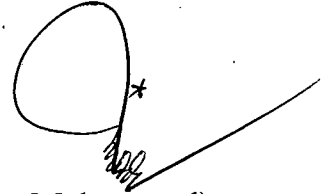


04.10.2022

Clerk of counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Muhammad Raziq, H.C for the respondents present.

Reply/comments have not been submitted. Learned AAG requested for further time. Last opportunity is granted. To come up for written reply/comments 25.11.2022 before S.B.



(Mian Muhammad)  
Member (E)

23<sup>nd</sup> June, 2022

Counsel for the appellant present and submits that vide order dated 24.09.2021 regarding removal from service, the appellant filed departmental appeal on 28.09.2021 which was partially accepted vide impugned order dated 05.01.2022 and "removal from service" was converted into "forfeiture of approved service of two years". The appellant then filed this service appeal on 03.02.2022 which appears to be within time and is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee and security within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 15.08.2022 before S.B.

Rs-600/-  
Appellant Deposited  
Security & Process Fee

A. Arshad  
28/6/22

Q

(Kalim Arshad Khan)  
Chairman

15.08.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 04.10.2022 before S.B.



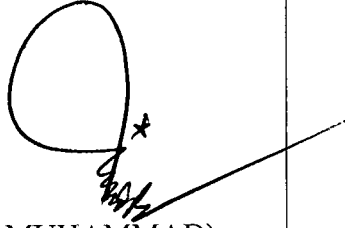
(Mian Muhammad)  
Member (E)

Form- A

FORM OF ORDER SHEET

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

Case No.- 157 /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/02/2022	<p>The appeal of Syed Sajid Ali Shah presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>01-04-2022</u></p> <p> CHAIRMAN</p>
	01.04.2022	<p>Clerk of learned counsel for the appellant present.</p> <p>Former requests for adjournment on the ground that learned counsel is busy before the Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 23.06.2022 before S.B.</p> <p> (MIAN MUHAMMAD) MEMBER(E)</p>

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No 157 /2022

Syed Sajid Ali Shah.....Appellant

**V E R S U S**

CCPO and others.....Respondents

**I N D E X**

S. No	Description of Documents	Annexure	Pages
1.	Service Appeal with affidavit		1-4
2.	Copy of Charge Sheet & Reply	A & B	5-6
3.	Copy of Inquiry Report dated 16-06-2021	C	7
4.	Copy of de-novo Inquiry Report dated 02-07-2021	D	8
5.	Copy of Final Show Cause Notice & Reply	E & F	9-10
6.	Copy of order dated 24-09-2021	G	11-
7.	Copy of departmental appeal & order dated 05-01-2022	H & I	12-13
12.	Copy of Addendum dated 29-08-2017	J	14
13.	Vakalat Nama		15

Dated:-31-01-2022

Through

  
Appellant

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

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

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2022

Syed Sajid Ali Shah, Junior Scale Stenographer, Capital City Police Office, Peshawar. ....Appellant

**V E R S U S**

1. Capital City Police Officer, Peshawar.
2. Senior Superintendent of Police Co-Ordination, Peshawar.
3. District Police Officer, Khyber.
4. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar. ....Respondents

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 05-01-2022 OF RESPONDENT NO 1 TO THE EXTENT OF FORFEITURE OF APPROVED SERVICE OF TWO YEARS OF THE APPELLANT AND NOT GRANTING BENEFITS OF INTERVENING PERIOD.**

**PRAYER:-**

On acceptance of this appeal the impugned Order dated 05-01-2022 to the extent of the appellant may kindly be varied/modified to the extent thereby reinstating the appellant in service with all back benefits.

**Respectfully Submitted:-**

1. That the appellant was appointed as Junior Scale Stenographer in Police Department Peshawar in the year 2016 who during his service performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.
2. That the appellant is at the strength of Capital City Police and in the year 2018 was transferred to the office of respondent No 3 and after serving there for about 4/5 month was transferred back to Capital City Police, Peshawar however things went changed with the transfer of District Police Officer as there were some grouping who were catering vested interests.
3. That during the posting of the appellant at the office of respondent No 3, a complaint against Constable Adnan Zulfiqar No 42 on citizen portal that despite being transferred to CPC, he is not complying with such orders, which complaint the appellant put up to his high ups who sent the same to respondent No 1, upon which the SSP Co-Ordination suspend the said Constable however on the next very day he was again reinstated. Strangely just after two days, the appellant along

with one Sibghat Ullah, Senior Clerk, were subjected to departmental action for no fault.

4. That Charge Sheet was issued to the appellant by respondent No 2 which the appellant replied on 26-04-2021 in detail refuting the allegations and bringing the true facts and circumstances on record accordingly. **(Copy of Charge Sheet & reply therein is enclosed as Annexure A & B).**
5. That there after inquiry was conducted wherein the statement of the appellant was recorded while Constable Adnan did not bother to join the inquiry proceedings and the inquiry officer keeping in view the facts and circumstances of the case recommended for filing the inquiry without further proceedings. **(Copy of Enquiry Report dated 16-06-2021 is enclosed as Annexure C).**
6. That respondent No 2 did not agreed with the inquiry report and requested the SSP Investigation, CCP, Peshawar for denovo inquiry vide Letter dated 25-06-2021 who without going into the facts and circumstances of the matter, submitted that either the inquiry file may be returned to the inquiry officer for its completion and revisiting of his recommendations or the competent authority may go against the recommendations of the inquiry officer and may award major or minor punishment vide Letter dated 02-07-2021. **(Copy of de-novo inquiry report dated 02-07-2021 is enclosed as Annexure E).**
7. That Final Show Cause Notice was issued to the appellant which the appellant replied in detail again refuting the allegations. **(Copy of Final Show cause Notice & reply therein is enclosed as Annexure F & G).**
8. That without considering the reply, record facts and circumstances & even recommendations of the inquiry officer, the appellant was awarded the major penalty of Removal from service by respondent No 2 vide Order dated 24-09-2021. **(Copy of Order dated 24-09-2021 is enclosed as Annexure H).**
9. That the appellant filed departmental appeal before respondent No 1 on 28-09-2021 who called comments of respondent No 3 and finally the appellant was reinstated in service and his punishment was converted into forfeiture of approved service of two years and no benefits were granted for the intervening period vide Order dated 05-01-2022. **(Copy of Departmental appeal, & Order dated 05-01-2022 is enclosed as Annexure I & J).**
10. That the impugned Order dated 05-01-2022 to the extent of not reinstating the appellant in service with all back benefits, is

-3-

against the law, facts and principles of justice on grounds inter-alia as follows:-

**GRUNDS:-**

- A. That the impugned Order is illegal, unlawful, without lawful authority and hence void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules in violation of Article 4 and 25 of the Constitution.
- C. That the appellant was punished by an officer who is not competent in law to award penalty to the appellant as evident from Addendum dated 29-08-2017, the order is thus void and corum non iudice. **(Copy of Addendum dated 29-08-2017 is enclosed as Annexure K).**
- D. That strangely Final Show Cause Notice was issued to the appellant under Police Rules 1975 while the appellant was awarded punishment under E & D Rules 2011, thus the impugned order is liable to be modified as requested on this score alone.
- E. That during so called de-novo inquiry, no evidence was collected against the appellant in support of allegations nor the allegations were ever substantiated but even then adverse recommendations were made for reasons other than fair and bonafide.
- F. That during so called de-novo inquiry no one was examined in presence of the appellant nor was ever the appellant provided with opportunity of cross examination.
- G. That the note sheet speaks of anything but not fair and bonafide.
- H. That even the authority has disagreed with the recommendations of the inquiry officer and that too without assigning any reason, thus on this score alone the impugned order is liable to be modified.
- I. That in fact all the allegations were leveled by Constable Adnan Zulfiqar who is posted in the office of respondent No 3 and who is the hand in affairs there and who despite summons, did not bother to appear before the inquiry officer, thus the impugned order is liable to be varied/modified.

- J. That the appellant was not afforded opportunity of personal hearing.
- K. That the appellant has about 6 years of service with unblemished service record.
- L. 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.**

**Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.**

**Dated:-31-01-2022**

**Through**

  
**Appellant**



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

**LIST OF BOOKS**

1. Constitution 1973.
2. other books as per need

**CERTIFICATE:**

Certified that as per instructions of my client, no other Service Appeal on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal.

  
**ADVOCATE**

**AFFIDAVIT**

I, Syed Sajid Ali Shah, Junior Scale Stenographer, Capital City Police Office, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

  
**DEPONENT**



**CHARGE SHEET**

-5- "A" 7 B

I, Sr: Superintendent of Police, Coordination, Capital (Police Peshawar, as a competent authority, hereby, charge Steno Typist Sajid for the following irregularities.

DPO Khyber reported vide his office letter No. 1050/PSO dated 02.04.2021 that you while posted in the office of DPO Khyber (now in CPC), was found indulged in grouping with the convenience of SC Sibghatullah, making interference in the affairs of everyone to extort gratification/money. You also filed anonymous complaints against the staff of DPO/Khyber in order to obtain desired posting. Due to your malicious practice staff of DPO & official work has badly suffered and the complaints filed through PMDU brought bad name for police.


This amounts to gross misconduct on your part and is against the discipline of the force."

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that have no defence to put in and in that case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

  
SENIOR SUPERINTENDED OF POLICE,  
COORDINATION, PESHAWAR

Reply to Charge Sheet

Respected Sir,

With reference to charge sheet bearing No.128/PA/Coord. Dated 19.04.2021, I humbly submit the following facts in my defense.

- a) According to letter of DPO Khyber, it is alleged that I, in connivance with SC Sibghat Ullah interfered in the affairs of everyone for the purpose of extorting money. It is however, worth to mention here that there was a competent officer then serving as DPO Khyber under whose command I served as PA and if there was anything wrong or I was involved in any such practices, the then DPO should have taken action against me. Why it took so long and that too when a complaint lodged against Constable Adnan on PCP.
- b) It is further alleged that I made anonymous complaints against the staff of DPO/Khyber for seeking desired posting but in fact, I have nothing to do with it. I am falsely dragged in this self-made story. I may not be subjected to this humiliation and disgrace on mere accusations without any proof. I never lodged any complaint against anyone. Factual position is that when I was serving in CPC, a complaint against FC Adnan received on Pakistan Citizen Portal. I being PA to Commandant/CPC took print and brought it into the notice of my immediate officer who sought a report from DSP/CPC. The DSP/CPC reported that Constable Adnan of District Khyber has been repatriated to his parent unit CPC but he is not complying with the lawful orders. The DSP further reported that the complaint may be forwarded to concerned authority for further necessary action. Accordingly, the complaint was forwarded to CCPO Peshawar for further appropriate action. Consequently, Constable Adnan was placed under suspension and formal proceedings initiated against him. However, he was re-instated the other day while the proceedings were also waived of for reasons not known to me. Nevertheless, processing a complaint was my duty and I did it without any malice or ill-will otherwise the complaint would escalate and then the Commandant/CPC would have to explain for the delay.
- c) There is another allegation levelled against me that I have allegedly lodged complaint in order to get the desired posting in District Khyber. Actually, this allegation is beyond any logic. I don't need to struggle for desired posting. I am a competent official recruited through Provincial Public Service Commission and wherever I am posted, I will always be at a prominent position so it is unwise to suggest that I lodged complaint or conspired against someone to get desired posting.

2. In view of the above explained position, it is requested that the allegations levelled against me may be dropped.

3. I may also be heard in person, if the competent authority desires so.

4. Submitted please.

*Ejid*  
SYED SAJID ALI SHAH

Jr. Scale Stenographer

CCP Peshawar

26-04-21

The Enquiry Officer

No. 1402/ST  
Dated 16.06.2021.  
Enclosures ( 8 ).

"C"

R/Sir,

ENQUIRY REPORT ON COMPLAINT AGAINST STENO SAJID ALI SHAH.

Please refer to your Office No.129 /PA/Coord: dated 19.04.2021.

The instant enquiry has been initiated against Steno Typist Sajid Ali Shah on the allegation that he while posted at the office of DPO Khyber committed the following misconducts:-

- That he was found indulged in grouping with the convenience of S/Clerk Sibghatullah.
- He makes interference in the affairs of everyone to extort gratification.
- He filed anonymous complaints against the staff of DPO Khyber in order to desired posting.
- He bought a bad name to Police for filing complaint against the staff of DPO Khyber through PMDU.

For completion of departmental enquiry, the defaulter was called to the office and his statement has been recorded (F/A):-

The defaulter Steno Typist spurned the allegations in his statement. He further deposed that actually all the allegations have been fixed by Constable Adnan who is posted at the office of DPO Khyber, running all the office affairs of DPO Khyber. He miss-led the DPO Khyber to continue his duty as Incharge. Moreover, the allegations leveled against him due to professional jealousy and there is no fact in the allegations.

To scrutinize the statement of alleged Steno Typist (Sajid Ali Shah), FC Adnan was called time and again but he did not bother to attend the enquiry proceedings. Therefore, the DPO Khyber was approached but with no result.

Keeping in view the above, star witness Adnan (PSO) to DPO Khyber deliberately avoiding to appear before the undersigned to record his statement.

Furthermore, both the officials have already been closed to Police Lines upon the under discussion complaint. Therefore, if agreed the inquiry in hand may be filed without further proceedings.

Dy: Superintendent of Police  
HQrs: CCP Peshawar.

W/SSP Coordination:

NOT agreed  
initiate De-NOVO  
enq.

AGW

7

-8- "D"



**CAPITAL CITY POLICE PESHAWAR**  
**SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR**

Office Phone No: 091-9210642

No. 2030/PA Dated Peshawar the 20/1/2021

**Reference attached**

Kindly refer to your office Dy No: 162/PA/Coord: dated 25.06.2021.

It is submitted that I have gone through the file & found that Steno Syed Sajjid Ali Shah and S/Clerk Sibghat Ullah was subjected to departmental proceedings on the following serious allegations leveled against them by their senior officer i.e DPO Khyber.

- That steno typist Sajjid Ali Shah was found indulged in grouping with the connivance of Senior Clerk Sibghat Ullah and vice versa.
- Both makes interference in the affairs of everyone to extort gratification.
- Both filed anonymous complaints against the staff of DPO, Khyber in order to get desired posting.
- Both bought a bad name to Police for filling complaint against the staff of DPO Khyber through PMDU.

DSP Hqrs was appointed enquiry officer. During the course of enquiry, the delinquent officers miserably failed to defend themselves rather attempted to shift responsibility on the shoulders of others and mentioned few of them for the misconduct although they have no concern with the matter. They were also called but didn't appear and the incomplete enquiry ended dramatically with the recommendations that the accused officers may be exonerated.

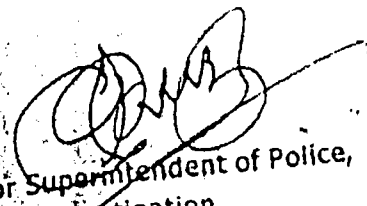
I am at loss to understand as to how and why the enquiry officer turned so kind with above recommendations without an iota of evidence in support of his findings & recommendation.

It is therefore submitted that the enquiry file either may be returned to the enquiry officer for its completion & after proper proceedings, revisit his recommendations against the serious charges leveled by a senior officer against the accused's. OR

The competent authority may like to go against the recommendations of the Enquiry officer (which is otherwise not a binding factor) keeping in view the failure of defense by the delinquent officer may award Major or Minor punishment as the case may be.

Submitted, please.

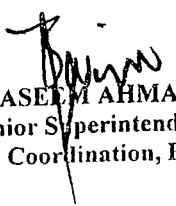
(Enclosed 52 pages)

  
Senior Superintendent of Police,  
Investigation  
Capital City Police, Peshawar.



**FINAL SHOW CAUSE NOTICE**  
**(Under Police Disciplinary Rules, 1975)**

1. I, Waseem Ahmad Khalil, Senior Superintendent of Police (Coordination) Peshawar as competent authority, under the Police Disciplinary Rules 1975, do hereby serve you Stenotypist Sajid Ali Shah Estate as follows:-
2. (i) That consequent upon completion of the departmental enquiry conducted against you by SSP Investigation, Peshawar who found you guilty of the charges for which you were given 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 officer; I am satisfied that you have committed the following misconducts;
- 2). "It has been reported by DPO Khyber vide his letter No. 1050/PSO dated 02.04.2021 that you (Stenotypist) while posted in the office of DPO Khyber, was found indulged in grouping with the convenience of SC Sibghat Ullah, making interference in the affairs of everyone to extort gratification/money. You also filed anonymous complaints against the staff of DPO Khyber in order to obtain desired posting. Due to your malicious practice, staff of DPO Khyber & official work has badly suffered and the complaints filed through PMDU brought bad name for police."
3. As a result thereof I, Waseem Ahmad Khalil, Senior Superintendent of Police (Coordination) Peshawar 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 is received within 7-days of its delivery, it shall be presumed 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.

  
(WASEEM AHMAD KHALIL)  
Senior Superintendent of Police,  
Coordination, Peshawar

No 166 /PA dated Peshawar the 7 / 7 /2021

"F" -10-

R/Sir,

Kindly refer to the Show Cause Notice vide No. 166/PA dated 07.07.2021.

It is submitted that consider my reply submitted already to the enquiry officer same as my reply to the Final Show Cause Notice, please.

You're sincerely

*Syed*

Syed Sajid Ali Shah  
Jr. Scale Stenographer CCP Peshawar.

ORDER

-11- "G"


This is a formal departmental proceeding against Syed Sajid Ali Shah Steno-typist on the allegations/charges that he while posted at DPO Khyber office was found indulged in grouping with convenience with Senior Clerk Sibghatullah, making interference in the affairs of everyone to extort gratification/money. He also filed anonymous complaints against the staff of DPO Khyber in order to obtain desired posting. Due to his malicious practice, staff of DPO Khyber and official work has badly suffered and complaints filed through PMDU brought bad name for Police as per report of DPO Khyber vide letter No.1050/PSO dated 02.04.2021.

In this regard, he was issued charge sheet & summary of allegations. DSP H.Qrs: Peshawar was appointed as E.O. He conducted the enquiry proceedings & submitted his report/findings that alleged official has already been closed to the office CCP (Police Lines) Peshawar and the inquiry papers in hand may be filed vide Enquiry Report No.1402/ST dated 16.06.2021.

The competent authority was not agreed with recommendations of E.O. Therefore, enquiry was re-marked to SSP Investigation. He conducted re-enquiry and submitted finding that keeping in view the failure of defense by the delinquent official may award major/minor punishment vide Enquiry Report No.2030/PA dated 02.07.2021

On receiving the finding of E.O, he was issued final show cause notice to which he received and replied. His explanation is un-plausible.

In view of the above discussion, findings of E.O and other material available on record it has been proved beyond any shadow of doubt that Syed Sajid Ali Shah Steno-typist is held responsible for this misconduct. Therefore, in exercise of the power vested to me under the Efficiency & Discipline Rules 2011 he is hereby removed from service with immediate effect.

  
SR: SUPERINTENDENT OF POLICE  
COORDINATION PESHAWAR

No. 17588-94 /PA/SSP/Coord: dated Peshawar the 24/9 /2021

Copy of above is forwarded for information & n/action to:

- ✓ The Capital City Police Officer, Peshawar.
- ✓ The SSP Operation, Peshawar.
- ✓ The DPO Khyber.
- ✓ DSP/HQrs, Peshawar.
- ✓ Pay Officer,
- ✓ Assistant Secret.
- ✓ EC-II along with enquiry file.

*WAIK Establishment*

544  
28/9/2021

Sub: Departmental appeal against the Order of SSP/Coordination CCP Peshawar

Dt: No. 1522 PA-CCPO  
Dt: 28-9-21  
Encl: 1

-12-

"H"

is subn Sajid Ali Shah, Junior Scale Stenographer while serving as PA to SSP Operations Peshawar was proceeded against departmentally on account of charges leveled against me by DPO Khyber vide his office memo No. 1050/PSO dated 02.04.2021. At the conclusion of departmental inquiry, I was removed from service vide order Endst: No. 17588-94/PA/SSP/Coord: dated 24.09.2021(Copy enclosed).

That after issuance of Charge Sheet, I submitted my reply to the EO (DSP HQs CCP Peshawar) and also appeared before him for personal hearing. It is worth to mention here the EO, recorded his findings and submitted the same to SSP Coordination Peshawar wherein he mentioned that the accused officials have been closed to CCP HQs and further recommended that the enquiry may be filed.

That after perusal of the finding report of DSP/HQs, the SSP Coordination Peshawar disagreed with his findings and initiated de-novo proceedings against me through SSP/Investigation Peshawar on the same charges.

That the SSP/Investigation Peshawar, instead of conducting the entire departmental proceedings afresh as per spirit of the de-novo proceedings, submitted a one-page opinion wherein he opined that the competent authority may like to go against the recommendations of the Enquiry Officer (which is otherwise not a binding factor) and may awarded minor/major punishment to the accused officials.

That on receipt of report from SSP/Investigation Peshawar, I was removed from service vide order endst: No. 17588-94/PA/SSP/Coord: dated 24.09.2021

**Grounds of Appeal**

It is worth to mention here that the entire departmental proceedings including de-novo proceedings were held against me in sheer violation of the amended Notification No. 4740-4850/E-V dated 27.08.2017 vide which powers of disciplinary action against ministerial staff of Khyber Pakhtunkhwa Police were delegated to officers as mentioned in the said notification. (copy enclosed)

According to the said notification, Addl. IGP/DIG or Head of Unit of Police is competent to proceed against a steno typist in BPS 14 but the provisions contained in the said notification were brushed aside and I was removed from service on flawed and partial proceedings having no legal basis and that too by an officer who is not competent to initiate or held departmental proceedings against steno typists.

**Prayer**

Keeping in view the above explained positions, it is requested that the entire proceedings done against me may be declared null and void ab-initio and I may kindly be re-instated into service.

Submitted please.

DSP L  
For comments pl.  
28/9

1000

Sajid  
Syed Sajid Ali Shah  
Ex-Jr. Scale Stenographer,  
CCP Peshawar  
0300-9090594





-13- 49 J

OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR


ORDER.

This order will dispose of the departmental appeal preferred by Ex-Steno-typist Syed Sajid Ali Shah who was awarded the major punishment of "Removal from Service" under E&D Rules 2011, by SSP/Coordination Peshawar vide No.17588-94/PA-SSP/Coord: dated 24.09.2021.

2- Shorts facts leading to the instant appeal are that the appellant while posted in the office of DPO Khyber was found indulged in grouping with connivance of Senior Clerk Sibghatullah, making interference in the affairs of everyone to extort gratification/money. He also filed anonymous complaints against the staff of DPO Khyber in order to obtain desired posting.

3- He was issued proper Charge Sheet and Summary of Allegations and DSP/HQrs Peshawar was appointed to conduct proper inquiry in order to unearth the real facts. The inquiry officer submitted in his findings that the staff of DPO Khyber office is deliberately avoiding to appear before him therefore, the inquiry may be filed. The competent authority after perusal of the findings of the inquiry officer ordered for De-novo inquiry being not agreed with the inquiry officer, and marked the inquiry to SSP/Investigation for proper inquiry. The SSP/Investigation after proper inquiry submitted his findings in which the accused official was found guilty. The competent authority in light of the findings of the inquiry officer issued him Final Show Cause Notice. He submitted his reply to the Final Show Cause Notice which was perused and found unsatisfactory. Hence was awarded the above major punishment.

4- He was heard in person in O.R and the relevant record along with his explanation perused. He contended that he is innocent in the instance case and requested for setting aside the punishment awarded to him by the SSP/Coordination. He also pleaded that he will not repeat the mistake and may be pardoned. Therefore, his appeal for reinstatement in service is hereby accepted. The punishment order of SSP/Coordination Peshawar issued vide No.17588-94/PA-SSP/Coord: dated 24-09-2021 is hereby set aside. **He is hereby reinstated in service.** His punishment is converted into "forfeiture of approved service of two years". **No benefit is granted for the intervening period.**

  
(ABBAS AHSAN) PSP  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 31-37 /PA dated Peshawar the 05/01 /2022

Copies for information and necessary action to the:-

1. SSP/Coord: Peshawar.
2. District Police Officer Khyber.
3. SP/HQrs: Peshawar.
4. AD/IT, CCP Peshawar.
5. PO, EC-II, alongwith complete inquiry file.
6. Official concerned.

-14- "J"

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA  
POLICE GAZETTE PART-II ORDERS BY THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA PESHAWAR

Resd.

2/3 - 11 - 11 -

**ADDENDUM**

Dated 27/9/2017.

No. 4740-4250  
E-V.

**DISCIPLINARY ACTION.** Powers of disciplinary action against Ministerial Staff were delegated to RPOs / DPOs within the meaning of Article 31 of Police Order 2002 (Now incorporated in Section 44(4) of Khyber Pakhtunkhwa Police Act, 2017) vide this office Notification No. 8511/E-V, dated 28-12-2015. Police Policy Board approved delegation of the powers of disciplinary action against the Ministerial Staff to Addl: KtSP / DisG, head of unit of Police and SSaP / Dy: Commandants of the unit of Police in line with the notification ibid. Therefore an addendum is issued in continuation of notification ibid and powers of disciplinary actions against the Ministerial Staff are also delegated to the authorities of units of Police as per detailed below:-

DESIGNATION	ACTION IS TO BE TAKEN AGAINST THE MINISTERIAL STAFF
Addl: KtSP / DisG, head of unit of Police	Office Support: (BPS-17), Stenographers (BPS-16) Assistant Grade Clerks (BPS-16), Steno Typist (BPS-14) and Senior Clerks (BPS-14)
SSaP/DY: Commandants	Junior Clerks (BPS-11) and Nash Qaid/Class-IV (BPS-1 to 4)

*Muhammad Ashraf Noor*  
(Muhammad Ashraf Noor) PSP  
Addl: IGP/KPns  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

Encl: No. & date even.  
Copy forwarded to the:-

- All Addl: Inspectors General of Police of Khyber Pakhtunkhwa.
- All RPOs of Khyber Pakhtunkhwa.
- Capital City Police Officer, Peshawar.
- All DisG of Khyber Pakhtunkhwa.
- Commandants, FRP and PTC, Hangu.
- All DPOs of Khyber Pakhtunkhwa.
- All AlsG of Khyber Pakhtunkhwa.
- Director I.T. Khyber Pakhtunkhwa Peshawar.
- Director PSL, Khyber Pakhtunkhwa Peshawar.
- Commandant CPC University Campus, Peshawar.
- Deputy Director Audit, CPO Peshawar.
- Registrar CPO Peshawar.
- Budget Officer, CPO Peshawar.

**ELIGIBLE COPY OF THE PAGE NO. 14**  
**FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA**  
**POLICE GAZETTE PART-II ORDERS BY THE**  
**INSPECTOR GENERAL OF POLICE**  
**KWYDER RAKHTUNKHWA PESMAWAR**

**ADDENDUM**

Dated 29/08/2017

No. 4740-4850/E-V. **DISCIPLINARY ACTION.** Powers of disciplinary action against Ministerial Staff were delegated to PROs/DPOs within the meaning of Article 31 of Police Order 2002 (Now incorporated in Section 44(4) of Khyber Pakhtunkhwa Police Act, 2017) vide this office Notification No. 8511/F-V, dated 28-12-2015. Police Policy Board approved delegation of the powers of disciplinary action against the Ministerial Staff Adm to Addl. RPos/DPO head of unit of Police and S&P / Dy Commandants of the unit of Police in line with the notification Ibid. Therefore an addendum is issued in continuation of notification ibid and powers of disciplinary action against the Ministerial Staff are also delegated to the authorities of units of Police as per detailed below.

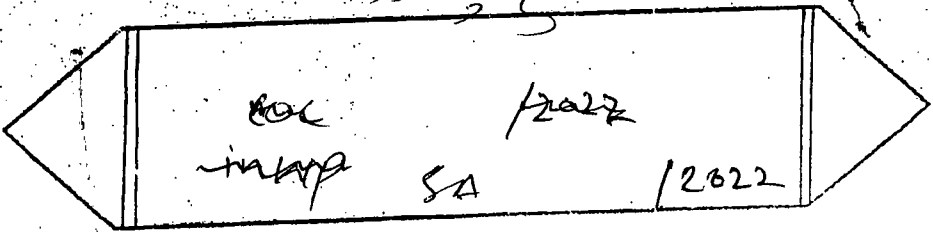
Designation	ACTION IS TO BE TAKEN AGAINST THE MINISTERIAL STAFF
Addl Kisp/DIG Head of Unit of Police	Office Supdt: (BPS-17), Stenographers (BPS-16) Assistant Grade Clerks (BPS-16) Steno Typist (BPS-14) and Senior Clerks (BPS-14)
SSsP/Dy Commandants	Junior Clerks (BPS-11) and Naib Qasid/Class-IV (BPS-1 to 4)

(Muhammad Ashraf Noor) PSP  
 Addi: IGP/HQrs:  
 For Inspector General of Police  
 Khyber Pakhtunkhwa,  
 Peshawar.

**Endst: No. & date even.**

- Copy forwarded to the
- All Addl. Inspectors General of Police or Khyber Pakhtunkhwa
  - All RPOs of Khyber Pakhtunkhwa
  - Capital City Police Officer, Peshawar.
  - All DG of Khyber Pakhtunkhwa
  - Commandants, FRP and PTC, Hangu.
  - All DPOs of Khyber Pakhtunkhwa.
  - All AIGs of Khyber Pakhtunkhwa.
  - Director I.T. Khyber Pakhtunkhwa Peshawar.
  - Director FSL, Khyber Pakhtunkhwa Peshawar.
  - Commandant CPC University Campus, Peshawar.
  - Deputy Director Audit, CPO Peshawar.
  - Registrar CPO Peshawar.
  - Budget Officer, CPO Peshawar.

بعدالت عالم لیسٹا ود



موزخ	-----	2 منجانب
مقدمہ	-----	مسیر مسافر علیہ
دعویٰ	-----	بنام Ccpo و غیرہ
جرم	-----	

باعث تحریر آنکے

داعی مظفر اللہ ولد

مقدمہ مندرجہ عنوان پر بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام لیسٹا ود کیلئے لنصل بشاہ حسنین AS + داعی مظفر اللہ ولد

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو ذرا مٹی نامہ کرنے و تقریر ثالثہ فیصلہ پر حلف دینے جو اب وہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک در و سپر ا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی براندگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جہاں التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی نہ کو کر کریں۔ لہذا وکالت نامہ لکھد یا کہ مندر ہے۔

مظفر اللہ

الرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 20 \_\_\_\_\_

Accepted  
P. S.

مقام کے لئے منظور ہے۔  
Accepted & Accepted  
لیسٹا