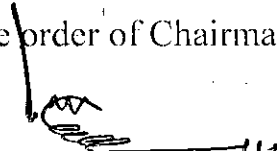


FORM OF ORDER SHEET

Court of _____

Case No. - ~~_____~~ ~~_____~~ 544/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/03/2023	<p>The appeal of Qazi Muhammad Hussain presented today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 5114/2023

Qazi Muhammad Hussain

V/S

Police Deptt.

INDEX

S.NO.	DOCUMENTS	ANNEX	PAGE
1.	Memo of Appeal	-----	01-07
2.	Copy of charge sheet	A	08
3.	Copy of statement of allegarion	B	09
4.	Copy of charge sheet reply	C	10-11
5.	Copy of final show cause notice	D	12
6.	Copy of reply	E	13-14
7.	Copy of impugned order	F	15
8.	Copy of departmental appeal	G	16-17
9.	Copy of rejection order	H	18
10.	Copy of zimni report	I	19
11.	Copy of naqalmaid report	J	20-21
12.	Vakalat nama	-----	22


APPELLANT

Qazi Muhammad Hussain

THROUGH:


(MUHAMMAD ASIF YOUSAFZAI)

Advocate Supreme Court


(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT

Cell No: 03065109438

Date: 13/03/2023

1

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 514 /2023

Qazi Muhammad Hussain, Ex-ASI NO.1058
IO at PS Shahpur Peshawar.

.....(Appellant)

VERSUS

1. The Capital City Police Officer, KPK Peshawar.
2. The Senior Superintendent of Police (operations) Peshawar.

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 16/11/2022 WHEREBY, THE APPELLANT HAS BEEN DISMISSED FROM THE SERVICE AND AGAINST THE ORDER DATED 27/02/2023 WHEREBY, THE DEPARMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED FOR NO GOOD GROUNDS AND WITHOUT INDEPENDENT MIND.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 16-11-2022 AND 27-02-2023 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

2

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant joined the police force in year 1995 and completed his due training etc and total service of appellant was 27/28 years and also has good service record throughout
2. That statement of allegation and charge sheet under police rules 1975 was served upon the appellant along with other accused in which the appellant was charged for several baseless allegations. The appellant properly replied to the charge sheet and denied all the allegations. **(Copy of statement of allegation, charge sheet and replied are attached as Annexure- A, b & C).**
3. That the inquiry was conducted against the appellant and other accused but no inquiry report was provided to appellant along with show cause notice and not give a proper chance to appellant to defend himself. Further it is added that the separate inquiry was conducted against each accused which is not tenable in eye of law.
4. That final show cause notice was served to appellant without any copy of inquiry report and the appellant submitted his reply to the final show cause notice in time and denied all allegations in the reply to the final show cause notice. **(Copy of show cause notice and replied is attached as Annexure-D & E)**
5. That vide impugned order dated 16/11/2022, the penalty of dismissal from service was imposed on the appellant under Police Rules 1975 without using independent mind. The appellant feeling aggrieved filed departmental appeal on 21/11/2022, which was also rejected on dated 27/02/2023 for no good ground and without applying independent mind. **(Copies of order, departmental appeal and rejection order are attached as Annexure-F, G & H).**
6. That now the appellant come to this august Tribunal on the following grounds amongst others.

GROUND:

- A) That the impugned order dated 16-11-2022 and 27-02-2023 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That the appellant has been condemned unheard and has not been treated according to law and rules.

- C) That neither the appellant was associated with the enquiry proceedings nor has any statement been recorded in the presence of appellant. Even a chance of cross examination was also not provided to the appellant which is violation of norms of justice.
- D) The right of cross examination could not be presumed to have been afforded to the appellant as was the opinion of the respondents. The inquiry officer was bound to have given the right of cross examination expressly. There is no material on record whether the appellant was given any right of defense and depriving a civil servant from affording appropriate opportunity of defense is nullity in the eyes of law.
- E) That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.
- F) That the appellant was deprived of his inalienable right of personal hearing and opportunity to cross examine witnesses. The opportunity of offering proper defense was snatched from the appellant. The Hon'able Service Tribunal has been consistently following this yardstick almost in all cases, so departure from the set pattern and that too without any cogent reason in the present case would cause irreparable damage to the appellant at the cost of substantial justice. Such inquiry proceeding could not be termed as fair, just and reasonable, as the respondents badly failed to prove that the appellant has leaked certain official information to the criminals. such practice has already been disapproved by the apex court contained in its judgments PLD 1989 SC 335, 1996 SCMR 802, 2018-PLC (CS)997 and 2019 SCMR 640.
- G) That the inquiry report along with the show cause was also not provided to the appellant, which is clear violation of Superior Court judgment. That principal is also held in the appeal of the **Walced Mehmood vs Police Deptt and Zeeshan vs police**, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as 1981 PLD SC 176 and 1987 SCMR 1562, without which all the proceedings is nullity in the eyes of law. Reliance was placed on **2018 PLC (CS) 997 and 2019 SCMR 640**.
- H) That in reply to charge sheet the appellant submitted roznamcha report etc related official Sajawal and Imran-ud-Din but no statement was recorded of these officials and also not included them in the inquiry proceedings. Further, neither investigation officer of the Instant case was examined nor raid team of the instant case was examined. Moreover, whom were nominated in FIR were also not examined which is necessary for fair conclusion.
- I) That vide impugned order dated 16/11/2022, the penalty of dismissal from service was imposed on the appellant under Police Rules 1975 without using independent mind. The appellant feeling aggrieved filed departmental appeal on 21/11/2022, which was also rejected on dated 27/02/2023 for no good ground and without applying independent mind. which practice is quite

9

incorrect and turned down by the apex court in a latest judgment contained in 2020 PLC (CS) 1291.

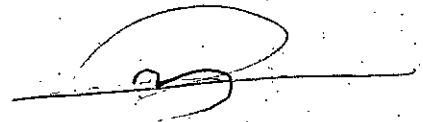
- J) That an FIR registered against an accused Lal Sher and Jan Sher etc was under investigation and after checking CDR, it was divulged that the appellant was in contact with accused and the inquiry officer on the basis of presumptions have concluded that such telephonic contacts contemplates that the appellant leaked official information as well as movements of police to the accused, whereas the appellant categorically denied such allegations with clarifications that the appellant mobile number is used to contact with Lal sher on the direction of SHO by ASI Sjawal Khan for the reason that the Accused was released by the SHO Imran-ud-Din own his Personal Machalka and such contacts does not necessarily mean that he leaked out official information to the accused and if the authorities are still adamant, they must check voice data of the appellant. we have observed that the inquiry officer mainly relied on CDR data, particularly the establishment of charges pertaining to leaking official information to criminals, which was required to be proved with the help of solid evidence, but which is not forthcoming in the said report. Mere reliance on CDR and that too without confronting the appellant with the same had no legal value and mere presumptions does not form basis for imposition of major penalty, which is not allowable under the law. Hence it would be immaterial to substantiate that the appellant leaked official information to the criminals, so the impugned orders are liable to be set at naught on this score alone. **Copy of reports are attached as annexure-I & J.**
- K) That SP Rural, was nominated an inquiry officer who conducted a formal inquiry at the back of the appellant. The appellant submitted detail statement charge sheet reply. Moreover, in the impugned order mentioned cross question from appellant is totally wrong and mention intelligence report which is also illegal because the appellant not confronted with the same, so the same has no value in eye of law Further it is added that according to reported judgment cited as *1997 PLD page 617* stated that every action against natural justice treated to be void and unlawful. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel of every statute according to superior court judgment cited as 2017 PLD 173 and 1990 PLC cs 727.
- L) There are so many witnesses give statements in that case but enquiry is only conducted against the appellant which is discriminatory in nature.
- M) That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as 1997 PLC cs 564.
- N) That the impugned order is not a speaking order, lacking necessary ingredients and issued in violation of Section 24-A of the General Clauses

3

Act. In light of judgment 2015 PLC (CS) 1125-D and 2015 KLR. Further added that the respondents violated Article 10-A and 4 of the constitution due to non-provision of opportunity of free and fair trial and adherence to due process of law, rather it was restricted to selected questions of his choice through questionnaire but in real the same was self generated by the inquiry officer if any. Such process of questionnaire has been deprecated by the apex court in its judgment 1993 SCMR 1440.

- O) That the penalty of dismissal from service was passed without taking in consideration period of service of appellant and as inexperience police official which is very harsh view and passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- P) That the appellant's guilt has not been proved beyond the shadow of doubt and the appellant has been punished on the basis of conjecture and surmises.
- Q) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

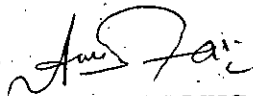
It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.



APPELLANT

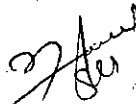
Qazi Muhammad Hussain

THROUGH:



(MUHAMMAD ASIF YOUSAFZAI)

Advocate Supreme Court

& 

(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT

6

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2023

Qazi Muhammad Hussain

V/S

Police Deptt.

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.


DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need.


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

7

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____ /2023

Qazi Muhammad Hussain

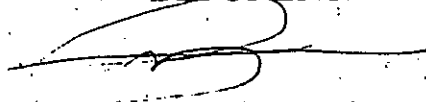
V/S

Police Deptt::

AFFIDAVIT

I, Qazi Muhammad Hussain, (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honorable Tribunal.

DEPONENT


Qazi Muhammad Hussain

CHARGE SHEET

A 08

1. Whereas I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP/Operations Peshawar, am satisfied that a Formal Enquiry as contemplated by Police Rules 1975 is necessary & expedient in the subject case against ASI Qazi Muhammad Hassan No. 1058 while posted at IO PS Shahpur Peshawar.

2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in Rule 3 of the aforesaid Rules.

3. Now therefore, as required by Rule 6 (1) (a) & (b) of the said Rules, I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP Operations, Peshawar hereby charge ASI Qazi Muhammad Hassan No. 1058 while posted at IO PS Shahpur Peshawar under Rule 5 (4) of the Police Rules 1975.

- i) It has allegedly been reported that you have been indulged in illegal activities and misconduct as you have maintained links with notorious criminals as well as Proclaimed Offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s-365/302/109/7-ATA PS Shahpur.
- ii) It is further alleged that you have leaked secret information in arrest of P.Os in above mentioned FIR and allied with criminals.
- iii) He has tarnished the image of police department in the eyes of general public.
- iv) All this amounts to gross misconduct on your part and rendered you liable for punishment under Police (E&D) Rules, 1975.

4. I hereby direct you further under Rule 6 (1) (b) of the said Rules to put forth written defence within 7 days of the receipt of this Charge Sheet to the Enquiry Officer, as to why action should not be taken against you and also stating at the same time whether you desire to be heard in person.

5. In case your reply is not received within the specific period to the Enquiry Officer, it shall be presumed that you have no defence to offer and ex-parte action will be taken against you.

Lt Cdr @ KASHIF AFTAB AHMAD ABBASI)PSP
Senior Superintendent of Police
(Operations) Peshawar

9
B

STATEMENT OF ALLEGATIONS

1. Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP/Operations Peshawar as competent authority, am of the opinion that **ASI Qazi Muhammad Hassan No. 1058** while posted at **IO PS Shahpur Peshawar** has rendered himself liable to be proceeded against departmentally as he has committed the following acts/omission within the meaning of section 03 of the Khyber Pakhtunkhwa Police Rules, 1975.

- i) It has allegedly been reported that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as Proclaimed Offenders (POs) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/109/7-ATA PS Shahpur.
- ii) It is further alleged that he has leaked secret information in arrest of P.Os in above mentioned FIR and allied with criminals.
- iii) He has tarnished the image of police department in the eyes of general public.
- ii) All this amounts to gross misconduct on his part and rendered him liable for punishment under Police (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of afore said police official in the said episode with reference to the above allegations **SP Rural** is appointed as Enquiry Officer under Rule 5 (4) of Police Rules 1975.

3. The Enquiry Officer shall in accordance with the provision of the Police Rules (1975), provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused official.

Lt Cdr @ **KASHIF AFTAB AHMAD ABBASI** PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 184 E/PA, dated Peshawar the

30/07/2022

Copy to:-

1. The Inquiry Officer.
2. The Delinquent official through PA to the EO officer

جناب عالی

بحوالہ مشمولہ باہر شہد نہایت ارب کیسا تو معروض

خدمت ہوں۔ تم سے خلاف فروری الزامات نے باطور پر

خود سادہ لکھائے گئے ہیں جسکی جواب بہ تفصیل دیں ہے

- یہ کہ مسائل تھانہ شاہ پور میں حسب الحکم انہرا مال لطور 100 تھانہ

تھا۔ نوران تھانہ مختلف قسم کے مقدمات ہر اے تھانہ

پور میں جہاں تک ملنے عطلو۔ بحوالہ مقدمہ عدد 583 نوخ 7 اے

حکم 365/302/109/7-ASی تھانہ شاہ پور کے ساتھ روابط کا ذکر ہے اس

سلسلہ میں عرض کرنا کہ تھانہ شاہ پور میں ملزم لعل شہر عرف لالی کے

علاقہ مقدمہ عدد 508 نوخ 6/4 اے 216 درج رہیں سر جسکی

تفتیش ASI سجاول کو حوالہ پڑتی ہے چونکہ یہی ملزم لعل شہر تو SHO تھانہ

شاہ پور انسپکٹر کلکٹر پوران اللہ نے ذاتی محکمہ پر چھوڑا تھا۔ لہذا ASI

سجاول جو کہ 100 تھانہ کے ساتھ حاضر تھے کہہ سجاول خالے SHO میں

سے تھانہ میں کہا کہ ملزم لعل شہر تھانہ حاضر نہیں کی لہذا SHO میں

لعل شہر کا ممبر سجاول شاہ ASI نو دیکر کہا کہ اسے اس فون ممبر

مال کرتے۔ لہذا ASI سجاول نے پہلے تھانہ کے سرکاری ممبر سے پورا

ذاتی ممبر ممبر سے اور آخر میں ممبر جو ممبر سے SHO کی موجودگی

میں ڈال کر کہ مقدمہ عنوان مالہ کے سلسلہ میں گوت مشدک

جناب عالی! یہ اسباب ذکر ہے اس میں جو ممبر لالی کی ذاتی مفاد کہتے ہیں

یہ کہ سجاول خالے ASI کے مقدمہ عدد 508 فروری مالہ کے سلسلہ میں SHO

کی موجودگی میں ڈال کر لیا تھا۔ جسکا تفصیلی ذکر ASI سجاول

اسی مقدمہ کے ضمنی ممبر میں لیا ہے۔ جسکی کاپی پوراہ لے

ملکہ از میں ملزم لعل شہر جو تھا۔ SHO میں جس ذاتی

ممبر لعل شہر کو

مزدوران خدمت مذکورہ خارج شدگان کو بھی سہولت دینی ہے یعنی اسکی
صحت تاریخ 21/07/2022 تک خارج شدگان میں صوفیہ 06/03/2022 درج ہے جو کہ

مطلوبہ ہے۔ اور سائل کا اس کے علاوہ دوسرا کوئی واسطہ نہیں ہے۔
جنا علیٰ ر جہاں تک سرمایہ حقیدہ انفارمیشن کی لینڈنگ کا التزم ہے
یہ سہولت شدہ ہے سائل نے کسی قسم کی سرمایہ اطلاع کو ظاہر نہیں کیا ہے
اور یہی کوئی ایسا نفل انجام دیا ہے جو کہ حکم کی بدنامی کا باعث ہو۔

سائل نے حکم پولیس میں تقریباً 27/28 سال ملازمت کی ہے
اس دوران افسران بالا نے کافی ایلم اور حساس عمل کو سرانجام دیا ہے
کی ہے اور خدا کی قسم کہ ہم ہمیشہ معیار پر پورا اترتے رہے
اور کبھی سائل کی اطمینان دہر کوئی داع نہیں آیا ہے جو کہ سائل کی
فرض شناسی اور ایمانداری کی عکاسی کرتی ہے۔

اس لئے استدعا ہے، درم بالا حقیقت کی روشنی میں
سائل کی بے گناہی کو نشہ نظر رکھ کر خارجہ الصیافی کا زوالی کو
درجہ دفتر خارجہ مکتور فرمائیں۔ کہ سائل جوئے چھوئے چھوئے
کی کفالت کا واحد ذمہ دار ہے۔ لا بخر زما گور سولنگا۔
اللہ

ایک ایسا ادارہ قاضی محمد حسن
ASB پولیس لائن میں
Contact no.

0334-0100484.
031-8882805.



OFFICE OF THE
SENIOR SUPERINTENDENT OF POLICE,
(OPERATIONS),
PESHAWAR
Phone: 091-9213054

No. 2889 /PA

Dated Peshawar the 02/11 2022

FINAL SHOW CAUSE NOTICE
(Under Police Disciplinary Rules, 1975)

1. I, Senior Superintendent of Police, Operations, Peshawar as competent authority, under the Police disciplinary Rules 1975, do hereby serve you ASI Qazi Muhammad Hassan No. 1058 as follows:-
 2. (i) That consequent upon the completion of enquiry committee conducted against you by SP Rural Peshawar, who found you guilty of the charges for which you were given the opportunity of personal hearing.
 - (ii) Ongoing through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the said officers, I am satisfied that you have committed the following misconducts:

You have been found guilty of the charges already communicated to you vide this office hearing No. 184/PA dated 30.07.2022.
3. As a result thereof I, as Competent Authority decided to impose upon you major/minor penalty including dismissal from service under the said Rules.
4. You are, therefore, require to Show Cause as to why the aforesaid penalty should not be imposed upon you.
5. If no reply to this notice is received within 7-days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. You are at liberty to be heard in person, if so wished.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP
Senior Superintendent of Police
(Operations) Peshawar

E B /

صدا عال

حوالہ فتحولہ مائنل شوکار لوئسن میاں آدے سیاہ 583
خدمتے ہوتے کہ میرے حلقہ مذکورہ التزامات ہے بلورید

خود سلسلہ نفاذ کے لیے میں جس کی جوابدہ تھی وہ ذیل ہے

یہ کہ سال 1974ء میں حسب الحکم آئینوں یا ضابطوں
اپنی سٹیٹ سٹاف اور دیگر افسر سٹیٹ سٹاف میں بطور 5-1 ایجنٹ
تھا۔ وہاں لیسٹائی ٹیبل کے تحت مقررہ خدمات پر لیسٹائی ٹیبل پر
میں جیلنگ تک ملتان مقدمہ مقدمہ عدالت 583 ورثہ 27/2 قید ہے۔

365-302-109-7ATA عائد شاہ پور سیاہ روادہ کا ذکر ہے۔ اس
سلسلہ میں عسکر اریون کہ عائد شاہ پور میں مقدمہ عدالت کے تحت
میں لیسٹائی ٹیبل کے حلقہ مقدمہ عدالت 508 ورثہ 6/22 قید ہے۔

جس کی لیسٹائی ٹیبل A91 سہ ماہی شاہ لکھنؤ کی ہے جو کہ میں مقدمہ عدالت میں
کہ SH0 عائد شاہ پور۔ محمد ال الدین نے ذاتی طور پر حوالہ دیا تھا۔ عائد
A91 سہ ماہی جو کہ 1-0 عائد شاہ پور حاضری نہ کرنے پر سہ ماہی ان 9-1
SH0 میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال حاضری بند کی۔ عائد
SH0 میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال حاضری بند کی۔ عائد
لیا کہ A91 سہ ماہی شاہ پور میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال
اور آفس کارپوریٹ ہو یا نہیں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال
عنوان یا اس وقت لیسٹائی ٹیبل میں شہر ناخال

صدا عال 10
یہ کہ سال 1974ء میں حسب الحکم آئینوں یا ضابطوں
اپنی سٹیٹ سٹاف اور دیگر افسر سٹیٹ سٹاف میں بطور 5-1 ایجنٹ
تھا۔ وہاں لیسٹائی ٹیبل کے تحت مقررہ خدمات پر لیسٹائی ٹیبل پر
میں جیلنگ تک ملتان مقدمہ مقدمہ عدالت 583 ورثہ 27/2 قید ہے۔
سلسلہ میں عسکر اریون کہ عائد شاہ پور میں مقدمہ عدالت کے تحت
میں لیسٹائی ٹیبل کے حلقہ مقدمہ عدالت 508 ورثہ 6/22 قید ہے۔
جس کی لیسٹائی ٹیبل A91 سہ ماہی شاہ لکھنؤ کی ہے جو کہ میں مقدمہ عدالت میں
کہ SH0 عائد شاہ پور۔ محمد ال الدین نے ذاتی طور پر حوالہ دیا تھا۔ عائد
A91 سہ ماہی جو کہ 1-0 عائد شاہ پور حاضری نہ کرنے پر سہ ماہی ان 9-1
SH0 میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال حاضری بند کی۔ عائد
SH0 میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال حاضری بند کی۔ عائد
لیا کہ A91 سہ ماہی شاہ پور میں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال
اور آفس کارپوریٹ ہو یا نہیں عائد شاہ پور میں مقدمہ عدالت میں شہر ناخال
عنوان یا اس وقت لیسٹائی ٹیبل میں شہر ناخال

اور عذرہ اربعہ مسائل سنا کر مختلف صفحات سے حصہ دیا گیا ہے۔

سید

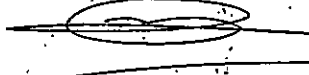
صبا بانی

جیسا کہ سہ ماہی حصہ الفاروق کی پیکج کا اندازہ ہے۔ یہ سہ ماہی حصہ ہے اللہ کے فضل سے ان کے لئے جو مسائل سے حصہ کی ہوگی اطلاع کی جا رہی ہے اور ان کی اس کا حصہ اگلا حصہ ہے جو ان کے لئے کی جا رہی ہے۔

مسائل کے حصہ کو لیس مئی 2008ء تک سال فلڈ میں ہی اس دورانیہ میں اس کے لئے کامیابی حاصل ہوگی اور خدا کے فضل سے اسے ہینے معیار پر پورا اترائیں اور ان کے مسائل کے اجماع کوئی دعویٰ نہیں آیا ہے جو کہ مسائل کا حصہ تھا اسی اور ایسا ذریعہ نکالی گئی ہے۔

اسی سے اس کا حصہ درج ذیل حقیقت کی روشنی میں مسائل کی ہے سناہ کی کو پتہ چلے گا کہ جاریہ مسائل شوکارہ لٹریچر کو داخلہ دہنے کے لئے سے مشکور رہا۔ کیونکہ مسائل کے حصے کے حصے کی بنیاد تمام اہل ذہن ہے۔

اللہ


آغا نذر قاضی حسن - ASI

Contact Nos 0301-8882805
0334-100484



OFFICE OF THE
SR: SUPERINTENDENT OF POLICE,
(OPERATIONS) PESHAWAR
Phone. 091-9210508

F
15

ORDER

This office order will dispose-off the departmental proceedings against ASI Qazi Muhammad Hassan No. 1058 while posted at CCP Peshawar was placed under suspension and proceeded against departmentally on the allegations/charges that he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as proclaimed offenders (POs) of case vide FIR No. 583, dated 03.06.2022 u/s 365/302/109/7-ATA-PS Shahpur and he has leaked secret information in arrest of POs in above mentioned FIR and allied with criminals.

2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary of allegations was issued against him and SP Rural was appointed as Enquiry Officer who submitted his findings wherein he concluded that statement of ASI Qazi Muhammad Hassan No. 1058, cross questioning intelligence sources and other available materials the **"all allegations against him are proved."**

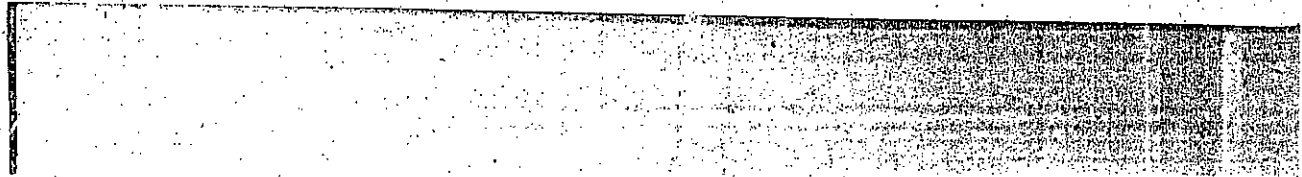
3. On receipt of the findings, Final Show Cause Notice was issued to him vide No. 2889/PA dated 02.11.2022 to which he replied while providing him ample opportunity of self-defence in orderly room on 15.11.2022. He however, failed to advance any plausible explanation in rebuttal of the charges. Thus, the allegations against him stand proved. The undersigned being competent under (Efficiency & Disciplinary) Rules, 1975, have decided to impose major penalty of dismissal from service on the accused official. He is, therefore, dismissed from service with immediate effect.

Order announced.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 3030-33PA dated Peshawar, the 16/11/2022.
Copy for information and necessary action to:-

1. The Capital City Police Officer, Peshawar.
2. EC-II, OASI, CRC, PO, AS.
3. PMC along with complete enquiry file for record ().



خدمت صاحب کیشیل سٹی پولیس افسر صاحب پشاور

6
16

مضمون :- حکیمانہ ایسیل بر خلاف آرڈر نمبر PA/33-3030 مورخہ 11/16/2022
جسکی بناء پر جناب SSP صاحب پشاور نے پشاور نے سائل کو
ملازمت سے برخواست کیا گیا ہے۔

جناب عالی! سائل حسب ذیل عرض درمیان ہے :-

(1) یہ کہ سائل نے قلمی پولیس میں تقریباً 27/28 سال بے داغ ملازمت انجام دی ہے
دریں ملازمت حسب الحکم افسران بالذات مختلف قسم پر عمل تھا جسات اور
جو کلمات میں ڈیوٹی سرانجام دیکر عینتہ کئی پولیس کی شہادت نامی اور ریٹ
مقرر رکھنے کیلئے جان کی بازی لگائی ہے۔

(2) اسی طرح حسب الحکم جاز افسر سائل تھانہ شاہ پور میں پہلے پیرسٹن سٹاف اور پھر
میں انوشنگٹن ونگ سے بطور 100 تعینات رہا ہے۔

(3) اسی طرح سائل کو مقدمہ عدہ 508 مورخہ 6/4/2022 جرم 216 PPC تھانہ شاہ پور میں
ملزم لعل شیر عرفی کے خلاف درج رجسٹر تھا۔ اور SHO اسکینڈل پاران اللہ
تھانہ شاہ پور اسی ملزم لعل شیر عرفی کی جیل پر چھوڑا تھا۔ لہذا اسی ملزم
کی حاضری کئی پیرسٹن پاران اللہ سے تیز کر کے جس نے خود لعل شیر
کا وکیل مقرر دیکر سابقہ ASI سجاوٹ نے پہلے تھانہ کے سربراہ ملزم سے پور
میں وکیل ملزم سے رابطہ کر کے حاضر ہونے کی ہدایت کی۔

(4) یہ امر قابل ذکر ہے کہ اس تمام مادیاتی کا مفصل ذکر ضمنی نمبر 2 میں کیا ہے۔

(5) یہ کہ نقل ذاتی جیل، ضمنی نمبر 2۔ نقل نمبر 18 روز نامہ 13/07/22 اور SHO صاحب
کا مفصل رپورٹ مندرجہ ذیل رائے ذاتی جیل بحال درمیان 24 روز نامہ 6/5/22 لکھڑا
برائے ثبوت و قابل ملاحظہ ہیں۔

(6) علاوہ ازیں معروضہ خدشات ہوں کہ من سائل نے اس کے علاوہ
لعل شیر عرفی سے نہ کوئی رابطہ رکھا ہے۔ اور اس سے

کوئی ذالی مفاد ہے۔ اسی طرح اپریشن ڈیوٹی کے دوران مار سہارا

17

کے سلسلہ میں برقرار ہیں۔
خدا کا فضل و کرم ہے زندگی کا بیشتر حصہ جو بس ملازمت گزارا ہے
اور کبھی دھوکے میں یا یاد نہتی کا مظاہرہ نہیں کیا ہے

سائل ایک عرب اور ممتاز شخص ہے اور اس طرح
ملازمت سے درخواستگی سے سائل کی شہرت اور سناٹو فطرت
بہت کم متاثر ہوئی ہے۔ اس لئے درخواست ہے کہ درج
صفت کی روشنی میں سائل کو ملازمت پر دوبارہ بحال فرما کر
تذکرہ فہرست۔ کار عہدہ چاگو رہا گیا

~~21/11/22~~

الذو

چاگو افاضی محمد حسن سابق ASI
Contact: no. 0301-882805
0334-0100484



OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

H
18

ORDER.

This order will dispose of the departmental appeal preferred by Ex-ASI Qazi Muhammad Hussain No. 1058, who was awarded the major punishment of "Dismissal from service" under KP PR-1975 by SSP/Ops: Peshawar vide order No. 3030-33/PA, dated 16.11.2022.

2- Short facts leading to the instant appeal are that the delinquent official was proceeded against departmentally on the following charges:-

- i. That he has been indulged in illegal activities and misconduct as he has maintained links with notorious criminals as well as proclaimed offenders (POs) of case vide FIR No. 583, dated 03.06.2022 u/s 365/302/1097-A1A PS Shahpur.
- ii. That he has leaked secret information in arrest of POs in above mentioned FIR and allied with criminals.
- iii. He has tarnished the image of police department in the eyes of general public.

3- He was issued proper Charge Sheet and Summary of Allegations by SSP/Operations Peshawar. The SP/Rural Peshawar was appointed as inquiry officer to scrutinize the conduct of the accused official. The inquiry officer after conducting proper inquiry submitted his findings in which he was found guilty. The competent authority in light of the findings of the enquiry officer issued him Final Show Cause Notice to which he replied, but the same was found unsatisfactory, hence awarded the above major punishment.

4- He was heard in person in O.R and the relevant record along with his explanation perused. During personal hearing the appellant failed to submit any plausible explanation in his defence. He was given ample opportunity to prove his innocence but he could not do so himself. Therefore, his appeal for setting aside the punishment awarded to him by SSP/Operations Peshawar is hereby rejected/filed.

(MUHAMMAD HAZ KHAN) PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 256-63 /PA dated Peshawar the 27/02 /2023

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
2. SP/Rural Peshawar.
3. AD/IT CCP Peshawar.
4. EC-II, AS & Pay Officer
5. FMC along with Fouji Missal.
6. Official Concerned.

27.2.23

19
I

پولیس فارم ۲۵-۵۳ (۱) پولیس فارم نمبر ۳
حصہ اول (بیرونی)

رپورٹ ضمنی

ضلع شیخوپورہ

سدرہ لور

تھانہ

۵۰۸

ضمنی نمبر ۲

ابتدائی اطلاعی رپورٹ نمبر

۲۰۲۲-۰۶-۰۱

قلم میں موصول ہوینا وقت و تاریخ

تاریخ و مقام وقوع

۱۶-۰۵

قلم سے روانگی کا وقت و تاریخ

جرم

حالات تفتیش سمیع سید ادریس ۱۶۱۰	از تھانہ	رپورٹ کا نمبر شمار سلسلہ وار	تاریخ معدت جس پر کاروائی کی گئی
<p>۱۔ لاکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس مقامی لکھ پانسو چار سو ۵۱۰ نمبر آئی ایف جی کے پاس</p>			<p>۰۶/۰۶/۲۰۲۲</p> <p>۰۹/۰۵/۲۰۲۲</p> <p>۰۵/۱۱/۲۰۲۲</p>

کتاب خانہ

نقل 24 مئی 2025

کتاب خانہ

20

ریورٹ: عمران الدین 5410 وقت 00800 خرچ 59.6/17.7 کہ مندرجہ لعل شہزاد

شہزاد سکندر خاندانی جو کہ خدمت میں 508 خرچ 54.04/22 کہ پپے کا ایک پیغام

پور بندہ خواجہ خان سے کسی متعلقہ مہزورہ کے گھر سے اطلاع ملی کہ مہزورہ

لعل شہزاد کا والدہ جو کہ عارضہ قلب میں مبتلا ہے۔ اور اس وقت طبیعت

بہتر ہے۔ جس کا علاج و نسیبہ پنجانا ہے۔ مہزورہ کے حکم مہزورہ

لعل شہزاد کے گھر میں کوئی فرد نہیں ہیں۔ جو کہ والدہ اسٹریٹ کو بسٹان

لنگھانے کے بعد وہ لعل شہزاد مہزورہ کو عافیت پر رکھانے کے لئے


کہ عدالت عالیہ فیصلہ کرے گی کہ اس کا علاج اور اس کا علاج

کتاب خانہ

نظامی امور

19

5-6-20



خاتمی محمدیہ

میں اس ضمن میں کہتا ہوں کہ یہ سب کاموں کا اہتمام کرنا ہے۔ اس کے لئے اس میں حکومت کی طرف سے بھی تعاون کی ضرورت ہے۔

محمد علی

محمد علی صاحب

0516-901144

Attested



SHO - PS SR

22-06-2022

اسی شخص
علی محمد صاحب - SHO - PS SR

VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP. Service Tribunal, Peshawar

Qazi Muhammad Hussain

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Deptt.

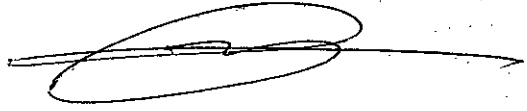
(Respondent)
(Defendant)

I/We, Qazi Muhammad Hussain (Appellant)

Do hereby appoint and constitute **Mr. M. Asif Yousafzai, ASC** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20



(CLIENT)

ACCEPTED


M. ASIF YOUSAFZAI, ASC,


SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar