


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 445/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/03/2024	<p>The appeal of Mr. Abdul Haq resubmitted today by Mr. Saif Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>27-3-2024</u>. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

... appeal filed by Mr. Abdul Haq today on 04.03.2024 against the ... order dated 09.12.2023 against which he made/preferred ... appeal/ representation on 25.12.2023 the period of ninety days is ... of the Khyber Pakhtunkhwa Service Tribunal Act ... is reported as 2005-SCMR- ...


... the instant appeal is returned in original to the ... Counsel, the appellant would be at liberty to resubmit fresh appeal ... and also removing the following deficiencies.

- 1 Memorandum of is not signed by the appellant.
- 2 Check list is not attached with the appeal.
- 3 appeal has not been tagged/marked with annexures.
- 4 Some parts of the ... are illegible which may be replaced by ...

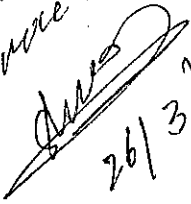
According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal Rules 1974 respondents no. 1&2 are unnecessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondents.

Three more copies/sets of the appeal along annexures i.e. complete ... and one for each respondent may also ...

504  
5/3  
2024

  
5/3/24

REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR

Re Subellani  
Service Appeal  
  
26/3/24

**KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**

**CHECK LIST**

**Versus**

..... Appellant

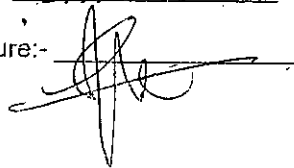
..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Shahzad Khan - Advocate</u> Court	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly pagged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	×	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Shahzad Khan

Signature:-



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

Service Appeal No. 445/2024

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 11527

Date: 04-03-2024

Abdul Haq S/o Fazal Karim, (Ex-Warder) Central Jali,  
Mardan.....(Appellant)

**V E R S U S**

1. Government of Khyber Pakhtunkhwa through Secretary Establishment, Civil Secretariat, Peshawar.
2. Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar.
3. Superintendent Circle Headquarters Prison, Mardan.....Respondents)

**SERVICE APPEAL U/S 4 OF SERVICES**  
**TRIBUNAL ACT, 1974 AGAINST THE**  
**IMPUGNED ORDER DATED 09/12/2023**  
**PASSED BY RESPONDENT NO. 3**  
**WHEREBY THE APPELLANT HAS BEEN**  
**AWARDED MAJOR PUNISHMENT OF**  
**COMPULSORY RETIRED FROM**  
**SERVICE WITH RETROSPECTIVE**  
**EFFECT.**

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

Service Appeal No. 445/2024


Abdul Haq.....(Appellant)

**V E R S U S**

Superintendent Circle Headquarters Prison,  
Mardan.....Respondent)

**I N D E X**

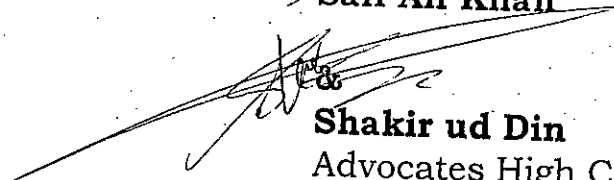
S.No	Description of Documents	Annex	Pages
1.	Service Appeal with affidavit		1-8
2.	Addresses of Parties		9
3.	Copy of service card	A	10
4.	Copy of application	B	11
5.	Copy of impugned order dated 09/12/2023 with better copy	C	12-15
6.	Copies of departmental appeal/ representation	D	16-17
7.	Wakalat Nama		<del>168</del> 18

Appellant 

Through

Date: 4/03/2024

  
Saif Ali Khan

  
Shakir ud Din  
Advocates High Court,  
Peshawar.  
Cell: 0342-9151994

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

Service Appeal No. 445/2024

Abdul Haq S/o Fazal Karim, (Ex-Warder) Central Jail  
Mardan.....(Appellant)

**V E R S U S**

Superintendent Circle Headquarters Prison,  
Mardan.....Respondent)

**SERVICE APPEAL U/S 4 OF SERVICES**  
**TRIBUNAL ACT, 1973, AGAINST THE**  
**IMPUGNED ORDER DATED 09/12/2023**  
**PASSED BY RESPONDENT WHEREBY**  
**THE APPELLANT HAS BEEN AWARDED**  
**MAJOR PUNISHMENT OF COMPULSORY**  
**RETIRED FROM SERVICE WITH**  
**RETROSPECTIVE EFFECT.**

**Prayer in Appeal:**

*On acceptance of this Service Appeal, the  
impugned order dated 09/12/2023 passed by  
respondent may please be set aside and the  
appellant may very graciously reinstated in  
service with all back/ consequential benefits.*

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**Respectfully Sheweth:**

1. That appellant in the year of 2012 joined the respondents department as a Warder (BPS-07) and perform his duty with zeal and devotion. (Copy of service card is attached as annexure "A").
2. That appellant has transparent service record with 12 years' service in his credit.
3. That appellant while posted at Central Jail Mardan, some family problems raised with his brothers which cannot be solved in the absence of appellant, and that's why appellant was not in the condition to perform his duties, hence, absented.
4. That appellant tried for leave by filing application to respondent, but in vain, inspite of best efforts like applications for leave to high-up's. (Copy of application is attached as annexure "B").
5. That thereafter in one-sided enquiry proceedings has been conducted against the appellant and resultantly the applicant has been awarded major punishment of compulsory retired from service

with retrospective effect vide impugned order dated 09/12/2023. (Copy of impugned order dated 09/12/2023 is attached as annexure "C").

6. That appellant approached to Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar for reinstatement by filing departmental appeal/ representation, but no response has been given by the Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar till date. (Copies of departmental appeal/ representation is attached as annexure "D").
7. That feeling aggrieved from the appellant having no other adequate, efficacious, alternate remedy, approaches this Hon'ble Tribunal, inter alia, on the following grounds.

**GROUND S:**

- A. That the impugned orders dated 09/12/2023 passed by Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar is illegal, against law,



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without lawful authority and jurisdiction, being void order with retrospective effect.

B. That appellant was imposed major penalty, so, the respondents are bound to conduct regular inquiry to probe the allegations levelled against him, but respondents have not followed the prescribed procedure, therefore, action/ order of Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar is without lawful authority, hence, liable to be set aside.

C. That the whole proceedings of the so-called inquiry was conducted in the absence of appellant, he was not provided an opportunity of hearing, hence he was condemned unheard which is violation of golden principle that no one should be condemned unheard.

D. That against the appellant, general allegations have been levelled and no specific reference of

any incident has been given, thus, findings of Inspector General Prisons, Khyber Pakhtunkhwa, Peshawar is based on assumptions, presumptions, which are not sustainable in the eyes of law.

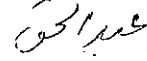
- E. That so-called enquiry officer has not recorded statement of any witnesses nor collected any evidence in support of allegations levelled against the appellant, so, the inquiry was not conducted in a fair and transparent manner, therefore, major punishment of compulsory retired from service with retrospective effect on such so-called inquiry report is highly illegal, arbitrary, without lawful authority and jurisdiction.
- F. That it is fundamental rights of the appellant to be treated equally and are also entitled to equal protection of law, but in the instant case, the respondents have blatantly bypassed all rules regulating the subject matter.

- G. That appellant is not engaged in any profit oriented activity and remained jobless since retirement order, therefore, he is entitled for all back benefits.
- H. That appellant belongs from poor family, there is no other source of income without this job and the appellant is only source of livelihood of his entire poor family.
- I. That any other ground may be adduced during the course of arguments, with the kind permission of this Hon'ble Tribunal.

It is, therefore, respectfully prayed that on acceptance of this Service Appeal, the impugned order dated 09/12/2023 passed by respondent may please be set aside and the appellant may very graciously reinstated in service with all back/ consequential benefits.

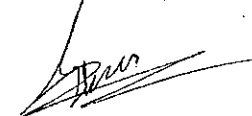
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Any other remedy which deemed appropriate and just in the circumstances of the case, be also issued/ ordered/ given.



Appellant

Through



**Saif Ali Khan**

Date: 5/03/2024

&



**Shakir ud Din**

Advocates High Court,  
Peshawar.

**CERTIFICATE:**

As per instruction of my client it is certified that no such like Service Appeal has earlier been filed on the subject matter before this Hon'ble Tribunal.



**ADVOCATE**

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

Service Appeal No. \_\_\_\_\_/2024

Abdul Haq.....(Appellant)

**V E R S U S**

Superintendent Circle Headquarters Prison,  
Mardan.....Respondent)

**ADDRESSES OF PARTIES**

**APPELLANT:**

Abdul Haq S/o Fazal Karim, (Ex-Warder) Central Jail,  
Mardan.

**RESPONDENT:**

Superintendent Circle Headquarters Prison, Mardan.

Appellant

Through

**Saif Ali Khan**

Date: 28/03/2024

**Shakir ud Din**  
Advocates High Court,  
Peshawar.

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

Service Appeal No. \_\_\_\_\_/2024

Abdul Haq.....(Appellant)

**V E R S U S**

Superintendent Circle Headquarters Prison,  
Mardan.....Respondent)

**AFFIDAVIT**

I, Abdul Haq S/o Fazal Karim, (Ex-Warder) Central Jail Mardan, do hereby solemnly affirm and declare on oath that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*Handwritten signature and date: 16-2-24*

*Handwritten signature*

**DEPONENT**

CNIC No. 15201-8283529-5




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Annex A

**POLICE** PRISON

KHYBER  
PAKHTUNKHWA  
**ABDUL HAQ**



Designation: Warden (BPS-07)  
CNIC: 15201-8283529-5

**SUPERINTENDENT**  
Central Prison Mardan

  
**ATTESTED**





Amir C B

OFFICE OF THE SUPERINTENDENT, CIRCLE HQS, PRISON MARDAN

No. 2812/19 Dated: 07/12/2023

Page 2 of 2

OFFICE ORDER

WHEREAS, the accused official/Warder Abdul Haq B/O Mowlai Faizal Khan attached to Central Prison Mardan was proceeded against under Rule 19 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 for the charges of misconduct as mentioned in the Show Cause Notice No. 2412-17 dated: 06.12.2023 served upon him on his misconduct/willful absence.

AND WHEREAS, he furnished his written reply/denial with documentary proof/witness which were found unsatisfactory.

AND WHEREAS, the undersigned being competent authority granted him the opportunity of personal hearing on 06.12.2023 as provided for under rules ibid. The accused official completely failed to defend his case with documentary proof/witness.

AND WHEREAS, the accused official/warder is habitual of absenting himself from his post duties without permission and sanction of leave and undisciplined, having lethargic duty attitude, which is crystal clear from his service track record, 1- "Terminated from Service" due to absence from Training Centre at Haripur, vide Superintendent Circle Headquarter Prison Peshawar order No. 3206 dated 30.08.2012 and then re-joined in Service and is hereby set aside and converted into "withholding of Annual Increment for Two years" without accumulative effect vide Worthy Inspector General of Prisons Peshawar office order No. 24632 dated 25.09.2012; 2- "Censure" due to over stayed leave vide Superintendent District Jail Chitral order No. 282 dated 20.03.2017; 3- "Censure" and absence period of 06 days w.e.f 16.06.2017 to 21.06.2017 is hereby treated as leave without pay vide Superintendent District Jail Chitral Office order No. 1172 dated 09.12.2014; 4- absent period of 06 days without pay and for 01 day and 05 days is hereby treated as leave on medical grounds vide Superintendent Circle HQs Prison Mardan Office order No. 2615-18 dated 12.08.2017; 5- "Censure" for his misconduct/willful absence, his absence period w.e.f 12.06.2021 to 21.06.2021 nine (09) days under Rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 3086-60/PB dated 20.12.2022; 6- "One increments Stopped for One Years" for his misconduct/willful absence, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 for his absence period fifteen (15) days w.e.f 27.01.2023 to 10.02.2023; six (06) days w.e.f 16.03.2023 to 23.03.2023 and eight (08) days w.e.f 09.06.2023 to 17.06.2023 amounting to aggregate for twenty nine (29) days vide Superintendent Circle HQs Prison Mardan order No. 1958-66 dated 17.07.2023; 7- "Censure" for his misconduct/willful absence, his absence period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023; 8- "Two increments Stopped for Two Years" for his misconduct/willful absence, his absence period w.e.f 27.06.2023 to 14.07.2023 seventeen (17) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1965-65 dated 17.07.2023; 9- "Censure" for his misconduct/willful absence, his absence period w.e.f 07.10.2023 to 28.10.2023 P.N twenty one (21) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 3505 dated 09.12.2023

NOW THEREFORE, in exercise of powers conferred under Rule-14(i) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, being considered the charges, evidence on record, the explanation of the accused official and after affording the opportunity of personal hearing, the undersigned being competent authority after observing all legal procedural formalities, is hereby awarded the major penalty of "Censure/Retirement from Service" with legal effect to the accused official, Warder Abdul Haq B/O Mowlai Faizal Khan attached to Central Prison Mardan for his misconduct/willful absence, his absence period with effect from 02.11.2023 to 06.12.2023 Thirty four (34) days, he is not entitled for any remuneration under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981.

SUPERINTENDENT  
CIRCLE HQS, PRISON MARDAN

Dated: 07/12/2023

The above is forwarded to:-

- 1. General of Prisons Khyber Pakhtunkhwa Peshawar for information, please.
- 2. Superintendent Central Prison Mardan, for information and necessary action with reference to his reports dated 01.12.2023 and 06.12.2023, please.
- 3. Worthy Inspector General of Prisons, Mardan for information and necessary action please.
- 4. Superintendent Central Prison Mardan.

*[Signature]*

*[Signature]*  
SUPERINTENDENT  
CIRCLE HQS, PRISON MARDAN

OFFICE OF THE SUPERINTENDENT CIRCLE HQS PRISON MARDAN

No. 3510/PS dated 09/12/2023

Office orders

WHEREAS, the accused official warden Abdul Haq s/o Molvi Fazal karim attached in Central Prison Mardan was proceeded against under rule 8 and rule 7 of khyber Pakhtunkhwa government servants (Efficiency & Discipline) rules 2011 for the charges of his misconduct as mentioned show cause notice No. 33445-47 dated 06.12.2023 served upon him on his misconduct/willful absence.

AND WHEREAS he furnished his written reply/deference without any documentary pro which was found unsatisfactory.

AND WHEREAS the undersigned being competent authority granted him the opportunity of proceeded hearing on 09.12.2023 as provided for under rules ibid. the accused official completely failed to defend his case with documentary proof/witnesses.

AND WHEREAS, the accused official/warden is habitual of absenting himself from line and ..... without permission and mention of leave and ..... Having ..... Duty attitude which is crystal cleared from his service book record, 1. "Terminated from Service due to absence from Training Centre at Haripur vide superintendent Circle Headquarter Prison Peshawar order No. 3206 dated 30.08.2012 and then re instated this accumulative effect vide worthy inspector general of prisons Peshawar office order No. 24532 dated 25.09.2012

2. "Censure" and to over stayed leave vide Superintendent District Jail Chitral order No. 283 dated 20.03.2017

3. "Censure" and absence period of ten days w.e.f 16.06.2017 to 21.06.2017 is hereby treated as leave without pay vide Superintendent District Jail Chitral Office order No. 1172 dated 09.12.2014,, 4, absent period of 06 days without pay and for 01 day and 05 days is hereby treated as leave on medical grounds vide Superintendent Circle HQs Prison Mardan Office order No. 2615-18 dated 12.08.2017

8. "Censure" for his misconduct/willful absence, his absence period w.e.f 12.06.2021 to 21.06.2021 nine (09) days under Rule 19 of the Khyber Pakhtunkhwa Government Servants received leave rule 1981 vide superintendent Circle HQs Prison Mardan order No. 056-60/FB dated 20.12.2022

6. "One increments Stopped for One Years" for his misconduct/willful absence, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 for his absence period fifteen (15) days w.e.f 27.01.2023 to 10.02.2023, six (06) days w.e.f 16.03.2013 to 22.03.2023 end eight (08) days w.e.f (09.06.2023 to 17.06.2023 mounting to aggregate for twenty nine (29) day's

vide Circle HQ Prison Mardan order No. 1955-68 dated 17.07.2023. 7. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

8. "Two increments Stopped for Two Years" for his misconduct/willful absence, his absence period 27.06.2023 to 14.07.2023 seventeen (17) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised leave Rules 1981 vide superintendent Circle HQs Prison Mardan order No. 1965-68 dated 17.07.2023.

9. "Censure" for his misconduct /willful absence his absence period w.e.f 07.10.2023 to 28.10.2023 twenty one (21) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants revised leave rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 3505 dated 09.12.2023.

NOW THEREFORE, in exercise of powers conferred under Rule 14(13) of the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules 2011, being considered the charges, evidence or record, the explanation of the accused official and after affording the opportunity of personal hearing the undersigned being competent authority after observing all legal procedural formalities, is hereby awarded the major penalty of Compulsory Retirement from services" with ..... effect to the accused official Warden Abdul Haq s/o Molvi Fazal Karim attached to Central Prison Mardan his misconduct/ willful absence, his absence period with effect from 02.11.2023 to 06.12.2023 Thirty four (34) days, he is not entitled for any remuneration under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981.

10. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

11. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

12. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

13. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

14. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

15. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

16. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

17. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

18. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

19. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

20. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

21. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

22. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

23. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

24. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

25. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

26. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

27. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

28. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

29. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

30. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

31. "Censure" for his Superintendent misconduct/willful absence, his absent period w.e.f 25.04.2023 to 31.05.2023 thirty six (36) days, he is not entitled for any remuneration for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servants Revised Leave Rules 1981 vide Superintendent Circle HQs Prison Mardan order No. 1960-63 dated 17.07.2023.

SUPERINTENDENT  
CIRCLE HQS PRISON MARDAN

Encl: No. .... 14/dated 09/12/2023

Copy of the above is forwarded to

1. The worthy inspector general of prisons khyber Pakhtunkhwa Peshawar for information please
2. The superintendent central prison Mardan, for information and necessary action with reference to his reports dated 01.12.2023 and 06.12.2023 please.
3. The district accounts officer, Mardan for information and necessary action please
4. Official concerned c/o superintendent central prison Mardan

SUPERINTENDENT  
CIRCLE HQS PRISON MARDAN

ATTESTED

SUPERINTENDENT  
CIRCLE HQS. PRISON MARDAN

*[Handwritten signatures and stamps]*

- 1. The Worthy Inspector General of Prisons Kyber Pakhtunkhwa Peshawar for information, please.
- 2. The Superintendent Central Prison Mardan, for information and necessary action with reference to his reports dated 16.10.2023 and 28.10.2023, please.
- 3. The District Accounts Officer, Mardan for information and necessary action please.
- 4. Official concerned C/O Superintendent Central Prison Mardan.

Ends No. 3506-09 / Dated: 09/12/2023

*[Handwritten signature]*  
SUPERINTENDENT  
CIRCLE HQS. PRISON MARDAN

AND WHEREAS, the undersigned being competent authority, provided opportunity of personal hearing on 09.12.2023 as provided for under rules 2011, being considered in Pakhtunkhwa Government Service (Efficiency & Discipline) Rules 2011, being considered in charges, evidence on record, the explanation of the accused official and after affording the opportunity of personal hearing, the undersigned being competent authority after observing all legal procedure formulated, he is hereby awarded minor penalty of "Censure" to accused official/Warder Abdul Haq S/O Mohi Raza Khan attached to Central Prison Mardan for his misconduct/willful absence was 07.10.2023 to 28.10.2023 (21) days, he is not entitled for any remuneration for the absence period under rule 19 of the Kyber Pakhtunkhwa Government Service (Efficiency & Discipline) Rules 1981.

**NOW THEREFORE,** in exercise of powers conferred under Rule-14(b) of the Kyber Pakhtunkhwa Government Service (Efficiency & Discipline) Rules 2011, being considered in charges, evidence on record, the explanation of the accused official and after affording the opportunity of personal hearing, the undersigned being competent authority, provided opportunity of personal hearing on 09.12.2023 as provided for under rules 2011, being considered in completely failed to defend his case with documentary proof/evidence.

AND WHEREAS, he furnished the written reply/dance without any proof/evidence which were found un-satisfactory.

AND WHEREAS, the undersigned being competent authority, provided opportunity of personal hearing on 09.12.2023 as provided for under rules 2011, being considered in completely failed to defend his case with documentary proof/evidence.

OFFICE OF THE SUPERINTENDENT, CIRCLE HQS. PRISON MARDAN  
 No. 3506-09 / Dated: 09/12/2023  
 SUPERINTENDENT, CIRCLE HQS. PRISON MARDAN

13

OFFICE OF THE SUPERINTENDENT CIRCLE HQS PRISON MARDAN

No. 3510/PS dated 09/12/2023

Office orders

WHEREAS, the accused official warder Abdul Haq s/o Molvi Fazal karim to Central Prison Mardan was proceeded against under rule 3 of khyber Pakhtunkhwa government servants (Efficiency & Discipline) rules 2011 for the charges of his misconduct as mentioned show cause notice No. 3080-82 dated 30.10.2023 served upon him on his misconduct willful/ absence.

AND WHEREAS, he furnished his written reply/defence without en proof/evidence which were found un-satisfactory.

AND WHEREAS, the undersigned being competent authority opportunity of personal hearing on 09.12.2023 as provided for under rules ibid. The accused official completely failed to defend his case with documentary proof/evidence.

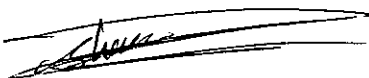
NOW THEREFORE, in exercise of powers conferred under Rule-14(5) of the Pakhtunkhwa Government Servants (Efficiency, & Discipline) Rules 2011, being consideration charges, evidence on record, the explanation of the accused official and after affording the opportunity of personal hearing, the undersigned being competent authority after observing all legal procedural formalities, he is hereby awarded minor penalty of Censure to accused official/Warder Abdul Haq s/o Molvi Fazal Karim attached to Central Prison Mardan for his for his misconduct/ willful absence w.e.f 07.10.2023 to 28.10.2023 (PN) twenty one (21) days, he is not entitled for ..... remission for the absence period under rule 19 of the Khyber Pakhtunkhwa Government Servant revised Leave Rules 1981.

SUPERINTENDENT  
CIRCLE HQS PRISON MARDAN

Encls. No3506-09/dated 09/12/2023

Copy of the above is forwarded to

1. The worthy inspector general of prisons khyber Pakhtunkhwa Peshawar for information please
2. The superintendent central prison Mardan, for information and necessary action with reference to his reports dated 16.10.2023 and 28.10.2023 please.
3. The district accounts officer, Mardan for information and necessary action please
4. Official concerned c/o superintendent central prison Mardan



ATTESTED

Sd  
SUPERINTENDENT  
CIRCLE HQS PRISON MARDAN

۱۹/۱۱/۲۰۲۳ - ۲۰ (۱۹)  
بعدالت جناب انسکٹر جنرل جیل خانہ جات،

خیبر پختونخواہ، پشاور

### حکمانہ اپیل

جناب عالی! ایپلانٹ حسب ذیل عرض رساں ہے۔


1- یہ کہ ایپلانٹ محکمہ پولیس میں بطور جیل وارڈر (BPS-07) اپنی ڈیوٹی مختلف جیلوں میں سرانجام دیتا رہا ہے اور بعد از سنٹرل جیل مردان میں ڈیوٹی پر تعینات تھا۔ (نقل سروس کارڈ لف ہے)۔

2- یہ کہ اچانک ایپلانٹ کو کچھ گھریلو مسائل کا سامنا ہوا یعنی بھائیوں کے مابین کچھ تنازعہ پیدا ہوا جسکی وجہ سے ایپلانٹ نے 21 دن کی چھٹی کی درخواست محکمہ ہذا کو گزاری کیونکہ تنازعہ کے حل کیلئے ایپلانٹ کی موجودگی ضروری تھی۔

3- یہ کہ جناب سپرنٹنڈنٹ سرکل ہیڈ کوارٹر جیل مردان نے ایپلانٹ کو غیر حاضری کی وجہ سے مورخہ 09/12/2023 کو جبری ریٹائرڈ کر دیا۔ (نقل جبری ریٹائرمنٹ لف ہے)۔

4- یہ کہ یہاں یہ امر قابل ذکر ہے کہ نہ تو ایپلانٹ کو کوئی شوکانہ نوٹس دیا گیا اور نہ ہی ذاتی طور پر سننے کا یا اپنے دفاع اور مجبوری بیان کرنے کا موقع دیا گیا جو کہ ایپلانٹ کا قانونی حق ہے۔

5- یہ کہ ایپلانٹ ایک غریب گھرانے سے تعلق رکھتا اور اپنے چھوٹے چھوٹے بچوں کے علاوہ اپنے بھائیوں اور ماں باپ کا واحد کفیل ہے، جبری ریٹائرمنٹ کی وجہ سے ایپلانٹ اور ایپلانٹ کا خاندان کسی پرسی کی زندگی گزارنے پر مجبور ہے۔

  
ATTENDED

(5)

لہذا استدعا ہے کہ منظور ی اپیل ہذا مندرجہ بالا حقائق کی روشنی میں اپیلانٹ کے جبری ریٹارمنٹ مورخہ 09/12/2023 کو منسوخ کیا جائے اور اپیلانٹ کو بمعہ سابقہ مراعات کے ساتھ سروس پر بحالی کے صریح احکامات صادر فرمائے جائیں، اپیلانٹ اور اپیلانٹ کا خاندان آپ کے لئے دعا گو رہے گا۔

الرقوم: 25/12/2023

اپیلانٹ عبدالحق

عبدالحق (دارور) سنٹرل جیل مردان۔

موبائل نمبر: 0341-5003469

Received  
25/12/23

کاپی برائے اطلاع:

1- سپرنٹنڈنٹ جیل خانہ جات، مردان۔

ATTESTED

قیمت = 50	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
21835	
ایڈووکیٹ بسد علی خان، سدا کر اللہ خان اور اسسٹنٹ	
بار کونسل ایسوسی ایشن نمبر: BG10-9144	PESHAWAR BAR ASSOCIATION
رابطہ نمبر: 0342-9151994	

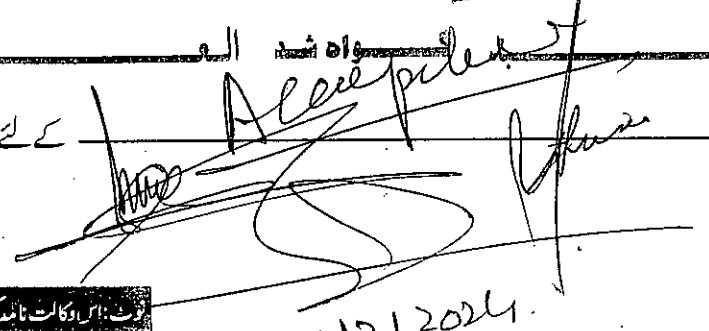
بعدالت جناب: سر جسٹس رسول اللہ خان

مخائب: عبدالحق	دعوی:
عبدالحق - مدعی	علت نمبر:
بنام	مورخہ: سر جسٹس
گورنمنٹ جسٹس ایسوسی ایشن	جرم:
	تھانہ:

### بابت تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام لیتوار کیلئے سد علی خان، سدا کر اللہ خان اور اسسٹنٹ کو وکیل مقرر کر 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 ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے

المرقوم: 4/13/2024

مقام: 

نوٹ: اس وکالت نامہ کی نوکالی ناجائز ہوگی۔

4/13/2024

152018283529-5

0341 5003469

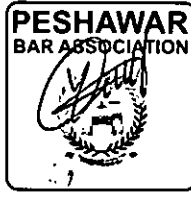
21835

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

ایڈووکیٹ بسیف علی خان اسٹاکر الدین خان ارباب

بار کونسل ایسوسی ایشن نمبر: BG 10-9144

رابطہ نمبر: 0342-915-1994



بعدالت جناب: سروس سرسل لٹریچر

مخانب: عبدالحق	دعوی:
عبدالحق - مدعی	علت نمبر:
بنام	مورخہ: سروس اسل
گورنمنٹ صاحبہ لیسواہ و ملہرہ	جرم:
	تھانہ:

### باعت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام لیتیاور کیلئے بسیف علی خان، سٹاکر الدین خان ریفرس کو وکیل مقرر کر 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 تقررنائنٹ فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برائگی 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 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا سانشہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابندی ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 4/3/2024

مقام \_\_\_\_\_  
 \_\_\_\_\_  
 کے لئے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی نا قابل قبول ہوگی۔

4/3/2024

عبدالحق  
 5-625529-5  
 0341 5003469