

بعدالت رجسٹرار صاحب خیبر پختونخوا سروس ٹریبونل پشاور

درخواست برائے تصدیق نقل جمع رقم مارٹر -

1- اپیل / ایگزیکوشن / ریٹوریشن نمبر SA-819/2023

2- ٹائیکل (نام) ڈاکٹر مداد نام (D) ات 119

3- مطلوبہ نقول: فیصلہ کی کاپی / اپیل کی کاپی / آرڈر شیٹ کی کاپی / جواب دعویٰ / مکمل فائل کی کاپی

4- فیصلہ شدہ تاریخ: / /

5- غیر فیصلہ شدہ گزشتہ اور آنے والی تاریخ: 22/3/2023

6- درخواست گزار کا نام، عہدہ اور دستخط: واجد خان / SA / 119

7- تاریخ درخواست: 1-3-2023

8- موبائل نمبر: 0317 0404063

جسٹرار سروس ٹریبونل، پشاور
Allowed
11/3/2023

کریم علیہ السلام (۱۵۰۰۰) (۱۰۰) ماہی خرد
 سرفراز استاد صاحب ۱۲۲۱۲۱۲۱۲۱۲۱
 علیہ السلام (۱۵۰۰۰) (۱۰۰) ماہی خرد
 یازدهم جو فخر حواداد در منزلت
 شرف از حدیث به روزی به حدیث از اول
 از قول زین العابدین (ع) در حدیث
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POLICE DEPARTMENT

CTD PESHAWAR.

CHARGE ASSUMPTION REPORT

In compliance with the orders issued by the worthy inspector general of Police, Khyber Pakhtunkhwa, Peshawar over the charge as Assistant Director Research & Analysis (Qualitative Expert) BPS-17 in CTD Khyber Pakhtunkhwa, Peshawar today on the Fore Noon at 29.11.2016.

(MURAD KHAN)

Astt: Director Research & Analysis

**OFFICE OF THE ADDITIONAL INSPECTOR GENERAL OF
POLICE, CTD KHYBER PAKHTUNKHWA, PESHAWAR.**

No. 12768-84/EC/CTD

dated Peshawar, the 30.11.2016

1. Principal Secretary to Governor Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
3. Chief Secretary Khyber Pakhtunkhwa, Peshawar.
4. Secretary Govt: of Khyber Pakhtunkhwa Estt: & Admn: Department Peshawar.
5. Secretary Govt: of Khyber Pakhtunkhwa Home & T.As Deptt Peshawar.
6. Secretary Govt: of Khyber Pakhtunkhwa Finance Deptt Peshawar.
7. Addl: Inspector General of Police, Operation, Khyber Pakhtunkhwa, Peshawar.
8. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar.
9. Accountant General, Khyber Pakhtunkhwa, Peshawar.
10. PSO to IGP Khyber Pakhtunkhwa.
11. Director IT, CPO Peshawar.
12. AIG, Establishment CPO Peshawar.
13. Officer Concerned.
14. PSO/PA to Worthy Addl: IGP, CTD, Khyber Pakhtunkhwa, Peshawar.
15. Supdt: Secret: CPO Peshawar.
16. Accountant, OASI & MTO CTD Khyber Pakhtunkhwa, Peshawar.
17. U.O.P File.

**ADDITIONAL INSPECTOR GENERAL OF POLICE
CTD, KHYBER PAKHTUNKHWA, PESHAWAR.**

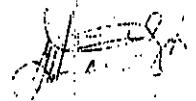
To

**The Deputy Inspector General
Counter Terrorism Department,
Khyber Pakhtunkhwa.**

Subject: Show Cause Notice

In response to your letter no. 5983 dated 16-04-2018 on the subject noted above, it is stated that I have forwarded my application for extra-ordinary leave (EOL) without pay which is forwarded to Central Police Office by your good office. In the application, it is clearly requested that I may be granted one year EOL without pay for the mentioned purpose. Due to the contract signed with the World Bank, I was bound to join my duties as per the policy of the agency as Economist in Tax Reforms and Policy Unit for FBR, Pakistan. In hope of that application to be accepted as per rules and regulation which mentioned very clearly the dates starting from March 2019 to end of Feb. 2020, I joined my duties.

In light of my application forwarded by the Honorable office of the Deputy Inspector General of Counter Terrorism Department of KP, It is most humbly requested that I may be permitted to carry out my duties smoothly with World Bank for the sake of my personal growth, positive representation of the CTD at world level and for the greatest benefit of the motherland, Pakistan.


Dr. Murad Khan
Assistant Director (R&A)
Counter Terrorism Department

Inspector General of Police,
Khyber Pakhtunkhwa

Dated: 15-07-2020

J 19

DEPARTMENTAL APPEAL AGAINST THE DISMISSAL ORDER
DATED: 20-04-2020

Respected Sir,

Appellant submits as under.

1. That in the light of the Notification No. 1230/SE-I the Appellant / undersigned has assumed the charge of the post of Assistant Director (Qualitative Expert) Research and Analysis Wing, Counter Terrorism Department.
(Copy of the Notification and charge assumption report are attached as Annexure: A, A/1)
2. That the period of initial probation i.e. one year as prescribed rules for the post i.e. Rule 7(2) of the Khyber Pakhtunkhwa Police department (Research and Analysis Wing) Service Rules, 2014 was successfully stand completed on 22-11-2017 and till the end of Feb. 2019, the Appellant / Undersigned served as Assistant Director Research & Analysis in CTD Head Quarter and Peshawar Region and also performed duties as Assistant Director Countering Financing of Terrorism (CFT).
3. That the Appellant / Undersigned was selected for one year project of the world bank as Economist to prepare research based policy implications for Federal Board of Revenue, Government of Pakistan; therefore, the Appellant / undersigned moved an application and requested the competent authority through proper channel to kindly grant extra-ordinary leave without pay for one year period from March 1st, 2019 to Feb. 29th, 2020 to the Appellant.
(Copy of the Application is attached as Annexure: B)
4. That Appellant / Undersigned application was kept pending for some unknown reasons. With a hope that the worthy Inspector General of Police will grant leave without pay to the Appellant under Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981 section 12.

Section 12 is reproduced for easy reference

"(1) Extraordinary leave may be granted on any ground up to a maximum period of five years at a time; provided that the civil servant to

PO Tracking No.

6192/SB

27/7/2020

Received by

General Branch

C.R.O. Peshawar

24/07/2020

Time 12:45

Inspector General of Police,
Khyber Pakhtunkhwa.

**DEPARTMENTAL APPEAL AGAINST THE DISMISSAL
ORDER DATED 20.04.2020.**

Respected Sir,

Appellant submits as under,

1. That in the light of the Notification No. 1230/SE-I the appellant/undersigned has assumed the charge of the post of Assistant Director (Qualitative Expert) Research and Analysis Wing, Counter Terrorism Department.

Copy of the Notification and charge assumption report are attached as Annexure-A, A/1.

2. That the period of initial probation i.e one year as prescribed rules for the post i.e Rules 7_2) of the Khyber Pakhtunkhwa Police Department (Research and Analysis Wing) Service Rules, 2014 was successfully stand completed on 22.11.2017 and till the end of Feb. 2019, the appellant/ undersigned served as Assistant Director Research & Analysis in CTD Head Quarter and Peshawar Region and also performed duties as Assistant Director Countering Financing of Terrorism.
3. That the appellant / Undersigned was selected for one year project of the world bank as Economist to prepared research based policy implications for Federal Board of Revenue, Government of Pakistan, therefore the appellant/undersigned moved an application and requested the competent authority through proper channel to kindly grant extra-ordinary leave without pay for one year period from March 1st, 2019 to February, 29th, 2020 to the appellant.

Copy of the application is attached as Annexure; B

4. That appellant / undersigned application was kept pending for some unknown reasons. With a hope that the worthy Inspector General of Police will grant leave without pay to the Appellant under Khyber Pakhtunkhwa Civil Servants Revised Leave Rules, 1981 Section 12. Section 12 is reproduced for easy reference.

“(1) extraordinary leave may be granted on any ground up to a maximum period of five years at a time; provided that the civil servant to whom such leave is granted has been in continuous service for a period of not less than ten years. In case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the leave sanctioning authority. This leave can

whom such leave is granted has been in continuous service for a period of not less than ten years. In case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the leave sanctioning authority. This leave can be granted irrespective of the fact whether a civil servant is a permanent or temporary employee.

(2) The maximum period of extraordinary leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of 5 years prescribed in FR-18, i.e. the maximum period of extraordinary leave without pay that would be admissible to a civil servant who has rendered continuous service for a period of not less than 10 years shall be 5 years less the period of leave on full pay and leave on half pay so combined.

(3) Extraordinary leave may be granted retrospectively in lieu of absence without leave.]”

5. That the Appellant / Undersigned joined the World Bank project and the application moved by the Appellant / undersigned for annual leave was pending in the department and no response was received to the Appellant regarding its approval or dismissal. It is pertinent to mention here that the Appellant received show cause notice no. 5983 dated 16-04-2019 regarding absence from the duty which was duly replied by the Appellant / Undersigned.

(Copy of the Show cause notice and reply are attached as Annexure: C, D)

6. That on 02-09-2019, the Appellant / Undersigned rejoined / resumed his duties in the parent Department but amazingly the Appellant / undersigned application was forwarded to competent authority with show cause notice / charge sheet for disciplinary action which is marked to DIG Crimes and Investigation for inquiry through letter No. S/ 1/ 19, dated 23-10-2019.

(Copy of the Charge Sheet/Statement of allegations, Disciplinary action etc are attached as Annexure: E, E/1)

7. That in light of the letter letter No. S/ 1/ 19, dated 23-10-2019 from the office of the DIG Crimes and Investigation, the Appellant / Undersigned appeared in person for inquiry and submitted / requested that the Appellant / Undersigned has assumed / rejoined duties from the last three months and further requested that Appellant salary has been stopped due to the inquiry and the charge sheet and the same inquiry may kindly be closed against the Appellant.

(Copy of the reply is attached as Annexure: F)

be granted irrespective of the fact whether a civil servant is a permanent employee.

(2) the maximum period of extraordinary leave without pay combined with leave on full pay and leave on half pay shall be subject to the limit of 5 years prescribed in FR-18, i.e the maximum period of extraordinary leave without pay that would be admissible to a civil servant who has rendered continuous service for a period of less than 10-years shall be 5-years less than period of leave on full pay and leave on half pay so combined.

(3) Extraordinary leave may be granted retrospectively in lieu of absence without leave/”

5. That the appellant/undersigned joined the World Bank project and the application moved by the appellant / undersigned for annual leave was pending in the department and no response was received to the appellant regarding its approval or dismissal. It is pertinent to mention here that the Appellant received show cause notice No. 5983 dated 16.04.2019 regarding absence from the duty which was duly replied by the appellant / Undersigned.

Copy of the Show Cause Notice and reply are attached as Annexure-C & D.

6. That on 02.09.2019, the appellant / undersigned rejoined / resumed his duties in the parent Department but amazingly the Appellant / Undersigned application was forwarded to competent authority with show cause notice / charge sheet for disciplinary action which is marked to DIG Crimes and investigation for inquiry through letter No. S/1/19, dated 23.10.2019.

Copy of the Charge Sheet/Statement of Allegations, Disciplinary Action etc are attached as Annexure-E, E/1).

7. That in light of the letter No. S/1/19, dated 23.10.2019 from the office of the DIG Crimes and Investigation, the Appellant / Undersigned appeared in person for inquiry and submitted/requested that the appellant/undersigned has assumed / rejoined duties from the last three months and further requested that appellant salary has been stopped due to the inquiry and the charge sheet and the same inquiry may kindly be closed against the appellant.

Copy of the reply is attached as Annexure-F.

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8. That thereafter, final show cause notice no. 3930 dated 13-11-2019 was issued from the office of the Inspector General of Police Khyber Pakhtunkhwa, Central Police Office, Peshawar in the light of inquiry conducted by DIG Crime, Investigation, Khyber Pakhtunkhwa Peshawar.

(Copy of the Final Show Cause notice is attached as Annexure: G)


9. That in response to the letter No. S/ 1/ 19, dated 23-10-2019 with enclosed copy of the charge sheet from the worthy office of the Inspector General of Police, KP. A humble request was made in response to the final show cause notice to consider the humble submissions with an apology of the Appellant. Furthermore, With regard to the final show cause notice, the Appellant was called in orderly room and appeared before the worthy Additional Inspector General of Police Headquarter, KP Peshawar with the same submissions and apology.

(Copy of reply to the Final Show Cause Notice and Orderly Room are attached as Annexure: H, I)

10. That the worthy Additional Inspector General of Police Headquarter, KP Peshawar issued the Appellant / Undersigned dismissal order No. S/ 1541-50/ 2020 dated 20/04/2020 effective from 22/02/2019. The same is dispatched to the Appellant with a recovery letter which is received by the Appellant / undersigned on 06/07/2020.

(Copy of the Dismissal and Recovery letter are attached as Annexure: J, K)

It is, therefore, most humbly requested to the Honourable Inspector General of Police, to passionately consider the Appellant appeal for reinstatement with an apology and the dismissal order dated: 20-04-2020 may kindly be set-aside / recalled as the absence of the Appellant was not wilful but due to the reason stated above and major penalty of dismissal which has been awarded to the Appellant is also need merit consideration. Furthermore, the Appellant availed the opportunity to enhance professional growth and capacity for the larger benefit of the organization i.e. CTD.


24/07/2020

(Dr. MURAD KHAN)

Assistant Director (Research and Analysis)
Research and Analysis Wing, C.T.D

8. That thereafter, final show cause notice No. 3930 dated 13.11.2019 was issued from the office of the Inspector General of Police Khyber Pakhtunkhwa, Central Police Office, Peshawar in the light of inquiry conducted by DIG Crime, Investigation, Khyber Pakhtunkhwa, Peshawar.

Copy of the final show cause notice is attached as Annexure-G.

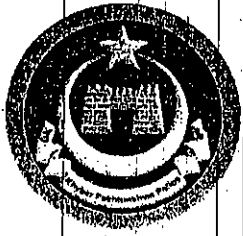
9. That in response to the letter No. S/1/19, dated 23.10.2019 with enclosed copy of the charge sheet from the worthy office of the Inspector General of Police, Khyber Pakhtunkhwa. A humbly request was made in response to the final show cause notice to consider the humbly submissions with an apology of the appellant. Furthermore, with regard to the final show cause notice, the appellant was called in orderly room and appeared before the worthy Additional Inspector General of Police headquarter.

Copy of reply to the Final Show Cause Notice and Orderly Room are attached as Annexure-H, I.

11. That the worthy Additional Inspector General of Police Headquarter, Khyber Pakhtunkhwa Peshawar issued the appellant / Undersigned dismissal order No. S/1541-50/2020 dated 20.04.2020 effective from 22.02.2019. the same is dispatched to the appellant with a recovery letter which is received by the appellant / undersigned on 06.07.2020.

It is, therefore, most humbly requested to the Honorable Inspector General of Police, to passionately consider the appellant appeal for reinstatement with an apology and the dismissal order dated 20.04.2020 may kindly be set-aside/ recalled as the absence of the appellant was not willful but due to the reason stated above and major penalty of dismissal which has been awarded to the appellant is also need merit consideration. Furthermore, the appellant availed the opportunity to enhance professional growth and capacity for the larger benefit of the organization i.e CTD.

DR. MURAD KHAN
ASSISTANT DIRECTOR
Research and Analysis Qualitative
Expert of CTD Peshawar



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/1541-50/2020, Dated Peshawar the 20/4/20

ORDER

This order will dispose off the Departmental Enquiry initiated against Dr. Murad Khan, Assistant Director Research & Analysis (Qualitative Expert) of CTD Peshawar who was charge sheeted with statement of allegations issued by the Worthy IGP, Khyber Pakhtunkhwa under Civil Servants (E & D) Rules 2011 vide No. S/3695/19, dated 23.10.2019. He was charged on the basis of the following allegations, which reads:-

1. That as intimated by Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa, Peshawar, you applied for one year Extra Ordinary Leave because you were selected for one (1) year period project of the World Bank as Economics on 22.02.2019. Application of the same leave was forwarded to CPO for the grant of such leave.
2. That Prior to approval of the leave by the Competent Authority you absented yourself from your lawful duty without any permission by the concerned Authority.
3. That you were issued Show Cause Notice by the DIG/CTD Khyber Pakhtunkhwa to this effect. In response to the Show Cause Notice, you submitted your reply with the contention that you have joined your duties at World Bank from March, 2019 and also requested that you may be permitted to carry out duties in the aforesaid Bank for your personal growth.
4. That you being a member of disciplined force have adopted a very un-professional attitude which has degraded the image and morale of department in the eyes of police force and amongst general public.

An enquiry was conducted by the Additional IGP/IAB, Khyber Pakhtunkhwa, Peshawar (Mr. Salman Choudhry) against the delinquent officer (Dr. Murad Khan) Assistant Director Research & Analysis (Qualitative Expert) of CTD Peshawar.

The delinquent officer did not obtain any NOC to apply for the position at the World Bank. The delinquent officer left his duties on 22.02.2019 without waiting for any action on his leave request. The delinquent officer also availed three (03) months pay (March, April & May-2019, while he was working at the World Bank. He was unable to provide any plausible and cogent reason for his action.

The delinquent officer (Dr. Murad Khan) was appointed as Assistant Director BS-17 in CTD Khyber Pakhtunkhwa through Notification No. 1230/SE-I, dated 23.11.2016 under Khyber Pakhtunkhwa (Research and Analysis Wing) Service Rules 2014.

He was issued Final Show Cause Notice which he replied. He was given an opportunity for personal hearing but he had no plausible explanation with regard to allegations leveled against him.

The delinquent officer was called to Orderly Room He was listened in detail and questioned regarding his conduct but could not satisfy the undersigned regarding gross irregularities as clear from the enquiry report.

(2)

Keeping in view the findings of the Enquiry Officer and material on record, and finding of the enquiry officer, as well as giving him personal hearing, I found the accused officer Dr. Murad Khan, Assistant Director Research & Analysis (Qualitative Expert) of CTD Peshawar guilty of the allegations/charges which are very serious in nature. He is guilty of gross misconduct, morale degradation and bluffing the department, hence he is dismissed from service 22.02.2019 and also, the double pay he has received for three months may be recovered from him.

Order announced.


(DR. ISHTIAQ AHMED) PSP/PPM

Addl: IGP/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Endst: No. & date even.

Copy of above is forwarded for information and necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa, Peshawar with the direction that the double pay he received for three months i.e (March, April & May 2019) may be recovered from him.
3. COS to IGP/Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Establishment CPO Peshawar.
7. Registrar, CPO Peshawar.
8. Office Supdt: CP Branch CPO Peshawar.
9. Office Supdts: E-V, E-I, CPO.
10. UOP File.