BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12099/2020

Date of Institution ... / 09.10.2020

Date of Decision ... 28.01.2022

Asad Iqbal, Head Constable, Bomb Disposal Unit, Special Branch Khyber Pakhtunkhwa, Peshawar. ... (Appellant)

VERSUS

Assistant Inspector General of Police, BDU, Special Branch Khyber Pakhtunkhwa Peshawar and others. (Respondents)

Fazal Shah Mohmand, AdvocateFor AppellantMuhammad Adeel Butt, Additional Advocate GeneralFor respondents	AHMAD SULTAN TAREEN ATIQ-UR-REHMAN WAZIR	•••		CHAIRMAN MEMBER (EXECUTIVE)
	· ·	-	•••	For respondents
	· · ·		•••	For Appellant

JUDGMENT

ATIQ-UR-REHMAN WAZIR MEMBER (E):- Brief facts of the case are that the appellant while serving as ASI in Police Department was proceeded against on the charges of misconduct and was ultimately awarded with major punishment of reduction in rank from ASI to Head Constable for three years vide order dated 09-06-2020. Feeling aggrieved, the appellant filed departmental appeal dated 23-06-2020, which was not responded within the statutory period, hence the instant service appeal with prayers that the impugned order dated 09-06-2020 may be set aside and the appellant may be restored to the rank of ASI with all back benefits.

02. Learned counsel for the appellant has contended that mandatory provisions of law and rules have badly been violated by the respondents and the

appellant has not been treated in accordance with law; that the impugned order is void being issued by incompetent authority; that no proper inquiry was conducted nor the appellant was associated with proceedings of the inquiry; that statement of witnesses were not recorded in presence of the appellant nor the appellant was afforded opportunity to cross-examine such witnesses; that the appellant was subjected to three inquiries in violation of law and rule.

03. Learned Additional Advocate General for the respondents has contended that upon receipt of complaint against the appellant, proper disciplinary proceedings were initiated against the appellant and proper charge sheet/statement of allegation was served upon the appellant; that proper inquiry was conducted and the appellant was afforded proper opportunity of defense but the appellant failed to prove his innocence; that after observing all the codal formalities, the appellant was awarded with suitable punishment of reduction in rank from ASI to the post of head constable for three years.

04. We have heard learned counsel for the parties and have perused the

05. Record reveals that the appellant was employee of Mardan Police but was attached with bomb disposal unit (BDU) for the purpose of pay vide order dated 29-08-2017. While serving as Incharge BDU Mardan, he lodged a complaint against one of his subordinate constable Salman No 2099 for his willful absence vide diary dated 12-02-2020 and 25-02-2020. In retaliation, Mr. Salman also lodged a complaint dated 27-02-2020 against the appellant and based on such complaint, the appellant was suspended from service vide order dated 10-03-2020 and charge sheet/statement of allegation was served upon the appellant by Incharge BDU in IGP Office. Fact finding inquiry to this effect was conducted and based on findings of inquiry, final show cause notice was served upon the appellant vide order dated 28-04-2020 and was ultimately awarded with major

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punishment of reduction in rank from ASI to Head Constable for a period of three years vide order dated 09-06-2020 by Incharge BDU.

06. In the first place, the appellant was proceeded against by incompetent authority i.e. by AIG Bomb Disposal Unit, where the appellant was attached temporarily but the appellant was employee of Mardan Police and AIG BDU, who also was a contract employee, was required to send his case to DPO Mardan for further proceedings, but he illegally proceeded the appellant and on this score alone, the impugned order is liable to be set aside. It is a well-settled law that Courm-non-judice is a fatal flaw germane to the very constitution of the forum rendering all proceedings as non est in the eye of law. Any order passed as Corum-non-judice is void order and no limitation runs against a void order. Reliance is placed on 2017 S C M R 1249. The inquiry so conducted is also replete with deficiencies as the inquiry officer failed to record statement of witnesses in presence of the appellant, hence the appellant was deprived of the opportunity to cross-examine such witnesses, so the respondents skipped a mandatory step as prescribed in law. The inquiry officer failed to produce solid evidence and to prove the allegations leveled against him. The allegations so leveled were of general nature, which could only be proved by conducting regular inquiry, which however was not done in case of the appellant.

07. In view of the foregoing discussion, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED 28.01.2022



(AHMAD SULTAN TAREEN) CHAIRMAN

ATIO-UR-REHMAN WAZIR) MEMBER (E)

ORDER 28.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED 28.01.2022

(AHM AN TAREEN) CHAIRMAN

(ATIQ-UR-REHMAN WAZIR) MEMBER (E)

25.10.2021 Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

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Arguments could not be heard due to learned judicial member (Salah-ud-Din) is on leave. Adjourned. To come up for arguments before the D.B on 15.12.2021.

DB is on Tour case to come up For the Same on Dated. 25-1-22

(MIAN MUHAMMÁD) MEMBER (E)

15-12-21

25.01.2022

Appellant in person present. Mr. Naseer-ud-Din, Assistant Advocate General alongwith Mr. Suleman Reader for the respondents present.

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Appellant requested for adjournment on the ground that his counsel is not available today, due to general strike of the Bar. Adjourned. To come up for arguments before the D.B on 28.01.2022

Atiq Ur-Rehman Wazir) Member (E)

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11.06.2021

P.S

Learned Addl. A.G be reminded about the omission and for submission of Reply within extended time of 10 days.

Chairf

14.09.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional A.G alongwith Arif Khan D.S.P for respondents present.

Reply on behalf of respondents submitted. Request for adjournment was made on behalf of appellant. Request is acceded. To come up for arguments on 25.10.2021 before D.B.

(Rozina Rehman) Member (J)

before D.B.

Chairman

08.02.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Appellant Deposited Securit & Process Fee Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 04.05.2021 before S.B.

(Rozinz Rehman) Mémber (J)

04.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 02.06.2021 for the same as before.

Reader

02.06.2021

Appellant present in person and Mr. Kabirullah Khattak, Addl. AG alongwith Arif Khan, DSP for the respondents present.

Representative of the respondents seeks time to furnish reply/comments. The respondents are required to furnish reply/comments in office within 10 days. If the written reply/comments are not furnished within the stipulated time, the office is directed to submit the file with a report of noncompliance. File to come up for arguments on 14.09.2021 before the D.B.

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FORM OF ORDER SHEET

Court of Case No.-2020 S.No. Date of order Order or other proceedings with signature of judge 5. S. 1883 proceedings 2 1 3 The appeal of Mr. Asad Iqbal resubmitted today by Mr. Fazal Shah 1-15/10/2020 Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR -This case is entrusted to S. Bench for preliminary hearing to be put 2up there on 2-7/11/2020 CHAIRMAN Miss. Rabia Muzaffar, Advocate, for appellant is present. 27.11.2020 According to the junior counsel her senior is not available today requested for adjournment. Adjourned to 08.02.2021 ϕn and which date file to come up for preliminary hearing before S.B. (MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)

The appeal of Mr. Asad Iqbal Head Constable Bomb Disposal Unit Special Branch received today i.e. on 09.10.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Pages no. 7, 9, 14, 27, 28 and 29 of the appeal are illegible which may be replaced by legible/better one.

No. 2895 /S.T. Dt. 09/10 /2020.

SERVICE TRIBUNAL **KHYBER PAKHTUNKHWA** PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

Respected Sir, Resubmitted the objecteds.

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BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No____/2020

Asad IqbalAppellant

VERSUS

AIG and Others......Respondents

S.No	Description of Documents	Annexure	Pages
1.	Service Appeal		1-3
2.	Copy of Letter dated 26-05-2016, Order dated 16-12-2016, Order dated 10-05-2017 & Order dated 20-09-2019	Α	4-14
3.	Copies of daily diaries	В	15-16
4.	Copy of Complaint, & Orders dated 10-03- 2020 & 27-02-2020	C & D	17-21
5.	Copy of Charge Sheet & reply	E	22 - 26
6.	Copy of inquiry report	F	27-30
7.	Copy of Final Show Cause Notice & reply	G	31 - 34
8.	Copy of Order dated 09-06-2020	Н	-35
9.	Copy of departmental appeal	I	36
10.	Copies of Notifications dated 20-05-2019 & 13-07-2020	J	40-41
11.	Copies of Commendation Certificates	к	42-49
12.	Vakalat Nama N		50

Appellant

Dated:-05-10-2020

(Asad Iqbal)

Through

Fazal Shah Mohmand Advocate,

Supreme Court of Pakistan.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841 **Email:**- fazalshahmohmand@gmail.com

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 12099020

VERSUS

Diary No. 1134/

- **1.** Assistant Inspector General of Police, BDU, Special Branch, Khyber Pakhtunkhwa, Peshawar.
- **2.** Deputy Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.
- 3. District Police Officer, Mardan.
- 4. Reginald Police Officer Mardan Region Mardan.
- 5. Provincial Police Officer KPK Peshawar......Respondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 09-06-2020 PASSED BY RESPONDENT NO 1 WHERE BY THE APPELLANT HAS BEEN REDUCED IN RANK FROM ASI TO HEAD CONSTABLE FOR PERIOD OF THREE YEARS AND AGAINST WHICH DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED DESPITE THE LAPSE OF STATUTORY PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal the impugned Order dated 09-06-2020 of respondent No 1 may kindly be set aside and the appellant may kindly be ordered to be restored to the rank of ASI with all back benefits.

Respectfully Submitted:-

1. That the appellant joined the respondent Department as Constable ledto-day On 07-02-2002 in District Police Mardan and since enlistment he performed his duties with honesty and full devotion.

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Re-submitted to -day and filed.

That the appellant has qualified various courses and with the passage of time was promoted as Head Constable and as ASI on adhoc basis in consequent to Letter dated 26-05-2016 vide Order dated 16-12-2016 and was transferred to Bomb Disposal Unit (hereinafter referred to as BDU) for the purpose of pay vide Order dated 10-05-2017 and was promoted as ASI vide Order dated 20-09-2019 and was lastly posted as Incharge Bomb Disposal Squad District Mardan. (Copy of Letter dated 26-05-2017 & Order dated 20-09-2019 is enclosed as Annexure A).

3. That the appellant while lastly posted as Incharge Bomb Disposal Squad District Mardan, recorded some reports regarding the unbecoming attitude of his one subordinate Constable namely Salman No 2099/BDS, as he used to remain absent from duty and

was least interested in performance of his duty in the department, upon which he got annoyed and threatened the appellant of dire consequences. (Copies of daily diaries are enclosed as Annexure B).

- 4. That the said Constable Salman submitted a complaint dated Nil to respondent No 5 to the effect that the appellant is involved in corrupt practices, upon which the appellant was suspended vide Order dated 10-03-2020 and Inspector Kiramat Shah of BDU Peshawar was nominated as Inquiry Officer on 27-02-2020. (Copy of Complaint, & Orders dated 10-03-2020 & 27-02-2020 is enclosed as Annexure C & D).
- **5.** That Charge Sheet with Stamen of Allegations was issued to the appellant by respondent No 1 on 12-03-202 which the appellant replied in detail refuting the allegations. (Copy of Charge Sheet & reply is enclosed as Annexure E).
- 6. That it is pertinent to mention that the appellant instead of one inquiry was subjected to three inquiries in violations of law and rules on the subject. (Copy of inquiry report is enclosed as Annexure F).
- 7. That on 28-04-2020 Final Show Cause Notice was issued to the appellant which was also replied by the appellant refuting the allegations. (Copy of Final Show Cause Notice & reply is enclosed as Annexure G).
- 8. That finally the appellant was awarded the penalty of reduction in rank from ASI to Head Constable for three years vide Order dated 09-06-2020. (Copy of Order dated 09-06-2020 is enclosed as Annexure H).
- **9.** That the appellant filed departmental appeal before respondent No 2 on 23-06-2020 which has not been responded so far despite the lapse of more than the statutory period of ninety days. (Copy of departmental appeal is enclosed as Annexure I).
- **10.** That the impugned order dated 09--06-2020 of respondent No 1 is against the law, facts and principles of justice on grounds inter alia as follows:-

<u>GROUNDS:-</u>

- A. That the impugned order is illegal and void ab-initio.
- **B.** That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- C. That the impugned order is void being issued by incompetent authority besides respondent No 1 was employed on contract basis. (Copies of Notifications dated 20-05-2019 & 13-07-2020 are enclosed as Annexure J).

- **D.** That no proper inquiry was conducted in presence of appellant to find out the true facts and circumstances, no one was examined in presence of the appellant, the appellant was not afforded opportunity of cross examination besides he was subjected to three inquiries in violation of the law and rules on the subject.
- **E.** That allegedly the complaint has been submitted by two Constables. However not only the same is signed by only Constable Salman rather the other Constable namely Imran has stated before the inquiry officer that he has not submitted the complaint and that the allegations against the appellant are false and baseless.
- **F.** That the appellant was not provided opportunity of meaningful personal hearing.
- **G.** That the complaint is based on malafide as inside force a group was established by the said Salman and the complaint was filed to harass the appellant as he is having excellent service track being commended by the high ups time and again. (Copies of Commendation Certificates are enclosed as Annexure K).
- **H.** That the appellant has more than 18 years of service with unblemished service record with no previous complaint of the sort.
- **I.** That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-05-10-2020

Appellant ' (Asad /Iqbal)

Through

J. FAZAL SHAH Mohmand Advocate, Supreme Court of Pakistan.

Government of Khyber Pakhtunkhwa Office of the Deputy Inspector General of Police Mardan Region-I, Mardan Phone No. 0937-9230113, Fax No. 0937-9230115.

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To:

The Deputy Inspector General of Police, Mardan Region-I, Mardan

All DPOs in Mardan Region-I, Mardan. All SPs Investigations, in Mardan Region-I, Mardan. Inspector Legal, Mardan.

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Sonject: PROMOTION.

Memo:

A DPC meeting in connection with the promotion of confirmed ASIs to the rank of Offg: SIs & --cac Constables to the rank of Offg: ASIs of Mardan Region will be held in this office on 31.05.2016 at 10:00 how on It is therefore directed to attend the said DPC meeting on due date & time for the purpose.

26 - May, 2016.

The following confirmed ASIs & Head Constables of your Districts and on deputation to other Units from parent Districts may also be informed to appear before the DPC on the above mentioned date &

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	S. No.	Name of ASIs	S. No.	Name of ASIs	-1
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	<u>2. N</u>	AS! Navced Alam No. 146/MR	20. J	ASI Muhammad Ali No. 117/MR	+-j≥\$
	3. 1	ASI Nadir Khan No. 380/MR	21. 5		
	4.	ASI Muhammad Tariq No. 385/MR	22.	Akmal Khan No. 03/MR	-
	5.	ASI Munsif Ali Shah No. 196/MR	_23.	ASI Ayan Ullah No. 345/MR	
	6. J		24. 🤳	ASI Zubair Khan No. 389/MR	~ 1
	7. J 8. J	ASI Anwar Khan No. 386/MR	25.	ASI Muhammad Saleem No. 392/MR	-
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	12 0	ASI Wakeel Khan No. 211/MR	29. 🧈	ASI Muhammad Ayub No. 396/MR	
25-	12	ASI Muhammad Tawab No. 212/MR	30.	ASI Mukhtiar Ali No. 397/MR	1
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	4.	IHC Fakhar Alam No. 192	22.	IHC Ashfaq Ali No. 481	4
· ·	<u>,5</u> .	IHC Jan Alam No. 363	23.	IHC Fakhruz Zaman No. 744	
	<b>4</b> 6.	IHC Imtiaz Ali No. 173 1473	24.	IHC Ismail Khan No. 100/119	ر و منا
	<b>I</b> 7.	IHC Muhammad Riaz No. 68 -/. 4	25.	IHC Moorul Islam No. 1034	لو مرب
	8.	IHC Javid Hussain No. 849	26.	IHC Hukam Khan No. 26	NO SON
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· " " " …		IHC Murad Ali No. 801		IHC Fazal Wahid No. 510	
• –				IHC Shah Jehan No. 3935	
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(Muhammad Tahir) PSP Deputy Inspector General of Police, Mardan Region-I, Mardan うちゅうがいてきのうろう ちょうちょう いちょう いっちょう どうちょう

### <u>ORDER.</u>

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On promotion the following ASIs (on adhoc basis) are hereby posted to the Districts as noted against each:-.

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S. No.	Name & Region No.	From	To
1.	ASI Awal Khan No. 878/1048 (On promotion) Nowshera District		Nowshera District
2.	ASI Khan Zeb No. 18/205	(On promotion) Nowshera District	Nowshera District
3.	ASI Murad Khan No. 1018	(On promotion) Nowshera District	Nowshera District
4.	ASI Jehangir No. 836	(On promotion) Nowshera District	Nowshera District
5.	ASI Haji Muhammad Tahir No. 34 (on loan from Mardan)	(On promotion) Nowshera District	Nowshera District
6.	ASI Gulshan Khan No. 841	(On promotion) Nowshera District	Nowshera District
7.	ASI Ashfaq Ali No. 481	(On promotion) Nowshera District	Nowshera District
8.	ASI Noorul Islam No. 1034	(On promotion) Nowshera District	Nowshera District
9.	ASI Masood Khan No. 977	(On promotion) Nowshera District	Nowshera District
10.	ASI Imtiaz Ali No. 1473	(On promotion) Mardan District	Mardan District
11.	ASI Muhammad Riaz No. 264/68	(On promotion) Mardan District	Mardan District
12.	ASI Alani Zeb No. 2792	(On promotion) Mardan District	Mardan District
13.	ASI Sheraz No. 1510	(On promotion) Mardan District	Mardan District
14.	ASI Shad Muhammad No. 1477	(On promotion) Mardan District	Mardan District
15.	ASI Hazrat Ali No. 1331	(On promotion) Mardan District	Mardan District
16.	ASI Muhammad Iqbal No. 306	(On promotion) Mardan District	Mardan District
17.	ASI Abdul Qadir No. 1480	(On promotion) Mardan District	Mardan District
18.	ASI Javid Akbar No. 1486	(On promotion) Mardan District	Mardan District
19.	ASI Ijaz Ali No. 424	(On promotion) Mardan District	Mardan District
20.	ASI Wakeel Khan No. 1593/309/413	(On promotion) Mardan District	Mardan District
21.	ASI Asad Iqbal No. 1454	(On promotion) Mardan District	Mardan District
22.	ASI Nadeem Hassan No. 102	(On promotion) Mardan District	Mardan District
23.	ASI Muhammad Idrees No. 149	(On promotion) Mardan District	Mardan District
24.	ASI Zawar Hussain No. 605	(On promotion) Mardan District	Mardan District
25.	ASI Tariq Aziz No. 1481	(On promotion) Mardan District	Mardan District
26.	ASI Hazrat Nabi No. 1492	(On promotion) Mardan District	Mardan District

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27.	ASI Sabz Ali No. 1182	(On promotion) Mardan District	Mardan District
28.	ASI Kifayat Ullah No. 767	(On promotion) Mardan District	Mardan District
29.	ASI Yousaf Khan No. 497	(On promotion) Mardan District	Mardan District
30.	ASI Iftikhar Ali No. 1108	(On promotion) Mardan District	Mardan District
31.	ASI Khairstan No. 88	(On promotion) Mardan District	Mardan District
32.	ASI Jan Alam No. 363	(On promotion) Swabi District	Swabi District
33.	ASI Muhammad Jehangir No. 142 (on loan from Mardan)	(On promotion) Swabi District	Swabi District
34.	ASI Fakhar Uz Zaman No. 744	(On promotion) Swabi District	Swabi District
35.	ASI Hukam Khan No. 26	(On promotion) Swabi District	Swabi District
36.	ASI Iftikhar Khan No. 139	(On promotion) Swabi District	Swabi District
37.	ASI Nazar Muhammad No. 30	(On promotion) Swabi District	Swabi District
38.	ASI Muhammad Faheem No. 391/898	(On promotion) Swabi District	Swabi District
39.ASI Syed Shujat Ali Shah No. 66640.ASI Murad Ali No. 801 (On loan from Mardan)		(On promotion) Swabi District	Swabi District
		(On promotion) Swabi District	Swabi District
41.	ASI Javid Hussain No. 426 (On Ioan from Mardan)	(On promotion) Swabi District	Swabi District
42.	ASI Niaz Muhammad No. 1213	(On promotion) Charsadda District	Charsadda District
43.	ASI Mukhtiar Muhammad No. 570	(On promotion) Charsadda District	Charsadda Distric
44. ASI Mian Hazrat Shah No. 1214		(On promotion) Charsadda District	Charsadda Distric
45.	ASI Amjid Ali No. 965	(On promotion) Charsadda District	Charsadda Distric
46.	ASI Abdur Rashid No. 70/1167	(On promotion) Charsadda District	Charsadda Distric
	ASI Fazal Wahid No. 510	(On promotion)	Charsadda Distric

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(IJAZ AHMAD) PSP Regional Police Officer, Mardan

No. 11074-47 1ES,

Dated Mardan the <u>16 - 12 - 1</u>2016.

Copy forwarded for information and necessary action to the:- . All DPOs in Mardan Region-I, Mardan.

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#### OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKITUNKHWA Central Police Office, Peshawar

FFX NO.

# ORDER.

No.

5.

The following Upper Subordinates as noted their names are hereby transferred for the purpose of pay to BDU Peshawar as their pasas have already been shifted to the new Cost Centre "AtG/Bumh Disposal Unit at Specific Branch vide CPO Poshawar tetter No. 11349-80/A-3 dated 02.11.2016 with immediate effect. • • •

They will remain posted in their respective Districts for performance of duties.

	in BDU:-		
ļ	S.No	Name & Rank	District
	١.	St Muhammad Ali	Hamilt
	2.	SI Muhananad Ashrat	Chitral
- j	3. 1	SI Kala Khun	Abbanabad
į	4,	ASI Muliamanad Tahir	Buner
	<u>5</u> .		DIKhan
	G.	ASI Shee Nawaz No. 27	Lanki Migrova
	75	ASTASadthebal	Marden
	8.	ASI Hozrat Rehman	Shangle
		ASI Unier Hayat No. 563/MR	Swenbi
		A REAL PROPERTY AND A REAL PROPERTY A REAL PROPERTY AND A REAL PROPERTY A	

(Mahammud Ali Khao) PSP DIG/IIQ For Inspector General of Police Khyter Pakhtankhwa 29/5 Pesnawar

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≓ST /2017. WE-III. Dated Poshtwar, the  $\gamma$  /r = 1 2258-74

Copy of above is forwarded for information and necessary action to above 1. Regional Police Officers Mardan, Maltikand, Hakasa Banna and OliChan Region,

- 2. AIG/BDU Special Branch Khyber Pakhtunkinya Pashawar
- 5. District Police Officers Chitral, Abbottabad, Junor DiKhaa, Lokki Marwai, Mardan,
- Shengla, Baone and Swabi. 4. Incharge Central Registry Branch CPO, Peshawar,
- A-3 CAD Stylinday

### BETTER COPY OF THE PAGE NO. 7

OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Central Police Office, Peshawar

#### ORDER.

The following Upper Subordinates as noted their names are hereby transferred for the purpose of pay to BDU Peshawar as their posts have already been shifted to the new Cost Centre "AIG/Bomb Disposal Unit at Special Bench vide CPO Peshawar letter No.11349-80/A-3 dated 02.11.2016 with immediate effect.

They will remain posted in their respective Districts for performance of duties in BDU:

		۶ 
S.No	Name and Rank	District
1	SI Muhammad Ali	Bannu
2	SI Mulanud Ashraf	Chitral
3	SI Kala Khan	Abbottabad
4	ASI, Muhammad Tahir	Buner
5	ASI Inayat Ullah No. 204	DIKhan
6	ASI Sher Nawaz No. 27	Lakki Marwat
7	ASI Asad Iqbal	Mardan
8	ASI Hazrat Rehman	Shangla
9	ASI Umer Hayat No. 563/618	Swabi

Muhammad Ali Khan PSP DIG/HQ For Inspector General of Police Khyber Pakhtunkhwa, Peshawar

#### No. 2258-774 /E-111, dated Peshawar the ___/05/2012

Copy of above is forwarded for information and necessary action to the:-

- 1. Regional Police Officers Mardan, Malakand, Hazara, Bannu and DIKhan Region.
- 2. AIG/BDU Special Branch Khyber Pakhtunkhwa Peshawar
- 3. District Police Officers Chitral, Abbottabad, Buner, DIKhan, Lakki Marwat, Mardan, shangla, Bannu and Swabi.
- 4. Incharge Central Registry Branch CPO, Peshawar.

5. A-3 CPO Peshawar

•	A DESTRUCTION OF THE PARTY OF T		Fax: Fax: Email: Facebook: Twitter:	0937-9230113 dpo_mardan@yai District Police Ma @dpomardan	100.com ardan
	No. 7438	лес	Dated 29	/ 8 /2017	,
	The	Addl: Inspector Gener Bomb Disposal Unit, S Khyber Pakhtunkhwa	Special Branch,		<b>8-</b>
	Subject:	SERVICE RECORD			/
	Memo:No.1259-9	Kindly refer to wort eshawar order Endst: 00/PA/DIG/HQrs, date Service record of rred for the purpose of	No.2258-74/E- d 17.07.2017. ASI Asad Iobal	of this disu	ict and
	record and requi	rement in his pay. Receipt may be ackno	owiedge please.		· .
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### Government Gr Khyber Pakhtunkhwa Office of the Reg onal Police Officer, Mardan

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# 7(),September, 2019

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PROMOTION AS OFFICIATING ASSISTANT SUB INSPECTORS. Subject:

#### Memo

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#### BETTER COPY OF THE PAGE NO. 9 Government of Khyber Pakhtunkhwa Office of the Regional Police Officer, Mardan Phone No. 0937-9230113, Fax No. 0937-9230115. Email Address, pomardan@gmail.com

To,

All District Police Officers, in Mardan Region,

No.11377-80/ES.

20 September, 20.19

#### 

Consequent upon recommendation of the Departmental Promotion Committee held in this office on 17.09.2019, the following adhoc promoted ASIS/Head Constables already on list "D" of this Region being suitable for promotion are hereby promoted as Officiating Assistant Sub Inspectors (BPS-11) for a period or two years probation as per Police Rules 13-18 with effect from 17.09.2019 subject to the condition lay down against each:-

S. No.	Name & Rank	Place of posting	Decision
1	Awal Khan No. 810	Nowshera District	Promoted conditionally subject to completion of Elite Tactical Course
2	Khan Zeb No. 18	Nowshera District	Promoted conditionally subject to completion of Elite Tactical Course
3	Murad Khan No. 1018	Nowshera District	Promoted conditionally subject to completion of the Tretical Course as well as ACR for the year 2017 by 10.10.209. In case of non provision of ACR within stipulated period his name will be de-modified
4	Fakhar Alam No. 192	On deputation to Elite Force KP from Nowshera District	Promoted conditionally subject to completion of Elite Tactical Course
5	Jan Alam No. 363	ON deputation' to PTS Swabi from Swabi District	Promoted conditionally subject to completion of Elite Tactical Course
6	Imtiaz Ali No. 173	Mardan District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified
7	Muhammad Riaz No. 68	Mardan District	Promoted conditionally subject to completion of Elite Tactical Cou se as well as ACR for the year 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be re-notified
8	Javed Hussain No. 849	Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2017 by 20.10.2019. In case of non provision of ACR within stipulated period his came will be de-notified-notified.
9	Alam Zeb No. 2792	Mardan District	Promoted conditionally subject to completion of Elite Tactical course as well as ACRs for the year 2016 to 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified
10	Jehangir Khan NO. 836	Nowshera District	Promoted conditionally subject to completion of Elite Tactical Course
11	Sheraz Khan No. 1510	Investigation Wing/ Mardan	Promoted conditionally subject to completion of Elite Tact a Course as well as ACRs for the Year 2016 to 2018 by 10.10.2019 In case of his provision of ACR within stipulated period his name will be de-notified

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12	Zahoor Ahmad No. 945	Charsuida District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACRs for the year 2015 to 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified Promoted conditionally subject to completion
	Haji Muhammad Tahir	Nowspera District	A File Tactical Course
14	No. 34 Shad Muhammad No. 1477	Matilan District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACRs for the year 2016 and for the period from 26.05.2017 to 31.12.2017 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified
	Muhammad Jehangir No.	Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course
16	Hazrat Alı No. 1331	On deputation to Elite Force KP from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course
17	Murad Ali No. 801	Swabi District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified
18	Muhammad Iqbal No. 306	Nordan District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the period from 08.06.2018 to 31.12.2018 by 10 10.2019. In case of non provision of ACR within stipulated period his name will be de-notified
	Niaz Muhammad No.	ir ərsadda District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2017 by 10:10.2019 In case of non provision of ACR within attipulated period his name will be de-notified
20	Gulshan No. 841	O. Proutation to EPTC Nov.solera from Nowsher District	Promoted conditionally subject to completion
2	I Syea Sardar Ali No, 74	On deputation to PQR fram Swabi District	Promoted conditionally subject to completion of Eite Tactical Course as well as ACR for the year 2016 to 2018 by 10 10 2019. In case of non provision of ACR within stipulated period his name will be de-notified
2.	l Ishfaq Ali No. 481	Nowshera District	Promoted conditionally subject to completion of Elite Tactical Course
2	Fakhr ul Zaman No. 74	4 Swabi District	Promoted conditionally subject to completion of Elite Tactical Course
2,	Ismail Khan No. 100/1	19 Charsadda Nistrict	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2016 by 10.10.2019. In case of non provision of ACR within stipulated perio- his name will be de-notified
21	Noou ul Islam No. 1034	Fowshera District	Promoted conditionally subject to completio of Elite Tactical Course as well as ACR for the period from G1.01.2018 to 02.07.2018 b 10 10.2019. In case of non-provision of AC within stipulated period his name will b de-notified
20	Hukam Khan No. 26	Swabi District	Promoted conditionally subject to completion of Elite Tactical Course
2	Amjad Ali No. 292	On deputation to CTD from Mardan Distric	
21	3 Abdul Qadir No. 1483	Mardan District	Promoted conditionally subject to complet of Elite Factical Course as well as ACR for in year 2018 by 10.10.2019 In case of in provision of ACR within stipulated per his name will be de-notified
2	9. Javed Akbar No. 1486	Conteputation to PDR School, Mardan from Mardan District	Promoted conditionally cuburd to complet.
3	0. Muhammad Hassan N 1408	o. On deputation to CTD from Mardan Distri	



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31 - Ijaz Aktoo 424	an District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACP (1994) year 2018 by 10.10.2010. In case of non provision of ACP with the taction of acP
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73.	Muhammad Alı No. 1583	On deputation to Elite Force KP from Mardan District	Promoted conditionally subject to completion of Eike Tactical Course as well as ACRs for the year 2016 & 2017 by 10.10.2019. In case of non provision of ACR within subjected period his name will be de-notified	
74. Shah Nawaz No. 478		On deputation to Elite Force KP from Mardan District	Promoted conditionally subject to completion of Eite Tactical Course as well as ACRs for the year 2015, 2016 & 2018 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de- notified	
75.	Imtiaz Ali No. 770	On deputation to CTD KP from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
76.	Ishfaq Hussain No. 418	On deputation to Traffic KP from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
77.	Muhammad Rafiq No. 784	On deputation to CTD KP from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
78.	Sadiq Zaman No. 915	On deputation to CTD KP from Swabi District	Promoted conditionally subject to completion of Elite Tactical Course	
79.	. Shahid Ali Khan No. 33	On deputation to Elite Force KP from Swabi District	Promoted conditionally subject to completion of Elite Tactical Course	
80	Mustagfir Shah No. 1216	5 Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course	
81	Manzoor Khan No. 1503	On deputation to Elite 3 Force KP from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
8:	2. Syed Kazim Bacha No. 738	Mardan District	Promoted conditionally subject to completion of Elite fact cell Course as well as ACR for the year 2018 by 10 10.2019. In case of non provision of ACR within stipulated period his name will be de-notified	
8	3. Shahab Ahmed No. 203	On deputation to CTD KP from Swabi District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2016 by 10.10.2019. In case of non provision of ACR within stipulated period his name will be de-notified	
8.	4. Sajid Alı No. 1338	Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
. 85	Haide-notifiedr Ali No. 1051	On deputation to CTD KP from Mardan District	of Elite Tactical Course	
86	5. Naveed Mushtag No. 36	Mardan District	Promoted conditionally subject to completion of Elite Tactical Course	
e ⁸⁷	Husban Ullah No. 134	Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course	
88	IHC Meraj Habib No.	Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACRs for the period from 16.08.2014 to 31 12.2014 & for the year 2015 to 2018 by 10.10.2019. In case of non provision of ACR within stipulate period his name will be de-notified	
89	IHC Shah Jehan No. 1226	Charsadda District	Promoted conditionally subject to completion of Elite Tactical Course	
90	IHC Noor Azeem No.	Investigation Wing, Nowshera	Promoted conditionally subject to completion of Elite Tactical Course	
91.	IHC Muhammad	Mardan District	Promoted conditionally subject to completion of Elite Tactical Course as well as ACR for the year 2018 by 10.10.2019. In case of no provision of ACR within stipulated perion his name will be de-notified Promoted conditionally subject to completion	
92.			of Flite Tactical Course Promoted conditionally subject to completion	
93,	IHC Muhammad Izhar No. 445	Swabi District	of Elite Tuctical Course	
51 94.	IHC Asad Zaman No. 0	Swabi District	of Elite Tactical Course as well as ACR for tr year 2017 by 10.10.2019. In case of no provision of ACR within stipulated perior his name will be de-notified	

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-14-6 Promoted conditionally subject to completion of tille Taution Course as well as ACR for the Yest WHIN HY 10.10,2019. In case of non privision of ACR within stipulated period Mardan (Jatrict. IHC Muhammad Israil tile name will be de-notified Nummed conditionally subject to completion No. 1498 95 On deputation to PIS ar blifter byr blend forras gan Swabi from Mardan IHC Iftikhar Ahmad Nu. presentation is another and a single to completion TH MARKE 9**6**. 872 ef \$316m Enclarate Access Promotical conditionally adjust to completion Mardan District IHC Hamid Khan No. of this tails at each an at their as fight for the 97. 1589 point philodery sto ser philly the case of non provision of ACR within stipulated pariod Nowshing District IHC Fazal Akbai No. 315 film trattion will fim the supplied 98. presented and consultaneously successive and an annously of them the trans contain no provide for the time that your plat by 1939, 1939, in case of non On depictation to PTS provision of ALR within stippisted period IHC Muhammad Arshed Swabl from Swabl District Isia manua wili ba da mutifiad 93. Prunched conditionally scalars 11, 1919, 19 No. 542 of Elite Tartical Course as mean as his tox be year 1011 by 10.10 2519. In case of non Investigation Wing, provision of ACR within stopulated parked 1HC Muhammad Aslam Nowshera his name will be de-notified 100. No. 122 Necessary Gazette Notification may be issued accordingly. Jun (MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan. ES, No Copies forwarded for favour of information and necessary action to the:-1. Additional Inspector General of Police Special Branch, Khyber Pakhtunkhwa, Peshawar. 2. Commandant Police Training College, Hangu. 3. Deputy Inspector General of Police CTD, Khyber Pakhtunkhwa, Peshawar. 4. Deputy Inspector General of Police Traffic, Khyber Pakhtunkhwa, Peshawar. 5. Commandant Elite Force Khyber Pakhtunkhwa, Peshawar. 6. Deputy Commandant Elite Force Khyber Pakhtunkhilla, Peshawar. 7. AIG/BDU Khyber Pakhtunkhwa, Peshawar. 8. All Head of Investigation in Mardan Region. 9. Principal EPTC, Nowshera. 10. Principal Police Training School, Swabi 11. Director Police School of Public Disorder & Riot Management, Mardan. 12. Deputy Superintendent of Police Welfare & PQR, Khi/ber Pakhtunkhwa, Peshawar. 13. PA Region Office, Mardan. MUHAMMAD ALI KHAN)PSP

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#### BETTER COPY OF THE PAGE NO. 14

			79
S. No.	Name & Rank	Place of pésting	Decision
95	IHC Muhammad Israil No. 1498	Mardan District	Promoted conditionally subject to completion of the Tretical Course as well as ACR for the year 2017 by 10.10.209. In case of non provision of ACR within stipulated period his name will be de-modified
96	IHC Iftikhar Ahmad No. 872	On deputation to PTS Swabi from Mardan District	Promoted conditionally subject to completion of Elite Tactical Course
97	1HC Hamid Khan No. 1589	Mardan District	Promoted conditionally subject to completion of Elite Tactical Course
98	IHC Fazal Akbar No. 315	Nowshera District	Promoted conditionally subject to completion of the Tretical Course as well as ACR for the year 2017 by 10.10.209. In case of non provision of ACR within stipulated period his name will be de-modified
99	HIC Muhammad Arshad No. 542	On deputation to PTS Swabi from Mardan District	Promoted conditionally subject to completion of the Tretical Course as well as ACR for the year 2017 by 10.10.209. In case of non provision of ACR within stipulated period his name will be de-modified
100	IHC Muhammad Alsam No. 122	Investigation Wing Nowshera	Promoted conditionally subject to completion of the Tretical Course as well as ACR for the year 2017 by 10.10.209. In case of non provision of ACR within stipulated period his name will be de-modified

Necessary Gazette Notification may be issued accordingly

(MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan.

___/ES. No. _____

Copies forwarded for favour of information and necessary action to the:-

- 1. Additional Inspector General of Police Special Branch, Khyber Pakhtunkhwa. Peshawar
- 2. Commandant Police Training College, Hangu,
- 3. Deputy Inspector General of Police CTD, Khyber Pakhtunkhwa, Peshawar
- 4. Deputy Inspector General of Police Traffic, Khyber Pakhtunkhwa, Peshawar.
- Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
  Deputy Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
  AIG/BDU Khyber Pakhtunkhwa, Peshawar,
  All Head of Investigation in Mardan Region.

- 9. Principal EPTC, Nowshera.
- 10. Principal Police Training School, Swabi
- 11. Director Police School of Public Disorder & Riot Management, Mardan.

12. Deputy Superintendent of Police Welfare & PQR, Khyber Pakhtunkhwa, Peshawar,

13. PA Region Office, Mardan.

#### (MUHAMMAD ALI KHAN)PSP Regional Police Officer, Mardan.

A = (21) Hugely at منام مثارة الماسيم - وزيران مح المال الماسيم جسمارين من مناطق شدة ولي مسرودي درماريل المال المجدي ماليان المالي من مدول السيزن مالاست منطق شدة ولي مس مرد ولي ماليل المدين ماليان المسلمة ولي الماسيم الماليان الماليان من مدالي الماليان ولازار المسلمان المراحي مالي المالي الماليان الماليان الماليان الماليان الماليان الماليان الماليان الماليان الم ولازار المسلمان المراحي الماليان الماليان الماليان الماليان الماليان الماليان الماليان الماليان الماليان المالي من - رئين وزكور مندس كو كول حد المية روزان في المردرة حسب الحلاع ما رد كماند مرضار على علا عند حالي من مصلی فعلم المج . حبن میں دخلاد . مدفن حماد مانیک و عمالیس، سیش ج ، سول جم معلی کور یے دامیم 28 ركوك إسراميال isa دوست مماندما خد ورون مده ارتم ميند كرنيل سلان المجرى ولغون ولون خيس لا الله . 28 مركوك السراميال isa دوست مماندما خد ورون مده مين عند كرنيل سلان المجرى ولغون ولون خيس لا لله . 28 مركوك السراميال isa دوست مماندما خد ورون مده مين عند كرنيل سلان المحرى وليون ولون خيس لا لله . ی لوی میں عملت اچ آب علادہ حرمر سالڈی کی فرقوں سے معین عصر دف سے - میزود ما دمیں ا ویں علم دلچیس کے رہا ہے ، حین کہ ان حدامات سے درسرے ملا رمان درمیتی افراد کے ایسی سرمیتوں مذہور م مط /ب، حليا من امل سي mm · pl · mardan D 2-02-2020 issi Police Line حلامت دلېدند درجېز د د ناچې که متله بزص عمل نه کا د دل ا د پال اسپرل بالا یکل -SIT, Forwarded VC. BDU Mandau. 21-02-2-02-0 12 020 Blies 28 10 ( ) - Jagles L. To BETTUE COPY TESTED لوليس لاين

16 Jula Cill 25-22 Beil 39 120 (y) اطلاع / راجرر اسم اسم فيل فان is A وقت 01:90 جامور ا 39 20 25 إس معت كو يرتاج خان انسان را المار المار الما ما ملك تحمان كما لله المحمد عروم المحرق مر القراب ب . تنسل عذكوره اردار ن تيشر ) عذكوره الي حدكتون مصارمين اللا- الج بي دليري أكا - فيز تورة منظم / كوسلايا - المحسر) ما تلا <u>Le</u> 2 - ان م ماس مشم ) د ی د کشر موجود زما من الالا نے لوجیا - ارتب کا مسل کوئ ڈکٹر تھا سے توجاب دیا کر مزہد اطلاع متن ازس میں ہے جن زخان من اور (ع. ) جده الحلاع بير راي م درم روزنا في مير نظر على مريد . - <19 19- -لل موض جناس ما رطال ار الم / ام ران ال مر ا 'and 1. 1- ad the 1 for SI Police Line mm. prmRO 25-02-2020 sir, Forwarded A allel 1/C, BDU, mardan. 25-02-2020

-7- بيركمن سائلان كاانچارج ASI اسداقيال خان انتهائى سيندزوراد ، سركش ب-BDU ك اہلکاران اورموبائل کوسر کا رڈیوٹی کےعلاوہ اپنے پرسنل کاموں میں استعال کرتے ہیں۔اور سے کہ صاحب نے بنظلم میں کام کیا ہے۔اور بیاس کے لیے بھیج ہیں۔اور بی 50/50 ہزارروپے پے رول کے مطابق من سائلان کے ریک الاونس ہے۔جو کہ پے روز ہمراہ لف میں۔اور سے کہ سائلان سے بی لاکھوں روپے انچارج BDU مردان نے بڑپ کرلیا ہے۔ من سائلان کے پاس ان کے کی شوت اور گواہان موجود ہیں۔ان بے بنیاد باتوں سے انچارج BDU مردان

بیرکہ BDU اہلکار صدیق اکبر (سیشن کورٹ مردان) جو کہ unqualified ہے اور مستقل طور براسی پوائنٹ پرڈیوٹی دیتے ہیں۔اورانچارجBDU مردان ان سے ماہانہ رقم لیتے

پولیس افسران صاحبان کامورال گرانا چاہتا ہے۔

ATTESTED

یں۔ پیرکہ اہلکاران BDU مردان انچارج کے خلاف شکایت کرنے اوران کے خلاف گواہی دینے سے اس لیے ڈرتے ہیں کہ انچار جDU ان کو تبدیل کرنے کی دھمکیاں دیتے ہیں اور

سہتے ہے کہ میر افلاح بھائی جنابIGP صاحب اور فلاح بھائی جنابDIG صاحب مردان

ے ساتھ ڈیوٹی انجام دےرہے ہیں۔ پیرکہ سر سائلان کا انچارج ایک غیر ذمہ دار، کریٹ، بولیس محکم کے ساتھ حیانت کرنے

ASIULAURALICOABDUGAEDERERE -18 عین نوازش ہوگی العارض اليكاتالع فرمان من سائلان: (۱) كنسيبل سلمان خانBDU2099مردان فون نمبر: 0315-8006868 Aleli (٢) كتشييل عمران خان BDU مردان فون نمبر:0306-5731616 كابى برائ اطلاياتى: (۱) جناب السپکر جزل آف پولیس (۲) جنابAIGصاحب بم دسپوزل يونت . (۳) جنابDIGصاحب مردان-(۴) جنابDPOصاحب مردان-Hald infun by Insp Kinand Shik 10mm 20. ATTES

# -19-<u>ORDER</u> Being involved in corrupt practices ASI Asad Iqbal I/C BDS Mardan is hereby placed under suspension and closed to BDU Hqrs: Peshawar with immediate effect. Departmental proceedings are also initiated against him. <u>(SHAFQAT MALIK)</u> Assistant Incompared to BDU

Assistant Inspector General of Police

No. 333 - 34 /BDU, Dated Peshawar the 10 / 03 /2020 Copy of above is forwarded for kind information to the:-

- 1. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2. The Dy: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa Peshawar.
- 3. The Regional Police Officer, Mardan.
- 4. The District Police Officer, Mardan.
- 5. The DSP/DDO BDU Peshawar.
- 6. The Accountant BDU Peshawar.

Inspector Kiramat Shah of BDU Peshawar is hereby nominated as an inquiry officer to conduct proper departmental inquiry on complaint submitted by constable Sulman Khan and Imran Khan of BDU Mardan (Copy of complaint is enclosed).

All the States

It is therefore, directed that findings of inquiry report may be submitted to this office by 10th March 2020 positively.

min

(SHAFQAT MALIK) Assistant Inspector General of Police BDU, ATO, SB, KPK, Peshawar

No. 157 - 58 /BDU, Dated Peshawar the 37 / 07 /2020. Copy of above is forwarded to the:-

 The Worthy Deputy Inspector General of Police, Special Branch, KP Peshawar for favour of kind information please.
 The Inspector Kiramat Shah of BDU Peshawar





### CHARGE SHEET

All Bandon in the

I Shafqat Malik, AIG/BDU, Special Branch, Khyber Pakhtunkhwa Peshawar as a competent authority under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) hereby charge you ASI Asad IqbaL I/C BDS Mardan as follow:-

You while posted as Incharge BDS Mardan got involved in corrupt practices as per written complaint drafted by complainants named Constable Salman No. 2099/BDS and Constable Imran No. 3216 of BDS Mardan which was received by the Office of Worthy Inspector General of Police Khyber Pakhtunkhwa, Peshawar.

By reason of the above, you appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the ibid Rules.

You are, therefore, directed to submit written defense within 07 days of the receipt of this charge sheet to the Enquiry Officer.

1. Your written defense, if any, should reach to this office within the specified period, failing which it shall be presumed that you have no defense to put in and in that case, ex-parte action will be taken against you.

2. You are also at liberty, if you wish to be heard in person.

3. Statement of allegation is enclosed.

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(SHAFQAT MALIK) Assistant Inspector General of Police BDU, ATO, SB, KPK, Peshawar

Be True Copy

# SUMMARY OF ALLEGATION

I Shafqat Malik, AIG/BDU, Special Branch, Khyber Pakhtunkhwa Peshawar as a competent authority, am of the opinion that you **ASI Asad Iqbal** presently posted as **Incharge BDS Mardan** rendered himself liable to be proceeded against, as he has committed the acts of omission/commission within the meaning of Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

#### STATEMENT OF ALLEGATION

- You while posted as Incharge BDS Mardan got involved in corrupt practices as per written complaint drafted by complainants named Constable Salman No. 2099/BDS and Constable Imran No. 3216 of BDS Mardan which was received by the Office of Worthy Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
- 2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegation, Javid Iqbal DSP/BDU is appointed as Enquiry Officer to conduct the enquiry.
  - The enquiry officer shall in accordance with the provisions of the ibid Rules provide reasonable opportunity of hearing to the accused, record its findings and make within 15 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

0 3 /2020

-22

(SHAFQAT MALIK) Assistant Inspector General of Police BDU, ATO, SB, KPK, Peshawar

No. 241 - 46 /BDU, Dated Peshawar the 12/

3.

- Copy of above is forwarded for kind information to the:-
- 1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. The Dy: Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.
- 3. The Regional Police Officer, Mardan.
- 4. The District Police Officer, Mardan.
- 5. The Enquiry Officer.

To Be True Copy



بحواله چارج شيٹ نمبر AlG/BDU محررہ 12/03/2020 مجاربیہ جناب شفقت ملک AlG/BDU مو بہ خيبر پختونخواہ بہقام پناور سمری اف الیکیشن مشمولہ ہذا معروض ہوں۔ کہ سائیل FA تعلیم یافتہ تک اور مور خد 07/02/2002 کو محکمہ پولیس میں بحثیت فٹ کانشیبل بھرتی ہو چکا ہے۔ تاریخ بھرتی سے کیکر تا حال اپنی ڈیوٹی نہایت خندہ پیشانی اور خوش اسلو بی سے سرانجام دیکر افسران دست بالاکو سی قشم کی شکایت کا موقع نہیں دی ہے۔ بلکہ پسندیدہ ملازمت کے پیش نظر افسران بالا نے متعدد بارتو صفی اساد اور نقد انعامات سے نواز اگرا ہے۔ ریکارڈ گواہ ہے۔ پس منظر

جناب عالى!

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مالات کچھ یوں ہے۔ کہ سال 2007 کوجس وقت ملک دہشتگر دی کے لپیٹ میں تھا۔ کو مجھے افسران بالانے بم ڈسپوزل کورس کیلیے منتخب کیا۔اور بم ڈسپوزل کورس کممل کر کے نمایاں پوزیشن حاصل کی ۔کورس سے فراغت پر مجھے ہم ڈسپوزل سکواڈ میں افسران بالانے تعیینات کر کے اچھے کارکردگی کا مظاہرہ کرتار ہا۔اورا چھی ڈیوٹی دینے پرکٹی بارنفذ انعامات اور توصفی اساد حاصل کئے تھے۔جس کی نقولات بغرض ملائظہ لف ہٰذاہے۔

سال 2015 کومیرا بتادله نوشهره ایکسپوینڈ نگ سکول ہوا۔ادر یوں اپنی حاضری یقینی بنا کرحاضری کی۔ جہاں سے 3/4 ماہ بعدانٹر میڈیٹ کورس کیلئے منتخب ہو کر PTC ہنگو چلا گیا۔ جہاں پر کورس مکمل کرنے کے بعدوایس آکر پولیس لائن میں حاضر کھا کی ۔جو بعدہ افسران بالا نے میرا تبادلہ دوبارہ BDU سکواڈ میں کرائی۔دوبارہ تعیناتی کے دوران پسندیدہ ملازمت پر کمبخناب DIG صاحب ریجن مردان نے بحوالہ چھٹی انگریزی نمبری ES / ES / O Z 5 2 0 مورخہ 29/03/2016 کو بحیثیت انچارج BDU سکواڈ تعیناتی کا عظم صا در فرمایا۔ مگر اس 13 سال تعیناتی کے دوران اینے ماتحان کے ساتھ شائستہ روپیہ اختیار کر کے انگی ہر دکھ کا از الہ کرتا رہا۔اور یوں وہ میرے اس دوستانہ روپیہ سے حد درجہ خوش،خرم، طمئین نتھ۔ بدشمتی سے سلمان نامی کانشیبل کی تعییناتی سکواڈ ہٰدامیں ہوئی۔ بیدکانشیبل اکثر حیلے بہانے سے کام لیتا ہواغائب رہا ہے۔ کیونکہ مذکورہ کسی دوسرے محکمہ میں اپنے آپ کو گھپانے کی کوشش میں ہے۔اجازت لئے بغیر اکثر دوسرے محکم میں انٹرویوں کیلئے آیا، جایا کرتا ہے۔ مٰدکورہ کو میں نے حالات کی نزاکت کو مدنظر رکھتا ہوا۔ اُس کو خصیل کاٹلنگ BDU ڈیوٹی کیلئے منتخب کر کے روانہ کیا۔ جس کو بیغل نا گوارہ گزری۔ اس سلسلہ میں کانشیبل سلمان نمبر 2099 کے خلاف میں نے بحوالہ مدات نمبر 28,24 روز نامچہ 12/02/2020 پولیس لائن ضلع مردان میں تفصیلی روپورٹ ہائے درج روز نامچہ کی ہے۔جس کی رحمل میں کانٹیبل سلمان نمبر 2099 مذکورہ نے میرےخلاف من گھڑت الزامات لگائے۔جس کاحقیقت سے دورکا کوئی واسط نہیں ہے۔الزام لگایا ہے۔ کہ صدیق اکبرکوالیفا ئیڈ نہیں اور سکواڈ میں تنا دلہ کر دی ہے۔اسی طرح ملاز مان BDU کا مبلغ 50 ہزاررو بے ہڑپ کر گیا ہے۔ کیونکہا نکا2 ہرادران افسران بالا کے ساتھ تعینات ہے۔اسلئے سینہ زوری کر رہا ہے۔ کانشیبل سلمان نمبر 2099 کے دائر شدہ درخواست میں کوئی حقیقت نہیں ہے۔علاوہ ازیں مذکورہ کانشیبل سلمان نمبر (99)20 کامیغل بموجب پولیس رولز باب14 فقرہ نمبر1 کی خلاف ورزی ہے۔جواباً عرض

ATRESTE

ہے۔ کہصدیق اکبر کانشیبل افسران بالا کے حکم پرسکوا ڈہذا میں تعیناتی ہو چکی ہے۔ جس میں من سائیل کا کوئی عمل دخل کارفر ما نہیں۔ جہاں تک ملاز مین BDU الا وُنس کا تعلق ہے۔ تو یہی الا وُنس سکوا ڈے ہر ملازم کی ATM کارڈ میں پشاور سے براہ راست منتقل ہور ہی ہے۔ درخواست میں وزن ڈالنے اور مجھے بلیک میلنگ کرنے کا ہر بہ استعال کیا گیا ہے۔ میں نے 13 سال طویل پیندیدہ ملازمت کرکے تا حال کسی بھی اہلکارنے کسی قتم کی تکلیف دہ شکایت نہیں گی ہے۔ پیر کانشیبل میرے خلاف برسر پیچاراسلئے ہے۔ کہ مذکورہ غیر حاضر باش قشم کا بندہ ہے۔ مذکورہ کے ساتھ کافی گزارہ کر چکا ہوں۔ برداشت ختم ہو کراس کے خلاف روپورٹ درج کر کے افسران بالاکو بھجوائی۔جو مذکورہ نے ردمل کے طور پر میرے خلاف من گھڑت اور بے بنیادالزام تراشی کرکے ڈکھیں مبتلا کرکے اذیت پہنچایا ہے۔ کانشیبل سلمان نمبر 2099 کے جانب سے متذکرہ دائر شدہ درخواست کے سلسلہ میں جتنی بھی انگوائری عمل میں لائی گئی ہے۔تو یکطرفہ طور کاروائی عمل میں لائی جا چکی ہے۔متذکرہ جملہ بیانات میرے عدم موجودگی میں لی گئی ہے۔جس میں الزامات لگانے والے پر میرے طرف سے کسی قتم کی جرح/ کراس کرنے کا موقع مجھے نہیں دیا گیا ہے۔اس سلسلہ میں مجھے مذکورہ کانٹیبل سلمان نمبر 2099 کے علاوہ دیگر بیان دینے والوں پر کراس کا موقع دیا جاوئے۔تا کہ الزام نگانے والا اپناالزام میرے خلاف ثابت کردے۔ کیونکہ کسی جرم کے نسبت بارے ثبوت زیر آرٹیک نمبر 117/QS الزام لگانے والے پر ہوتا ہے۔اس کے ساتھ ، ساتھ کانشیبل سلمان نمبر 2099نے جس رقم کے بابت الزام عائد سے کیا ہے۔ کہ نسبت پے برائج اور متعلقہ بنک ہائے سے تسلی کی جائے۔ میرا دامن پاک اور ضمیرصاف، بے داغ ہے۔ مذکورہ کانشیبل نے عمران نامی کانشیبل کا سہارہ کے کر درخواست میں نام درج کی َہے۔ جس سے بھی اگر حقیقت پو چھاجائے ۔ تو اصلیت اشکارہ ہو *سکے* گی۔ انصاف دلائي جائے۔تازليت دعا گورہونگا۔ 1 - Joel 3-03-2620 اسدا قبال ASI لنچلانBDU سکواد مردان العارض حال معطلBDU ہیڈ کوارٹر پیثا ور من الن المان ن فواذيو إلى زدن مار مي بلان مورج المري المان ن فواذيو الى زدنس مار مي بلان لو ماري الم . egg/ is = egg/ is 6 Glass Plass Ult in = () or j,

23

- 24 -سوال وج ب الرومال أي ) سوال - استر أصال in A اس سے درلے زب کے سکور و والوں نے آب کے خار کوی شکار ی بے ؟ Eit in the ج) سودل مر ایس معداد ده آب کا کوی دندود تری دغیره نیوا سے دانس ؟ CM . ن سوال ، كست مكان تصليد اور الحران سالة نوى وأن مدنجس ما عما د اون الم جراس المسالي المس The state of the state of the set איני יעון - שווט קאו ופן איור עמיט גיע ע גיין או אין איון אין جرس ب مسر رئي لهائ لو در أعمال علم (TD مردن من لعنا م در العراد مرد الم العراق الم بولسي لأن مردن مي صور دور سرري مر مربط . مور ، - كما تشيل جمري أكمر عراط كوالمفاكر من ب ؟. ور بالشر مرد من معد من اسل ) وما د س بر الفانسته الرام س حين سرمنعيد ومي مريدين كالاز ترساية في م my by 03 202 ATTESTED Asi Junio

- 25-BD جناب عالى! م رارش ہے۔ کہ سائیل BA تک تعلیم یافتہ، جوان العمر اورا بیتھے ادمیاف کا مالک ہے۔ سائیل 2009 کونکمہ پولیس میں بخیریہ دن کا گئیبل بحرتی ہو چکا کہے۔ بس منظر حلات، واقعات بچھ يوں ہے۔ كدما يمل بم ڈسپوز ل كورس كواليغائيذ ہے _ سال 2019 كويرا تادلد BDU سكوا ڈمردان ،وكر خاضرى كرائى ب میرے ساتھ سلمان خان کانٹیبل بھی کا تا دلدایک ساتھ ہو چکاہے۔ آجکل میں ڈسٹر کٹ جیل مردان میں پوائنٹ ڈیوٹی سرانجام دے رہا،وں۔ سلمان کانشیبل دوسرے تحکمہ میں اپنے آپ کو گھیانے کی کوشش میں ہے۔اورآئے روزانٹرویوں کیلئے جایا کرتے ہیں۔ایک دن سلمان ندکورنے بچھے بذریعہ میرے ذاتی موبائیل فون نمبر 9238062-0313 پر دابطہ کر کے ہتلایا کہ میں اُس کے ساتھ ملاقات کرے چھ ضروری کا م ہے۔ میں نے ملاقات کرنے کا حامی بھردی۔اور یوں بعد میں اُس کے ساتھ رابطہ کیا۔مردان ملا کنٹہ چوک کے سنگم پردانع ایک دکان میں بات جیت ہوئی۔ مذکورہ نے بچے بید صاحت دی۔ که ده انچارج سکوا ذکے خلاف کیچھالزام تر اثنی کا افسران بالاکوتریزی درخواست دے رہاہے۔ آپ ساتھ دے۔ میں نے اُس کو اُس دقت بیالتجاء کی کہ براہ کرم نضول اورب جامددس مسلمان کواذیت میں مبتلا کر تاب کوکیازیب دیتاہے۔سکوا ڈانچارج ایک رحم دل شم کابندہ ہے۔ ہرد کھ کا مدادہ کیا کرتے ہیں۔ جس پر مذکورہ نے جواباً کہا کہ یارچلوا س نے انجمی درخواست لکھدی ہے۔ اب صرف د ستخط کردے۔ میں نے انکار کیا۔ اب مجھے معلوم ہوا ہے۔ کردی درخواست ندکوره نے میر ، مرضی کے بغیر انسران بالاکود ، رکھی ہے۔ درج شدہ الزامات مندرجہ درخواست دائزشدہ برخلاف اسدا قبال ASI میں حقیقت کا دورکا کوئی واسط نہیں من مکرمت اور بے بنیا دالزام تر اش کی ہے۔ بدنیتی پڑی ہے۔ اور ذاتی عناد کا شاحسانہ ہے۔ اسدا قبال ASI ایک دیا نیدار، فرض شناس بنده ب_جوکه حقیقت ب_ملاز مان کے ساتھ مذکورہ کاردیہ دوستانہ ادر شائستہ ہے۔ جو بچولکھر ہا ہوں حقیقت ادرانصاف پر بن ہے۔درخواست سے لاعلم ہوں۔ ATTESTED TO BO TING COPY كالشيس عمران نمبر 3216 متعقق في BD مكوا ذحال جيل بواسّت مردان العارض M.M ASAD سرال تمر2 شخور او کواکام اما وسن رض کاها ج ک درسک جی جاں - مہیں جی جاں - مہیں mon ورس ASAD - Jon اب سامن کسی فی محمد کور شم دی سے مارا کر حاکا ر 2 (mran Min - U ان البزامات عابر معن رب سے سی زرائع البر علاقا با UDB والون ت مالک اب محورہ کہا تھا۔ سوال چه فررب ... Milon . Uni

سوال: - كما در فراست و ۲۵۸ خوندف به ادر اس نام يعي بي درست رجع اللي مس رسی لاللم هول محف اس کا توی مدر دین س- السترکستر کسی عان نا جردر فراست در عادر س ت بحج رس دس یع رس میں در میں میں میں میں میں در فررست یع رس حول اب اس دیں دیں دیں ایک ا 0 90 61 43 ر مسخو ترمی می ایا را 

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版一日。 2 12 × - 24 [2:1] With a win With PPO 187 ف فين الكرمين غسر 58 - 571 مريض مدد- 40 محارب ال جن BOUL ، PAIG ، Prop من السيكركو حداله بحرق جس س كنشيل سلاف خان بسر 202 ما الكل مكردة مردين فيدا في من المرد مال الك ك خلاف دهم بروب ترب كاللزم لتا السب الدوكي شكالات مى كى عد کادمایی به انگوادی که سیلسط سیاف بردستخط جملع صردن جاکر کلطا سکوا در مردان کے جلم مدارمان مطالبت فیرست لف شرو مد بدانات ملمبندی ، کسیر عران المن بن بن مريش المرجع المرجع بمنتر المحمر من 129 كنتر المن المريد تنبيب المصان الله المحتفظ في متدرونس بلامن لكا في كل الزامات سد لاعلى كا أطيار كما ، جَبَكَم اسراد قبال المله ف الما م لعًا م الما المرامات جوت الدمن كوت بدان . مبلك مير كمنب المجتمع في تقيير ، كشبل حسين البر ا<u>11</u>1 ، كسبر خاكرا لرعان في المشرار وافرد المحصف في درمودس هرزا مي لكا م كم الرامات كو حقيقت برمن ينان كيا امد در دورستى كالترك جليك كسير دادد ديم مي بيان ديا د ممرك الفارج في محد سر د سر الله الماد بن كالير شرك الله مسط بيلغ = / 1000 رو م الفادن، لكين جب محصر منه حلاكتم نيرد عم من توره الحظم حود المربع من الفَيْدَ مِنْ بَفَ إِس بوامَسْران بَالاكَا مَتَنكا بِلَتْ تَرْضَكَ بَهَا لَهُ احْدَم مَرْكُرِهُ فَا لَ والسرير دفي - كسير () غير الزرسان 1652 بف بياني كما برقيري تشراه مين الرار بالارديس في مسل في معلم معلم ، مصحر روائي تسريدان من و 109.2.1012 مرول ( Asi من فحو سع اس مما ف برال كما اج عليه الم الكاني معلم ماه فروري معمد كى مسط مطاح / معمد ال

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انكوائري ريورٹ

جناب عالی !

الزامات . بحواله چھی انگریزی 457 مورخه 24/02/2020 مجارید از دفتر PPO KPK و جھی انگریزی نمبر 157-58 مورخه 27/02/2020 مجارید از دفتر AIG BDU صا دب انکوائری من انسپکٹر کو حوالہ ہوئی جس میں کانشیبل سلمان خان نمبر 2099 BDU سکواڈ مردان نے انچار ہے اسدا قبال ASI کے خلاف رقم ہڑپ کرنے کاالزام لگایا ہے اور دیگر شکایات بھی کی ہے۔

white a set is a set to the product of a set of a set in the set of the a still and the same the charge and for a state of the state of the same المراجع المالي في المراجع Capiter man -/ and روب لقر وجول تی سے - لور دو ری فسط فبلغ - / agood رو بے جب يمس ملى لقراب محقط مس عسير الله متماه، سلمان للدعمرون مس محقط مرار روب ریکوری بهوریسی سے مکتیم انسیان اعمد نے م اپنے بیان میں ماہ جواری 19 محد المر من رقع مبلغ = / 2000 روب جو شخواه مسالد ملى . السرار ألبال عان الله ن فحد سن تقد و الول كل . كسن الفرير مستيزاد المحصير في بيان مد تكرير ك ع نَه الكظ المريس الأوليس المريش مبلغ =/2000 روب جو عير ف سواد من الى لى، اسرا مال احيد فحد مس واليو فرو مول كي هم ، جبب درمواس ومند الميم سمان 2009 في سوال وجورب ك دور ان بترا يد مديم اسر المبال الحجر سے ماہ میں ، جوانی 19 مصد کر دو انساط مصح رہ ہے جو عنہ ان شواہ ک سائد آئے تھے بھو سے والیں نور کے لیے ، دردور س جرد میں جردو ری الزام یے کہ کنیٹل مرافی البرج مستقل طور مردئیں ہودئنٹ ہردیون دیتے ہے کندل م يوانى الدرف ود دين بدان من كماس ، كدم عرب مرج مرج معال سے سينون كور مردن من ديونى د مريا مرب جن كشيران من يسب ى المر مس لا در وزور س كالحريق فى ع - إس تشيلان م دردور س س لقام كر المرامات ج حکال درا من لفران ی فع منانات من نشران عمرالاز سام عران عاعكم شاه اور سلمان سے رست الالانس فيلغ و مصحف الا عطالي مرد ربكور مرجي في عمل كسير لو لا ترادك سحوه مع عطالي م روا عمل الدار اللي المحس بابن اكاونت الرائع والور سي وماجد طلب في اكار مد برام والورك في مناب مرم AG (فن والول

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میں مجھے ملی'ASI اسد اقبال نے بھر لینے کا مطالبہ کیا تو میں نے دینے ہے انکار کیا اب میر ک^{انٹ}وا دیے مبلغ - / 0 0 0 0 2 روپے ریکوری ہوئی ہے جبکہ دیگر کانسٹیلان سلمان عمران نوید شہراڈ عالمگیر ُشاہ سے بھی 2000/20000 روپے ریکوری ہوئی ہے کانشیبل عالمگیر شاہ نے ایے بیان میں کہا کہ ASI سدا قبال نے مجھ سے بھی مبلغ -/00 کا دویے نفذ وصول کی ہے اور دوسری قسط مبلغ 39000 روپے جب ہمیں ملی نو اب مجھ سے عبد اللد شاہ سلمان اور عمران سے 2000/20000 ہزار روپے ریوری ہور ہی ہے کانشیبل اشتیاق احمد نے بھی اپنے بیان میں ماہ جولائی 2019ء کے ایر ئیر رقم مبلغ 50000 روپے جو شخواہ کے ساتھ ملی اسد اقبال خان ASI نے مجھ سے نفذ وصول کی' کانشیبل نوید شہراد 2208 نے بھی بیان میں تحریر کی ہے کہ BDU ریسک الاؤنس ایریئرمبلغ-/50000 روپے جومیر تے بخواہ میں آئی بتھی اسدا قبال ASI نے مجھ سے واپس نفذ وصول کی ہے جبکہ درخواست دہندہ کانٹیبل سلمان 2099 نے سوال و جواب کے دوران بنلایا کہ ASI اسدا قبال نے مجھ سے ماہ مئی' جولائی 2019ء کے دواقساط 50000/50000 روپے جو میر تے خواہ کے ساتھ آئے بتھے مجھ سے واپس نفذ لے لئے' درخواست ہٰذا میں جو دوسری ^{الز}ام ہے کہ کا^{نشی}بل ^صدیق اکبر جو مستفل طور پرایک پوائنٹ پڑ ڈیوٹی دیتے ہے' کانشیبل صدیق اکبر نے خودا ہے بیان میں کہا ہے کہ پی مرصہ 02 سال سے پیشن کورٹ مردان میں ڈیوٹی دے رہا ہوں جن کانسٹیبلا ن سے پیسے لی گئے ہیں اور جس نے درخواست کی تصدیق کی ہے اس کانسٹیلان نے درخواست میں لگائے گئے الزامات ' دہم کمیاں دینا کے بھی نفیاد این کی ہے' بیانات میں کانسٹیلان عبد اللّدشاہ عمران ٔ عالمگیرشاہ اور سلمان سے ریسک الا وُنس بیلّ 0000/2000 روئے برطابق بےرول ریکور ہوئے ہے جبکہ کانشیبل نوید شہراد کے شخواہ میں برطابق بےرول جملہ الاؤنسر نہیں لے ہیں' جس کے بابت اکاؤنٹ برانچ والوں سے وضاحت طلب کی تو اکاؤنٹ برانچ والوں نے بتایا کہ بیہ AG آفس دالوں کا کام ہے ہمیں

CUCA que a 1 Million 2 9 9 6 Saller 3022 ages ush بجرم اللع وطفاعة وطاكاته مع الكامة وطاكاته معاد المراكر الجام عليه المله دمدر مل كَ حَلاف جود وأمن كَدر في ع - كَسْر لاف لاستراد 8 عد اتساف أحمد 1645 عدرالله متاه 201 اور وامت كنيره سلان 189 مسترر ال رقم را ... قرر قرر سع . كنشران داور فا درمد . د اكرالرقان 2230 حسن الله 1921، الم ترعلى 2226 ما الله بيانات مي دردواس ك تا در اور حققت در منى بيان كا ع . مصبك كنيس حسن الدرادر الم قرعلى علا ف اين سائات من لمركم في كم عرف عرف عرف عرف المسان اللد س من معد المعلى ف بسب لي عين ليدين مر حواق كنشران فاموس في نشر جران المر 68 واقص سين كور مردين من فود اس من معالى معالي مسلسل في معال م در فرا مر الجام حسار الع العد مانات مع مر لعى والم الم العلي مر العلم المرابع الم رین مانی ای BDS سنورد من سرم از من مرده مان کرد می دین همان می دین همان علم مانا - اور انکو دری سے معلم میں روب کے اور انکو دری و المراجع المرابين من كمن المرابي مريناتات ور یح بران نا اس کے خلاف بچکا نہ کالادی کے DOE ONDE JI RU, BOULS portantes 9 - 03 - 2020

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علم نیس ہے کا نظیبل سلمان 2099 نے ASI اسدا قبال کے ساتھ موبائل فون پر جورتم وغیرہ کی بابت بات کی تقی اس کی ریکارڈ تگ من ذیر دیشتھ کی کو سنائی اور اس کے ساتھ ریکارڈ بھی موجود ہے۔ منتیجہ:۔ حالات ووا قعات و بیانات سے پایا گیا کہ الزام علیہ ASI سدا قبال کے خلاف جودر خوا ست کی گئ ہے کا کسٹیل ان نوید شہراد 2008 'اشتیاق حمد 1645 'عبد اللہ شاہ 1652 اور درخوا ست کند ، سلمان 2099 سے متذکر ہ بالا رقم ہڑپ کی گئی ہے کا نسٹیل ان واؤد خان 2027 'واکر الرحلن 2323 'حسین اکبر 1921 'افز علی 2205 نے اپنے بیانات میں درخوا ست کی تا تر 2021 'واکر الرحلن 2323 'سین اکبر 1921 'افز علی 2026 نے اپنے بیانات میں درخوا ست کی تا تیرا ور حقیقت پر بنی بیان کی ہے جبکہ کا نظیبل ^حسین اکبر 1921 'افز علی 2026 نے اپنے بیانات میں درخوا ست کی تا تیرا ور حقیقت پر بنی بیان کی ہے جبکہ کا نظیبل ^{حس}ین اکبر 1921 'افز علی 2017 نے اپنی کا مطابق میں بی تھی کہا ہے کہ عمران 126 اور احسان اللہ ہے بھی ایک اسدا قبال نے پنیے لئے علی 2017 نے بیانات میں بید بھی کہا ہے کہ عمران 126 اور احسان اللہ ہے بھی ادار اخز بیں لیکن یہ دونوں کا نظیمان خاموش میں کا تیرا ور اخراض 238 واقعی بیش کورٹ مردان میں خود اس کے بیان کے مطابق مسلسل 20 سال سے ڈیوٹی سرانجام دے رہا ہے اور بیانات سے بیچی وانے ہوا ہے کہ اکور اس کے اسدا قبال اپنے ماتحان کو 2018 سکواڈ ہے تبدیل کرنے کہ دھمکیاں بھی دیتے ہیں اکار اور اخری سر ایواز کی بی کا دور اس کے معان کی جو از مات درخوا ست میں لگا تے گئے ہیں ثابت ہوتے ہیں انگوائر کی میں کار سے کھی ایک کی ہوا ہے کہ میں کا کہ میں کا کہ میں لگا تے گئے ہیں ثابت ہوتے ہیں انگوائر کی میں کا کہ میں کا کہ میں کا کہ میں کا کہ میں کہ کو کر میں کا کہ ہوں کران جا میں بال جنوبی میں کہ میں کہ میں کہ میں کہ میں کہ کہ ہوں ہیں کہ میں کہ کی کہ ہوں کر کی کے دور اس کی کہ دور تی کی کہ دور کی کر کی کہ دور کی کہ کہ میں کہ کہ میں کہ کہ دور کی کہ دور کے کہ دور کی میں کہ کہ میں کہ کہ میں کہ کہ میں کہ میں کہ میں کہ میں کہ میں کہ کہ میں کہ میں کہ کہ میں کہ کہ کہ کہ میں کہ کہ میں کہ کہ کہ میں کہ میں کہ میں ک

انسپکٹر کرامت شاہ خان

RI, BDU, Peshawar KPK

09/03/2020

30 می انجام می انترایی از مرابع انتر تک ادر مورور 2002/2002 کوکله پایس می کانید ان بود کام می انترایی می انترایی اور انداز اور خوش اسلر سرانجام دیکرافسران دست ۱۱۱ کم بترس مسلم ۱۱۰۰ - دانا کم اسر می داد کواه ب-میں منظرحالات پر میں سیا^{وں} کی مل شکامت کا موقع نہیں دی ہے۔ بلکہ پندیدہ ملازمت سے پیش نظرافران پالانے متحدد بارتوصیلی اساد سے دوارا کیا ہے۔ ریا دو موہ ہے۔ کس منظرحالات پر موجو پر میں 100 کوجس دقت ملک دہشتگر دی کے لیٹ میں تھا یہ موجھے انسران پالانے بم ڈسپوذل کورس کھل کورس کھل کر کے نمایاں پوذیشن حاصل کی -کورس سے فراغرب ریچھ پر مدر سال م ک - کورک سے فراغت پر بھی بم اسپوزل کواڈیں افسران بالا نے تعینات کر کے لیٹ میں تھا۔ کو بھیے انسران بالانے بم اسپوزل کورس کیلیے متحب کیا۔ اور بم اسپودں مورس ک سے مصل کے بھے۔ جس کی فتر لات بشرض ملائظہ لف بذار پر بغرض لماخطه لف بغراب-سال 2015 کو میرا تبادلد نوشیردا یک سیونیڈ مک سکول ہوا۔ اور یوں اپنی خاصری نیٹنی بنا کر حاضری کی۔ جہاں ہے 3/4 ماہ بعد انٹرمیڈ یٹ کودس کیلیے نتوب ہو کر PTC سکو چلا کیا۔ جہاں پر کودس کھل کرنے سے بعد دالیں 17 پر لمد میں بر سے اجدوا پس اکر پرلیس لاکن میں حاضری کی اور اور یوں اپنی خاضری لیے کابنا کر حاضری کی۔ جہاں سے 3/4 ماہ بعد انٹرمیڈیٹ لورس میں جب ہوس واس سے بیسی سے میں اور اور اور این اپنی خاصری لیے کابر چھٹی انگر وہ پر ایر سر سر این میں حاضری کی -جو بعدہ انسران پالا نے میرا تبادلہ دوبارہ BDU سکواڈ میں کرائی ۔ دوبارہ تعیناتی سے دوران پیندیدہ ملازمت پر جناب DIG میا حب ریجن مردان نے بحوالہ چھنی انگریز کی نسب سال من من من من مرون مرون میران بالا فے میرانبادلددد بارہ BDU سکواڈیس کرانی۔دد بارہ تعینان کے دوران پندیدہ طارمت پر جناب من سے معلم من کر کے انگ مرکز بالا کر بزگی نسبر 2520/ES مور نیہ 29/03/2016 کو تعثیث انچارین BDU سکواڈیفیناتی کا تکم معادر فرمایا۔گران 13 سال تعیناتی کے دوران اپنے ماتھ شا تستار دریہ اختیار کر کے انگ الزام نگایا ہے۔ کہ صدیق اکبر کوانیفا تیز نہیں اور سکواڈیں جادلہ کردی ہے۔ ای طرح طاز مان BDU کامبل 50 ہزار روپے بڑپ کر گمیا ہے۔ كدنكها لكا جرادران السران بالا ع ما تعقينات ب - اسل سين ورى كرد باب في في جولهاً عرض ہے۔ کہ صدیق اکبر کانشیبل انسران بالا کے تھم پر سکواڈ ندا ہی آھیناتی ہو بھی ہے۔ جس میں من تیل کا کوئی ممل دخل کا رفر مانہیں۔ جہاں تک ملاز مین کا BDU الا دنس کا تعلق ہے۔ تو یکی الا دنس سکواڈ کے ہرطا زم کی ATM کارڈیس پٹا در سے ہراہ راست نظل ہور ہی ہے۔ درخواست میں دزن ڈالنے اور بچھے بلیک میلنگ کرنے کا ہر باستعال کیا گیا ہے۔ میں نے 13 سال طویل پسندیدہ طازمت کر ے تا حال کی بھی اہلکار نے کمی قسم کی تکلیف دہ شکایت نہیں کی ہے۔ یک شیبل میر ے خلاف برمر پکاداسلنے ہے۔ کہ ذکورہ فیرخاض باش مسم کا بنیرہ ہے۔ ندکورہ سے ساتھ کا فی گز ارہ کر چکا ہوں ۔ برداشت خس ہوکراس کے خلاف دو پورٹ درج کرکے انسران بالاکو بجوائی۔ جوندکورہ نے ردگس سے طور پر میرے خلاف من گھڑت ادربے بنیا دالزام تراثی کرتے دکھ میں جتلا کرکے اذبت پہنچایا بھے (م ميرادامن پاك اوم ميرماف، بدارا ب- فركوره كالشيل فرمران نامى كالشيل كامباره فكردرخوامت مي تام درج كى برجس ت مى اكر حقيقت بوجاجة في قواصليت اشكاره موسكى-_ المتثير عابيط - كدمايك كالطريق بسنديده طا دمت كوكم نفر وكالم العياف ذلايا جابيت وانساف كالجلبكاد بول ال تازيت دعا كورمونا -اسدا قال ASI انجار SUB شكوا و مردان

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# FINAL SHOW CAUSE NOTICE

I. Shafqat Malik AIG BDU, Special Branch KP, Peshawar being competent authority under Khyber Pakhtunkhwa, Police Rules, 1975 (Amended 2014), issue this final show cause notice to you ASI Asad Iqbal on the following grounds:-

That you while posted as Incharge BDS Mardan got involved in corrupt practices as per written complaint drafted by complainants named Constable Salman No. 2099/BDS and Constable Imran No. 3216 of BDS Mardan which was received by the Office of Worthy Inspector General of Police Khyber Pakhtunkhwa, Peshawar.

That you were served with charge sheet and statement of allegations vide this office No. 241-46/BDU dated 12.03.2020. Mr. Javed Iqbal DSP/BDU, Special Branch was appointed as Enquiry Officer who during the course of enquiry, found you guilty of committing misconduct.

After going through the findings of the Enquiry Officer, the material available on record and other connected papers, 1 am satisfied that you have committed misconduct within the meanings of ibid Rules. As a result thereof, 1 Shafqat Malik AIG BDU, Special Branch Khyber Pakhtunkwha Peshawar as competent authority has tentatively decided to impose upon you Major punishment mentioned in the ibid Rules.

You are therefore, directed through Final Show Cause within 15 days as to why the aforesaid penalty should not be imposed upon you.

In case your reply is not received within stipulated period, it shall be presumed that you have no defense to put and in that case an ex-parte action shall be taken against you.

Also state whether you desire to be heard in person.

No. 298

Copy of the finding of the enquiry officer is enclosed.

/BDU, Dated Peshawar the 28 /

TO Be

(SHAFQAT MALIK) Assistant Inspector General of Police BDU, ATO, SB, KPK, Peshawar

/2020

(صفحہ 1) المحواليه فائنل شوكاز نونش نمبري جاري شده, 298/BDU محرره 28/04/2020 مجاربيه جناب شفقت ملك UB/BDU صوبية خيبر بختونخواه بمقام بيثاور سمرى اف اليكيشن مشموله بذامعر وض خدمت مول - كرسائيل FA تك تعليم بافتر ب- اور مورخہ 07/02/2002 کوتکمہ پولیس میں بحثیت فٹ کانشیبل بھرتی ہو چکا ہے۔ تاریخ نھرتی سے کیکرتا حال اپنی ڈیوٹی نہایت خندہ پیشانی اورخوش اسلوبی سے سرانجام دیکرافسران دست بالاکوسی قشم کی شکایت کا ^{موقع ن}ہیں دی ہے۔ بلکہ پسندیدہ ملازمت کے پیش نظرافسران بالانے متعدد بارتوصفی اساداورنفذانعا مات سے نوازا گیاہے۔ریکارڈ گواہ ہے۔ پس منظرحالات کچھ یوں ہے۔ کہ سال 2007 کوجس وقت ملک دہشتگر دی کے لیے میں تھا۔ کو مجھےافسران بالانے بم ڈسپوزل کورس کیلیے منتخب کیا۔ادر بم ڈسپوزل کورس کمل کر کے نمایاں پوزیشن حاصل کی ۔کورس ۔۔۔فراغت پر بچھے بم ڈسپوزل سکوا ڈمیں افسران بالا نے تعینات کر سے اچھے کارکردگی کا مظاہرہ کرتار ہا۔اوراچھی ڈیوٹی دینے پرکٹی بارنفذانعا مات ادرتوصیفی اسنادحاصل کئے تتھے جس کی نقولات بغرض ملاحظہ لف ہذاہے۔ سال2015 کو**میرا تبادلہ پولیس سکول ایکسپوز وہینڈنگ نوشہرہ ہوا۔اور یو**ں اپنی حاضری ^{یقی}نی بنا کر حاضری کی ۔ جہاں سے 3/4 **ماہ بعد** انٹر میڈیٹ کورس کیلیے منتخب ہو کر PTC ہنگو چلا گیا۔ جہاں پرکورس کمل کرنے کے بعد دانیں آ کر پیلیس لائن میں حاضری کی۔جو بعد ہ افسران بالانے میرا تبادلہ دوبارہ BDU سکوا ڈییں کرائی۔ دوبارہ نغیناتی کے دوران پسندیدہ ملازمت پر جنابDIG صاحب ریجن مردان نے بحوالہ چھٹی انگریز ی نمبری 2520/ES مورخه 29/03/2016 کو بحثیت انچارجBDU سکواد تعیناتی کا حکم صادر فرمایا۔ گرای 13 سال تعیناتی کے دوران اين ما تحمان ك ساته شائسته روبيا ختيار كرك انكى مردكه كااز الهكرتار بإ-اوريوں وه مير اس دوستانه روبيه سے حد درجه خوش ، خرس، هم علين شق-بدشمتی سے سلمان نامی کانشیبل کی تعیناتی سکواڈ ندامیں ہوئی۔ یہ کانشیبل اکثر خلیے بہانے سے کام لیتا ہوا غائب رہا ہے۔ کیونکہ مذکورہ کسی دوسرے محکمہ میں اپنے آپ کو گھپانے کی کوشش میں تھا۔اجازت کئے بغیرا کنز دوسرے محکمے میں انٹرویوں کیلیے آیا، جایا کرتا تھا۔ مذکورہ کو میں نے حالات کی نزاکت کو مدنظر رکھتا ہوا۔ اُس کو خصیل کا ٹلنگ BDU ڈیوٹی کیلیے نتخب کرےردانہ کیا۔جس کو بیغل نا گوارہ گزری۔اس سلسلہ میں کانشیبل سلمان نمبر 2099 کے خلاف میں نے بحوالہ مدان نمبر 28,24 روز نامچہ 12/02/2020 پولیس لائن ضلع مردان میں تفصیلی روپورٹ ہائے درج روز نامچہ کی ہے۔جس کی رڈمل میں ک^{انشی}بل سلمان نمبر 2099 مذکورہ نے میر ےخلاف من گھڑت الزامات لگائے۔جس کا حقیقت ہے دور کا کوئی واسط ہیں ہے۔ الزام لگایا ہے۔ کہ صدیق اکبر کوالیفائیڈ نہیں اور سکواڈ میں تبادلہ کردی ہے۔ اسی طرح ملاز مان BDU کا میلن 50 ہزارروپے ہڑپ کر گیا ہے۔ کیونکہ الکا مرادران افسران بالا کے ساتھ تعینات ہے۔ اسلیح سینہ زور کی کرر ہے۔ ATTESTED

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(يشخه 2) لگانشیبل سلمان نمبر 2099 کے دائرشدہ درخواست میں کوئی حقیقت نہیں ہے۔علادہ ازیں مٰدکورہ ک^{انشیب}ل سلمان نمبر 2099 کا ی<mark>غ</mark>ل . بموجب پولیس رولز باب 14 فقرہ نمبر 1 کی خلاف درزی ہے۔ جولباً عرض ہے۔ کہ صدیق اکبر کانشیبل افسران بالا کے حکم پر سکواڈ ہزا میں تعینات ہو چکاہے۔ جس میں من سائبل کا کوئی عمل دخل کارفر ما نہیں۔ جہاں تک ملاز مین BDU الا ونس کا تعلق ہے۔ تو یہی الا دَنِس سکوا ڈے ہر ملازم کی ATM گارڈ میں پشاور سے براہ راست منتقل ہور ہی ہے۔درخواست میں دزن ڈالنے اور مجھے بلیک میلنگ کرنے کا ہر بہاستعال کیا گیا ہے۔ میں نے 13 سال طویل پیندیدہ ملازمت کر کے تا حال کسی بھی اہلکار نے کسی قشم کی نظیف دہ شکایت نہیں کی ہے۔ ریکانشیبل میر بے خلاف برسر پیکاراسلیئے ہے۔ کہ مذکورہ غیر حاضر باش قشم کابندہ ہے۔ مذکورہ کے ساتھ کا بن گزارہ کر چکا ہوں۔ برداشہ: ختم ہوکراس کے خلاف ر پورٹ درج کر کے افسران بالاکو بھجوائی۔ جومذکورہ نے ردعمل کے طور پر میرے خلاف من گھڑت اور بے بنیا دالزام تراش کر کے ڈکھ میں مبتلاكر کے اذبیت پہنچایا ہے۔ کانشیبل سلمان نمبر 2099 کے جانب سے متذکرہ دائز شدہ درخواست کے سالہ ہیں جنتی بھی انگوائر کی تمل میں لائی گئی ہے۔ تو یک طرفہ طور کاروائی عمل میں لائی جاچکی ہے۔متذکرہ جملہ بیانات میرےعدم موجودگی میں لی گئی تھی۔جس میں الزامات لگانے دالے پر میرےطرف *سے سی فتم کی جرح ا* کراس کرنے کا موقع جھے نہیں دیا گیا ہے۔ اس سلسلہ میں بچھے مذکورہ کا نشیبل سلمان نمبر 2099 کے علاوہ دیگر بیان دینے والوں پر کراس کا موقع بھی نہیں دیا گیا ہے۔تا کہ الزام لگانے والا اپناالزام میرےخلاف ثابت کردے۔ کیونکہ سی جرم سے نبیت بارے جوت زیرآ رٹیکل نمبر 117/QS الزام لگانے والے پر ہوتا ہے۔ اس کے ساتھ ساتھ کانظیبل سلمان نمبر 2099 نے جس رقم کے بابت الزام عائد کیا ہے۔ کہ سبت پے برائچ اور متعلقہ بنک ہائے سے تسلی کی جائے۔میرادامن پاک اور ضمیر صاف، بے داغ ہے۔ مذکورہ کانشیبل نے ممران نامی کانشیبل کاسہارہ لے کر درخواست میں نام درج کی ہے۔جس سے بھی اگر حقیقت یو چھاجائے بتو اصلیت انشکارہ ہو سکے گی۔میرےخلاف جوانگوائر کی ہوچکی ہے۔ اس میں انگوائری افسران نے مجھے قصور دارتھہر اکرملازمان ہے رقم لینے کاالزام عائد کیا گیا ہے۔ میں حقیقت سے دور کا واسط نہیں بلکہ بدنیتی ی^ینی یاباجا تاہے۔ کیونکہ کہ ملازمان کے بیانات قلمبندی کے دوران کافی تضادموجود ہیں۔اگرانکوائر کی میں موجود ملازمان کے ضبط تحریر میں لائے گئے بیانات کا مطالعہ کیا جاوئے تو تضاد سامنے آسکیں گے۔ جومیری بے گناہی کازندہ ثبوت ہے۔ (جارئ) ج)



-34 (صفحه 3) ی امر قابل ذکر ہے۔ کہ جس کنسٹیلان نے مجھ پر قم لینے کا الزام عائد کیا ہے۔ سال 2019 کی داستان سُنا تا ہے۔ اگر دافتی اُن سے رم کیا المستحياتها يوأس وقت ان ملازمان ف کیوں آ دازنہیں اُٹھایا جواب پیالزامات عائد کرر ہے ہیں۔ دوسرابیه که بیام بھی توجه طلب ہے۔ کہ سلیل سلمان نمبر 2099 نے الزامات لگا کر شکابتی درخواست افسران بالاکودیکر اُس درخواست میں عمران کنسٹیل نمبر 3216 کوتا ئید کے طور پر گواہ ظاہر کی۔جودوران انکوائر کی کنسٹیل عمران نے انکوائری افسر کولاعلمی ظاہر کر کے الزامات مندرجه درخواست من گھڑت اور بے بنیاد بتلائی ہیں۔جومیری بے گناہی کا زندہ ثبوت ہے۔اور کیا ہوسکتاہے ? علادہ ازیں جن کنسٹیلان نے دوران انکوائری میرےخلاف انکوائری افسر کوجوبے بنیا دبیانات دیتے تھے۔ان میں اکثریت غیر حاضر باش ادر ڈیوٹی چور کے ہیں۔ جن کے خلاف دفتاً فوقتاً رپورٹ ہائے درج کر کے افسران بالاکو بغرض کاروائی بھیجوائی گئی ہے۔جوان ملاز مان کونا گوارہ گزرکر میرےخلاف بے بنیادالزام راش پراتر آئے ہیں۔ سائیل ایک معززگھرانے سے تعلق رکھتا ہے قلیل تنخواہ دارہوں۔اور بیج بھی زیرتعلیم ہیں۔ساتھ ہی اپنے کئیے کاداحد فیل ہوں۔ استدعاب کہ طویل پیندیدہ ملازمت کومدنظرر کھ کرسائل کے حال پر رحم فر ماکر فائنل شو کا زنوٹس ہٰزابلا کاردائی داخل دفتر فرمائی تازليت دعا گور بهوزگا۔ 08-05-2020 اسدا قبال خان (ASI) معطل حال BDU ، پژگوارٹر بیٹاور العارض ATTESTED

#### <u>ORDER</u>

This order is passed to dispose of departmental proceedings initiated under Khybe Pakhtunkhwa Police Rules 1975 (amended 2014) against ASI Asad Iqbal. Facts forming the background of the departmental proceedings are as under:-

ASI Asad Iqbal (hereinafter referred to as an accused officer) while posted as Incharge BDS Mardan is involved in corrupt practices as per written complaint by complainants Constable Salman No. 2099/BDS and Constable Imran No. 3216 of BDS Mardan and addressed to the office of Inspector General of Police Khyber Pakhtunkhwa, Peshawar wherein Worthy IGP ordered/directed for necessary action/enquiry in the allegations.

Charge sheet and statement of allegations based on said charges were issued to the accused officer vide this office Endst: No. 241-46 dated 12.03.2020. Mr. Javed Iqbal DSP/BDU Special Branch Peshawar was appointed as Enquiry Officer to scrutinize the conduct of accused officer with reference to the charges leveled against him. The Enquiry Officer after conduct of Enquiry, in his findings reached to the conclusion that the accused officer is guilty of committing misconduct.

After going through the findings of the Enquiry Officer, the material available on record and connected papers. I am satisfied that the accused Officer committed misconduct within the meaning of ibid Rules.

Before imposing major punishment, he was issued Final Show Cause Notice and heard in person by the undersigned that why the aforesaid penalty should not be imposed upon him however the accused officer flatly denied all the charges/allegations against him as baseless, malafide and without footing. His reply to the Final Show Cause Notice is not satisfactory as it is proved beyond shadow of doubt during enquiry proceedings that accused officer is involved in corrupt practices by minting illegal money from the complainants.

As a result thereof, I Shafqat Malik, Assistant Inspector General of Police, BDU, Special Branch, Khyber Pakhtunkhwa, Peshawar being a competent authority under ibid Rules hereby award to accused officer Major Punishment by Reduction in rank from ASI to HC for a period of three (03) years with an immediate effect. The accused officer is also reinstated in service.

(SHAFQAT MALIK) Assistant Inspector General of Police, BDU, ATO, Sil. KPK, Poshawar. 7 / L /2020

, dated Peshawar the,

Copy to all concerned for information and necessary action.



-35-

No. 3561

The Deputy Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar.

Subject: <u>Representation</u>.

Through:- <u>Proper Channel</u>.

Respected Sir,

Ťο:

With great veneration and profound regards appellant submits departmental appeal against the order No. 350 dated 09.06.2020 passed by learned Assistant Inspector General of Police, Bomb Disposal Khyber Pakhtunkhwa, Peshawar vide which penalty of Reduction in rank from ASI to HC for 03 years was imposed on appellant. Facts leading to the departmental appeal are as follows:-.

36-

FACTS:-

1.

2.

3.

·5.

That appellant was inducted as constable in District Police Mardan of Khyber Pakhtunkhwa Police and gradually earned promotion to the rank of Assistant Sub Inspector (ASI).

That appellant while posted as Incharge Bomb Disposal Squad District Mardan recorded written report against the unbecoming conduct of Constable Salman No. 2099/BDS posted in Bomb Disposal Squad of District Mardan in the Daily Diary of Police Lines Mardan Serial No 24 and 28 dated 12.02.2012.

That the said Constable Salman was least interested in performing official duties and was in search of another Job. He was time and against verbally reprimanded on charges of slackness in duty but the always turned deaf ear to the genuine and lawful directions of appellant therefore appellant seeing no other option lodged written report against the ill-conduct displayed by the said Constable.

That the written complaint lodged against the misconduct of Constable Salman prompted him for manipulating and fabricating charges against the appellant. He also persuaded colleague constables annoyed of the strict command of appellant for lodging a false and concocted complaint, against appellant.

That the said Constable Salman with connivance of other Constables lodged a false complaint against appellant before worthy Inspector General of Police Khyber Pakhtunkhwa, Peshawar. He leveled charges of receipt of amount from the Constables credited to their Bank Account as arrears of allowance sanctioned vide order of Peshawar High Court Peshawar.

Be TI

That charge sheet based on above allegations was issued to appellant by the Assistant Inspector General of Police, Bomb Disposal and a socalled enquiry was conducted and eventually the impugned order was passed, hence this departmental appeal on the following grounds.

-37-

### **GROUNDS:-**

A)

B)

C)

D)

6.

That the enquiry proceedings were conducted in flagrant violation of Rules. Enquiry having not been conducted in accordance with law, therefore the entire subsequent action based on that enquiry report had no legal sanctity. The Enquiry Officer has accepted the false deposition of interested witnesses without it proper evaluation and has not taken into account the evidence of disinterested witnesses named Constable Imran No. 3216, Constable Ihsan ullah No. 2258, Constable Taj Muhammad No. 1402, Constable Sadiq Akbar No. 887 and Constable Gohar Ali No. 179. The Enquiry Officer has wrongly believed the evidence of interested witnesses and did not consider the evidence of disinterested witnesses. He has advanced no reasons and grounds in support of his decision or findings.

That the Enquiry Officer was pleased to examine in Accountant Bomb Disposal Unit, Raheel Rehman wherein he categorically stated and confirmed that the Office of Accountant General, Khyber Pakhtunkhwa had credited the amount of arrears of allowance to the Bank Account of concerned officers. Therefore question of misappropriation of the amount credited to account by the appellant does not arise. The alleged contention of Constable Salman and others that they voluntarily drawn the amount from their bank account and then paid it to appellant does not appeal to prudent mind. Appellant was only senior to them therefore by no stretch of imagination appellant was able to prevail upon the subordinate for payment of huge amount.

That Constable Salman and others remained silent for long period and all of sudden lodged complaint before worthy Inspector General of Police. They avoided making complaint to the District/Regional Administration of police or authorities of Bomb Disposal Unit which further establishes malafide on their part.

That the Enquiry Officer did not take into account the report lodged by appellant against Constable Salman and based his opinion on hallowed assessments and conjectures. Therefore the impugned Order has been based on wrong and baseless opinion of Enquiry Officer.

To Be True

That the entire service record of appellant is unblemished therefore the lower authority has wrongly based a single baseless instance of alleged misconduct for award of major penalty to appellant.

That the lower authority and the Enquiry Officer have wrongly brushed aside the available defense evidence. No reasons and grounds were advanced for disbelieving the evidence favouring the case of appellant.

That the appellant is on the strength of District Mardan and the borrowing authority has no power to punish/award major punishment hence wrong jurisdiction.

It is therefore requested that the impugned order may be set aside with all back benefits.

Yours obediently, Asad Iqbal HC, 23-06-2020 BDU

Enclosure:

Copy of impugned order.



G)

**F**)

E)

From:

The Assistant Inspector General of Police Bomb Disposal Unit, Special Branch, Khyber Pakhtunkhwa, Peshawar

To:

The Deputy Inspector General of Police Special Branch, Khyber Pakhtunkhwa, Peshawar

No. 36 Subject:

REPRESENTATION

For

/BDU, Dated Peshawar the

06

/2020.

- 39

Memo:

Enclosed kindly find herewith representation submitted by HC Asad Iqabal of BDU for further necessary action please.

(Encls: Representation)

Assistant Inspector General of Police BDU, SB, KPK, Peshawar

True Copy То

#### 4632/01 **GOVERNMENT OF** KHYBER PAKHTUNKHWA .40-ESTABLISHMENT DEPARTMENT

DATED PESHAWAR, THE MAY 20, 2019

Ta, "

## NOTIFICATION

NO. SO(E-I)/E&AD/2-4/2019 The competent authority is pleased to extend the period of contract appointment of Major (Rtd) Shafqat Ullah Malik as AIG/Bomb Disposal Unit Khyber Pakhtunkhwa Police for a period of one year w.e.f. 22.01.2019 to 21.01.2020, subject to creation of position(s) and necessary amendments in the rules for career progression on standard terms & conditions.

## CHIEF SECRETARY GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. & date even.

Copy forwarded to the:-

- 1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
- 2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 3. Secretary to Government of Khyber Pakhtunkhwa, Home Department.
- 4. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 5. Accountant General, Khyber Pakhtunkhwa
- 6. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 7. PS to Secretary Establishment/PS to Secretary Administration Khyber Pakhtunkhwa.
- 8. PS to Special Secretary (E)/PA to AS(E), D.S.(Admn), D.S. (Estt.)/ SO(Secret)/SO(HRD-I)/SO(E-II)/SO(Admn) and ACSO Cypher E&AD.
- 9. Officer concerned.
- 10. Manager, Govt. Printing Press Peshawar.

True Copy To Be

(ISHTIAQ AHMAD) SECTION OFFICER (E-I)



## **GOVERNMENT OF** -41-KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT

Dated Peshawar July 13, 2020

# NOTIFICATION

The Competent Authority is pleased to extend the NO. SO(E-I)/E&AD/2-4/2020: period of contract appointment of Major ® Shafqat Ullah Malik as AIG/Bomb Disposal Unit Khyber Pakhtunkhwa, Police for a period of one year w.e.f. 22.01.2020 to 22.01.2021, subject to the condition that this will be the last extension.

The Competent Authority has further pleased to direct that Police. 2 Department will frame proper. Service Rules for appointment of persons with requisite qualification /expertise on permanent basis, against the post.

## CHIEF SECRETARY **GOVERNMENT OF KHYBER PAKHTUNKHWA**

## ENDST. NO. & DATE EVEN.

## Copy forwarded to the:-

- 1. Principal Secretary to Governor, Khyber Pakhtunkhwa
- 2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- Secretary Home & Tribal Affairs Department Government of Khyber Pakhtunkhwa. 3
- 4. Provincial Police Officer Khyber.
- Accountant General, Khyber Pakhtunkhwa. 5
- CSO to Chief Secretary. Khyber Pakhtunkhwa, 6
- PSO to Chief Secretary, Khyber Pakhtunkhwa,
- 7 8. PS to Secretary Establishment Department
- (Litigation)/D.S.(Admn), (EstL)/ D.S Secretary AS (E)/ Special 9. PS to SO(Secrel)/SO(HRD-I)/SO(E-II)/DD(IT) and ACSO Cypher E&AD.
- 10. Officer concerned.
- 11. Manager, Govl. Printing Press Peshawar.

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### BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12099/2020.

### VERSUS

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### BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL <u>P</u>ESHAWAR

Service Appeal No. 12099/2020.

#### VERSUS

#### **REPLY BY RESPONDENTS.**

#### **<u>RESPECTFULLY SHEWETH:-</u> RELIMINARY OBJECTIONS:-**

- a) That the appellant has got no cause of action.
- b) That the appellant has been estopped by his own conduct to file the appeal.
- c) That the appeal is not maintainable in its present form.
- d) That the appellant has not come to the Hon'ble Tribunal with clean hands.
- e) That the appeal of appellant is not based on facts.
- f) That the appeal of appellant is barred by law and limitation.
- g) That the appeal is bad for misjoinder and non-joinder of necessary parties.

#### FACTS:-

- 1. Correct to the extent of recruitment of appellant in police department but his contention that he performed duties honestly and devotedly is incorrect.
- 2. Needs no comment because this Para pertains to service record of the appellant.
- **3.** Incorrect, the reduction order was passed after making thorough probe into the complaint received against the appellant as Facts Finding Enquiry and departmental enquiry was conducted against him wherein he was found responsible of commission of misconduct.
- 4. Incorrect, the allegations levelled against appellant in complaint were found true and based on facts during course of inquiry.
- 5. Incorrect, reply submitted by appellant in response to charge sheet was found unsatisfactory therefore regular enquiry was conducted for verifying the allegations.
- 6. Incorrect, enquiries were conducted with sole aim and objectives of finding the truth or otherwise of the charge.
- 7. Incorrect, appellant failed to rebut the charges and the reply furnished in response to Final Show Cause Notice was found unsatisfactory.
- 8. Correct to the extent that after observing all codal formalities of defense and hearing, Order for reduction in rank was issued in accordance with rules.
- **9.** Incorrect, transfer of the appellate authority delayed the disposal of departmental appeal of appellant. Furthermore, appellant filed service appeal therefore departmental authority became "Functus Officio".
- 10. Incorrect, the appeal of appellant is not sustainable on the given grounds.



#### GROUNDS:-

- A. Incorrect, the order of respondent is based on justice, legal and has been passed in accordance with law/rules.
- **B.** Incorrect, the entire departmental proceeding file against appellant was prepared in accordance with law and rules. He was treated in accordance with law/rules. Charge sheet with statement of allegations were issued to appellant. Regular enquiry was conducted. Final Show Cause Notice was issued to appellant. All the legal, procedural and codal formalities were adopted before passing the final order for reduction in rank by the competent authority.
- C. Incorrect, the impugned order was passed by competent authority. The same authority issued the charge sheet and appellant did not raise this ground. Therefore at this stage appellant is estopped to challenge the competency of the authority.
- **D.** Incorrect, proper and regular enquiry was conducted before passing the Orders. Appellant was associated in the enquiry proceedings. Full opportunity of defense was provided to appellant but he failed to rebut the charges.
- E. Incorrect, the allegations contained in the complaint against appellant were verified true during course of inquiry.
- F. Incorrect, appellant was personally heard and he failed to defend the charges.
- G. Incorrect, the allegations levelled against appellant were found based on facts during course of enquiry.
- **H.** Incorrect, unblemished long service is no ground of defense against serious charges of misconduct.
- I. Respondents may also be allowed to raise additional grounds at the time of hearing of the appeal.

#### PRAYER:-

It is therefore prayed that on acceptance of reply to the appeal, the same may kindly be dismissed with costs please.

Inspector neral of Police. Khyber Pakhtunkhwa, Peshawar. pondent No. 5) (Res

Regional Police Officer,

Mardan. (Respondent No. 4)

Deputy Inspector General of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 2)

olice Officer.

District Police Officer Mardan. (Respondent No. 3)

man

Assistant Inspector General of Police, BDU Khyber Pakhtunkhwa, Peshawar. (Respondent No. 1)

### BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12099 /2020.

#### VERSUS

#### **AUTHORITY LETTER**

Muhammad Asif DSP Legal, Special Branch, Khyber Pakhtunkhwa Peshawar is hereby authorized to appear on behalf of the Respondents before the Hon'ble Service Tribunal Peshawar. He is authorized to submit all required documents and replies etc pertaining to the appeal through the Government Pleader.

Inspector eneral of Police, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 5)

Regional Police Officer, Mardan. (Respondent No. 4)

Deputy Inspector Géneral of Police, Special Branch, Khyber Pakhtunkhwa, Peshawar. (Respondent No. 2)

Mardan!

(Respondent No. 3)

Pranni

Assistant Inspector General of Police, BDU Khyber Pakhtunkhwa, Peshawar. (Respondent No. 1)

## BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 12099/2020.

Asad Iqbal, Head Constable. Bomb Disposal Unit, Special Branch, Khyber Pakhtunkhwa, Peshawar (Appellant)

VERSUS

#### **AFFIDAVIT**

I, Muhammad Asif DSP Legal Special Branch, Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm on oath that the contents of the written reply are true and correct to the best my knowledge and nothing has been concealed from this Hon'ble Tribunal.

Deponent

Muhammad sif DSP/Legal¹

17301-3746129-3

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR** 

Service Appeal No 12099/2020

Asad Iqbal.....Appellant.

## VERSUS

AIG & Others.....Respondents

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4.	Copies of Notifications dated 18-12- 2020 & Notification dated 01-03-2021	E & F	7-9
5.	Copies of FIR,s	G, H & I	10-12

Dated:-14-09-2021

Appellant

## Through

# **FAZAL SHAH MOHMAND**

Advocate, Supreme Court of Pakistan.

OFFICE:-Cantonment Plaza Flat# 3/B Khyber Bazar Peshawar. Cell# 0301 8804841 Email:- fazalshahmohmand@gmail.com

## **BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

Service Appeal No 12099/2020

Asad Iqbal.....Appellant.

### VERSUS

AIG & Others......Respondents

### **REPLICATION ON BEHALF OF THE APPELLANT.**

#### **REPLY TO PRELIMINARY OBJECTIONS.**

All the objections raised by the respondents are incorrect and as such denied. The appellant has got a valid cause of action and locus standi to bring the present appeal, which is not barred by law and limitation and instant appeal is based on solid facts. The appellant is not estopped by his conduct to file present appeal which is maintainable in its present form, the appellant has come to this honorable tribunal with clean hands and all necessary parties have been impleaded by the appellant.

#### **REPLY TO FACTS/GROUNDS:**

Comments of the respondents are full of contradictions, rather amounts to admissions and are based on malafide. Respondents have failed to show that the version of the appellant is incorrect. Even respondents have failed to show and substantiate their version referring to any law, rules and even any material. In the circumstances the appellant has been deprived of his rights without any omission or commission on his part and he has been deprived of his rights guaranteed by the Constitution and law of the land. Respondents have badly failed to prove the allegations during the illegal inquiry.

The fact in issue is proved from the posting of the appellant again as Naib Incharge to BDS Swabi on 02-08-2021 and was posted as Line Officer BDU Special Branch KP Peshawar, had the appellant been corrupt and inefficient or guilty of misconduct then why the appellant was assigned such responsibilities. **(Copies of orders dated 05-03-2021 & order dated 02-08-2021 are enclosed as Annexure A & B).** It is worthwhile to further mention that Constable Siddique Akbar No 887/BDU is duly qualified having passed the requisite courts/training in 2002 and even the said Siddique Akbar was again posted to Mardan Jail as evident from Daily Diary, No 4 dated 19-03-2020. (Copy of Certificate & Daily Diary No 44 is enclosed as Annexure C & **D**). Similarly DSP Naveed Igbal is having checkered record as evident from Notifications dated 18-12-2020 & Notification dated 01-03-2021. (Copies of Notifications dated 18-12-2020 & Notification dated 01-03-2021 is enclosed as Annexure E & **F).** It is also worth mention that Aman Ullah S/O Bahadur is also involved in many cases of theft etc which speaks of his worth. (Copies of FIR,s are enclosed as Annexure G, H & I). The appellant has not been treated according to the law on the subject besides the version of respondents regarding allegations, is also full of contradiction. No evidence was collected nor brought on record in support of allegations and as such the charges were never proved. Even no proper inquiry was conducted in the matter nor was the appellant provided reasonable opportunity to defend himself which is mandatory in case of major penalty.

Respondents have tried to twist the facts, and the appellant could not be made to suffer for the fault of others as no one could be punished for the fault of others. In the circumstances the appellant has not been treated according to law and rules being his fundamental right.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for.

Dated:-14-09-2021

Appellà

Through

EAZAL SHAH MOHMAND

Advocate, Supreme Court of Pakistan.

### <u>AFFIDAVIT</u>

I, Asad Iqbal, Head Constable, Bomb Disposal Unit, Special Branch, Khyber Pakhtunkhwa, (the appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



DEPONEN

IHC Asad Iqbal of BDU is hereby ordered as Line Officer of BD Unit Special Branch, KP Peshawar with immediate effect and till further orders

SHAFQAT MALIK Assistant Inspector General of Police

BDU, ATO, Special Branch Khyber Pakhtunkhwa, Peshawar

03

/2021.

<u>ORDER</u>

/BDU, Dated Peshawar the

/BDU, Dated Peshawar the co / Copy to all concerned for information.

"A"

971 No.

4BU Noting opposit

# ORDER

IHC Ased Iqbal No. 27 of BDU Peshawar is hereby transferred and posted as Naib Incharge to BDS Swabi with immediate effect and till further order.

No. 716 /BDU, Dated Peshawar the 2 1 % & Copy to all concerned.

/2021.

certinn?

SHAFQAT MALIK (S.St) . Assistant Inspector General of Police

BDU, ATO, Special Branch Khyber Pakhtunkhwa, Peshawar

6. 11~" CAORATE GENERAL , GOVERNMENT OF PAKISTAN Certificate No. BRC-62-193.2 CIVIL DEFE Regn. No. 2K2-NIF-17877, NATIONAL INSTITUTE OF FIRE TECHNOLOGY ISLAMABAD All -Mr.Siddique Akbar s/o Muhammad Akbar. This is to certify that____ Git hill * North Carlson (1994) Police Station. Sheikh Maltoon, Mardan Course No.__ Bomb Reconnaissance attended ____and qualified. 14-Sep-2002_ 26-Aug-2002 10 held from_ -11-4-4-2-DtR DIRECTOR TRAINING Dated :

19-320 44: No -6 مناب Ri معب لولس مردان فرالمرع دی المبل מערט ועת 788 התן מכוט יון הי על 60 ני لياتع بر تو ش ورف وال روام ترك مملر تُبْل تَحْبِي كَا 179 الْحَصْل إحردان بِ تَقْصَلْنِ الْحَدِي دوادير تر ت دين أو اطلاع بريز و بين بالد و اطلاع دى سلي إس بايت ديور خدر في مد ناد اللي لما عطالی روزنادو احمل MANN - MI 19-03-202

OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Dated Pest swarthe 1/2 / 2020

# NOTIFICATION

No.CPO/E-I/Transfer/Posting/ 2389, In exercise of the powers delegated upon the Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa under sub-section (2) of Section 17 of the Khyber Pakhtunkhwa Police Act, 2017, Mr. Naveed Iqbal DSP (BS-17) curre tily posted as DSP CTD Khyber Pakhtunkhwa is increby closed to CPO Peshawar on complaint basis with immediate effect.

Sd/-(DR: ISHTIAQ AHMAD) ^{PSP/PPM} Admitional Inspector General of Police, Headowarters, Khyber Pakhtunkhwa,

#### No & date even:

Copy forwarded to the:-

1. Accountant General Khyber Pakhturikhwa Pesitay ar Children and Chil

-/2-2-20

- 2. Additional Inspector General of Police HQrs, Khyller Pakhta, khwa,
- Deputy Inspector General of Police HQrs, Khyber Bokhunkhwa.
- 4. Deputy Inspector General of Police CTD Khyber Pakhtenith va
- 5. Registrar CPO Peshawar,
- 6. Supdt: Secret CPO Peshawar.

÷ .

7. U.O.P File.

110

ZAHOOR BABAR AFRIDI, PSP Assistant Inspector General of Police, Estatlishment, Khyber Pakhtunkhwa ARRIVAL REPORT.

In compliance with the orders issued by the Worthy Deputy Inspector General of Police Counter Terrorism Department Khyber Pakhtunkhiva, Peshawar vide Order No. 14804-09/EC/CTD, dated 30.11.2020, I hereby submit my arrival report in this office after availing 15 days granted casual leaves today on 17/12.2020 (A.N)

> (Navecd Iqbal) Deputy Superintendent of Police, CTD HQrs: (BS-17)

SP, HQ/s: CTD

He is directed to romain in HQ Lill further orders



### OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Dated Peshawar the OI 103 / 2021

NOTIFICATION

No.CPO/E-I/Suspension/<u>338</u>, In exercise of the powers delegated upon the Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa under sub-section (2) of Section 17 of the Khyber Pakhtunkhwa Police Act, 2017, Mr. Naveed Iqbal DSP (BS-17) under transfer on complaint basis to Central Police Office, Peshawar is hereby placed under suspension for non compliance the order of his senior with immediate effect.

Sd*I*-(KASHIF ALAM) ^{PSP} Additional Inspector General of Police, Headquarters, Khyber Pakhtunkhwa,

#### No & date even:

#### Copy forwarded to the:-

- 1. Accountant General Khyber Pakhtunkhwa Peshawar.
- 2. Additional Inspector General of Police HQrs, Khyber Pakhtunkhwa
- 3. Deputy Inspector General of Police HOrs, Khyber Pakhtunkhwa.
- 4. Deputy Inspector General of Police CTD Khyber Pakhtunkhwa.
- 5. Registrar CPO Peshawar.
- 6. Supdt: Secret CPO Peshawar.
- 7. U.O.P File.

IRFAN ULLAH KHAN, PSP Assistant Inspector General of Police, Establishmeor, Khyber Pakhtunkhwa

6 Abren Utels 10 -1110) - CIX1601-7 Joyur (1) . Carlon (110 a) د بند جزل بویس KPK فارم نبر ۲۷ ةارم تمبر TT_۵(1) ابتذاني اطلاع ربورب ىئل ابتدائي اطلام فسبت كالل دست اندازي بوليس رمورت شدوز مرد فعد ١٥ مجموعه منابطة ومداري منلع <u>حر رُدان</u> ميول 29 - 25 - 119201 - 201.4 76 13 30 57 28 1 2021 بارت دوت ريورت ما المحت اللال المدونية مستنب المراجعة عامة المراجعة المراجعة من المراجعة معد مستنب المروعة والمراجع المراجع ال شاخى مدونيرا مراكل نير مستنب المروجي المروجي المروجات 15/25-1-1. (روجات المراجع المراجع المراجع المراجع المراجع قال لرمين الما Re 378/111 . قرم كذان المرسي الر- وراق مرمهما أناد معرر ما، وأو مدفا مسله تمانيت اورست عاى محدد الراجي كالم مراجع المراجع المراج بدان بوتشيش كرسلت كى اكراطلال درن كرف من توقف بوابوتوبيد بيان كرو حمد تم الكما الدور من مرج وريد المرد مد مما يسب تمانە ب رواكى كى تارىخ دوقت が、たい ابتدائی اطلاع فی درج کرد۔ مستن مندر ماج نے درج درج ار المرم المراج - فرا " الم معاد المراج الراج ال منزون خا معاد ب الروم و الم و ب الم الل من من مرد الم -5562 حد مرو رسما ن ٢٠ ٢٠ مر مر من عن ٢٠ ٢٠ ٢٠ مرد المري ما روا ماد و ماد المراج والا ال الم المر الم المراب في المر المراد رام ا مروعة في - المرار مرا «مري مدرور» أت م مراري ניו נין- ונונים, ידין אייטי איזונגן איין גיי בתפר בשימינו טלן ינוים אינווו ب الإحسين النه جاردا فلي فسين مأ الله في مرابع بر المرالي المرالي المرجم المستر سو حرام من لد از د برال مرور ورا المار در مرد مر مرد الارام المراجي 2 3 - 3 - 4 قارض مان ک 5-13 140h 28-1-2021

<u>بر الم مع ما ما الم</u> Ľ, من المان المسبب ، في بسبك عرارت ويسربان بتريب شمان به في من المان بين مريد. منه المان المسبب ، في بسبك عرارت ويسربان بتريب شمان به في مريد المان بين مريد . مصلح وحدسوال أندين تحري معد أخرجي فتساليب كما أيوسة بالجنيره ی من من من مرحمان مرحما می من ما می اید من و طورت • هده در می مناب شار ۵ من و مرد ما کال سایر نام بن المار المان المان الما الما المار من عنه الكرار الما المان المالية يد إ فات يا في كامت الد أبتكراني الخابي في فيح درن كرو مستنف منهر به خام بز2 بعد قب صدر سلطه المدار لوں المورت كرا مح مح الله الم محين تو المحد في في الله المراح مدين في شاخ كمر الله ، دار تی خط جلا تیا جرین کی تو اجر اجر والی، آط کی دیکیا توسر سیک اجراز سرم مرد من حل على المات و ميشر جمير بن كراب في الما الله في المتر المديد المسلي عوشي بي مرك بكريد ب سمان ٢ جذه و مدحتنف النا، ٢ حن ومر مع تل ما كان توسيم ٢٠٠٠ مان ومد احد الى قت بالى بان بان الله الم مرت ترت من الورت مود دير معلو - -بن بس ما ب مسيل اللي الحراب الحراب المراجع من المرجل المرجل المرجع المرجل در بارجون العضر الم تحامد الم تحامد الم قد مستخفة عاكر راي مراجع برا ما الادر مد ترج الحرب معدد المطلق م م عرف مدر الم المربق الم الم مرد الديث مع موت جرم بالا تحاطات جاكر فت Fir في غرش كخت م ح استما كل جامات مرجب تزور شهرين Asips. tolky 7-2-2021

217 من مانطان 101 11107 - 0141601- T المنيكة جزل بوليس KPK فارم تسري تارم نبر ۲۰۰<u>۵ - ۵(۱)</u> ابتدائی اطلاع ریچرٹ نا کل ابتدائی اطلام نسبت قابل دست اندازی پولیس رپورٹ شد وزیر دفعہ ۱۵ جموعہ منابط فوجداری _____ من و_رون Un <u>il</u> - ري^خددت ريورت 13:30 25 28 2021 R. 378/111 واست وتوعد فاصل تحانه سے اور سمت . قرم كوزان المرسل الرف وران er, li lur مرد المن المريد ور مريم الم الله الله الم الم الم 3.1 - 201 ( 10,0 0 10) ( 20) نانى كارد نبر / ساكى نبر مارز تحدرت كدارى طان خان قاند بروائى كارج ووت が、た ابتدائي اطلاع ينجدرج كروبه معتسنة صدرح مرتب عاديري لروار بور الور را در دلور فرمان حرور العلی المور می الا محرور می الا محرور میں در الا میں مرد میں در الا میں میں اور الا میں کرما برمال کے حاط 2 مرد میں جار مراحب میں شا ) دہم دار ما 3 مرد قر قر دند ما د مر مرود المرود الم المعرود مرد الم المروم المراج و مرد منزون الم من أرام وي في في المرائل بن معلومات حد مرور معان معرب في من عند في من ون المان المرى المرابع المرد ون المان المراد مالا في المراج المال الل المراج المراب المراج المراج المراج المراج المراج المراج المراج المراج مرج مع عاد ور معمد ورود في - دارف ورا مرا معدون مر مراد رَ عَمَا مُعْرَفَعَمْ وَتَعْمَا وَمَنْ مُعَادَد أُنْ مَنْ وَمُو فَتَحْدُو مُحْمَد مُنْ كَام عَدَفَ مُعْمَ مُعَا " وموسر" برال الع طنين الله كاروا في في متعلم الله في مرابع المراج في مرابع الم The site of the contract of the contract The star م من المركب مراجع المالي ما المالي من المراجع المراجع المراجع المراجع المراجع المراجع المراجع المراجع المراجع الم -Silver Silver B. Hon N. F. 28-1-2021 1

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR** 

Service Appeal No 12099/2020

Asad Iqbal.....Appellant.

# VERSUS

AIG & Others......Respondents

### INDEX

S.No	Description of Documents	Annexure	Pages
1.	Replication with Affidavit	a	1-2
2.	Copy of order dated 05-03-2021 & order dated 02-08-2021	A & B	3-4
3.	Copy of Certificate & Daily Diary No 44	C & D	5-6
4.	Copies of Notifications dated 18-12- 2020 & Notification dated 01-03-2021	E & F	7-9
5.	Copies of FIR,s	G, H & I	10-12

Dated:-14-09-2021

Appellant

Through

**FAZAL SHAH MOHMAND** ADVOCATE, SUPREME COURT OF PAKISTAN.

OFFICE:-Cantonment Plaza Flat# 3/B Khyber Bazar Peshawar. Cell# 0301 8804841 Email:- fazalshahmohmand@gmail.com evident from Daily Diary No 4 dated 19-03-2020. (Copy of Certificate & Daily Diary No 44 is enclosed as Annexure C & **D**). Similarly DSP Naveed Iqbal is having checkered record as evident from Notifications dated 18-12-2020 & Notification dated 01-03-2021. (Copies of Notifications dated 18-12-2020 & Notification dated 01-03-2021 is enclosed as Annexure E & F). It is also worth mention that Aman Ullah S/O Bahadur is also involved in many cases of theft etc which speaks of his worth. (Copies of FIR,s are enclosed as Annexure G, H & I). The appellant has not been treated according to the law on the subject besides the version of respondents regarding allegations, is also full of contradiction. No evidence was collected nor brought on record in support of allegations and as such the charges were never proved. Even no proper inquiry was conducted in the matter nor was the appellant provided reasonable opportunity to defend himself which is mandatory in case of major penalty.

Respondents have tried to twist the facts, and the appellant could not be made to suffer for the fault of others as no one could be punished for the fault of others. In the circumstances the appellant has not been treated according to law and rules being his fundamental right.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for.

Dated:-14-09-2021

c. Ý

Through

Appellant

FAZAL SHAH MOHMAND

Advocate, Supreme Court of Pakistan.

### <u>AFFIDAVIT</u>

I, Asad Iqbal, Head Constable, Bomb Disposal Unit, Special Branch, Khyber Pakhtunkhwa, (the appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



DEPON

No.

#### ORDER

IHC Asad Iqbal of BDU is hereby ordered as Line Officer of BD Unit Special Branch, KP Peshawar with immediate effect and till further orders

.....

217 /BDU, Date

SHAFQAT MALIK Assistant Inspector General of Police BDU, ATO, Special Branch Khyber Pakhtunkhwa, Peshawar /BDU, Dated Peshawar the cold / cold / 2 /2021. Copy to all concerned for information.

-4- UBU

# ORDER

IHC A&Ad Iqbal No. 27 of BDU Peshawar is hereby transferred and posted as Naib Incharge to BDS Swabi with immediate effect and till further order.

> SHAFQAT MALIK (S.St) Assistant Inspector General of Police BDU, ATO, Special Branch Khyber Pakhtunkhwa, Peshawar

Contann !

No. 716 /BDU, Dated Reshawar the 2 / 0 % /2021. Copy to all concerned.

E MENT OF GENERAL GOVERNMENT OF PAKISTAN Certificate No. BRC-62-193.2 CIVIL OFF Regn. No. 2K2-NIF-17877 NATIONAL INSTITUTE OF FIRE TECHNOLOGY <u>ISLAMABAD</u> All. Mr.Siddique Akbar s/o Muhammad Akbar This is to certify that - diata -QS(27) Ronal Loos at this Police Station, Sheikh Maltoon, Mardan. Course No. Bomb Reconnaissance attended_ and qualified. 10 14-Sep-2002 26-Aug-2002 held from -1/4-12 DIRECTOR TRAINING Dated :

Lat 44 Har - Ri معب إيلسانس مردان د اطلاع دي الإيدا مركى السر 788 جمل إفروال من من لبت بيريخ وفي من لكنا في الو مرش ورف ولان روادم الرك معلى تثبل توبيه في 179 ليجر إمردان المرقام لما دوادير تر ت دون و اظلرع بريد و بن بالد و اظلرع دى تسلما إس باست ويور خدر ورو نافي المهم لما عطالی روز اجر

OFFICE OF THE NSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Dated Pest Swar the 1/8 1/2 12020

# **NOTIFICATION**

No.CPO/E-I/Transfer/Posting/ 2389, In exercise of the powers delegated upon the Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa under sub-section (2) of Section 17 of the Khyber Pakhtunkhwa Police Act, 2017, Mr. Naveed Iqbal DSP (BS-17) currently posted as DSP CTD Khyber Pakhtunkhwa is increby closed to CPO Peshawar on complaint basis with immediate effect.

Sd/-(DR. 15HTIAQ AHMAD) ^{PSP/PPM} Admitional Inspector General of Police, Readouarters, Khyber Pakhtunkhwa,

#### No & date even:

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshavar

12-2020

- 2. Additional Inspector General of Police HQrs, Khyller Pakhtalkhiwa.
- Deputy Inspector General of Police HQrs, Khyber Rokbrunkhwa.
- 4. Deputy Inspector General of Police CTD Khyber Paklitenkhya
- 5. Registrar CPO Peshawar.
- 6. Supdt: Secret CPO Peshawar.
- 7. U.O.P File.

ZAHOOR BABAR AFRIDI, PSP Assistant Inspector General of Police, Estat ishment, Khyber Pakhtunkhwa

ARRIVAL REPORT.

In compliance with the orders issued by the Worthy Deputy Inspector General of Police Counter Terrorism Department Khyber Pakhtunkhwa, Pesliawar vide Order No. 14804-09/EC/CTD, dated 30.11.2020, I hereby submit my arrival report in this office after availing 15 days granted casual leaves today on 17.12.2020 (A.N)

He is directed to romain in HD Lill further orders

SP, HQ/s: CTD

Nayeed Iqual) Deputy Superintendent

CTD EQrs: (BS-17)



OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA Dated Peshawar the OI 103 / 2021

### NOTIFICATION

No.CPO/E-I/Suspension/<u>338</u>, In exercise of the powers delegated upon the Additional Inspector General of Police, Headquarters Khyber Pakhtunkhwa under sub-section (2) of Section 17 of the Khyber Pakhtunkhwa Police Act, 2017, Mr. Naveed Iqbal DSP (BS-17) under transfer on complaint basis to Central Police Office, Peshawar is hereby placed under suspension for non compliance the order of his senior with immediate effect.

Sd/-(KASHIF ALAM) ^{PSP} Additional Inspector General of Police, Headquarters, Khyber Pakhtunkhwa,

#### No & date even:

Copy forwarded to the:-

- 1. Accountant General Khyber Pakhtunkhwa Peshawar.
- 2. Additional Inspector General of Police HQrs, Khyber Pakhtunkhwa
- 3. Deputy Inspector General of Police HQrs, Khyber Pakhtunkhwa.
- 4. Deputy Inspector General of Police CTD Khyber Pakhtunkhwa.
- 5. Registrar CPO Peshawar
- 6. Supdt: Secret CPO Peshawar.
- 7. U.O.P File.

IRFAN KLLAH KHAN, PSP Assistant Inspector General of Police, Establishment: Khyber Pakhtunkhwa

Ahron ittels - 10 -11107 -0127601-7 فكم امان قدار ·注意外,供料 البكا جزل ويس KPK فارم فبريه فارم فمبر ٢٣_٥(1) ابتداني اطلاع ريورث تائل ابتدائي اطلاع تسببت فابل وست انداري بوليس ربورت شدوزي دفعه ١٥ محبوعه منابطة فوجداري ___ منكع ح_رجان مبرل 23 2019 2021 6x 76 نبر -جرت ربورت ربورت 13 30 رتب 25 <u>2021</u> ما بحت المار مدرستين المراجع ال والتي مرد بسرام الأنبر المسيون المرتب مما وراجع المراجع المراجع المراجع المراجع المراجع المراجع المراجع المراجع 181- 33.58, 207-10 Jun 10 فتر بنيت جرم (معددامه) مال اكر كوليا كما بو-Re 378/11 . قدره اذان المرسي الرو درائع فرمد الماد مان اتويد فاسله تمايند ب اورست عالى مراجا لا بر سرب تحديث المالى حدان الن شان ب رواكى كامن أورت ابتدائى اطلاع فيحدون كرد مستنعة مدرج ما مزنسة عادم فكرف ال يون دلورت رواب كر حوار 181 كر مراب ما اللي حرو فر معرب و المراد الم مراد مراج مر و المرابع مرك كسرما مركال كر ما طراح مره من والمرسوا حب موت ما ما دم والرس حرو فرد قر دوما فر مرك كسرما مركال كر ما طراح مره من والمرسوا حب موت ما ما دم والرس حبر و فرد و قر دوما فر مر مراج - فرز من معرو المراج المرج الم منها من المراد من المرابي المرج ال حد مد المعان علم الم معد عن الم المراجل معد عن الم المرى المراجل المراجل المراجل ما رزان مالد خرد ما و خان ال تل الم مال الرار را ال 1, 1) - 2 - 2/1 ( - MI ( - N) ( 1, 1 ) ( 1, 1 ) ( 1, 1 ) ניו נין- זיגוניית יד איין יאריגין יאריג איין געיי בתי בר ביי אייגי לא יוגי איין איינו مال وموسار برس الله منشر البت خاردا في فسيت ما البي الجري المرين الم Will I will an Instra فسرار لأورك Creir e تار في مال 5:13. 140h 28-1-2021

T- TA KPK CTAR ويتدنى فلود فالمسبب توقيل ليسبك خوارتها ويسترار جيدت تلفظوه أدفقت والمتعاد وتركي المن ومدوم المدادة والمساحدة بيترين فنارم ببنده ستغيث ميالج لي حد بسجال إنه و تخرب وحد أخري أشمال المتروانو - أذالي <u>حکائی مرعن طرحتی نیز ب : د دخه د</u> ب جان جان و میرو تل به امرز نو <u>ا مرد</u> ال عدي وسر ملته ية المبران في أحان وما بعادر من قب بمال حال در ال الدار ترتب والحي فاجرت ودت ابلداني اطلاع فيتح درن تروسه متنفث منهرجه خام بزج ويسقت صدر يتظهر بند آر این دلیرت مراج کم معنی برای توسیق تحقیق مین ج ساح مید و تک کم میاند. بد از این دلیرت کرانی کم معنی برای این تو این در می توسر میک برای مدم مرم م دى دىلمات مىيتر مىر ماي تدار بايد توالى دىيتى الدر تسلى موجعى تى مرى بكريا ن سیاں © جذہ و سیعت نے آیا، © جن وہ وجری کل ۔ کمان اوسی ی آمان و سی در سیاں © جذہ و سیعت کا ی سی جد کر یہ کال یہ کمان اور سی دیر و معلوہ ت بر بین با بی میں این کلرہے کا کی سرم برتی کا برخلاف مر سرک ال ال در بار مون الدفتر الى تحار والى مقار حدة تعتم سأل رايور مرز الموكر عمر ا مها در می ترج از را اور خدد المطلق می جد حد می از این از کا میرن الديث محمدت جرم بالا بما طاق جاكر لتو Fin يغرض كخت م حمد استه كيا جانا ي مرجد تزريته بي ا Asips. tolky 7-2-2021

1610) 0141601-7 100 400 L12-101 المبكز جزل بويس KPK فادم فمر ٢٢ ، تارم نبر ۲۰ _ ۵ (۱) ابتدائی اطلاع ریورٹ بَا ئَيْلِ ابتدائی اطلاع نسبت قابل دست اندازی پولیس ر پورٹ شدوز بردنعہ ۱۵ مجموعہ ضابط نوجداری ا J. ______ 76 <del>ج</del>رت^فدد تت ر پورت 13 30 25 28 2021 R. 378/111 مات دتومد فاسل تحانه سے ادر سمت Eno Selo 1- my 11- city 2,61 (111 اجريره والمسمام في حربا دام ی وسکونت ملزم 110 2115 2115 015 شاتى كارذ تسرامو بال تمبر سرائر مر كاردانى جرتشتين مح مصلق كى أكراطاع درج كرف مي توقف دوا بوتوديد بيان كرد حمد ألا كما الدرف من سريز المواجر مواجل تاني روالى كارن ووت が、たい ابتدائی اطلاع فیجے درج کرو۔ منتشب مندح ماج نے جارہ کی در کا در بور (لورش رزا. رب الحرب رواب حرور 181 رور ما اللي حرور ما اللي حرو حروس وراز مناح مد ور المولا مربر) كما بما ما من ما حرف حرو سن جدر موا حب من ما رو من دار ما حرو المر و فروند ما فر مر مرو مح مرز الما معدد و مرد الما معدد و مرد المرابع و مرد المرون ما من المرام وي في في المج الله الله وي مصل ما حد مرور معان معر مرد الم مند شان ال حن در المرى مر سارتا به موتر المان مدر وراح الم المراج ورا در مان المراح المان المرام المرى مرج مع علال ار נשנין נענישת ידיוריין אליין אורי גיין געפיר בייאינית לן אור אירון " ومومر برا برا الم حسن الت كاروا في ف لمقرم مادار المرز 64-1012-2-2-2 م ( ) ، م الار ^( ) ، د ، د . Correstor bush (11-7 (1)) To W الم ماد تديم مر 1. Sulla 22 June Sull July 811 cm 212 X.B. Hon 28.1-2021



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR No. 1009 <u>AST</u> Dated: 12 - 5 <u>72022</u>

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

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

То

The Additional Inspector General of Police BDU, Speical Branch, Government of Khyber Pakhtunkhwa, Peshawar.

Subject: JUDGMENT IN APPEAL NO. 12099/2020, MR. ASAD IQBAL

I am directed to forward herewith a certified copy of Judgement dated 28.01.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR **KHYBER PAKHTUNKHWA** SERVICE TRIBUNAL PESHAWAR