

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

BEFORE: MR. KALIM ARSHAD KHAN, ... CHAIRMAN
MR. MIAN MUHAMMAD, ... MEMBER(E)

Service Appeal No.4272/2021

Mir Anbas(Ex-Sweeper Central Jail, Bannu) son of Mir Inayat Masih, resident of Residential Colony, Central Jail Bannu at present resident of Khyber Road, Judicial Complex care of Aslam Khan Sessions Court, Bannu..... (*Appellant*)

Versus

1. **Government of Khyber** Pakhtunkhwa, through Secretary Prisons, Khyber Pakhtunkhwa, Peshawar.
2. **The Inspector** General of Prisons, Khyber Pakhtunkhwa, Peshawar.
3. **Superintendent** of Central Prison, DIKhan.
4. **Superintendent** of Central Prison, Bannu..... (*Respondents*)

Present:

Mr. Mehboob Ali Khan Dagai, Advocate ...For appellant.

Mr. Muhammad Adeel Butt, Addl. Advocate General...For respondents.

Date of Institution.....26.03.2021

Date of Hearing.....08.04.2022

Date of Decision.....08.04.2022

Service Appeal No.4273/2021

Mst. Aashi Bibi Ex-Sweeper Central Jail, Bannu) wife of Mir Anbas, resident of Residential Colony, Central Jail Bannu at present resident of Khyber Road, Judicial Complex care of Aslam Khan Sessions Court, Bannu..... (*Appellant*)

Versus

5. **Government of Khyber** Pakhtunkhwa, through Secretary Prisons, Khyber Pakhtunkhwa, Peshawar.
6. **The Inspector** General of Prisons, Khyber Pakhtunkhwa, Peshawar.
7. **Superintendent** of Central Prison, DIKhan.
8. **Superintendent** of Central Prison, Bannu.....(*Respondents*)

Present:

Mr. Mehboob Ali Khan Dagai, Advocate ...For appellant.
Mr. Muhammad Adeel Butt, Addl. Advocate General...For respondents.

Date of Institution.....26.03.2021
Date of Hearing.....08.04.2022
Date of Decision..... 08.04.2022

CONSOLIDATED JUDGEMENT

KALIM ARSHAD KHAN CHAIRMAN. Through this single judgment this and the connected service appeal No.4273/2021 titled "*Aashi Bibi versus Government and others*", both being similar are decided.

2. This appeal is filed by the appellant Mir Anbas, Sweeper, against the order bearing No.993-96 dated 16.02.2021 issued by Respondent No.4, whereby the Appellant of this appeal, was dismissed from service. It is also against the order No.6581-82 dated 04.03.2021 passed by Respondent No.2/Appellate Authority, on the departmental appeal of the Appellant.

3. The facts gathered from the file of this appeal are that while being in service, Respondent No.4 tried to compel the Appellant for immorality in 2018; that owing to protest of the Christian Community in 2018, Respondent No.4 was transferred but he was again posted to Bannu Jail; that due to the above facts, the Respondents were annoyed/inimical and passed the impugned order; that aggrieved of the same, the appellant filed departmental appeal to Respondent No.2, which was dismissed and the instant appeal was filed.

4. The connected appeal is of Mst. Aashi Bibi, wife of the appellant of this appeal, who was also Sweeper in Bannu Jail. Her appeal is against the

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order bearing No.998-100 dated 16.02.2021 issued by Respondent No.4, whereby the Appellant of the connected appeal, was dismissed from service. It is also against the order No.6584-85 dated 04.03.2021 passed by Respondent No.2/Appellate Authority, on the departmental appeal of the Appellant.

5. The facts gathered from the connected appeal file are also the same as those of this appeal, therefore, there is no need of reproducing the same.

6. The grounds taken in both the appeals are same. It is urged in both the appeals that the impugned orders were against law, facts, circumstances of the case and thus not tenable rather liable to be set aside; that the impugned orders were passed against the principles of service laws and policy as no charge sheet, statement of allegations, opportunity of replication, hearing, first show cause notice, final show cause notice, in short no formal enquiry was conducted; that the appellants were punctual and on duty, never absented and the alleged proceedings were on the basis of annoyance, malafide, revenge due to the above stated facts.

7. On receipt and admission of the appeals, the respondents were put on notice. On their putting appearance, they filed joint para-wise comments, wherein it was contended that the appellants were not performing their duties efficiently and remained absent from the duty leaving the jail premises on their sweet will without taking permission of the competent authority and the Jail Authority issued various notices for resuming duty but the appellants always turned deaf ear upon all the notices. The absence period of both the appellants was given as under:

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08/4/22

- i. from 04.10.2020 to 11.10.2020
- ii. from 16.10.2020 to 21.10.2020
- iii. from 07.11.2020 to 16.11.2020
- iv. from 23.11.2020 to 28.11.2020
- v. from 07.12.2021 to 10.12.2021

That the appellants held unlawful press conference leveling baseless allegations against the Superintendent Jail/Administration without any proof/witness; that the said complaint was totally groundless because a well versed Muslim Officer could not do the immoral act with a Christian Sweeper even amongst 342 employees; that the appellant had brought no solid proof during enquiry proceedings in 2018, hence, the case was rejected and decided in favour of Superintendent Jail/Administration; that suspected guests would meet the appellant at unusual night hours, which was quite undesirable from security and moral point of view; that the appellant held the press conference in 2018 but was not proceeded against under the rules in 2018 because of his belonging to minority community; that the impugned orders were based on rules & regulations and prolonged absence of the appellants on the report of the Deputy Superintendent Jail as well as the complaints of immoral and rude behavior of the appellants; that prior to dismissal the appellants were issued various notices but these notices were responded with cold shoulder; that enquiries were initiated by the Respondents, wherein the appellants were recommended for dismissal from service, hence, dismissed vide the impugned orders; that the appellants failed to defend themselves before the departmental appellate forum; that the orders were based on complaints received against the appellants, absence periods and threats to the Jail Authorities after issuance of various notices

08/12/22

and enquiry proceedings purely under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

9. We have heard the learned counsel for the appellants and learned Additional Advocate General for the respondents and have also gone through the file.

10. The learned counsel for the appellants reiterated the grounds urged in the memorandum and grounds of appeals and prayed for acceptance of the appeals while learned Additional Advocate General refuted the arguments of the learned counsel for the appellants and supported the impugned orders with the prayer for dismissal of the appeals.

11. The both impugned orders of dismissal show that these were based on the following two grounds:

a. The alleged threats of the appellants to the Deputy Superintendent Jail for holding press conference against the Jail Administration and second

b. Absence from duty.

12. When confronted with the situation that mere threat of holding press conference, if any, and not doing that would constitute a misconduct within the meaning of rule 2(1)(l) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, to which the learned Additional Advocate General submitted that the act could be a misconduct under rule 2(1)(l)(i) (ii) & (iii) as such a conduct was prejudicial to good order or service discipline as well as contrary to the Khyber Pakhtunkhwa Province Government Servants (Conduct) Rules, 1987 and unbecoming of Government Servant and a gentleman. Be that as it may there is no evidence of holding a press conference or for that matter any such threat is also not

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proved nor the appellants were confronted in true sense about the above provisions of the rules. The reply submitted by the respondents, however, shows that no departmental action was taken on holding of the alleged press conference in 2018 because the appellants belong to minority. There is no record of any other press conference to hold the appellants guilty of any misconduct on such charge.

13. Next ground for dismissal is the alleged absence of the appellants for a few days. Few days' alleged absence of the appellants, even if proved, would not result in major penalty of dismissal from service especially when the procedure, provided in Rule 9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, was not followed by the respondents. The punishment of dismissal does not commensurate with the quantum of the period of absence and for which the appellants could have been awarded any of the minor penalties.

14. As to the allegations, detailed in the para-wise comments of the respondents, regarding the alleged involvement of the appellants in the immoral activities, such allegations were neither made part of the statement of allegations bearing No.708 dated 04.02.2021 nor in the final show cause notices or for that matter the impugned orders of dismissal from service, so the reply cannot be considered regarding such allegations.

15. For what has been discussed above, we accept both these appeals and set aside the impugned orders of dismissal as well as the orders passed on the departmental appeals dismissing the departmental appeals and convert the same into minor penalties of "censure" under rule 4(1)(a)(i) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline)

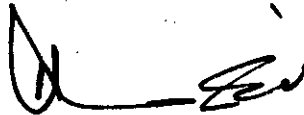
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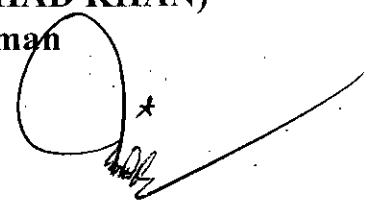
Rules, 2011. The appellants are reinstated in service along with consequential benefits. The period of their absence shall be deemed to be leave of the kind due.

16. Copy of this judgment be placed in the connected appeal No.4273/2021 titled "*Aashi Bibi versus Government and others*". Consign.

17. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 08th day of April, 2022.*




(KALIM ARSHAD KHAN)
Chairman


(MIAN MUHAMMAD)
Member (E)

08th April, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present. Arguments heard and record perused.

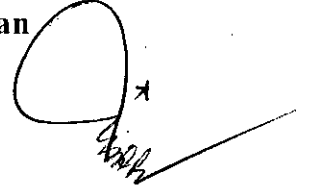
2. Vide our detailed judgment of today, containing 07 pages, we accept the appeal and set aside the impugned order of dismissal as well as the order passed on the departmental appeal dismissing the departmental appeal and convert the same into minor penalty of "censure" under rule 4(1)(a)(i) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. The appellant is reinstated in service along with consequential benefits. The period of his absence shall be deemed to be leave of the kind due.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 08th day of April, 2022.*



(KALIM ARSHAD KHAN)

Chairman



(MIAN MUHAMMAD)

Member (E)

14.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 28.02.2022 for the same as before.


Reader

28-2-22

*Due to Retirement of the Honorable Chairman
The case is adjourned on 28-2-22*

Reader

12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

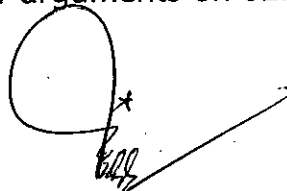

Chairman

Stipulated period passed reply not submitted.

02.10.2021

Learned counsel for the appellant present. Mr. Muhammad Rashid, DDA for respondents present.

The parawise comments has been filed on behalf of the respondents. Learned DDA seeks adjournment on the ground that he has not prepared the brief. Adjourned for a short date. To come up for arguments on 02.11.2021 before the D.B.



(Mian Muhammad)
Member(E)


Chairman

02.11.2021

Counsel for the appellant and Mr. Javidullah, Asstt. AG for the respondents present.

The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 02.12.2021 before the D.B.


Chairman

2.12.21

proposed D.B on 14.2.22, therefore, case is adjourned to 14.2.22 for hearing.


Member

31.05.2021

Counsel for the appellant present. Preliminary arguments already heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections available to the respondents. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/ comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 04.10.2021.

Appellant Deposited
Security & Process Fee

31/5/21




Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 4272 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/03/2021	<p>The appeal of Mr. Mir Anbas resubmitted today by Mr. Mehboob Ali Khan Dagai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	26/05/21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>31/05/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Mir Anbas Ex-Sweeper Central Jail Bannu received today i.e. on 26/03/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memo of appeal may be got signed by the appellant.
- 2- Annexures- A/4, A/5 and B of the appeal are illegible which may be replaced by legible/better one.
- 3- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.

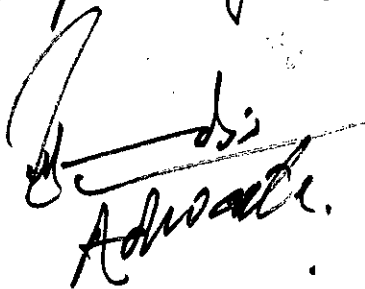
No. 599 /S.T,

Dt. 26/03 /2021


REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Mehboob Ali Khan Dagai Adv. Pesh.

R/sir,
Re-submitted with the remarks that nothing with regard to para-3 were handed over to appellant by the respondents despite of repeated requests. Para-B of the grounds of Appeal is clear to this effect. Other requirements done as desired. Appeal may be put-up for hearing.


Advocate.

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Service Appeal No _____/2021

Mir Anbas

VERSUS

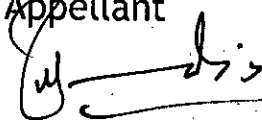
Government of KP and others

INDEX

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1.	Grounds of Appeal	-	01 - 05
2.	Affidavit	-	06
3.	Addresses of the parties	-	07
4.	Copy of the impugned order	'A'	08
5.	Copies of the press release etc	'A to A/5'	09 -15
6.	Copy of the dismissal order bearing Endst No 6584-85 dated 04-03-2021 and department appeal	'B & C'	16 - 18
7.	Affidavit for hearing of appeal at Principal Seat	'D'	19
8.	Wakalat Nama (In original)	-	20

Through:

Appellant



(MEHBOOB ALI KHAN DAGAI)

Advocate,

High Court, Peshawar

Cell # 0311-9416118

Dated: -25-03-2021

D

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4176

Service Appeal No 4277 / 2021

Dated 26/3/2021

Mir Anbas S/O Mir Inayat Masih R/O Residential Colony Central Jail Bannu (Ex-Sweeper Central Jail, Bannu) at present resident of Khyber Road, Judicial Complex C/O Aslam Khan, Sessions Court, Peshawar.....(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Prisons, Khyber Pakhtunkhwa Peshawar
2. The Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar
3. Superintendent of Central Prison D.I Khan
4. Superintendent of Central Prison Bannu.....(Respondents)

Filed to-day

Registrar

26/3/2021

Re-submitted

to-day

29/3/2021

Appeal under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order No 993-96 dated 16th February, 2021 issued by Respondent No 4, whereby the Appellant was illegally and unlawfully dismissed from services and also against the order No 6581-82 dated 04-3-2021 passed by the Respondent No. 2 / Appellate authority on the departmental Appeal of the Appellant

PRAYER IN APPEAL:-

On acceptance of this Service Appeal, the impugned office order No 99-96 dated 16-02-2021 and also order of Appellate authority on the departmental appeal vide order No 6581-82 dated 04-03-2021 may graciously be set aside and the services of Appellant may kindly be reinstated with all bank benefits.

Respected Sir,

The Appellant humbly submits as under:-

- 1) That the Appellant was appointed on 08-08-2008 as Sweeper in District Prison Bannu. The appointment order is available in the safe custody/incumbency of the Respondents.
- 2) That the Appellant was performing his duties to the entire satisfaction of his high-ups and never absented himself throughout his service career. In this respect service record of the Appellant is very much evident.
- 3) That actually the Appellant is shameful and astonishing to give the detail of the facts but due to the maxim that no facts be concealed in submitting of appeal. Due to this reason, the Appellant is giving the detail in short, that Respondent No 4 tried to compel the Appellant for moral turpitude in the year 2018. (Copies of the press release concerning the appellant etc. are attached as Annex 'A/1 to A/5').

- 4) That due to protest etc of the Christian community in the year 2018 with regard to the aforesaid illegal act of the Respondent No 4, he was transferred but he being an approachable person was retransferred to District Jail, Bannu.
- 5) That due to the aforementioned facts, the Respondents/ Authority were annoyed/inimical and issued the impugned order No 998-100 dated 16-02-2021 vide which the Appellant was dismissed from services malafidely / inimically. (Copy of the impugned order dated 16-02-2021 is attached as Annex -A).
- 6) That the Appellant feeling aggrieved, preferred a department appeal/representation through registered postal service to the Respondent No2 being Appellate authority, which was dismissed vide order bearing Endst No 6581-82 dated 04-03-2021. (Copy of the department appeal and order dated 04-03-2021 is attached as Annex 'B & C').
- 7) That feeling aggrieved by the impugned order dated 16th February, 2021 and against the order of Appellate authority dated 04th March, 2021, the instant appeal on the following grounds inter-alia:-

GROUND:-

- A) That the impugned orders are against law, facts and circumstances of the case, hence are not tenable in the eye of law, but liable to be set aside.

- B) That the impugned orders have been passed against the principles of service laws and policy as, no charge sheet, statement of allegations, opportunity of replication, hearing, first show cause notice, final show cause notice and in short no formal inquiry has been conducted.
- C) That the Appellant is punctual and was on duty and never remained absent from duty and the alleged proceedings is on the basis of annoyance / mala-fide of the Respondents/ authorities due to aforementioned facts.
- D) That this Honourable Tribunal has got vast and ample powers to entertain the instant appeal.
- E) That Counsel for the Appellant may graciously be allowed to raise additional grounds at the time of arguments.

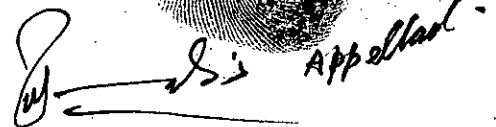
PRAYER:-

It is, therefore, most respectfully prayed that on acceptance of this Appeal, the impugned office order No 993-96 dated 16-02-2021 and also order of Appellate authority on the departmental appeal vide order No 6581-82 dated 04-03-2021 may graciously be set aside and the services of Appellant may kindly be reinstated with all bank benefits.

Any other relief, which this Honourable Tribunal deems proper in the circumstances of the appeal may also be granted in favour of Appellant.

Through:

Appellant



(MEHBOOB ALI KHAN DAGAI)
Advocate,
High Court Peshawar

Dated: -25-03-2021

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Mir Anbas.....(Appellant)



VERSUS

Government of KP and others.....(Respondents)

NOTE:-

No such service appeal for the same Appellant has earlier been filed by me before this Honourable Tribunal prior to instant one.

Moreover, the appellant apprehends his life danger as well as of his family members, from respondent No.4, being inimical with him due to aforesaid facts, therefore, the appeal of the appellant may graciously be proceeded / heard at the principal seat, at Peshawar. Copy of the affidavit in this regard is attached herewith as Annexure-D.

Through: Appellant


(MEHBOOB ALI KHAN DAGAI)
Advocate,
High Court Peshawar

Dated: -25-03-2021

(6)

BEFORE THE HONOURABLE JUDGE THE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Mir Anbas.....(Appellant)

VERSUS

Government of KP and others.....(Respondents)

AFFIDAVIT

I, Mir Anbas S/O Mir Inayat Masih R/O Residential Colony Central Jail Bannu (Ex-Sweeper Central Jail, Bannu), presently District Court C/O Aslam Khan, Khyber Road Peshawar, do hereby solemnly affirm and declare on oath that all the contents of accompanying application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.



DEPONENT
CNIC # 11101-1508099-5
Cell # 0330 5958535

Identified by:-

(MEHBOOB ALI KHAN DAGAI)
Advocate
High Court, Peshawar



BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Mir Anbas

VERSUS

Government of KP and others

MEMO OF ADDRESSES

APPELLANT

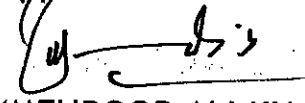
Mir Anbas S/O Mir Anbas R/O Residential Colony Central Jail
Bannu (Ex-Sweeper Central Jail, Bannu)

RESPONDENTS

1. Government of Khyber Pakhtunkhwa through Secretary
Prisons, Khyber Pakhtunkhwa Peshawar
2. The Inspector General of Prisons, Khyber Pakhtunkhwa
Peshawar
3. Superintendent of Central Prison D.I Khan
4. Superintendent of Central Prison Bannu

Through:

Appellant


(MEHBOOB ALI KHAN DAGAI)
Advocate,
High Court, Peshawar

Dated: -20-03-2021



OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
NO.

Ann-A

DATED: 16/02/2021

TELE/FAX: 0928-633327/633326

OFFICE ORDER:-

WHEREAS, the accused Sweeper (BPS-03) Mir Anbas attached to Central Prison Bannu was proceeded against under Rule-03 read with rule-09 of Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011 for the charges of misconduct as mentioned in the Show Cause Notice served upon him that:

- A. *The accused official threatened the Deputy Superintendent Jail for holding press conference against the Jail administration and left the station without taking prior permission of the competent authority. Consequently, Inquiries were initiated against him and the Inquiry Officer Mr. Farmanullah Network Administrator CP Bannu & Mr. Binyamin Khan Superintendent CP DI Khan vide his No. 770 dated 10.02.2021, wilfully recommended his dismissal from Services.*
- B. *Previously, the accused official remained absent from his assigned duties without taking prior permission of the competent authority and as such various notices for resuming duties were also issued to him by the Jail authority from time to time vide No.5768-69 dated 09.10.2020, No.7139-40 dated 31.10.2020, 2838-41 dated 01.12.2020, No.7985 dated 11.12.2020 & No.608 dated 01.02.2021.*

AND WHEREAS, a fair chance of hearing was given to him in front of Line Officer, Psychologist, Incharge Class-IV employees but he refused to receive his Show Cause Notice and did not bother to furnish reply and challenged the chair of competent authority.

AND WHEREAS, the undersigned being competent authority issued various show cause notices for taking ex-parte action against him and granted opportunity of personal hearing on 16-02-2021 as provided for under rules ibid. The accused official completely failed to defend his case with documentary proof/evidence.

AND therefore, further retaining him in such a sensitive Prison on account of his rebellious attitude may lead to any untoward security situation.

NOW therefore, in exercise of power conferred under Rule-14(5) of Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011, having considered the charges, evidence on record and after affording the opportunity of personal hearing, the undersigned being competent authority, hereby award major Penalty of "Dismissal From Service" to Sweeper (BPS-03) Mir Anbas attached to Central Prison Bannu for his misconduct with immediate effect.

[Signature]
SUPERINTENDENT
CENTRAL PRISON BANNU

[Signature]
Endst No. 993-96
Copy of the above is forwarded to:-

- [Signature]*
25/3/21
1. The Worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information, please.
 2. The Superintendent Central Prison DI Khan for information with reference to his Endst: No.770 dated 10.02.2021
 3. The District Accounts Officer Bannu for information and necessary action please.
 4. The Ex-Sweeper Mir Anbas attached to Central Prison Bannu for information.

[Signature]
SUPERINTENDENT
CENTRAL PRISON BANNU

اللہ ہی کیلئے ہیں مشرق و مغرب القرآن

DAILY MASHRIQ PESHAWAR

پشاور

عہدہ کے بانی

سید تاج میر شاہ

روزنامہ

مشرق

سلسلہ اشاعت کے 51 سال

پشاور اور اسلام آباد سبیک وقت شائع ہونے والا کثیر الاشاعت قومی اخبار

ABC
CERTIFIED

شمارہ
153

اتوار 3 جمادی الاول 1439ھ 21 جنوری 2018ء 07 ماگہ قیمت 20 روپے

جلد 51

59

کوشش

بقیہ نمبر

برادری کی عانت کج نے کہا کہ میں گزشتہ دس سال سے غوں
سنٹرل جیل میں اپنے شوہر کے ہمراہ سوپہر کی حیثیت سے
کام کر رہی ہوں گزشتہ دنوں جیل پر نٹنڈنٹ نے میرے
شوہر کے ذریعے مجھے اپنے کمرے بلوایا جب میں گئی تو
موصوف نے دروازہ بند کرانے اور مساج کا مطالبہ کیا جس
کو میں نے غیر اخلاقی اور اپنی ڈیوٹی سے تجاوز قرار دیتے
ہوئے انکار کیا لیکن ار پار انکار پر انہوں نے زبردستی میرا
ہاتھ پکڑ کر مجھے جنسی زیادتی کا نشانہ بنانے کی کوشش کی میں
نے بھاگتے ہوئے جان بچائی تو کہا گیا کہ میں نہیں ڈرتا تو تم
کیوں ڈرتی ہو، جس پر میں نے بتایا کہ مجھ سے ایسا نہیں ہو
سکتا اور بغیر ٹیلی والے گھر میں ہم ڈیوٹی نہیں کرتے جس پر

Attested:
25/3/21

پر مشورے سے ہم سے کہا کہ اگر ایسا ممکن کر سکتے تو کوئی
 سے بھی حال مسکا ہوں پھر سرکاری دوا کے پڑھائی پر اس
 ایک رو سے کہا کہ دونوں کو جیل کے اندر مت آئے دو
 ملاک ہوا جیل کے اندر گئے ان کی نگوں سے مجھ سے
 کر آئی جی جیل خانہ جات کو شکایت پر مبنی تحریری درخواست
 جسکا اس پر مشورے سے ہم نے جیل میں منگوا اور
 شکاروں جاتی کرتے ہوئے اس پر اس کا کیا کیا گیا
 اس سے منگوا جس کے بعد اس کا جواب دیا گیا
 اس کے بعد اس سے آئی جی جیل خانہ جات کو شکایت
 کے ساتھ منگوا کر کے

Attested.
 Sd/-
 Advocate
 25/3/21

Ann - A/8

(11)

قسم قلم کی اور جو کچھ لکھتے ہیں القرآن

فون نمبر: 091-5252021
فیکس نمبر: 091-5606315

شمارہ اسلام آباد پاکستان جمہوریہ پاکستان کے شائع ہونے والا پہلا اردو اخبار

ABC
CERTIFIED

E-mail: ausaf@dsl.net.pk

اعلیٰ صحافتی اوصاف کا علمبردار

http://www.dailyausaf.com

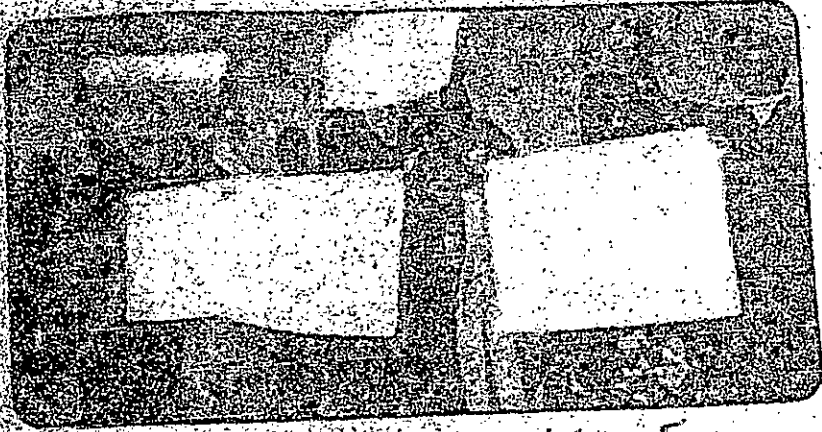
پشاور

DAILY
AUSAF
PESHAWAR

ایڈیٹر: محسن بلال خان

چیف ایڈیٹر: مشتاق خان

جلد: 3 | تاریخ: 3 جمادی الاولیٰ 1439ھ | 21 جنوری 2018ء | 7 ماہ 2074ت | صفحات: 40 قیمت: 20 روپے | شمارہ: 194



ہیں، کسی برادری کے افراد اپنے منہ پر لکھتے ہیں کسی صحافی سے یہ کہتے ہیں

Attested
J's
Tchoante
25/3/21

← Shah Jamal Wazir

21 Jan 2018



12

Ann-A/3

بنوں جیل سپرنٹنڈنٹ کا عائشہ مسیح کے ساتھ جنسی زیادتی کرنے کی کوشش...

عائشہ مسیح پچھلے دس سالوں سے بنوں جیل میں صفائی کا کام کرتی ہے۔ اس کے مطابق میں اور شوہر دونوں ساتھ کام کرتے ہیں اور اسی سے گھر کی روزی روٹی کماتے ہیں۔ پچھلے دنوں جیل سپرنٹنڈنٹ نے مجھے کمرے کے اندر بلایا۔ جب میں گئی تو اس نے دروازہ بند کیا اور مساج کرانے کا مطالبہ کیا لیکن میں نے ڈیوٹینسے تجاوز اور غیر اخلاقی سمجھ کر ایسا کرنے سے انکار کر دیا۔ جیل سپرنٹنڈنٹ نے ہاتھ پکڑ کر زبردستی جنسی زیادتی کرنے کی کوشش کی۔ جیلر بولے کہ مجھے اعتراض نہیں تو آپ کو کیوں... میں نے جان چھڑا کر بھاگی اور باہر نکلنے میں کامیاب ہو گئی۔ خیبر پختونخواہ کے آئی جی جیل خانہ جات کو انصاف کے لیے کٹ لکھا لیکن الٹا جیلر نے ہمیں جیل میں بند کر کے شوکاز نوٹس جاری کیا کہ ہم دس دن سے کام سے غیر حاضر ہونے کے باعث اسے بلیک میل کر رہے ہیں...

یہ ہیں ہمارے معاشرے میں انصاف کا معیار... صفائی کرنے والی عورتیں آپ لوگوں نے بھی دیکھی ہونگی جو صبح سویرے اٹھ کر جب سارے کوگ نیند میں سو رہے ہوتے ہیں تو وہ شہر اور گلیوں کے صفائی میں لگے رہتے ہیں۔ ایسی عورت کی اتنی جرات کہ وہ جیلر پہ جنسی ہراسمنٹ کا الزام لگائیں... لیکن بے ضمیری کی انتہا یہ کہ ایسی عورت

Attested.
25/3/18



Write a comment...



(13) یہ ہیں ہمارے معاشرے میں انصاف کا معیار... صفائی
والی عورتیں آپ لوگوں نے بھی دیکھی ہونگی جو صبح
سویرے اٹھ کر جب سارے کوگ ٹینڈ میں سو رہے ہوتے ہیں
تو وہ شہر اور گلیوں کہ صفائی میں لگے رہتے ہیں۔ ایسی
عورت کی اتنی جرات کہ وہ جیلر پہ جنسی ہراسمنٹ کا
الزام لگائیں... لیکن بے ضمیری کی انتہا یہ کہ ایسی عورت
سے جنسی زیادتی کرنے کی کوشش... انسانیت کہ انتہا ہے...
اللہ معاف کریں..



Attested
25/3/2021

Ann-A/S



پنسل، چیف ہیڈ وارڈن جیل انصاف کیلئے پریس کلب کا نئے مکان

پنسل، چیف ہیڈ وارڈن جیل انصاف کیلئے پریس کلب کا نئے مکان کی بنیاد پونے دو روز پہلے رکھی گئی تھی۔ اس موقع پر چیف ہیڈ وارڈن جیل انصاف نے پریس کلب کے نئے مکان کی بنیاد رکھی اور اس موقع پر انھوں نے کہا کہ پریس کلب کے نئے مکان کی بنیاد رکھنے سے پریس کلب کے کاموں میں بہتری آئے گی اور پریس کلب کے رکنوں کو بہتر سہولتیں ملیں گی۔

پنسل، چیف ہیڈ وارڈن جیل انصاف کیلئے پریس کلب کا نئے مکان

پنسل، چیف ہیڈ وارڈن جیل انصاف کیلئے پریس کلب کا نئے مکان کی بنیاد پونے دو روز پہلے رکھی گئی تھی۔ اس موقع پر چیف ہیڈ وارڈن جیل انصاف نے پریس کلب کے نئے مکان کی بنیاد رکھی اور اس موقع پر انھوں نے کہا کہ پریس کلب کے نئے مکان کی بنیاد رکھنے سے پریس کلب کے کاموں میں بہتری آئے گی اور پریس کلب کے رکنوں کو بہتر سہولتیں ملیں گی۔

پنسل، چیف ہیڈ وارڈن جیل انصاف کیلئے پریس کلب کا نئے مکان کی بنیاد پونے دو روز پہلے رکھی گئی تھی۔ اس موقع پر چیف ہیڈ وارڈن جیل انصاف نے پریس کلب کے نئے مکان کی بنیاد رکھی اور اس موقع پر انھوں نے کہا کہ پریس کلب کے نئے مکان کی بنیاد رکھنے سے پریس کلب کے کاموں میں بہتری آئے گی اور پریس کلب کے رکنوں کو بہتر سہولتیں ملیں گی۔

Attested
Sis
Advocate
5/3/21

Better copy.

OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA
91-9210334, 9210406 091-9213445
No/Estb/Ward/Orders Ke-6580
Dated 04-3-2021

Ann-B

ORDER

Whereas, **Sweeper Mir Abbas S/o Inayat Ullah Malik** while attached to central Prisons Bannu was awarded the major penalty of "Dismissal from service by Superintendent Central Prison Bannu vide his office order No 992 Dated 16.02.2021 due to her misconduct, misbehavior and immoral activities.

AND WHEREAS, the said female sweeper preferred her Departmental appeal for setting aside the penalty awarded to her, which was examined in light of the available record of the case and it was observed that penalty was awarded to her by the competent authority due to her misconduct misbehavior and immoral activities after observing all legal and codal formalities as required under the E&D Rules 2011.

NOW THEREFORE, keeping in view the facts on record the provision of rules in vogue and in exercise of powers conferred under rule 1 of Khyber Pakhtunkhwa Government Servants' (Efficiency & Discipline) Rule 2011 read with Rule-05 of Khyber Pakhtunkhwa Service Appeal Rules 1986, the decision of the competent authority is upheld and appeal of the appellant is hereby rejected being without any substance.

**ASSISTANT GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR**

ENDST NO. 6581-82/

Copy of the above is forwarded to:-

1. The Superintendent Central Prison Bannu for information,
2. Ex- Female Sweeper Mir Abbas C/O Superintendent Central Prisons Bannu for information.

sd/
**ASSISTANT DIRECTOR
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA
04/03/2021**

A. H. B. S.
By
Adm.

OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

201 7210334, 0210400 071 72134

Ke-6580

Date: 04-03-2021

16

Ann-B

Ann-B

ORDER

Whereas, Sweeper Mir Abbas S/O Inayat Masih while attached to
the Central Prison Bannu was awarded the honor penalty of Dismissal from services by
the Superintendent Central Prison Bannu vide his office order No. 192 dated 16-02-2021
on account of his misconduct, misbehavior and immoral activities.

AND WHEREAS, the said sweeper preferred his departmental appeal for
remission of the penalty awarded to him, which was examined in light of the available
facts of the case and it was observed that penalty was awarded to him by the
competent authority due to his misconduct, misbehavior and immoral activities after
compliance of all legal and codal formalities as required under the E & D Rules 2011.

NOW THEREFORE, keeping in view the facts on record, the provision of
law in vogue and in exercise of powers conferred under Rule-17 of Khyber
Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 read with
P-1-05 of Khyber Pakhtunkhwa Service Appeal Rules 1986, the decision of the
competent authority is upheld and appeal of the appellant is hereby rejected being
without any substance.

INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA, PESHAWAR

EMDST NO. 6581-82

- Copy of the above is forwarded to
- The Superintendent Central Prison Bannu for information.
- Ex Sweeper Mir Abbas C/O Superintendent Central Prison Bannu for information.

Accepted
Mir Abbas Advocate

4/3
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR
4/3/2021

بخدمت جناب انسپکٹر جنرل آف پولیس (جیل خانہ جات) پشاور

Ann - 1

حکمانہ اپیل برخلاف حکم نمبر 96/1-993 مورخہ 16/02/2021

وحکم زیر عذر بالا کو منسوخ فرما کر من ایپلانٹ کو معہ سابقہ مراعات بحال فرمایا جائے

جناب عالی! ایپلانٹ حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من ایپلانٹ مورخہ 09/12/1999 کو سنٹرل جیل بنوں میں بطور سوپیر بھرتی ہوا تھا اور تاحال پوری ایمانداری اور جانفشانی کیساتھ اپنے فرائض منصبی سرانجام دیتا رہا اس دوران سائل کے خلاف کسی قسم کی کوئی شکایت نہیں ہوئی۔ ایپلانٹ کا سروس ریکارڈ بہت واضح ہے۔

۲۔ یہ کہ من ایپلانٹ کو بروئے حکم نمبر 96/1-993 مورخہ 16/02/2021 ملازمت سے برخاست کیا گیا ہے۔ نقل حکم متدعو یہ لف ہے۔

۳۔ یہ کہ حکم زیر عذر حکم نمبر 96/1-993 مورخہ 16/02/2021 درج ذیل وجوہات کی بناء پر قابل منسوخی ہے۔

وجوہات:-

۱۔ یہ کہ حکم نمبر 96/1-993 مورخہ 16/02/2021 خلاف قانون، خلاف واقعات، خلاف حقائق ہونے کی وجہ سے قابل منسوخی ہے۔

۲۔ یہ کہ حکم زیر عذر میں لگائے گئے الزامات مبنی بر جھوٹ و دروغ گوئی ہیں جن کا حقیقت کے ساتھ کوئی تعلق واسطہ نہ ہے درحقیقت ریپانڈنٹ اتھارٹی نے من ایپلانٹ کی زوجہ کے ساتھ غیر اخلاقی حرکت کی جس کی تفصیل ذاتی شنوائی کے دوران من ایپلانٹ گوش گزار کرے گا۔ من ایپلانٹ کو بالکل بے بنیاد اور ذاتی انا مذکورہ بالا کی بنیاد پر غیر قانونی طور پر ملازمت سے برخاست کیا ہے حکم زیر عذر ہرگز قابل پزیرائی نہ ہے اور قابل منسوخی ہے۔ من ایپلانٹ نے تمام ملازمت کے دوران افسران بالا کو کسی قسم شکایت کا موقع نہیں دیا۔

۳۔ یہ کہ ایپلانٹ کے خلاف کوئی چارج شیٹ، Statment of Allegation، شوکار نوٹس جاری نہیں کیا بلکہ ایسی بے بنیاد وجوہات کی بنیاد پر سروس سے برخاست کیا گیا ہے جس کی تفصیل باعث شرم ہونے کی وجہ سے اپیل ہذا میں بیان نہیں کی جاسکتی۔

۴۔ یہ کہ ایپلانٹ انتہائی غریب درجہ چہارم ملازم ہے اور خاندان کی کفالت کا اور کوئی ذریعہ معاش بھی نہیں ہے بدیں وجہ بھی ایپلانٹ کو ملازمت پر بحال فرمانا عین ترین انصاف ہے۔

Attest
25/3/21

۴۔ یہ کہ آپ جناب کو حکم زیر عذر منسوخ فرمانے کے وسیع اختیارات حاصل ہیں۔

لہذا استدعا ہے کہ بمنظوری اپیل ہذا، حکم زیر عذر کو منسوخ فرماتے ہوئے اپیلانٹ کو With All Back Benefits ملازمت پر بحال فرمایا جائے تاکہ اپیلانٹ کی دادرسی ہو سکے۔ اپیلانٹ اور اہل و عیال تازیت دعا گور ہیں گے۔

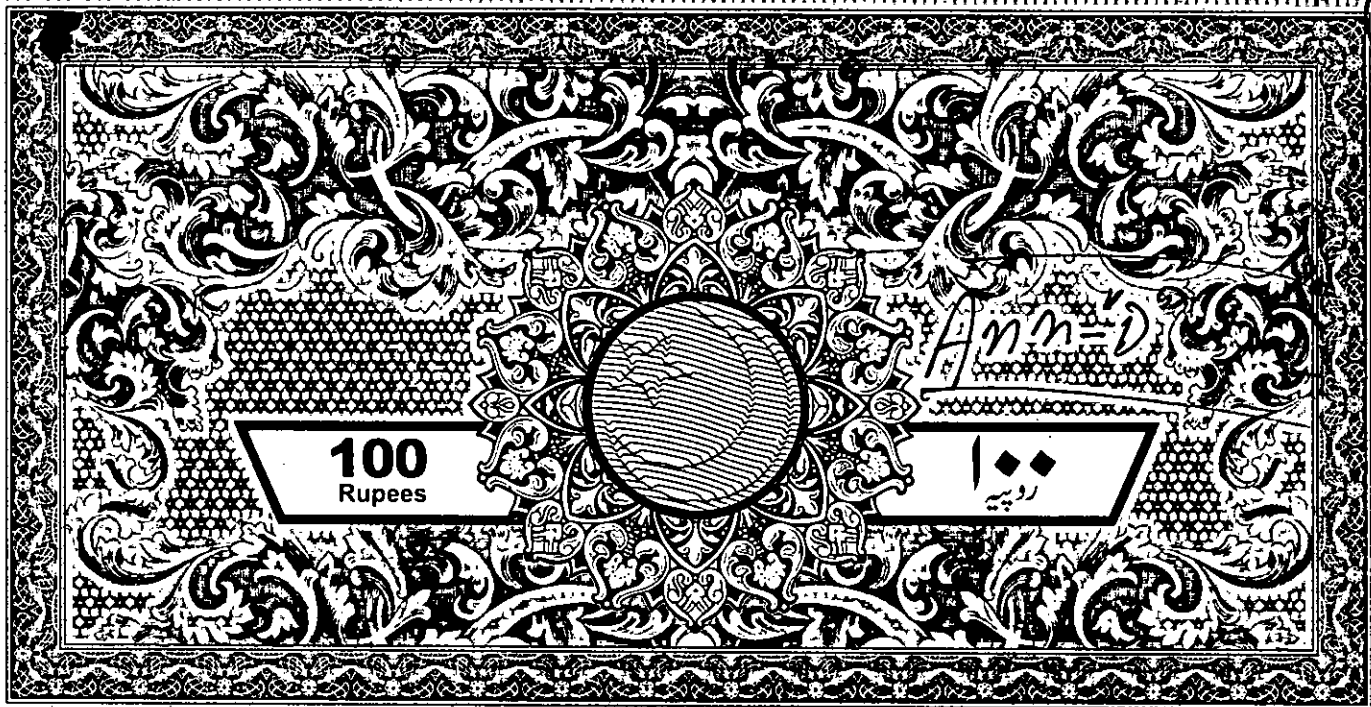
مورخہ 23/02/2021

میر انباس ولد عنایت مسیح۔ سابقہ سوپرنٹنڈنٹ جیل بنوں حال رہائشی کالونی سنٹرل جیل بنوں۔

موبائل نمبر 0336-5958535

Attested.
by:

Adm. te.
25/8/21



**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR**

Mir Anbas.....(Appellant)
VERSUS
Government of KP and others.....(Respondents)

AFFIDAVIT

I, Mir Anbas W/O Inayat Masih R/O Residential Colony Central Jail Bannu (Ex-Sweeper Central Jail, Bannu), presently C/O Aslam Khan, Sessions Court, Khyber Road Peshawar, do hereby solemnly affirm and declare on oath that I and family members apprehend life danger from Respondent No 4, therefore, being inimical to us due top aforesaid facts, therefore, requesting for hearing the instant appeal at Principal Seat, at Peshawar. The aforesaid declaration is correct to the best of my knowledge and belief and nothing has been concealed therefrom.

DEPONENT
CNIC # 11101-1508099-3
MIR ANBAS


Attested
MEHBOOB
Advocate High Court Peshawar
25/3/21

۲۲ ۳
۲۶ ۲۴

۲۰۰۵

۲۰۰۵

District Comptroller of Accounts
18 JOP 2021
(Treasury Wing) Peshawar.


Peshawar Treasury
Licence No: 3/1998
Date 21-9-1998
Akhtar ul Shahzad

BDI 4/10
BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

In the matter of

Appeal No. 4272 of 2021

Mir Anbas (Ex-Sweeper Central Jail, Bannu (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa etc..... (Respondents)

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Deponent

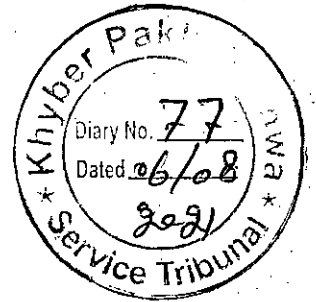
BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.4272 of 2021

Mir Anbas (Ex-Sweeper Central Jail, BannuAppellant.

VERSUS

1. Government of Khyber Pakhtunkhwa Through Secretary Prisons, Khyber Pakhtunkhwa, Peshawar.
2. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
3. Superintendent of Central Prison DI Khan.
4. Superintendent of Central Prison BannuRespondents.



Para-wise Comments on behalf of Respondents.

Preliminary objections

- a. That the petitioner has no cause of action against the Respondents.
- b. That the petitioner has no locus standi to file instant petition against the Respondents before this Hon'ble Court.
- c. That the petitioner is estopped by his own conduct to file the instant petition.
- d. That the petitioner has not come to this Hon'ble Court with clean hands.
- e. That the petitioner has concealed material facts from this Hon'ble Court.
- f. The instant petition is barred by law and badly time barred.
- g. That the present petition is not maintainable in the present form and also in the present circumstances of the issue.
- h. That the petition is bad for mis-joinder and non-joinder of necessary and proper parties.

Objection on Facts.

Respectfully Sheweth,

1. Pertains to record.
2. Incorrect. The appellant namely Mir Anbas was appointed as Sweeper in Central Prison Bannu but the appellant was not performing the duty efficiently as such remained absent from the allotted duty and left the Jail premises with own sweet will without taking permission of the competent authority and the Jail authority issued various notices for resuming duty but the appellant always turned deaf ears upon all these notices. The absence period is given below: -

- i. from 04.10.2020 to 11.10.2020
- ii. from 16.10.2020 to 21.10.2020
- iii. from 07.11.2020 to 16.11.2020
- iv. from 23.11.2020 to 28.11.2020
- v. from 07.12.2021 to 10.12.2021

(Copies of attendance Register are attached as **Annexure-A1,A2,A3**)

3. Incorrect. The appellant should be ashamed of his own immoral activities and for holding unlawful press conference and lodging baseless/shameful allegations against the Superintendent Jail/ administration without any proof/witness in the year 2018. The said complaint was totally groundless as how a well versed

Muslim officer can turpitude a Sweeper of Christian community even amongst more than 342 employees which is not only beyond human sense but also of justice. As the appellant had brought no solid proof during Inquiry Proceedings in 2018, hence, the case was rejected and decided in favour of Superintendent Jail/administration. It is worth mentioning that suspicious guests would meet the appellant at unusual night hours, which was quite undesirable from security and moral point of view.

4. Incorrect. In fact only the appellant held press conference illegally without following the Civil Servant rules while no other person of the Christian Community accompanied with him. However, being minority of the country, the appellant was not proceeded under the rules in 2018 as no Government Servant can hold press conference without bringing the issue in notice of higher authorities.
5. Incorrect. The orders of the respondent were based on rules & regulations and on the basis of the prolong absentia as mentioned in Para-02 above. The appellant not only remained absent from the allotted duty but also threatened the Deputy Superintendent Jail for allotment of duty according to appellant own wishes and was reluctant to perform the duty as per rules (copy of report of Deputy Superintendent is attached as **Annexure-B**). Similarly, various complaints were also received to the Superintendent Jail regarding the immoral and rude behaviour in Jail colony (copies attached as **Annexure-C1,C2,C3...**). Prior to the dismissal, the appellant was issued various notices but these notices were responded with cold shoulder and hence the misconducts was reported to the higher authority i.e. Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar vide No.634/WE dated 02.02.2021 (copy attached as **Annexure-D**) and Inquiry initiated both by the Inspector General of Prisons & Superintendent Jail. The Inquiry Officer recommended the Dismissal from service.
6. In reply, it is stated that the appellant also failed to defend at appellate forum i.e. office of the Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar, therefore, the order of Superintendent Jail was upheld and the appeal was dismissed as per Law (copy attached as **Annexure-E1**).
7. That the order was based on complaints received against the appellant, the absence periods, threats to the Jail authorities and after issuance of various notice and inquiry proceedings purely under Efficiency & Discipline Rules-2011. (Copies of notices are attached as **Annexure-F1,F2,F3**).

Reply on Grounds.

- A. Incorrect. Initially the Superintendent Jail initiated inquiry Proceedings vide **No.708 dated 04.02.2021** and Mr. Farman Ullah Network Administrator (BPS-17) of Central Prison Bannu conducted inquiry inside the Jail. However, the appellant

failed to defend and the Inquiry Officer recommended the Dismissal from Government Service (copy of Statement of Allegations & Inquiry report are attached as **Annexure-G1&G2**). Similarly, the Worthy Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar also ordered inquiry proceedings vide **No. 3834 dated 03.02.2021** and the Superintendent Circle Headquarter Prison DI Khan was nominated as Inquiry Officer who conducted inquiry in Central Prison Bannu and recommended the Removal from Service (copy of I.G Prisons letter & Inquiry Report of Superintendent Circle Headquarter Prison DI Khan are attached as **Annexure-H1&H2**). After that Final Show Cause notice for personnel hearing under rule-12 of Efficiency & Discipline Rules-2011 was issued by the Superintendent jail vide **No.867 dated 10.02.2021** but the appellant refused to receive the Show Cause notice in front of Psychologist (BPS-17) & Line Officer (BPS-16) who are witnesses and resultantly the Superintendent Jail, find no other way, issued Order of **Dismissal**. (Copy of Show Cause notice vetted on back side by Female Psychologist & Line Officer is attached as **Annexure-I**)

- B. Incorrect. The orders of the respondents are based on Efficiency & Discipline Rules-2011 and after receiving of complaints against the appellants & Inquiry report of the Inquiry Officers as stated above in Para-05.
- C. Incorrect. The appellant not only remained absent from the allotted duty but also created administrative problems for the smooth administration of Jail and was proceeded against as per rules & regulations as mentioned above in Para-02 & 05.
- D. In reply, it is stated that the instant appeal is devoid of merits, barred by Law and liable to be dismissed.
- E. The respondents may graciously be allowed to raise additional grounds during arguments.


PRAYER:

Keeping in view the above Joint Para-wise comments, ground realities & documentary proof, it is humbly prayed that the instant appeal may graciously be dismissed with cost, please.


SUPERINTENDENT
CENTRAL PRISON BANNU


SUPERINTENDENT
CENTRAL PRISON DI KHAN


INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA, PESHAWAR


Home Secretary,
Khyber Pakhtunkhwa
For SECRETARY PRISONS (HOME)
KHYBER PAKHTUNKHWA, PESHAWAR

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.4272 of 2021

Mir Anbas (Ex-Sweeper Central Jail, Bannu)Appellant.

VERSUS

1. Government of Khyber Pakhtunkhwa Through Secretary Prisons, Khyber Pakhtunkhwa, Peshawar.
2. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
3. Superintendent of Central Prison DI Khan.
4. Superintendent of Central Prison BannuRespondents.

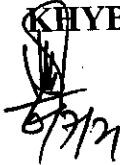
COUNTER AFFIDAVIT

We, the undersigned do hereby solemnly affirm and declare on oath that the contents of Joint Para-wise Comments in above cited appeal are correct and true to the best of our knowledge and belief that nothing has been concealed from this Honourable Service Tribunal.



**SUPERINTENDENT
CENTRAL PRISON BANNU**

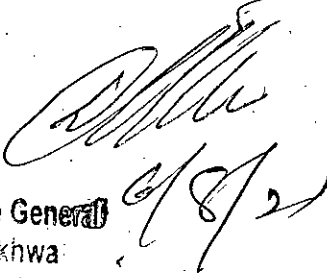

**SUPERINTENDENT
CENTRAL PRISON DI KHAN**


**INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA, PESHAWAR**


**For SECRETARY PRISONS (HOME)
KHYBER PAKHTUNKHWA, PESHAWAR
Home Secretary,
Khyber Pakhtunkhwa**

Identified by
Addl, Advocate general
Kp Service Tribunal Peshawar


Defendant
Subaltern
Senior Inspector
IA Prison office
Kp Peshawar


**Additional Advocate General
Khyber Pakhtunkhwa
Service Tribunal Peshawar**

رجسٹر حاضری روزانہ اکتوبر 2020

22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	عہدہ	نام معہ ولایت	نمبر شمار	
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L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	"	احمد رضا	3
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مستویں کا نام	بقایا	بیگی	رقم	شرح	ادوار	تاریخ	31	30	29	28	27	26	25	24	23	22	21	20
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رجسٹر حاضری روزانہ

		روز														عہدہ	نام و ولدیت	نمبر شمار					
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To,


The Superintendent,
Central Prison Bannu.

Subject: - **REPORT.**
R/Sir,

It is submitted that today Female Sweeper Ashi Bibi came to my office and said that my husband should be given free hand and should not be allotted duties inside Jail. When I refused, she said that few months back Superintendent Jail forwarded application against me for which I am going to hold press conference against him. The undersigned asked for proof/evidence but she hurled threats of holding press conference against the Superintendent and Jail administration.

After that the Line Officer informed me that both Sweeper Ashi Bibi along with her husband Mir Anbas left Jail premises and absented themselves from assigned duties in Jail. It is also to mention that Female Sweeper Ashi Bibi was earlier allotted duties in the house of Female Psychologist Shukria Nawaz attached to this Jail but due to her misbehavior with the Psychologist Shukria, she was removed from duties. Furthermore, the accused Sweeper Ashi Bibi is not taking interest in her duties and no one is ready to accept her. She is a characterless woman and uses abusive language against Jail Staff and its administration. Due to her misbehavior, the Jail Administration is facing difficulties in allotment of duties to female Sweepers Staff.

Report is submitted for appropriate action, please.


Deputy Superintendent
Central Prison Bannu

Dated:-02/02/2021

The Superintendent,
Central Prison,
Bannu.

Subject:- Report.

R/Sr

This is to draw your attention to one of the serious matters. Miss Aashi Mabeek worked at my home, she was not punctual & not performed her duties well. Since 20 Dec 2020 left my house without any information till 5th Jan 2021. During Rabbani tenure, she totally denied from her clothes. Secondly her character was openly suspicious & by the time I sensed her growing negatively. Therefore, I took pre-emptive action & stopped her from entering inside my house. She is rebellious in her attitude. Most often she was insinuating me that she had connections with neighbors. Nobody in compound except this lady because of her nature. This is my writing statement about Miss Aashi. kindly take necessary action about this matter, thanks.

Dabeel.

Yours obediently
Shahria Nawaz
Psychologist

B
رپورٹ بنام سپرنٹنڈنٹ صاحب سٹرل جیل بنوں

آج مورچہ ۵۰۰۰۰۰ کو اجراء حاکمروبان کمرطابق جب مجھے اطلاع مل گئی
تو میں نے فوراً بمبٹ لائن آفسر دونوں کو اطلاع دی۔ تو میں، بیوی (عاشی، انباس خان)
دونوں ڈپٹی سے انکاری تھے۔ میں نے ان دونوں کو بار بار ڈپٹی کیسے کہا۔ تو ان
دونوں نے صاف انکار کر دی۔ کہ ہم ڈپٹی نہیں کر رہے ہیں اور بچے بھی دھمکیاں
دے رہی تھی۔ اور گالی گلوچ بھی دے رہے تھے کہ ہم میڈیا کو جاہل تھے اور پکریں
وہ کر رہے، ہم باور نقل ہے۔

جناب والا۔ سابقہ ریکارڈ ہیں ان دونوں کا ٹھیک میں ہے۔ یہ ہمیشہ کھیلنے کے
بار ہے ہیں۔ اور ڈپٹی بنوں میں کونہی کرتے ہیں۔ اور پکریں جاہلوں سے عادی ہے۔

لینڈ ان دونوں جاہل، بیوی (عاشی، انباس خان) کھیلنے سمیت قانونی کاروائی میں لائی جا رہی

لائن آفسر صاحب سٹرل جیل بنوں



حلفہ بیان

میں حلفہ بیان کرتا ہوں کہ جیل کیا وقت میں (2)

میں سے ریاست لڑتا ہوں میں اسیع خواہ میں

اس بات کا گواہ ہوں کہ یہ ایک بدچلن عورت ہے

جو پورے مہیا دنوں کا حاصل خراب کرتی ہے

اور اس کے دل میں اور کالی گولی اور اس کا کام ہے

تاریخ 10/02/2021

وارڈر ارشد عثمان شہر کراچی میں

میں بیان حلفی دیتا ہوں کہ میں 3 سال سے نبوں جیل کہ گیا ونڈ
 سے ریاض پذیر ہوں، سو سیر عاشری گیا ونڈ سے کسی جگہ ہنفا کی نہیں
 کرتی اور جب ان کو ہنفا کی کہ یہ کیا جاتا ہے، ٹو شور جیاتی ہے
 اور بلیظ الفاظ استعمال کرتے ہیں، عاشری سو سیر آئیں جھگڑ لو لوورت ہے
 اور مدکر 11 ر مور شاہ

میں اس سے خلاف قالوں کا روائی کی جائے

وارڈر حفظالت

جنی لہو

فورم 21/01/2021

حلفیہ بیان

میں حلفیہ بیان کرتا ہوں کہ اس عورت کو جو سارا عبادت
 کا ماحول صحت فریب ہے۔ کیونکہ اس کی حال چلن کھینک
 کھس ہے۔ اور سارا عبادت ^{اس} صحت ننگا ہے۔ کیونکہ
 اس کی وجہ سے میں اپنے فیملی کو گاؤں بھیج دی۔ اور یہ عبادت
 کا ماحول فریب فریب ہے۔ عورت (عاشی) بالکل اپنی دلوں سے
 رہنے سے انکاری ہے۔

اسی میرا بیان جو حقیقت پر مبنی ہے

12/11/2020
 وارڈر صحت چلن چلن عبادت
 ہوں



Tel&Fax#0928-633327
cpbannu@gmail.com

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 634/WE
Dated: 02/02/2021

To
The Worthy Inspector General of Prisons,
Khyber Pakhtunkhwa, Peshawar.

Subject: - **DISCIPLINARY ACTION.**

Dear Sir,

It is submitted that today on 02.01.2021, female Sweeper Aashi came to the office of Deputy Superintendent Jail and said that my husband duty should be changed and duty hours should be according to her choice. On refusal of Deputy Superintendent Jail she threatened the Deputy Superintendent Jail for holding press conference against the Jail administration and blamed that the Superintendent Jail has submitted application to the worthy Inspector General of Prisons against her. Holding press conference by government servant is against the rules and do come in official misconduct.

Later on both the spouse left the Jail and compound without permission of Deputy Superintendent Jail and Line Officer and without grant of any leave. Report of Deputy Superintendent Jail is attached as **Annexure-A** and similar report of Line Officer is also attached as **Annexure-B**.


Previously, she used same tactics against the undersigned but she could not prove anything against me during inquiry. Again she is blaming the undersigned without any reason and her such action is beyond understanding.

Moreover, she was allotted duties at Psychologist Quarter inside the Jail compounds but she also misbehaved with said Psychologist while she does not take interest in her assigned duties. In this regard report of Psychologist is attached as **Annexure-C**. In addition, other staff members residing inside the Jail compounds also submitted their statements regarding misbehaviour of said female sweeper which are enclosed as **Annexure-D1,D2,D3&D4**.

Further added that from her previous dark service history, it is crystal clear that she is quite malingerer and her further retention in this Jail is quite dangerous from security point of view.

Report is submitted for further course of action, please.

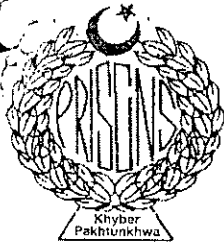
Endst No. 635

o/c

SUPERINTENDENT
CENTRAL PRISON BANNU

Copy of the above is forwarded to the Superintendent Circle Headquarters Prison DI Khan for information and necessary action, please.

o/c

SUPERINTENDENT
CENTRAL PRISON BANNU



By Fax

OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

91-9210334, 9210406

091-9213445

No.Estb/Ward-/Orders/ke-6580 1-

Dated 04-03-2021 1-

ORDER

WHEREAS, **Sweeper Mir Anbas S/O Inayat Masih** while attached to Central Prison Bannu was awarded the major penalty of "**Dismissal from service**" by Superintendent Central Prison Bannu vide his office order No. 992 dated 16-02-2021 due to his misconduct, misbehavior and immoral activities.

AND WHEREAS, the said sweeper preferred his departmental appeal for setting-aside the penalty awarded to him, which was examined in light of the available record of the case and it was observed that penalty was awarded to him by the competent authority to his misconduct, misbehavior and immoral activities after observing all legal and procedural formalities as required under the E & D Rules 2011.

NOW THEREFORE, keeping in view the facts on record, the provision of rules in vogue and in exercise of powers conferred under Rule-17 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 read with Rule-05 of Khyber Pakhtunkhwa Service Appeal Rules 1986, the decision of the competent authority is upheld and appeal of the appellant is hereby rejected being without any substance.

INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA, PESHAWAR.

ENDST; NO. 6581-82 /,

Copy of the above is forwarded to:-

1. The Superintendent Central Prison Bannu for information.
2. Ex-Sweeper Mir Anbas C/O Superintendent Central Prison Bannu for information.

ASSISTANT DIRECTOR

INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

4/3/2021



Tel&Fax#0928-633327
cphannu@gmail.com

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 608

Dated: 11/2/2021

To

1. Sweeper Mir Anbas
2. Female Sweeper Aashi Bibi
(Attached to Centre Prison Bannu)

Subject: - **FINAL NOTICE.**

Memo:

You both the above named sweeper staff were several times directed to remained punctual in performance of your duties but all in vain and again deserted from your allotted duties as well as Jail premises without taking prior permission on dates mentioned against your names: -

1. Sweeper Mir Anbas 26.01.2021 to till date
2. F/Sweeper Aashi Bibi 01.01.2021 to till date

You are hereby finally directed to mend your way and resume duties immediately without any delay failing which major penalties will be imposed upon you under the E&D Rules-2011.


SUPERINTENDENT
CENTRAL PRISON BANNU
o/c



Tel&Fax#0928-633327
cpbannu@gmail.com

2
OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 7985

Dated: 11/12/2020

To

Female Sweeper Aashi Bibi *w/o Mir Abbas*
Mohalla R.T. Line, Bannu Cantt.

Subject: - **EXPLANATION.**

Memo:

You the above named Female Sweeper refused from your assigned duties and remained absence from Jail premises w.e.f. 01.12.2020 and also did not received your explanation copy issued vide this office memo: No. 2838 dated 01.12.2020 which is quite against the rules.

You are again directed to resume your duties immediately without any delay and explain cause of prolong absentia as to why stern disciplinary action may not be taken against you under the E&D Rules-2011.


SUPERINTENDENT
CENTRAL PRISON BANN

dc



Tel&Fax#0928-633327
cpbannu@gmail.com

3

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 7838-41-

Dated: 01-12-2020

To

1. Mali Sanaullah
2. Sweeper Hukam Dad
3. Sweeper Mir Anbas
4. Female Sweeper Aashi Bibi
(Attached to Centre Prison Bannu)

Subject: - **DESERTION FROM DUTIES.**

Memo:

You all the above named Class-IV staff members remained absence from your allotted duties as well as Jail premises on dates mentioned against your names without taking prior permission of the competent authority: -

- | | |
|----------------------|---|
| 1. Mali Sanaullah | 27.11.2020 (01 day) |
| 2. Sweeper Hukam Zad | 20.11.2020 (01 day) |
| 3. Sweeper Mir Anbas | 01&02.11.2020 (02 days)
09.11.2020 to 15.11.2020 (07 days)
23.11.2020 to 28.11.2020 (06 days) |
| 4. F/Sweeper Aashi | 01.11.2020 to 03.11.2020 (03 days)
09.11.2020 to 30.11.2020 (20 days) |

You are hereby directed to resume your duties immediately without any delay and explain the cause of your desertion from duties as to why stern disciplinary action may not be taken against you under the E&D Rules-2011.

SUPERINTENDENT
CENTRAL PRISON BANNU

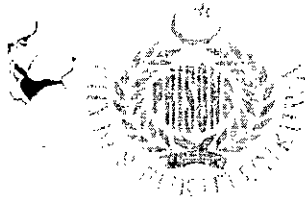
کاپی - سنی ریسٹورنٹ

کاپی - سنی ریسٹورنٹ

کاپی - حکم زار

کاپی - سنی ریسٹورنٹ

کاپی - سنی ریسٹورنٹ



Tel& Fax#0928-633327
Email:cpbannu@gmail.com

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 708-
Dated: 04/02/2021

DISCIPLINARY ACTION:

I, Samiullah Khan, Superintendent Central Prison, Bannu as a competent authority, am of the opinion that Sweeper Mir Anbas & Aashi Bibi have rendered themselves liable to be proceeded for committing the following act of misconduct within the meaning of Section 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules-2011.

STATEMENT OF ALLEGATIONS.

"Sweeper (BPS-03) Mir Anbas & Aishi Bibi attached to Central Prison, Bannu, willfully refused to perform their assigned duties and disobey the lawful orders of the superiors. They both threatened the Deputy Superintendent Jail for holding Press Conference against the Jail administration and left the Jail premises without permission of the competent authority. Hence rendered themselves to be proceeded against you under the Rules".

Mr. Farmanullah Network Administrator is hereby nominated as Inquiry Officer

The Inquiry Officer shall, in accordance with provisions of the Ordinance, provide reasonable opportunity of hearing to the accuseds, record its findings and make, within fifteen days of receipt of this order, recommendations as to punish or to take other appropriate actions against the accused officials.

The accused and a representative of Central Prison Bannu shall join the proceedings on the date, time and place appointed by the Inquiry Officer.


SUPERINTENDENT
CENTRAL PRISON BANNU

Endst: No. _____ dated: ____ / ____ /2019

Copy of the above is forwarded to:-

1. The Deputy Superintendent /Line Officer, Central Prison Bannu for information. One copy of the charge sheet duly signed and dated by the accused officials may be furnished to this office as token of its receipt.
2. Inquiry Officer attached to Central Prison Bannu for initiating proceedings against the above named Sweepers under the meaning of Section 3 of the Khyber Pakhtunkhwa (Efficiency & Discipline) Rule 2011.
3. Sweeper Mir Anbas & Aashi Bibi attached to Central Prison Bannu with the directions to appear before the Inquiry Committee, on the date, time and place fixed by the Inquiry Committee, for the purpose of inquiry proceedings.


SUPERINTENDENT
CENTRAL PRISON BANNU

The Superintendent
Central Prison Bannu.

3

Subject: - **INQUIRY REPORT AGAINST SWEEPER MIR ANBAS & AASHI BIBI**

R/Sir,

As per your directions vide office memo: No. 708 dated 04.02.2021, I proceed into the matter and issued a notice to the accused officials through Incharge Class-IV employees/Line Officer for appearance in Head Clerk Office for inquiry proceeding and submission of written statement in defense on 08.02.2021 as well as asked the Incharge Class-IV Employee for provision of relevant record.

FACTS:

- (i) On fixed date and time, the Jail authority provided all relevant records/ documents, however, the accused employees Mir Anbas & Aashi Bibi were neither appeared in person nor submitted any written statement in defense.
- (ii) As per report of the Incharge Class-IV Employees, they both refused to receive the notice for appearance before the Inquiry Officer.
- (iii) I thoroughly checked the relevant record i.e. Duty Register, show cause notices and explanation letter issued by the Deputy Superintendent Jail & Superintendent Jail.
- (iv) I also inquired some of the Class-IV employees about the duties and conduct of the above named accused. They stated that the above named Sweepers remained out of Jail and are not taking interest in their duties while usually remained absent from their duties.
- (v) During the course of Inquiry Proceedings, I also thoroughly read the statements/reports submitted by staff members residing in Jail compound to the Jail authority against the above named accused officials.

FINDINGS: -

After checking the available record, it was observed/ pointed out that: -

1. Due to non appearance for Inquiry Proceedings and their refusal from receiving the Notice, it is crystal clear that both the accused official considered the Inquiry Proceedings as a joke and challenged the Inquiry as well as Jail authority that the Jail authority can do nothing against them.

2. As per duty Register they remained absent from their allotted duties on various dates in each and every months and as such they also refused from performing duties inside the Jail.
3. Moreover, it is also evidence from the perusal of various statements submitted by Psychologist, Deputy Superintendent as previously they threatened him for holding press conference that their conduct are not satisfactory and are not taking interest in their duties.
4. During the inquiry proceedings, it was also observed that they have habit of pressurizing the Jail administration by means of lodging complaints and holding press conference against the Jail administration as such previously they both hold a press conference which is quite against the Civil Servants hierarchy.
5. Although, the both are deserted from Jail premises and as such it is crystal clear that they are not taking interest in their allotted duties.

CONCLUSION/RECOMMENDATION: -

Keeping in view the above submissions, their previous dark history and prolong absentia, I am of the opinion that they may be dismissed from their Services as per rules 4 of the Efficiency & Discipline Rules-2011.

Submitted as desired, please.

Inquiry Officer



**(FARMANULLAH)
NETWORK ADMINISTRATOR
CENTRAL PRISON BANNU**



**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406

091-9213445

No. _____/-

Dated 3-2-2021 /-

IMMEDIATE/REGISTERED

To

Mr. Binyamin Khan,
Superintendent,
Central Prison D.I Khan.

Subject: **FACTS FINDING INQUIRY INTO THE MATTER OF CENTRAL PRISON
BANNU.**

Memo:

I am directed to refer to the subject and to enclose copies of the following:-

1. Press clipping daily Mashriq dated 30-01-2021.
2. Superintendent Central Prison Bannu letter No. 634-WE dated 02-02-2021.

I am further directed to request you to conduct facts finding inquiry in the above mentioned matters and submit your report within three days for further action.

**ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

ENDST; 3835-36.

Copy of the above is forwarded to the:-

1. Secretary to the Government of Khyber Pakhtunkhwa Home and T.As Department Peshawar for information.
2. Superintendent Central Prison Bannu for information.

**ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

*Acceptance
to file.*



To

The Inspector General of Prisons,
Khyber Pakhtunkhwa, Peshawar.

Subject: - **FACTS FINDING INTO THE MATTER OF CENTRAL PRISON BANNU**

Respected Sir,

As per your directions vide office memo: No. 3834/WE dated 03.02.2021 & No.3868/WE dated 04.02.2021, I proceeded to Central Prison Bannu on 09.02.2021 in order to find out the factual position of the subject cited case and asked the accused officials for appearance before the Inquiry Officer in the office of Deputy Superintendent Central Prison Bannu for inquiry proceedings and for submission of defense reply (if any). I also asked the Bannu Jail authority for provision of relevant record and duty register. When I reached there, the Superintendent Jail as well as other staffs were found present. I discussed the matter with the Superintendent Jail who debriefed me about the case. The Superintendent Jail also produced his detailed report/statement comprising with supporting documents i.e. statement of Psychologist, other staff members residing in the Jail colony which are attached herewith for kind perusal and ready reference.

FACTS:

- (i) Both the accused officials namely Sweeper Mir Anbas & Aashi Bibi were appeared before the Inquiry Officer and recorded their statements. They were inquired without any stress/pressure in friendly environment. The Jail authority also provided relevant records/ registers, during, the inquiry proceedings.
- (ii) The duty register was thoroughly checked wherein both the officials were marked absent from their allotted duties on various dates. They both were asked about their absence periods, but they produced no justification for their periods of absentia.
- (v) During the Inquiry proceedings, the Line Officer as well as other staff members were also inquired in order to find out the grounds reality of the case. The Line Officer stated that they both usually refused to perform their duties anywhere inside the Jail. They want to allot duties to them according to their own wishes. They do not obey the orders of their superior and pressurizing the Jail administration through various means.
- (iv) I thoroughly checked the relevant record i.e. Duty Register, files etc and observed that they were issued various show cause notices and explanation letters by the Deputy Superintendent Jail & Superintendent Jail as and when they found absent. (Copies of notices are attached with statement of Superintendent Jail as **Annexure B1, B2 & B3**).
- (v) I also inquired some of the Class-IV employees who duly confessed and stated that both the sweepers always remained absent and are not taking interest in their duties.
- (vi) During the course of Inquiry Proceedings, I also paid visit to residential colony but I found that they both had created nuisance for colony staff by their vulgar activities, which speak volume that statements/reports so received to Jail administration are correct.

FINDINGS: -

During the Inquiry proceedings, the following findings were pointed out: -

1. *That previously, one tube well operator namely Taj Ali was detailed to Central Prison Bannu for operating tube wells by C&W Department Bannu. The said tube well operator usually stayed at the residential quarter of above named sweepers which is an immoral attitude/behavior due to which the neighboring staff members of the Colony*


 KPKP

complained to the Superintendent Jail against the said tube well operator. Even in night hours most oftenly visitors; who were not their relatives would pay visit to her quarter and stayed there which is not only immoral but also poses a great security risk for such a sensitive Jail. When such visitors were banned in odd hours she would create disturbances and threatened blatantly for holding press conference against the Jail administration.

2. Further due to their various absence periods during short time, it is clear that both the accused officials are not taking interest in performance of their allotted duties and they considered their jobs merely a joke.
3. As they both usually refused from their assigned duties and want their duties according to their own wishes for which they are trying to put pressure on Jail administration. Both the husband and wife are acting such like they are solely running the Jail affairs and *hijacking the authorities of Superintendent Jail & Deputy Superintendent Jail. Hence they are also joking with the Jail Department as they did not obey the lawful orders of their superior, which is quite illegal and against the Civil Servant rules.*
4. It is also evident from the perusal of various statements submitted by Deputy Superintendent Jail, Psychologist, other staff members residing in Jail colony that their conduct inside the Jail is not satisfactory as such Aashi Bibi misbehaved with Psychologist and her husband is stood with her. Further as per statement of the colony staff members they both are not taking interest in their duties.
5. Most importantly, they both are trying to pressurize the Jail administration by various means as such previously they had hold press conference and lodged various allegations against the Jail administration but put no proof during the Inquiry Proceedings for which they were required to be penalized according to rules. But they were not penalized for their illegal action that is why they are again trying the same tactics.

CONCLUSION/RECOMMENDATION: -

Keeping in view the above submissions, I Mr. Muhammad Binyamin Khan recommend that both the *Spouse Sweeper namely Mir Anbas & Aashi Bibi shall be dismissed immediately from their Services* and directed the Superintendent Central Prison Bannu to issue Direct Show Cause Notice to both the Sweepers for their Dismissal from Services.

(MUHAMMAD BINYAMIN KHAN)
SUPERINTENDENT
CENTRAL PRISON DI KHAN

Endst: No. 770 / 110-02-2021

Copy of the above is forwarded to the Superintendent Central Prison Bannu for information and necessary action, please.



SUPERINTENDENT
CENTRAL PRISON DI KHAN



Tel & Fax #0928-633327
cpbannu@gmail.com

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON BANNU
No. 867

Dated: 10-02-2021

FINAL SHOW CAUSE NOTICE.

I, Samiullah Khan, Superintendent Central Prison Bannu as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary Rules 2011), do hereby serve you both the Sweepers (BPS-03) Mir Anbas & Aashi Bibi attached to Central Prison Bannu as follow: -

A. That consequent upon the completion of inquiries conducted against you by Mr. Faridullah Network Administrator Central Prison Bannu & Mr. Muhammad Binyamin Khan Superintendent Central Prison DI Khan for which you were given opportunities of hearing.

B. Going through the findings and material on the record and other connected papers as notified served upon you by Jail authority vide No. 5768-69 dated 09.10.2020, No.7139-40 dated 31.10.2020, No.2838-41 dated 01.12.2020 and Final Notice No.608 dated 01.02.2021.

You both the above named Sweepers attached to Central Prison Bannu threatened the Deputy Superintendent Jail for holding press conference against the Jail administration and left the Jail premises without taking permission on 02.02.2021 while remained absent from your assigned duties.

As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of *Dismissal from Service* under Rule-4 of the said rule.

You both the above named Sweepers are therefore required to Show Cause as to why the afore said penalty should not be imposed upon you and also intimate whether you desired to be heard in person.

If no reply of this notice is received within 07 days or no more than 15 days of its receipt, it shall be assumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

You both the Sweepers may appear before the undersigned for personal hearing on 16.02.2021 (Tuesday), if you wish to.

O/C

SUPERINTENDENT
CENTRAL PRISON BANNU

Endst No. 868-71 dated 10/02/2021.

Copy of the above is forwarded to:-

1. The worthy Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar for information with reference to this office memo: No.634/we dated 02.02.2021, please.
2. The Superintendent Central Prison DI Khan (Inquiry Officer) for information with reference to his Endst: No.770 dated 10.02.2021, please.
3. The Deputy Superintendent Jail Central Prison Bannu for information, please.
4. Sweeper Mir Anbas through Incharge Class-IV Employees Central Prison Bannu.

O/C

SUPERINTENDENT
CENTRAL PRISON BANNU

بہار

سوپر ڈیپارٹمنٹ کے سربراہان اور جنرل سپرنٹنڈنٹ آف ایجوکیشن

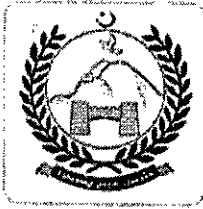
لینے سے انکادری ہے۔ اور ان کا بیان ہے کہ آئی جی صاحب نے میں

کسی سے کہا کہ لٹریچر لینے سے منع کیا ہے۔

لٹریچر ڈیپارٹمنٹ میں ہے

بہار ڈیپارٹمنٹ آف ایجوکیشن (ID) 2 جنرل سپرنٹنڈنٹ آف ایجوکیشن

3 جنرل سپرنٹنڈنٹ آف ایجوکیشن 4 ڈیپارٹمنٹ آف ایجوکیشن



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 946 /ST

Dated: 15-4- /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

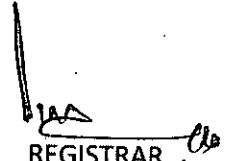
To

The Superintendent of Central Prison,
Government of Khyber Pakhtunkhwa,
Bannu.

Subject: JUDGMENT IN APPEAL NO. 4272/2021 MR. MIR ANBAS & 1 OTHER.

I am directed to forward herewith a certified copy of Judgement dated 08.04.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR,
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR