

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 1484/2018

Date of institution ... 13.12.2018
Date of judgment ... 12.11.2019

Dilawar Ex-IHC, No. 4165. District Police Peshawar

... (Appellant)

VERSUS

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Additional Inspector General of Police Khyber Pakhtunkhwa Peshawar (CCPO).
3. Capital City Police Officer, Peshawar.
4. Senior Superintendent of Police (Operation) Peshawar.
5. District Police Officer Peshawar. ... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED DISMISSAL ORDER NO. 491/PA DATED 19.04.2018 WHEREBY THE APPLICANT WAS DISMISSED FROM SERVICE IN A CLASSICALLY CURSORY AND WHIMSICAL MANNER.

Mr. Javed Iqbal Gulbela, Advocate.

.. For appellant.

Mr. Riaz Ahmad Paindakheil, Advocate General

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI
MR. AHMAD HASSAN

.. MEMBER (JUDICIAL)

.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the

appellant and Mr. Riaz Ahmad Paindakheil, Assistant Advocate General
alongwith Mr. Aziz Shah, Head Constable for the respondents present.

Arguments heard and record perused.

2. Brief facts of the case as per present service appeal are that the appellant
was serving in Police Department. He was imposed major penalty of dismissal
from service vide order dated 19.04.2018 on the allegation that in case FIR No.
1101 dated 22.08.2017 under section 279/320/427 PPC Police Station

M. Amin
12.11.2019

Chamkani Peshawar, ~~wherein~~ he was found responsible for misplacing case property Motor Cycle No. JMK-5543 of the deceased. The appellant filed departmental appeal on 04.05.2018 which was rejected on 15.10.2018 thereafter, the appellant filed revision petition which was also rejected vide order dated 04.12.2018 hence, the present service appeal on 13.12.2018.

3. Respondents were summoned who contested the appeal by filing written reply/comments.

4. Learned counsel for the appellant contended that the appellant was serving in Police Department. It was further contended that the appellant was imposed major penalty of dismissal from service on the aforesaid allegation. It was further contended that the appellant was having 24 years service in his credit but the same was not considered by the respondent-department while imposing the major penalty of dismissal from service. It was further contended that the appellant was imposed major penalty on the allegation of misplacing of case property Motor Cycle in case FIR No. 1101 dated 22.08.2017 under section 279/320/427 PPC Police Station Chamkani. It was further contended that one Musthaq Khan ASI was also departmentally proceeded on the aforesaid allegation and a joint inquiry against the appellant and Mushtaq Khan ASI was conducted and a joint inquiry report was submitted by the inquiry officer against Musthaq Khan ASI and the present appellant and both were recommended for major penalty but Mushtaq Khan ASI filed revision petition under section-11-A of Police Rules 1975 which was accepted and his punishment of dismissal from service was converted into reduction in pay by one stage and the intervening period from dismissal from service to reinstatement was treated as leave without pay vide order dated 20.12.2018 but the revision petition of the appellant was dismissed by the same authority therefore, it was vehemently contended that the appellant was not treated in accordance with law. It was further contended that as per Murasala of the

M. H. M.
12.11.2019

aforesaid case, the occurrence had taken place on 22.09.2017 at 16:30 hours and as per statement of constable Salman No. 1219 Wireless Operator of PS Chamkani, the appellant was directed on the day of occurrence at 17:40 hours after a delay of one hours and ten minutes to reach the spot therefore, it was vehemently contended that after the direction when the appellant reached the place of occurrence neither the Motor Cycle in question was available on the spot nor the deceased than injured was there and was already taken by some unknown person therefore, it was vehemently contended that the appellant was not at fault as it is clear from the Murasala as well as from the statement of Constable Salman available on the record that the appellant was directed after a delay of one hours and ten minutes to reach the spot. It was further contended that neither the appellant was provided opportunity of cross examination on the aforesaid witnesses namely Salman Wireless Operator nor he was associated in departmental proceeding therefore, it was vehemently contended that the impugned order is illegal and liable to be set-aside and prayed for acceptance of appeal.

5. On the other hand, learned Assistant Advocate General for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving in Police Department. It was further contended that on 22.09.2017 the aforesaid occurrence has taken place at Motorway near Northern Bypass Peshawar and in this regard FIR No. 1101 dated 22.09.2017 under section 279/320/427 PPC Police Station Chamkani Peshawar was registered on the basis of Murasala. It was further contended that the appellant was directed by the Wireless Operator Constable Salman to reach the spot while Mushtaq Khan S.I was directed to reach the Lady Reading Hospital. It was further contended that the appellant has not obeyed the direction of Constable Salman Wireless Operator and when reached to the spot in late time, the Motorcycle in question was already taken by someone. It was

M. Khan
12-11-2019

further contended that due to non availability of case property i.e Motorcycle the accused was acquitted by the trial court. It was further contended that all the codal formalities were fulfilled before passing the impugned order by the respondent-department and the appellant was also found guilty by the inquiry committee therefore, it was vehemently contended that the appellant was rightly imposed major penalty of dismissal from service by the competent authority and prayed for dismissal of appeal.

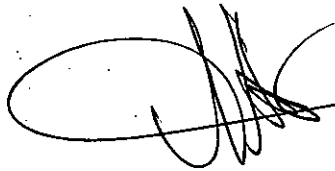
6. Perusal of the record reveals that the aforesaid occurrence was taken place on 22.09.2017 at 16:30 hours on the Motorway near Northern Bypass and FIR No. 1101 dated 22.09.2017 under section 279/320/427 PPC Police Station Chamkani was also registered on the basis of Murasara. The record further reveals that the departmental proceeding was initiated against the appellant and Mushtaq Khan S.I for mishandling of fatal accident case and misplacing of case property Motorcycle No. JMK-5543 of the deceased as revealed from the joint inquiry report available on the record. The record further reveals that both the ~~accused~~ ^{appellants} were recommended for manor penalty due to mishandling the crime scene loosing the evidence of case property i.e misplacing of the Motorcycle of the deceased but the revisional authority i.e Inspector General of Police partially accepted the revision petition of Mushtaq Khan S.I and converted his major penalty of dismissal from service into reduction of pay by one stage and the intervening period from dismissal to reinstatement was treated as leave without pay vide order dated 20.12.2018 but the revision petition of the present appellant was dismissed although the charge against the appellant and Mushtaq Khan ASI seem to be of same nature therefore, the appellant was also entitled to the same penalty imposed to Mushtaq Khan S.I on the basis of rule of consistency. Furthermore, the record also reveals that the occurrence had taken place as per Murasala at 16:30 hours and as per statement of the Constable Salman Wireless Operator, the appellant was directed to reach the spot at 17:40

M. J. Khan
 22.11.2019

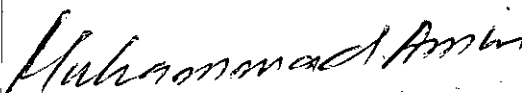
hours after a delay of one hour and ten minutes of the occurrence for the supervision of the spot but it is the stance of the appellant that when he reached at the spot neither the Motorcycle in question was available nor deceased then injured was available on the spot nor he ~~was~~^m found any blood near the place of occurrence therefore, when the appellant was directed by the Constable Salman after delay of one hour and ten minutes after occurrence and thereafter when he reached to the spot the possibility could not be ruled out that the Motorcycle in question might have taken away by someone else and on this score the appellant could not be held responsible for misplacing the Motorcycle of the deceased from the place of occurrence. Furthermore, the inquiry report also reveals that the case of the present appellant is of the same nature as of Mushtaq Khan ASI and the inquiry officer has recommended the present appellant and Mushtaq Khan ASI for major penalty therefore, when the revision petition of Mushtaq Khan S.I was partially accepted and his major penalty of dismissal from service was converted into reduction of pay by one stage, the appellant was also entitled to the same relief. As such, we partially accept the appeal, set-aside the impugned order and convert the major penalty of dismissal from service into reduction of pay by one stage for two years with effect from the date of impugned order dated 19.04.2018. However, the intervening period is treated as leave without pay. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

12.11.2019



(AHMAD HASSAN)
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

27.09.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Mr. Raziq Head Constable for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 17.10.2019 before D.B.


(Hussain Shah)
Member

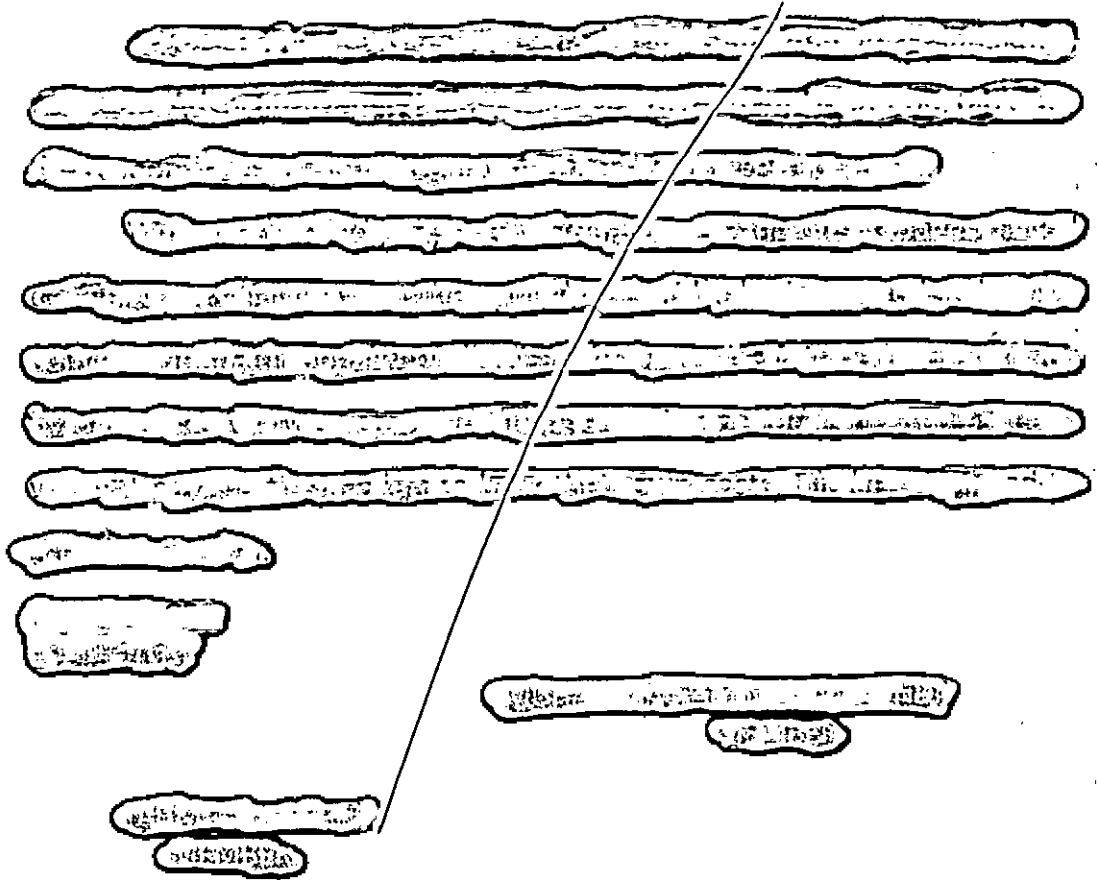

(M. Amin Khan Kundi)
Member

17.10.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Raziq, Head Constable for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 12.11.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER



19.07.2019

Appellant alongwith his counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Muhammad Raziq, Head Constable for the respondents present.


Record reveals that the inquiry officer has recorded the statement of witnesses in the inquiry proceeding but the copy of statements of said witnesses are not available on the record. Representative of the department is strictly directed to furnish the copy of statements of said witnesses on the next date positively. Case to come up for record and arguments on 19.09.2019 before D.B.



(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

19.09.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned AAG alongwith Muhammad Raziq H.C present. Representative of the respondent department submitted additional documents placed on file, copy of the same given to the learned counsel for the appellant. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 27.09.2019 before D.B.


Member


Member

13.03.2019

Appellant in person present. Mr. Razia Head Constable representative of the respondents department present. Written reply not submitted. Representative of the respondent department seeks time to furnish reply. Granted. To come up for written reply/comments on 17.04.2019 before S.B.


Member

17.04.2019

Appellant in person and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Raziq H.C present. Written reply submitted. To come up for rejoinder/arguments on 19.06.2019 before D.B.


Member

19.06.2019

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Junior to counsel for the appellant submitted rejoinder which is placed on file. Adjourn. To come up for arguments on 19.07.2019 before D.B.


Member

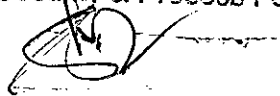

Member

02.01.2019

Counsel for the appellant Dilawar Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Constable, he was removed from service vide order dated 19.04.2018 by the competent authority on the allegation that he misplaced the case property Motor Cycle No. JMK-5543 involved in case FIR No. 1101 dated 22.08.2017 under sections 279/320/427 PPC Police station Chamkani. It was further contended that the appellant filed departmental appeal on 04.05.2018 which was rejected on 15.10.2018, the appellant filed revision petition (Copy of the revision petition is not available on record) however, the same was rejected vide order dated 04.12.2018 hence, the present service appeal. It was further contended that neither proper inquiry was conducted nor opportunity of personal hearing and defence was provided to the appellant therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 13.03.2019 before S.B.

Appellant Deposited
Security & Process Fee






(Muhammad Amin Khan Kundi)
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1484/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/12/2018	<p>The appeal of Mr. Dilawar presented today by Mr. Javed Iqbal Gulbella Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 13/12/2018.</p>
2-	24/12/2018.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/01/2019</u>.</p> <p> CHAIRMAN</p>

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In Re S.A 1484 /2018

Dilawar, Ex- IHC

Versus

Inspector General of Police Khyber Pakhtunkhwa and
others

INDEX

<i>S#</i>	<i>Description of Documents</i>	<i>Annex</i>	<i>Pages</i>
1.	Grounds of Appeal.		1-7
2.	Affidavit.		8
3.	Addresses of parties		9
4.	Copy of charge sheet and reply	"A & B"	10-12
5.	Copies of Show cause Notice and reply	"C & D"	13-14
6.	Copy of the impugned office dismissal order No. 491/PA dated 19/04/2018	"E"	15
7.	Copies of first departmental appeal, rejection order of appeal dated 15/10/2018, second departmental appeal and its dismissal order, dated 04/12/2018	"F, G, H, & I"	16-20
8.	Other documents		21
9.	Wakalat Nama		22

Through

Amir
Appellant

Saghir
Saghir Iqbal Gulbela
&
Javed Iqbal Gulbela,

Arbab Fakhr-e-Alam
Arbab Fakhr-e-Alam
Advocates, High Court
Peshawar.

Dated: 11/12/2018

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

1

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A 1484 /2018

Dilawar Ex-IHC, No4165. District Police
Peshawar.

-----**(Appellant)**

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1754

Dated 13/12/18

- ✓1. Inspector General of Police Khyber
Pakhtunkhwa Peshawar
- ✓2. Additional Inspector General of Police Khyber
Pakhtunkhwa Peshawar (CCPO).
- ✓3. Capital city police officer, Peshawar
- ✓4. Senior Superintendant of Police (Operation)
Peshawar.
5. District Police Officer Peshawar

-----**(Respondents).**

Filed to-day

Registrar
13/12/18

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL
ACT -1974 AGAINST THE IMPUGNED
DISMISSAL ORDER NO. 491/PA DATED
19/04/2018 WHEREBY THE APPLICANT
WAS DISMISSED FROM SERVICE IN A
CLASSICALLY CURSORY AND
WHIMSICAL MANNER.**

Respectfully Sheweth;

1. That the appellant was inducted into service
of the Police Department, after going through
the mandatorily required test and interviews,
almost 24 years back.

2. That since recruitment in this prestigious Force, the appellant left no stone unturned in performance of his duties and he ever proved his mental, wetted skill and potential for rendering meritorious services and this is the reason that the appellant has always won the appreciation of his high ups.

3. That the allegation leveled against the Petitioner were that

i. *“He while posted at PS Chamkani was recommended for departmental proceeding by the joint investigation team constituted vide SSP (investigate) Peshawar office Endst: No. 519-22/PA dated 26/02/2018 in case FIR No. 1101 dated 22/08/2017 U/S 279/320/427 PPC P.S Chamkani Peshawar wherein he was found responsible for misplacing case Property ‘motorcycle’ of the deceased.*

ii. *This amount to gross misconduct and malafide on your part for which you are liable as define in Police Disciplinary Rules 1975”*

The appellant submitted his reply in quite detail in true scenario, was detail therein and proved his innocence therein. (Copy of

3

charge sheet and reply is annexed as annexure "A & B")

4. That to the appellant final show cause Notice was issued which was replied in quiet detail and true scenario, was detailed therein and the appellant not only totally denied the allegations of the Respondent but also proved his innocence before the competent Authority. **(Copies of Show cause Notice and reply is annexed as annexure "C & D).**

5. That the applicant properly replied to the final show cause Notice, but no heed was ever paid to the same and thus the final abominable step came up and at last the appellant was dismissed from his service vide the impugned office order no. 491/PA, dated 19/04/2018 by Senior Superintendant of Police (Operation) Peshawar. **(Copy of the impugned office dismissal order is annexed as annexure "E")**

6. That the appellant being aggrieved preferred a departmental appeal quite well in time to Capital City Police Officer Peshawar against the dismissal order of Senior Superintendant of Police (operations) Peshawar but the same was dismissed in a Classically, Cursory, and whimsical manner vide impugned office order

(4)

1156-63/PA dated 15/10/2018. Thereafter being aggrieved the appellant preferred second appeal before the Inspector General of Police Khyber Pakhtunkhwa under Rule 11-A of Khyber P.K Police Rules-1975, whereby the appellate Board dismissed the second appeal of the appellant in a classically cursory and whimsically manner vide office order No. 4811-17/18 dated 04/12/2018 by the AIG/Establishment, For Inspector General of Police Khyber Pakhtunkhwa Peshawar'. (Copies of departmental appeal, rejection order, of appeal dated 15/10/2018 second appeal, and dismissal order dated 04/12/2018 are annexed as annexure "F, G, H, and I")

7. That now the appellant being aggrieved come to this Hon'ble court for setting aside the impugned office dismissal order and for reinstated into service on the following grounds inter alia:-

Grounds:

- A. That the dismissal order is wrong, illegal, vide ab-initio and is not sustainable at all.
- B. That the impugned dismissal order is unwarranted, illogical and against the Rules so therefore not maintainable at all.

- C. That no proper inquiry was ever conducted in case of the appellant, nor the appellant was ever heard in person, nor was ever allowed to cross examine any witness and thus the appellant was condemned unheard.
- D. That not only the dismissal order from service is illegal, unlawful, void, ab initio but the rejection of departmental appeals by the Respondents are also against the law and rules governing the subject, therefore not sustainable in the eye of law and need to be set aside in the best interest of justice.
- E. That the appellant proved his innocence while replying to the Show Cause notices, but even then the Respondent drastically, dismiss the prayer of the appellant which not only illegal, void, void ab initio but is also against the fundamental rights guaranteed and protected by the constitution of Islamic Republic of Pakistan 1973
- F. That even the appeal of the appellant was simply shelved without any rem or reason, nor the appellant was ever summoned by the appellant authority as per Appeal Rules 1986 and thus the appellant was double jeopardized.

(6)

G. That the appellant belongs to a poor family, and is the only earning hand in the whole family to look after them.

H. That the appellant has 24 year's service and that too unblemished, without any complaint ever against, on part of the appellant.

I. That from every angle the appellant is liable to be re-instated into service with all back benefits.

J. That from every respect of law all the impugned dismissal orders are not sustainable in the eye of law, that is why impugned orders may not only be set aside but the appellant be also re-instated into his service with all his back benefits.

K. That any other ground not raised here may graciously be allowed at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned dismissal order from service No. 491/PA dated 19/04/2018 as well as impugned rejection of departmental appeal impugned office orders 456-63/PA dated

7

15/10/2018m and 4811-17/18 dated
04/12/2018 may graciously be set aside and
by doing so the appellant may very
graciously be reinstated into service with
all back benefits.

Any other relief not specifically asked
for may also graciously be extended in
favour of the appellant in the
circumstances of the case.

Amal
Appellant

Through

Saghi
Saghir Iqbal Gulbela

&

Javed
Javed Iqbal Gulbela,

Arbab Fakhre Alam
Arbab Fakhre-e-Alam

Advocates, High Court
Peshawar.

Dated: 11/12/2018

NOTE:-

No such like appeal for the same appellant,
upon the same subject matter has earlier been filed
by me, prior to the instant one, before this Hon'ble
Tribunal.

Saghi
Advocate.

8

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A _____/2016

Dilawar, Ex- IHC

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and
others

AFFIDAVIT

I, Dilawar Ex-IHC, No4165. District Police Peshawar, do hereby solemnly affirm and declare that all the contents of the accompanied **appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

Amud
DEPONENT

Identified By:

J.I.
Javed Iqbal Gulbela
Advocate High Court
Peshawar.



S.R.
13-12-18.

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

In Re S.A _____/2016

Dilawar, Ex- IHC.

VERSUS

Inspector General of Police Khyber Pakhtunkhwa and
others

ADDRESSES OF PARTIES

APPELLANT

Dilawar Ex-IHC, No4165. District Police
Peshawar.

ADDRESSES OF RESPONDENTS

1. Inspector General of Police Khyber
Pakhtunkhwa Peshawar
2. Additional Inspector General of Police Khyber
Pakhtunkhwa Peshawar (CCPO).
3. Capital city police officer, Peshawar
4. Senior Superintendant of Police (Operation)
Peshawar.
5. District Police Officer Peshawar.

Amirul
Appellant

Through

SG
Saghir Iqbal Gulbela
& *JD*
Javed Iqbal Gulbela,
Advocate High Court
Peshawar.

Dated: 11/12/2018



10

CAPITAL CITY POLICE
SENIOR SUPERINTENDENT

AR
ATION

CHARGE SHEET

Annexure "A"

I, Nisar Ahmed Khan, Senior Superintendent of Police, Peshawar, a competent authority hereby charge you ASI Dilawar Khan of Police Station Chamkan, as follows:-

(i) That while you posted to Police station Chamkan on the recommendation of Special Investigation team constituted vide this office memo No. 518/22/PA dated 26.02.2018 for investigation of case vide FIR No. 1104 dated 22.08.2017 107/279/320/427 PPC Police Station Chamkan. Wherein you were found responsible for misplacing case property Motor Cycle No. JMK-5543 of the deceased.

(ii) This amounts to gross misconduct and malafide on your part for which you are liable for punishment as defined in Police Disciplinary Rules, 1975.

2. You appeared to be guilty of misconduct under Police Disciplinary Rules, 197 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

3. You are therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Enquiry Officer.

4. Intimate whether you desire to be heard in person?

5. A Statement of allegation is enclosed.

SENIOR SUPERINTENDENT OF POLICE
INVESTIGATION, PESHAWAR

33

091-9211362

عنوان چارج شیٹ بمعہ کاروائی القاضی

Annexure - B

حاجی عالی

- مشورہ چارج شیٹ بمعہ کاروائی القاضی جاریہ 554/1117 صا صبا علی ڈرہمیں
 ہو الزام تھا میری رائے کہ اسکا جواب تفصیلی دل میں دیا جاتا ہے
- 1 یہ کہ لیکچر مقدمہ 1101 فورم 22/9/17 جرم 279/320/427 میں تھا
 - 2 یہ کہ جین دنوں میں یہ وقوع ہوا میری تعیناتی اپریشن ریمانٹ میں تھی اور
 میں 18 اپریل کو پائل میں چارج تھا
 - 3 یہ کہ ندریم تھا جنہی دائر میں اپریشن ریمانٹ سے اطلاع ہوئی کہ نادرین بائی پاس
 گول چوک کے پاس ایک ایڈمنسٹریٹو حادثہ کی اطلاع وصول ہوئی
 - 4 یہ کہ اطلاع ندریم متذکرہ بالہ سے بوقت 17:45 بجے پر ہوئی اور میں چونکہ
 منبھی لیسے نادرین بائی پاس گول چوک قریباً 3/4 منٹ میں پہنچا جہاں پر
 کرفیم گاڑی وقوع ایڈمنسٹریٹو حادثہ کو نہ پایا گیا
 - 5 اس کے بعد میں نے ندریم TT دائر میں کل اپریشن ریمانٹ کسٹا کو لالہ کہا تھا
 30 دائر میں اپریشن متفقہ تھا جنہی سے voice call کی چھان بین کی جاتی
 تھی تو اصل حقائق معلوم ہو جائیں گے
 - 6 ٹی بی ریٹل مقوم ڈوٹریٹیشنل JMK 5543 کو ادھر ادھر کرنا جس الزام سے
 کیونکہ FIR میں وقت وقوع 16:30 بجے اور واقعے کے وقت وقوع میری رائے میں
 دائر میں 17:45 بجے پر ہوئی تھی جو کہ وقت وقوع اور دائر میں کال کی اطلاع
 میں 1 گھنٹہ اور 15 منٹ کا فرق ہے

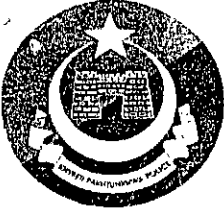
⑦ میرزا اسد علی جاتی ہے کہ حضرت فضل تو رہا ہوئے آئے
 چارے تبت عم القضاہ کاروائی کو فضل بیان کی روشنی میں
 داخل دستر کا چارے نما کہ سائل اپنی فرالض منصر اور طریق سے
 سرانجام دے سکتے

دلاور خان Asi قصبہ CRH جاتی در Ahmad
 12/3/18 03139900116

#1 08, 1/2
IHC

0313-9900116

c/o Abbas Cars



(13)

OFFICE OF THE
SUPERINTENDENT OF POLICE,
(OPERATIONS),
PESHAWAR

E-mail: sspoperations2448@gmail.com

Amended - C

FINAL SHOW CAUSE NOTICE

I, Senior Superintendent of Police, Operations, Peshawar as competent authority, under the Police disciplinary Rules 1975, do hereby serve you **ASI Dilawar Khan** of **Police Station Chamkani** as follows:-

2. (i) That consequent upon the completion of departmental enquiry conducted against you by **SP Investigation HQs** who found you guilty of the charges for which you were given the opportunity of personal hearing.
- (ii) Ongoing through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the said officers;

I am satisfied that you have committed the follow misconducts:

1. At the conclusion of preliminary enquiry into case FIR No. 1101 dated 22.08.2017 u/s 279/320/427 PS Chamkani you alongwith SI Mushfaq has been found guilty for mishandling the crime scene and loosing an important evidence of case property by misplacing of motorcycle of the deceased.
3. As a result there of I, as Competent Authority decided to impose upon you major/minor penalty including dismissal from service under the said Rules.
4. You are, therefore, require to Show Cause as to why the aforesaid penalty should not be imposed upon you.
5. If no reply to this notice received within 7-days of its delivery, it shall be resumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. You are at liberty to be heard in person, if so wished.

**SR: SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR**

No. 453 /PA dated Peshawar the 06-09- 2018

(15)

957-5
17/5/18

Annexure - E



OFFICE OF THE
SENIOR SUPERINTENDENT OF POLICE
(OPERATIONS)
PESHAWAR

E-mail: sspoperations2448@gmail.com
Phone. 091-9210508
Fax. 091-9213054

ORDER

This office order will dispose of the departmental proceedings initiated against IHC Dilawar No. 4165. Allegations leveled against him were that:-

1. He while posted at PS Chamkani was recommended for departmental proceedings by the Joint Investigation Team constituted vide SSP (Investigation) Peshawar office Endst: No. 519-22/PA dated 26.02.2018 in case FIR No. 1101 dated 22.08.2017 u/s 279/320427-PPC PS Chamkani Peshawar wherein he was found guilty for misplacing case property Motor Cycle of the deceased.
2. Charge sheet along with summary of allegations was issued to him by the SSP (Investigation) Peshawar vide his office No. 31/E dated 05.03.2018 and SP (Investigation) HQrs: Peshawar was appointed as Enquiry Officer who after conducting a thorough probe has found the accused official guilty of the charges and recommended him for awarding major punishment.
3. Since the accused official was then posted in Operation Wing, therefore, the SSP (Investigation) Peshawar vide his office memo No. 800/PA dated 28.03.2018 forwarded findings of the Enquiry Officer to the undersigned for disposal. On receipt of the findings, Final Show Cause Notice was served upon the accused official who submitted his written reply within stipulated period. The same was perused and found unsatisfactory. Consequently, he was called in OR on 17.04.2018 for hearing / cross examination. He was provided an ample opportunity in his defence. He failed to put forward any plausible explanation in rebuttal of the charges. The allegations leveled against him stand proved.
4. In the circumstances, the undersigned being competent under the law, awards him the major punishment of dismissal from service with immediate effect.
5. Order announced.

SENIOR SUPERINTENDENT OF POLICE,
(OPERATIONS), PESHAWAR

No. 491 /PA, dated Peshawar the 19 104 2018.

Copy for information and necessary action to the:-

1. The Capital City Police Officer, Peshawar.
2. The Superintendent of Police, Rural Peshawar.
3. ASP Chamkani.
4. OASI & CRC FMS (Encl:)

SHO *chm*
For information
[Signature]

بخدمت جناب سی سی پی او (CCPO) صاحب پشاور

انسپیکٹر جنرل اف لوئیں سرگودھا

عنوان اپیلی: پراپیل برخلاف حکم جناب SSP/Opps صاحب

جسکی بناء پر سبیل کو درخواستگی کی مہرا دیا گیا

کے دی جا رہی ہے۔ B. نمبر ————— ریٹنگ ہے

جناب عالی! سائل حسب ذیل عرض رہا ہے۔

(۱) یہ کہ اپیل نمبر 1 بسلسلہ مقدمہ علت نمبر 1101 بمورخہ 22/09/2017 بمجرم

PPC 279/320/427 کی جاتی ہے۔

(۲) یہ کہ جو الزامات عائد کیئے گئے تھے ان کا تفصیلی جواب ابتدائی انکوائری میں دیا گیا ہے جو کہ

ریکارڈ پر موجود ہے۔

(۳) یہ کہ جہاں تک مال مقدمہ کا گم ہو جانا تحریر ہے اسکے متعلق گزارش ہے کہ موٹر سائیکل کونہ تو

کہیں دیکھا گیا اور نہ ہی کسی نے نشاندہی کی ہے۔

(۴) یہ کہ محض الزام کو سچ جانتے ہوئے ملوث کرنا انصاف کے بعید ہے۔

(۵) یہ کہ اس طرح بغیر ثبوت کے اتنی بڑی سزا کو لاگو کر دینا زندگی کی تباہی ہے بلکہ اہل و عیال کے

ساتھ بھی ظلم ہے۔

(۶) یہ کہ میں کانسٹیبل بھرتی ہوا اور مختلف کورسز کو کامیابی سے ہمکنار کرتے ہوئے بعدہ IHC ترقیاب ہوا۔

(۷) یہ کہ محکمہ میں تقریباً 24 سال ملازمت کر چکا ہوں اور اس طرح قائدے اور قوانین اس طرح مرتب ہوتے ہیں کہ لمبی ملازمت والے ملازم کو سخت سزا دینا موقوف نہیں ہے۔ بلکہ اسکی ملازمت کو ملحوظ رکھتے ہوئے دوبارہ تعیناتی کے احکامات صادر فرمائے جاویں۔

لہذا استدعا ہے کہ اس اپیل کو منظور کرتے ہوئے حکم جاریہ SSP Operation کو

منسوخ فرمایا جاوے۔ اور سبیل کو الزامات سے بری الزم قرار دیا جائے۔

ارضی

دلاور خان 4165/IHC ولد واصل خان

سکنہ: موسیٰ زئی کنڈی تازی خیل پشاور

موبائل: 0313-9900116

4-05-2018 2/3



(18)

OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

Phone No. 091-9210989

Fax No. 091-9212597

ORDER.

Annexure - 'G'

This order will dispose off the departmental appeal preferred by Ex-IHC Dilawar Khan No.4165 who was awarded the major punishment of "Dismissal from service" by SSP/Operations Peshawar vide order No.490/PA, dated 19-04-2018.

2- The allegations leveled against him were that he while posted at Police Station Chamkani was recommended for departmental proceedings by JIT constituted by SSP/Investigation Peshawar vide Endst No.519-22/PA, dated 26-02-2018 in case-FIR No.1101, dated 22-08-2017 u/s 279/320/427/PPC PS Chamkani, wherein he was found guilty for misplacing case property i.e motorcycle of the deceased.

3- He was issued proper Charge Sheet and Summary of Allegations by SSP/Investigation Peshawar and SP/Investigation PBI was appointed as enquiry officer. The enquiry officer after conducting proper departmental enquiry recommended in his finding report that IHC PS Chankano may be awarded major punishment for mishandling the crime scene and loosing an important evidence of case property of Motorcycle of the deceased. The accused IHC was issued final show cause notice. His reply to the final show cause notice was found unsatisfactory, hence he was awarded the above major punishment of dismissal from service.

4- He was heard in person in O.R. The relevant record perused along with his explanation but he failed to submit any plausible explanation in his defence. The competent authority has completed all codal formalities before awarding him the major punishment of dismissal. There is no need to interfere in the punishment order of SSP/Operations Peshawar. Hence his appeal for setting aside the punishment is hereby **rejected/filed**.

Jamir

(QAZI JAMIL UR REHMAN)PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 1156-63 /PA dated Peshawar the 15/10/ 2018

Copies for information and n/a to the:-

1. SSP/Operations Peshawar.
2. SSP/Investigation Peshawar.
3. SP-HQr: Peshawar.
4. BO/EC-I/ EC-II for making necessary entry in his S.Roll
5. FMC along with FM
6. Official concerned.

Mercy Petition before the worthy DGP/IA PK.
Annexure - "11"

It is humbly submitted that on 22-9-2017 at 1750-hours I was on Mobile duty at Hidayat Abad G.T. Road when I was directed through wireless by PS: Chambrani to visit the spot where the accident took place. I visited the spot and I reached the spot at about 1755-hours and no vehicle was available at the spot. In this regard I informed the PS: Chambrani that no case property is available at the spot.

Later on, on the complaint made by the complainant of Case FIR No 1101 dt 22/9/2017 @ IS 279/320/427/PS: Chambrani regarding the case property. After Departmental Enquiry I was dismissed from service by SSP/operation vide order No 470/PP dated 19-4-2018. Against the said order, I submit Departmental appeal which was rejected.

Now I humbly request that I am totally innocent and have no knowledge about case property. Hence, kindly re-instate me from the date of dismissal.

Thanks.

Yours obediently

Dilawar Khan

Ex-111E No 4165

Annexure

17/8/2018

Mob: 03139900116

DY No: 2520/15
17/8/18



(20)

**OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.**

No. S/ 4810 /18, dated Peshawar the 04/12/2018.

ORDER

Annexure-I

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-IIC Dilawar Khan No. 4165. The petitioner was dismissed from service by SSP/Operations, Peshawar vide order Endst: No. 491/PA, dated 19.04.2018 on the allegations that he while posted at Police Station Chamkani was recommended for departmental proceedings by the Joint Investigation Team constituted by SSP/Investigation, Peshawar vide Endst: No. 519-22/PA, dated 26.02.2018 in case FIR No. 1101, dated 22.08.2017 u/s 279/320/427-PPC Police Station Chamkani Peshawar wherein he was found guilty for misplacing case property i.e. motorcycle of the deceased.

His appeal was filed by Capital City Police Officer, Peshawar vide order Endst: No. 1156-63/PA, dated 15.10.2018.

Meeting of Appellate Board was held on 15.11.2018 wherein petitioner was heard in person. During hearing petitioner contended that he is innocent and he has no knowledge about case property.

Petitioner failed to advance any plausible explanation in rebuttal of the charges. He has earned 37 bad entries during his service. JIT is under process to find the misplaced case property. Therefore, the Board decided that his petition is hereby rejected.

This order is issued with the approval by the Competent Authority.

E/S/Cell
P/MD
B/F/Deo(1)
18334
4/12/18
POLICE

(SADIQ BALOCH) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

No. S/ 4811-17 /18

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar One service roll, one fauji missal containing 23 pages and one enquiry file (original) containing 32 pages of the above named Ex-IIC received vide your office Memo No. 21162/EC-II, dated 08.11.2018 is returned herewith for your office record.
2. Senior Superintendent of Police, Operations, Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt. E-IV CPO Peshawar.

- C.C.P.O.
- SSP/O _____
- SSP/I _____
- SP/Cantt _____
- SP/City _____
- SP/Rural _____
- SP/Sec _____
- SP/HQ _____
- SP/T.O _____
- SP/T. HQ _____
- DSP/L/OS _____
- P.O./C.C. _____
- PA/EC-II
- PA/C.Cell _____

4/12/18

Handwritten notes in the top right corner, including "21" and some illegible text.

0194307
8390982
83775
0348

Annexure - J سر اسسٹنٹ ایڈووکیٹ جنرل

کارڈ دستاویز نمبر 17/ 22-30-16

کارڈ دستاویز نمبر 17/ 22-15-18

جائے وقوعہ۔ جوٹر سے بہرہ فائدہ رہنے والی پائس لائن اور

جرم 279.320

3376.427

صفتیہ۔ عمارت عیاسی کی بی زدہ زمین لہذا قریب 35 سال تمام سٹیٹنگ
سالانہ سہرو وغیرہ سے ملنے والے ڈاک روٹ یوسف آباد پورے ٹیبل

کڑوتے بنانے۔ 40 کھانے جس کا کیا۔

اور وہ تمام لفظ پولیس سے اطلاع کوئی 44 کھانے کوئی نہ پادرم میں
ایک لفظ موافق عیاسی و لہ شیخ لہذا قریب 17 سال سالانہ سہرو وغیرہ سے ملنے والے
نیکٹل کا لیم کو پائٹ روٹ لہذا۔ اور قریب 17 سال سالانہ ٹیبل حال لہذا ایک
روٹ نہ یوسف آباد پورے ٹیبل سہرو یعنی حالت میں ہے پورے ٹیبل پائس لائن پورے
میں صفتیہ۔ حال عمارت عیاسی میں بی بی یوں رپورٹ کر لی ہے۔ کہ قریب 40 کھانے سے
اطلاع ملے کہ سب اطلاع کوئی آگے معلوم ہوا۔ کہ لیسرام قریب 30 سال تمام (موقوف) وہ
کارڈ سے جوٹر سائیکل لیکچر اسٹنڈ سے سنا۔ بھائی سنا۔ عیاسی نے ٹیبل لہذا قریب 30 سال
سہرو سوارہ جادے ہے۔ کہ جائے وقوعہ جوٹر سے نہ تو نا معلوم گاڑی نے ٹیبل لہذا قریب 30 سال
ایک لفظ میں سہرو پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل
کوئی 44 لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال
لا کر جان کو پورا ہے۔ یہ لیسرام قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام
واحد ایک دیباں جو وگاں کا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام
گاڑی جو ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل
ایک لفظ میں عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام
اور جوٹر سائیکل کی لفظ رسائی کا بہ ظرافت نا معلوم گاڑی دی جو پوری

یوں۔ صریح رپورٹ دلی جا کر صحت ہوا یہ گاڑی کا رول
کارڈ والی پولیس۔ سٹیٹنگ سالانہ کارڈ پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل
پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل
صیگہ میں لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے
پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل پورے ٹیبل
قاریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال
قاریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال
قاریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال
قاریب 30 سال تمام عیاسی سے لہذا قریب 30 سال تمام عیاسی سے لہذا قریب 30 سال

M. Hameed
SI/PS/Chaukani
22-9-17

وکالت نامہ

بعدالت: ڈسٹرکٹ جیٹو انخوا سرسبز ٹریڈ ہونل

د (اور) نام حکومت ک. پ. ا. سٹریٹ (K.P. Police)

منجانب Appellment دعویٰ S.A. — 2018

تاریخ 11/12/2018

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی
 بمقام کیے جاویدا قبال گل پیلہ لہذا وکیٹ ہاشی گورٹ کو بدیں شرٹ وکیل
 مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص روبرو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا، اگر پیشی پر من مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر
 مقام پکھری کی کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر
 مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر
 من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی
 صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پر داختمہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور
 صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے رویہ وصول کرنے اور رسید دینے اور داخل
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور
 بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری کیلئے طرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف
 کو بشرط ادا سنگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا
 اس کے کسی جزو کی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرٹر کو بجائے اپنے یا اپنے ہمراہ
 مقرر کریں اور ایسے مشیر قانون کے ہر امر دہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سندر ہے۔
 مورخہ 11/12/2018۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

اقبال گل پیلہ
(وکیل)

داروہان ولد واصل خان کنہ ولسی زئی
Amul

Accepted
By [Signature]
11/12/2018
[Signature]

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) LAKKI MARWAT

OFFICE ORDER:-

As per report of Enquiry officer/proposed by SDEO (F) Serai Naurang, transfer order issued vide this office Endst: No. 1737-40 dated: 14-03-2018 is hereby cancelled and the following amendment is made as under.

S.No	Name & Desig	From	To	Remarks
1	Yasmin, PSHT	GGPS Textile Mills	GGPS Shah Tora Takhti Khel	Under complaint
2	Husan Pari, PSHT	Textile Mills	GGPS Nar Faqir Masoom	Under complaint
3	Rashida, PSHT	GGCMS Nar Kala Khan	GGPS Shagi Ghulam Rasool	Surplus
4	Razia Sultana, PSHT	GGPS Nar Sahibdad Maidad Khel	GGPS Passani Ayaz Khan	Surplus
5	Saima Tasnim, PSHT	GGCMS Gandhi Umar Chikar No.1	GGPS Moin ud Din Tajori	Surplus
6	Ifat Naureen, PST	GGPS Textile Mills	GGPS No. 1 Mitho Ghazni Khel	Under complaint
7	Zartaj, PST	GGPS No. 1 Mitho Ghazni Khel	GGPS Textile Mills	V.S.No. 06
8	Farzana Bibi, PST	GGPS Textile Mills	GGPS No. 2 Mitho Ghazni Khel	Under complaint
9	Safina PST	GGPS No. 2 Mitho Ghazni Khel	GGPS Textile Mills	V.S.No. 08
10	Tasleem Bibi, PST	GGPS Textile Mills	GGPS Kotka Zar Wali Khan	Under complaint
11	Altaf Begum, PSHT	GGPS Raza Khan Adamzai	GGPS Textile Mills	A.V.01
12	Ishrat Rehana, PSHT	GGPS Bachkan Ahmadzai	GGPS Raza Khan Adamzai	V.S.No. 11

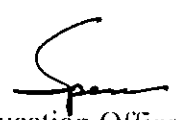
- NOTE:- 1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

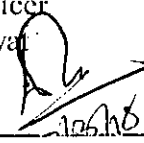
Endst: No. 1783-86 Dated. 18/3/18

District Education Officer
(Female)Lakki Marwat

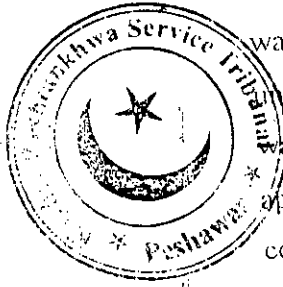
Copy to the:-

1. SDEO (F) Serai Naurang.
2. District Monitoring Officer Lakki Marwat.
3. Head Teacher/ASDEO (F) circle concerned.
4. M/File.


District Education Officer
(Female)Lakki Marwat


18/3/18

24.07.2018



Counsel for the appellant present. Preliminary arguments heard and case file perused. Vide impugned order dated 14.03.2018 the appellant was transferred from GGPS Textile Mills to GGPS Shah Tura Takhti Khel under complaint. He preferred departmental appeal on 16.03.2018 which was not responded within the stipulated period, hence, the instant service appeal. According to the invogue procedure transfer cannot be made on complaint. A separate application for maintaining status-quo till the decision of the case has also been submitted.

Points urged need consideration. Admit. The appellant is directed to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 09.08.2018 before S.B. Till then status-quo be maintained.

Edf. Ahmed Hassan
Member

Certified to be true copy

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of application	<u>30-7-18</u>
Number of Works	<u>600</u>
Copying Fee	<u>6</u>
Urgent	<u>25</u>
Total	<u>8</u>
Name of Clerk	<u>[Signature]</u>
Date of Completion	<u>30-7-18</u>
Date of Delivery of copy	<u>30-7-18</u>

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

Service Appeal No.988/2018.

Dilawar Khan Ex-IHC No. 4165 Peshawar.....Appellant.

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police HQrs: KPK Peshawar.
3. Capital City Police Officer, Peshawar.
4. Senior Superintendent of Police Operations, Peshawar.....**Respondents.**

INDEX

S.NO	DOCUMENTS	ANNEXURE	PAGE NO
1	Memo of comments	----	1-3
2	Affidavit	----	4
3	Copy of charge sheet	-A	5
4	Reply of Charge Sheet	B	6-7
5	Copy of allegation	C	8
6	Copy of inquiry report	D	9
	Copy of FSCN	E	10
	Reply of FSCN		11

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

Service Appeal No.988/2018.

Dilawar Khan Ex-IHC No. 4165 Peshawar.....**Appellant.**

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police HQrs: KPK Peshawar.
3. Capital City Police Officer, Peshawar.
4. Senior Superintendent of Police Operations, Peshawar.....**Respondents.**

Reply on behalf of Respondents No. 1, 2, 3 & 4.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS.

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to this Tribunal with clean hands.
4. That the appellant has no cause of action.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Honorable Tribunal.
7. That the appellant has got no locus standi and cause of action to file the instant appeal.

FACTS:-

- 1- Para No.1 pertains to record, hence needs no comments.
- 2- Para No.2 is incorrect and misleading. Actually appellant during his service career has earned a number of bad entries on different charges while performing his official duties. The instant misconduct on the part of appellant which led to the major punishment was very serious in nature and not tolerable in the disciplined force.
- 3- Para No.3 pertains to record. However, proper enquiry was conducted and the applicant was provided opportunity of defence. (Copy of charge sheet and enquiry report is Annexed as A, B & C)
- 4- Para No.4 is also incorrect. However the appellant in the instant para is personally admitting the fact that the punishment awarded to him after all codal formalities were completed by the competent authority before passing final order. (Copy of Show Cause Notice & reply is annexed as D & E)
- 5- Para No.5 is incorrect. The appellant failed to show just cause or lawful excuse in his reply with reference to the allegations framed against him, therefore

major punishment was passed by the competent authority, which is in accordance with law.

- 6- Para No.6 is correct to the extent that appellant has sought remedy against the punishment order by filing departmental appeal before the appellate authority as well as made representation to the Additional Inspector General of Police, but in both forum his case was thoroughly examined but being found devoid of merit was filed/rejected by the respective authorities.
- 7- Para not related, hence needs no comments.

GROUNDS:-

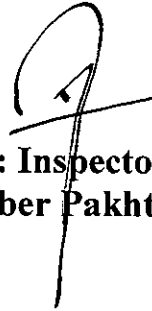
- A. Para is incorrect. Order of punishment passed by the competent authority is legal and justified.
- B. Para is incorrect. The punishment order is in accordance with law/rules.
- C. Para is totally incorrect and misleading. Proper departmental enquiry was initiated against the appellant wherein he was found guilty of the charges leveled against him.
- D. Para is incorrect. Order passed by the Competent Authority as well as Appellate Authority is lawful and in accordance with law.
- E. Para is incorrect as explained above.
- F. Para is incorrect. Appellant was properly summoned and heard in person by giving opportunity of self defence but the appellant failed to produce any plausible reasons in his support.
- G. Para not related to respondents hence needs no comments.
- H. Para is incorrect. The appellant during his service career has earned number of bad entries on account of his misconduct/fault.
- I. Para is incorrect. Punishment order is required to be maintained being based on solid grounds.
- J. Para is repetition of para above. Hence denied
- K. Respondent department may also be allowed to raise additional grounds at the time of arguments.

PRAYERS:-

It is therefore most humbly prayed that in light of above facts and submissions, the appeal of the appellant being devoid of merits and legal footing, may kindly be dismissed with cost.



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.**



**Additional: Inspector General of Police,
Hqrs: Khyber Pakhtunkhwa, Peshawar.**



**Capital City Police Officer,
Peshawar.**



**Senior Superintendent of Police,
Operations, Peshawar.**

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

Service Appeal No.988/2018.

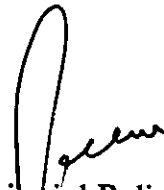
Dilawar Khan Ex-IHC No. 4165 Peshawar.....**Appellant.**

VERSUS.


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police HQrs: KPK Peshawar.
3. Capital City Police Officer, Peshawar.
4. Senior Superintendent of Police Operations, Peshawar.....**Respondents.**

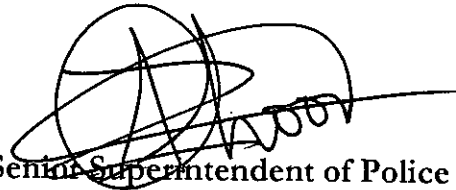
AFFIDAVIT.

We respondents 1, 2,3 and 4 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.


Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.


Additional: Inspector General of Police,
Hqrs: Khyber Pakhtunkhwa, Peshawar.


Capital City Police Officer,
Peshawar.


Senior Superintendent of Police
Operations, Peshawar.



CHARGE SHEET

I, Nisar Ahmed Khan, Senior Superintendent of Police, Peshawar, a competent authority, hereby charge you ASI Dilawar Khan or name of the person in Chamkani as follows:

(i) That while you posted to Police station Chamkani on the recommendation of Special Investigation team constituted vide this office memo No. 519/22/PA dated 26.02.2018 for investigation of case vide FIR No. 1101 dated 22.08.2017 u/s 279/320/427 PPC Police Station Chamkani. Wherein you were found responsible for misplacing case property Motor Cycle No. MK-5543 of the deceased.

(ii) This amounts to gross misconduct and malafide on your part for which you are liable for punishment as defined in Police Disciplinary Rules, 1975.

2. You appeared to be guilty of misconduct under Police Disciplinary Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

3. You are therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Enquiry Officer.

4. Intimate whether you desire to be heard in person?

5. A Statement of allegation is enclosed.


SENIOR SUPERINTENDENT OF POLICE
INVESTIGATION, PESHAWAR

33



DISCIPLINARY ACTION AGAINST ASI DILAWAR KHAN OF POLICE STATION
CHAMKANI

Nisar Ahmed Khan, Senior Superintendent of Police, (Investigation) Peshawar, a competent authority, am of the opinion that SI Dilawar Khan has rendered himself liable to be proceeded against, as he has committed the following acts/omissions within the meaning of Police Disciplinary Rules, 1975.

STATEMENT OF ALLEGATIONS.

Office of SP Inv: FBI Headquarters
Copy No. 76 ST
dated 06/03/2018
Enclosure: 1

R. Khan
06/03/18

That while you posted to Police station Chamkani, on the recommendation of Special investigation team constituted vide this office memo No: 519-22/PA dated 26.02.2018 for investigation of case vide FIR No: 1101 dated 22.08.2017 of 279/320/427 PPC Police Station Chamkani. Wherein you were found responsible for misplacing case property Motor Cycle No JMK-5543 of the deceased.

This amounts to gross misconduct, negligence and malafide on his part for which he is liable for punishment as defined in Police Disciplinary Rules, 1975.

iii. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations, SP Inv HQ is deputed as the Enquiry Officer.

iv. The Enquiry shall be conducted in accordance with the provision of the Rules & provide reasonable opportunity of hearing to the accused officer; record its finding within 14 days of the receipt of this order & make recommendation as to punishment or other appropriate action against the accused.

v. The accused shall join the proceeding on the date and time and place fixed by the Enquiry Officer.

[Signature]
SENIOR SUPERINTENDENT OF POLICE
INVESTIGATION, PESHAWAR

No. 31-B PA-Investigation, dated Peshawar, the 05/03/2018

Copy of above is submitted to the:

- vii. E.O. for initiating proceeding against the accused under the provision of Police Disciplinary Rules, 1975.
- viii. ASI Dilawar Khan is directed to submit the reply to the charge sheet and summary of allegations.

32

FINDING.

BRIEF FACTS.

It is a departmental enquiry against SI Mushtaq Khan and ASI Dilawar Khan of PS Chamkani on the allegations that a Special Investigation Team constituted for investigation of Case vide FIR No.1101 dated 22.8.2017 U/S 279/320 PPC of PS Chamkani. After enquiry, the special investigation team found responsible SI Mushtaq Khan and ASI Dilawar Khan of PS Chamkani for mishandling of fatal accident case, misplacing of Case property Motor Cycle No.JMK-5543 of the deceased.

Both the above named officials were charge sheeted by worthy SSP Investigation, Peshawar and the undersigned was deputed as Enquiry Officer.

PROCEEDINGS.

I conducted enquiry into the matter, summoned the following officials for hearing, appeared, full opportunities for hearing were provided to them and recorded their statements.

1. SI Mushtaq Khan of PS Chamkani.
2. ASI Dilawar Khan of PS Chamkani.
3. Constable Salman No.1219 Wireless Operator PS Chamkani.

Analysis of statement of of SI Mushtaq Khan.

He stated that on the day of occurrence he was on duty in Chamkani 18 Mobile. At 1630 hours, an accident took place at Northern Bypass Road Goal Chowk and at 1745 hours he was informed by Salman Wireless Operator Chamkani about the accident and asked him to reach to LRH, Peshawar. On the acting of the said information, he rushed to LRH, Peshawar where he found that injured Abbas has succumbed to his injuries in the Hospital and the other injured was lying in unconscious condition. On the report of complainant he submitted a murasillah. He also prepared the inquest report and injuries sheet of the dead body and handed over to the Doctor. The dead body of the deceased was sent to KMC for postmortem examination and he fulfilled all the required formalities till 0200 hours. He further stated that on the acting of call of Wireless Operator of PS Chamkani, he came to LRH, Peshawar not the spot of occurrence and made ignorance from the misplacing of Motor Cycle. His statement attached at Flag/A.

Analysis of Statement of ASI Dilawar Khan.

He stated that on the day of occurrence he was on duty in special Mobile of PS Chamkani and was present on GT Road near UNHCR Office when at 1745, salman wireless Operator of PS Chamkani informed him about the accident took place at Northern Bypass Goal Chowk. He rushed to the spot within 3/4 minutes where he did not found any place of accident. He further stated that as per FIR, the accident took place a 1630 hours and the wireless operator called him at 17.45 hours about the said accident. His statement is attached at A/B.

Analysis of Statement of Constable Salman No. 1219 Wireless Operator of PS Chamkani.

He stated that on the day of occurrence at 1740 hours, he was informed by Wireless Control Room that a dead body is lying at LRH, Peshawar send the Mobile Officer. On receiving of the said information he asked the Incharge of 18 Mobile SI Mushtaq to reach LRH, Peshawar and send ASI Dilawar Khan to the place occurrence. His statement is attached at F/C.

Analysis of Log Book of Wireless Operator of PS Chamkani.

I also checked the Log Book of Wireless Operator in which the above mentioned discussions were entered.

CONCLUSION.

From the perusal of enquiry file, statements of SI Mushtaq Khan, ASI Dilawar Khan and Constable Salman Wireless Operator of PS Chamkani, the undersigned came to the conclusion as followed:-

(i) On the day of occurrence, SI Mushtaq Khan was deputed for duty in 18 Mobile of PS Chamkani on the said area/road in which the accident took place and whenever he was present in the area then why? After 01 hours & 10 minutes of the accident he was informed by Wireless Operator of PS Chamkani of the accident while he was unaware from the said occurrence which shows that SI Mushtaq Khan was not present on his duty in the said area deputed to him therefore, he was not aware from the occurrence of the said accident and probably he used the Mobile vehicle for other purpose out of the area.

(ii) ASI Dilawar Khan in his statement made ignorance from the occurrence of the said accident which is impossible because a fatal accident took place at Goal Chowk Nadra Bypass in which two persons were seriously injured out of which one succumbed to her injuries in the Hospital and ASI Dilawar Khan on reaching to the spot neither found any evidence of the accident on spot like blood stained of injured persons, any broken piece of vehicles and scud marks etc: nor make any efforts to trace out the duly accident vehicles in the area which creating more doubts on the part of ASI Dilawar Khan of PS Chamkani.

RECOMMENDATIONS.

Keeping in view of the above discussion, I am of the opinion that if approved, SI Mushtaq Khan and ASI Dilawar Khan of PS Chamkani may be awarded major punishment for mishandling the crime scene and loosing an important evidence of case property misplacing of Motor Cycle of the deceased.

Submitted please.



Superintendent of Police,
Investigation, HQRs PBI, Peshawar.



SR: SUPERINTENDENT OF POLICE,
(OPERATIONS),
PESHAWAR

E-mail: sspoperations2448@gmail.com

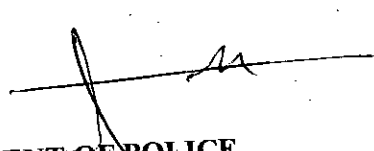
FINAL SHOW CAUSE NOTICE

I, Senior Superintendent of Police, Operations, Peshawar as competent authority, under the Police disciplinary Rules 1975, do hereby serve you **ASI Dilawar Khan of Police Station Chamkani** as follows:-

2. (i) That consequent upon the completion of departmental enquiry conducted against you by **SP Investigation HQrs** who found you guilty of the charges for which you were given the opportunity of personal hearing.
- (ii) Ongoing through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the said officers;

I am satisfied that you have committed the follow misconducts:

- At the conclusion of preliminary enquiry into case FIR No. 1101 dated 22.08.2017 u/s 279/320/427 PS Chamkani you alongwith SI Mushtaq has been found guilty for mishandling the crime scene and loosing an important evidence of case property by misplacing of motorcycle of the deceased.
3. As a result there of I, as Competent Authority decided to impose upon you major/minor penalty including dismissal from service under the said Rules.
4. You are, therefore, require to Show Cause as to why the aforesaid penalty should not be imposed upon you.
5. If no reply to this notice received within 7-days of its delivery, it shall be resumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. You are at liberty to be heard in person, if so wished.


SR: SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR

No. 453 /PA dated Peshawar the 06-09- 2018

حوالہ مشعل شوکار لوٹس نمبری 453/PA فورم 06/18 جاری SSP
 اپریشن لپٹا در بابت گمشدگی مال قدم وٹرس ایٹل نمبر 5543 JMK
 حوالہ قدم عدسہ 1101 فورم 22/17 صدم 279/320/427 نظام نمکی نعوض
 خدمت ہوں کہ صاحب عالی جن دنوں میں یہ وقوع رونما ہوا تھا توہری
 تعیناتی اپریشن شراف میں تھی اور اسی دن 18 اپریل کو بائیل میں
 میں ریجارج کیا اور جمعہ وقت 17:45 بجے فورم 22/17 کو بزرگ وائرلس
 میٹ اپریشن سلمان سے اطلاع ہوئی کہ نادران بائی پاس ٹرول جوک
 کے پاس انٹرنیٹ کا واقعہ رونما ہوا ہے۔ سبزا فرانکس منشی کے
 نادران بائی پاس ٹرول جوک فریٹا 3/4 منٹ میں پہنچا تھا کہ پھر
 کس قسم کا کوئی وقوعہ انٹرنیٹ احاد نے کو نہ پایا گیا۔ ایک گلد
 میں نے بزرگ T.I وائرلس کال اپریشن سلمان ساتھ لاکم کا تھا
 اور یہ بتایا تھا کہ یہاں پیر ٹو ٹوٹی انٹرنیٹ کا وقوعہ میں نے سننے دیکھا
 ہے چونکہ FIR میں وقت وقوع 16:30 بجے اور جمعے جانے وقوع
 پیر پچھنے کی وائرلس کال 17:45 بجے پر ہوئی تھی جو کہ وقت وقوع
 اور جمعے وائرلس کال کی اطلاع میں 1 گھنٹہ اور 15 منٹ کا فرق
 ہے اس بابت میں Voice call کی چھان بین کی جا سکتی ہے
 اور اس بارے میں صاحب SSP صاحبہ انوش گن صاحب کو چارج
 شدت نمبری 31-E/PA-1N17 فورم 05/18 جاری SSP صاحبہ انوشی
 گیشن کسٹا اور نوٹ نمبری جواب بھیج دیا ہے صاحب عالی مال قدم وٹرس ایٹل نمبر
 بالائی گمشدگی سے میں بائیل لاکم ہوں اور نہ ہی اس میں نے کوئی غفلت
 اور لا پرواہی کی ہے۔ اس معاملہ میں بائیل کے قصور ہوں کیونکہ میں ایک ذمہ دار
 پولیس افسر ہوں اور مال قدم ادھر ادھر کا سوچ بھی نہیں سکتا

Amal
 ASI LRH
 ASI لاہور خان
 03139900116

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

1484/18
In S.A # 988-P/2018

Dilawar Khan

Versus

Provincial Police Officer Khyber Pakhtunkhwa and Others

INDEX

S#	Description of documents	Page No
1	Rejoinder	1-5
2	Affidavit	6

Through

Appellant

SAGHIR IQBAL GULBELA
&
JAVED IQBAL GULBELA,
Advocates, High Court
Peshawar

Dated: 14/06/2019

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

1484/14
In S.A # 988-P/2018

Dilawar Khan

Versus

Provincial Police Officer Khyber Pakhtunkhwa and Others

REJOINDER ON BEHALF OF THE
PETITIONER TO THE COMMENTS
FILED BY THE RESPONDENTS 1 to 4

Respectfully Sheweth,

Reply to Preliminary objections:-

1. Incorrect and denied. Moreover the appeal of the appellant was well in time.
2. Incorrect, misleading, hypocritical hence denied.
3. Incorrect, misleading, hypocritical hence denied.
4. Incorrect and Denied. Moreover the Petitioner has a good cause of action/locus standi to file the instant Service appeal.

5. Incorrect, misleading, hypocritical hence denied.

6. Incorrect and denied.

7. Misleading, hypocritical, and Incorrect hence Denied. Moreover the Petitioner has a good cause of action/locus standi to file the instant Service appeal.

On Facts:-

1. Para No.1 of the comments needs no reply.

2. Para No.2 of the comments is incorrect, misleading, hypocritical, and wrong hence denied. While that of the main service appeal is true and correct.

3. Para No.3 of the comments is misleading, incorrect, wrong and hypocritical hence denied, while that of the main Service appeal is true and correct.

4. Para No.4 of the comments is misleading, incorrect, wrong and hypocritical hence denied, while that of the main Service appeal is true and correct and detail and true picture is given in the corresponding paras of the main Service appeal.

5. Para No.5 of the comments is misleading, incorrect, hypocritical, illegal and unlawful hence denied. While that of the main Service appeal is true and correct. Moreover Proper reply has already been given above.

6. Para No.6 of the comments is misleading, incorrect, hypocritical, illegal and unlawful hence denied. While that of the main Service appeal is true and correct.

7. Para No.7 of the comments is misleading, incorrect, hypocritical, illegal and unlawful hence denied.

On Grounds:-

- A. Incorrect, misleading, hypocritical, illegal, and unlawful hence denied.
- B. Incorrect, misleading and hypocritical hence denied. While that of the main Service appeal is true and correct.
- C. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied. While detail true and correct picture is given in the corresponding paras.
- D. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied. While detail true and correct picture is given in the corresponding paras.
- E. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied. While detail true and correct picture is given in the corresponding paras.
- F. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied.
- G. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied. While detail true and correct picture is given in

the corresponding paras. Moreover the act of the Respondent is highly discriminatory and contradictory with the fundamental rights protected and guaranteed by the constitutional of Islamic Republic of Pakistan 1973.

H. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied. While detail true and correct picture is given in the corresponding paras.

I. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied.

J. Incorrect, wrong, misleading, hypocritical, illegal and unlawful hence denied.

K. Misleading and hypocritical hence denied.

It is, therefore, most humbly prayed that on acceptance of instant rejoinder, the Service appeal may graciously be allowed, as prayed for therein.

Through

Appellant

SAGHIR IQBAL GULBELA

&

JAVED IQBAL GULBELA,

Advocates, High Court

Peshawar

Dated: 14/06/2019

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A # 988-P/2018

Dilawar Khan

Versus

Provincial Police Officer Khyber Pakhtunkhwa and Others

AFFIDAVIT

I, **Dilawar Khan Ex-Head Constable No. 4165 Peshawar**, do hereby solemnly affirm and declare on oath that contents of the **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.

Deponent *Amud*
CNIC: 17301-1652104-1
Cell: 0313 -9900116

Identified By:-

Saghir Iqbal Gulbela
Saghir Iqbal Gulbela
Advocate High Court
Peshawar





OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. S/ 4959 /18, dated Peshawar the 20 / 12 /2018.

ORDER

This order will dispose of the Revision Petition preferred by Ex-ASI Mushtaq Ahmad under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 (amendment 2014) against the order of his dismissal from service passed by SSP (Operations), Peshawar vide order Endst: No. 490/PA, dated 19.04.2018.

The brief, yet relevant, facts, of the case are that penalty of dismissal from service was imposed on petitioner by SSP/Operations, Peshawar vide order Endst: No. 490/PA, dated 19.04.2018 on the charge that he while posted at Police Station Chamkani was recommended for departmental proceedings by Joint Investigation Team constituted by SSP/Investigation Peshawar vide Endst: No. 519-22/PA, dated 26.02.2018 in case FIR No. 1101, dated 22.08.2017 u/s 279/320/427 PPC Police Station Chamkani, wherein he was found guilty for misplacing case property i.e. Motor Cycle of the deceased.

His appeal was filed by Capital City Police Officer, Peshawar vide order Endst: No. 1182/20/PA, dated 15.10.2018.

- On 12.12.2018, the meeting of Appellate Board was held at CPO Peshawar, wherein the petitioner was present.

Petitioner has been heard. Record perused. Statement by Wireless Operator (in the enquiry perused. His stance that he was asked to visit injured in the Hospital and he never visited crime scene and is not responsible for missing of Motor Cycle (case property) is plausible. The accident took place at 04:00 pm but he reached hospital after he get information at 05:45 pm. This delay of action on his part as maintained in the enquiry report that he might be absent has not been corroborated by any evidence. Therefore, giving him benefit of doubt, the Board decided that the petitioner is hereby reinstated in service and his punishment of "Dismissal from Service" is converted into "Reduction of pay by one stage." The intervening period from dismissal to re-instatement will be treated as "Leave without Pay."

This order is issued with the approval by the Competent Authority.

M
19/12/18

(DR. MUHAMMAD ABID KHAN) PSP
Deputy Inspector General of Police, HQrs.
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

No. S/ 4960-67 /18,

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One service roll, one service book and original enquiry file containing 42 page of the above named ASI received vide your office Memo No. 21834/EC-II; dated 14.11.2018 is returned herewith for your office record.
2. SSP (Operations), Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-III, CPO, Peshawar.

الطوارنی صحیحہ در علم (فوری)

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا ۱۲۰۰ سے ۱۲۰۰

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

میرزا محمد علی خان ایف آئی جی نے بددیانتی بیان کیا

بیان آردن نیٹل سیمان 219 اور برقی مقام قلمی

۲۱۷۸
۲۲۹ 2017-18 کو وقت
Dead body
LPH
18
LPH
Asi
درجے

19-03-2018

= 39 قوس - کتابت مانت ابی وقتے 211.45 حرج
 229-7 حرج مع کتابت صحت 939 - کوشا د 1197
 7-229 حرج 3000 حرج 18 حرج کشت حرج
 کتابت مانت ابی وقتے

= 1553 حرج 229-17 حرج
 9316 حرج 1553 حرج
 کتابت مانت ابی وقتے
 کتابت مانت ابی وقتے

کتابت مانت ابی وقتے

کتابت مانت ابی وقتے
 کتابت مانت ابی وقتے
 کتابت مانت ابی وقتے

شہادت میں لکھنے بلکہ ہر دو نمبر اور اچھن حوالہ شدہ کو بغیر علاج معالجہ LRH پشاور لے گئے ہیں۔ یہی حالات جناب DPS
INV کے نوٹس میں بھی لائے گئے ہیں۔

جائے وقوعہ کے بلاک ریورسی بان اور بکین کے بیانات لئے گئے ہیں جنہوں نے اپنے وقوعہ کی نسبت لاطعی ظاہر کی۔ علاوہ
اوپر ذکر کردہ دیگر پتہ گزرا اور ہر ای اس سزان کے موبائل نمبرات کی CDR حاصل کر کے جو کہ بیانات قلمبند شدہ کے بتائید
میں لے

5: سونہر سا بیکل ازان بد عیب فریق ایکسٹنٹ شدہ نمبری JMK 5543 جو کہ وقت وقوعہ کے بعد کہیں پس و پیش ہو چکا ہے

کے واسطے متعلقہ MRA جملہ کو فائل بلاک کرنے اور VVS میں شامل کرنے کے لیے بابت پس پیش گی کے لئے بوسطاطت
افسران بلا جانا صاحبان سونہر سا بیکل گیا ہے۔ مزید معلومات کرنے کی خاطر فارم مشہرہ کی بھی جملہ SDPOS صاحبان کو اپنی ماتحت عملہ سے
پتہ و براری کے لئے بھی جاری کیا گیا ہے۔

6: علاوہ ازیں رپورٹ وقوعہ کا ایئر جسی کنٹرول سے ایسی اطلاع رسائی کی گفت و شنید طلب قواعد حاصل کر کے جو کہ USB

میں محفوظ ہے۔ جس کے تحت مشتاق خان SI آپریشن چکنی (18 سوئائل) اور لاہور خان ASI آپریشن (18 سوئائل)
سوئائل) کو تھانہ چکنی کے ڈائریکٹ آپریشن سلیمان نے کنٹرول سے موصولہ اطلاع بان لیا گیا ہے جنہوں نے اطلاع موصول اور موقعہ
پر موجودگی ظاہر کرنے کے لئے مشتاق خان SI، ERH حسب اطلاع جا کر وقوعہ کی نسبت ہر اسلہ ڈیگر کارروائی ضابطہ حسب
رپورٹ کی ہے۔ جب کہ لاہور خان ASI کی کارکردگی بابت وقوعہ خاموش ہے۔ حالات بالا کی نسبت رپورٹ ہائے آپریشن سلیمان و
لاگ تک اور ہر دو موبائل افسران کا نقلدات و اجسی حاصل کر کے جس کی نوٹو اسٹیٹ لف ہذا ہے۔

7: لہذا حالات بالا کی رو سے ہر دو موبائل افسران سے مل کر وقوعہ بالابابت وقوعہ میں افسان رسیدہ ہر دو موبائل نمبری JMK

JMK 5543 کے نوٹس کے لئے ہر دو موبائل افسران سے مل کر وقوعہ بالابابت وقوعہ میں افسان رسیدہ ہر دو موبائل نمبری JMK

4: عرفان خان SI/OH چکنی

1: عالم ذیب خان DSP/INV رورل

5: تیمور سلیم خان SHO پہاڑی پورہ

2: اعظم ذادہ INSP/INV/CO رورل

6: عمر آفریدی SHO چکنی

3: دوران شاہ INVS/OH پہاڑی پورہ

Issue Charge Sheet to

both defenters.

5/3/18

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2202 /ST

Dated 16-12- / 2019

To


The Senior Superintendent of Police (Operation),
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 1484/2018, MR. DILAWAR.

I am directed to forward herewith a certified copy of Judgement dated 12.11.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.