.

کعبالت ضیاء - اسپتال حج صاحب سوس ٹریبیونل مقام سوات بھیت کورٹ سوات

کا حضانہ بیام ڈی پی او کا ویزہ
اپریل

درخواست براد تہذیبی تاریخ پیشی کورہ $\frac{4}{018}$ یا بوجہ اپیلانٹ کا وکیل صاحب
چار پانچ دن سے بیمار ہے عدالت حضور میں حاضر ہونے سے قاصر ہے

ضیاء علی - کسب دین عرض ہے

آپ کا مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے۔ لیکن آج
بوم تاریخ پیشی طور ہے

آپ کا اپیلانٹ کا وکیل صاحب بیمار ہے۔ اور عدالت حضور میں حاضر
ہونے سے قاصر ہے

بہتر آرتھ جاب ہے کہ عدالت حضور میں درخواست حد

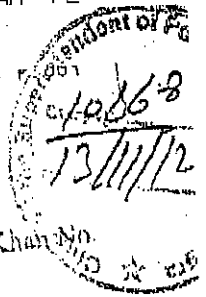
تاریخ پیشی بالا عدالت میں ظرف کا حکم صادر ہو جائے

اللہ اعلم
مستأمل / اپیلانٹ کا حضانہ
صفحہ $\frac{4}{018}$

12/11 2012 10:00 09459252045

DIG. MALAKAND

#9744



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17/11/12
10:00
09459252045

ORDER:

This order will dispose off the application of Ex-Constable Karim Khan No. 1714 of Dir Lower District.

Brief facts are that the above named Ex-Constable while posted in Police Station Timergara deliberately absented himself from his lawful duty with effect from 29/02/2012 without leave or prior permission of his superiors. He was served charge sheet with couple of statement of allegation and SDPO Timergara was appointed as Enquiry Officer to conduct proper departmental enquiry and record the statement of all concerned. The Enquiry Officer time and again summoned the defaulter Constable to record his statement, but the appellant failed to appear before the Enquiry Officer. The Enquiry Officer in his finding established the charge levelled against him without any shadow of doubt, found him disinterested in his duty, therefore recommended for dismissal from service under Police Rules 12.21. Being habitual absentee, therefore, the then District Police Officer, Dir Lower dismissed him from service from the date of his absence i.e. 29/02/2012 vide OB No. 1307 dated 27/08/2012.

The applicant was called in orderly room and heard in person. The applicant expressed before the undersigned his poor family background. He also showed his keen interest in Police Service. The punishment awarded to him by District Police Officer, Dir Lower, is too harsh hence set aside. He is reinstated in service from the date of removal. The period he spent out of service is counted as leave without pay.

Order announced.

(Signature)
(AKHTAR HAYAT KHAN)
Deputy Inspector General of Police,
Malakand Region, Saidu Sharif, Swat.

No. 7989 /E,
Dated 12/11 2012.

Copy to District Police Officer, Dir Lower for information and necessary action with reference to his office Memo: No. 23004/LB, dated 24/10/2012.

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EC
12/11
13/11

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District Police Officer,
Dir Lower at Timergara.

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13-11-2012

FMC
message
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فائینڈنگ رپورٹ

جناب عالی

بحوالہ انکوائری نمبری EC/51-14750-51 مورخہ 02-07-2012 جاریہ جناب DPO صاحب لوئردیر معروض ہوں۔
کہ کانسٹیبل کامران خان نمبر 1714 پر الزام ہے کہ مذکورہ کانسٹیبل تھانہ تیرگرہ سے مورخہ 29-02-2012 سے بغیر
افسران بالا کے اجازت کے بدستور غیر حاضر ہے۔

جسکے خلاف حسب احکم افسران بالا باقاعدہ انکوائری شروع کی گئی۔ دوران انکوائری SHO حبیب اللہ خان، محرر پرویز
رحیم خان تھانہ تیرگرہ، DFC شمس اللہ تھانہ تیرگرہ کے بیانات قلمبند کر کے لف انکوائری کی گئی۔
بیانات و دیگر معلومات سے پایا گیا کہ

(ا) کانسٹیبل کامران خان نمبر 1714 مورخہ 03-04-2010 کا بھرتی شدہ ہے۔ سکنہ تیرگرہ خور کا سکونت ہے۔
مورخہ 19-01-2012 سے تھانہ تیرگرہ میں تعینات تھا۔

(ب) کانسٹیبل مذکورہ تھانہ تیرگرہ سے غیر حاضر ہو کر جس کے خلاف رپورٹ غیر حاضری بحوالہ مد 41
مورخہ 29-02-2012 تھانہ تیرگرہ درج روز نامہ چھپ گئی ہے مذکورہ بدستور غیر حاضر ہے۔ جسکا تذکرہ بحوالہ O.B نمبر 495
مورخہ 13-03-2012 پر تاریخ غیر حاضری سے بند کی گئی ہے۔

(ج) کانسٹیبل کامران خان نمبر 1714 کو انکوائری بذمہ میں پیشی و اطلاعیاتی کے نسبت پروانہ جات جاری کیے گئے۔ مگر
مذکورہ انکوائری بذمہ میں حاضر نہ ہو سکا۔ اسی طرح بذریعہ DFC محمد گل تھانہ تیرگرہ، چارج شیٹ، ڈسپلنری ایکشن کانسٹیبل
کامران خان نمبر 1714 کو حوالہ ہو کر، حواگی کے نسبت کانسٹیبل مذکورہ سے دستخط انگریزی مثبت کی گئی ہے اور ساتھ ہی اسکا شناختی
کارڈ نمبر 5-203-8650203-15302، موبائل نمبر 0346-8003610 درج کی گئی ہے۔ نقل چارج شیٹ لف انکوائری کی گئی ہے۔
(ح) کانسٹیبل مذکورہ نے چارج شیٹ پر جواب، مقررہ معیاد کے اندر یا تاحال دفتر بذمہ ارسال نہیں کی ہے۔

مزید براں بذریعہ DFC شمس اللہ تھانہ تیرگرہ، پروانہ نسبت یکطرفہ کاروائی بھی کانسٹیبل کامران خان نمبر 1714 سے باقاعدہ نوٹ
کی گئی ہے مگر مذکورہ انکوائری ہذا میں حاضر نہ ہو سکا اندر میں سلسلہ DFC شمس اللہ تھانہ تیرگرہ کا بیان قلمبند کر کے لف
انکوائری کی گئی ہے

(خ) کانسٹیبل کامران خان نمبر 1714 جو کہ 03-04-2010 کا بھرتی شدہ ہے۔ جسکا ابھی نوکری میں ازمایشی پیر یڈ چل
رہا ہے مورخہ 29-02-2012 سے بدستور غیر حاضر ہونے سے پہلے دوبار زیادہ غیر حاضری کی وجہ سے محکمانہ کاروائی کا سامنا
کر چکا ہے تاحال چارج شیٹ پر جواب ارسال نہیں کی ہے۔ جو کہ مقررہ معیاد کے اندر ان کو دینا چاہیے تھا۔

انکوائری ہو کر پایا گیا کہ کانسٹیبل کامران خان نمبر 1714 اپنے ازمایشی پیر یڈ میں دوبار پہلے بھی غیر حاضری کی وجہ سے
محکمانہ کاروائی کا سامنا کر چکا ہے مذکورہ عادی غیر حاضر باش ہے نوکری کا خواہاں نظر نہیں آتا تو اہل پولیس کے معیار پر پورا نہیں
اُترتا۔ مذہبی مستثنیٰ میں راہ درست پر آنے کی توقع ہے۔

لہذا محکمہ پولیس سے تو اہل پولیس 12-21 کے تحت، ڈسچارج کرنے کی سفارش کی جاتی ہے۔
Agreed with findings of the Enquiry
Committee and the defaulter Const. Kamran Khan
No. 1714 is hereby discharged from service
under Pol 12-21 w.e.f 29.02.2012 in view of
his absence.
ڈی۔ ایس۔ پی سر گل تیرگرہ
OB-no 1307
27/8/18

District Police Officer,
Dir Lower at Timergara.

Entry made
AB
18/6/18

7/11/19

کبد التجدد - سرور میں تیرہ بیوی ایچب کورٹ کل ندرہ سوانا مسیدہ درگاہ

کاخراں بیام ڈی پی او و پٹوہ

درگاہ مسیت بجا و تیرہ بیوی تاریخ وارہ $\frac{12}{18}$ کا بوجہ عدلی و کبیر نہیں ملا ہے
اس وجہ سے عدالت کور میں لگا کر ہے

ضمانتی کسب ذیل عہدے

۱۔ عہدہ خزان بالا عدالت کور میں زیر مسکن ہے جسکی آج بوم
تا بوم نیشی عہدے
۲۔ نیشنل تاریخ نیشی ایچب کورٹ میں تیرہ بیوی عہدے
لیکن تاریخ نیشی عہدوں بلوائے - اسکا بوجہ عدالت و مسکن و پٹوہ
نہیں ہوا ہے۔

بندہ امجد عالم، عدالت کور میں درگاہ مسیت
عدالت تاریخ نیشی تیرہ بیوی رزٹ کا حکم
عدالت کور میں ہوا ہے
صفحہ $\frac{12}{18}$ کا

کاخراں بڈرہ و مسکن کا طریق تہنہ
تیرہ بیوی