

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

**Khyber Pakhtunkhwa
Service Tribunal**

Service Appeal No.1643-P/2022

Nihar ullah (Appellant) 4727

Dated 5/4/23

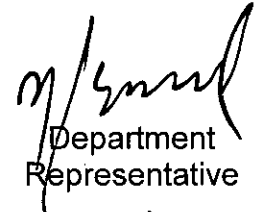
Versus

Provincial Police Officer Khyber Pakhtunkhwa (Respondents)

INDEX

S.No.	Description of documents	Annex	Pages
1.	Memo of Comments	-	1 to 3
2.	Copy of Explanation	A	4
3.	Reply of appellant	B	5-7
4.	Copy of Show Cause Notice	C	8
5.	Reply of SCN	D	9-10
6.	Copy of Charge Sheet	E	11-12
7.	Reply of Charge Sheet	F	13
8.	Copy of Final Show Cause Notice	G	14
9.	Reply of Final Show Cause Notice	H	15
10.	Affidavit		16
11.	Authority Letter		17

Respondents Through


Department
Representative
20/2/23

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1643/2022

Nihar Ullah..... (Appellant)

VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa & others

..... (Respondents)

PARAWISE COMMENTS BY RESPONDENTS NO 1 TO 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appellant has got no cause of action to file the present appeal.
- b) That the appellant has got no locus standi.
- c) That the appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) That the appeal is not maintainable.
- e) That the appellant is estopped to file the instant appeal.
- f) That the appellant has concealed real facts from Hon'ble Tribunal.

FACTS:-

1. Pertains to service record of the appellant, hence no comments.
2. Incorrect, the appellant while posted at Control DI Khan absented himself from lawful duties w.e.f 21.12.2021 to 27.12.2021 & 29.12.2021 to 04.01.2022 without prior permission of Competent Authority.
3. Incorrect, the appellant while posted at Police Telecommunication DI Khan absented himself from lawful duties w.e.f 21.12.2021 to 27.12.2021 & 29.12.2021 to 04.01.2022. To probe his willful absence he was served with an Explanation dated 04.01.2022(Copy attached at F/A).In compliance of Explanation, the appellant produced two Medical Prescriptions for complete bed rest for 02 weeks w.e.f 21.12.2021 to 27.12.2021 and 28.12.2021 to 04.01.2022 respectively given by Doctor Akhter Munir Skin Specialist through his private Clinic. Being a Government employee the appellant was supposed to submit prescriptions from the Government hospital however, he did not do so and produced prescriptions from private doctor which was not acceptable as per rules. (Copy attached at F/B).
4. Correct to the extent of issuance of Show Cause Notice dated 24.01.2022 which was duly replied by the appellant, but his reply was not found satisfactory. (Copy of SCN &Reply of appellant attached at F/C+D)
5. As admitted in preceding para that reply of the appellant was found unsatisfactory therefore, he was served with Charge Sheet along with Statement of Allegations. Muhammad Arif SP Motor Transport, Telecommunication Khyber Pakhtunkhwa

Peshawar, was appointed as Enquiry Officer who conducted fair and impartial enquiry in accordance with law/ rules and submitted enquiry findings wherein the appellant was found guilty of gross misconduct. (Copy of Charge Sheet along with statement of allegations/Reply of appellant attached at F/E+F).

6. Incorrect and misleading, to probe the gross misconduct of the appellant, the Enquiry Officer conducted enquiry in accordance with law/ rules and appellant was also given a chance for appearance and was heard in person at length. During personal hearing the appellant badly failed to produce cogent reasons for his willful absence before the enquiry officer. The Enquiry Officer submitted findings wherein the appellant was found guilty of allegations without any shadow of doubt therefore, the Enquiry Officer recommended him for major punishment.
7. Incorrect and misleading, upon the receipt of Enquiry Recommendations the appellant was served with Final Show Cause Notice, but the appellant once again badly failed to produce cogent reason in his self defence. Therefore, he was awarded with major punishment of removal from service vide order dated 25.04.2022. (Copy of Final Show Cause Notice/reply of appellant attached E/G+H)
8. As already explained in preceding Paras hence, no comments.
9. The instant Service Appeal is liable to be dismissed on following Grounds.

GROUND:-

- A. Incorrect and misleading. The appellant preferred Departmental Appeal against the order dated 25.04.2022 and the appellant was called in Orderly Room by the Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa, Peshawar and heard in person on 12.10.2022. The appellant once again badly failed to produce cogent reasons in rebuttal of charge therefore, the appeal of the appellant was rejected vide order dated 13.10.2022.
- B. Incorrect, all the codal formalities were adopted before passing of Removal from Service Order. Furthermore, no violation of law/ rules exists on part of answering respondents.
- C. Incorrect, as already explained above in Para No. 3 to 5 of Facts.
- D. Incorrect, the appellant badly failed to produce cogent reasons in his self defense. Furthermore, the order of the respondents are in accordance with law/ rules and are sustainable in eyes of law and no need to be set aside.
- E. Incorrect and misleading, the appellant being Government employee was under obligation to produced medical prescriptions from Government Hospital but he badly failed to do so and the reasons best known to the appellant.
- F. Incorrect, the appellant was removed from service after fulfillment of all codal formalities.
- G. The respondents may also be allowed to advance other Grounds during the course of hearing.

3

PRAYER:-

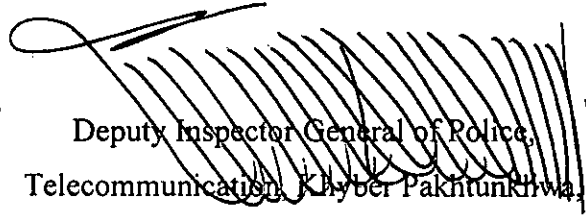
In view of the above, it is humbly prayed that the instant service appeal is devoid of merits without any legal force may graciously be dismissed with cost, please.



Assistant Inspector General of Police,
Telecommunication, Khyber Pakhtunkhwa,

Peshawar.

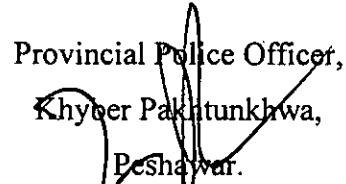
(Respondent No. 3)



Deputy Inspector General of Police,
Telecommunication, Khyber Pakhtunkhwa,

Peshawar.

(Respondent No. 2)



Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.

(Respondent No. 1)

(4)
Annex - "A"

**TELECOMMUNICATION & TRANSPORT,
KHYBER PAKHTUNKHWA PESHAWAR**

No. 146 /Tele/EC,
Dated 4/01/2022

EXPLANATION

It has been reported by RI Telecommunication Headquarter, Peshawar that you, **Mr. Nihar Ullah (Naib Qasid) s/o Mumraiz Khan, CNIC#17301-0893216-1, r/o Bahadar Kalay Achar Ghari Qamar Din, Peshawar** have absented yourself from your duties w.e.f 21.12.2021 upto date i.e 04.01.2022 without any permission.

You are, therefore, called upon to explain your position within 03-days. Failing which, this office will be constrained to initiate disciplinary proceedings against you.

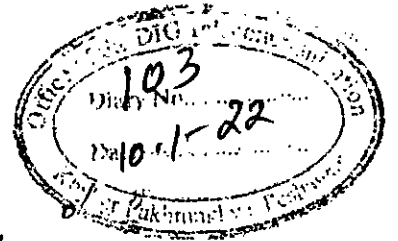


NIHARULLAH

SP Telecomm:
For Deputy Inspector General of Police,
Telecomm: & Transport,
Khyber Pakhtunkhwa, Peshawar

Annex - B (5)

صاحب عالی



جواب Tele/tele Explanation 146 مورخ

22/4 کو عرض خدمت ہوں کہ میں بوجہ بیماری غیر حاضر
ہو گیا ہوں اور ڈاکٹر سے مجھے Bed Rest 2 weeks
کا مشورہ دیا گیا۔

لہذا بذریعہ ذیل سے اطلاع مہربانی عرض کرتا ہوں

میں نے سب سے پہلے اپنے صاحبزادے کو مطلع کر دیا ہے

میں کو مطلع کر دیا ہے

Date 10.1.22

الک علی
NIHAR
نیہار اللہ خان صاحب کو مطلع کر دیا ہے

SPTele
SPTele
By Tele
By Tele
By Tele
By Tele
By Tele

Rs: 75/-

SKIN

r. Akhtar Muneer

Specialist
IS, LRH Peshawar

Contact: Fawad Medical Store
0300-5883710
0313-7223487

(6)



Skin Care Clinic

CARE CLINIC & LASER CENTER

ڈاکٹر اختر منیر سکن سپیشلسٹ

پتہ: بازارہ روڈ سر بند

ٹائمنگ موسم سرما: روزانہ سہ پہر 6 تا 4 بجے شام

ٹائمنگ موسم گرما: روزانہ سہ پہر 7 تا 5 بجے رات

Patient Name: Sher Ali Age: _____ Sex: _____ Date: 21-12-2021

Clinical Record

Rx
Lolucostat 500mg 1-0
1hr 6 hrs.

perm loose lot

gentle wash

xyol 1000 1-0

✓

DR. AKHTAR MUNIR
Skin Specialist
Fawad Medicose Bara Road
Sarband Pesh. 0300-5883710

not complete
B2D cap for

Dr. Akhtar Munir
N-9584

معائنہ بروز پیر، منگل، بدھ صبح 9 تا 1 بجے دوپہر

Skin Care Clinic Opp:
City Hospital Kohat Road,
Peshawar.

Contact / Whatsapp
No: 0333-9122302

سکن کیئر کلینک بالمقابل شی ہسپتال کوہاٹ روڈ پشاور

SKIN

CARE CLINIC & LASER CENTRE

Dr. Akhtar Munir

In Specialist
MS, LRH Peshawar

Contact: Fawad Medical Store
0300-5883710
0313-7223487

(7)



Skin Care Clinic

ڈاکٹر اختر منیر سکن سپیشلسٹ

ژوب روڈ سر بند

نوم سرما: روزانہ سپر 6 تا 4 بجے شام
نوم گرما: روزانہ سپر 7 تا 5 بجے رات

Patient Name: *Aliya Akhtar* Age: Sex: Date: *20-11-2023*

Clinical Record

*5. had
up*

Rx

81gms 10 10

*6. had
up
now
recovery*

to day
59

[Handwritten scribble]

DR. AKHTAR MUNIR
Skin Specialist
Fawad Medicosa Bara Road
Sarband Pesh- 0300-5854749

*Compl
to
[Signature]*

معائنہ بروز پیر، منگل، بدھ صبح 1 تا 9 بجے دوپہر

Skin Care Clinic Opp:
City Hospital Kohat Road,
Peshawar.

Contact / Whatsapp
No: 0333-9122302

کلینک بالقابل شہی ہسپتال کوہاٹ روڈ پشاور

SHOW CAUSE NOTICE

1604-5 - c (8)

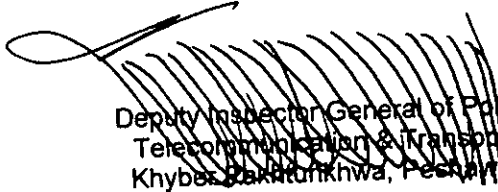
MR. RIZWAN MANZOOR Deputy Inspector General of Police Telecommunication & Transport, Khyber Pakhtunkhwa Peshawar as competent authority, empowered under Khyber Pakhtunkhwa Police Rules 1975, (Amendments 2014) do hereby serve upon you Naib Qasid Nihar Ullah of this unit Posted at Control DI Khan Show Cause Notice on the allegation/charges as follow;

You Naib Qasid Nihar Ullah presently posted at Control DI Khan absented yourself from your lawful duty w.e.f 21.12.2021 to 04.01.2022, for which you were served with an Explanation issued vide No.146/Tele/EC, dated 04.01.2022. In reply to Explanation, you produced 02-medical prescriptions for complete bed rest for 02-weeks w.e.f 21.12.2021 to 27.12.2021 and 29.12.2021 to 04.01.2022 respectively given by Doctor Akhtar Munir Skin Specialist through his private clinic. Being a government employee, you were supposed to submit prescriptions from the government hospital in support of your reply, however, you did not do so and produced prescriptions from private doctor which are not acceptable as per rules.

This act amounts to gross misconduct on your part and is against the norms of disciplined force.

You are, therefore, required to Show Cause as to why you should not be proceeded against departmentally for the above-mentioned act/omission. Also, intimate whether you desire to be heard in person.

If no reply to this Notice is received within 07 days of its receipt in normal course of circumstances to explain your position, ex-Parte action shall be taken against you.


Deputy Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar.

No 1604-5 /Tele/EC, dated Peshawar the 24/1 /2022.

Copies forwarded to the :-

1. Mr. Muhammad Saeed (DSP T&T) (Enquiry officer).
2. O/C DI Khan with the direction to deliver the said Show Cause Notice to Naib Qasid Nihar Ullah s/o Mumraiz Khan r/o Bahadar Kaly Achar Ghari Qamar Din Peshawar and return one copy duly signed by him .

10

all day outside the gate to submit my application for best rest.(application and medical prescription annexed)

10) That the replier also humbly submitting that as I have never been absented; than even, my annual leaves are kind enough to accepted this reply in the interest of justice and equity and give a chance to be careful in future as I being the replier have motivation and spirit to serve this department and also suggesting others to join this learned department as living in the era of Tele Communication.

It's therefore most humbly and merciful prayed that on acceptance of this reply; the replier may very kindly be given a chance to continue his service and in future the replier will be very careful to this worthy and Respected Department.

Dated: 30.01.2022

NIHAR ULLAH
Replier-In Person

Nihar Ullah S/o Mumraiz Khan

Bahadar Kalay Achar Gari Qamar Din, Peshawar

S.#/Tele:1305

17301-0893216-1

(Naib Qasid.

Certificate:-

I do hereby certify and take oath on solemnly affirm that in the future course to the disciplined force I will be very careful while performing my official duty as Naib Qasid.

NIHAR ULLAH
Replier

17301-0893216-1

The replier also desired to be heard in person.

Annex-E (11)

CHARGE SHEET

I, Sohail Zafar Chattha Assistant Inspector General of Police, Telecommunication & Transport Khyber Pakhtunkhwa, Peshawar as Competent Authority, under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules (2011) hereby charge you Naib Qasid Nihar Ullah;

You Naib Qasid Nihar Ullah presently posted at Control DI Khan absented yourself from your lawful duty w.e.f 21.12.2021 to 04.01.2022, for which you were served with an Explanation issued vide No.146/Tele/EC, dated 04.01.2022. In reply to Explanation, you produced 02-medical prescriptions for complete bed rest for 02-weeks w.e.f 21.12.2021 to 27.12.2021 and 29.12.2021 to 04.01.2022 respectively given by Doctor Akhtar Munir Skin Specialist through his private clinic. Being a government employee, you were supposed to submit prescriptions from the government hospital in support of your reply, however, you did not do so and produced prescriptions from private doctor which are not acceptable as per rules.

In this regard, you were served with Explanation as mentioned above and Show Cause Notice vide No.1604-5/Tele/EC, dated 24.01.2022. Your reply so received was thoroughly perused and found unsatisfactory.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules (2011) and have rendered yourself liable to all or any of the penalties specified in the said Rules.

You are therefore, directed to submit your written defence within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer.

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

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

Nhair 8/3/22
(SOHAIL ZAFAR CHATTHA)
Assistant Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar.

No. 3924-26/Tele/EC, dated Peshawar the 8 / 13 /2022

Copy of the above is forwarded to the:-

1. SP MT, Khyber Pakhtunkhwa, Peshawar is appointed to conduct proper enquiry.
2. OI/C Tele DI Khan (to deliver the said Charge Sheet & Statement of Allegations to Naib Qasid Nihar Ullah and return one spare copy duly signed by him)
3. Naib Qasid Nihar Ullah

(12)

DISCIPLINARY ACTION

I, Sohail Zafar Chattha Assistant Inspector General of Police, Telecommunication & Transport Khyber Pakhtunkhwa Peshawar as Competent Authority, am of the opinion that Naib Qasid Nihar Ullah has rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of The Khyber Pakhtunkhwa Efficiency & Disciplinary Rules (2011).

STATEMENT OF ALLEGATIONS

You Naib Qasid Nihar Ullah presently posted at Control DI Khan absented yourself from your lawful duty w.e.f 21.12.2021 to 04.01.2022, for which you were served with an Explanation issued vide No.146/Tele/EC, dated 04.01.2022. In reply to Explanation, you produced 02-medical prescriptions for complete bed rest for 02-weeks w.e.f 21.12.2021 to 27.12.2021 and 29.12.2021 to 04.01.2022 respectively given by Doctor Akhtar Munir Skin Specialist through his private clinic. Being a government employee, you were supposed to submit prescriptions from the government hospital in support of your reply, however, you did not do so and produced prescriptions from private doctor which are not acceptable as per rules.

The above acts depict your inefficiency, disobedience and in-disciplined attitude and lack of professionalism which amounts to grave misconduct on your part warranting stern disciplinary action against you.

For the purpose of scrutinizing the conduct of the said official with reference to the above allegations, **Muhammad Arif** SP Motor- Transport, Khyber Pakhtunkhwa Peshawar is hereby nominated as Enquiry Officer.

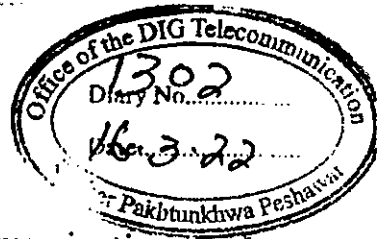
The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the official and submit findings of the receipt of this order, make recommendations as to punishment or other appropriate action against Naib Qasid Nihar Ullah.

Sohail Zafar Chattha 09/3/22
(SOHAIL ZAFAR CHATTHA)
Assistant Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar.

10.3.2022

Annex - F

13



To,

Deputy Director General Police, Telecommunication and Transport Khyber Pakhtunkhwa, Peshawar.

Subject: REPLY TO SHOW CAUSE NOTICE DATED 08.03.2022 RECEIVED ON 10.03.2022.

1

Respected Sir,

That the innocent replier humbly and respectfully submits as under:-

- 1) That the replier is the bread winner of his family and belongs to a respectable family.
- 2) That the absentee from my duty w.e.f 21.12.2021 to 04.01.2022 was neither willful nor intentional but due to severe illness from skin disease nor all my body was itching which was behind my control.
- 3) That as the skin disease was viral for which the doctor advised me complete bed rest for two weeks so, I remain absent for the aforementioned dates.
- 4) That the expulsion, termination or discharge of the replier can cause an irreparable loss to the replier as he is the sole bread earning in his family and the same cannot be procured in any other manner even though the replier have put his job and duty as first option.
- 5) That the replier humbly submits that as I have never been absented; then even my annual leaves are kind enough to be accepted this reply in the interest of justice and equity.
- 6) That I will be very careful in future and will try my level best to not remain absent from my duties without any cogent reason.

It is, therefore, prayed that the Show Cause Notice dated 08.03.2022 may kindly be cancelled.

NIHAR ULLAH

Nihar Ullah S/o Mumraiz Khan
Naib Qasid

16-03-2022

Dated: /03/2022

SP/Tele ✓
SP/JT ✓
D/Dir/Tele ✓
DSP/MT ✓
DS/Tele ✓
ON/Tele ✓
PA ✓
Acctt/Tele ✓
SRC/Tele ✓
OAS/Tele ✓
E/Branch/Tele ✓
ACR/Clerk/Tele ✓
GSI/Tele ✓
Pension Clerk ✓

DIG/Tele

18/03/22

FINAL SHOW CAUSE NOTICE

Annex - 6

14

I, Sohail Zafar Chattha Assistant Inspector General of Police, Telecommunication & Transport Khyber Pakhtunkhwa, Peshawar as Competent Authority, under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules (2011) hereby charge you Naib Qasid Nihar Ullah;

You Naib Qasid Nihar Ullah presently posted at Control DI Khan absented yourself from your lawful duty w.e.f 21.12.2021 to 04.01.2022, for which you were served with an Explanation issued vide No.146/Tele/EC, dated 04.01.2022. In reply to Explanation, you produced 02-medical prescriptions for complete bed rest for 02-weeks w.e.f 21.12.2021 to 27.12.2021 and 29.12.2021 to 04.01.2022 respectively given by Doctor Akhtar Munir Skin Specialist through his private clinic. Being a government employee, you were supposed to submit prescriptions from the government hospital in support of your reply, however, you did not do so and produced prescriptions from private doctor which are not acceptable as per rules.

Afterthat, you were served with Charge Sheet with Statement of Allegations vide No.3924-26/Tele/EC, dated 08.03.2022 and a proper enquiry was initiated. The enquiry has been conducted and the Enquiry Officer recommended "**Major Punishment**" under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules (2011)

Findings of the enquiry are that "you got medical prescriptions from private doctor given by Doctor Akhtar Munir Skin Specialist instead of government Hospital, to give legitimacy to your absence period. Had you been genuinely sick, you would have got bed rest from government Hospital which you did not"

You are therefore, required to submit your written defence within seven (07) days of the receipt of this Final Show Cause Notice.

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

You are directed to intimate whether you desire to be heard in person or otherwise.

Sohail
(SOHAIL ZAFAR CHATTHA)
Assistant Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar.

No. 5001-3/Tele/EC, dated Peshawar the 29/3/2022

Copy of the above is forwarded to the:-

1. SP MT, Khyber Pakhtunkhwa, Peshawar.
2. O/C Tele DI Khan (to deliver the said Final Show Cause Notice to Naib Qasid Nihar Ullah and return one spare copy duly signed by him)
3. Naib Qasid Nihar Ullah

F:\Enquiries folder\enquiries-2019-20.docx

Sohail
an application was ...
chance to submit the application and was sent back ...
04/03/22

J (18)

جسٹس عالی!

سٹریٹس چیک سال کو مورخہ 01/22ء کو ملڈ ٹوکاز نوٹس وصول
 ہوا جسکا جواب سائل نے مورخہ 01/22ء کو No 01/32/DIK کو بذریعہ
 ڈاک کیا تھا۔ وہ سٹیٹمنٹس کو جواب دیا تھا اور اس سائل کو
 مورخہ 09/22ء کو خارج شدت وصول ہوئی جسکا سائل نے
 مورخہ 16/22ء کو بذریعہ ڈاک نہ کیا۔ وہ سٹیٹمنٹس کو جواب
 دیا تھا جسکا مورخہ 29/22ء کو سائل ٹوکاز نوٹس وصول کیا تھا
 سائل کہہ رہے ہیں وہی سائل چیک مورخہ ساری سائل نے غیر حتمی
 کی تھی اور اسکوئی سائل نہیں اور یہ حقیقت برعکس ہے بلکہ
 اسکا جواب چیک سائل ایک غیرین کھڑا ہے سے تعلق رکھتا ہے اور تریف
 رکھتے رہتا ہے حفاظ امور ہے سائل کو جائزہ عرض ہو
 سکتے ہیں اور وہی دم کی اجازت دی جائے تاکہ سائل اپنی
 خبری سائل کر غیر حتمی کی دم تاکہ سائل کو صاف فرما کر
 متفقہ فرمائیں سائل ائندہ کے لئے حفاظ رکھیں۔

NO. 01/104/DIK

عین نوٹس ہوئی

مورخہ 07/22

اکسپریس
 (R) M.A.S.
 Police Tele Communication
 P.O. Box No. 21, Feroz
 صاحب ماحد سارالہ

M. HARULLAH


ORDER

Mr. Nihar Ullah Naib Qasid while posted at Police Telecommunication Headquarter, Peshawar presently posted at Wireless Control Room DI Khan absented himself from his lawful duty w.e.f 21.12.2021 to 04.01.2022. To probe his willful absence, he was served with an Explanation vide No.146/Tele/EC, dated 04.01.2022. In compliance to Explanation, he produced 02 medical prescriptions for complete bed rest for 02 weeks w.e.f 21.12.2021 to 27.12.2021 and 28.12.2021 to 04.01.2022 respectively given by Doctor Akhtar Munir Skin Specialist through private clinic. The reply received was thoroughly perused and found unsatisfactory as being a government servant he was supposed to submit prescriptions from government Hospital instead of private doctor.

Afterwards, he was served with Show Cause Notice vide No.1604-5/Tele/EC, dated 24.01.2022. The reply received was also perused thoroughly and found unsatisfactory. Therefore, he was served with Charge Sheet and Statement of Allegations vide No.3924-26/Tele/EC, dated 08.03.2022. The reply received was also perused thoroughly and found unsatisfactory.

Furthermore, the accused / delinquent Naib Qasid Nihar Ullah was also given a chance for appearance and was heard in person at length. During personal hearing, the delinquent official failed to produce a cogent reason for his willful absence. The Enquiry Officer, therefore, recommended that major punishment may be awarded to the accused Naib Qasid Nihar Ullah under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules 2011.

I, being the competent authority, after perusal of enquiry, have awarded major punishment of "Removal from Service" to Nihar Ullah Naib Qasid with immediate effect under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules 2011. Therefore, Nihar Ullah Naib Qasid is Removed from Service with immediate effect.

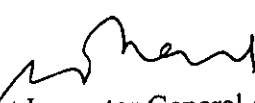

Assistant Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar

5876-83
No.

/Tele/EC, dated Peshawar the 25/4 /2022

Copies forwarded to the:

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
2. DIG Telecommunication & Transport, Khyber Pakhtunkhwa, Peshawar.
3. Accountant General, Khyber Pakhtunkhwa, Peshawar
4. SP Telecommunication, Khyber Pakhtunkhwa, Peshawar.
5. SP Motor-Transport, Khyber Pakhtunkhwa, Peshawar.
6. Accountant Telecommunication, Peshawar.
7. OI/C Tele DI Khan
8. Mr. Nihar Ullah s/o Mumraiz Khan Bahadar Kalay Achar Gari Qamar Din, Peshawar


Assistant Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar

(16)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1643-P/2022

Nihar ullah (Appellant)


Versus

Provincial Police Officer Khyber Pakhtunkhwa (Respondents)

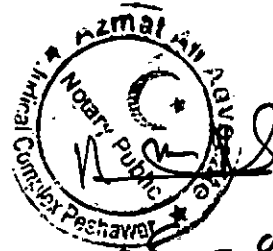
AFFIDAVIT

I, Muhammad Saeed Deputy Superintendent of Police Telecommunication KPK Peshawar (representative of respondents/Department) do here by solemnly declare that the contents of accompanying comments on behalf of Respondents/Department are correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

DEPONENT


(MUHAMMAD SAEED)
Deputy Superintendent Police,
Telecommunication: Peshawar.
CNIC: 13503 0550919-1

ATTESTED:

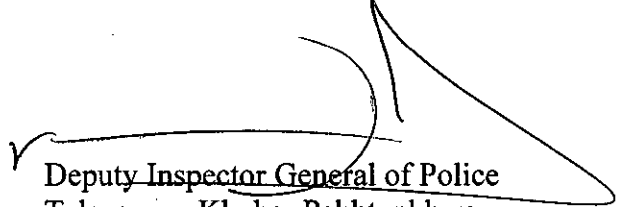


05-04-2023

AUTHORITY

(17)

It is certified that Muhammad Saeed Deputy Superintend of Police Tele (BPS-17) of Police Telecommunication is hereby authorized/nominated to submit the comments in Khyber Pakhtunkhwa Service Tribunal Peshawar on behalf respondents department in S/Appeal No.1643/2022 in case titled Nihar ullah VS Provincial Police Officer Khyber Pakhtunkhwa Peshawar, & others


Deputy Inspector General of Police
Telecomm: Khyber Pakhtunkhwa
Peshawar