

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Appeal No. 883/2024.

Gul Muhammad son of Hazrat Umar resident of Bassikhel, District Torghar.

... Appellant

Versus

1. Commissioner, Hazara Division, at Abbottabad.
2. Deputy Commissioner, Torghar/ Commandant Levies Force, at Torghar.

... Respondents

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1. Commissioner, Hazara Division, at Abbottabad.
2. Deputy Commissioner, Torghar/ Commandant Levies Force, at Torghar.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 18/08

Dated 20/11/24

... Respondents

Joint Para-wise comments in respect of the Commissioner, Hazara Division, Abbottabad (Respondent No. 01) and Deputy Commissioner, Torghar (Respondent No.02) are hereby submitted before this Honorable Tribunal in Service Appeal No. 883/2024 together with Preliminary Objections, please:

Respectfully Sheweth:


AAS
18/11/24

PRELIMINARY OBJECTIONS:

1. The Petitioner has not come to this Honorable Tribunal with clean hands.
2. The Petitioner is estopped by his own conduct to file the instant Service Appeal.
3. The Petitioner has not served the notice/ intimation of filing of the instant Service Appeal, as required.
4. The appellant or his attorney has not signed the appeal, affidavit & addresses of the parties.
5. The instant appeal is not maintainable, being time barred.

FACTS:

1. Correct to extent that the appellant was appointed as Sepoy in levies force Torghar on 10.05.2010.
2. No comments. Pertains to record.
3. Correct. Copy of the suspension order dated 21-02-2024. Copy annexed as Annexure-A.
4. Correct. Copy of order No.4716-20/Levies/DC/TG dated 06-03-2024 is annexed as Annexure-B.
5. Incorrect. The Inquiry Officer served the charge sheet vide No.4695-97/Levies/TG dated 27-02-2024 upon the appellant as well as he was afforded the opportunity of personal hearing who after fulfilling all formalities submitted his recommendations for appropriate action against the accused. Copy of the charge sheet is annexed as Annexure C. The

appellant submitted his written reply as well as appeared before the Inquiry Officer in person on 28-02-2024. Copy annexed as **Annexure D**.

- 6. Correct to the extent that the appellant preferred departmental appeal before the Commissioner, Hazara Division, Abbottabad which was dismissed vide Order No.CHD/ACR/Reader/10/02/(B)/5347-51 dated 21.05.2024. However, as far as the contention of the appellant that the order was not conveyed to him is incorrect as he personally appeared before the Appellate Authority during the hearing on 15.05.2024 and the order was announced in his presence, other accused and the departmental representative. Copy of the Order announced on 15.05.2024 by the Commissioner, Hazara Division, Abbottabad is annexed as **Annexure E**.

GROUND:

- a. Incorrect. Major Penalty of removal from service imposed upon the appellant U/S 14 (Schedule-II) (b) of Provincially Administered Tribal Area (PATA) Provincial Levies Force Service Rule 2015, is justified, legal and according to law/rules.
- b. Incorrect. As enumerated in "a" above.
- c. No comments. Pertains to record.
- d. Correct to the extent that no Show Cause Notice was issued to the Appellant.
- e. Incorrect. The levies force in the Province is not governed under the Government of Khyber Pakhtunkhwa Servants (Efficiency & Discipline) Rules, 2011 rather Provincial Levies Force Service Rule, 2015 are applicable upon them being a belt force. Copy of the said Rules is annexed as **Annexure F**.
- f. Incorrect. As enumerated in "5-Facts" above.
- g. Incorrect. As stated in Para 5 of Facts of the instant appeal.
- h. Incorrect. The period of absence is clearly mentioned in the order dated 06.03.2024 and in Para 04 of Facts above.
- i. Incorrect. As enumerated "e" above.
- j. No Comments.
- k. Incorrect. As enumerated "e" above.
- l. No Comments.
- 7. No Comments.
- 8. Incorrect. The instant appeal sent for comments cannot be reckoned as within time as the same has not been signed by the Appellant or his attorney and undated too.

[Handwritten Signature]
 AAS
 18/11/24

In the light of above narrated facts, the instant appeal may graciously be dismissed in limine, please.

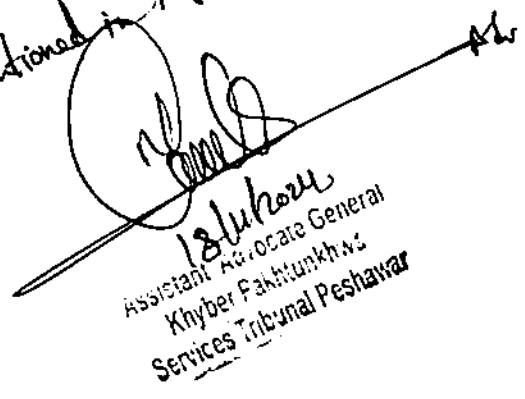


Deputy Commissioner, Torghar.
(Respondent No. 02)
Anwar Zeb Khan



Commissioner, Hazara Division,
Abbottabad. (Respondent No. 1)
Syed Zaher ul-Islam

Vetted
subject to the objection in
letter mentioned in Appeal No. 882/2024.



Ishtiaq
Assistant Advocate General
Khyber Pakhtunkhwa
Services Tribunal Peshawar

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Appeal No. 883/2024.

Gul Muhammad son of Hazrat Umar resident of Bassikhel, District Torghar.

... Appellant

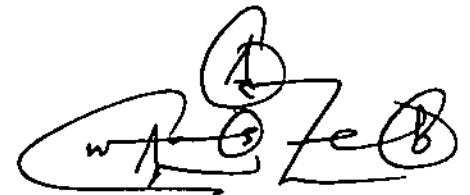
Versus

1. Commissioner, Hazara Division, at Abbottabad.
2. Deputy Commissioner, Torghar/ Commandant Levies Force, at Torghar.

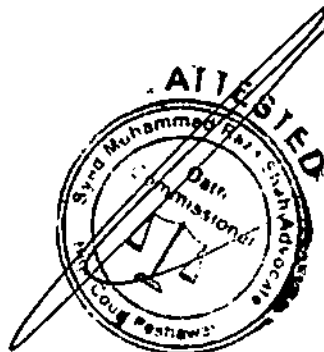
... Respondents

AFFIDAVIT.

I, Anwer Zeb Khan, Deputy Commissioner, Torghar (Respondent No. 02) do hereby declare on oath that the contents of the reply of Appeal No. 883/2024 are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal. It is further stated on oath that the answering respondent have neither been placed ex-parte nor their defense has been struck off, also no cost is imposed.



DEPONENT
by



20 NOV 2024



(5)

**OFFICE OF THE
DEPUTY COMMISSIONER
TORGHAR.**

No. 1188-2ed/Litigation /DC/TG/2024

Dated Torghar the 31/10/2024

AUTHORITY LETTER.

Raja Tasawar Khan, Additional Assistant Commissioner Tehsil Hassanzai District Torghar is authorized to attend the Khyber Pakhtunkhwa Services Tribunal Peshawar in Appeal No. 883/2024 titled Gul Muhammad Versus Deputy Commissioner, Torghar and others on 27.11.2024 and subsequent date(s) regularly on behalf of the undersigned.

Deputy Commissioner,
Torghar.

Copy to the:-

1. Additional Registrar, Khyber Pakhtunkhwa Service Tribunal with reference to above for information please.
2. Syed Zaheer Shah, Court Assistant for necessary action & compliance.
3. Officer concerned for compliance please.

Deputy Commissioner,
Torghar.



OFFICE OF THE
DEPUTY COMMISSIONER/
COMMANDANT LEVIES FORCE
TORGHAR

Amex - A



<http://facebook.com/dctorghar> dctorghar@gmail.com +92 0997-541003


No. 4675-77 /Levies/DC/TG

Dated Torghar the 21 / 02 /2024

OFFICE ORDER

Due to willful absence from duty since 15-01-2024 till date, the services of the following levies personnel are hereby placed under suspension with immediate effect:-

1. Abdul Rauf (Sepoy/Head Quarter Levies)
2. Gulab Zar (Sepoy/Head Quarter Levies)
3. Gul Muhammad (Sepoy/Head Quarter Levies)
4. Niamat Ullah (Sepoy/Head Quarter Levies)



DEPUTY COMMISSIONER/COMMANDANT
LEVIES FORCE, TORGHAR

Enstt: No & Date Even:

Copy forwarded to,

1. The Assistant Commissioner/Deputy Commandant Levies Force, Torghar for information.
2. The Subidar Levies Force, Torghar with the direction to inform concerned.


DEPUTY COMMISSIONER/COMMANDANT
LEVIES FORCE, TORGHAR


Additional Assistant Commissioner
Kandar



OFFICE OF THE
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR



No. 4716-20 /Levies/DC/TG
OFFICE ORDER

Annex — B
Dated Torghar the 06/03 /2024.

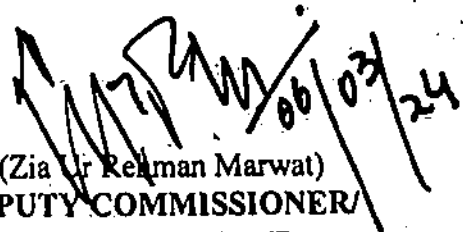
WHEREAS, Mr. Gul Muhammad Sepoy Levies Force, Torghar was reported willfully absent from his duty without any prior approval from competent authority w.e.f 15-01-2024 to 27-02-2024.

AND WHEREAS, the accused was proceeded against under the relevant law/rules on that count as well as showing lack of discipline; Mr. Hasrat Khan Assistant Commissioner (HQ) Judba was appointed as an Inquiry Officer. A Charge Sheet was served to Mr. Gul Muhammad vide letter No. 4695-97/Levies/DC/TG dated 27-02-2024; the delinquent official submitted his reply to the charge sheet and the Inquiry Officer in his inquiry report vide letter No. 4698/Levies/DC/TG dated 04-03-2024 submitted that the delinquent official had willfully absented himself from duty w.e.f 15-01-2024 till 27-02-2024; that the Inquiry Officer proved willful absence of the delinquent and recommended strict disciplinary action.

AND WHEREAS, Mr. Gul Muhammad was directed to appear before the undersigned on 04-03-2024, but he didn't bother to attend the office of the undersigned. The written reply available on file was perused wherein, the delinquent official has taken a stance that his blood relative was ill due to which he couldn't attend his duty but he hasn't substantiated his stance with any documentary evidence. Also, he couldn't mention any cogent reason for his absence.

AND WHEREAS, in view of the foregoing facts regarding the absence of the delinquent official, findings and recommendations of the Inquiry Officer/ Deputy Commandant Levies Force Torghar as well as his unsatisfactory written reply, it can be safely concluded that Mr. Gul Muhammad has committed gross misconduct; has been absent from duty without any prior approval in the instant case and has also ceased to be efficient anymore.

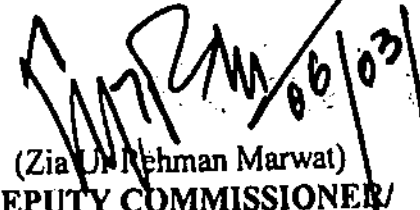
NOW THEREFORE, I, Deputy Commissioner/Commandant Levies Force, Torghar impose major penalty of Removal from Service upon Mr. Gul Muhammad, Sepoy Levies Force, Torghar U/S 14 (Schedule-II) (b) of Provincially Administered Tribal Areas (PATA) Provincial Levies Force Service Rules, 2015 with effect from 15-01-2024.


(Zia Ur Rehman Marwat)
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR

Enstt: No & Date Even:

Copy forwarded to the:-

1. Commissioner, Hazara Division, Abbottabad.
2. District Account Officer Torghar.
3. Section officer (Police-II), Government of Khyber Pakhtunkhwa Peshawar.
4. Mr. Gul Muhammad C/O Subidar Levies Force, Torghar to serve the order upon the official concerned.


(Zia Ur Rehman Marwat)
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR


Additional Assistant Commissioner
Kandar



OFFICE OF THE
DEPUTY COMMISSIONER²²
TORGHAR



Annex - C

No. 4695-97 /Levies/DC/TG

Dated Torghar the 27/02/2024

CHARGE SHEET

1. Mr. Gul Muhammad, Sepoy Provincial Levies Force Torghar

Formerly Nil

Presently posted as Sentry at Levies Head Quarter Judba, Torghar.

is accused of inefficiency/ misconduct/ absent from duty due to following act(s) of omission and commission:-

That while posted as Sentry at Levies Head Quarter Judba, Torghar:-

- I. You have continuously showed lack of discipline regarding duty timing;
- II. You have remained absent from duty since 15-01-2024 to till date without prior permission from the Competent Authority.

2. For the purpose of inquiry against the said delinquent with reference to the above allegations following inquiry officer is appointed under the relevant rules:-

Mr. Hafsat Khan Assistant Commissioner HQ/10

3. The inquiry officer shall, in accordance with provision of the rules, serve this Charge Sheet upon the accused as well as to provide reasonable opportunity of hearing to the accused, record its findings and make within 03 days of receipt of this order, recommendations as to punishment or other appropriate action against the accused.

[Signature]
27/2/24

(Xia Ur Reman Marwat)
DEPUTY COMMISSIONER/COMMANDANT
LEVIES FORCE, TORGHAR

Enstt: No & Date Even:

Copy forwarded to,

1. The Inquiry Officer.
2. Subidar Levies Force Torghar with the directions to serve the charge sheet upon the above accused officials.

[Signature]
27/2/24
DEPUTY COMMISSIONER/COMMANDANT
LEVIES FORCE, TORGHAR

[Signature]
Additional Assistant Commissioner
Kandar

جواب طلبی

عرض جیکہ میری گروہ والی بہار کھی
دو گھنٹے میں اس کے خیال رکھنے والے کوئی نہیں
تھا اور مجھے بھی پوری سائے ساتھ ساتھ کچھوں کا بھی
خیال رکھنا تھا جس کی وجہ سے میں
کوئی نہیں کر رہا تھا جو سے غلطی ہوئی
میں دفتر میں اطلاع نہیں دے سکا
آپا منہ سے گزارا ہے صید میں آئندہ
میں غلطی نہیں کرونگا کی با کچھ منہائی دی جائے
شکر ہے

Seen & heard

HPK
28/2/2024

Additional Assistant Commissioner
Kandar

آپ کا فرمائشوار

مکمل علی

سیپاہی بیویز فورس
کوٹلی

28/02/2024



Annex - E

ORDER
15/05/2024

Whereas, the appellants Mr. Gul Muhammad S/o Hazrat Umar Ex-Sepoy Levies Force Torghar, Mr. Niamatullah S/o Jan. Muhammad Khan Umar Ex-Sepoy Levies Force Torghar, Mr. Gulab Zar S/o Zubair Khan Umar Ex-Sepoy Levies Force Torghar, and Mr. Abdur Rauf Gul S/o Rozinat Gul Ex-Sepoy Levies Force Torghar, have filed a joint appeal dated; 08/03/2024 against the impugned orders No. 4716-20, 4708-11, 4704-7, 4712-15 /Levies/DC/TG, dated 06/03/2024 passed by the Deputy Commissioner/Commandant Levies Force Torghar whereby major Penalty of removal from service had been imposed upon the appellants under the provisions of Section- 10(Schedule-II) (b) of Provincially Administered Tribal Area (PATA) Federal Levies Force Service (Amended) Rules, 2013 and Section- 14 (schedule-II) (b) of Provincially Administered Tribal Areas (PATA) Federal Levies Force Service Rules, 2015.

The brief history of the case in hand is that the above mentioned appellants were serving as Sepoy Levies Force Torghar. They were reported willfully absent from their duties without any prior approval of the Competent Authority w.e.f 15/01/2024 to 26/02/2024.

A fact finding inquiry was conducted by the Assistant Commissioner/Deputy Commandant Levies Force District Torghar against the accused. The inquiry proceedings transpired that the accused have failed to justify their willful absence and also committed gross negligence and defiance. The Deputy Commissioner/Commandant Levies Force after completion of all legal formalities and in light of the recommendations made by the Inquiry Officer had imposed major penalty of removal from service upon the accused.

Whereas, the comments on the instant appeals were requisitioned from Deputy Commissioner/Commandant Levies Force vide his letter No.4774/Levies/DC (TG) dated 30/04/2024.

And whereas, the appellants appeared in person for personal hearing on 15/05/2024 in the presence of Mr. Hasrat Khan, Assistant Commissioner/Deputy Commandant Levies Force Torghar, representative of the Deputy Commissioner/Commandant Levies Force Torghar and it was also revealed that appellants have failed to report for duty despite various telephonic calls made by their immediate supervisor to the same effect.

Handwritten notes and stamps:
w/v
ASST.
1126
2024-05-21
DEPUTY COMMISSIONER
TORGHAR

Additional Assistant Commissioner
Kandh

Now therefore, after going through the contents of the appeal, careful perusal of available record, comments offered by the Deputy Commissioner/Commandant Levies Force Torghar, the written reply of the accused and their stance during the personal hearing they were found guilty of the charges.

Therefore, I see no valid grounds to set aside the order of the Deputy Commissioner /Commandant levies force Torghar which is upheld. The instant appeals are hereby rejected.

ANNOUNCED
15/05/2024


Commissioner
Hazara Division Abbottabad



Regional Assistant Commissioner
Wander

1

(1)

12)

GOVERNMENT OF THE KHYBER PAKHTUNKHWA ⁶⁶
HOME & TRIBAL AFFAIRS DEPARTMENT.

Annex - F

NOTIFICATION

Peshawar, dated the 14th April, 2015.

No. ALD-III/REG: 1(6)2012/8066-68.—In exercise of the powers conferred by regulation 9 of the Provincially Administered Tribal Areas Provincial Levies Force Regulation, 2014 (Khyber Pakhtunkhwa Regulation No. I of 2014), the Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE PROVINCIALY ADMINISTERED TRIBAL AREAS
PROVINCIAL LEVIES FORCE RULES, 2015.


1. **Short title and commencement.**—(1) These rules may be called the Provincially Administered Tribal Areas Provincial Levies Force Rules, 2015.

(2) These rules shall come into force at once.

2. **Definition.**—(1) In these rules, unless the context otherwise require, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-

- (a) "Appointing Authority" means the Appointing Authority specified in rule 4 of these rules;
- (b) "Department" means the Home and Tribal Affairs Department of the Government;
- (c) "employee" means and includes uniformed Force and non-uniformed Force;
- (d) "initial recruitment" means appointment made other than by promotion;
- (e) "non-uniformed Force" means and includes those employees of the Force as mentioned in column No. 2 against serial Nos. 7 and 8 of Schedule-1;
- (f) "post" means a post mentioned in Schedule-I;
- (g) "Regulation" means the Provincially Administered Tribal Areas Provincial Force Regulation, 2014 (Khyber Pakhtunkhwa Regulation No. I of 2014);
- (h) "Schedule" means a Schedule appended to these rules;
- (i) "service" means the Provincial Levies Service;

Attested


Additional Assistant Commissioner
Kandar

- (j) "Selection and Promotion Committee" means a Committee constituted under rule 4, for initial recruitment or promotion, as the case may be; and
- (k) "uniformed Force" means and includes those employees of the Force as mentioned in column No. 2 against serial No. 1 to 6 of Schedule-I.

(2) The expression used but not defined herein shall have the same meanings as are assigned to them under the Regulation.

3. Method of Appointment.—Appointment to various posts specified in Schedule-1 shall be made by any of the following method, namely:

(i) by initial recruitment in accordance with the provisions contained in Schedule-I with the following conditions:

- (a) the candidate shall be a citizen of Pakistan and bonafide resident of the respective district of Khyber Pakhtunkhwa;
- (b) the candidate shall be, in good mental and bodily health and free from physical defect, which likely to interfere in the efficient discharge of his duties;
- (c) Medical Superintendent of the respective district headquarter hospital, shall issue a certificate of medical fitness to the candidate;
- (d) the candidate have a minimum height of 5'-7" and chest measurement of 34"-35 ½" with an age of not less than eighteen years and not more than twenty-five years on the last date of submission of application;
- (e) no person except those who are already in Government Service shall be appointed to the Levies Force unless he produces a certificate of character from the Head of Academic Institution last attended or a certificate of character from two gazetted officers from respective districts, not being his relative and who are well acquainted with his character; and
- (f) no person who is married to foreign national shall be eligible for appointment in the Levies Force, unless allowed by the Government, in writing; and

(ii) by promotion in accordance with provisions contained in Schedule-I.

4. Appointing Authority.—(1) The Commandant shall be the Appointing Authority for initial recruitment and promotion up to the rank of Subedar.

Attested

Additional Assistant Commissioner
Kandahar

(2) Appointment by initial recruitment or promotion, as the case may be, shall be made on the recommendation of Selection and Promotion Committee, which consists of the following:

- (a) Commandant. Chairman
- (b) representative of the Department. Member
- (c) representative of Commissioner Office. Member

(3) In case of creation of Force in new district, the Commandant shall have the authority to recruit ex-serviceman above the rank of sepoy on adhoc basis for a period of one year extendable for a further period of one year but not exceeding two years in total, with prior approval of the Government:

Provided further that the ex-serviceman so appointed on adhoc basis shall not be more than forty five years of age.

5. Probation.--The employees appointed to posts by initial recruitment or promotion, as the case may be, shall be on probation for one year, extendable by a further period of another one year. If no confirmation order is issued on the expiry of the extended period, the period of probation shall be deemed to have been extended for further one year. If no order is issued on the completion of further extended period, the probation shall be deemed to have been successfully completed.

6. Training.--(1) All newly recruited uniformed Force shall undergo six months pre-service training before being assigned duties of the rank for which they are selected. Initially, the Appointing Authority shall arrange for appropriate training.

(2) The pre-service training mentioned in sub-rule (1), may contain training on basic laws, investigation techniques, mob control, basic intelligence, arrest and detention procedure, jail duties, drill, weapons training, field craft, bomb disposal, counter assault, traffic control, raids, watch and ward etc. Proper training syllabus and modules shall be developed through mutual consultation with local law enforcing agencies by the Appointing Authority.

7. Resignation.--No employee shall resign before the expiry of the first three months of his recruitment or he shall deposit an amount equal to his three months' pay in lieu of his three months essential service.

8. Seniority and promotion.--(1) Promotion shall be strictly on seniority-cum-fitness basis as well as on the required length of service as specified in Schedule-I.

(2) The service of an employee by initial recruitment or promotion, as the case may be, may be dispensed with or reverted if, in the opinion of the competent authority his work and conduct is not satisfactory during probation period or due to abolishment of posts, as the case may be:

Provided that in case of dispensing with the service or reversion the competent authority, shall record cogent reasons for such action in writing.

Attested

Additional Assistant Commissioner
Kondar

(3) The seniority list of the employees shall be maintained at district level. Commandant shall notify the seniority list annually.

9. Awards and commendations.—(1) An employee may be given special award and commendation certificate for devotion to duty, demonstration of gallantry and such achievement in the performance of his duty, in the manners as prescribed by the Commandant, and shall be made part of the service rolls or service dossier, as the case may be.

(2) The uniformed Force, if embraces martyrdom in the discharge of his duty, shall be given proper Guard of Honour at the time of burial.

10. Service record.—Proper service rolls or service dossiers, as the case may be, of all employees shall be maintained in the Levy Office of each district. Annual reports of all Havaldars and Junior Commissioned Officers shall also be maintained for the purpose of promotion.

11. Uniform.—The uniformed Force shall attire black shalwar qamees with brown chappi, white socks, black barrette cap and black belt whereas the Junior Commissioned Officer shall wear brown belt during duty hours.

12. Salary.—The employees shall be entitled to receive pay and allowances as per their pay scales notified by Government from time to time.

13. Leave.—(1) Leave may be granted depending on the exigencies and at the discretion of the Commandant. All leave of ten days or above shall be considered as long leave and shall be granted on the recommendations of Subedar Major by the Commandant.

(2) Casual leave may be allowed up to three days by Subedar Major. Casual leave up to nine days may be granted by the Deputy Commandant on the recommendation of the concerned Junior Commissioned Officer.

(3) Medical leave shall be granted by the Commandant on the production of medical certificate from the Medical Superintendent of the concerned district.

14. Punishment.—After satisfying himself regarding punishable acts, as mentioned in Schedule-II, through a charge duly framed in writing, necessary punishments specified in Schedule-III may be awarded by the respective authority:

Provided that punishment so awarded shall be duly incorporated in service rolls or service dossier, as the case may be, accordingly.

15. Appeal.—If any employee is aggrieved by any order issued under these rules, such employee may prefer an appeal to the competent authority, within thirty days of communication to him of such order:

Provided that no appeal shall lie against the punishments, as specified at serial No. 1 and 2 of Schedule-III.

Attested

[Signature]

Additional Assistant Commissioner
Kandar

16. Retirement.—(1) All uniformed Force shall retire as per Schedule-IV and no extension in service after retirement shall be granted.

(2) All non-uniformed Forced shall retire from service on attaining the age of superannuation i.e 60 years or they may opt from the retirement after completion of 25 years of regular service and no extension in service after retirement shall be granted.

17. Pension and Gratuity.—All employees shall be entitled to pension and gratuity as per Government rules.

18. Compensation.—(1)The family of employees shall be granted death compensation in case the employees embrace martyrdom during discharge of his duty as per rates prescribed by Government.

(2) An employee shall be granted compensation in case of sustaining fatal injury or injuries during the discharge of his duty. If he is declared incapacitated for further service due to such fatality, he shall be entitled to pension and gratuity as per Government rules.

(3) Where an employee dies during service the Appointing Authority may, subject to availability of the post, appoint one of the children of the deceased if the child attained or on attaining the age prescribed for appointment as Sepoy:

Provided that in case of permanently incapacitated uniformed Force during the course of duty, preference shall be given to the sons and wards of such incapacitated uniformed Force in general recruitment.

19. Fund.—An employee shall be governed by the provision of General Provident Fund, Benevolent Funds and Group Insurance, as prescribed for other employees of Government.

20. Health care.—Medical facilities for the employees and their families shall be catered for at Government hospitals and dispensaries at par with other employees of Government.

21. Monitoring and evaluation.—(1) Duty register showing the duties assigned to uniformed Force on day-to-day basis shall be maintained in each levy post, levy station, levy lines, as the case may be, by a levy Muharir.

(2) Naib Subedar shall be responsible for carrying out the work assigned to uniformed Force whose duties shall be entered in advance in the duty register.

(3) Registers including roznamchas as prescribed by the Commandant shall be maintained in every levy post, levy station, levy lines, as the case may be.

(4) Commandant, Deputy Commandant or any other officer of the District Administration shall in the course of their tours in their jurisdiction, may inspect duty register and roznamchas of levy posts, levy lines stations, as the case may be,

Attested

Additional Assistant Commissioner

Kander

and satisfy themselves that uniform Force are carrying out their assigned duties. A note regarding absence from the post or from the place of duty of any uniformed Force without leave, shall invariably be recorded by inspecting officers in the duty register. Such entry shall be communicated to the Commandant and Deputy Commandant (Operations) by incharge of the levy post levy station, levy lines, as the case may be, within twenty four hours for appropriate action.

Attested



Additional Assistant Commissioner
Kandhar

Schedule - I
(see rules 2 (e)(k), 3 and 8).

S.No.	Post/ Rank.	Minimum Qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Subedar (BS-13).			By promotion, on the basis of seniority-cum-fitness, from amongst Naib Subedars with one year service as such.
2.	Naib Subedar (BS-11).			By promotion, on the basis of seniority-cum-fitness, from amongst Havaldars with one year service as such.
3.	Havaldar (BS-08).			By promotion, on the basis of seniority-cum-fitness, from amongst Nalks with one year service as such.
4.	Nalk (BS-07).			By promotion, on the basis of seniority-cum-fitness, from amongst Lance Nalks with one year service as such.
5.	Lance Nalk (BS-06).			By promotion, on the basis of seniority-cum-fitness, from amongst Sepoy with five year service as such.
6.	Sepoy (BS-05).	Middle pass preferably Matric.	18 to 25 years.	By initial recruitment.
7.	Junior Clerk (BS-11).	Intermediate in second division from a recognized Board with a typing speed of 30 words per minutes/ preferably computer literate.	18 to 30 years	By initial recruitment
8.	Khateeb (BS-13)	Secondary School Certificate in Second Division from a recognized Board or Shahadat-e-Almia from Wafaq-ul-Madaressa Note: Preferable Sanad in Hafiz-e-Quran, Tajweed&Qirat	18 to 30 years	By initial recruitment

Attested



Additional Assistant Commissioner
Kandahar

Schedule - II
(see rule 14)

Grounds of penalty

The concerned authority may impose one or more penalties, where a person of the levies force, in the opinion of the authority: -

- (a) is inefficient or has ceased to be efficient;
- (b) is guilty of misconduct, like unauthorized absence from duty, breach of order, disobedience, unruly behavior, passing on official secrets to unauthorized persons, etc;
- (c) is corrupt, or may reasonably be considered corrupt;
- (d) is guilty of any violation of duty;
- (e) loses, misplaces or causes harm to a weapon through negligence or lack of maintenance;
- (f) is insubordinate to his superiors;
- (g) is convicted of a criminal offence;
- (h) is guilty of cowardice, or abandons any picket, fortress, post or guard which is committed to his charge or which is his duty to defend;
- (i) is engaged in propagation of sectarian, parochial, anti-state views and controversies;
- (j) is engaged or is reasonably suspected of being engaged to excite, cause or conspire to cause, or joins in any mutiny, or being present at any mutiny and does not use his utmost endeavor to suppress it;
- (k) attempts collective bargaining, conspiring or attempting to call off duty or take procession to press for the demands; or
- (l) is guilty of omission and commission under the law and rules.
- (m) deserts the service.
- (n) Being a sentry, sleeps upon his post or quits it without being regularly relieved or without leave; or
- (o) Without authority, leaves his commanding officer, or his post or party, to go in search of plunder; or
- (p) Quits his guard, picket, party or patrol without being regularly relieved or without leave; or
- (q) Uses criminal force to, or commits an assault on any person bringing provisions or other necessaries to camp or quarters, or without authority breaks into any house or any other place for plunder, or plunders, destroys, or damages any property of any kind; or
- (r) Internally causes or spreads a false alarm or rumour during action or in post, camp, lines, or quarters.

Attested



Additional Assistant Commissioner
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Schedule -III
(see rules 14 and 15)

S.No.	Punishment.
1.	Extra Drill not exceeding fifteen days fatigue or other duties.
2.	Confinement to quarter guard up to fifteen days.
3.	Censure.
4.	Forfeiture of approved service up to two years.
5.	Stoppage of increment not exceeding one month's pay.
6.	Fine to any amount not exceeding one month's pay.
7.	Withholding of promotion for one year or less.
8.	Reduction from substantive rank to a lower rank or reduction in pay.
9.	Dismissal or removal from service or compulsory retirement.

S.No.	Authority.	Rank.	Category of punishment.	Remarks.
1.	Commandant.	All ranks i.e. Sepoy to Subedar.	All punishment mentioned above	
2.	Deputy Commandant.	Sepoy to Subedar.	For punishment mentioned at S.No. 1 to 3 above.	Make recommendation on case to case basis to the Commandant
3.	Subedar.	Sepoy to Havaldar.	-do-	-do-
4.	NaibSubedar.	Sepoy to Naik.	-do-	-do-
5.	Hawaldar.	Sepoy to Lance Naik.	-do-	-do-
6.	Naik.	Sepoy.	-do-	-do-

Attested



Additional Assistant Commissioner
Kandar

Schedule -IV
(see rule 16)

S.#	Post/Rank	Length of service / Age
1	Subedar (BS-13)	35 years' service or 60 years of age whichever earlier.
2	Naib Subedar (BS-11)	33 years' service or 60 years of age whichever earlier.
3	Havaldar (BS-8)	31 years' service or 60 years of age whichever earlier.
4	Naik (BS-7)	29 years' service or 60 years of age whichever earlier.
5	L/Naik (BS-6)	27 years' service or 60 years of age whichever earlier.
6	Sepoy (BS-5)	25 years' service or 60 years of age whichever earlier.

Secretary to
Home and Tribal Affairs Department,
Government of the Khyber Pakhtunkhwa

Attested

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Kandar