

بعدالت جناب خیبر پختونخواہ سروس ٹریبونل، کیمپ کورٹ ڈیرہ اسماعیل خان

درخواست دربارہ اجازت برائے داخل کیے جانے کنٹنس بوساطت
ریسپانڈنٹس بحوالہ سروس اپیل نمبر 7737/2021 عنوان ملک محمد عارف
(جو تیسرے کلرک پولیس) بنام چیف سیکرٹری صوبہ خیبر پختونخواہ پشاور وغیرہ

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3248

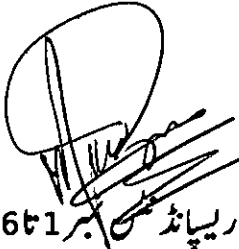
Dated 30-1-2023

جناب عالی!

نہایت مودبانہ التماس ہے کہ مذکورہ سروس اپیل میں مشترکہ کنٹنس بوساطت ریسپانڈنٹس نمبر 6 تا 1 مرتب
ہو کر بغرض دستخطی ریسپانڈنٹس نمبر 1 جناب چیف سیکرٹری اور سیکرٹری ہوم اینڈ ٹرانسپل ایفیزرز ڈیپارٹمنٹ پشاور کے
آفس میں پنڈنگ تھے۔

یہ کہ معزز عدالت نے اپنے حکم مورخہ 16.01.2023 میں ڈیفنس ٹوسٹرک آف کر دیا ہے جبکہ مذکورہ
کنٹنس دستخط ہو کر اب موصول ہو چکے ہیں۔

لذا بذریعہ درخواست استدعا ہے کہ متذکرہ آرڈر ڈیفنس ٹوسٹرک آف پہ نظر ثانی فرماتے ہوئے کنٹنس ہذا
داخل معزز عدالت کئے جانے کا حکم صادر فرمایا جاوے۔


ریسپانڈنٹس نمبر 6 تا 1

بذریعہ نمائندہ

Moreover, the service record of appellant reveal following bad entries on the account of Corruption and misappropriation/embezzlement of Govt: fund etc.

- i. **He was suspended vide order No. 15982-85/E-III, dated 08.09.2005.** While posted as accountant/pay officer in the office of DPO Tank involved in misappropriation/embezzlement of Govt fund and he absented himself from lawful duties. A Charge Sheet alongwith statement of allegation was served upon him under Removal from Service (Special Powers) ordinance 2000 and Mr. Ashraf Noor DIG/E&I was appointed as Enquiry Officer to conduct proper departmental enquiry. The Enquiry Officer after inquiry submitted report/finding wherein he held the accused officer responsible for misappropriation of Govt fund to the tune of Rs. 1,58,824 and recommended recovery of the said amount from the accused officials either is lump sum or instalment for onward deposit into Government Treasury. Which after recovery shall be deposited into the Government Treasury by the accused officer. He is re-instated in service and his period of suspension shall be counted as such vide order OB No. 828, dated 13.06.2008.
 - ii. **He was awarded minor punishment of warning vide No. 5044-49/E-V, dated 27.07.2016 by DIG HQrs DIKhan.** As reported by RPO DIKhan while he was posted as Senior Clerk in DPO Office DIKhan reported to be involved in illegal activates and having links with smugglers.
 - iii. He was awarded Major Punishment of Reduction in Rank vide Order No. 823/ES, dated 24.02.2020. While posted as Traffic Clerk, according to Token No. 32,33, 34 & 36 Illegally involved in scanning of various types of licenses data base computer by receiving bribe money from people. Infact as per directions of high ups said scanning practice is strictly prohibited but arrested red handed in this regard a proper case to this effect vide FIR No. 1267, dated 31.12.2019 u/s 161/162/167 PPC/118 Police Act 2017 PS/Cantt
4. Correct to the extent that after the registration of case, a charge sheet alongwith statement of allegation was served upon him and departmental enquiry was conducted by Superintendent of Police, Investigation DIKhan.
 5. Correct to the extent that the appellant submitted his reply in which he failed to prove his innocence, hence the order was passed by the respondent No. 5 is in accordance with law.
 6. Correct to the extent that the appellant was acquitted by the Court of Judicial Magistrate-I, DIKhan on 15.04.2021 u/s 249-A CrPC.
 7. Correct to the extent that the departmental appeal of appellant was rejected/filed by the competent authority vide order No. 1655-58/E-V, dated 10.06.2021, after observing all codal formalities but the appellant failed to advance any plausible explanation in rebuttal of the charges.
 8. That in view of above, the instant appeal is not maintainable on the following grounds.

REPLY ON GROUNDS

- a) Incorrect. The departmental proceedings conducted against the appellant are in accordance with law/rules.
- b) Aft the registration of case, charge sheet along with statement of allegation was served upon him and departmental enquiry was conducted by Superintendent of Police, Investigation DIKhan in accordance with law/rules.
Neither such violation of Apex Supreme Court Judgment nor violation of departmental notification No. 4740-4850, dated 29.08.2017, was made by the Respondents.
- c) Incorrect. That criminal and departmental proceedings may run parallel to each other. In departmental proceedings only reasonable grounds are sufficient to award punishment whereas in criminal case the charge is to be established beyond any shadow of doubt. Therefore, the order was passed in accordance with law & rules.
- d) Incorrect. As stated above.
- e) Incorrect. Departmental and criminal proceedings are independent from each other. Acquittal cannot bar the department from departmental action.
- f) Incorrect. During the course of departmental enquiry the allegation of Illegally involved in scanning of various types of licenses data base computer by receiving bribe money from people according to Token No. 32, 33, 34 & 36 was proved against the appellant. Moreover, an opportunity of personal hearing was given to the appellant but he failed to prove his innocence, hence the order of Respondent No. 1 passed in accordance with law/rules.
- g) The Respondents also seek permission to produce additional documents/grounds at the time of arguments.

PRAYER

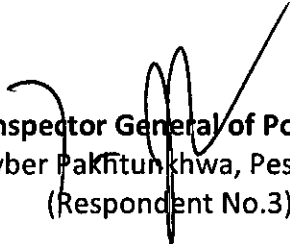
It is, therefore, humbly prayed that in the light of parawise comments, the Appeal of the Appellant which is devoid of legal footings and merits may graciously be dismissed.



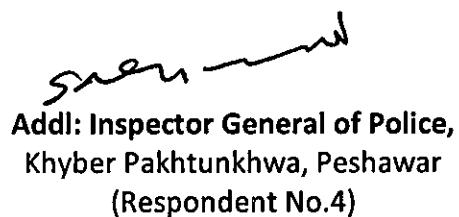
Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.1)



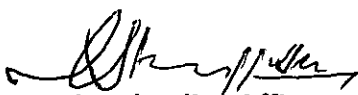
Secretary
Home & Tribal Affairs Department
Khyber Pakhtunkhwa, Peshawar
(Respondent No.2)



Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.3)



Addl: Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.4)



Regional Police Officer,
Dera Ismail Khan
(Respondent No.5)



District Police Officer,
Dera Ismail Khan
(Respondent No.6)

BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 7737 /2021
Malik Muhammad Arif s/o Ghulam Rasool,
(Junior Clerk DPO office Tank)

...(Appellant)

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
4. Additional Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
5. The Regional Police Officer, Dera Ismail Khan.
6. The District Police Officer, Dera Ismail Khan.(Respondents)

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS

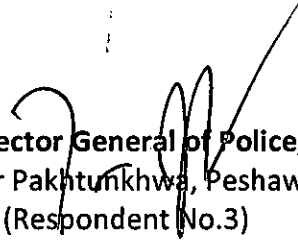
We, the respondents do hereby solemnly affirm and declare on oath that the contents of comments-written reply to Appeal are true & correct to the best of our knowledge and nothing has been concealed from this Honourable Tribunal.



Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.1)



Secretary
Home & Tribal Affairs Department
Khyber Pakhtunkhwa, Peshawar
(Respondent No.2)



Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.3)



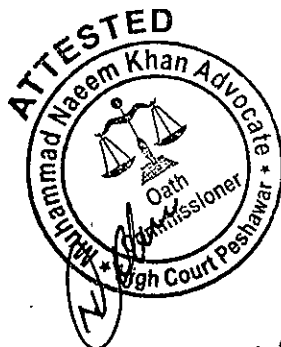
Addl: Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.4)



Regional Police Officer,
Dera Ismail Khan
(Respondent No.5)



District Police Officer,
Dera Ismail Khan
(Respondent No.6)



30 JAN 2023

BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 7737 /2021
Malik Muhammad Arif s/o Ghulam Rasool,
(Junior Clerk DPO office Tank)

...(Appellant)

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
4. Additional Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
5. The Regional Police Officer, Dera Ismail Khan.
6. The District Police Officer, Dera Ismail Khan.

...(Respondents)

A U T H O R I T Y

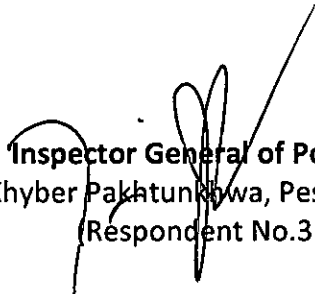
We, the respondents do hereby authorised Inspector/Legal, DIKhan to appear before the Service Tribunal Khyber Pakhtunkhwa, Peshawar, on our behalf, He is also authorised to produce/ withdraw any application or documents in the interest of Respondents and the Police Department.



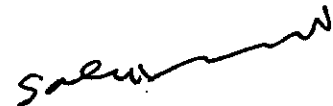
Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.1)




Secretary
Home & Tribal Affairs Department
Khyber Pakhtunkhwa, Peshawar
(Respondent No.2)



Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.3)



Addl: Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.4)



Regional Police Officer,
Dera Ismail Khan
(Respondent No.5)



District Police Officer,
Dera Ismail Khan
(Respondent No.6)

Better Copy

ابتدائی اطلاعی رپورٹ

B1/1A-A

ضلع DIK

تھانہ: Cantt

تاریخ و وقت، قوعہ مختلف اوقات دفتر: نم

نمبر 1267

۱۔ تاریخ و وقت رپورٹ 31/12/2019 وقت 16:00 بجے چاکیڈگی 31/12/2019 وقت 16:40 بجے۔

۲۔ نام و سکونت اطلاع دہندہ مستغیث: انسپکٹر محمد نواز خان SHO, Cantt

۳۔ مختصر کیفیت: (معدہ دفعہ) 118/161-162-167 پولیس ایکٹ 2017 PPC

۴۔ جائے وقوعہ: فاصلہ تھانہ سے اور سمت: کمپیوٹر لائسنس برانچ دفتر DPO ڈیرہ اسماعیل خان جانب مشرق بفاصلہ 1/2 کلومیٹر

۵۔ نام و سکونت مزم: (1) سینئر کلرک محمد عارف۔ (2) محمد سہیل۔ (3) سیف الرحمن جو نیئر کلرک۔

۶۔ کارروائی جو تفتیش کے متعلق کی گئی ہو۔: برسیدگی مراسلہ مقدمہ قائم ہوا۔

۷۔ تھانہ سے روانگی کی تاریخ و وقت: یہ سہیل ڈاک۔

ابتدائی اطلاع نیچے درج کرو

تحریری مراسلہ منجانب انسپکٹر محمد نواز خان SHO کینٹ بغرض قانچی مقدمہ بدست کانسٹیبل عابد 1625 موصول ہو کر ذیل ہے: خبر تھانہ کینٹ کمپیوٹر لائسنس برانچ دفتر DPO ڈیرہ اسماعیل خان کے سینئر کلرک محمد عارف۔ جو نیئر کلرک محمد سہیل۔ سیف الرحمن نے بجوالہ ٹوکن نمبر 32 نمبر 33 نمبر 34 نمبر 36 جس میں مختلف انواع اقسام کے لائسنس بذریعہ کمپیوٹر سکین کر کے مختلف لوگوں کو دیئے جو کہ بطور رشوت رقم وصول کر کے غیر قانونی کام شروع کئے ہوئے تھے کیونکہ بہ مطابق احکامات افسران بالا لائسنس سکین کرنے پر پابندی عائد ہے جو کہ متذکرہ بالا کلرک سٹاف جو رشوت لے کر حکم عدولی کے مرتکب پائے گئے کلرک محمد عارف کے قبضہ سے آئی فون موبائل نمبر (1) EMI353759101928224 (2) EMI35375910192822 (3) 353959101945970 (1) EMI357733103045964 (2) EMI868347022729368 (2) EMI868347022729376 (1) Oppo موبائل (1) EMI863691048383071 (2) EMI863691048383063 برآمد ہوئے متذکرہ کلرکس متذکرہ موبائلز سے متعلقہ اشخاص سے رابطہ کر کے غیر قانونی فعل سرانجام دیا کرتے تھے متذکرہ موبائلز بطور وجہ ثبوت بروئے فرد قبضہ پولیس ہو کر محمد عارف، محمد سہیل، سیف الرحمن کو ملوث جرائم بالا کا پانچ گرفتار کر کے مراسلہ بغرض قانچی مقدمہ بدست کانسٹیبل عابد 1625 ارسال تھانہ ہے مقدمہ درج رجسٹر کر کے نقل FIR بغرض تفتیش حوالے تفتیشی سٹاف کی جائے دستخط انگریزی مدعی بالا 31/12/2019 کارروائی تھانہ آمدہ مراسلہ درج بالا ہو پر چہ جرائم بالا چاک کر کے نقل FIR بغرض تفتیش حوالے INV سٹاف کی جاتی ہے پر چہ گزارش ہے۔

OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

0/19

No. _____/ES

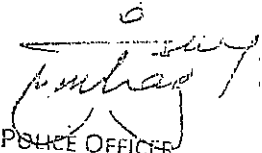
Dated _____ DI Khan the

26/01/2020

ORDER

As proposed by the District Police Officer, DI Khan, the following officials are hereby placed under suspension w.e. from 31.12.2019 and closed to RPO Office DI Khan with immediate effect:-

1. Senic. Clerk Muhammad Arif, Traffic Clerk DI Khan.
2. Junior Clerk Muhammad Sohail, Traffic Branch DI Khan.
3. Junior Clerk Saif ur Rehman, Traffic Branch DI Khan.

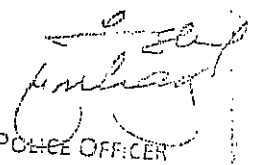


REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. _____/ES

Copy of above submitted for favor of information to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, DI Khan w.r. to his office Endst: No. 5710/EC dated 31.12.2019 with the directions to prepare charge sheet & statement of allegations and send to this office for further proceedings.



REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

Arif
Im

E/27



OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

No. 312 /ES, Date: DI-Khan the 20/01/2020

To: The Superintendent of Police,
Investigation unit DIKhan

Subject: DEPARTMENTAL ENQUIRY

Memo:

Charge Sheet & statement of allegations of the following Ministerial Staff duly served upon them, are enclosed herewith for conducting proper departmental enquiry within stipulated period and sent its findings to this office for further action.

1. Senior Clerk Muhammad Arif, the then Traffic Clerk DIKhan.
2. Junior Clerk Muhammad Saif ur Rehman, Traffic Branch DIKhan.
3. Junior Clerk Saif ur Rehman, Traffic Branch DIKhan.

FOR REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. 312 /ES

Copy to District Police Officer, DIKhan for information with reference to his office memo: No. 147/EC dated 13.01.2019.

FOR REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

DISCIPLINARY ACTION

I, REGIONAL POLICE OFFICER, Dera Ismail Khan, am of the opinion that Senior Clerk Muhammad Arif while posted in District Police Office DIKhan, has rendered himself liable to be proceeded against departmentally, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa, Govt: Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

1. In-spite of orders of the DPO DIKhan, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person. A Case vide FIR No.1267 dated 31.12.2019 u/s 167, 162, 118/161 Police-Act 2017, PS Canlt DIKhan, has also been registered against you.
2. All this speaks highly adverse on your part warranting stern disciplinary action against you.

2. For the purpose of enquiry against the said accused with the reference to the above allegation Mr. Amrullah Khan SP/Asst Dera Ismail Khan is appointed as Enquiry Officer to conduct proper departmental enquiry under the rule 10 (1) (a) of the ibid rules.

3. The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make within stipulated of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

4. The defaulter official and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

Attested
[Signature]

[Signature]
Regional Police Officer,
Dera Ismail Khan

27


DISCIPLINARY ACTION

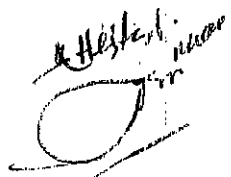
I, Capt © Wahid Mehmood, PSP, DISTRICT POLICE OFFICER, Dera Ismail Khan, am of the opinion that Senior Clerk Muhammad Arif while posted in District Police Office DIKhan, has rendered himself liable to be proceeded against departmentally, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa, Govt: Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

1. In-spite of orders of the undersigned, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person.
2. All this speaks highly adverse on your part warranting stern disciplinary action against you.
2. For the purpose of enquiry against the said accused with the reference to the above allegation Arif SP Dera Ismail Khan is appointed as Enquiry Officer to conduct proper departmental enquiry under the rule 10 (1) (a) of the ibid rules.
3. The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make, within 30-days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.
4. The defaulter official and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

NO: 10-11/EC/DP/DIK
dt: 02/07/2020.


(Capt: © Wahid Mehmood) PSP
District Police Officer,
Dera Ismail Khan



CHARGE SHEET

30

32

I, Capt @ Wahid Mehmood, PSP, DISTRICT POLICE OFFICER, Dera Ismail Khan as competent authority, under Notification No. 8511/E-V, dated: 28.12.2015, issued from the office of Worthy IGP/KPK, Peshawar under Rule 5(b) of Khyber Pakhtunkhwa, Peshawar, Efficiency & Disciplinary Rules, 2011, hereby charge you Senior Clerk Muhammad Arif of this office as follows:-

1. That you while posted as I/C Traffic Branch, inspite of orders of the undersigned, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person.
2. All this speaks highly adverse on your part warranting stern disciplinary action against you.

2. By reasons of the above, you appear to be guilty of misconduct under Rule-4 of Khyber Pakhtunkhwa, Govt. Servants Efficiency and Discipline Rules-2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.

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

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

5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.

(Capt. @ Wahid Mehmood) PSP
District Police Officer,
Dera Ismail Khan

Attested.
F. M. Khan

ضابطہ عالی۔ عوامی چارج شیٹ نمبر 1000/2019 کو منظور کیا گیا ہے۔

نمبر 31/85 درجہ 20/2019 میں درج ہے کہ من سائل حکم نمبر RPO حوالہ

آرڈر نمبر 1517/2019 درجہ 28 کو منظور کیا گیا ہے۔

بندہ نے عوام الناس کو ڈراما ٹیبلٹ لائسنس بمطابق مردہ قوانین کے مطابق تیار

کرنے کے حوالہ کرتا رہا اور کبھی قسم کی کوئی شکایت کرنے کا موقع ہی نہیں دیا

چونکہ بندہ پر الزام ہے کہ بندہ نے قانون شکنی کی ہے اس لیے اس سلسلہ میں

صرف یہ کہ من سائل نے ذیل اشخاص ① حمیر شان مبارک دلہن مبارک علی

② یاسر شہزاد ولد محمد بڑا ③ شہزاد سلیم ولد محمد سلیم ④ محمد عثمان ولد امان اللہ

کو حسب ہدایت ایڈیشنل ایس پی صاحب ڈیرہ آکال خاں نے بلا کر حکم دیا کہ عوامی

استعمال سے سیکورٹی ایجنٹوں کے اہلکاروں میں اس نے جلد از جلد لائسنس

تیار کر حوالہ کر دیا۔ جس پر بندہ نے قانونی تقاضا پورا کرتے ہوئے ان سے

مناب جانچ جمع کرانے کے لیے ڈراما ٹیبلٹ تیار کیے جو ایڈیشنل ایس پی صاحب

نے خود منظور کیے۔ درجہ 12/19 کو منظور ہو کر جاری کیے جو کہ جلد

کا درجہ ایڈیشنل ایس پی صاحب نے جہاں انہیں کوئی دفعہ جاری

کئے گئے۔

بندہ نے اپنے اندر ان بلا کے حکم کی تعمیل کرتے ہوئے مندرجہ کام کیا جس

میں سائل کی کوئی ذاتی بددیشی یا بددیشی شامل نہیں ہے۔

جہاں تک کریشنل کمیشن کا تعلق ہے اس سلسلہ میں من سائل کی ضمانت مروجہ ہے

من سائل نے جلد امور اندر ان بلا کے احکامات کی رو سے من سائل پر مندرجہ

دفعہ من سائل پر مندرجہ ہے۔ لہذا اس پر یہ کہ چارج شیٹ کو ایڈیشنل

دفعہ فریاد کر سلطنت میں بحال کیے جانے کا حکم مندرجہ چارج شیٹ من سائل

ذاتی طور پر مقرر ہو کر جاری کرنے کی اجازت دی جائے۔ عین نوادر ہو سکتی

32
Answer - 32
Answer - 34

NO. 1512 /Inv:
Dated 31-01-2020
Fax No. 0966-9280081
Email Add: spinvdlk@gmail.com

**SUPERINTENDENT OF POLICE
INVESTIGATION DIKHAN**

To:- The Regional Police Officer,
Dera Ismail Khan.

Subject:- DEPARTMENTAL ENQUIRY.

Memo:-

Kindly refer to your good office Memo: No. 331/ES, dated 20.01.2020.

It is submitted that the enquiry against 03 Nos Clerks namely 1) Mohammad Arif Senior Clerk, 2) Mohammad Sohail Junior Clerk, and 3) Saif Ur Rahman Junior Clerk received vide your above quoted reference alongwith charge sheet against each of them.

SUMMARY OF ALLEGATIONS:-

All the three above mentioned clerks were served with charge sheet for their involvement in illegal gratification from general public in connection with scanning of images for their driving license, although direction in this regard was already given for not doing so by the DPO DIKhan.

PROCEEDINGS OF ENQUIRY:-

All the delinquent clerks were summoned in person there statements were recorded, later examined and cross examined by the undersigned. They were given opportunity to defend themselves for the allegation against them.

Statement of Senior clerk Malik Arif:-

I while posted as Traffic Clerk in DPO Office DIKhan by the orders of worthy RPO/DIKhan, always followed due course of rules & regulations and never indulged in any activity-causing irk. So far as the allegation of scanning of images is concerned, 04 persons namely Mohammad Shan Mubarak s/o Mubarik Ali, Babar Shahzad s/o Mohammad Bota, Shahzad Saleem s/o Mohammad Saleem & Mohammad Usman s/o Aman-Ullah were sent to me by the Additional SP DIKhan with the directions to help them out as they were persons of Law & Enforcement Agencies. After following all the due procedure I took prints of their learning page.

Attested
[Signature]

(7) 35
33

al sent them to CDL branch where they were given tokens, I only complied by the orders of
highups. (Additional SP DIKhan) in this case.

Statement of Junior clerk Mohammad Solail:-

I while posted as computer operator in Traffic Branch DPO Office DIKhan,
where I make entries into the computer, after the complete file being sent to me by the traffic
clerk and subsequently issue driving licenses, the allegation against me could be result of
misunderstanding and I request to file the instant enquiry.

Statement of Junior Clerk Saif Ur Rahman:-

I while posted as computer operator in Traffic Branch DPO Office DIKhan,
where I make entries into the computer, after the complete file being sent to me by the traffic
clerk and subsequently issue driving licenses, the allegation against me could be result of
misunderstanding and I request to file the instant enquiry.

OBSERVATIONS:-

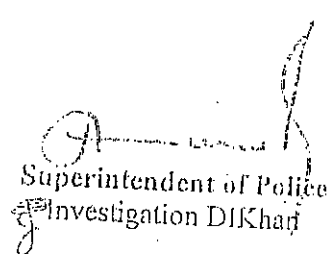
From the perusal of available record and statements of the delinquent clerks it is
evident that the allegations leveled against them are bear grounds i.e- they confessed for
scanning of pictures to make driving license of general public for which they have been
prohibited.

RECOMMENDATION:-

Since criminal proceedings have already been initiated against the delinquent
clerks and complete challan has been submitted in the court concerned, Which shows act of
delinquency and misappropriation on their part. They are therefore recommended for suitable
punishment.

CONCLUSION:-

Found guilty


Superintendent of Police
Investigation DIKhan

~~Number 11~~

OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

~~AMENDED III~~

No. 823 /ES, Dated DI Khan the

24/02/2020

4/34

4736

ORDER

This order shall dispose of the departmental proceeding conducted against Senior Clerk Muhammad Ari. of DPO Office DI Khan under the Khyber Pakhtunkhwa Civil Servant Efficiency & Discipline Rules, 2011.

Facts of the case are that he while posted as Traffic Clerk, DPO Office DI Khan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1267 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DI Khan. He was issued Charge Sheet and enquiry into the matter was conducted through Mr. Aman Ullah, SP Investigation DI Khan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of personal hearing in Orderly Room on 11.02.2020 but he failed to give any cogent explanation in this regard.

Therefore, in exercise of powers conferred upon me under the aforesaid rules, I, MUHAMMAD IMTIAZ SHAH, PSP/CPM, Regional Police Officer, DI Khan, being competent authority, award him major punishment of "reduction to a lower post of Junior Clerk".

He is hereby reinstated in service from the date of suspension.

ORDER ANNOUNCED

NO Period Mentioned

Muhammad Imtiaz Shah
(MUHAMMAD IMTIAZ SHAH)
PSP/CPM
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. 894-25 /ES

Copy of above is submitted for information & necessary action to:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar
2. DPO DI Khan with reference to his office memo: No. 5710/IC dated 31.12.2020.

Muhammad Imtiaz Shah
PSP/CPM
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
4-3-030

Muhammad Imtiaz Shah
(MUHAMMAD IMTIAZ SHAH)
PSP/CPM
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
CENTRAL POLICE OFFICE,
KHYBER PAKHTUNKHWA PESHAWAR

No. 1655-58 /E-V, dated Peshawar the 10/10/2021

K
4/6

ORDER

This order is hereby passed to dispose off the departmental appeal dated 20.03.2020 preferred by Junior Clerk Muhammad Arif of DPO Office Tank regarding major punishment of reduction to lower post of Junior Clerk awarded by Regional Police Officer, D.I Khan vide order No. 824-25/ES dated 24.02.2020, on the following grounds:-

"He while posted as Traffic Clerk, DPO office D.I.Khan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case FIR No. 1267 dated 13.12.2019 u/s 167/162/118/161-Police Act of 2017 of PS Cantt D.I Khan "

He was heard in person on 09.06.2021 but he failed to advance any plausible explanation in rebuttal of the charges, therefore, his appeal is rejected/filed by the Competent Authority.

Sd/-

(RAI BABAR SEED) PSP
Deputy Inspector General of Police, HQrs,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Ends: No. & date even.

Copy forwarded to the:-

- o Regional Police Officer, D.I Khan with reference to his office letter No. 1126/ES dated, 20.03.2020.
- o District Police Officer, Tank.
- o Registrar CPO Peshawar.
- o Office Superintendent Secret Branch CPO Peshawar.

(IREAN ULLAH) PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar



93

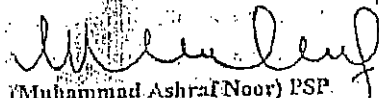
FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA
POLICE GAZETTE PART-II ORDERS BY THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA PESHAWAR

ADDENDUM

Dated: 29/3/2017.

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

DESIGNATION	ACTION IS TO BE TAKEN AGAINST THE MINISTERIAL STAFF
Addl: IGsP / DIsG, head of unit of Police	Office Supdts: (BPS-17), Stenographers (BPS-16) Assistant Grade Clerks (BPS-16), Steno Typist (BPS-14) and Senior Clerks (BPS-14)
SSsP/DY: Commandants	Junior Clerks (BPS-11) and Naib Qasid/Class-IV (BPS-1 to 4)


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

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

- All Addl: Inspectors General of Police of Khyber Pakhtunkhwa.
- All RPOs of Khyber Pakhtunkhwa.
- Capital City Police Officer, Peshawar.
- All DIsG of Khyber Pakhtunkhwa.
- Commandants, ERP and PTC, Hangu.
- All DPOs of Khyber Pakhtunkhwa.
- All AIsG of Khyber Pakhtunkhwa.
- Director I.T, Khyber Pakhtunkhwa Peshawar.
- Director FSL, Khyber Pakhtunkhwa Peshawar.
- Commandant CPC University Campus, Peshawar.
- Deputy Director Audit, CPO Peshawar.
- Registrar CPO Peshawar.
- Budget Officer, CPO Peshawar.
- All Office Supdts: of CPO Peshawar.

OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

44

No. 826/ES, Dated 24/02/2020 DI Khan the

46

ORDER

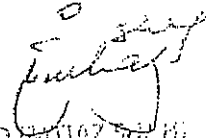
This order shall dispose of the departmental proceeding conducted against Junior Clerk Muhammad Schah of DPO Office DI Khan under the Khyber Pakhtunkhwa Civil Servants Efficiency & Discipline Rules 2011.

Facts of the case are that he while posted as Computer Operator at Traffic Section DPO Office DI Khan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1547 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DI Khan. He was issued Charge Sheet and enquiry into the matter was conducted through Mr. Asim Ullah, SP Investigation DI Khan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of being heard in Enquiry Room on 11.02.2020 but he failed to give any cogent explanation in defence.

Therefore, in exercise of powers conferred upon me under the said rules by Mr. MUHAMMAD IMTIAZ SHAR, PSP/QPM, Regional Police Officer, DI Khan, being competent authority, award him minor punishment of "Censure".

He is hereby reinstated in service from the date of suspension.

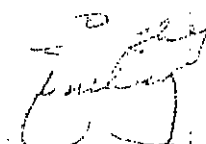
ORDER ANNOUNCED


(MUHAMMAD IMTIAZ SHAR)
PSP/QPM
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. 827-08 /AS

Copy of above is submitted for information & necessary action to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. DPO DI Khan with reference to his office memo No. 5719/EC dated 31.11.2020.


(MUHAMMAD IMTIAZ SHAR)
PSP/QPM
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

45
47

No. 829 /ES, Dated DI Khan the 24/02/2020

ORDER

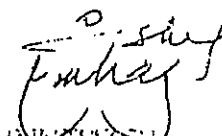
This order shall dispose of the departmental proceeding conducted against Junior Clerk Saif ur Rehman of DPO Office DIKhan under the Khyber Pakhtunkhwa Civil Servant Efficiency & Discipline Rules 2011.

Facts of the case are that he while posted as Computer Operator in Traffic Branch DPO Office DIKhan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1547 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DIKhan. He was issued Charge Sheet and enquiry into the matter was conducted through Lt. Anwar Bilal, SP Investigation DIKhan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of personal hearing in Orderly Room on 11.02.2020 but he failed to give any cogent explanation in this regard.

Therefore, in exercise of powers conferred upon me under the said rules I, MUHAMMAD IMTIAZ SHAH, PSP/QPM, Regional Police Officer, DIKhan, being competent authority, award him minor punishment of "Censure".

He is hereby reinstated in service from the date of suspension.

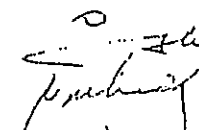
ORDER CONCERNED


(MUHAMMAD IMTIAZ SHAH,
PSP/QPM)
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. 830-31 /ES

Copy of above is submitted for information & necessary action to the

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. DPO DIKhan with reference to his office memo: No. 5710/EC dated 31.12.2020


(MUHAMMAD IMTIAZ SHAH,
PSP/QPM)
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN