

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

**Service Appeal No. 2544/2023.**

Shaukat Bahadar Ex-Constable No.480 District Police Swat

..... Appellant

**VERSUS**

1. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
2. The District Police Officer, Swat.
3. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.

..... Respondent

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18-04-2024  
S. B  
Peshawar.

District Police Officer, Swat  
(Respondent No.02)

①

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

**Service Appeal No. 2544/2023.**

Shaukat Bahadar Ex-Constable No.480 District Police Swat

..... Appellant

**VERSUS**

**Khyber Pakhtunkhwa  
Service Tribunal**

1. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
2. The District Police Officer, Swat.
3. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.

Diary No. 11762

Dated 15-03-2024

..... Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS**

**Respectfully Shewith,  
Preliminary Objections.**

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

**FACTS:**

- 1) Correct to the extent that the appellant was appointed as Constable in Police Department in the year 2008, however during his period he never performed his duty with honesty and was habitual absentee and remained absent from official duty on many occasions without prior permission of his high ups for which was awarded with minor punishments. **(Copy of absentee detail annexed as "A").**
- 2) Incorrect. No such report or application for proper leave is available on record regarding illness of his brother or any else.
- 3) Pertains to record, hence needs no comments.
- 4) Incorrect. That appellant Shaukat Bahadar No. 480 while posted to Police Lines, Kabal absented himself from lawful duties without prior permission or leave from his immediate officer vide DD No.50 w.e.f 27-09-2022 to 08-11-2022, DD No.20 w.e.f 12-07-2022 to 20-09-2022 and also absented himself vide DD No. 22 w.e.f. 21-12-2022 to up till his dismissal i.e 22-03-2023. Consequently, he was issued charge sheet coupled with statement of allegations and DSP Headquarters, Swat was deputed as Enquiry Officer. The Enquiry Officer conducted proper departmental enquiry and recorded statements of all concerned, perused the record and also provided opportunity of personal hearing and self defense to the appellant. The Enquiry Officer submitted his findings report, wherein he

intimated that the allegations leveled against above named Constable were proved and the delinquent Constable had habitual absentee and recommended him for Major punishment. Furthermore, in another case of absentee, the appellant was also issued charge sheet coupled with statement of allegations and SDPO, Kabal Circle Swat was deputed as Enquiry Officer. The Enquiry Officer recommended him for appropriate punishment, he was awarded major punishment of dismissal from service vide OB No.42 dated 22/03/2023. **(Copy of Order annexed as "B")**. Besides above, the appellant was also issued another charge Sheet for his willful absentee, wherein he was dismissed from service vide OB No.190 dated 17/11/2021. **(Copy of Order is annexed as "C")**. However, the appellate authority reinstated him into service and awarded punishment of forfeiture of three years approved service and absent period was treated as leave without pay. Furthermore, he was also awarded punishment of forfeiture of one year approved service vide OB No.77 dated 06/05/2021 for his willful absence. **(Copy of Order is annexed as "D")**. He was also awarded punishment of 06 month of approved service vide OB No.143 dated 11/09/2019 for absence. **(Copy of Order enclosed as annexed "E")**. From the above facts and punishment awarded to the appellant from time to time shows that the appellant is addicted to absence and was not interested in his job.

- 5) That departmental appeal of the appellant was thoroughly examined by the respondent No.02 and was filed accordingly vide Region office Order Endst No.13791/E dated 03/10/2023 **(annexed as "F")** as the appellant was habitual absentee and did not take interest in his job.
- 6) The appellant has wrongly challenged the legal and valid orders of the respondents before the honorable tribunal through unsound reasons/grounds.

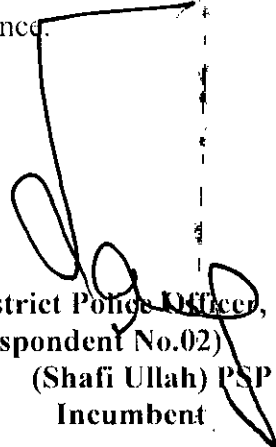
**GROUND:**

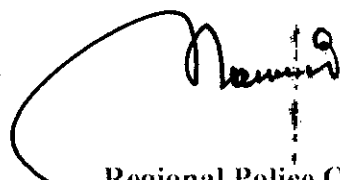
- A. Incorrect. The order of the respondent is legal, lawful and in accordance with law/rules.
- B. Incorrect. The respondent adopted proper procedure as per law/rules and the appellant was dismissed from service after completing all codal formalities under the rules.
- C. Incorrect. The orders of the respondent are legal and in accordance with law/rules. The appellant was habitual absentee and was remained absent from official duty on many occasions.
- D. Incorrect. As stated above, appellant was a habitual to chronic absentee and was not interested in his job. Furthermore, there is no report or application is available in record of this office.
- E. Incorrect. As stated above, appellant has been dismissed from service after completing all legal formalities under the law/rules.


- F. Incorrect. As already explained above in detail.
- G. As explained above in detail.
- H. Incorrect. That all opportunities of personal hearing and self defense were provided to the appellant during departmental probe and after proper departmental enquiry he was awarded major punishment of dismissal from service as per law/rules.
- I. Incorrect. As explained above.
- J. Incorrect. The appellant has been rightly and lawfully dismissed from service due to his own misconduct.
- K. Incorrect. Service record of appellant is tempered with so many absentee, the detail of which has already been explained above in detail.
- L. That other grounds not specifically answered in the reply, will be agitated with the permission of honorable Tribunal at the time of arguments.

**PRAYER:**

It is therefore requested that the appeal of appellant may kindly be dismissed with cost being devoid of merits and without any legal substance.

  
 District Police Officer, Swat  
 (Respondent No.02)  
 (Shafi Ullah) PSP  
 Incumbent

  
 Regional Police Officer  
 Malakand Region  
 (Respondent No.01)  
 (Muhammad Ali Khan) PSP  
 Incumbent

  
 Regional Police Officer  
 Malakand Region,  
 Safdu Sharif, Swat  
 DIG/Legal, CPO  
 For, Provincial Police Officer,  
 Khyber Pukhtunkhwa Peshawar  
 (Respondent No.03)  
 (Dr. Muhammad Athar Abbas) PSP  
 Incumbent

Service Appeal No. 2544/2023.

Shaukat Bahadar Ex-Constable No.480 District Police Swat

Appellant

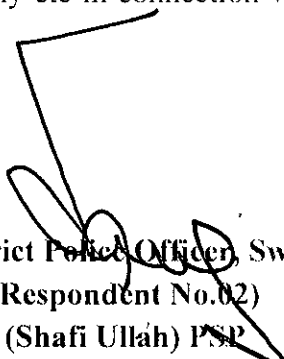
VERSUS

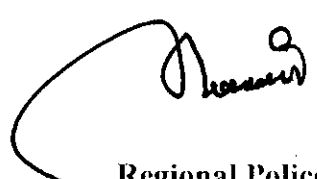
1. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
2. The District Police Officer, Swat.
3. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.

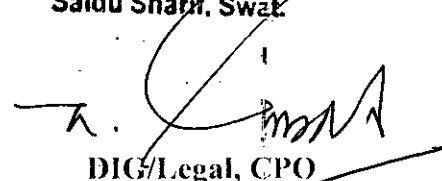
Respondents

AUTHORITY LETTER

We, the above respondents do hereby authorize Mr. Naeem Hussain DSP/Legal Swat to appear before the Tribunal on our behalf and submit reply etc in connection with titled Service Appeal.

  
District Police Officer, Swat  
(Respondent No.02)  
(Shafi Ullah) PSP  
Incumbent

  
Regional Police Officer  
Malakand Region  
(Respondent No.01)  
(Muhammad Ali Khan) PSP  
Incumbent  
Regional Police Officer,  
Malakand Region,  
Saidu Sharif, Swat.

  
DIG/Legal, CPO  
For, Provincial Police Officer,  
Khyber Pukhtunkhwa Peshawar  
(Respondent No.03)

(Dr.Muhammad Athar Abbas) PSP  
(Incumbent)

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

**Service Appeal No. 2544/2023.**

Shaukat Bahadar Ex-Constable No.480 District Police Swat

..... Appellant

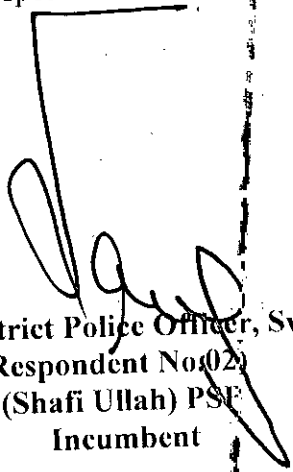
**VERSUS**

- 1. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
- 2. The District Police Officer, Swat.
- 3. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.

..... Respondents

**AFFIDAVIT**

I, the above respondents do hereby solemnly affirm on oath and declare that the contents of the appeal are correct/true to the best of our knowledge/ belief and nothing has been kept secret from the honorable Tribunal. The answering respondents have been not Ex-Parte nor their defence struck off/cost.

  
 District Police Officer, Swat  
 (Respondent No.02)  
 (Shafi Ullah) PSE  
 Incumbent





ANX-A. (6)

DISTRICT SWAT

**ORDER**

The following officials absented themselves from official duties from various places as noted

Each: -

Rank	Name	B.No	Place of Posting	DD No. with Date	Remarks	Order W/DPO
FC	Shaukat Bahadar	480	PS Rahim Abad	DD 35, 23-08-21	32 days	Issue Show Cause Notice Already Pay Stopped
2. FC	Adnan	1044	JIS Police Line	DD 48, 30-09-21	Still Absent	Pay Stopped
3. FC	Kamran	1114	PS Rahim Abad	DD 55, 07-10-21	Still Absent	Pay Stopped
4. FC	Arshad Ali	2530	PS Kabal	DD 17, 03-10-21	Still Absent	Pay Stopped
5. RR	Abdullah	87	JIS Police Line	DD 46, 05-10-21	Medical Rest	03 days Medical Rest Sanctioned with effect from Dt: 05-10-21
6. RR	Saddam	118	JIS Police Line	DD 52, 05-10-21	Medical Rest	01 Week Medical Rest Sanctioned with effect from Dt: 05-10-21
7. RR	Imran	63	JIS Police Line	DD 40, 01-10-21	Medical Rest	07 days Medical Rest Sanctioned with effect from Dt: 01-10-21
8. ESM	Aziz Uilah	519	JIS Police Line	DD 30, 06-10-21	Medical Rest	01-Month Medical Rest Sanctioned with effect from Dt: 06-10-21
9. FC	Said Alam	871	PP Taligram	DD 07, 05-10-21	Medical Rest	01 Week Medical Rest Sanctioned with effect from Dt: 05-10-21
10. FC	Samiullah	1111	JIS Police Line	DD 26, 07-10-21	Medical Rest	10 days Medical Rest Sanctioned with effect from Dt: 07-10-21
11. FC	Mazhar Ali	1329	JIS Police Line	DD 23, 02-10-21	Medical Rest	02 Week Medical Rest Sanctioned with effect from Dt: 02-10-21
12. FC	Ashraf	1910	JIS Police Line	DD 18, 04-10-21	Medical Rest	01 Week Medical Rest Sanctioned with effect from Dt: 04-10-21
13. NESM	Muhammad Nazar	10	PP Daral	DD 09, 04-09-21 to DD 09, 06-09-21	01 day	01 day absence Period treated as leave without pay
14. RR	Adil	02	JIS Police Line	DD 48, 30-09-21 to DD 20, 02-10-21	01 day	01 day absence Period treated as leave without pay
15. ESM	Fazal Rabi	04	PP Daral	DD 09, 04-09-21 to DD 07, 08-09-21	03 days	03 days absence Period treated as leave without pay
16. RR	Gulzar	84	JIS Police Line	DD 18, 01-10-21 to DD 21, 02-10-21	01 day	01 day absence Period treated as leave without pay
17. RR	Rahat	107	JIS Police Line	DD 35, 29-09-21 to DD 17, 02-10-21	02 days	02 days absence Period treated as leave without pay
18. RR	Aslam	117	JIS Police Line	DD 48, 30-09-21 to DD 20, 02-10-21	01 day	01 day absence Period treated as leave without pay
19. RR	Jehangir	126	JIS Police Line	DD 26, 26-09-21 to DD 38, 28-09-21	01 day	01 day absence Period treated as leave without pay
20. FC	Muhammad Saeed	132	PP Odigram	DD 11, 30-09-21 to DD 12, 03-10-21	03 days	03 days absence Period treated as leave without pay
21. FC	Dawood	195	JIS Police Line	DD 49, 27-09-21 to DD 32, 29-09-21	01 day	01 day absence Period treated as leave without pay
22. FC	Hidayat	236	JIS Police Line	DD 45, 30-09-21 to DD 50, 02-10-21	01 day	01 day absence Period treated as leave without pay
23. ESM	Shamsher Ali	281	PS Kalam	DD 19, 21-09-21 to DD 22, 25-09-21	04 days	04 days absence Period treated as leave without pay
24. FC	Imran	380	PP Mankyal	DD 17, 13-08-21 to DD 16, 14-8-21	01 day	01 day absence Period treated as leave without pay
25. ESM	Naeem	459	PS Rahim Abad	DD 54, 03-10-21 to DD 22, 04-10-21	01 day	01 day absence Period treated as leave without pay

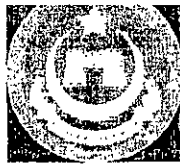
121

OB NO 171 DATED 20/10/2021

**ATTESTED**

*[Signature]*  
Deputy Superintendent of Police  
Swat

District Police Officer, Swat



DISTRICT SWAT

**ORDER**

The following officials absented themselves from official duties from various places as noted against each:

Name	B.No	Place of Posting	DD No. with Date	Remarks	Order W/DPO
Shaka Bahadar	480	PS Rahim Abad	DD 43, 07-11-20	Still Absent	Issue Show Cause Notice Already Pa Stopped
Wali Muhammad	2995	JIS Police Line	DD 44, 20-11-20	Still Absent	Pay Stopped
Bakht Taj	412	Traffic Staff	DD 21, 26-11-20	Medical Rest	03 days Medical Rest Sanctioned with effect from Dt: 26-11-20
Umar Rahim	1930	Traffic Staff	DD 12, 22-11-20	Medical Rest	03 days Medical Rest Sanctioned with effect from Dt: 22-11-20
Shafiq Ahmad	19	PS Kabal	DD 08, 18-11-20 to DD 06, 20-11-20	02 days	02 days absence Period treated as leave without pay
Imran	167	Traffic Staff	DD 11, 24-11-20 to DD 14, 26-11-20	01 day	01 day absence Period treated as leave without pay
Kamran	1242	PS KKS	DD 42, 09-11-20 to DD 22, 11-11-20	02 days	02 days absence Period treated as leave without pay
Nasar	1475	PS Saidu Sharif	DD 30, 16-11-20 to DD 10, 20-11-20	03 days	03 days absence Period treated as leave without pay
Akhtar Ali	1580	PS Charbagh	DD 44, 15-11-20 to DD 16, 16-11-20	01 day	01 day absence Period treated as leave without pay
Amjad Ali	1856	Traffic Staff	DD 30, 21-11-20 to DD 15, 23-11-20	01 day	01 day absence Period treated as leave without pay
Akbar Shah	2336	Traffic Staff	DD 15, 18-11-20 to DD 06, 22-11-20	03 days	03 days absence Period treated as leave without pay
Sharafat Ali	2619	JIS Police Line	DD 12, 22-11-20 to DD 25, 23-11-20	01 day	01 day absence Period treated as leave without pay
Abid Ullah	2802	JIS Police Line	DD 12, 22-11-20 to DD 35, 23-11-20	01 day	01 day absence Period treated as leave without pay
Noman	3441	JIS Police Line	DD 12, 22-11-20 to DD 34, 23-11-20	01 day	01 day absence Period treated as leave without pay
Izaz	3443	JIS Police Line	DD 12, 22-11-20 to DD 45, 23-11-20	01 day	01 day absence Period treated as leave without pay
Salman	3458	JIS Police Line	DD 41, 14-11-20 to DD 18, 22-11-20	07 days	07 days absence Period treated as leave without pay

179  
OB NO 198 DATED 1/12/2020

District Police Officer, Swat

**ATTESTED**Deputy Superintendent of Police Legal  
Swat





DEPARTMENT

**ORDER**

The following officials absented themselves from official duties from various places as noted

against each: -

Rank	Name	B.No	Place of Posting	DD No. with Date	Remarks	Order W/DPO
1. ✓ FC	Muhammad Ali	87	JIS Police Line	DD 40, 11-09-22 to DD 24, 26-10-22	01-Month 14-days	Pay Stopped Issue Show Cause Notice
2. ✓ RR	Khan Bahadar	108	JIS Police Line	DD 71, 27-09-22 to DD 21, 27-10-22	01-Month	Pay Stopped Issue Show Cause Notice
3. ✓ RR	Ishfaq	127	JIS Police Line	DD 59, 27-09-22	Still Absent	Pay Stopped Issue Show Cause Notice
4. ✓ ESM	Zamir gul	158	JIS Police Line	DD 60, 14-10-22	Still Absent	Pay Stopped Issue Show Cause Notice
5. ✓ FC	Shukat Bahadar	480	JIS Police Line	DD 50, 27-09-22 to DD 16, 2-11-22	01-Month 10-days	Pay Stopped Issue Show Cause Notice
6. ✓ ESM	Ghaffar	678	PS Kokarai	DD 35, 06-11-22	Still Absent	Pay Stopped Issue Show Cause Notice
7. ✓ FC	Asif Nawaz	1999	PS Kanju	DD 21, 29-10-22 to DD 25, 21-11-22	23 days	Pay Stopped Issue Show Cause Notice
8. ✓ FC	Rashid	2793	PS Saidu Sharif	DD 40, 06-11-22 to DD 16, 25-11-22	19 days	Pay Stopped Issue Show Cause Notice
9. ✓ FC	Taj Rahmat	2758	PS Mingora	DD 16, 05-10-22	Still Absent	Pay Stopped Issue Show Cause Notice

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OB NO \_\_\_\_\_ DATED \_\_\_\_\_ / \_\_\_\_\_ /2022

OB N = 179  
13-12-22

District Police Officer,  
Swat

**ATTESTED**

Deputy Superintendent of Police Legal  
Swat



480

OFFICE OF THE **ANX-B** (9)  
DISTRICT POLICE OFFICER, SWAT  
Ph: 0946-9240393 & Fax No. 0946-9240402,  
Email: [dposwat@gmail.com](mailto:dposwat@gmail.com)

**ORDER**

This order will dispose of the departmental enquiry conducted against Constable Shaukat Bahadar No.480 while posted to JIS Police Lines Kabal Swat has absented himself from lawful duties without prior permission or leave from his immediate officer vide, DD No.50 w.e.f. 27-09-2022 to 08-11-2022 as per report of MASI JIS Police Line Kabal Swat Dated 29-11-2022. Also absented himself from lawful duties without prior permission or leave from his immediate officer vide No.20 w.e.f. 12-07-2022 to 20-09-2022 (2 Months & 07 days), As per report of Line Officer JIS Police Line Kabal dated 22-09-2022. Furthermore, the said constable is also absented himself from lawful duties without prior permission or leave from his immediate officer vide, DD No.22 w.e.f. 21-12-2022 up till now as per report of MHC PP Behar dated 27-12-2023.

He was issued Charge Sheet No.216/PA dated 16-12-2022 and DSP Headquarters Lower Swat was deputed as Enquiry Officer to conduct proper departmental enquiry. The Enquiry Officer, DSP Headquarter Lower Swat conducted proper departmental enquiry against the above named delinquent constable, recorded statements of all concerned. The Enquiry Officer has provided ample opportunity to the delinquent constable to defend the charges leveled against him. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings report, wherein he intimated that the allegations leveled against him are proved and delinquent constable has absented himself w.e.f.27-09-2022 to 03-11-2022. The Enquiry Officer further stated that the delinquent constable is habitual absentee is not more willing to join his official duty in Police Department and recommended the delinquent constable for Major punishment. Charge Sheet No.119/PA dated 24-11-2022 was also issued to him and SDPO Kabal Circle was deputed as Inquiry Officer. In Charge Sheet No.119/PA the EO recommended the delinquent constable for appropriate punishment. Furthermore, Charge Sheet No.53/PA dated 15-03-2023 was also issued to the delinquent official and DSP Headquarters Lower Swat was deputed as inquiry officer. In Charge Sheet No.53/PA the defaulter constable has absented himself w.e.f 21-12-2022 up till now , which is gross misconduct on his part.

Foregoing in view, the undersigned is of considered opinion that there are no chances that Constable Shaukat Bahadar No.480 will become an efficient Police Official. His further retention in service is bound to affect the discipline of the entire force. Therefore, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules-1975, I, **SHAFIULLAH KHAN GANDAPUR**, District Police Officer, Swat as a competent authority agreed with the finding report of the enquiry officer and awarded him major punishment of Dismissal from service from the date of absence i.e 21-12-2022 and the absence period is hereby treated as leave without pay.

**Order announced.**

**ATTESTED**

Deputy Superintendent of Police Legal  
Swat

District Police Officer  
Swat

O.B. No. 412  
Dated 22/3/2023.

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**OFFICE OF THE DISTRICT POLICE OFFICER SWAT**

No. 221-24 /PA, dated Saidu Sharif the, 24 / 03 /2023.

- Copy for information to the;**
- 1) DSP Headquarters Lower Swat.
- For necessary action to the;**
- 2) Pay Officer, Swat.
  - 3) OASI, Swat.

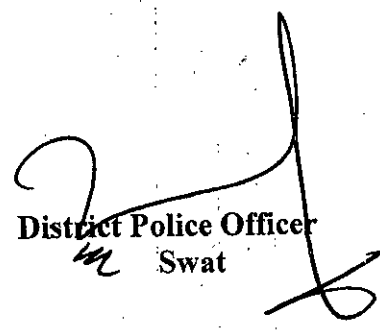
**ORDER**

This order pertains to Show Cause Notices issued to Constable Shoukat Bahadar No.480 of this District Police, that he while posted to Police Station Rahim Abad now Police Station Shah Dherai had absented himself from lawful duties without prior permission or leave from his immediate officer vide DD No.35 w.e.f. 23-08-2021 to 26-09-2021 total (32 days) and DD No.34 Police Station Shah Deherai w.e.f. 28-09-2021 to up till now.

He was issued a Show Cause Notices vide this office No.204/PA, dated 29-10-2021 and No.213/PA, dated 03-11-2021 to explain his position. But he did not bothered to submit his reply to justify his wellful absence.

Foregoing in view, the undersigned is of considered opinion that there are no chances that Constable Shoukat Bahadar No.480 will become an efficient Police Official. His further retention in service is bound to affect the discipline of the entire force. Therefore, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules-1975, I, **Zahid Nawaz Marwat, PSP**, District Police Officer, Swat as a competent authority, am constrained to award him punishment of Dismissal from service from the date of absence i.e 29-08-2021, while his period of absence i.e. from 23-08-2021 to 26-09-2021 total (32 days) is treated as leave without pay.

**Order announced.**

  
District Police Officer  
Swat

O.B. No. 190

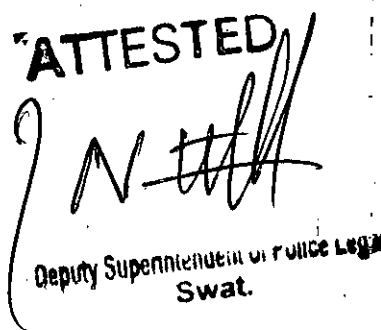
Dated 17/11/2021.

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No. 150 /PA/Enq, dated Saidu Sharif the, 17/11 /2021.

**For information and necessary action to the;**

- 1) Establishment Clerk.
- 2) OHC

**ATTESTED**  
  
Deputy Superintendent of Police  
Swat.

ANX-D (11)


**ORDER**

This order pertains to Show Cause Notices issued to Constable Shaukat Bahadar No.480 of this District Police, that he while posted to Police Station Rahimabad had absented himself from lawful duties without prior permission or leave from his immediate officer w.e.f. 07-11-2020 to 10-01-2021 (02 months & 05 days), w.e.f. 14-01-2021 to 25-01-2021 (11 days) and w.e.f. 16-02-2021 to 11-03-2021 (23 days).

He was issued Show Cause Notices vide this office No.882/Enq, dated 09-12-2020, No.16/Enq, dated 12-02-2021 and No.36/Enq, dated 18-03-2021 to explain his position. But he did not produce any plausible defense to justify his wellful absence.

Therefore, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules-1975, I, Dilawar Khan Bangash, PSP, District Police Officer, Swat as a competent authority, am constrained to award him punishment of forfeiture of one year approved service while period of absence mentioned above is treated as leave without pay.

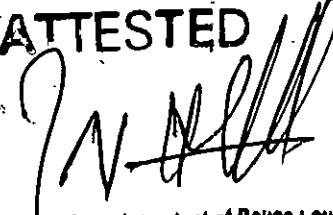
**Order announced.**

  
District Police Officer  
Swat 12/2015

O.B. No. 77.

Dated 06/05/2021.

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ATTESTED  
  
Deputy Superintendent of Police Loyal  
Swat

✓  
ANX-E  
12


**ORDER**

This order will dispose of Departmental Enquiry against Constable Shaukat Bahadar No. 480 of Swat Police. He while posted to Police Station Shamozaai was alleged of misconduct as it was reported that he is a habitual absentee and did not take interest in his duties. It has also been reported that he had been absent from duty w.e.f 09-06-2019 to 09-07-2019.

He was issued a charge sheet coupled with statement of allegations vide this office No. 33/PA, dated 05-08-2019 and DSP Headquarters, Swat was directed to carry out a regular enquiry against the Constable under discussion. The Enquiry Officer conducted proper departmental enquiry against the delinquent Constable and recorded statements of all concerned. The Enquiry Officer provided ample opportunity to the Constable to defend the charges leveled against him. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings and revealed that the defaulter Constable is a habitual absentee and did not take interest in his duty. During the course of enquiry it was revealed that the delinquent Constable has absented himself from duty for 55 days.

The Constable under enquiry has absented himself from duty for quite a long time without any leave/permission of his officers. This is unbecoming of a Police officer which warrants strict punishment. However, keeping in view poor family background and assurance by the delinquent Constable of not repeating such mistake, a lenient view is taken. Hence, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules - 1975, I Syed Ashfaq Anwar, PSP, District Police Officer, Swat being competent authority, am constrained to award him punishment of forfeiture of 06 months of approved service. His absence period will be counted as leave without pay.

**Order announced.**

  
District Police Officer  
Swat  
F.A.S.

O.B. No. 143

Dated: 11.8.19

Copy to:-

1. Establishment Clerk
2. OSI

For necessary action, please.

**ATTESTED**

  
Deputy Superintendent of Police  
Swat



ANX-<sup>13</sup>F


**OFFICE OF THE  
REGIONAL POLICE OFFICER,  
MALAKAND  
AT SAIDU SHARIF SWAT.  
Ph: 0946-9240388 & Fax No. 0946-9240390  
Email: ebmalakandregion@gmail.com**

**ORDER**

This order will dispose of appeal of Ex-Constable Shaukat Bahadar No.480 of Swat District in connection with major punishment awarded by the District Police Officer, Swat vide OB No.42, dated 22-03-2023 i.e. Dismissal from Service.

Brief facts of the case are that Ex-Constable Shaukat Bahadar No.480 of Swat District while posted to JIS Police Lines, Kabal had absented himself from lawful duties without prior permission or leave from his immediate officer vide DD No.50 w.e.f 27-09-2022 to 08-11-2022 also absented himself vide DD No.20 w.e.f 12-07-2022 to 20-09-2022 and DD No.22 w.e.f 21-12-2022 up till dismissal. He was issued charge sheet coupled with statement of allegations and DSP Headquarters, Lower Swat was deputed as Enquiry Officer. The E.O. conducted proper departmental enquiry and recorded statements of all concerned. The E.O, submitted his findings report wherein he intimated that the allegations leveled against above named Constable were proved and the delinquent Constable had habitual absentee and recommended him for major punishment. Furthermore, he was also issued charge sheet couple with statement of allegations and SDPO, Kabal Circle Swat was deputed as Enquiry Officer. The E.O recommended him for appropriate punishment. Moreover, he was issued another charge Sheet and DSP Headquarters, Lower Swat was deputed as Enquiry Officer, the E.O submitted that the delinquent Constable absented himself w.e.f 21-12-2022 up till dismissal, which was gross misconduct on his part. Being found guilty of the charges leveled against him, the District Police Officer, Swat awarded him major punishment of Dismissal from Service from the date of absence i.e. 21-12-2022 and his absence period was treated as leave without pay vide OB No. 42, dated 22-03-2023.

He was called in Orderly Room on 26-09-2023 in this office and heard him in person, but he could not produce any cogent reason to defend the charges leveled against him, therefore, his appeal is hereby filed.

  
Regional Police Officer,  
Malakand at Saidu Sharif, Swat


No. 13791 /E,

Dated 03-10-2023.

Copy to the District Police Officer, Swat for information and necessary action with reference to his office Memo: No.19346/E, dated 27-07-2023. Service Roll and Fuji Missal containing enquiry files of above-named Ex-Constable, received with the memo: under reference, are returned herewith for record in your office.

Eneb S. Rosh  
Fuji Missal

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**ATTESTED**  
  
Deputy Superintendent of Police Legal  
Swat