

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

Service Appeal No. 928/2022

Date of institution ... 28.03.2022

Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni, P/O  
Phulra District Mansehra, Ex-Warder BPS-07 Sub-Jail Battagram.

VERSUS

Inspector General of Prison Khyber Pakhtunkhwa Peshawar and  
four others.

ORDER  
19.07.2022

Learned counsel for the appellant present. Preliminary arguments heard and available record perused.

2. Through the instant service appeal, the appellant has invoked the jurisdiction of this Tribunal with the prayer copied as below:-

*"It is prayed that on acceptance of instant service appeal, removal order of the petitioner dated 30.03.2021 passed by respondent No. 3 being outcome of malafide, misuse of power may kindly be set-aside and petitioner may graciously be reinstated in his service from the date of his removal alongwith all back benefits. Any other relief which this honorable court deems appropriate may also be granted in favour of the petitioner."*

3. Precisely stated facts giving rise to filing of the instant service appeal are that, upon complaint filed by Female Warder (BPS-07) namely Mst. Saeeda Bano, disciplinary action was taken against the appellant under Harassment of Women at the Workplace Act, 2010 and the appellant was removed from service vide order dated 30.03.2021 passed by Superintendent Circle HQs Prisons Haripur. The appeal of the appellant was also dismissed by Provincial Ombudsperson Protection against harassment of Women at Work Place Khyber Pakhtunkhwa vide order dated 30.08.2021. The representation filed by the appellant to the Governor Khyber Pakhtunkhwa Peshawar was also rejected vide order dated 03.02.2021. The appellant then preferred Writ Petition before the august Peshawar High Court, Abbottabad Bench, which was also dismissed in *limine* vide order dated 09.11.2021. The appellant

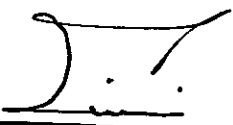


then preferred another departmental appeal before Inspector General of Prisons Khyber Pakhtunkhwa Peshawar which was disposed of vide order dated 04.03.2021 with the observations that the appellant had already exhausted all forums and that there was no provision in the rules to consider his appeal for reinstatement. The appellant has now approached this Tribunal through filing of instant service appeal for redressal of his grievance.

4. A perusal of the record would show that the appellant was proceeded against under *Harassment of Women at the Workplace Act, 2010*, which is a special law. A government servant against whom action is taken under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 has been granted right of filing of appeal before Khyber Pakhtunkhwa Service Tribunal under Rule 19 of the *ibid* rules. No such right of filing of appeal before Khyber Pakhtunkhwa Service Tribunal has been provided to an accused, against whom action is taken under *Harassment of Women at the Workplace Act, 2010*. In this context, learned counsel for the appellant was asked as to whether this Tribunal has got jurisdiction to entertain the instant appeal. Learned counsel for the appellant was unable to convince that this Tribunal has got jurisdiction to entertain the instant appeal. Moreover, the appeal filed by the appellant before the Governor Khyber Pakhtunkhwa, Peshawar was rejected vide order dated 03.02.2022, however the appellant has neither challenged the said order nor arrayed Governor Khyber Pakhtunkhwa, Peshawar as respondent in the instant appeal.

5. This Tribunal lacks jurisdiction to entertain the instant appeal, therefore, the same stands dismissed in *limine*. Parties are left to bear their own cost. File be consigned to the record room.

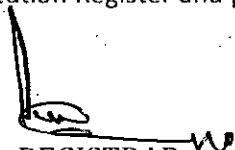


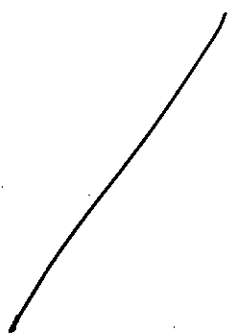
ANNOUNCED  
19.07.2022

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

Form-A  
FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 928/2022 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/06/2022	<p>The appeal of Mr. Muhammad Hassan resubmitted today by Mr. Sajid Hussan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	14-7-22	<p>This case is entrusted to touring Single Bench at A.Abad for preliminary hearing to be put there on <u>18-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	18.07.2022	<p>Learned counsel for the appellant present and requested for short date for preparation of preliminary arguments. Adjourned. To come up for preliminary arguments on 19.07.2022 before the S.B at Camp Court Abbottabad.</p> <p> (Salah-Ud-Din) Member (J) Camp Court Abbottabad</p> <p></p>

To,

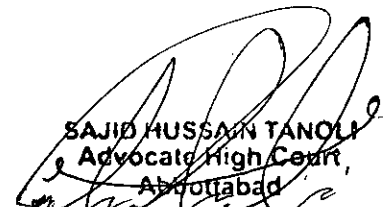
The Honorable, Registrar  
Service tribunal Khyber PakhtunKhwa  
Peshawar

**Subject:** Deficiencies in service Appeal.

Respected Sir,

Reference to your letter bearing **No. 776/S.T Dated 29-03-2022** vide subject noted that, both of the deficiencies noted therein are cured and after completion of file same is being resubmitted for your kind perusal and consideration. Further requested, however an opportunity in this regard of hearing may kindly be considered.

Soliciting your kind favor,



SAJID HUSSAIN TANOLI  
Advocate High Court,  
Abbottabad

**Sajid Hussain**  
**Advocate High Court**  
**Abbottabad**


**Dated:** 20/04/2022

The appeal of Mr. Muhammad Hassan S/O Muhammad Sadiq, Ex-Warder SubJail (BPS-7) R/O Village Purni P/O Phulra District Mansehra received today i.e. on 10.03.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Copies of page no. 44 and 45 attached with the appeal are illegible which may be replaced by legible/better one.
2. Seven more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 776 /S.T,

Dt. 29-3- /2022

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Sajid Hussain Adv. Atd.

*objection removed  
sajid hussain  
[Signature]*

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

Case Title: Muhammad Hassan vs I. G. of Prison K.P. & Others

S.#	Contents	Yes	No
1.	This appeal has been presented by: _____		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?		
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?		✓
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on _____	✓	
26.	Whether copies of comments/reply/rejoinder submitted? on _____	✓	
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: \_\_\_\_\_

SAJID HUSSAIN TANO  
Advocate High Court

Sajid Hussain Tano

Signature: \_\_\_\_\_

[Signature]

Dated: \_\_\_\_\_

22-03-20

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

**Advocate Detail**

Full Name: SAJID HUSSAIN

Father's Name: CHANAN KHAN

Date of Birth: 28.08.1991 CNIC # 42501-3449345-7

Permanent Address: PMA KAKUL ROAD, THANDA CHOA MOR, TEHSIL  
**AND DISTRICT ABBOTTABAD**

Present Address: OFFICE NO.26 JINNAH LAWYER, NEAR DISTRICT  
**BAR ROOM ABBOTTABAD.**

Email: iffee585@gmail.com District: ABBOTTABAD

Mobile # 0345-9583633

License No. DC: bc-16-6597 Issue Date: 13<sup>th</sup> April 2017

License No. HC: bc-16-6597 Issue Date: 29<sup>th</sup> October 2019

License No. SC: Nil Issue Date: Nil

**MENTION YOUR PENDING CASES:**

Case No.	Petitioner	Respondent

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL PESHAWAR**  
**OPENING SHEET**

Case Type: SERVICE APPEAL

Nature of Original Proceedings: SERVICE MATTER

Category Code:

(Categories & Sub Categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of

Forum	Date	Interlocutory /Final Order	Caste Pertains to

<b>Petitioner Name</b>	MUHAMMAD HASSAN
<b>Mobile No.</b>	
<b>Address</b>	VILLAGE PURNI, P/O PHULRA DISTRICT MANSEHRA EXWARDER B.P.S-7 SUBJAIL BATTGRAM.
<b>CNIC No.</b>	
<b>Email Address</b>	

<b>Counsel for Petitioner(s)</b>	Sajid Hussain/AAMIR
<b>Mobile No.</b>	0345-9583633
<b>Address</b>	District Courts Abbottabad
<b>CNIC No.</b>	42501-3449345-7
<b>Email Address</b>	iffce585@gmail.com

<b>Respondent(s)</b>	Inspector General of Prison Khyber PakhtunKhwa Peshawar & others.....
<b>Address</b>	

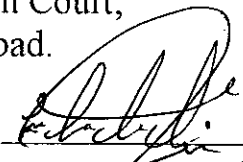
**Original Order/ Action/ Inaction Complained of;**  
Seeking relief of instant service appeal

**Prayer;**

*It is prayed that on acceptance of instant service appeal, removal order of the petitioner dated 30/03/2021 passed by respondent No.3 being outcome of malafide, misused of power may kindly be set aside and petitioner may graciously be reinstated in his service from the date of his removal along with all back benefits. Any other relief which this honorable court deems appropriate may also be granted in favour of petitioner.*

**SAJID HUSSAIN/AAMIR)**

Advocate High Court,  
Abbottabad.

Signature: 

**SAJID HUSSAIN TANOLI**  
Advocate High Court  
Abbottabad



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

Appeal No. 928 /2022

Muhammad Hassan

...PETITIONER

**V E R S U S**

Inspector General of Prison Khyber PakhtunKhwa Peshawar & others.....

...RESPONDENTS

**SERVICE APPEAL**

**INDEX**

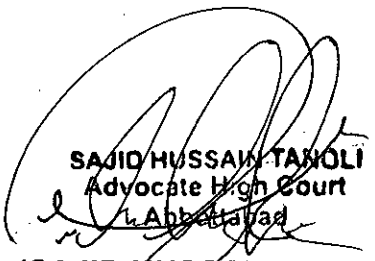
S.No.	Description of Document	Annexure	Page No.
1.	Appeal along with affidavit certificate and list of books	--	1-13
2.	Addresses of the parties	--	13A
3.	Certified Copy of complaint to superintendent sub jail Battagram (17/02/2021) with (Better copy)	"A"	14-15
4.	Certified Copy of application by superintendent sub jail Battagram to the superintendent Headquarter Prison Haripur (17/02/2021) with (Better copy)	"B"	16-17
5.	Certified Copy of application along with text messages send to IGP by superintendent Headquarter Prison Haripur & inquiry report to IGP Dated (17/02/2021) with (Better copy)	"C"	18-21
6.	Certified Copy of direction of IGP Dated (03/03/2021) with (Better copy)	"D"	22-23
7.	Certified copy of charge sheet & statement of allegation dated (03/03/2021)	"E"	24-25
8.	Certified copies of application to harassment committee dated (09/03/2021) with (Better copy)	"F"	26-30
9.	Certified copies of notices of personal hearing before chairman harassment committee dated (10/03/2021)	"G"	31-32
10.	Certified copies of the questionnaire of harassment committee dated (15/03/2021)	"H"	33-38

11.	Certified copies of the inquiry report	"I"	39-41
12.	Certified copy of removal order by superintendent circle HQs prison Haripur dated (30/03/2021)	"J"	42
13.	Certified Copy of departmental appeal to provincial Ombudsman dated (09/06/2021)	"K"	43
14.	Certified Copy of departmental appeal to provincial Ombudsman dated (09/06/2021) (Better copy)		44-44A 45-45A
15.	Certified Copies of decision of Ombudsperson KP Dated (30/08/2021)	"L"	46-47
16.	Certified Copies of departmental appeal to governor KPK Dated (30/09/2021)	"M"	48-50
17.	Certified Copies of governor KPK order Dated (03/02/2022)	"N"	51-53
18.	Certified Copies of writ petition along with order Dated (09/11/2021)	"O"	54-65
19.	Certified copy of departmental appeal/representation before IGP KP dated (26/02/2022)	"P"	66-67
20.	Certified copy of dismissal order by IGP dated (04/03/2022)	"Q"	68
21.	Certified copy of affidavit dated (20/05/2021)	"R"	69
22.	Certified copy of notices along with postal receipts	"S"	70-71
23.	Court Fees		72
24.	Wakalat Nama		73

  
...APPELLANT

**Through Counsels:**

Dated:-22/03/2022

  
SAJID HUSSAIN TAHOLI  
Advocate High Court  
Abbottabad  
(SAJID HUSSAIN/AAmir)

Advocates High Court,  
Abbottabad

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 503

Dated 28/3/2022

*Appeal No. 428/2022*

Appeal No.         /2022

MUHAMMAD HASSAN S/O MUHAMMAD SADIQ R/O VILLAGE  
PURNI, P/O PHULRA DISTRICT MANSEHRA EXWARDER B.P.S-7  
SUBJAIL BATTGRAM.

**...PETITIONER**

**V E R S U S**

1. INSPECTOR GENERAL OF PRISON KHYBER PAKHTUNKAWA  
PESHAWAR.
2. CHAIRMAN PROVINCIAL HARRASMENT COMMITTEE PRISON  
DEPARTMENT KHYBER PAKHTYNKAWA  
THROUGH SUPRINTENDENT CENTRAL PRISON PESHWAR.
3. SUPERINTENDENT CIRCLE HQS PRISON HARIPUR.
4. SUPERINTENDENT OF SUB JAIL BATTAGRAM.
5. SUPERINTENDENT SUB JAIL DASSU KOHISTAN.

**Filed to-day**

**RESPONDENTS**

*Registrar*  
*28/3/2022*

=====

SERVICE APPEAL UNDER SECTION 04 OF THE  
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
ACT 1974 WHERE BY THE PETITIONER WAS  
REMOVED FROM HIS SERVICE BY

RESPONDENT NO.3 VIDE ORDER DATED 30.03.2021 BY AWARDING MAJOR PENALTY UNDER THE PROTECTION AGAINST HARRASSMENT OF THE WOMAN AT THE WORK PLACE ACT 2010. WHICH ACT OF RESPONDENT IS VERY HARSH, UNCONSTITUTIONAL, PERVERSE, ARBITRARY AND AGAINST THE PRINCIPALS OF NATURAL JUSTICES, AND LIABLE TO BE SET A SIDE.

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**PRAYER:**

*It is prayed that on acceptance of instant service appeal, removal order of the petitioner dated 30/03/2021 passed by respondent No.3 being outcome of malafide , misused of power may kindly be set aside and petitioner may graciously be reinstated in his service from the date of his removal along with all back benefits. Any other relief which this honorable courts deems appropriate may also be granted in favour of petitioner.*

***Respectfully Sheweth***

**ON FACTS:-**

**THE FACTS LEADING TO THE INSTANT/  
CAPTIONED APPEAL ARE AS UNDER**

1. that the petitioner was appointed by respondent/ department as warder B.P.S-7 in prison department

in 2019, and after his appointment petitioner performed his duties with full devotion honesty sincerity and having un blemished record of his service.

2. That during the service of petitioner at district jail battagram, (1). MST Saeeda bano D/O malik zada who was also serving as female warder at district jail battagram, lodged complaint against the petitioner and stated in her complaint that petitioner through mobile phone message uttered ill mannered words and as harassing her through mobile phone calls as well as message. (copy of the complaint which is submitted by Mst saeeda bano to the superintendent Sub Jail Battagram is annexed as annexure "A" & copy of application by superintendent sub jail Battagram to the superintendent headquarter Prison Haripur is as annexure "B")
3. That during his service till his removal there was not even a single complaint of any kind against the petitioner whatsoever hence the petitioner enjoyed very good reputation among his colleague as well as to the best satisfaction of his superior.
4. That, in the light of the complaint reported by the Mst saeeda bano, Inspector General Of Police KPK directed the chairman harassment committee to constitute inquiry committee on which chairman committee constituted inquiry committee consisting of 3 members and on the same date 03/03/2021

respondent no.3 without issuing show cause notice initiated discipline action and issue charge sheet to the petitioner on 03/03/2021. (Copy of application along with text messages send to IGP is annexed as annexure "C" copy of the direction of IGP is annexed as annexure "D" where as copy of statement of allegation and charge sheet is annexure "E")

5. That chairman inquiry committee without giving opportunity of personal hearing and opportunity of cross awarded very harsh punishment to the petitioner and recommended major penalty removal from service which is against the law and natural justice (copy of the application to harassment committee is annexure "F" copy of the notices of personal hearing before chairman harassment committee is annexed as annexure "G" copies of the questionnaire of harassment committee is annexed as annexure "H" copies of inquiry report is annexed as annexure "I")

6. That in light of the recommendation of the inquiry committee respondent no.3 removed the petitioner from his service dated :30/03/2021 (Copy of the removal order is annexed as annexure "J")

7. That, petitioner being aggrieved removal order dated 30/03/2021 passed by respondent no.3 Haripur petitioner filled departmental appeal under work place harassment Act 2010 before provincial ombudsman Khyber PakhtunKhwa which was

rejected by the provincial ombudsman Khyber PakhtunKhwa. (Copy of departmental appeal to provincial Ombudsman is annexed as annexure "K" copies of decision of ombudsman are annexed as annexure "L").

8. That, the petitioner being aggrieved from the order of ombudsman prefer an appeal to governor KPK for redressal of his grievance but without adopting due process of law appeal was rejected. (Copy of appeal to governor KPK is annexed as annexure "M" & copy of order is annexure "N").

9. That, being aggrieved from the fate of representation made to governor KPK, petitioner through writ petition W.P. No.1274-A/2021 filed before Peshawar High court Abbottabad and challenge the order of governor KPK, Upon which petitioner vide order dated (09-11-2021) was directed to approach proper forum i.e. service tribunal and writ petition was disposed off accordingly. (Copy of writ petition along with order dated (09-11-2021) is annexure "O").

10. That being an alternate remedy petitioner availed departmental appeal/ representation before Respondent-1 against termination/dismissal order passed by Respondent No.1 which was dismissed in limine vide order dated 04-03-2022. ( Copy of departmental appeal/representation before IGP KP is annexure "P" & dismissal order is annexure "Q").

11. That chairman inquiry committee has no power under the law being chairman of the committee initiating departmental proceeding against the petitioner himself who misuse his power vested by them and initiated inquiry proceeding against the service rules and law.
12. That during the departmental proceeding MST saeeda bano with draw his complaint and stated in her affidavit she have no objection on the reinstatement of the petitioner this important fact also ignored by the departmental committee/competent authority.(Copy of the affidavit which is submitted by complaint Saeeda Bano is annexed as annexure "R").
13. That petitioner feeling aggrieved seeks the gracious indulgence of this honorable court for due redress, inter-alia on the following grounds as no effective alternate remedy is available:-

**GROUND:-**

- a) That, the impugned removal order of petitioner dated 30/03/2021 is void ab-initio, illegal, arbitrary, preposterous and against the right of petitioner.
- b) That, impugned removal order has been passed against the petitioner with out holding regular inquiry which is violative to the principal/Law and



dictum laid down by the august supreme court of Pakistan in its reported judgment 2002 SCMR page 57 SCMR page 1566. Hence the impugned removal order is liable to be struck down.

- c) That there is no show cause notice given to the petitioner and no opportunity of cross examination of the witness has been afforded to the petitioner which is mandatory requirement of law therefore the proceeding initiated and impugned removal order passed is not maintainable in the eye of law. because in the instant case neither formal procedure has been adopted by the respondent nor has the petitioner been given fair chance of defense.
- d) That, when complainant withdraw her complaint against the petitioner then there is no offence but respondent are violative to the principal laid down by this august court in the judgment reported as 2002 SCMR page 1034 and 1994 SCMR page 2232.
- e). That there is no evidence available against the petitioner which could connect him with the alleged offence as defined in S.2(a) of the Protection of Women Against Harassment of woman at the Workplace Act 2010, which states in welcome

advance, request for sexual favor or other verbal or written communication or physical conduct of sexual nature or sexually demanding attitude  
20231PLD page 784 SC.

*f)* That in the absence of any substantial evidence relating to harassment as defined in act the impugned order of removal from service is nullity in the eye of law and is liable to be set a side on this score alone.

*g)* That the impugned penalty is too harsh which is against the service rules and natural justice more ever chairman inquiry committee exercise his power for issuance of charge sheet disciplinary committee exercise his power for issuance of charger sheet disciplinary action is also against the law and natural justice resultantly awarded major penalty to the petitioner which is very harsh and could not maintainable in the eye of law.

*h)* That the petitioner is jobless and has not been gain fully employed elsewhere from the dated of his removal from his service. The petitioner is therefore legally entitled for reinstatement in service with all back benefit according with law.

- i) That, the petitioner has no other alternate, efficacious and speedy remedy except the instant constitutional petition.
- j) That the notices have been served to the respondents as per law. (Copies of notices along with postal receipts are annexed as Annexure "S").
- k) That further points could be raised at the time of argument with permission of this honorable court.
- l) That court fees stamp paper worth Rs.500/- is attached.

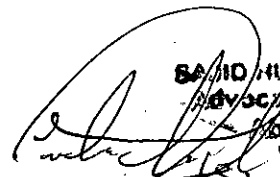
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...PETITIONER

*Through:*



SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

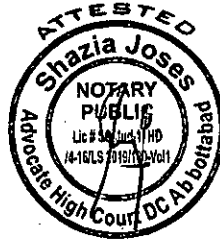
(SAJID HUSSAIN/AAMIR)  
Advocate High Court,  
Abbottabad.

Dated: 22/03 2022

**VERIFICATION:-**

*Verified that the contents of the instant service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'able tribunal.*

Dated :- 22/03/2022



22/3/2022

...PETITIONER

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

Appeal No. \_\_\_\_\_ /2022

Muhammad Hassan

...PETITIONER

**V E R S U S**

Inspector General of Prison Khyber Pakhtunkawa Peshawar & others.....

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, *MUHAMMAD HASSAN S/O MUHAMMAD SADIQ R/O VILLAGE PURNI, P/O PHULRA DISTRICT MANSEHRA EXWARDER B.P.S-7 SUBJAIL BATTGRAM Abbottabad, petitioner*, do hereby solemnly affirm and declare on Oath that the contents of instant *Writ Petition* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'able Tribunal.

Dated:- 22/03 2022

Appellant



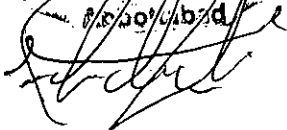
**IDENTIFIED BY:-**

(SAJID HUSSAIN/AAMIR)

Advocate High Court,

Abbottabad

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad



22/3/22

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

Appeal No. \_\_\_\_\_/2022

Muhammad Hassan

**...PETITIONER**

**V E R S U S**

Inspector General of prison Khyber Pakhtunkawa Peshawar & others.....

**...RESPONDENTS**

**SERVICE APPEAL**

**CERTIFICATE**

*Certified that no such like Service Appeal has earlier been  
filed before this Hon'able Tribunal or any other Court of Law.*



**...PETITIONER**

*Through:*

Dated: 22/03/2022

**SAJID HUSSAIN TANOLI**  
Advocate High Court  
Abbottabad

**(SAJID HUSSAIN/AAMIR)**

Advocate High Court  
Abbottabad

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

No. \_\_\_\_\_ /2022

Muhammad Hassan

**...PETITIONER**

**VERSUS**


Inspector General of Prison Khyber PakhtunKhwa Peshawar & others.....

**...RESPONDENTS**

**LIST OF BOOKS**

1. The Constitution of Islamic Republic of Pakistan, 1973
2. ESTA Code with Service Laws
3. Other case related books will be cited at Bar.

**Through:**

  
SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

**(SAJID HUSSAIN/AAmir)**

Advocates High Court, Abbottabad

Dated:- 22/03/2022

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

No.                      /2022

Muhammad Hassan

...PETITIONER

**V E R S U S**

Inspector General of Prison Khyber PakhtunKhwa Peshawar & others.....

...RESPONDENTS

**SERVICE APPEAL**

**ADDRESSES OF THE PARTIES**

*Respectfully Sheweth;*

The addresses of the parties are as under:-

**PETITIONERS:**

MUHAMMAD HASSAN S/O MUHAMMAD SADIQ R/O VILLAGE PURNI, P/O  
PHULRA DISTRICT MANSEHRA EXWARDER B.P.S-7 SUBJAIL BATTGRAM.


**V E R S U S**

1. INSPECTOR GENERAL OF PRISON KHYBER PAKHTUNKAWA PESHAWAR.
2. CHAIRMAN PROVINCIAL HARRASMENT COMMITTEE PRISON DEPARTMENT  
KHYBER PAKHTYNKAWA THROUGH SUPRINTENDENT CENTRAL PRISON  
PESHWAR.
3. SUPERINTENDENT CIRCLE HQS PRISON HARIPUR.
4. SUPERINTENDENT OF SUB JAIL BATTAGRAM.
5. SUPERINTENDENT SUB JAIL DASSU KOHISTAN.



...PETITIONERS

*Through:*



**SAJID HUSSAIN TANOLI**  
Advocate High Court  
Abbottabad

(SAJID HUSSAIN/AAmir)

Dated:- 22/03 /2022



تخلو دینا = سٹیٹسٹس معاہدے سے قبل مندرجہ

میں وہاں آئے درج ذیل معاہدے

Annex "A"

معاہدے کا نام

مواہدہ دینا کے لئے سٹیٹسٹس معاہدے سے قبل مندرجہ  
سے قبل مندرجہ معاہدے سے قبل مندرجہ معاہدے سے قبل مندرجہ  
مندرجم معاہدے سے قبل مندرجہ معاہدے سے قبل مندرجہ  
مواہدہ دینا کے لئے سٹیٹسٹس معاہدے سے قبل مندرجہ  
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التعمیرہ  
میں وہاں آئے درج ذیل معاہدے سے قبل مندرجہ

سے قبل مندرجہ معاہدے سے قبل مندرجہ  
17-02-2020



LEI  
Attorney  
Assistant  
Sub-Judicial Officer  
Sub-Judicial Officer

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

Signature of Sajid Hussain Tanoli

## جناب سپرنٹنڈنٹ صاحب سب جیل بنگرام

عنوان: درخواست بمراہم تحفظ

جناب عالی!

مواد بانہ گزارش ہیں کہ سائلہ بطور فیملی وارڈر تعینات سب جیل بنگرام ہے۔ یہ کہ سائلہ کو پچھلے چند دنوں سے ایک واڑو محمد حسن تعینات بنگرام جیل تنگ کر رہا ہے اور نازیبا اشارے اور نازیبا الفاظ فون پر بولتا رہتا ہے اور حراساں کرنے کی کوشش کرتا ہے اور یہ کہ سائلہ کو کہتا ہے کہ میں آپ سے محبت کرتا ہوں میں آپ کے لئے گفٹ لیتا ہوں میرے ساتھ ہوٹل میں آؤ دوستی کرو وغیرہ وغیرہ۔

یہ کہ سائلہ کے ساتھ وارڈر محمد حسن کے لیے ہوئے میسج بھی ہیں۔ یہ کہ سائلہ کپاؤنڈ جیل میں اکیلی رہتی ہے اور سودا سلف لانے کے لئے بازار بھی جانا پڑھتا ہے۔ سائلہ ایک خاتون ہے۔ اور اس وارڈر سے سائلہ کو بہت خطرہ ہے۔

استدعا ہے کہ سائلہ کو تحفظ فراہم کیا جائے اور مذکورہ وارڈر کے خلاف کارروائی کی جائے سائلہ دعا گور ہے گی۔

**السید**

المرقوم: 17-02-2021

آپکی تابع فرمان فیملی وارڈر سعیدہ بانو تعینات سب جیل بنگرام

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED  
DATE  
Advocate High Court  
Faisalabad

*(Signature)*

Annex "B"



OFFICE OF THE SUPERINTENDENT  
SUB JAIL BATTAGRAM  
Ph & Fax: 0997311807  
Email: sjbattagram@gmail.com  
No. 151/A/E Dated: 17/02/2021

To: *AB*  
The Superintendent,  
Headquarter Prison Haripur

Subject: APPLICATION/HARASSMENT OF FEMALE WARDER SAEEDA BANO BY WARDER MUHAMMAD HASSAN ATTACHED TO SUB JAIL BATTAGRAM.

Respected Sir,

It is submitted that Female Warden Saeeda Bano attached to this jail submitted an application / complaint of harassment alongwith Screenshots of Mobile Phone messages against Warden Muhammad Hassan. In her written application the concerned Female Warden stated that Warden Muhammad Hassan used ill-mannered words and is harassing her through mobile phone calls as well as messages (Written Statement / Application alongwith Screenshots of Mobile Phone messages are enclosed).

It is therefore requested that appropriate disciplinary action may kindly be initiated against the concerned Warden under relevant rules as the charge is confirm from available record.

*[Signature]*  
SUPERINTENDENT  
SUB JAIL BATTAGRAM

*P. B*

*[Signature]*  
Supdt

702  
17/02/2021

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED: *[Signature]*  
DATE: *[Signature]*  
Appointed  
Judge High Court

17

Better Copy Annex "B"

OFFICE OF THE SUPERINTENDENT

SUB JAIL BATTAGRAM

PH& FAX: 0997311807

Email: s/battagram gmail.com

No: 151WE Dated: 17/02/2021

To,

The superintendent  
Headquarter Prison Haripur,

Subject: **APPLICATION/HARASSMENT OF FEMALE WARDER  
SAEEDA BANO BY WARDER, MUHAMMAD HASSAN  
ATTACHED TO SUB JAIL BATTAGRAM.**

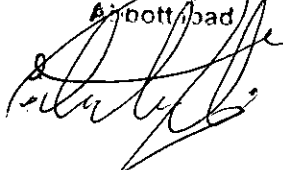
Respected sir:

It is submitted that female warder saeeda bano attached to this jail submitted an application/ complaint of harassment along with screenshots of mobile phone messages against warder Muhammad Hassan in her written application the concerned female warder stated that warder Muhammad Hassan used ill-mannered words and is harassing through mobile phone calls as well as messages (written statement/ application along with screenshots of mobile phone message are enclosed)

It is therefore requested that appropriate disciplinary action may kindly be initiated against the concerned warder under relevant rules as the charger is confirm from available record.

SUPERINTENDENT  
SUB JAIL BATTAGRAM

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED  
SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad



OFFICE OF THE SUPERINTENDENT  
CIRCLE (EASTERN) HQs PRISON HARIPUR

No. 872-74-1-WE

Dated 17/02/2021

Phone/Fax: 0995-920066

To,

- 1) Mr. Maqsood Ur Rehman ( Chair Person Harrasment Committee)/  
Superintendent Central Prison Haripur.
- 2) Haji Mujeeb-ur-Rehman ( Member Harrasment Committee)/  
Deputy Superintendent Central Prison Peshawar.
- 3) Mst: Fouzia Taj ( Member Harrasment Committee)/  
Deputy Superintendent Central Prison Haripur.

Annex 'C'

Subject:-

APPLICATION/ HARASSMENT OF FEMALE WARDER  
SAEEDA BANO BY WARDER MUHAMMAD HASSAN  
ATTACHED TO SUB JAIL BATTAGRAM

Memo:

Kindly refer to the Superintendent Sub Jail Battagram No. 151/WE dated

17-02-2021.

Enclosed please find herewith a report of Superintendent Sub Jail Battagram alongwith statement and text messages record of Female Warder Saeeda Bano attached to Sub Jail Battagram regarding Harassment by Warder (BPS-07) Muhammad Hassan, for favor of information and conduction of inquiry in light of "THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010" please.

*cl*  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR

Endst: No: 875-76-1-WE

Copy of the above is forwarded to:

1. The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please.
2. The Superintendent Sub Jail Battagram for information w/r to the No. as quoted above please.

*cl*  
SUPERINTENDENT  
CIRCLE H.Q. PRISON HARIPUR

ATTESTED & FORWARDED  
BY COUNSEL  
SIGNED AND MUHAMMAD TANOLI  
DATE Advocate High Court  
Abbottabad

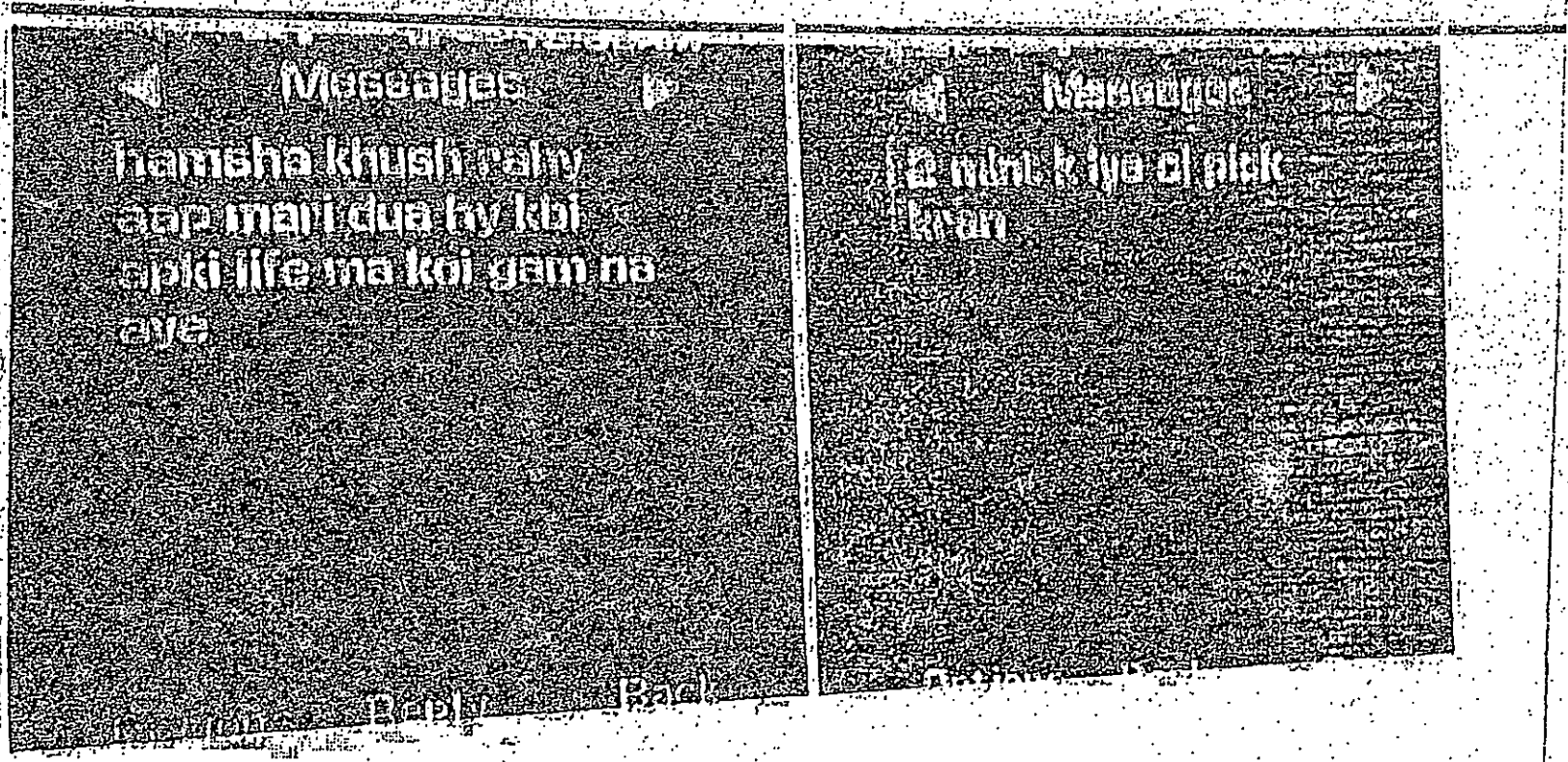
*Muhammad Tanoli*

<p>Messages</p> <p>How are you babe??</p>	<p>Messages</p> <p>How are you babe??</p>	<p>Inbox</p> <p>Messages</p>
<p>Messages</p> <p>up k hyc ma cry ak gila</p>	<p>Messages</p> <p>lakhon ya ri ty nar</p>	<p>Messages</p> <p>up by mar's number ch</p>
<p>Messages</p> <p>bana o that afroo hua</p>	<p>Messages</p> <p>ma upho al bta rhy thi</p>	<p>Messages</p> <p>ma upho al bta rhy thi</p>
<p>Messages</p> <p>اللهم صل على محمد وآل محمد</p>	<p>Messages</p> <p>اللهم صل على محمد وآل محمد</p>	<p>Messages</p> <p>اللهم صل على محمد وآل محمد</p>
<p>Messages</p> <p>or up narat ni hana</p>	<p>Messages</p> <p>gad k pas eyes cup</p>	<p>Messages</p> <p>ma upho al bta rhy thi</p>
<p>Messages</p>	<p>Messages</p>	<p>Messages</p>

ATTESTED & ACCEPTED  
 BY COUNSEL  
 SIGNED  
 DATE

*[Handwritten Signature]*





ATTESTED & ACCEPTED  
 BY COUNSEL  
 SIGNED  
 DATE

SAJID MUSSAIN TANOLI,  
 Advocate High Court  
 Abbottabad

*[Handwritten signature]*

21

Better Copy Annex "C"

How are you babe

App k liye mana  
aik gift lia hy

kaha ja ri ho app

apny mara number  
dia acha ni kia  
ma apki  
bhot izat krta tha

bano g bhot afsos hua

ma app ko ni  
bata raha  
tha ma kon ho

mulaqaty nai mumkin  
mjhy ahsas hy lakin  
tmhy dill yad  
karta hy bs itna  
yad rakhna

or app naraz ni hona  
ni

gad k pass aye app

ma apko nazar

lagta g

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED

DATSAJID HUSSAIN TANOLI  
Advocate High Court  
Ablottabad

Hmasha khush rahy aap mari  
dua hy kabi apki life ma  
koi gam na aye

2mint k lye cal pick kra



Immediate  
By fax

INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

091-9210339, 9210406  
091-9213445  
<https://www.facebook.com/kpaprison>  
[prisonsig@gmail.com](mailto:prisonsig@gmail.com)

No. 157-1990-645  
Dated: 02-03-2021

Annex "D"

Mr. Mansoor-ur-Rahaman,  
Superintendent,  
Central Prison, Rawalpindi Chairperson Harrasment Committee.

Subject:

APPLICATION/HARRASMENT OF FEMALE WARDER SAEEDA BANO  
BY WARDER MUHAMMAD HASSAN ATTACHED TO SUB JAIL  
BATTAGRAM.

Memo:

I am directed to refer to your Encl. No. 375-76, WE dated 17-02-2021 on the subject and to state that the matter may be inquired through Harrasment Committee already constituted for the purpose and progress be intimated to this office within the stipulated time.

I am further directed to convey that Warder Muhammad Hassan may also be transferred from Sub Jail Battagram to any other jail under intimation to this office.

*[Signature]*  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

3/3/2021

933  
03-03-2021

*[Handwritten notes]*  
L.B.  
for us pl

*[Handwritten signature]*  
02/03

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
DATE Advocate High Court  
Abbottabad

*[Handwritten signature]*

Better Copy Annex "D"

BETTER COPY of Page No. 22

Inspector General of Prisons KPK Khyber Paktunkawa Peshawar

No.1/15-J-1990-6415Dated:03/03/2021

To,

Mr Masood-ur- Rehman  
 Superintendent  
 Central Prison, Haripur(Chair person Harrasment Committee)

**Subject: Application/Harrasment of female Warder Saeeda Bano by  
 Warder Muhammad Hassan Attached to Sub Jail Battagram**

Memo:

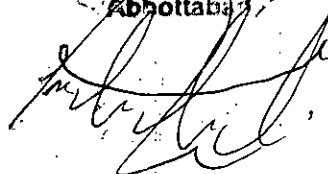
I am directed to refer to your Endst:No.875-76/WE dated:17/02/2021 on the subject and to state that the matter may be inquired through harassment committee already constituted for the purpose and progress be intimated to his office with in the stipulated time.

I am further directed to convey that Warder Muhammad Hassan may also be transferred from sub jail battagram to any other jail under intimation to his office.

Assistant Director

Inspector General of Prisons KPK  
 Khyber Paktunkawa Peshawar

ATTESTED & RECEIVED  
 BY COUNSEL  
 SIGNED SAJJID HUSSAIN TANOLI  
 DATE Advocate High Court  
 Abbottabad



24<sup>th</sup> ANN  
Annex "E"

DISCIPLINARY ACTION:

I, Maqsood Ur Rehman, Chairman Harassment Committee/ Superintendent Central Prison Haripur, on behalf of other two members of Harassment Committee Mst: Fouzia Taj (Member Harassment Committee)/ Lady Deputy Superintendent Jail Central Prison Haripur & Mr. Mujeeb-Ur Rehman (Member of Harassment Committee)/ Deputy Superintendent Jail Central Prison Peshawar as competent authority am of the opinion that Warder (BPS-07) Muhammad Hassan S/o Muhammad Sadiq attached to Sub Jail Battagram rendered himself liable to be proceeded against as he has committed the following acts/omissions/ Harassment within the meaning of Rule-2(h) of Protection against Harassment of women at the Workplace Act, 2010:-

STATEMENT OF ALLEGATIONS:

"As per written report of the Superintendent Sub Jail Battagram vide No. 151/WE dated.17-02-2021 that female Warder (BPS-07) Mst: Saeeda Bano attached to Sub Jail Battagram submitted an application/ complaint of harassment alongwith screenshots of mobile phone messages against him. In her written application she stated that he used ill-mannered words and is harassing her through mobile phone calls as well as messages."

This practice is a grave misconduct on his part & entails him for strict disciplinary action under the the meaning of Rule-2(h) of Protection against Harassment of women at the Workplace Act, 2010.

- 1- The misconduct tantamount to gross indiscipline/serious negligence on his part.
- 2- For the purpose of scrutinizing the conduct of the said accused Warder with reference to above allegations, an Inquiry is conducted against him.
- 3- The Harassment Committee shall in accordance with the provision of ordinance provide reasonable opportunity of hearing to the accused.
- 4- Accused Warder and a well conversant official of the Sub Jail Battagram (if required) shall join the proceedings at the date, time and place fixed by the inquiry Committee.

MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur

Endst: No. 1080-84-46 / Dated: 03/03/2021

Copy forwarded to:-

- 1. The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please w/r to the No. 6465 dated. 03-03-2021.
- 2. Mr. Mujeeb-Ur Rehman (Member of Harassment Committee)/ Deputy Superintendent Jail Central Prison Peshawar for information please.
- 3. Mst: Fouzia Taj (Member Harassment Committee)/ Lady Deputy Superintendent Jail Central Prison Haripur for information please.
- 4. The Superintendent Sub Jail Battagram w/r to the No. 151/WE dated.17-02-2021 for information please.
- 5. Warder (BPS-07 Muhammad Hassan S/o Muhammad Sadiq attached to Sub Jail Battagram to provide the reply of this allegation within seven (07) days positively (Charge sheet is enclosed).

MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAAD HUSSAIN TANOLI  
DATE Advocate High Court

CHARGE SHEET

I, Maqsood Ur Rehman, Chairman Harassment Committee/ Superintendent Central Prison Haripur, on behalf of other two members of Harassment Committee Mst: Fouzia Taj (Member Harassment Committee)/ Lady Deputy Superintendent Jail Central Prison Haripur & Mr. Mujeeb Ur Rehman (Member of Harassment Committee)/ Deputy Superintendent Jail Central Prison Peshawar, as competent authority do hereby charge you Warder (BPS-07) Muhammad Hassan S/o Muhammad Sadiq attached to Sub Jail Battagram as follow:-

"As per written report of the Superintendent Sub Jail Battagram vide No. 151/WE dated.17-02-2021 that female Warder (BPS-07) Mst: Saeeda Bano attached to Sub Jail Battagram submitted an application/ complaint of harassment alongwith screenshots of mobile phone messages against him. In her written application she stated that he used ill-mannered words and is harassing her through mobile phone calls as well as messages"

This misconduct of yours, tantamount to gross indiscipline/serious negligence on your part.

- 1- By reason of the above, you appear to be guilty of misconduct Rule-2(h) of Protection against Harassment of women at the Workplace Act, 2010, and have rendered yourself liable to all or any of the penalties specified in Rule-4 (i)(ii) of the rules ibid.
- 2- You are, therefore, required to submit your written defence/reply within seven (07) days of the receipt of this charge sheet to the inquiry Committee.
- 3- Your written defence, if any, should reach the inquiry Committee within specified period failing which it shall be presumed that you have no defence to put in & in that case, *strict action/ ex-parte action* shall be taken against you.
- 4- Intimate whether you desire to be heard in person.
- 5- A statement of allegations is enclosed.

MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
DATE Advocate High Court  
Abbottabad

محکمہ عدالت ہائی کورٹ / سید سجاد حسین

Annex "F"

عنوان: درخواست نمٹانے کے لیے درخواست نمٹانے کے لیے

مقام: عدالت ہائی کورٹ، اسلام آباد

موضوع: درخواست نمٹانے کے لیے درخواست نمٹانے کے لیے

موضوع: درخواست نمٹانے کے لیے درخواست نمٹانے کے لیے

موضوع: درخواست نمٹانے کے لیے درخواست نمٹانے کے لیے

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موضوع: درخواست نمٹانے کے لیے درخواست نمٹانے کے لیے

10/03/2024

PB

Signed

10/03/2024

ATTESTED & ACCEPTED BY COUNSEL SIGNED SAJID HUSSAIN TANOLI Advocate High Court Abbottabad

Signed

اور سائل وارڈز نے سیدہ خانم کو بھی سب سے تم سے ملنے سے منع کیا

جدا جلا ہو گیا ہو مگر ہم ایک ہی جگہ پر بیٹھے ہیں اور ایک ہی جگہ پر بیٹھے ہیں تو اس

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جدا جلا ہو گیا ہو مگر ہم ایک ہی جگہ پر بیٹھے ہیں اور ایک ہی جگہ پر بیٹھے ہیں

یا کھلوی گئی گئی اور یہی گئی گئی اور یہی گئی گئی اور یہی گئی گئی اور یہی

گئی گئی

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DATE

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

اور مقصد کی طرف سے کہ اگر سائل ہوا (ڈرا) ہے کوئی بھی حالت کی طرف سے ہونا  
 کے ساتھ ہوا سوا، تمام نہ ہوگا اور معاوضہ شخص کے پاس میں نہیں ہوا  
 کی تمام عدولت اور اس کے لئے عدولت کی بھی عدولت میں عدولت  
 اور ڈرا کے ساتھ نہ ہوگی اور اس کے لئے عدولت میں عدولت کا قوی ہے  
 عدولت میں عدولت میں عدولت میں عدولت میں عدولت میں عدولت میں  
 سے تعلق رکھنے والا عدولت میں عدولت میں عدولت میں عدولت میں  
 کے معاوضہ شخص ہونا کا قوی ہے اور اس کے لئے عدولت میں عدولت  
 اور آئی ڈی اور سائل ہوا ڈرا کو معاوضہ میں ڈرا کے لئے عدولت میں  
 حضور ہوا سائل میں حضور الزامات (قاری) در خواست (دی) ہے  
 ہونا سائل کے ساتھ سائل یا انصافی ہے اور سائل الزامات  
 ہے سائل اور حضور میں

استدعا کی گئی ہے کہ سائل ہوا ڈرا کی جس میں مسیح والی غلطی ہو رہی ہے  
 سے ہوا کو صاف کرنا اور سائل ہوا ڈرا (ڈرا) میں قسم کا معاوضہ  
 کا حوقے میں دیا گیا سائل ہوا صاف کرنا اور سائل ہوا

مقامی قاضی نے عدولت میں عدولت میں عدولت میں عدولت میں  
 2-9-2021

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 BY COUNSEL  
 SIGNED SA. US. MUSSAIN TANOLI  
 Advocate High Court  
 Abbottabad

*[Signature]*

# Betbes Logy Annex "F"

بحضور جناب چیر مین ہراسمنٹ کمیٹی / اسپرینڈنٹ

## سنٹرل جیل

عنوان: درخواست بمبراد جواب چارج شیٹ نمبر 84-1080

جناب عالی!

- مودبانہ گزارش ہیں کہ سائل وارڈ دایک غریب اور شریف گھرانے سے تعلق رکھتا ہے۔
- ۱۔ یہ کہ سائل وارڈ دعارضی ڈیوٹی پر تعینات سب جیل بگرام ہے۔
  - ۲۔ یہ کہ سائل وارڈ ضلع مانسہرہ گاؤں پر نی کارہائشی ہے۔
  - ۳۔ فیملی وارڈ سعیدہ بانو ضلع مانسہرہ گاؤں ٹھنہ کی رہائشی ہے۔
  - ۴۔ یہ کہ سائل وارڈ کافیمیل وارڈ سعیدہ بانو سے کوئی غلط تعلق نہ ہے۔
  - ۵۔ چونکہ سائل وارڈ اور فیملی وارڈ ایک علاقے کے ہیں۔
  - ۶۔ یہ بات چیت کرتا رہا ہے۔
  - ۷۔ یہ کہ سائل وارڈ نے فیملی وارڈ کو غلط آوازیں نہیں دی اور نہ ہی فون پر کوئی غلط فرمائش کی ہے۔
  - ۸۔ البتہ سائل وارڈ کو فیملی وارڈ سعیدہ بانو نے فون پر یہ کہا کہ میری بہن بھی محکمہ جیل خانہ ہیں بطور فیملی وارڈ ہونے کی خواہش مند ہے تو اگر سائل وارڈ کی کوئی پہچان ہے تو اسکی بھرتی میں سفارش کروائے اور کروائے اور سائل وارڈ نے سعیدہ بانو کو بھی بہن سے کم نہیں سمجھا۔
  - ۹۔ جناب عالی! چونکہ ہم ایک ہی جیل میں ڈیوٹی پر تعینات ہے تو اس میں تعلق صرف اسی بنیاد پر ہیں اس سے زیادہ نہیں۔
  - ۱۰۔ یہ کہ سائل نے وارڈ فیملی وارڈ سعیدہ بانو کی طرف کیے بھی میسج آئے ہیں اور اسکے جواب میں سائل وارڈ نے بھی مذکورہ فیملی وارڈ کو میسج کیے ہیں مگر کبھی غلط بات نہ سائل وارڈ نے کی ہے اور نہ ہی سعیدہ بانو نے۔

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# Better Copy Annex "F"

جناب عالی!

سائل وارڈرنہ تو کمپاؤنڈ میں واقع اس کوآرڈریا کالونی کبھی گیا اور نہ ہی کبھی بازار میں گیٹ کے باہر کوئی ملاقات ہوئی ہے۔ یہ کہ سائل وارڈر کو ایک غیر متعلقہ آدمی جس کا نام حماد ہے اور بنگرام گاؤں کارہائشی ہے اس کا موبائل نمبر 0349-2396492 ہے جو کہ روزانہ کالیں کر کے سائل وارڈر کو دکھایا دیتا ہے اور سعیدہ بانو مذکورہ فیملی وارڈرنے کوئی بھی بات سعیدہ بانو کے ساتھ کی تو اس کا انجام برا ہوگا اور مذکورہ شخص کے پاس فیملی وارڈر کی تمام معلومات اور اسکی بہن کی بھوتی کی بھی معلومات ہیں جس کا فیملی وارڈر کے ساتھ نہ کوئی رستہ ہے اور نہ ہی فیملی وارڈر کا قومی ہے فیملی وارڈر سعیدہ مانسہرہ سے تعلق رکھتی ہے جب کہ مذکورہ شخص بنگرام سے تعلق رکھتے والا ہے خانگیل قوم سے تعلق رکھتا ہے۔ اور فیملی وارڈرنے مذکورہ شخص حماد کا ذکر کسی سے نہ کرنے کا کانشیبل وارڈر کو کہا اور اپنے ڈراور سائل وارڈر کو دباؤ میں ڈالنے کیلئے سر اسر جھوٹ بنا کر سائل پر جھوٹ الزامات لگا کر درخواست دی ہے جو کہ سائل کے ساتھ سر اسر نا انصافی ہے اور سارے الزامات بے بنیاد اور چھوٹے ہیں۔

استدعا کی جاتی ہے کہ سائل وارڈر کی اس مہینہ غلطی جو کہ سے ہیں کو معاف فرمایا جاوے سائل وارڈر آئندہ کسی قسم کا شکایت کا موقع نہیں دے گا۔

سائل تاحیات دعا گوہیگا۔

المرقوم: 03-03-2021

**عبد**

آپکا تابع فرمان وارڈر محمد حسن ولد محمد صادق سکنہ پڑنی مانسہرہ حال وارڈر جنیل بنگرام

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SIGNED SAJID HUSSAIN TANOLI  
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Abbottabad

*(Signature)*

Annex "G"

The Superintendent,  
Sub Jail Battagram.  
Subject:- PERSONAL HEARING.  
Memo:

Complainant Mst. Saeeda Bano Female Warder (BPS-07) attached to your Jail may be directed to attend the office of undersigned on Monday 15-03-2021 in the office of undersigned for Personal Hearing/ cross examination-at 11:00 AM positively.

Further depute a well conversant officer of your office having witness/relevant record accompanied by spectator (if any) may be detailed to this office during the cross examination procedure of aforementioned inquiry please.

*[Signature]*  
MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur

Endst: No. 1882-54 / Dated: \_\_\_\_\_  
Copy forwarded to:-

1. The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please w/r to the No. 6465 dated 03-03-2021.
2. Mr. Mujeeb Ur Rehman (Member of Harassment Committee)/ Deputy Superintendent Jail Central Prison Peshawar with the request kindly attend the proceeding in due date, time and venue please.
3. Mst. Fouzia Taj (Member Harassment Committee)/ Lady Deputy Superintendent Jail Central Prison Haripur with the request kindly attend the proceeding in due date, time and venue please.

*[Signature]*  
MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur

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BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

*[Signature]*

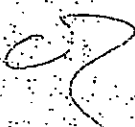
OFFICE OF THE SUPERINTENDENT/  
CHAIRMAN HARRASMENT COMMITTEE  
CENTRAL PRISON HARIPUR  
Ph/Fax: 0995-920066/920055  
E-Mail: centralprisonhr@gmail.com  
No. 1877- / Dated 10 / 03 / 2021.

To,

The Superintendent,  
Sub Jail Dassu Kohistan.  
PERSONAL HEARING.

Subject:-  
Memo:


Accused Warder Muhammad Hassan S/o Muhammad Sadiq attached to your Jail may be directed to attend the office of undersigned on Monday 15-03-2021 in the office of undersigned for Personal Hearing/ cross examination at 11:00 AM positively.

  
MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur  
E-270

Endst: No. 1078-80 / Dated: \_\_\_\_\_

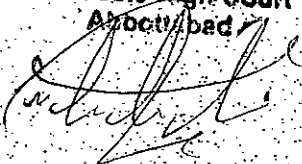
Copy forwarded to:-

1. The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please w/r to the No. 6465 dated. 03-03-2021.
2. Mr. Mujeeb Ur Rehman (Member of Harassment Committee)/ Deputy Superintendent Jail Central Prison Peshawar with the request kindly attend the proceeding in due date, time and venue please.
3. Mst. Fouzia Taj (Member Harassment Committee)/ Lady Deputy Superintendent Jail Central Prison Haripur with the request kindly attend the proceeding in due date, time and venue please.

  
MAQSOOD UR REHMAN  
Chairman Harassment Committee/  
Superintendent Central Prison Haripur  
E-270

**ATTESTED & ACCEPTED**  
**BY COUNSEL**

SIGNED  
DATE

  
SID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

سوال نمبر 01: درخواست پھر سے سماعت کیلئے

Annex

سوال نمبر 02: کیا آپ وارڈر میں رجسٹرڈ / لکھائے گئے

السزامات پر رجسٹرڈ قائم ہیں۔  
جی ہاں

Annex "H"

سوال نمبر 03: کیا آپ وارڈر میں رجسٹرڈ / لکھائے گئے

نہیں

سوال نمبر 04: کیا آپ کی طرف سے لکھائے گئے السزامات

کا کوئی دستاویزی ثبوت ہے؟  
جی ہاں

سوال نمبر 05: وارڈر میں رجسٹرڈ / لکھائے گئے

عجیب الرحمن  
ممبر درخواست کیٹی  
ڈپٹی سیکریٹری  
سپرل ضلع لاہور

S. Saad  
Baro

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BY COUNSEL  
SIGNED  
DATE

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

*[Signature]*

Mr. Justice  
The  
Saeed Ahmad  
Deputy  
Magistrate  
General

س (4) کیا یہ درخواست آپ نے دے دی ہے؟  
ج (4) جی ہاں میں نے یہ درخواست نورانی مریدی سے دی ہے۔

س (2) کیا آپ وارڈر محمد جسکے کو پیلے سے حاشیہ سے؟  
ج (2) جی ہاں، میں نے اسکو جس حاشیہ سے تعلق ہے اسے راجت کے نام ایک علاقے کے لیے اور ہماری رات جیت ہوئی ہے۔

س (3)۔۔ وارڈر جسکے آپ کو جو میسر کے آگے تھی  
اسے کوئی جواب دیا؟  
ج (3)۔۔ جی ہاں میں نے اسے کسی بھیج کا کوئی جواب نہ دیا۔

س (4)۔۔ کیا آپ نے وارڈر جسکے کے اس رولے کی  
کسی آفسیر سے کوئی شکایت وغیرہ کی؟  
ج (4)۔۔ میں نے پہلے تو میں نے جی ہاں نہیں، لیونکہ میں نے ایک  
کورٹ ہوں اور اسے رات اتر کسی کو بتائی ہو  
میری بھی نے عزتی ہوئی

س (5)۔۔ آپ نے اپنی درخواست میں ایک جملہ لکھا ہے کہ اس  
وارڈر سے سائلہ کو سخت خطرہ ہے۔ اس کا کیا مطلب ہے؟  
ج (5)۔۔ وارڈر جس فون کرتے اکثر مجھ سے یہ کہتا تھا کہ تم  
پھٹی کے کمر کھری جاؤ گی۔ میں لیونکہ اسے عدالت ہوں  
تو مجھے خطرہ جس میں ہوتا تھا کہ مجھے تعلق میسر کرتا  
ہے اور مجھے کوئی بھی نقصان دے سکتا ہے۔ لیونکہ اس

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DATE Advocate HIRAN TANI  
Atootabad

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سوال: دار محمد حسن کی ہے آپ کو سب سے زیادہ؟

جواب: مجھے 12 مہینے سے زیادہ ہے۔

سوال: اس دوران میں آپ سے کون سی بات کی ہے؟

جواب: میں اس کے بارے میں نہیں جانتی۔

سوال: دار محمد حسن آپ کو کس سے اور کس سے مل کر رہا تھا؟

جواب: دار محمد حسن مجھے 12 مہینوں سے مل کر رہا تھا اور سب سے زیادہ مل کر رہا تھا۔

سوال: دار محمد حسن آپ سے کیا کرتا تھا؟

جواب: مجھے مل کر لیا تھا، میرا ہاتھ پکڑتا تھا اور میرے پاس لے جاتا تھا۔

سوال: کیا اس نے آپ کو کسی ایسی بات کی ہے؟

جواب: جی نہیں، یہ مجھے دور دور سے اسی بات کرتا تھا۔

سوال: اس دوران میں آپ نے کسی سے اس کی شکایت کی ہے؟

جواب: مجھے کتنی باتیں یاد ہیں، دار محمد حسن نے اس کی شکایت نہیں کی۔

سوال: کیا اس کے علاوہ کوئی بات تو آپ کو یاد ہے؟

جواب: جی نہیں اور کچھ نہیں کہہ سکتی۔

Signed  
Bne

صمد الرحمن  
سید ناصر  
صدر ایڈووکیٹ  
21-3-19

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Advocate High Court  
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سوال: آپ نے وارڈر سپیریور کو فون اور پیسج کون کئے ہیں؟  
 جواب: میں نے علاقے کی کمیٹی اور عدالت میں پیسج کئے ہیں۔

سوال: کیا اس نے آپ کو فون اور پیسج کرنے سے منع کیا تھا؟  
 جواب: جی ہاں۔

سوال: پھر کیا یہ اسے فون اور پیسج کرنے کے لئے؟  
 جواب: جی ہاں، میں نے فون کرتے ہی اسے لڑا کہ فون اور پیسج نہ کر رہے ہیں  
 محفیس عارون شاہ

سوال: آپ پھر بھی اسے منسلق سے باز نہیں آئے؟  
 جواب: میں نے دوبارہ یہ پوچھنے کے لئے کال کی تھی کہ عدالت میں کون سے

سوال: آپ کو دم سے عدالت وارڈر سپیریور ملے تو آپ نے کیا کیا؟  
 جواب: میں نے فون کیا اور اسے اسکا سامنے آیا ہوں

سوال: آپ اپنے دفاع میں کیا کیا ہے؟  
 جواب: مجھے علی پروگرام اور عدالت میں کئی کئی بار فون کیے ہیں  
 اسے اتنی دیر نہیں لگتی۔

14/11

محمد عبدالرشید  
 سید محمد حسین  
 صدر عدالت  
 2023-3-31

ATTESTED & ACCEPTED  
 BY COUNSEL  
 SIGNED \_\_\_\_\_  
 DATE \_\_\_\_\_

SAJID HOSSAIN TARIQ  
 Advocate High Court  
 Abbottabad

*(Signature)*

سوال نمبر 1 - ایک فارڈ ریف سہیدہ بالو کوک سے جائے 200؟

جیل میں سزا سننے کے لیے

سوال نمبر 2 - ایک سیر وارڈر سہیدہ بالو نے جو الزامات لگائے

ان پر ان کے بارے میں کیا ہے؟

درست ہیں۔

سوال نمبر 3 - آپ کو فیملی فارڈ ریف طرف سے کہا کوئی بیٹا

یا ریف عمل آیا ہے؟

نہیں ہر گز نہیں ہے۔

سوال نمبر 4 - فیملی وارڈر کی طرف سے دے گئے جس میں ایک ہے

آپ کا کون سا؟

میرا ہے 4333576-434

سوال نمبر 5 - کیا آپ اپنے عمل پر سہیدہ کو جانیں؟

سہیدہ کو

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SIGNED

DATE:                      JID HUSSAIN TANOLI Advocate High Court Abbottabad

*[Handwritten Signature]*



Chas Hussain Tanoli  
Wardar Masjid  
TANOLI

من (1)۔ کیا آپ انٹرویو میں کہہ سکتے ہیں کہ یہ مسجد آپ نے قبیل وارڈر مسجد کو کہتے ہیں؟

ج۔۔۔ جی یہ مسجد میں نے ہی کہی ہے۔

من (2)۔ کیا آپ وارڈر مسجد کو میدان میں جانتے ہیں؟

ج۔۔۔ جی وہ میرے محاوروں کی ہے۔ لیکن میں اسے نہیں سمجھتا ہوں۔

من (3)۔ کیا آپ نے وارڈر مسجد کو بیوٹی فوٹو میں آئے ہیں؟

کیا اور خوف دیکھ کر آپ نے کہا ہے جی ہاں۔

ج۔۔۔ جی نہیں۔ مجھے اس قسم کی کوئی بات نہیں کی اور نہ ہی خوف دیکھ کر کہا ہے۔

من (4)۔ وارڈر مسجد نے آپ سے مسجد کا کیا جواب دیا؟

ج۔۔۔ جی کمال پر بات ہوئی مگر مسجد کا کوئی جواب نہیں دیا اور صرف اس کوئی جواب نہیں دیا۔

من (5)۔ کیا آپ نے وارڈر مسجد کو کوئی دھمکی دینے سے بھی ڈرنا یا پرہیز کیا؟

ج۔۔۔ جی نہیں۔ میں نے کوئی دھمکی نہ دی اور نہ ہی پرہیز کیا ہے۔

من (6)۔ کیا آپ نے اس قتل کے وارڈر مسجد سے معافی و تیرہ کہا ہے؟

ج۔۔۔ جی۔۔۔ میں نے پہلے ہی معافی مانگی اور ابھی بھی معافی کا طلبکار ہوں۔

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

*(Signature)*

Subject: INQUIRY REPORT/ APPLICATION /HARASMENT OF FEMALE WARDER SAEEDA BANO BY WARDER MUHAMMAD HASSAN (ATTACHED TO SUB-JAIL BATTAGRAM)(PRESENTLY SUBJ JAIL DASSU KOHISTAN)

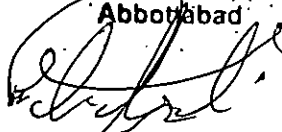
Annex I

Inquiry report in respect of complaint referred above is submitted as under:-

- 1) A letter bearing No.151/WE, dated- 17.02.2021 alongwith the application /complaint of Harassment of female warder Mst. Saeeda Bano was forwarded by the Superintendent Sub Jail Battagram to the Superintendent Headquarter Prison Haripur vide No.872-74 dated. 17-02-2021 alongwith the relevant record, (containing the screenshots of Mobile Phone messages) was also attached.
- 2) That the matter was brought to the notice of the worthy Inspector General of Prisons through Endst No 873-76/WE dated 17.02.2021. (attached as annex-A)
- 3) The Letter of the Superintendent Sub-Jail Battagram, application/complaint of the female warder Mst. Saeeda Bano and screenshots of mobile messages (3x sheets) are attached as Annex- B.
- 4) The Worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar through letter bearing No.1/15-J1999-6415 dated 03.03.2021 directed the undersigned being (Chairman Harassment Committee) to probe into the matter through Harassment committee already constituted for the purpose within the stipulated time. (The said letter is attached as annex-C)
- 5) On receiving the letter Chairman/Superintendent Central Prison Haripur initiated the inquiry proceeding by serving showcause Notice to the accused official alongwith the chargesheet vide letter Endst No.1080-84/WE dated 03.03.2021. The statement of allegation and Chargesheet are attached as Annex-D
- 6) The accused official was directed to submit his reply within (07) days of the receipt of the charge sheet & he submitted his reply on 09.03.2021, within the stipulated time. His reply is attached as annex-E
- 7) That, the day viz Monday 15.03.2021 was fixed for personal hearing of both the complainant and the accused official. Both these letter are annexed as Annex-F
- 8) That on the day of inquiry both the Accused official and the complaint appeared before the committee on the fixed time.
- 9) That the accused official and the complainant replied upon the same statement previously submitted. They were cross examined by the committee. The cross examination of the accused official and complainant are attached as Annex-G
- 10) Having gone through the statement of both the parties and the entire record produced in support thereof, Committee concluded the following facts

ATTESTED & ACCEPTED

BY COUNSEL  
SIGNED: CASIR MUHAMMAD TANOLI  
DATE: Advocate High Court  
Abbottabad



FACTS

a) The accused official claimed that both the accused official and the complainant belong to the same village which, the complainant denied.

b) The accused official claimed to be on talking terms with the complainant being hailed from the same village which the complainant refuted.

c) The complainant alleged that the accused official tried to harass her by frequently sending text messages on her cell phone. She submitted screen shots of his messages, comprised of 3 sheets, containing 38 messages.

d) The accused official alleged in his reply to the charge sheet that the complainant too sent some messages to the accused official and in response accused official replied but it was within bounds by both the sides, whereas, the accused official failed to produce any documentary proof in support of his claim, and told that he deleted all her messages.

e) The complainant admitted that she did not reply his messages but attended calls of the accused official.

f) That the complainant alleged that due to such attitude of the accused official, her respect and honor is at stake.

FINDINGS:

i) As referred (para-a) it is immaterial that they belong to the same village or not, so, need no reply.

ii) It seems from the available record and verbal discussion that the accused official had telephoned the complainant just as colleagues (because, complainant herself admitted that she attended calls of the accused official though did not replied his messages. For which she cannot be blamed as she intended to know who was vexing her.

iii) The allegations of complainant are true that the accused official sent frequent messages to her and the accused official did not deny. Just one message is sufficient (if sent with some bad intention) to constitute "Harassment." but she received 38 messages for which according to her own statement she did not reply and accused also doesn't have any proof of her messages but attended his calls.

iv) As regards Para "d", accused official failed to produce any documentary evidence in support of his stance that the complainant too sent some messages.

v) Para "e" is discussed in point 3 above and admitted voluntarily by the complainant.

vi) The complainant alleged that the accused official compels her to go along with him in a hotel and offered to befriend him, so, she feels hazard for her respect, security and honor. As Para "f" is concerned, she produced no documentary or oral proof (His messages contain no such stuff) she told that he extended this offer while she was attending her calls. (No recorded calls).

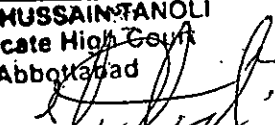
vii) In his reply to the charge sheet, the accused official told that the complainant had discussed with him about her sister who was willing to join the

**ATTESTED & ACCEPTED**

**BY COUNSEL**

SIGNED  
DATE

**SAJID HUSSAIN TANOLI**  
Advocate High Court  
Abbottabad



Prison Department as a female warder and asked him to extend any guidance in this regard, if he can do so, but there is no proof of this allegation.

viii) Lastly, one point is, immaterial, however may not be ignored, in his statement accused official mentioned an outsider namely Hammad (with his cell No) that he threatens him, to "not to call the complainant." The Department is not concerned with the personal affairs of the employees being her personal matter.

After going through the available record, documentary evidence, cross examination, explanation of accused warder and complainant inquiry committee reached to the conclusion that misconduct of harassment against the warder has been fully proved in light of the "The Protection Against Harassment of Women at the Work Place Act 2010" 2(vi)(h) which is reproduced in verbatim:

"harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment"

Whereas, the committee unanimously recommends the following major punishment.

**Recommendation:-**

- 1) *Accused warder Muhammad Hassan S/O Muhammad Sadia now attached to sub jail Dassu Kohistan may be awarded major punishment of "Removal from Service" under the "The Protection Against Harassment of Women at the Work Place Act 2010" under 4(ii) (C).*

Maqsood Ur-Rehman (Chairman Harassment Committee)  
Superintendent  
Central Prison Haripur

Mujeeb Ur-Rehman (Member)  
Deputy Superintendent  
Central Prison Peshawar

Mst: Fouzia Taj (Member)  
Deputy Superintendent  
Central Prison Haripur

**ATTESTED & ACCEPTED**  
**BY COUNSEL**

SIGNED

SAJID HUSSAIN KHOLI  
Advocate High Court  
Abbottabad

OFFICE ORDER

Annex 'J'

WHEREAS complaint under Protection against Harassment of women at the Workplace Act, 2010 were lodged by Female Warder Miss. Saeda Bano, against Warder (BPS-07) Mr. Muhammad Hassan s/o Muhammad Sadiq then attached to Sub Jail Battagram.

AND WHEREAS, the Inquiry Committee constituted by Inspectorate General of Prisons, Khyber Pakhtunkhwa under Section-3 of the Act ibid probed the complaint submitted findings and recommendations.

NOW THEREFORE having considered charges against the accused official findings and recommendations of the inquiry committee the competent authority, in exercise of the powers conferred under Sub-section (5) of section-4 of the protection against Harassment of the women at the Workplace Act, 2010, has been pleased to impose the penalty of "Removal from Service" on the accused official Warder (BPS-07) Muhammad Hassan s/o Muhammad Sadiq, now attached to Sub Jail Dassu Kohistan with immediate effect.

  
SUPERINTENDENT  
CIRCLE HQs PRISON HARIPUR

Endst No. 1643-471

Copy of the above is forwarded to the:-

1. Inspector General of Prisons Khyber Pakhtunkhwa Peshawar with reference to the No. 6465 datee03.03.2021 for information please.
2. Superintendent Sub Jail Battagram with reference to the No. 151/WE dated 17.02.2021 for information please.
3. Superintendent Sub Jail Dassu Kohistan for information and immediate necessary action please
4. District Accounts office Dassu Kohistan for information and immediate necessary action please
5. Mr. Muhammad Hassan s/o Muhammad Sadiq c/o Superintendent Sub Jail Dassu Kohistan.

  
SUPERINTENDENT  
CIRCLE HQs PRISON HARIPUR

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED

DATE

SAJIB MUHAMMAD TAYOBI  
Advocate High Court  
Peshawar



Annex

Annex "K"

To, The Provincial Ombudsman,  
Khyber Pakhtunkhwa

Subject: DEPARTMENTAL APPEAL AGAINST SUPERINTENDENT CIRCLE HEADQUARTERS OFFICE ORDER DATED 30.03.2021

Respected Sir,

It is submitted with great reverence that I've was appointed as Warden in Prisons Department, Khyber Pakhtunkhwa in 2019. An office order No. 1642 dated 30.3.2021 by Superintendent Circle Headquarters Haripur was issued wherein a penalty of "Removal from Service" has been imposed upon me (copy attached). Aggrieved by the said order, a departmental appeal is preferred for your kind consideration containing following grounds:

1. That, the charges leveled against me are baseless.
2. That, due process of law has not been followed by the competent authority.
3. That, a charge sheet and statement of allegation were served wherein vague charges of harassment has been leveled against me that did not meet the requisites of charge sheet as well as statement of allegations.
4. That, complainant withdrew of her complaint during inquiry proceedings, however, inquiry committee did not accept her request.
5. That, no concrete or substantive evidence has been provided by the accused nor by inquiry committee which proved the charges.
6. That, under vague charges and without proving these charges, such a harsh penalty of removal from service has been imposed against me which against the law, rules and norms of justice.

In view of the above, it is requested to kindly exonerate of charges and reinstate me in the service.

Yours faithfully,

(Muhammad Hassan)  
Ex-warder, Sub Jail Battagram  
Cell No# 0341-4333576

Dated: 31.03.2021

Address: Village Purni, P.O Phulra,  
Tehsil & Distt: Mansehra

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED  
DATE

SAJID MUSSAIN TANOLI  
Advocate High Court  
Abbottabad

44

2

OFFICE OF THE  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR  
No: 7834 /SP Dt: 09/06/2021

The Registrar Ombudsperson,  
Khyber Pakhtunkhwa, Peshawar.

Subject: COMPLAINT FILED BY MR. MUHAMMAD HASSAN  
EX-WARDER SUB JAIL BATTAGRAM CELL # 03414333576  
UNDER THE PROTECTION AGAINST HARASSMENT OF  
WOMEN AT THE WORK PLACE ACT 2010.

Memo:

Kindly refer your memo No: 5258-60 dated 07-06-2021.

It is submitted that on complaint of Mst. Saeeda Bano Female Warder attached to Sub Jail Battagram through Superintendent Sub Jail Battagram against Ex-Warder Muhammad Hassan attached to Sub Jail Battagram, a detail inquiry in pursuance of Rule # 2(h) of Protection against Harassment of women at Workplace Act 2010. In compliance of directions of Inspector General of Prisons Khyber Pakhtunkhwa, Peshawar vide his memo No. 1990-6415 dated 03-03-2021, he was also transferred to Sub Jail Dassu Kohistan. Both parties were heard in person on 15-03-2021 in the office of undersigned having companionship of other committee members.

On the basis of available record, statement of complainant, negotiation and mutual consensus with other members of the committee, he was awarded major punishment of "Removal From Service" in exercise of powers conferred Sub-Section (5) of Section-4 of Protection against Harassment of women at Workplace Act, 2010.

(MAOSOQ UR RAHMAN)  
Chairman Provincial Harassment Committee  
Prisons Department Khyber Pakhtunkhwa/  
Superintendent Central Prison Peshawar

TESTED & ACCEPTED  
BY COUNSEL

SIGNED

MAJID HUSSAIN TANOLI

Advocate General

High Court



44-A

Better Copy

Office of the Superintendent  
Central prison Peshawar  
No. 7834 /sp date 09/06/2021

To,

The registrar ombudsperson,  
Khyber PakhtunKhwa, Peshawar

Subject

**Complaint filed by Mr. Muhammad Hassan**  
**Ex-warder sub jail battagram cell: 03414333576**  
**Under the protection against harassment of**  
**women at the work place act 2010.**

Memo,

Kindly refer your memo no 5258-60 dated 07-06-2021

It is submitted that on complaint of MST saeeda bano female warder attached to sub jail battagram through superintendent sub jail battagram against ex-warder Muhammad Hassan attached to sub jail battagram a detail inquiry in pursuance of rule:2(h) of protection against harassment of women at workplace act 2010 in compliance of direction of inspector general of prison Khyber PakhtunKhwa, Peshawar vide his memo no 1990-6415 date 15-03-2021, he was also transferred to sub jail Dassu Kohistan both parties were heard in person on 11-03-2021 in the office of undersigned having companionship of other committee Members.

On the basis of available record statement of complainant, negotiation and mutual consensus with other members of the committee he was awarded major punishment of removal from service in exercise of powers conferred sub-section (5) of section-4 of protection against harassment of women at workplace act,2010

**ATTESTED & ACCEPTED**  
**BY COUNSEL**

SIGNED  
DATE

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

**Masood ur rehman**

Chairman provincial harassment committee  
prison department Khyber PakhtunKhwa/  
superintendent central prison Peshawar



**OMBUDSPERSON SECRETARIAT**  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
BENEVOLENT FUND BUILDING PESHAWAR CANTT  
(Phone # 091-0212307-8)

Complaint No. 1071/Ombudsperson/Muhammad Hassan/2021/5258-60  
Dated Peshawar the 7<sup>th</sup> June, 2021

Mr. Masood ur Rehman,  
Chairman Harassment Committee,  
Superintendent Central Jail, Haripur,  
Circle (eastern), HQs, Prison, Haripur,  
Contact: 0336-9643999

COMPLAINT FILED BY MR. MUHAMMAD HASSAN EX-WARDER,  
SUB JAIL BATTAGRAM CELL # 03414333576 UNDER THE  
PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORK  
PLACE ACT 2010


I am directed to refer to the subject noted above and to convey that the written reply is required to this forum within a week for further course of action to initiate proceeding in the subject titled case is being inordinately delayed due to default of written reply.

In view you are directed to submit written reply within a week time Positively and also appear in person on 6<sup>th</sup> July 2021 at 11:00 AM before the Provincial Ombudsperson, Khyber Pakhtunkhwa, positively.

  
(REGISTRAR)

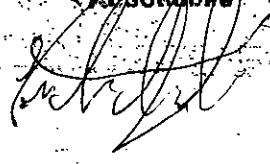
Muhammad Hassan, Ex-Warder, Sub Jail Battagram R/o Village Purni P/O  
PHULRA Tehsil Land District, Mansehra, Contact # 03414333576  
Ombudsperson, Ombudsperson's Secretariat, Khyber  
Pakhtunkhwa Peshawar

(REGISTRAR)

  
05/07/2021

**ATTESTED & ACCEPTED**  
**BY COUNSEL**

SIGNED \_\_\_\_\_  
DATE \_\_\_\_\_  
SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad



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**Ombudsperson secretariat**

Government of Khyber PakhtunKhwa  
Benevolent fund building Peshawar cantt  
(p.no:0919212307)

Complaint no.1071/ombudsperson/Muhammad Hassan/2021/525-60

Dated Peshawar the 7<sup>th</sup> June, 2021

Mr.masood Ur rehman,  
Chairman Harassment committee,  
Superintendent central jail, Haripur,  
Circle (eastern) HQS prison Haripur  
Contact no: 03369643999

**Complaint filed by Mr. Muhammad Hassan ex-warder, sub jail  
battagram cell: 03414333576 under the protection against harassment  
of women at the work place act 2010**

I am directed to refer to the subject noted above and to convey that the written reply is required to this forum within a week for further course of action to initiate proceeding in the subject titled case is being in ordinately delayed due to default of written reply

In the view, you are directed to submit written reply within a week time positively and also appear in person on 6<sup>th</sup> July 2021 at 11.00 am before the provincial ombudsperson Khyber PakhtunKhwa Positively.

**Registrar**

Muhammad Hassan, Exwarder, sub jail battagram R/O village Purni p/o  
Phulra, Tehsil and dist Mansehra contact no. 03414333576  
Ombudsperson Ombudsperson secretariat, Khyber PakhtunKhwa  
Peshawar

**Registrar**

**ATTESTED & ACCEPTED**  
**BY COUNSEL**  
SIGNED  
DATE  
SAJID MUSSAIN TANOLI  
Advocate High Court  
Abbottabad

Annex L

Secretariat of KP Ombudsperson  
For Protection against Harassment of Women at the Workplace  
Muhammad Hassan Vs Superintendent Circle  
Form of order sheet  
Complaint No.1-71/2021

Serial No. of order of Proceedings	Date of order of Proceedings	Complaint title: Muhammad Hassan Vs. Superintendent Circle
02	30.08.2021	<p>That the parties were present before the Ombudsperson and the Respondents submitted their written statement in detail along with all inquiry reports and annexure, inquiry report reveals that a written complaint file by one Saeeda Bano female warden which was forwarded to Superintendent Jail Batagram to the superintendent Headquarter prison Haripur along with the relevant record. That the matter was brought to the notice of the worthy Inspector General of Prison, Khyber Pakhtunkhwa. That on the direction of Inspector General Prison matter was placed before already constituted a Committee against harassment. The Committee charge the accused through a charge sheet for which accused Hassan submitted a written reply and deny all allegations. That on the date fixed for hearing both the complainant and accused were called for hearing and the accused was cross examined in which he denied all the allegation levelled against him in the complaint. That the accused initially deny the fact that they belong to the same village but in cross-examination admits it, moreover the accused has denied that he ever made a call to the complainant but later on admit it with a plea that he called her just as a colleague. the accused also deny his messages to the complainant but it was proved through documentary evidence.</p> <p>That all the allegation has proved against him. That during the course of argument it is argued by the Respondent that all measure has taken for ascertaining the truth and case has fully proved against him through oral and all the</p>

Attested  
PA to Ombudsperson  
Women Protection at  
Workplace, KPK

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED  
DATE SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

*[Handwritten Signature]*

documentary evidence. So, he has rightly been removed from his service.

The accused Hassan has present has not satisfied this Forum for his act of harassment and could not give a satisfactory reply to the question put before him. Moreover, he has not arrayed the complainant party to the appeal, being necessary parties, All the record fully supports the version of the complainant so the decision of Respondent stands on the right footing and based on sound reason. That after hearing both the parties and perusal of the record the Forum com to the conclusion that, the appeal being baseless hereby dismissed.

File be consigned to Record Room after necessary completion and compilation.

Attested  
PA to Ombudsperson  
Women Protection at  
Workplace KPK

Ombudsperson KP

Protection against Harassment of Women at the  
Workplace Khyber Pakhtunkhwa

30.08.2021

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED

DATE

SAJID MUSSAIN TANOLI  
Advocate High Court  
Abbottabad

To,

THE GOVERNOR,  
Khyber Pakhtunkhwa,  
Peshawar.

Annex "M"

Subject: DEPARTMENTAL APPEAL AGAINST  
THE ORDER OF PROVINCIAL  
OMBUDSMAN KHYBER PAKHTUNKHWA  
AND AGAINST THE ORDER OF  
SUPERINTENDENT CIRCLE HEADQUARTER  
OFFICE, ABBOTTABAD DATED  
30.08.2021 AND 30.03.2021  
RESPECTIVELY.

Honourable Sir,

1. I being aggrieved from above mentioned orders on petitioners departmental appeal, respectfully Sheweth, that I was lawfully appointed as Warder in Prisoner Department KP on office order No.1642 in the year 2019.
2. That, an office order dated 30.03.2021 by the Superintendent Headquarter Haripur was issued, wherein a penalty of Removal from service has been imposed upon me. (Copy annexed).

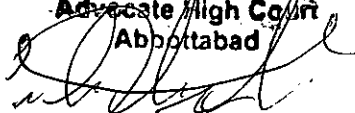
ATTESTED &amp; ACCEPTED

BY/COUNSEL

SIGNED

DATE

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad



3. That, thereafter petitioner preferred appeal before Ombudsman Khyber Pakhtunkhwa that too was turned down. *(Copy of the order is annexed herewith).*
4. That, the petitioner being aggrieved from the above mentioned order, preferred the instant appeal for kind and gracious indulgence of your honour on the following grounds: -

#### GROUNDS

- a. That, the charge sheet/charges levelled against me are unfounded, false and baseless.
- b. That, the above mentioned authorities have bypassed all the relevant laws and the petitioner appeal disposed off by not apply mind.
- c. That, the complainant Mst. Saeeda has subsequently withdrawn complainant through affidavit. *(Copy annexed).*

ATTESTED & ACCEPTED

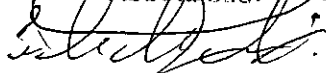
BY COUNSEL

SIGNED

DATE SAJID HUSSAIN

Advocate High Court

Abbottabad



- d. That, charge sheet served at the petitioner entail invalid and vague grounds.
- e. That, evidence is meager weak and cryptical against the petitioner/appellant.
- f. That, by taking in account vague and unfounded charges, the major penalty was not warranted.
- g. That, in view of above mentioned and other facts/circumstances, the appeal may kindly be accepted and appellant be absolved from charges and also be allowed to continue his service.

Dated 30.09.2021



HASSAN

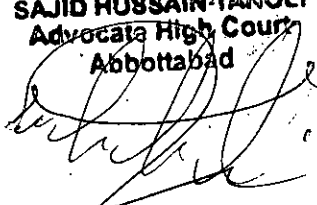
Son of Muhammad Sadiq  
Resident of village Purni,  
P.O Phulra, District Mansehra.

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED

DATE

SAJID HUSSAIN-TANOLI  
Advocate High Court  
Abbottabad





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F-1111

GOVERNOR'S SECRETARIAT,  
Khyber Pakhtunkhwa, Peshawar

Annex "N"

**ORDER**

Dated: 03.02.2022

Mr. Muhammad Hassan (Ex-Warder) R/O Village Purni, P.O Phulra, District Mansehra

..... (The Appellant)

**VERSUS**

Provincial Ombudsperson, Khyber Pakhtunkhwa, Peshawar

..... (The Respondent)

**SUBJECT: REPRESENTATION/APEAL U/S 9 OF THE PROVINCIAL OMBUDSPERSON KHYBER PAKHTUNKHWA PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010, AGAINST THE IMPUGNED ORDER DATED: 30/08/2021 PASSED BY HONORABLE PROVINCIAL OMBUDSPERSON KHYBER PAKHTUNKHWA.**

WHEREAS, Mr. Muhammad Hassan, Ex-Warder Sub Jail Battagram (hereinafter referred to as 'the Appellant') has preferred a representation before the Governor Khyber Pakhtunkhwa under Section 9 of the Protection Against Harassment of Women at the Workplace Act, 2010 (hereinafter referred to as 'the Act') against the impugned order dated: 30.08.2021 in Complaint No. 1-71/2021 passed by the Provincial Ombudsperson under Section 8(5) of the Act.

02. WHEREAS, brief facts of the case are that Mst. Saeeda Bano (Female Warder), Sub Jail Battagram filed complaint against the Appellant, wherein, she asserted that the Appellant was harassing her through inappropriate gestures and words; that he offers friendship with her, and that frequently sends messages on her cell phone; and that she may be provided protection against him. Accordingly, the complaint in question was sent to the Standing Inquiry Committee that already stood constituted vide order dated 14.11.2017 under Section 3 of the Act ibid to probe into the matter. The Chairman Harassment Committee / Inquiry Committee communicated Charge Sheet and Statement of Allegations leveled against the Appellant under Section 4 of the Act. An opportunity of personal hearing was provided to both the Complainant and the Appellant, and after fulfilling the codal formalities, the Committee submitted its findings. It was recommended that Major Penalty of *Removal from Service* may be awarded to the Appellant. Later on the findings/recommendations of the Inquiry Committee were placed before the Competent Authority (Superintendent Circle Headquarter Prison Haripur) which were approved and notified vide order dated 30.03.2021.

03. WHEREAS, the Appellant approached the Khyber Pakhtunkhwa Provincial Ombudsperson under Section 6 of the Act ibid against the aforementioned order dated 30.03.2021. The Khyber Pakhtunkhwa Provincial Ombudsperson vide its impugned order dated: 30.08.2021 dismissed his appeal and upheld the penalty of *Removal from Service*.

04. WHEREAS, the Appellant, aggrieved by the order of Provincial Ombudsperson, preferred a Representation dated 30.09.2021 before the Governor, Khyber Pakhtunkhwa / Appellate Authority under Section 9 of the Act and requested to set aside the impugned order and also be allowed to continue his service. He further claimed that the Complainant has withdrawn her complaint.

05. WHEREAS, the Appellant and the Complainant were afforded an opportunity of personal hearing on 18.01.2022 which was also attended by Principal Secretary to Governor, Additional Secretary to Governor, Deputy Secretary (Admn.) Governor Secretariat, Deputy

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED

DATE

SAJID TANOZ  
Advocate High Court  
Abbottabad





Secretary (P&R) Home Department, Deputy Secretary (Reg-II), Establishment Department, Section Officer (Opinion-I), Law Department, Law Officer Inspector General of Prisons and Superintendent Sub Jail Battagram. The Appellant and the Complainant were heard at length.

06. **AND WHEREAS**, after going through the facts of case, discussions held with relevant stakeholders, examining all reports and record made available, it emerged that;

- i. *The Order from the Ombudsperson is well reasoned after having heard the parties to the case.*
- ii. *Inquiry Committee constituted under Section 3 of the Act already stood constituted vide order dated 14.11.2017 well before the occurrence of the incident of harassment. Therefore, it cannot be construed that there was any malafide in the constitution of the Standing Inquiry Committee / Harassment Committee to deal with this particular case of harassment.*
- iii. *Chairman Harassment Committee / Superintendent Central Prison Haripur followed the prescribed disciplinary process by serving a Show Cause Notice and taking Disciplinary Action containing the Statement of Allegation to the accused warder / the Appellant.*
- iv. *The Complainant and Accused / Appellant have been provided fair opportunity of being heard and cross examined. Their written statements are on record.*
- v. *The Inquiry Report reasonably delineates the facts of the case and findings that form the grounds for imposition of Major Penalty of Removal from Service.*
- vi. *There are a series of messages from the Appellant addressed to the Complainant which are clear and unambiguous, whereas, the Complainant did not respond to these messages, while, accused owned these messages during the inquiry proceedings.*
- vii. *These messages cannot be presumed to be gender insensitive, rather are sexually oriented, especially when there are a series of such messages. Although, these cannot be termed as vulgar but certainly do fall under the definition of harassment as provided in the Act that is reproduced below;*  

*"harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;*
- viii. *These messages can be offensive for any woman living in Islamic, Eastern and Pakhtun socio-cultural environment. In the instant case, the messages were never responded by the complainant. The Appellant is a married man with kids. The degree of severity of his harassing attitude need to be viewed in this context.*
- ix. *The messages were consistently and consciously targeted at the Complainant and constitute criminal harassment. It was not one off act that happened at the spur of moment or was not deliberate.*
- x. *Any condonation of this act of harassment would tend to put the women at the place of their work in greater danger and the culprits will tend to get encouraged. Therefore, for the sake of interest of the society at large, the representation is liable to be rejected.*

07. **AND NOW THEREFORE**, I, Shah Farman, the Governor Khyber Pakhtunkhwa / the Appellate Authority in the instant case, in exercise of the powers conferred upon me under

**ATTESTED & ACCEPTED**  
**BY COUNSEL**  
 SIGNED: *[Signature]*  
 DATE: 3/2/22  
 Advocate High Court  
 Abbottabad



**GOVERNOR'S SECRETARIAT,  
Khyber Pakhtunkhwa, Peshawar**

Section 9 of the Act, do hereby, reject the Representation / Appeal against decision of the Khyber Pakhtunkhwa Provincial Ombudsperson.

(SHAH FARMAN)

Appellate Authority / Governor  
Khyber Pakhtunkhwa

Endst: No.SO(Lit)/1-142/GS/2021 Dated Peshawar the: 03/02/2022/4067-73

**Copy to:**

1. The Secretary to Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department.
2. The Administrative Officer, Ombudsperson Secretariat Benevolent Fund Building Peshawar Cantt.
3. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
4. Superintendent Sub Jail Battagram
5. Muhammad Hassan (Ex-Warder) R/O Village Purni, P.O Phulra, District Mansehra.
6. Mst. Saeeda Bano (Female Warder) Sub Jail Battagram.
7. Office Copy/Master File.

**Section Officer (Litigation)**  
Governor's Secretariat

**ATTESTED & ACCEPTED  
BY COUNSEL**

SIGNED

DATE

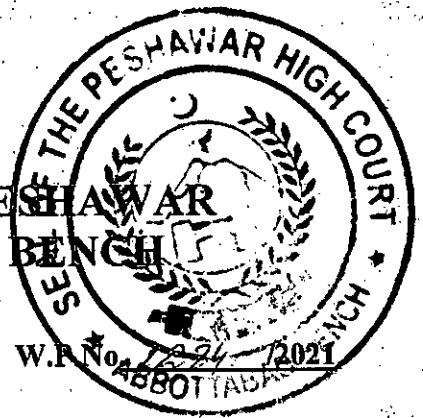
**SAJID HUSSAIN TANOLI**  
Advocate High Court  
Abbottabad

54

Annex

-1-

BEFORE THE HONOURABLE PESHAWAR HIGH COURT ABBOTTABAD BENCH



Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni , P/O Phulra District Manshera Ex Warder B.P.S-7 Sub Jail Battagram.

...PETITIONER

VERSUS

Annex "O"

1. Inspector General of Prison Khyber Pakhtunkawa Peshawar
2. Chairman Provincial Harassment Committee Prison Department Khyber Pakhtunkawa Through Superintendent Central Prison Peshawar
3. Superintendent Circle HQS Prison Haripur
4. Superintendent of Sub Jail Battagram
5. Superintendent Sub Jail Dassu kohistan

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973, READ WITH ALL ENABLING PROVISIONS OF LAW. WHEREBY THE PETITIONER REMOVED FROM HIS SERVICE BY RESPONDENT No.3 DATED 10/03/21 AND AWARDED MAJOR PENALTY UNDER THE PROTECTION AGAINST HARASSMENT OF THE WOMAN AT THE WORK PLACE ACT 2010. WHICH IS VERY HARSH UN CONSTITUTIONAL PERVERSE ARBITRARY AGAINST THE NATURAL JUSTICES, WITHOUT COMPETENT AUTHORITY, REMOVAL ORDER OF THE RESPONDENT No.3 UNDER THE PROTECTION AGAINST HARASSMENT OF WOMAN AT WORK PLACE ACT IS NOT APPLICABLE ON THE REMOVAL ORDER OF THE PETITIONER WHICH IS LIABLE TO BE STRUCK DOWN AND PETITIONER IS REINSTATED IN HIS SERVICE FROM THE DATE OF HIS REMOVAL WITH ALL BACK BENEFIT.

Certified to be True Copy  
EXAMINER  
22 FEB 2022  
Peshawar High Court Atd. Bench  
Authorized Under Se: 75 Evid Ordns.

No. 6195  
28-10-21  
FILED IN  
ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH  
28/10/21

**PRAYER:**

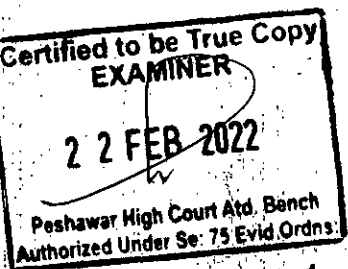
ON ACCEPTANCE OF INSTANT WRIT PETITION, REMOVAL ORDER OF THE PETITIONER DATED 10/03/2021 PASSED BY RESPONDENT No.3 MALAFIDE, WITHOUT COMPETENT AUTHORITY, MISUSED OF POWER VESTED BY THEM MAY KINDLY BE SET A SIDE AND PETITIONER MAY GRACIOUSLY BE REINSTATED IN HIS SERVICE FROM THE DATE OF HIS REMOVAL ALONG WITH ALL BACK BENEFIT ANY OTHER RELIEF WHICH THIS HONOURABLE COURTS DEEMS APPROPRIATE MAY ALSO BE GRANTED IN FAVOR OF THE PETITIONER.

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Respectfully Sheweth;

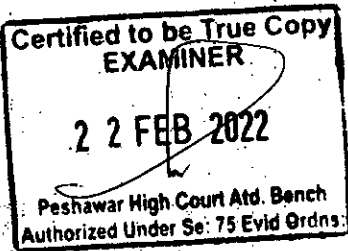
The facts leading to the instant / captioned writ petition are as under:-

1. That, petitioner was appointed by respondent department as Warder B.P.S-7 and after his appointment petitioner performed his duties with full devotion honesty, sincerity and having un blemished record of his service.
2. That, during his service of petitioner at District jail Battagram, (1).MST Saeeda Bano D/O Malik Zada who also serving as female warder at District jail Battagram and reported so called complaint against the petitioner and stated in her complaint that petitioner through mobile phone message used ill mannered words and as harassing her through mobile phone calls as well as message. (Copy of the complaint which is submitted by MST Saeeda Bano is annexed as annexure "A").



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PESHAWAR HIGH COURT  
ABBOTTABAD BENCH  
28/10/21

3. That, during his service till his removal, there has not been single complaint of any kind against the petitioner whatsoever hence the petitioner enjoyed very good reputation among his colleague as well as to the best satisfaction of his superior.
4. That, in light of the so called complaint reported by the MST Saeeda Bano, Inspector General of Police kpk Directed the chairman harassment committee for constituted inquiry committee on which chairman committee constituted inquiry committee consisting of 3 members and on the same date 03/03/2021 respondent No.3 without issuing show cause notice initiated discipline action and issue charge sheet to the petitioner. on 03/03/2021.(Copy of the Direction of I G P is annexed as annexure "B") where as copy of the statement of allegation as annexure "C & charge sheet is annexed as annexure "C-1").
5. That, chairman inquiry committee without giving opportunity of personal hearing, and cross opportunity awarded very harsh punishment to the petitioner and recommended major penalty removal from service which is against the law and natural justice.(Copy of the inquiry report is annexed as annexure "D").
6. That in light of the recommendation of the inquiry committee respondent No.3 removed the petitioner from his service dated:30/03/2021.(Copy of the Removal Order is annexed as annexure "E")
7. That, petitioner being aggrieved removal order dated 30/03/2021 passed by respondent No.3 Haripur petitioner filled departmental



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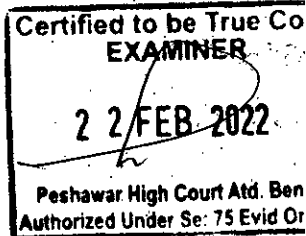
appeal/representation before provincial ombudsman Khyber pakhtunkhwa which was rejected by the provincial ombudsman Khyber pakhtunkhwa. (Copy of the decision of ombudsman KP is annexed as annexure "F").

8. That, chairman inquiry committee has no power under the law being chairman of the committee initiating departmental proceeding against the petitioner himself who misused his power vested by them and initiated inquiry proceeding against the service rules and law.
9. That, during the departmental proceeding MST Saeeda Bano withdraw his complaint and stated in her affidavit she have no objection on the reinstatement of the petitioner this important fact also ignored by the departmental committee/competent authority.(Copy of the affidavit which is submitted by complaint Saeeda Bano is annexed as annexure "G")
10. That, petitioner feeling aggrieved, seeks the gracious indulgence of this honorable Court for due redress,inter-alia on the following grounds.

**GROUND:-**

- a) That, the impugned removal order of petitioner dated 30/03/2021 is void ab-initio, illegal, unlawful, arbitrary, preposterous and against the right of petitioner.

That, impugn removal order has been passed against the petitioner without holding regular inquiry which is violative to the principal/law and dictum laid down by the august Supreme Court of Pakistan in its



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reported judgment 2002 SCMR page 57 2001 SCMR page 1566.  
Hence the impugned removal order is liable to be struck down.

- c) That, There is no show cause notice given to the petitioner, and no opportunity of cross examination of the witness has been afforded to the petitioner which is mandatory requirement of law. Therefore the proceeding initiated and impugned removal order passed is not maintainable in the eye of law. Because in the instant case neither formal procedure has been adopted by the respondent nor has the petitioner been given fair chance of defense.
- d) That, When complaint withdraw her complaints against the petitioner then there is no offence but respondent are violative to the principal of natural justice fair play, equity and direct violation of the principal laid down by this august Court in the judgment reported as 2002 SCMR page 1034 and 1994 SCMR page 2232.
- e) That, There is no evidence available against the petitioner which could connect him with the alleged offence and in the absence of any substantial evidence the impugned, removal from service is nullity in the eye of law and is liable to be set a side on this score alone.
- f) That, the impugned penalty is too harsh which is against the service rules and natural justice more ever chairman inquiry committee exercise his power for issuance of charge sheet disciplinary action is also against the law and natural justice, resultantly awarded major penalty to the petitioner which is very harsh and could not maintainable in the eye of law.
- g) That, the petitioner is jobless and has not been gain fully employed else where from the date of his removal from his service. The

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**EXAMINER**  
 22 FEB 2022  
 Peshawar High Court Attd. Bench  
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 ABBOTTABAD BENCH  
 28/1/22

petitioner is therefore legally entitled for reinstatement in service with all back benefit according with law.

- h) That, the petitioner has no other alternate, efficacious and speedy remedy except the instant constitutional petition
- i) That, the notices have been served to the respondents as per law.  
(Copies of notices alongwith postal receipts are annexed as Annexure "H")
- j) That further points could be raised at the time of argument with permission of this Honourable Court.
- k) That, Court fees stamp paper worth Rs.500/- is attached.

**PRAYER**

IT IS THEREFORE HUMBLY PRAYED THAT ON ACCEPTANCE OF INSTANT WRIT PETITION, REMOVAL ORDER OF THE PETITIONER DATED 10/03/2021 PASSED BY RESPONDENT No.3 MALAFIDE, WITHOUT COMPETENT AUTHORITY, MISUSED OF POWER VESTED BY THEM MAY KINDLY BE SET A SIDE AND PETITIONER MAY GRACIOUSLY BE REINSTATED IN HIS SERVICE FROM THE DATE OF HIS REMOVAL ALONG WITH ALL BACK BENEFIT ANY OTHER RELIEF WHICH THIS HONOURABLE COURTS DEEMS APPROPRIATE MAY ALSO BE GRANTED IN FAVOR OF THE PETITIONER.

...PETITIONER

Through:

(Muhammad Asjad Pervez Abbasi)  
&  
(Sardar Muhammad Akmal)  
Advocate High Court  
Abbottabad

Dated: 18/10/21

FILED FOR  
ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH  
22/10/21

**VERIFICATION:-**

Verified that the contents of the instant Writ Petition are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:

...PETITIONER



60

7

**BEFORE THE PESHAWAR HIGH COURT  
ABBOTTABAD BENCH.**

W.P: 1274/2021

Hassan S/O Muhammad Sadiq R/O Village Purni, P/O Phulra,  
District Manshera Ex Warder B.P.S-7 Sub Jail Battagram

**...PETITIONER**

**VERSUS**

- 6. Inspector General of Prison Khyber Pakhtunkawa Peshawar.
- 7. Chairman Provincial Harassment Committee Prison Department Khyber Pakhtunkawa through Superintendent Central Prison Peshawar.
- 8. Superintendent Circle HQS Prison Haripur.
- 9. Superintendent of Sub Jail Battagram.
- 10. Superintendent Sub Jail Dassu Kohistan.

**...RESPONDENTS**

**WRIT PETITION  
AFFIDAVIT**

I, Hassan S/O Muhammad Sadiq R/O Village Purni, P/O Phulra,  
District Manshera Ex Warder B.P.S-7 Sub Jail Battagram, **CNIC No.13503-9669662-7** do hereby solemnly affirm and declare on Oath that the contents of instant **Writ Petition** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:-11/10/2021

**...PETITIONER**

Certified to be True Copy  
EXAMINER  
22 FEB 2022  
Peshawar High Court Attd. Bench  
Authorized Under Sec: 75 Evid Ordns.

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ABBOTTABAD BENCH  
28/10/21

6/10/253  
Receipt No: 253  
I declare that the above was read and understood by me  
Hassan 11 day of Oct 21  
Village Purni District Manshera  
Who is personally known to me  
11/10/21

**BEFORE THE HONOURABLE PESHAWAR  
HIGH COURT ABBOTTABAD BENCH**



Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni , P/O Phulra  
District Manshera Ex Warder B.P.S-7 Sub Jail Battagram.

...PETITIONER

**VERSUS**

1. Inspector General of Prison Khyber Pakhtunkawa Peshawar
2. Chairman Provincial Harassment Committee Prison Department Khyber Pakhtunkawa Through Superintendent Central Prison Peshawar
3. Superintendent Circle HQS Prison Haripur
4. Superintendent of Sub Jail Battagram
5. Superintendent Sub Jail Dassu kohistan

...RESPONDENTS

**WRIT PETITION**  
**CERTIFICATE**

Certified that no such like Writ Petition has earlier been filed  
before this Hon'ble Court.

  
...PETITIONER

Through:

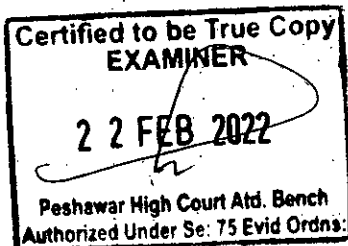
(MUHAMMAD ASJAD PERVEZ ABBASI)

(SARDAR MUHAMMAD AKMAL)

Advocate High Court  
Abbottabad

Dated: 18/10/21

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ABBOTTABAD BENCH  
20/10/21



**BEFORE THE HONOURABLE PESHAWAR  
HIGH COURT ABBOTTABAD BENCH**



Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni , P/O Phulra  
District Manshera Ex Warder B.P.S-7 Sub Jail Battagram.

...PETITIONER

**VERSUS**

Inspector General of Prison Khyber Pakhtunkawa Peshawar & Others.

...RESPONDENTS

**WRIT PETITION**

**ADDRESSES OF THE PARTIES**

Respectfully Sheweth;

Addresses of the parties are as under;

**PETITIONERS:**

Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni , P/O Phulra  
District Manshera Ex Warder B.P.S-7 Sub Jail Battagram.

**RESPONDENTS:**

1. Inspector General of Prison Khyber Pakhtunkawa Peshawar
2. Chairman Provincial Harassment Committee Prison Department Khyber  
Pakhtunkawa Through Superintendent Central Prison Peshawar
3. Superintendent Circle HQS Prison Haripur
4. Superintendent of Sub Jail Battagram
5. Superintendent Sub Jail Dassu Kohistan

...PETITIONER

Through:

(MUHAMMAD ASJAD PERVEZ ABBASI)

&  
(SARDAR MUHAMMAD AKMAL)  
Advocate High Court,  
Abbottabad.

Dated: 18/10/21

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Peshawar High Court Atd. Bench  
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**BEFORE THE HONOURABLE PESHAWAR  
HIGH COURT ABBOTTABAD BENCH**



W.P.No. 4874-1/2021

Muhammad Hassan S/O Muhammad Sadiq R/O Village Purni , P/O Phulra  
District Manshera Ex Warder B.P.S-7 Sub.Jail Battagram.

...PETITIONER

VERSUS

Inspector General of Prison Khyber Pakhtunkawa Peshawar & Others.

...RESPONDENTS

**WRIT PETITION**

**LIST OF BOOKS**

The Constitution of Islamic Republic of Pakistan, 1973.

...PETITIONER

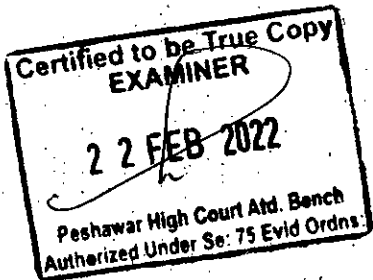
Through:

Dated: 18/10/21

(MUHAMMAD ASJAD PERVEZ ABBASI)

(SARDAR MUHAMMAD AKMAL)

Advocate High Court,  
Abbottabad.

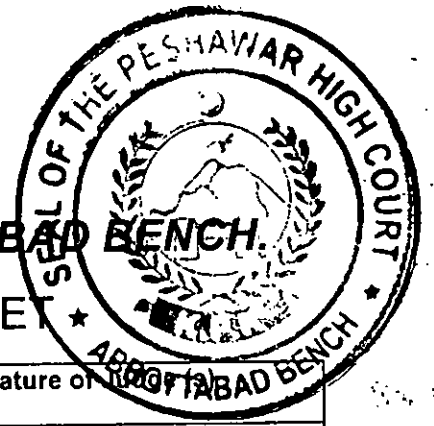


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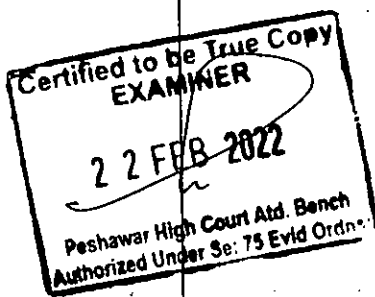
64

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

**FORM OF ORDER SHEET**



Date of Order of Proceedings	Order or other Proceedings with Signature of
1	2
09.11.2021	<p><u>W.P.No. 1274-A/2021.</u></p> <p>Present: Sardar Muhammad Akmal, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><u>MOHAMMAD IBRAHIM KHAN, J.-</u> Through this petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner has sought the following relief:-</p> <p>"It is, therefore, humbly prayed that on acceptance of instant writ petition, removal order of the petitioner dated 10.03.2021 passed by respondent No.3 mala fide, without competent authority, misused of power vested by him may kindly be set aside and petitioner may graciously be reinstated in his service from the date of his removal alongwith all back benefit any other relief which this honourable court deems appropriate may also be granted in favour of the petitioner."</p> <p>2. After arguing the case at great length, when learned counsel of the petitioner was confronted with the situation that the dispute relates to terms and conditions of a service and jurisdiction of this court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 to entertain this petition. He could not satisfy this court to entertain the instant writ petition.</p> <p>5. In view of the above, this petition is dismissed in</p>



8- یہ کہ اپیلانٹ کے حق میں درخواست گزار مسماۃ سعیدہ بانو نے دوران انکوائری ایک عدد بیان حلفی بھی جمع کروائی جس میں اپیلانٹ کو بے گناہ، بے قصور تصور فرمایا گیا ہے جس کو یکطرفہ نظر انداز کرتے ہوئے انکوائری کمیٹی نے اپنے اختیارات کا غلط استعمال کرتے ہوئے من اپیلانٹ کے خلاف فیصلہ صادر فرمایا جو کہ غلط، خلاف قانون اور خلاف حقائق ہونے کے ناقابل بحالی ہے۔ (فونو نقل لف ہے)

9- یہ کہ اپیلانٹ کے قیمتی حقوق کا سوال ہے۔ اپیلانٹ / سائل ایک غریب نادار شخص ہے اور گھر کا واحد کفیل ہے۔

اندریں حالات استدعا ہے کہ اپیل ہذا منظور فرماتے ہوئے فیصلہ حراسنٹ کمیٹی مورخہ 2021-08-30 کو منسوخ فرمایا جاوے اور اپیلانٹ کو اپنی نوکری پر حسب ضابطہ بحالی کے احکامات صادر فرمائے جائیں نیز دیگر کوئی دادرسی قرین انصاف و حق اپیلانٹ کو بخشی جاوے۔

المرقوم: 26/02/2022

محمد حسن ولد محمد صادق سکنہ گاؤں پر نی، ڈاکخانہ مہلودہ، ڈسٹرکٹ مانسہرہ۔ Ex-Warden BPS-07

--- سائل / اپیلانٹ

سب جیل بلگرام

(H)

ATTESTED & ACCEPTED  
BY COUNSEL  
SIGNED SAJID HUSSAIN TANOLI  
DATE Advocate High Court  
Abbottabad

(Signature)

S.No. 164155

Name of Advocate

DBA NO. 714

TBA NO.

BC No.

16-6597

R.s.200/=



کالٹ نامہ

Sardar Anwar Masood  
Finance Secretary  
District Bar Association  
Abbottabad

بعدالت جناب سروس ٹریبیونل KP پشاور  
عنوان: محمد حسین بنام KP T.G.P پشاور  
منجانب: Petitioners نوعیت مقدمہ سروس

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطہ پیروی و جواب دہی برائے پیشی یا تصفیہ مقدمہ بمقام ایسے کے لیے  
عامر و آدر / سراج حسین / اعجاز علی / ملک عارف / عاصمہ شہزاد / ابو حنیفہ  
کو حسب ذیل شرائط پروکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص روز بروعدالت حاضر ہونا ہوا گا اور بروقت پکارے  
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر منظر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ  
سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچھری کے  
علاوہ کسی جگہ یا کچھری کے اوقات سے پہلے یا نیچے یا روز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچھری کے علاوہ کسی اور جگہ  
سماعت ہونے پر یا روز تعطیل یا کچھری کے اوقات کے آگے پیچھے نہیں ہونے پر منظر کو کوئی نقصان نہیں تو اس کے ذمہ دار یا اس کے واسطے  
کسی معاوضہ کے ادا کرنے یا محتاج کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو مل سناختہ پر داخستہ صاحب موصوف  
مشل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ذمہ دار نظر ثانی اپیل نگرانی و ہر قسم  
درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار و وصولی کرنے اور رسید دینے اور داخل کرنے  
اور ہر قسم کے بیان دینے اور اس پر غامضی و رائی نامہ و فیصلہ بر حلقہ کرنے کے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات  
از کچھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کٹ پٹری درخواست حکم اجرائی یا تقریبی یا گرفتاری یا اجراء کے ذمہ دار بھی صاحب  
موصوف کو بشرط ادا سنگی علیحدہ و متناہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے  
کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں  
وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف  
کاتق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ  
کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ 2022/03/22

دن ماہ سال

لہذا وکالت نامہ لکھ دیا ہے کہ سند ہے۔

منشیان وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

نوٹ: وکالت نامہ کی فونوٹو کاپی قابل قبول نہ ہوگی۔

SAJID HUSSAIN  
Advocate High Court  
Abbottabad

Aamir Shahzad  
Advocate  
Distt. Courts Abbottabad

Advocate High Court  
Abbottabad

محمد حسین وکیل صاحب موصوف سائنہ کاغذ پر پیشی پھلے مطلع مانسبہ اسب ط آباد

NOZMAN

خدمت جناب I.G صاحب جیل خانہ جات خیبر پختونخواہ، پشاور

**محکمانہ اپیل** بنا اراضی فیصلہ پروڈیکٹل حراسمنٹ کمیٹی مورخہ

**30-03-2021** بابت برخاستگی سروس اپیلانٹ

Annex "P" /

جناب عالی! منوجبات اپیل ذیل عرض ہیں:-

- 1- یہ کہ اپیلانٹ جناب کے زیر سایہ محکمہ ہذا میں بطور وارڈر BPS-7 جیل بگرام میں اپنے فرائض سرانجام دیتا رہا۔
- 2- یہ کہ بدوران سروس اپیلانٹ کے خلاف مسماہ سعیدہ بانو دختر ملک زادہ جو کہ تعینات لیڈی وارڈن جیل بگرام تھی نے حراسمنٹ ایکٹ کے تحت درخواست گزاری اور محکمانہ قانونی کارروائی کرتے ہوئے حراسمنٹ انکوائری کمیٹی بنائی گئی جس نے اپیلانٹ کو سنے بغیر نوکری سے فارغ کر دیا گیا۔
- 3- یہ کہ متذکرہ کمیٹی نے اپیلانٹ کو بغیر شنوائی کرتے ہوئے عجلت میں فیصلہ مورخہ 30-03-2021 بابت Removal of Service صادر فرمایا۔
- 4- یہ کہ متذکرہ حکم مصدرہ متدعویہ کے خلاف اپیلانٹ صوبائی محتسب سیکریٹریٹ KPK پشاور کے پاس درخواست باہتمام داری بذریعہ اپیل گزاری جو کہ کمیٹی کا فیصلہ بحال رکھتے ہوئے مورخہ 03-08-21 کو اپیل / درخواست خارج فرمادی۔ (نقل لف ہے)
- 5- یہ کہ بعد ازاں اپیلانٹ نے متذکرہ بالا حکم مصدرہ کے خلاف اپیل گورنر KPK پشاور مورخہ 30-09-21 دائر کی جسے حسب ضابطہ صوبائی محتسب کے فیصلہ کو بحال رکھتے ہوئے مورخہ 03-02-22 اپیل / درخواست اپیلانٹ خارج فرمادی۔ (نقل لف ہے)
- 6- یہ کہ اسی دوران فیصلہ ہائے کے خلاف اپیلانٹ نے اپنے حقوق کی پاسداری و داری کے لئے پیشینہ نمبر 1274 مورخہ 18-11-21 پشاور ہائی کورٹ سرکٹ بیج ایبٹ آباد دائر کی جو کہ مورخہ 09-11-2021 کو عدالت عالیہ نے پراپروم پر جانے کے لئے احکامات صادر فرماتے ہوئے خارج کی گئی۔ (حکم لف ہے)
- 7- یہ کہ ہائی کورٹ کے حکم کے مطابق اپیلانٹ جناب آنحضرت کی عدالت میں باقاعدہ پراپروم استعمال کرتے ہوئے حسب ضابطہ اپیل ہذا دائر کر رہا ہے۔

صفحہ: ۲۲۱

TESTED & ACCEPTED  
BY COUNSEL  
SIGNED  
DATE SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

*(Signature)*



68



**INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406

091-9213445

<https://www.facebook.com/kpkprisons>

 Email: [prisonsig@gmail.com](mailto:prisonsig@gmail.com)
No. CC - 9434 / -Dated. 04 - 03 - 2022 / -

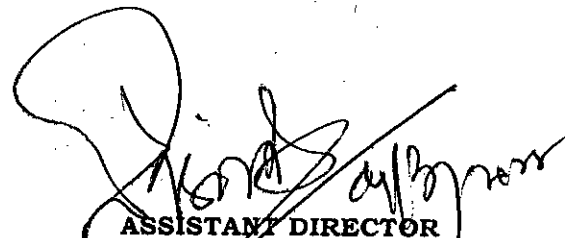
To,

✓ Muhammad Hassan S/o Muhammad Sadiq,  
R/o Village Parnee P.o Box Pahlrha District,  
Mansehra

Subject: **APPEAL**  
Memo;

I am directed to refer to your application dated 26-02-2022 and to state that you have already exhausted all forums, hence, there is no provision in the rules to consider you appeal for re-instatement.

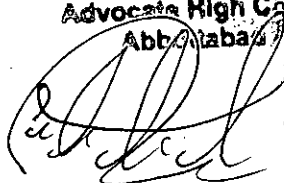
Annex "Q"

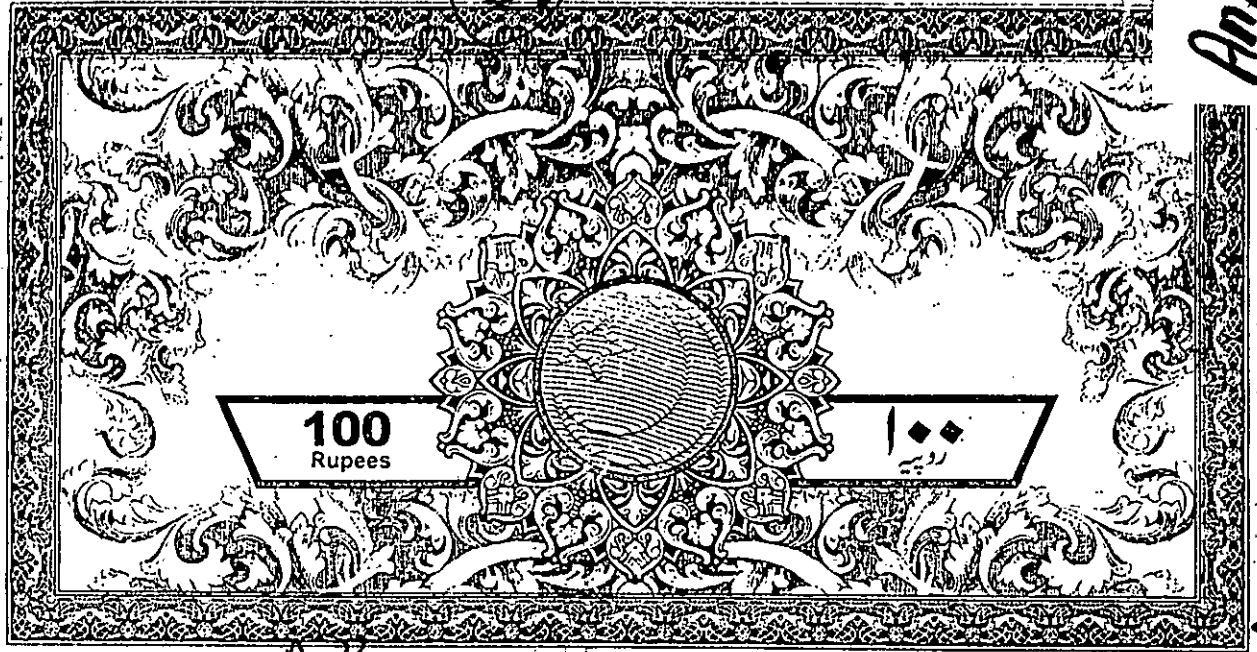
  
ASSISTANT DIRECTOR  
INSPECTORATE GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

**ATTESTED & ACCEPTED  
BY COUNSEL**

SIGNED  
DATE

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad





Annexure "A"

بیان حلفی!

Annex "B"

منکہ مسماة سعیدہ بانوں دختر ملک زادہ ساکنہ نخل پڑھنے، تحصیل و ضلع مانسہرہ بحوالہ شناختی کارڈ نمبر 9-6185211-13503 اقراری ہوں کہ سن مقررہ بطور لیڈی وارڈن سب جیل بگرام میں تعینات ہوں اور مسکی حسن ولد محمد صادق ساکنہ پر نی ڈاکخانہ بھلوہ، پھلوہ، تحصیل و ضلع مانسہرہ بحوالہ شناختی کارڈ نمبر 7-9669662-13503 بھی جیل بگرام میں میرے ساتھ ملازمت کرتا رہا ہے جو میٹری درخواست پر قبل ازیں اپنی نوکری سے Dismissed ہو چکا ہے۔ مذکورہ حسن احسن طریقے سے اپنی نوکری کے فرائض سرانجام دیتا چلا آ رہا ہے میں نے حسن مذکور کے ساتھ رد برد جو کہ راضی نامہ کر دیا ہے اور اب میری بھی استدعا ہے کہ حسن کو دوبارہ سے نوکری پر بحال کیا جائے اور میں اپنی درخواست انکوائری پر مزید کارروائی نہیں کرنا چاہتی۔ لہذا میری انکوائری برخلاف حسن مذکور داخل دفتر فرمائی جائے۔ لہذا رد برد گواہان مذکورہ بیان حلفی تحریر و تکمیل کر کے حوالہ حسن مذکور کر دی ہے۔ اس میں کوئی امر مخفی یا متروک نہ ہے لہذا بیان حلفی بالا مفصل درست و سندا تحریر ہے۔

المرتوم 26-05-2021

مسماة سعیدہ بانوں دختر ملک زادہ ساکنہ نخل پڑھنے، تحصیل و ضلع مانسہرہ۔۔۔۔۔ مقررہ

شناختی کارڈ نمبر 9-6185211-13503

دستخط/نشان انگوٹھا  
Bano

گواہ شہ گواہ شہ

عظمت حیدر تنولی ولد حیدر زمان ساکنہ پڑھنے مانسہرہ  
نہار ارشد ولد محمد معروف ساکنہ پڑھنے ڈال مکانی مانسہرہ

13503-0628239-3

42101-9694136-9

M A + S head

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED  
DATE SAJID HUSSAIN TANGOLI  
Advocate High Court  
Abbottabad

10

Annex

Annex "S"

**Notice under registered A.D**

To,

1. INSPECTOR GENERAL OF PRISON KHYBER PAKHTUNKAWA PESHAWAR.
2. CHAIRMAN PROVINCIAL HARRASMENT COMMITTEE PRISON DEPARTMENT KHYBER PAKHTYNKAWA THROUGH SUPRINTENDENT CENTRAL PRISION PESHWAR.
3. SUPERINTENDENT CIRCLE HQS PRISON HARIPUR.
4. SUPERINTENDENT OF SUB JAIL BATTAGRAM.
5. SUPERINTENDENT SUB JAIL DASSU KOHISTAN.

**Subject:**

Intimation Notice Regarding the Service Appeal

**Titled:**

“Muhammad Hassan VS Inspector General of Prison Khyber PakhtunKhwa Peshawar & others”

Undersigned has filed a service appeal titled “Muhammad Hassan VS Inspector General of Prison Khyber PakhtunKhwa Peshawar & others” before the Khyber PakhtunKhwa services tribunal Peshawar against removal order of the petitioner dated 30/03/2021 , and you are here by served the instant notice under the requirement of law for information please.

Copy of the appeal is also annexed herewith for ready reference.

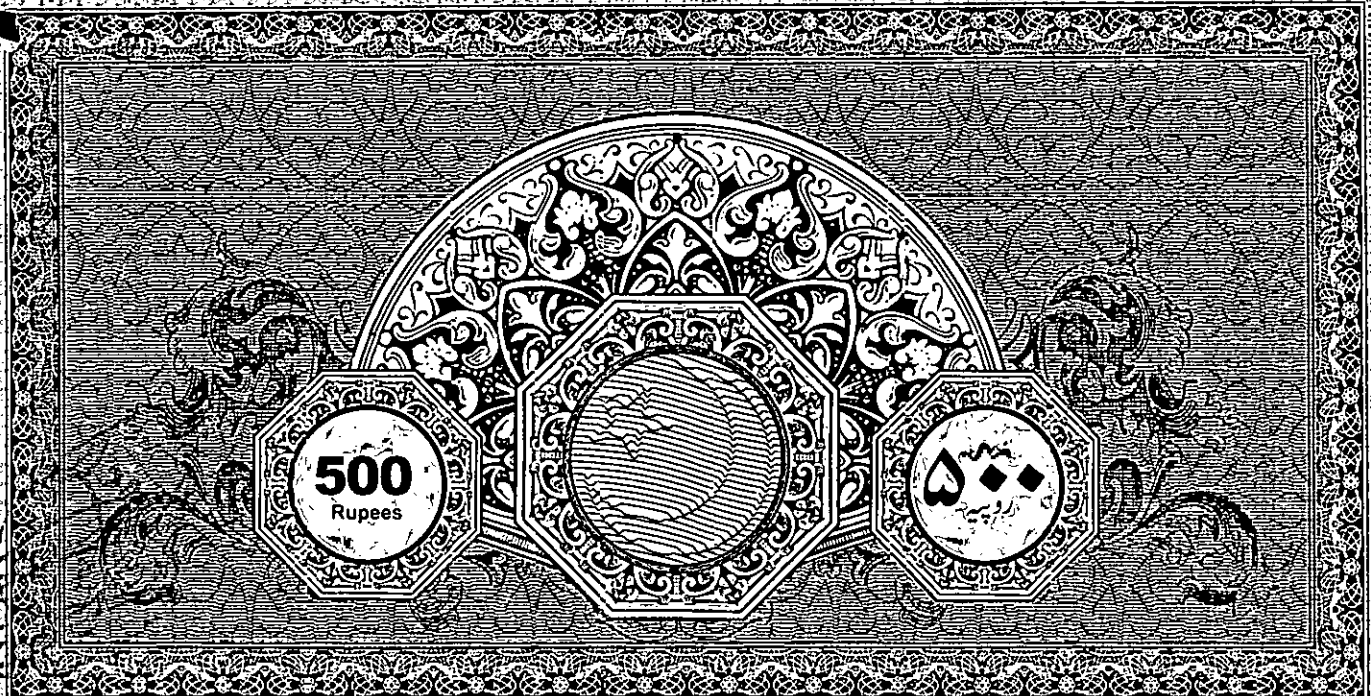
Dated: 22/03/2022

ATTESTED & ACCEPTED  
BY COUNSEL

SIGNED  
SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

SAJID HUSSAIN TANOLI  
Advocate High Court  
Abbottabad

(SAJID HUSSAIN/AAMIR)  
Advocate High Court  
Abbottabad



PAKISTAN COURT FEE

BEFORE KPK SERVICE TRIBUNAL

MUHAMMAD AHSAN VS [?]-KPK (etc)

SERVICE APPEAL