

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

Service Appeal No. 5920/2021

Date of Institution ... 04.06.2021  
Date of Decision ... 21.12.2022

Ihsan Ullah, Constable No 149. Investigation Wing of Police, Charsadda.  
... (Appellant)

**VERSUS**

Government of Khyber Pakhtunkhwa through Secretary Home & Tribal  
Affairs KPK, Peshawar and four others.  
... (Respondents)

Dr. Fawad Jan,  
Advocate ... For appellant.

Asif Masood Ali Shah,  
Deputy District Attorney ... For respondents.

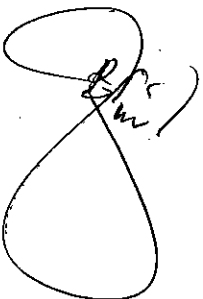
Mrs. Rozina Rehman ... Member (J)  
Miss Fareeha Paul ... Member (E)

**JUDGMENT**

**ROZINA REHMAN, MEMBER (J):** The appellant has invoked the  
jurisdiction of this Tribunal through above titled appeal with the prayer  
as copied below:

**“That on acceptance of this appeal the impugned order  
dated 06.05.2021 of respondent No. 4 and order dated  
26.10.2020 of respondent No. 5 may please be set aside and  
the appellant position may kindly be restored with all back  
benefits.”**

2. Brief facts of the case are that appellant was serving as  
constable in the Investigation Wing of PS Serdheri, District Charsadda.



That the appellant appeared in the departmental exam (B-1) on 20.09.2020 at Salateen Wedding Hall, Charsadda and soon after closing time he handed over his answer sheet to the invigilator. He then took his ailing wife to hospital, where he received call from DSP for his alleged involvement in unfair means in the (B-1) exam. A charge sheet was issued and inquiry was conducted. Final show cause notice was issued to the appellant and major punishment of reduction in pay by one stage was awarded vide order dated 26.10.2020. He filed departmental appeal, which was dismissed; hence the present service appeal.

3. We have heard Fawad Jan, Advocate learned counsel for the appellant and Asif Masood Ali Shah, learned Deputy District Attorney for respondents and have gone through the record and the proceedings of the case in minute particulars.

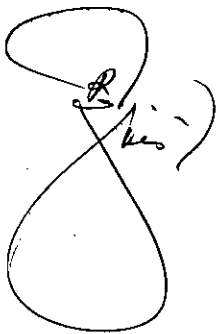
4. Fawad Jan Advocate, learned counsel for the appellant submitted that impugned orders were against law, facts and material on record, hence liable to be set aside as no opportunity of personal hearing was ever afforded to the appellant, that the impugned orders were passed on slipshod manner which were liable to be set aside. He further contended that the impugned orders were based on political influence and malafide intention, therefore, illegal and without jurisdiction. He therefore, requested for acceptance of present service appeal.

5. Conversely, learned AAG submitted that video was noticed by the high ups wherein it was found that police official identified as LHC Abid of elite platoon who was deputed for security duty at the main



gate of examination centre was solving a paper of B-1 examination. To probe into the matter, a preliminary inquiry was conducted and during the course of inquiry LHC Abid was called and his statement was recorded who stated that the appellant had given his number and requested to solve the paper for him, so he (Abid) went to the washroom and started solving the paper. Some part of the paper was solved by LHC Irshad. The inquiry officer, therefore, recommended proper departmental inquiry. Paper of the appellant was also canceled by the ETEA authorities. Departmental inquiry against the appellant was also conducted wherein allegations were proved and he was awarded major penalty of reduction in pay by two stages according to law.

6. From the record it is evident that a preliminary inquiry was conducted by DSP Headquarter, Charsadda wherein he held responsible the appellant for the said act. Inquiry report is available in the file (annexed with the comments) wherein the inquiry officer categorically submitted that the inquiry was verbally marked to dig out the real facts which means that it was a fact finding inquiry and as per his recommendations the matter needed proper departmental inquiry as other officials were also involved and that if approved proper inquiries against LHC Abid, LHC Irshad and FC Ihsan Ullah may be ordered to identify the other unknown officials. For the purpose of scrutinizing the conduct of the appellant one Muhammad Riaz DSP Sardheri was deputed to conduct proper inquiry. His inquiry report is available on file and subject of the inquiry was fact finding inquiry against constable




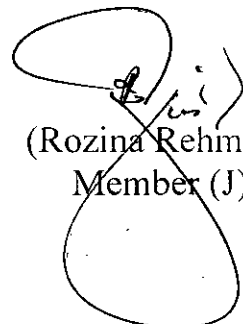
Ihsan Ullah. It means that no proper regular inquiry was conducted against the appellant, LHC Abid and LHC Irshad. Statements of Abid and Irshad were not properly recorded in presence of the appellant which means that department was not given any opportunity of cross examination. It has been held by the august Supreme Court of Pakistan that it was obligatory for the inquiry officer in regular inquiry to allow even handed and fair opportunity to the accused to place his defence and if any witness was examined against him then a fair opportunity should also be afforded to cross examine the witness. Whereas a discrete or fact finding inquiry was conducted at initial stage but internally to find out whether in the facts and circumstances reported, a proper case of misconduct was made out to initiate disciplinary proceedings. Reliance is placed on 2022 SCMR 745. No departmental proceedings were initiated against LHC Abid and LHC Irshad, so appellant was discriminated and major punishment was awarded to the appellant only.

7. In the wake of above discussion, this appeal is allowed as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

21.12.2022

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)


**ORDER**  
21.12.2021


Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present. Arguments heard. Record perused.

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

**ANNOUNCED.**  
21.12.2021

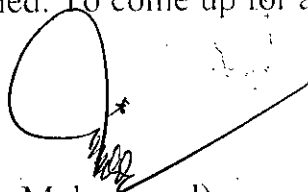
  
(Nireeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

01.11.2022

Learned counsel for the appellant present. Mr. Shah Jehan, ASI (Legal) alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 21.12.2022 before the D.B.



(Mian Muhammad)  
Member (E)

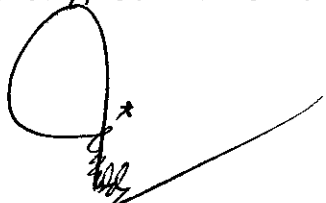


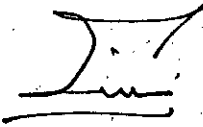
(Salah-Ud-Din)  
Member (J)

14.04.2022

Appellant in person present. Mr. Shah Jehan, ASI (Legal) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Written reply on behalf of respondents No. 2 to 5 submitted, which is placed on file and copy of the same is handed over to the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 21.06.2022 before the D.B.


  
(Mian Muhammad)  
Member (E)

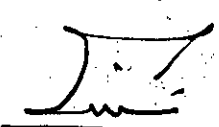
  
(Salah-ud-Din)  
Member (J)

21.06.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought time for submission of rejoinder. Last opportunity given. To come up for rejoinder as well as arguments on 12.09.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)


  
(Salah-ud-Din)  
Member (J)


12.09.2022

Counsel for the appellant present.

Muhammad Adeel Butt, Additional Advocate General for respondents present.

Former submitted rejoinder which is placed on file and made a request for adjournment. Adjourned. To come up for arguments on 01.11.2022 before D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

03.08.2021

Counsel for the appellant submitted an application for placing on file additional documents. The same are placed on file. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for hearing subject to all legal objections including that of limitation to be determined during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 27.12.2021 before the D.B.

Rs-700/-  
Appellant Deposited  
Security & Process Fee

A. Singh  
03/04/22

  
Chairman

27-12-2021

Due to ~~winter vacation~~ ~~the case~~  
the case is adjourned to come  
up for the same as before on 14-04-2022

  
Reader

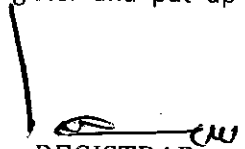



Form- A

# FORM OF ORDER SHEET

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

Case No.- 5920 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/06/2021	<p>The appeal of Mr. Ihsanullah resubmitted today by Dr. Fawad Jan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>03/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Ihsanullah constable no. 149 Investigation Wing of Police Charsadda received today i.e. on 04.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Law/Act mentioned in the heading of the appeal is wrong.
- 2- Memorandum of appeal may be got signed by the appellant.
- 3- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.

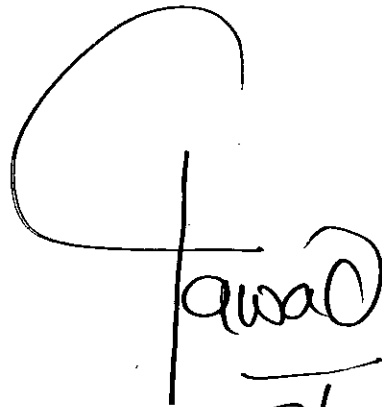
No. 942 /S.T,

Dt. 04/06 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Dr. Fawad Jan Adv. Pesh.

objection Remove and  
Ready for Re Submitting.

  
Fawad  
09/06/2021

**BEFORE K.P.K, SERVICE TRIABUNAL, K.P.K,  
PESHAWAR**

Appeal No. /2021

Ihsan Ullah .....Appellant

**Versus**

Govt of KPK &

Others.....Respondents

**INDEX**

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7	Impugn order dated 06.05.2021	F	14
8	Wakalathnama		

Appellant

Through

**Dr. Fawad Jan**

Advocates, Peshawar.

**Dated: 04.06.2021**

13

**BEFORE K.P.K, SERVICE TRIABUNAL, K.P.K,  
PESHAWAR**

5920  
Appeal No. /2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 5881

Dated 04-06-2021

Mr. Ihsan Ullah, Constable No.149, Investigation Wing of  
Police, Charsadda

.....Appellant

Versus

1. Government of KPK, through, Secretary Home & Tribal Affairs KPK, Peshawar.
2. Inspector General of Police, KPK, Peshawar.
3. Additional Inspector General of Police Investigation, KPK, Peshawar.
4. Regional Police Officer, Mardan.
5. District Police Officer, Charsadda

.....Respondents

APPEAL U/S-4 OF THE KHYBER  
PAKHTOONKHWA TRIBUNAL ACT 1974  
AGAINST THE IMPUGNED ORDER DATED:  
06.05.2021 OF THE RESPONDENTS NO.4,  
WHEREBY THE APPELLANT'S  
DEPARTMENTAL APPEAL WAS DISMISSED  
AND THE IMPUGNED ORDER  
DATED:26.10.2020 OF THE RESPONDENT  
NO.5 WAS MAINTAINED WHEREBY THE  
APPELLANT AWARDED THE MAJOR  
PUNISHMENT OF REDUCTION IN PAY BY  
TWO STAGES, WITHOUT ANY REASONABLE  
AND PROBABLE CAUSE, WHICH IS ILLEGAL,  
AGAINST LAW AND FACTS AND LIABLE TO  
BE REVERSED.

*[Handwritten signature]*  
Registrar

Re-submitted to -day and filed.

*[Handwritten signature]*  
Registrar  
9/6/2021

2

**Prayer in Appeal:**

ON ACCEPTANCE OF THIS APPEAL THE IMPUGNED ORDER DATED: 06.05.2021 OF THE RESPONDENTS NO.4, AND THE IMPUGNED ORDER DATED: 26.10.2020 OF THE RESPONDENT NO.5 MAY PLEASE BE SET-ASIDE AND THE APPELLANT POSITION MAY KINDLY BE RESTORED WITH ALL BACK BENEFITS.

Respectfully Sheweth..

**Facts:-**

Appellant most humbly submits as under:

1. That the Appellant is serving as Constable, in the Investigation Wing, Police Station Serdheri, District Charsadda.
2. That the Appellant performing his job as constable in the Investigation Wing, Charsadda, he is punctual / regular in his duties and no complaint against the appellant.
3. That the appellant appear in departmental Exam "B—1" on 20.09.2020 at Salateen Wedding Hall, Charsadda, and soon after closing time, the appellant handover the answer sheet to the invigilator and left the hall.
4. That after the examination paper, the appellant took his wife to hospital, the appellant received phone call from Deputy Superintendent of Police (DSP) that you are involved in an unfair means in your B—1 Exam.
5. That during the paper time, no incriminating materials was recovered from my personal possession, and a fabricated, concocted and self engineered case was made against the appellant that the appellant is involved in cheating.

6. That thereafter, a charge sheet was issued to the appellant on 24/09/2020 and fact findings inquiry order were issued by the District Police Officer on 08/10/2020 nominated DSP Serdheri for probing the matter. After completing the inquiry, an inquiry report was produced before the Respondent No. 4. **{Copy of Charge Sheet and Inquiry Order are Annexure "A" & "B"}**
7. That thereafter a Final show cause notice was issued to the Appellant on 12/10/2020 and reply of the same was submitted on 13/10/2020. **{Copy of Show Cause and Reply are Annexure "C" }**
8. That the respondent No.5, without informing and awarding personal hearing to appellant, without any plausible reasons awarded the major punishment of reduction in pay by two stages vide impugned Order No.1248-51/HC dated. 26.10.2021, which have no concern with the reality, and against law and the appellant was kept in dark that the proceedings is in process against all the official. **{Copy of impugned Order and salary slips are attached as annexure-D }**
9. That the appellant was not informed about the impugned order dated: 26.10.2020 and when the appellant got knowledge, the Appellant filed departmental on 04.03.2021 but the respondent No.4 without scrutinizing the matter passed the impugned Order dated 06.05.2021 and dismissed the departmental appeal. **{Copy of the departmental appeal /Appeal and order are attached as Annexure- E & F}.**
10. That feeling aggrieved from the impugned orders of respondent No. 4 & 5 preferring this service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

**GROUND:**

- A. That the impugned orders of Respondent No.4 and 5 dated 06.05.2021 and 26.10.2020 is against law, facts and material on record, hence liable to be set-aside.
- B. That the impugned orders of awarding major punishment to the Appellant have been passed on political influence. It is evident from the impugned order

4

which is violation of rules and legal provision and the authority did not used his mind independently but impugned orders have been passed on mala fide intention.

- C. That the impugned orders are issued without giving any opportunity of hearing to appellant and passed the impugned orders without fulfilling the regal requirements and passed the impugned orders in slipshod manner, such practice adversely effects efficiency of incumbents and also reduces their confidence and faith in public.
- D. That the Appellant per policy of civil servant should be given an opportunity of hearing and the same has not been done, which seems to be injustice with Appellant.
- E. That the appellant belongs to very poor family and according to civil servant laws and impugned orders without fulfilling the legal requirements is nullity in the eye of law and also against all norms of natural justice.
- F. That the impugned Orders dated. 06.05.2021 and 26.10.2021 is totally based on political influence and mala fide intentions are illegal, malafide, without jurisdiction and without lawful authority, therefore, are liable to be set-aside.
- G. That the order of the Respondent No.4 & 5 suffers from legal and factual infirmities and mis-application of law as laid down by the August Supreme Court of Pakistan in subject.

**IT IS, THEREFORE, RESPECTIVELY PRAYED  
THAT ON ACCEPTANCE OF THIS APPEAL  
THE IMPUGNED ORDER DATED: 06.05.2021  
OF THE RESPONDENTS NO.4, AND THE**

IMPUGNED ORDER DATED:26.10.2020 OF  
THE RESPONDENT NO.5 MAY PLEASE BE  
SET-ASIDE AND THE APPELLANT POSITION  
MAY KINDLY BE RESTORED WITH ALL BACK  
BENEFITS.

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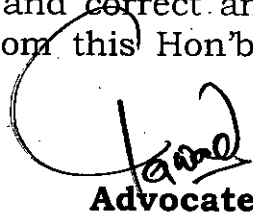
Appellant  
Through:

**Dr. Fawad Jan**  
Advocate, Peshawar

Dated: 04.06.2021

**VERIFICATION:**

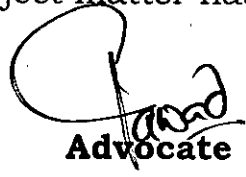
It is verified that (as per information given me by my client) all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.



Advocate

**Note:**

That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.



Advocate



Annex - "C"



Government of Khyber Pakhtunkhwa  
Office of the  
Sub-Divisional Police Officer Sardheri

Annex - (B)

474

No. 570 /S, dated Sardheri the 08/10/2020.

Subject: - FACT FINDINGS IN DEPARTMENTAL ENQUIRY AGAINST CONSTABLE IHSAN NO. 149 OF INVESTIGATION WING DISTRICT CHARSADDA

1. The subject inquiry was referred to this office vide endst No. 1063-64/HC dated 24.09.2020 for proceeding under the law with respect to the charges that FC Ihsan No. 149, while posted at Investigation Wing Charsadda, On 20.09.2020 it came to the notice of the high-ups that some police personals are involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry was also been conducted by DSP HQrs Charsadda, wherein he was held responsible for the said act.
2. The alleged official FC Ihsan No. 149 was summoned to this office and personally examined and was heard in detail, his statement was also recorded (annexed at F/A) stating therein that on 20.09.2020 he reached to Salateen Shadi Hall on time in connection with his B-1 Paper and the Examiner take his CNIC along with Service Card and told him to get it back after paper. He added that after paper he take his CNIC & Service Card from the Examiner and went to his house as his wife was not feeling well and he took her to DHQ Hospital Charsadda. He further stated that he get various calls on his cell phone but due to emergency he could not attend. He added that after some time he attend the call and he was asked about his location on which he replied that he is in DHQ Hospital Charsadda and then replied the same to every caller. After that DSP HQrs Charsadda personally visit DHQ Hospital Charsadda and asked him about his name and that he cheated in B-1 Paper which was recorded in a video clip. He shown complete unawareness from the matter and also requested for filing the charge sheet.
3. The official was also cross examined (Annexed at F/B). A secret probe into the matter was also conducted and was thoroughly examined.
4. After conducting proper enquiry into the matter, perusal of preliminary enquiry and sources available the undersigned reached to the conclusion that FC Ihsan No. 149 had given his paper to LHC Abid & LHC Irshad to solve it. Which is highly objectionable. Although the paper of Constable Ihsan was cancelled by ETEA authorities but the official shown extreme negligence towards discipline of the force. Hence the official is recommended for appropriate Punishment under the KP Police Rules 1975 (amended 2014).

*[Signature]*  
Sub-Divisional Police Officer,  
Sardheri

HC  
Issue Final Show  
Cause notice.

*[Signature]*  
u DPO chd II  
09-10-2020.

*[Signature]*  
awed  
AUG 10 2020



OFFICE OF THE  
DISTRICT POLICE OFFICER, CHARSADDA  
PHONE# 091-9220400 FAX#091-6514661  
EMAIL: [charsaddadpo@yahoo.com](mailto:charsaddadpo@yahoo.com)

DISCIPLINARY ACTION UNDER KPK POLICE RULES -1975

I, **Muhammad Shoaib Khan**, District Police Officer Charsadda, as competent authority am of the opinion that Constable Ihsan No. 149, has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of section - 02 (iii) of KPK Police Rules-1975.

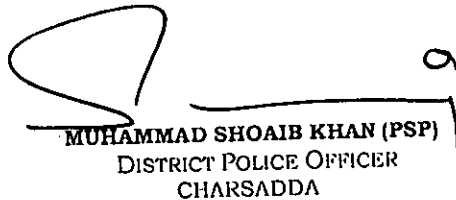
STATEMENT OF ALLEGATIONS

That he Constable Ihsan No. 149, while posted at Investigation Wing Charsadda, on 20.09.2020 it came to the notice of undersigned that some police personals are involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry has also been conducted by DSP HQrs Charsadda wherein he held responsible for the said act.

His act is highly objectionable and also stigmatized the force name.

This amounts to grave misconduct on his part, warranting Departmental action against him.

For the purpose scrutinizing the conduct of the said official Mr. Muhammad Riaz Khan DSP Sardheri, is hereby deputed to conduct proper departmental enquiry against the aforesaid official, as contained in section - 6 (I) (a) of the afore mentioned rules. The enquiry officer after completing all proceedings shall submit his verdict to this office within (10) days. Constable Ihsan No. 149, is directed to appear before the enquiry officer on the date, time and place fixed by the later (enquiry officer) a statement of charge sheet is attached herewith.

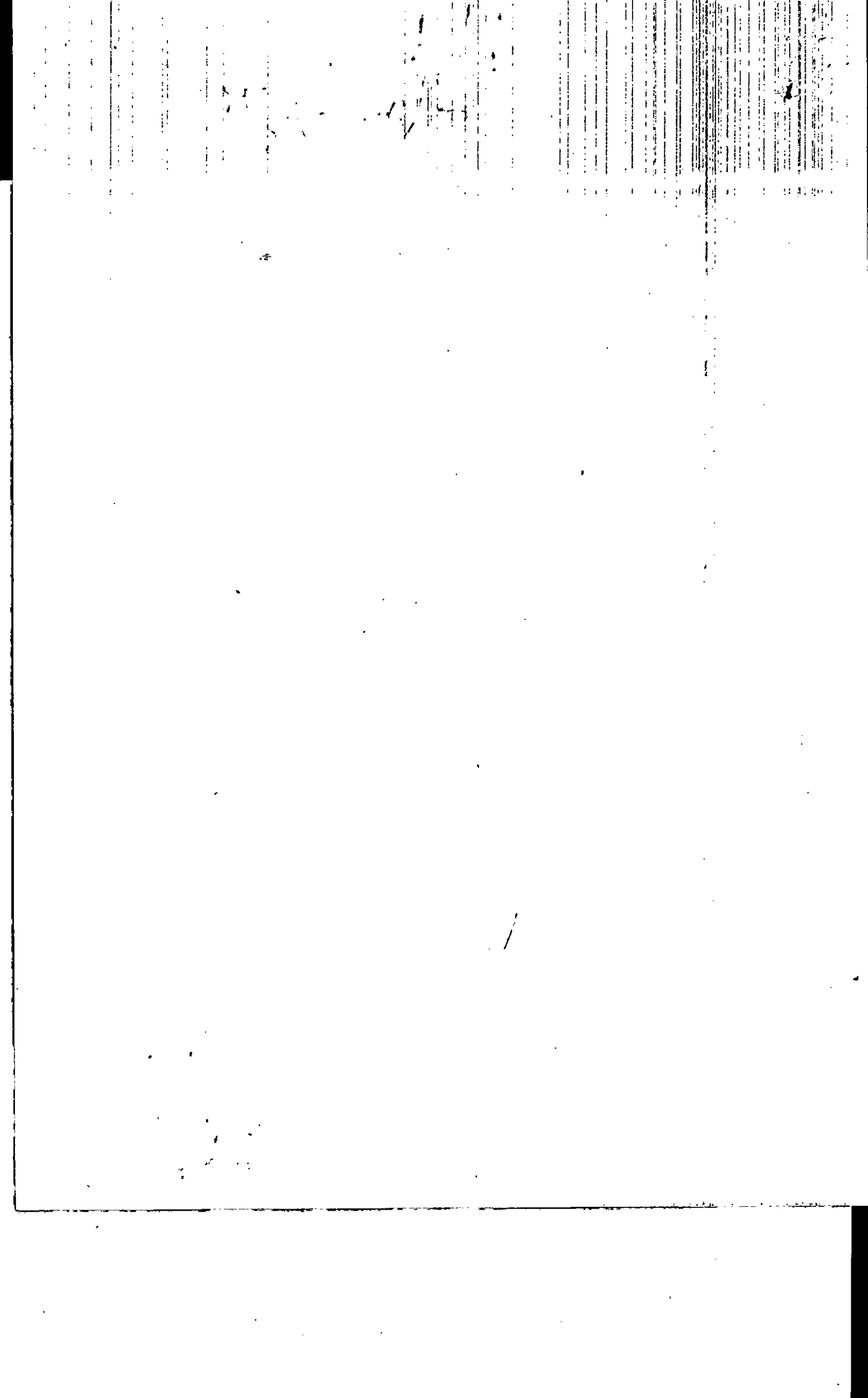
  
MUHAMMAD SHOAB KHAN (PSP)  
DISTRICT POLICE OFFICER  
CHARSADDA

No 1063-64/HC, dated Charsadda the 24/09/2020

CC:

1. Mr. Muhammad Riaz Khan DSP Sardheri (Enquiry Officer)
2. Constable Ihsan No. 149

  
Attested



Annex - (D)

(70)

3

**ORDER**

This order will dispose of the departmental enquiry against Constable Ihsan No. 149, while posted at Investigation Wing Charsadda, on 20.09.2020 it came to the notice of undersigned that some police officials were involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry was also conducted by DSP HQrs Charsadda wherein he held responsible him for the said act.

On the above allegation he was issued Charge Sheet together with statement of allegations under Sub Section 3, Section 5 of Police Rules 1975. The Enquiry Officer Muhammad Riaz Khan DSP Sardheri was nominated for probing into the matter by conducting departmental enquiry against him and he after fulfillment of codal formalities has submitted his findings.

Subsequently, Constable Ihsan No.149, was issued Final Show Cause Notice U/S 5(3) Police Rules 1975 reply to which was received.

After perusal of the enquiry papers and recommendation of the enquiry officer, the delinquent official Constable Ihsan No.149 is hereby awarded the major punishment of reduction in pay by two stages with immediate effect.

S  
O  
MUHAMMAD SHOAIB KHAN (PSP)  
DISTRICT POLICE OFFICER  
CHARSADDA

O.B No. 879

Date 23/10/2020

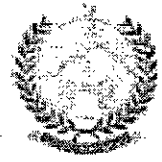
No. 1248-51/HC, dated Charsadda the 26-10 /2020

CC.

Suprintendent of Police Investigation, Charsadda.  
Pay Officer,  
EC/FMC,  
OASI.

Attested

**Government of Khyber Pakhtunkhwa**  
**District Accounts Office Charsadda**  
**Monthly Salary Statement (October-2020)**



**Personal Information of Mr IHSAN ULLAH d/w/s of ALAM JAN**

Personnel Number: 00395533 CNIC: 1710155910623  
 Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008

NTN:  
 Length of Service: 12 Years 09 Months 002 Days

**Employment Category: Active Permanent**

Designation: CONSTABLE 80000985-GOVERNMENT OF KHYBER PAKH  
 DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADEA (PROPER)  
 Payroll Section: 001 GPF Section: 001 Cash Center:  
 GPF A/C No: Interest Applied: Yes **GPF Balance: 54,907.00**  
 Vendor Number:

**Pay and Allowances:** Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 07 Pay Stage: 10

Wage type		Amount	Wage type		Amount
0001	Basic Pay	17,090.00	1000	House Rcnt Allowance	1,589.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1547	Ration Allowance	681.00	1567	Washing Allowance	150.00
1646	Constabulary R Allowance	300.00	1901	Risk Allowance (Police)	3,530.00
1902	Special Incentive Allownce	775.00	2148	15% Adhoc Relief All-2013	361.00
2168	Fixed Daily Allowance	2,730.00	2199	Adhoc Relief Allow @10%	243.00
2211	Adhoc Relief All 2016 10%	1,237.00	2224	Adhoc Relief All 2017 10%	1,709.00
2247	Adhoc Relief All 2018 10%	1,709.00	2264	Adhoc Relief All 2019 10%	1,709.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,010.00	3530	Police wcl:Fud BS-1 to 18	-342.00
4004	R. Benefits & Death Comp:	-450.00			0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	95,000.00

**Deductions - Income Tax**

Payable: 0.00 Recovered till OCT-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

**Gross Pay (Rs.): 37,245.00 Deductions: (Rs.): -6,802.00 Net Pay: (Rs.): 30,443.00**

Payee Name: IHSAN ULLAH  
 Account Number: 7900570403  
 Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADEA, TEHSIL BAZAR, CHARSADEA, CHARSADEA

**Leaves:** Opening Balance: Aailed: Earned: Balance:

**Permanent Address:**

City: CHD Domicile: - Housing Status: No Official  
 Temp. Address: City: Email: ihsanullah0311monmaid@gmail.com

*Hand*  
**Attested**

**Government of Khyber Pakhtunkhwa**  
**District Accounts Office Charsadda**  
**Monthly Salary Statement (November-2020)**



**Personal Information of Mr IHSAN ULLAH d/w/s of ALAM JAN**

Personnel Number: 00395533 CNIC: 1710155910623 NTN:  
 Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008 Length of Service: 12 Years 10 Months 002 Days

**Employment Category: Active Permanent**

Designation: CONSTABLE 80000985-GOVERNMENT OF KHYBER PAKH  
 DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADEA (PROPER)  
 Payroll Section: 001 GPF Section: 001 Cash Center:  
 GPF A/C No: Interest Applied: Yes **GPF Balance: 60,917.00**  
 Vendor Number: -  
**Pay and Allowances:** Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 07 Pay Stage: 8

Wage type		Amount	Wage type		Amount
0001	Basic Pay	15,870.00	1000	House Rent Allowance	1,589.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1547	Ration Allowance	681.00	1567	Washing Allowance	150.00
1646	Constabulary R Allowance	300.00	1901	Risk Allowance (Police)	3,530.00
1902	Special Incentive Allowance	775.00	2148	15% Adhoc Relief All-2013	361.00
2168	Fixed Daily Allowance	2,730.00	2199	Adhoc Relief Allow @10%	243.00
2211	Adhoc Relief All 2016 10%	1,237.00	2224	Adhoc Relief All 2017 10%	1,587.00
2247	Adhoc Relief All 2018 10%	1,587.00	2264	Adhoc Relief All 2019 10%	1,587.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,010.00	3530	Police wel:Fud BS-1 to 18	-317.00
4004	R. Benefits & Death Comp:	-450.00			0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	90,000.00

**Deductions - Income Tax**

Payable: 0.00 Recovered till NOV-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

**Gross Pay (Rs.): 35,659.00 Deductions: (Rs.): -6,777.00 Net Pay: (Rs.): 28,882.00**

Payee Name: IHSAN ULLAH  
 Account Number: 7900570403  
 Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADEA, TEHSIL BAZAR, CHARSADEA., CHARSADEA

**Leaves: Opening Balance: Aailed: Earned: Balance:**

**Permanent Address:**

City: CHD

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: ihsanullah0311nomand@gmail.com

*Handwritten signature*  
**Attested**

ضمانتیں

محکمہ جمعہ انٹر نیٹ کی طرف سے 1248-51/144 جی. سی. جی. صوبہ گلگت DP  
26-10-2020

495  
5/3/21

بہتر معروضات کے تحت۔ ہم مذکورہ بالا آرٹیکل میں مندرجہ

انٹرنیٹ سائبر کیپسٹریٹی کی کمیوں کی طرف سے۔ جو ہم مذکورہ

میں مندرجہ آئیے ہیں۔ جو ہم مذکورہ آئیے ہیں۔ جو ہم مذکورہ

آئیے ہیں۔ جو ہم مذکورہ آئیے ہیں۔ جو ہم مذکورہ

کوئی چیز موجود نہیں ہے۔ ہم مذکورہ آئیے ہیں۔ جو ہم مذکورہ

طرح سے مزید شکورز

13  
1121  
09/03/21

Amex  
E

نوٹ: لکھنؤ اور دیگر مقامات  
تفصیل

3  
4  
2021

الکھنؤ

اللہ باری! آمین  
الکھنؤ جو جمعہ انٹرنیٹ کی کمیوں  
تفصیل انٹرنیٹ کی کمیوں  
فونو، سرور

0300-3165324  
0311-3165324

No - 1296/ES.

DA - 5-3-21

E/C Level

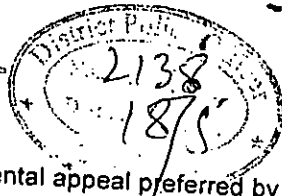
as directed.

EC/DPO, Charsadda  
For Comments.

Attested

RPOMMudan

04/3/21



*Handwritten signature and circled number 14.*

**ORDER.**

This order will dispose-off the departmental appeal preferred by Constable Ihsan No. 149 of Charsadda District Police against the order of District Police Officer, Charsadda, whereby he was awarded major punishment of reduction in pay by two stages vide OB No. 879 dated 23.10.2020. The appellant was proceeded against departmentally on the allegations that, he while posted at Investigation wing Charsadda, on 20.09.2020 it came to the notice of District Police Officer, Charsadda that some Police officials were involved in cheating/unfair means while solving B-I paper at Salateen Wedding Hall Charsadda. In this regard a preliminary enquiry was also conducted by the Deputy Superintendent of Police, Headquarters, Charsadda, wherein the appellant was held responsible for the said act.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Sub Divisional Police Officer (SDPO) Sardheri, Charsadda was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Charsadda, wherein he has recommended the delinquent Officer for appropriate punishment.

He was issued Final Show Cause Notice to which his reply was received and found unsatisfactory.

After perusal of the enquiry papers and recommendation of the enquiry Officer, the delinquent Officer was awarded major punishment of reduction in pay by two stages by the District Police Officer, Charsadda.

Feeling aggrieved from the order of District Police Officer, Charsadda, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 15.04.2021.

From the perusal of service record of the appellant, it has been found that the allegations leveled against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in such like activities has brought a bad name to the entire Police Force in the eyes of the general public. Moreover, the appellant approached this forum at a belated stage without advancing any cogent reason regarding such delay. Hence, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being time barred.

**Order Announced.**

*Handwritten signature*  
Regional Police Officer,  
Mardan.

*Handwritten signature 'Yaseen'*

No. 2357 /ES, Dated Mardan the 06-05-2021.

Copy forwarded to District Police Officer, Charsadda for information and necessary action w/r to his office Memo: No. 650/EC dated 12.03.2021. His Service Record is returned herewith.

*action*

*2nd 10/21*



قیمت  
50 روپے

84131



ڈاکٹر واجبان

ایڈویکٹ:

بار کونسل/ ایسوسی ایشن نمبر: 19-1109

رابطہ نمبر: 0314-9828818

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: خیبر پختونخواہ اسٹریٹس ٹریبونل سیٹار

دعویٰ:	ایپل
علت نمبر:	
مورخہ:	
جرم:	
تھانہ:	

منجانب: ایڈوانٹ

اسٹریٹس ٹریبونل

پشاور

باعت تحریر آنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام پشاور ڈاکٹر واجبان ایڈویکٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کر کے وکیل رٹائلٹ و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری ٹیکسٹرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل اگرانی و نظر ثانی و پیروی کر جانے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا محکمہ قانون کو اپنے ہمراہ مال کے ساتھ لے جانے کے اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سائنچہ پر دستخط منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جاندا اتوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے

04/06/2021

FOR PESHAWAR BAR ASSOCIATION

پشاور بار ایسوسی ایشن

مقام پشاور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

Accepted  
Fawad

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

C.M. No. \_\_\_\_\_ P/2021

IN

Appeal No. 5929/2021

In Re: Ihsan Ullah -----VERSUS----- Govt: of Kpk and Others

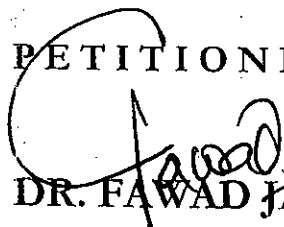
**INDEX OF DOCUMENTS**

S. No.	Description of documents.	Annexure	Pages.
1.	Application for additional Documents.	-	1
2.	Affidavit	-	2
3.	Copies of documents	-	<u>3-6</u>
4.	Wakalatnama available on file		

Through

Dated: 03/02/2021

PETITIONER

  
DR. FAWAD JAN

Advocate Peshawar.

Cell: 0314-9828818

1

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

C.M. No. \_\_\_\_\_ P/2021

IN

Appeal No. *Sq20/2021*

In Re: Ihsan Ullah ---VERSUS----- Govt: of Kpk and Others

**APPLICATION FOR PLACING ON FILE  
/RECORD ADDITIONAL DOCUMENTS.**

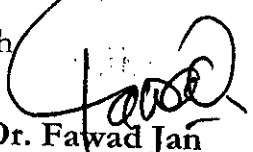
Respectfully Sheweth:

- 1) That, the above noted case is pending adjudication before this Honourable Court and is fixed for hearing on 02/08/2021.
- 2) That, the attached documents are necessary for just decision of the case, therefore the same be placed on record/file and consider as part and parcel of the Appeal.

It is, therefore, humbly requested that on acceptance of this application, the documents annexed with this petition may kindly be brought on record and consider as part and parcel of the main appeal in the best interest of law and justice.

Petitioner

Through

  
Dr. Fawad Jan  
Advocate, Peshawar

2

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

C.M. No. \_\_\_\_\_ P/2021

IN

Appeal No. /2021

In Re: Ihsan Ullah ----VERSUS----- Govt: of Kpk and Others

**AFFIDAVIT**

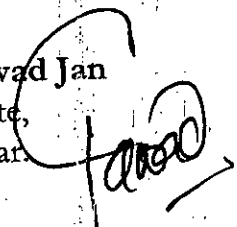
I, Ihsan Ullah S/o Alam Jan R/o Takia Mufti abad Tehsil and District Charsadda (Applicant/petitioner), Being Applicant/Petitioner and otherwise acquainted with facts, do hereby solemnly affirm and verify on oath that the contents of accompanied application are true and correct to the best of my knowledge, information and belief. Anything stated in the accompanied application neither is false nor is any information withheld from this Honorable Court.

DEPONENT

CNIC # 17101-5591062-3

Identified By:

Dr. Fawad Jan  
Advocate,  
Peshawar



03 AUG 2021

ATTESTED



3

**Government of Khyber Pakhtunkhwa**  
**District Accounts Office Charsadda**  
**Monthly Salary Statement (February-2021)**



**Personal Information of Mr IHSAN ULLAH d/v/s of ALAM JAN**

Personnel Number: 00395533 CNIC: 1710155910623 NTN:  
 Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008 Length of Service: 13 Years-01 Months-002 Days

**Employment Category: Active-Permanent**

Designation: CONSTABLE 80000985-GOVERNMENT OF KHYBER PAKH  
 DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADEA (PROPER)  
 Payroll Section: 001 GPF Section: 001 Cash Center:  
 GPF A/C No: Interest Applied: Yes GPF Balance: 78,947.00  
 Vendor Number:

**Pay and Allowances:** Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 07 Pay Stage: 9

Wage type	Amount	Wage type	Amount
0001 Basic Pay	16,480.00	1000 House Rent Allowance	1,589.00
1210 Convey Allowance 2005	1,932.00	1300 Medical Allowance	1,500.00
1547 Ration Allowance	681.00	1567 Washing Allowance	150.00
1646 Constabulary R Allowance	300.00	1901 Risk Allowance (Police)	3,530.00
1902 Special Incentive Allowance	775.00	2148 15% Adhoc Relief All-2013	361.00
2168 Fixed Daily Allowance	2,730.00	2199 Adhoc Relief Allow @10%	243.00
2211 Adhoc Relief All 2016 10%	1,237.00	2224 Adhoc Relief All 2017 10%	1,648.00
2247 Adhoc Relief All 2018 10%	1,648.00	2264 Adhoc Relief All 2019 10%	1,648.00

**Deductions - General**

Wage type	Amount	Wage type	Amount
3007 GPF Subscription	-1,010.00	3530 Police wcl: Fud BS-1 to 13	-330.00
4004 R. Benefits & Death Comp	-450.00		0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	75,000.00

**Deductions - Income Tax**

Payable: 0.00 Recovered till FEB-2021: 0.00 Exempted: 0.00 Recoverable: 0.00

**Gross Pay (Rs.): 36,452.00 Deductions: (Rs.): -6,790.00 Net Pay: (Rs.): 29,662.00**

Payee Name: IHSAN ULLAH  
 Account Number: 7900570403  
 Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADEA, TEHSIL BAZAR, CHARSADEA, CHARSADEA

Leaves: Opening Balance: Aailed: Earned: Balance:

**Permanent Address:**

City: CHD Domicil: Housing Status: No Official

**Temp. Address:**

City: Email: ihsanullah0311momand@gmail.com

Government of Khyber Pakhtunkhwa  
District Accounts Office Charsadda  
Monthly Salary Statement (January-2021)

4



Personal Information of: Mr IHSAN ULLAH d/w/s of ALAM JAN

Personnel Number: 00395533 CNIC: 1710155910623

Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008

NTN:

Length of Service: 13 Years 00 Months 002 Days

Employment Category: Active:Permanent

Designation: CONSTABLE

80000985-GOVERNMENT OF KHYBER PAKH

DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADDA (PROPER)

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

72,937.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil

BPS: 07

Pay Stage: 9

Wage type	Amount	Wage type	Amount
0001 Basic Pay	16,480.00	1000 House Rent Allowance	1,589.00
1210 Convey Allowance 2005	1,932.00	1300 Medical Allowance	1,500.00
1547 Ration Allowance	681.00	1567 Washing Allowance	150.00
1646 Constabulary R Allowance	300.00	1901 Risk Allowance (Police)	3,530.00
1902 Special Incentive Allowance	775.00	2148 15% Adhoc Relief All-2013	361.00
2168 Fixed Daily Allowance	2,730.00	2199 Adhoc Relief Allow @10%	243.00
2211 Adhoc Relief All 2016 10%	1,237.00	2224 Adhoc Relief All 2017 10%	1,648.00
2247 Adhoc Relief All 2018 10%	1,648.00	2264 Adhoc Relief All 2019 10%	1,648.00

Deductions - General

Wage type	Amount	Wage type	Amount
3007 GPF Subscription	-1,010.00	3530 Police wel:Fud BS-1 to 18	-330.00
4004 R. Benefits & Death Comp:	-450.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	80,000.00

Deductions - Income Tax

Payable: 0.00 Recovered till JAN-2021: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 36,452.00 Deductions: (Rs.): -6,790.00 Net Pay: (Rs.): 29,662.00

Payee Name: IHSAN ULLAH

Account Number: 7900570403

Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADDA, TEHSIL BAZAR, CHARSADDA, CHARSADDA

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: CHD

Domicile: -

Housing Status: No Official

Temp. Address:

City: Email: ihsanullah0311momand@gmail.com

System generated document in accordance with APPM 4.6.12.9(SERVICES/31.01.2021/21:33:02/v2.0)

\* All amounts are in Pak Rupees

\* Errors & omissions excepted

Government of Khyber Pakhtunkhwa  
District Accounts Office Charsadda  
Monthly Salary Statement (December-2020)

3



Personal Information of Mr IHSAN ULLAH d/w/s of ALAM JAN

Personnel Number: 00395533 CNIC: 1710155910623  
Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008

NTN:  
Length of Service: 12 Years 11 Months 002 Days

Employment Category: Active Permanent

Designation: CONSTABLE 80000985-GOVERNMENT OF KHYBER PAKH

DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADDA (PROPER)

Payroll Section: 001 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes GPF Balance: 66,927.00

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil - BPS: 07 Pay Stage: 9

Wage type	Amount	Wage type	Amount
0001 Basic Pay	16,480.00	1000 House Rent Allowance	1,589.00
1210 Convey Allowance 2005	1,932.00	1300 Medical Allowance	1,500.00
1547 Ration Allowance	681.00	1567 Washing Allowance	150.00
1646 Constabulary R Allowance	300.00	1901 Risk Allowance (Police)	3,530.00
1902 Special Incentive Allowance	775.00	2148 15% Adhoc Relief All-2013	361.00
2168 Fixed Daily Allowance	2,730.00	2199 Adhoc Relief Allow @10%	243.00
2211 Adhoc Relief All 2016 10%	1,237.00	2224 Adhoc Relief All 2017 10%	1,648.00
2247 Adhoc Relief All 2018 10%	1,648.00	2264 Adhoc Relief All 2019 10%	1,648.00

Deductions - General

Wage type	Amount	Wage type	Amount
3007 GPF Subscription	-1,010.00	3530 Police wel:Fud BS-1 to 18	-330.00
4004 R: Benefits & Death Comp	-450.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	85,000.00

Deductions - Income Tax

Payable: 0.00 Recovered till DEC-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 36,452.00 Deductions: (Rs.): -6,790.00 Net Pay: (Rs.): 29,662.00

Payee Name: IHSAN ULLAH

Account Number: 7900570403

Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADDA, TEHSIL BAZAR, CHARSADDA, CHARSADDA

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: CHD

Domicile: -

Housing Status: No Official

Temp. Address:

City: Email: ihsanullah0311momand@gmail.com

Government of Khyber Pakhtunkhwa  
District Accounts Office Charsadda  
Monthly Salary Statement (November-2020)

6



Personal Information of Mr IHSAN ULLAH d/w/s of ALAM JAN

Personnel Number: 00395533 CNIC: 1710155-110623

Date of Birth: 23.09.1987 Entry into Govt. Service: 31.01.2008

NTN:

Length of Service: 12 Years 10 Months 002 Days

Employment Category: Active Permanent

Designation: CONSTABLE

80000985-GOVERNMENT OF KHYBER PAKH

DDO Code: CA4016-SENIOR SUPERINTENDENT OF POLICE CHARSADEA (PROPER)

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

60,917.00

Vendor Number:

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 07

Pay Stage: 8

Pay and Allowances:

Wage type	Amount	Wage type	Amount
0001 Basic Pay	15,870.00	1000 House Rent Allowance	1,589.00
1210 Convey Allowance 2005	1,932.00	1300 Medical Allowance	1,500.00
1547 Ration Allowance	681.00	1567 Washing Allowance	150.00
1646 Constabulary R Allowance	300.00	1901 Risk Allowance (Police)	3,530.00
1902 Special Incentive Allowance	775.00	2148 15% Adhoc Relief All-2013	361.00
2168 Fixed Daily Allowance	2,730.00	2199 Adhoc Relief Allow @10%	243.00
2211 Adhoc Relief All 2016 10%	1,237.00	2224 Adhoc Relief All 2017 10%	1,587.00
2247 Adhoc Relief All 2018 10%	1,587.00	2264 Adhoc Relief All 2019 10%	1,587.00

Deductions - General

Wage type	Amount	Wage type	Amount
3007 GPF Subscription	-1,010.00	3530 Police wel: Fud BS-1 to 18	-317.00
4004 R. Benefits & Death Comp:	-450.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	100,000.00	-5,000.00	90,000.00

Deductions - Income Tax

Payable: 0.00 Recovered till NOV-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 35,659.00 Deductions: (Rs.): -6,777.00 Net Pay: (Rs.): 28,882.00

Payee Name: IHSAN ULLAH

Account Number: 7900570403

Bank Details: HABIB BANK LIMITED, 220217 TEHSIL BAZAR, CHARSADEA, TEHSIL BAZAR, CHARSADEA, CHARSADEA

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: CHD

Temp. Address:

City:

Domicile:

Housing Status: No Official

Email: ihsanullah0311momand@gmail.com

System generated document in accordance with APPM 4.6.12.9(SERVICES/30.11.2020/15-35-24/v2.0)

\* All amounts are in Pak Rupees

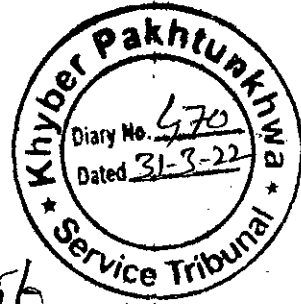
\* Errors & omissions excepted



Before the Chairman Khyber Pakhtoonkhwa  
Service Tribunal Peshawar.

Put up to the worthy chairman  
with relevant app.

HSAN ULLAH Vs GOV OF KP  
31/3/2022



Resd

Application for Grant of Permission to deposit  
Court Fee / Service charges.

Respectfully Sheweth;

- i) That the above titled case is pending for  
adjudication and Fixed For 14-04-2022.
- ii) That in the above cited case, Inadvertently  
the court fee / service charge was not deposited.
- iii) That the petitioner want and seek permission  
to deposit the same.

It is most humbly prayed that on acceptance  
of application in hands, the petitioner may  
allow to deposit the court fee / service  
charges before the date fixed.

31/03/2022

Petitioner  
Through Fawad  
Dr. Fawad Jan  
Advocate.

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

Service Appeal No. 5920/2021

Mr. Ihsan Ullah, Constable No.149, Investigation Wing Police Charsadda  
.....Appellant

**V E R S U S**


The Govt of Khyber Pakhtunkhwa, Peshawar & others  
.....Respondents

**I N D E X**

S.No	Documents	Annexure	pages
1	Reply	---	1-3
2	Preliminary inquiry	A	4-5
3	Departmental inquiry	B	6-8
4	Punishment order	C	9
5	Charge Sheet	D	10
6	Statement of Allegation & reply	E	11-12
7	Final Show Cause Notice	F	13
8	Reply of Final Show Cause Notice	G	14
9	Departmental Appeal	H	15
10	Order on Departmental Appeal	I	16
11	Affidavit	-	17

**RESPONDENTS**

Through

  
Shah Jehan, ASI  
Charsadda

①

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

Service Appeal No. 5920/2021

Mr. Ihsan Ullah, Constable No.149, Investigation Wing Police Charsadda  
.....Appellant

**V E R S U S**

The Govt of Khyber Pakhtunkhwa, Peshawar & others  
.....Respondents

**REPLY BY RESPONDENTS NO.2 TO 5**

**Respectfully Sheweth: -**

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no cause of action.
2. That the appeal is badly barred by law and limitation.
3. That the appellant has been estopped by his own conduct to file the instant appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to the Honourable Tribunal with clean hands.
6. That the appeal is bad for mis-joinder and non-joinder of necessary parties.

**On Facts**

1. Para pertains to current posting of appellant, hence needs no comments.
2. Each and every Police officer/official is duty bound to be punctual and regular in respect of his duty.
3. Incorrect. A video was noticed by the high-ups wherein it was found that a Police official, identified as LHC Abid No. 3817 of elite platoon, who was deputed for security duty at main gate of examination center (Salateen Shadi Hall) was solving a paper (B-I examination). To probe into the matter preliminary enquiry was conducted through DSP HQrs. During course of enquiry LHC Abid was called and his statement was recorded. He in his statement, stated that appellant constable Ihsan Ullah (candidate for B-I exam) gave him his number and requested to solve the paper for him. He further stated that appellant somehow gave his paper to him, so he (Abid) went the wash room and started solving the paper. He added that some part of the paper was solved by LHC Irshad No. 1357. Enquiry officer in his findings recommended that proper departmental

enquiry may be conducted in the matter. It was also highlighted by enquiry officer that paper of appellant was also cancelled by ETEA authorities. Departmental enquiry against the appellant was also conducted wherein allegation against the appellant were proved and was recommended for punishment. Hence. Appellant was awarded major punishment of reduction in pay by two stages. (Copy of preliminary enquiry is 'A', departmental enquiry 'B' and punishment order is 'C').

4. Incorrect. As the appellant had nothing in his defence, therefore, when he was called by the enquiry officer, he took the plea of his wife's illness.
5. Incorrect. From the statement of LHC Abid it is evident that during examination appellant used unfair-means.
6. Para correct to the extent that appellant was charge sheeted and DSP Sardheri was nominated to conduct departmental enquiry against appellant. (Copy of Charge sheet & statement of allegation is annexed as "D & E").
7. Correct that a final show cause notice was issued, to whom appellant submitted his reply but it was found unsatisfactory. (Copy of final show cause notice & reply is annexed as "F" & "G").
8. Incorrect. As allegations against appellant had been proved in preliminary enquiry as well as departmental enquiry, therefore, he was awarded major punishment.
9. Incorrect. It is not appealable to a provedent mind that appellant was not aware of the punishment order passed against him. As departmental appeal of the appellant was badly time barred, therefore, he took this plea that he was not aware of the punishment order. Moreover, from the order passed by respondent No.4, it is evident that case/appeal of the appellant has thoroughly been scrutinized and then was rejected/filed. (Copy of departmental appeal and order is annexed as "H" and "I").
10. That the appeal of the appellant is liable to be dismissed on the following grounds: -

#### GROUNDS

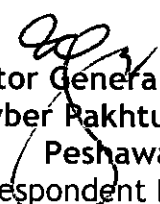
- A. Incorrect. Orders passed by respondent No. 4 & 5 are in accordance with law/rules, hence, liable to be maintained.
- B. Incorrect. The order was passed by the authority after proper departmental proceedings initiated purely on merit and in accordance with law & rules, in which he was held guilty.
- C. Incorrect. Before awarding punishment appellant was issued final show cause notice, wherein he was informed about the proposed punishment.


Moreover, he was provided opportunity of defence during preliminary enquiry but he willfully avoided appearing before enquiry officer. Similarly during departmental enquiry he was provided lawful opportunity and defence but he failed to produce any cogent reason in his defence.


- D. Incorrect. Before passing punishment order against appellant all legal and codal formalities had been fulfilled.
- E. Para already explained.
- F. Incorrect. Orders passed by respondent No. 4 & 5 are in accordance with law and rules. And these orders were passed after observing of all legal and codal formalities as well as after proper application of law.
- G. The respondents also seek permission of this Honourable Tribunal to advance additional grounds at the time of arguments.


**Prayer:**

It is, therefore, most humbly prayed that on acceptance of above submissions the appeal of the appellant may very kindly be dismissed with costs, please.

  
**Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.**  
(Respondent No. 02)

  
**Additional Inspector General of Police,  
Investigation, KP Peshawar**  
(Respondent No.03)

  
**Regional Police Officer,  
Mardan Region-I, Mardan.**  
(Respondent No. 04)

  
**District Police Officer,  
Charsadda.**  
(Respondent No.05)

④

Annexure - A

GOVERNMENT OF KHYBER PAKHTUNKHWA,  
OFFICE OF THE DY: SUPERINTENDENT OF POLICE,  
HQrs CHARsADDA  
PH # 091-9220406

PRELIMINARY ENQUIRY IN CONNECTION OF VIDEO RECORDING REGARDING  
CHEATING IN B-1 EXAMINATION HELD AT SALATEEN SHADI HALL ON 20.09.2020

The instant enquiry has been verbally marked to the undersigned to dig out the real facts.

**Proceedings:**

To probe into the matter the video has been examined thoroughly, wherein one police personal is identified as LHC Abid No. 3817 of Elite Platoon No. 20 PS Tangi, who was summoned to the office of the undersigned and was heard. His statement was recorded accordingly & cross examined regarding the incident (Attached at F/A).

As per his statement, today on 20.09.2020 he was on duty at main gate of Examination Centre (Salateen Shadi Hall). Before starting the exam constable Ihsan No. 149 of Investigation Wing Charsadda (candidate) gave him (Abid) his cell No with the request to solve his paper for the sake of his future. The alleged LHC Abid further stated that Ihsan somehow gave his question paper to him and he went to nearby wash room and started solving the paper. He added that some parts of the paper were solved by other police constable who was identified as LHC Irshad No. 1357 of PP Turlandi PS Nisatta. He further stated that there were other police officials who helped them for the purpose. LHC Abid also regrets his guilt and apologized for it.

LHC Irshad was also summoned and was asked about the matter but he totally denied the allegations levelled against him.

Constable Ihsan No. 149 of Investigation Wing was also summoned but he told the undersigned telephonically that his wife was seriously ill and he is an extreme emergency at DHQ Hospital Charsadda. The undersigned along with LHC Abid visited the Emergency Block at DHQ Hospital Charsadda but the official was on the way and met at main Mardan road. On clarification about the matter he denied the allegations levelled against him. On this LHC Abid told him that he gave him the paper out of Emanation Centre to solve it. Upon which he remain silent and admitted his guilt.


**Findings:**

From the above enquiry the undersigned has reached the conclusion that the matter needs proper departmental enquiry as other officials seems involved.

If approved proper departmental enquiries against LHC Abid No. 3817, LHC Irshad No. 1357, FC Ihsan No. 149 may kindly be ordered to identify the other unknown officials involved in.

Note: Paper of Constable Ihsan No. 149 has also been declared cancel by the ETEA authorities due to unfair mean which also stigmatized the force name.

Submitted Please.

*agreed*  
  
Dy: Superintendent of Police  
HQrs Charsadda

No. 129 /St, dated 21/9 2020.

8/10/20



بیان از ان عابدی علیہ السلام 3817 حوتہ  
ابواب بلاد کربلا 20 سنہ

حیات عالی

کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
20 20

سرکار اللہ تعالیٰ (بی حال میں) BI سے E سے حوروں کو من اللہ کسب الیوم  
اسلامی مال سے من کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
سے بیلے اصحاب ہجرت نے حج و عمرہ کو اپنا دینی فریضہ قرار دیا کہ وہ اس سے  
کے بعد ان میں اپنا ہر ایک کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
سے ساتھ اعداد کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور

و سطح دائیہ اس سے کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
کاں کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
میں ہر ایک کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
1357  
دوران دوپہر کو کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
کو سفیر برہان میں دیکھیں اور کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور

کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
در ازبک سے بیچ جائیں کہ زیادہ غلطی ہوگئی ہے۔ دعائیہ کے بارے  
میں جیسا کہ ہم نے پہلے فرمایا ہے کہ منہ سے کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
سے دعا کا معاوضہ لینے کا۔ غلطی ہوگئی ہے ان بارہ حور سوانی کی اس ترکیب  
کے حصول

03156806868  
3817 حوتہ  
کسب الیوم و لیلہ کربلا و عید الفطر و عید الاضحیٰ و عید النور  
10

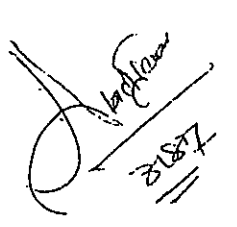
۱۰ کی آد کو پہنچے کے غلط ساری پر ایک طرف خطا کا  
| بالکل صحیح معلوم ہے۔

x کی آد کے پاس اصلاً 149 کی آد کا جو بالکل صحیح ہے جو وہ  
جی بالکل صحیح  
(03113165324)

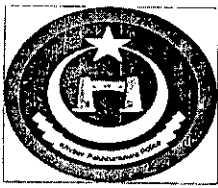
x کی آد نے کوئی کر دیا پاس کیا ہے؟  
جی صحت سے 2017 کے دوسرے ٹرن میں کوئی کر دیا پاس کا  
اور 1100 کن میں 122 میں غیر پاس کیا ہے

x کی آد کو پہنچ نہیں تھا۔ تم آپ دوسرے پاس کو صحت کر دے تو  
وہ غلط ہونے کا تو فیصلہ ہے اور یہ کہ آپ نے اپنی ڈیوٹی کبھی چھوڑی؟  
جی نہیں غلطی ہوئی۔ میں نے اصلاً 149 کے درخواست کو پاس  
اس کے ساتھ قید کا مسئلہ ہے۔ یہ مجبور ہو کر آیا ہے۔

x آد ارشاد وغیرہ پر تو الزام نہیں لگا رہے ہیں؟  
جی بالکل نہیں۔ میں آفرت میں بھی صحت سے متعلق اپنے بیان سے  
ذکر کیا ہے۔ ذمہ دار ہوں۔

  
7818





(6) *Annexure - B*  
Government of Khyber Pakhtunkhwa  
Office of the  
Sub-Divisional Police Officer Sardheri

No. 570 /S, dated Sardheri the 08/10/2020.

Subject: - FACT FINDINGS IN DEPARTMENTAL ENQUIRY AGAINST CONSTABLE IHSAN NO. 149 OF INVESTIGATION WING DISTRICT CHARSAZZA

1. The subject inquiry was referred to this office vide endst No. 1063-64/HC dated 24.09.2020 for proceeding under the law with respect to the charges that FC Ihsan No. 149, while posted at Investigation Wing Charsadda, On 20.09.2020 it came to the notice of the high-ups that some police personals are involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry was also been conducted by DSP HQrs Charsadda, wherein he was held responsible for the said act.
2. The alleged official FC Ihsan No. 149 was summoned to this office and personally examined and was heard in detail, his statement was also recorded (**annexed at F/A**) stating therein that on 20.09.2020 he reached to Salateen Shadi Hall on time in connection with his B-1 Paper and the Examiner take his CNIC along with Service Card and told him to get it back after paper. He added that after paper he take his CNIC & Service Card from the Examiner and went to his house as his wife was not feeling well and he took her to DHQ Hospital Charsadda. He further stated that he get various calls on his cell phone but due to emergency he could not attend. He added that after some time he attend the call and he was asked about his location on which he replied that he is in DHQ Hospital Charsadda and then replied the same to every caller. After that DSP HQrs Charsadda personally visit DHQ Hospital Charsadda and asked him about his name and that he cheated in B-1 Paper which was recorded in a video clip. He shown complete unawareness from the matter and also requested for filing the charge sheet.
3. The official was also cross examined (**Annexed at F/B**). A secret probe into the matter was also conducted and was thoroughly examined.
4. After conducting proper enquiry into the matter, perusal of preliminary enquiry and sources available the undersigned reached to the conclusion that FC Ihsan No. 149 had given his paper to LHC Abid & LHC Irshad to solve it. Which is highly objectionable. Although the paper of Constable Ihsan was cancelled by ETEA authorities but the official shown extreme negligence towards discipline of the force. Hence the official is recommended for appropriate Punishment under the KP Police Rules 1975 (amended 2014).

*[Signature]*  
Sub-Divisional Police Officer,  
Sardheri

HC  
Issue Final Show  
Cause notice.

*[Signature]*  
u DPO chd II  
09-10-2020.

سوال نمبر 1۔ آج کا ڈیوٹی اچھل کیا ہے ؟

ج 1۔ میری ڈیوٹی آج صبح 7 بجے سے 1 بجے تک تھی اور میں اس وقت تک نہیں گیا تھا۔  
وغیرہ ڈیوٹی کے بارے میں

سوال نمبر 2۔ کیا آپ کی ڈیوٹی ٹی ایم ایف اور ایم ایف کے درمیان ہے ؟

ج 2۔ جی ہاں، میں آج ٹی ایم ایف اور ایم ایف کے درمیان ڈیوٹی کر رہا ہوں۔

سوال نمبر 3۔ آج کو پتہ چلتا ہے کہ آپ کے پاس سے قابل بھیج دیا ہے ؟

ج 3۔ جی نہیں، ابھی تک کوئی بھیج نہیں دیا ہے۔

سوال نمبر 4۔ کیا پیرچہ دینے والے افسر دوران کو موٹائیوں کی اجازت نہیں ؟

ج 4۔ جی ہاں، پیرچہ دینے والے افسر دوران کو موٹائیوں کی اجازت نہیں دیتے۔

سوال نمبر 5۔ کیا آپ کو پتہ چلتا ہے کہ آپ کی ڈیوٹی کب سے ہے ؟

ج 5۔ جی ہاں، میں آج سے ڈیوٹی کر رہا ہوں۔

سوال نمبر 6۔ کنٹریل عابد خان اٹلیٹ ٹیمس والا آپ کو جانتے ہیں ؟

ج 6۔ جی ہاں، کنٹریل عابد خان اٹلیٹ ٹیمس والا کو میں جانتا ہوں۔

سوال نمبر 7۔ آج کا اور کنٹریل عابد خان کا جو وقت پیرچہ ملا ہے یا ملا تھا ؟

ج 7۔ جی ہاں، آج کے ساتھ اور کون کون سے اٹلیٹ ٹیمس کے درمیان ہے۔

ج 8۔ میرے ساتھ دوسرے اٹلیٹ ٹیمس کے درمیان کنٹریل عابد خان اور دوسرے لوگوں کے ساتھ نہیں جانتا ہوں۔

سوال نمبر 9۔ کنٹریل ارشاد کو جانتے ہیں ؟

ج 9۔ جی ہاں! کنٹریل ارشاد کو میں جانتا ہوں، پہلے میرے ساتھ ڈیوٹی کرتے تھے۔

سوال نمبر 10۔ کیا آپ کو علم تھا کہ کنٹریل عابد خان کی ڈیوٹی کیا ہے ؟

ج 10۔ جی ہاں، میں اس کے بارے میں جانتا ہوں۔

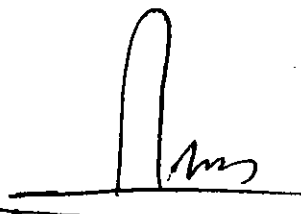
سوال - کتب ایشاد اور کتب ایشاد کا معنی کیا ہے؟

موجود ہیں یا آپ کو ذہنی یاد ہے؟

ج - دونوں کتابیں کتب ایشاد کے نام سے مشہور ہیں اور ان کے معنی ایشاد کا ہے۔  
کتب ایشاد کا معنی ہے کہ جو کچھ اللہ تعالیٰ نے اپنے پیغمبروں کو وحی کے طور پر  
دیا ہے وہ کتب ایشاد ہی ہے۔  
سوال - کیا آپ کو یہ یاد ہے کہ غلط بیانی کی صورت میں کیا آپ کو خلاف  
مذہبی کارروائی کیجائیگی؟

ج - (جس جہاں)

324 3165-0390



والدین محمد اہسان اللہ 149 سنہ 149ھ کے مطابق مسٹر ڈی جے ایچ اے کے پاس

Annexure — C

⑨

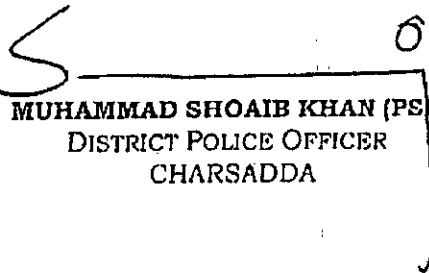
ORDER

This order will dispose of the departmental enquiry against Constable Ihsan No. 149, while posted at Investigation Wing Charsadda, on 20.09.2020 it came to the notice of undersigned that some police officials were involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry was also conducted by DSP HQrs Charsadda wherein he held responsible him for the said act.

On the above allegation he was issued Charge Sheet together with statement of allegations under Sub Section 3, Section 5 of Police Rules 1975. The Enquiry Officer Muhammad Riaz Khan DSP Sardheri was nominated for probing into the matter by conducting departmental enquiry against him and he after fulfillment of codal formalities has submitted his findings.

Subsequently, Constable Ihsan No.149, was issued Final Show Cause Notice U/S 5(3) Police Rules 1975 reply to which was received.

After perusal of the enquiry papers and recommendation of the enquiry officer, the delinquent official Constable Ihsan No.149 is hereby awarded the major punishment of reduction in pay by two stages with immediate effect.

  
MUHAMMAD SHOAB KHAN (PSP)  
DISTRICT POLICE OFFICER  
CHARSADDA

O.B No 879

Date 23/10/2020

No. 1249-51/HC, dated Charsadda the 26-10 /2020

CC.

Suprintendent of Police Investigation, Charsadda.  
Pay Officer,  
EC/FMC,  
OASI.



10

Annexure - D

OFFICE OF THE  
DISTRICT POLICE OFFICER, CHARSADDA  
PHONE# 091-9220400 FAX#091-6514661  
EMAIL: [charsaddadpo@yahoo.com](mailto:charsaddadpo@yahoo.com)  
CHARGE SHEET UNDER KPK POLICE RULES 1975


I, **Muhammad Shoaib Khan**, District Police Officer Charsadda, as competent authority hereby charge you Constable Ihsan No. 149, as follows.

That you Constable Ihsan No. 149, while posted at Investigation Wing Charsadda, on 20.09.2020 it came to the notice of undersigned that some police personals are involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry has also been conducted by DSP HQrs Charsadda wherein you held responsible for the said act.

Your act is highly objectionable and also stigmatized the force name.

This amounts to grave misconduct on your part, warranting Departmental action against you as defined in section-6(I) (a) of the KPK Police Rules 1975.

1. By reason of the above, you appear to be guilty of misconduct under section 02(III) of the KPK Police Rules 1975 and has render your self liable to all or any of the penalties as specified in section 04 (I) a & b of the said rules.
2. You are therefore, directed to submit your written defense within seven days of the receipt of this Charge Sheet to the Enquiry Officer.
3. Your written defense, if any should reach to the enquiry officer within the specified period, in case of failure, it shall be presumed that you have no defense to put-in and in that case an ex-parte action shall follow against you.
4. Intimate, whether you desired to be heard in person.

  
**MUHAMMAD SHOAIB KHAN (PSP)**  
DISTRICT POLICE OFFICER  
CHARSADDA

جناب عالی

محرم الحرام 1442ھ بمطابق 24/9/2020ء  
موضوع: خدمات جنوں کے لیے

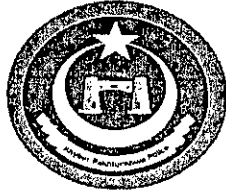
میرا BI پرچہ بمقام سدا طین سناری جیال جاگیر میں  
اپنے پرچے کیلئے وقت پرینچ کر جیال میں بیٹھنے سے پہلے ایگزیکٹو  
کے نیک تومی شناختی کارڈ کے سرورس کارڈ کے لیے اور کہا کہ پرچہ ہم  
یوں بعد چھ سے وصول کرو۔

پرچہ شروع ہونے سے لے کر اعتماد تھا میں نے اپنا پرچہ درست طور پر  
غوالہ ایگزیکٹو کے پاس سے اپنا تومی شناختی کارڈ کے سرورس کارڈ  
وصول کر کے سیدھا اپنے گھوڑے پر لگے بیٹھوں بیٹھیں لگتی تھی تو  
جاگیر ہسپتال آیا پھر جمعے کے دن لچالی سے ایل سے اور جواباً  
خون سے کمال آئے تھے میرا پھر جلیبی پورہ کمال کاہ نہ کر سکا۔  
پھر میں نے وقت نکال کر بات کیا۔ تو اس نے کہا کہ تم یہاں پھر  
تو میں نے کہا کہ میرا پھر جلیبی ہے اور میں ہسپتال گیا ہوں میرا  
ایل سے ایل یا جواباً خون کو یہی بات کرنا تھا۔

میر جناب۔ DSP چید گواہ صاحب ہسپتال جاگیر آ کر مجھے کہا کہ  
تم رضوان چوہان نے کہا تھا۔ پھر اس نے کہا کہ میں کہتے ہیں  
کہ تم نے پرچہ میں نقل کیا ہے اور لکھا رہا ہے کہ میں نے کہا ہے  
میں نے کہا کہ میں ان سے لایا ہوں میں نے اپنا پرچہ  
گھوڑے پر حل کیا جا رہا ہے اور پھر ہسپتال جاگیر آیا ہوں  
ان سے میں لایا ہوں

میرا جاگیر پھر کے کارروائی کی داخل دفتر کیا جاوے گا  
مگر دعاؤں انہوں سے

اصولاً 149  
FC  
تعمیراتی نوٹیشن  
15/10/2020



13

Annexure - F

### FINAL SHOW CAUSE NOTICE

Whereas, the charge of absence was referred to enquiry officer for General Police Proceedings, contained u/s 5(3) Police Rules 1975.

AND

Whereas, the enquiry officer has submitted his findings, recommending you for Minor Penalty.

AND

Whereas, I am satisfied with the recommendation of the enquiry officer that you Constable Ihsan No. 149, while posted at Investigation Wing Charsadda, on 20.09.2020 it came to the notice of undersigned that some police personnel are involved in cheating/unfair means while solving B-1 paper at Salateen Shadi Hall Charsadda. In this regard a preliminary enquiry has also been conducted by DSP HQrs Charsadda wherein you held responsible for the said act.

2. Thus the act amounts to gross misconduct and renders you liable for punishment, under Police Rules 1975.

3. Therefore, I, **Muhammad Shoaib Khan**, District Police Officer, Charsadda in exercise of the powers vested in me under rules 5(3) (a) (b) of Police Rules 1975, call upon you to explain as to why the proposed punishment may not be awarded to you.

4. Your reply should reach the undersigned within 07-days of receipt of this notice, failing which disciplinary action pertaining to your dismissal from service will be taken ex-parte.

5. You are at liberty to appear in person before the undersigned for personal hearing.

**MUHAMMAD SHOAIK KHAN (PSP)**  
DISTRICT POLICE OFFICER  
CHARSADDA

No. 1162 /HC.

Dated 12/10 /2020.

*Received by hand.*  
*AMM*  
*13-10-2020.*

01-10





التمسک

محکمہ زمین انتظامیہ / 1248-51 / 44  
26-10-2020

495  
5/3/21

1121  
09/03/21

۴۔ سرہ موضوع مذکورہ میں۔ ہم مذکورہ بالا آرڈر میں

انٹرنیٹ سٹاپ کر نہیں سکتے ہیں۔ جو فتح مذکورہ

میں سے سائل کے لئے ہوں اور انٹرنیٹ سٹاپ کے بارے میں

آرڈر میں ہے۔ جو فتح مذکورہ کے لئے سائل کے لئے ہے۔

لکھنا ہذا کے لئے ہے۔ اس لئے سائل کے لئے ہے۔ انٹرنیٹ سٹاپ

ضلع صدرہ اور شکر آباد

نوٹ: یہ نقشہ آرڈر کے لئے ہے۔  
تفصیلاً۔

اللہ اعلم  
Hmn.  
149  
نسخہ الٹوئی گئی ہے۔  
منلوہ، سرہ  
0300-3165324  
0311-3165324

4-3  
2021  
التمسک

No - 1296/ES.

DA - 5-3-21

E/C Leser

or comments

EC/DPO, Charsadda  
For Comments.

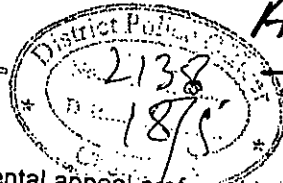
as directed.

[Signature]

RPO, Mardan  
04/3/21

DPO/Chd.  
5-3-2021

115



Annexure-i

ORDER.

This order will dispose-off the departmental appeal preferred by Constable Ihsan No. 149 of Charsadda District Police against the order of District Police Officer, Charsadda, whereby he was awarded major punishment of reduction in pay by two stages vide OB No. 879 dated 23.10.2020. The appellant was proceeded against departmentally on the allegations that, he while posted at Investigation wing Charsadda, on 20.09.2020 it came to the notice of District Police Officer, Charsadda that some Police officials were involved in cheating/unfair means while solving B-I paper at Salateen Wedding Hall Charsadda. In this regard a preliminary enquiry was also conducted by the Deputy Superintendent of Police, Headquarters, Charsadda, wherein the appellant was held responsible for the said act.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Sub Divisional Police Officer (SDPO) Sardheri, Charsadda was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Charsadda, wherein he has recommended the delinquent Officer for appropriate punishment.

He was issued Final Show Cause Notice to which his reply was received and found unsatisfactory.

After perusal of the enquiry papers and recommendation of the enquiry Officer, the delinquent Officer was awarded major punishment of reduction in pay by two stages by the District Police Officer, Charsadda.

Feeling aggrieved from the order of District Police Officer, Charsadda, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 15.04.2021.

From the perusal of service record of the appellant, it has been found that the allegations leveled against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in such like activities has brought a bad name to the entire Police Force in the eyes of the general public. Moreover, the appellant approached this forum at a belated stage without advancing any cogent reason regarding such delay. Hence, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being time barred.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 2357 /ES, Dated Mardan the 06-05-2021.

Copy forwarded to District Police Officer, Charsadda for information and necessary action w/r to his office Memo: No. 650/EC dated 12.03.2021. His Service Record is returned herewith.

getim

7  
2021

**BEFORE THE HONOURABLE KPK SERVICES TRIBUNAL PESHAWAR**

Service Appeal No. 5920/2021

Mr. Ihsan Ullah, Constable No.149, Investigation Wing Police Charsadda  
.....Appellant

**V E R S U S**

The Govt of Khyber Pakhtunkhwa, Peshawar & others  
.....Respondents

**AFFIDAVIT**

I, Shah Jehan, ASI (representative of the department) do hereby solemnly affirm and declare on Oath that contents of the parawise comments are true and nothing has been concealed from this Hon'ble Tribunal.



**DEPONENT:**

**CNIC No.17101-9377155-1**

**Cell # 0310-9898096**