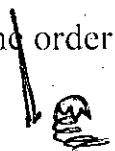


FORM OF ORDER SHEET

Court of _____

Case No.- 546/2023

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 Mr. Tahir Ali 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. 546/2023

Tahir Ali

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 allegation	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 application and report	I	19
11.	Vakalat nama	-----	20


APPELLANT

Tahir Ali

THROUGH:


(MUHAMMAD ASIF YOUSAFZAI)

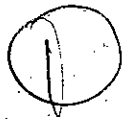
Advocate Supreme Court


(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT

Cell No: 03065109438

Date: 13/03/2023



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 546 /2023

Tahir Ali, Head Constable NO.911
ATS Squad CCP, 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.

RESPECTFULLY SHEWETH:

2

FACTS:

1. That the appellant joined the police force in year 2001 and completed his due training etc and total service of appellant was 21/22 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.

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- 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 that the appellant was shown contacted with Accused Lal Sher Khan 3 months before the accident and contacted for the Govt work on the directions of high-ups but no statement was recorded in this regard for dig Out the real facts and also not included any witness regards this 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 FIR was registered against the accused Lal Sher khan In PS Shah Pur Peshawar on the basis of personal enmity and appellant was serving in ATS

W

Squad Peshawar. It is impossible for the appellant to leak information to accused regards the raid etc.


- J) 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 incorrect and turned down by the apex court in a latest judgment contained in 2020 PLC (CS) 1291.
- K) That 22 officials were suspended on the same allegations but no one was examined before the appellant by the inquiry officer, the inquiry officer needs to conduct one inquiry collectively but the inquiry officer not conducting the same according to law and failed to do so, which shows malafide on the part of the respondent. **Copy of the order is attached as annexure-I.**
- L) 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 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.
- M) 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.*


- N) There are so many witnesses give statements in that case but enquiry is only conducted against the appellant which is discriminatory in nature.
- O) 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.
- P) That the impugned order is not a speaking order, lacking necessary ingredients and issued in violation of Section 24-A of the General Clauses 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.
- Q) 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.
- R) 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.
- S) 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
 Tahir Ali

THROUGH:


(MUHAMMAD ASIF YOUSAFZAI)
 Advocate Supreme Court

& 
(SYED NOMAN ALI BUKHARI)
 ADVOCATE, HIGH COURT

B

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2023

Tahir Ali

V/S

Police Deptt:

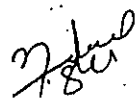
CERTIFICATE:

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


DEFONENT

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

Tahir Ali

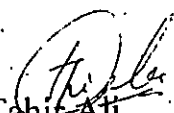
V/S

Police Deptt.:

AFFIDAVIT

I, Tahir Ali, (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


Tahir Ali

A B

CHARGE SHEET

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 **Head Constable Tahir Ali No. 911** while posted at **ATS Squad CCP 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 **Head Constable Tahir Ali No. 911** while posted at **ATS Squad CCP 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

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STATEMENT OF ALLEGATIONS

1. Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP/Operations Peshawar as competent authority, am of the opinion that **Head Constable Tahir Ali No. 911** while posted at **ATS Squad CCP 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. 173 E/PA, dated Peshawar the
Copy to:-

30.107 /2022

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

[Signature]
[Signature]
3/8/22

ن
لا

حنا عالی

خودمانہ گزاش، کم چارج سروس میں مندرجہ الزامات
 کی صفائی پیش کرنے میں ڈاکٹر ناصر زری سے محتاج ہوں کہ میں
 میں فحکم پولیس میں تفریبا ۱۱۲ سال ملازمت انجام دی ہے
 زبان ترجمہ ATIS کواڈ میں حسب الحکم انڈین ریٹائرمنٹ ریگولیشن
 اس دوران سائنس محکمہ دشمن عناصر اور سنگدل طالبان کے
 خلاف تفریبا ۱۱۲ پولیس مقابلہ میں زیر قیادت DSP صاحب شاہ نواز خان
 رہنمائی دلبری اور برأت سے حصہ لیا ہے۔ پولیس مقابلوں میں
 ۷ شمار سینہ زور شہر سیدوں اور تخریب کاروں کو کینفر کردار
 تک پہنچایا ہے۔ اور ۷ شمار پولیس شہداء کا بدلہ لیا ہے اور
 یوں فحکم پولیس کا اقبال بلند کیا ہے

حنا عالی ۱۱ سال ۲۰۱۵ء کو پولیس چوکی سفید ڈھیری میں لکھت ڈکیتی

کے دوران از ڈھیری رات کو ہماری پولیس چوٹیل پر نا معلوم
 دھشت گردوں نے حملہ کر کے جسکی بنا پر چوٹیل ڈراگور موقع پر
 جان بحق جبکہ سائنس نے بھی متعدد گولیاں لگ کر زخمی ہو کر
 مگر اس زخمی حالت میں بھی جان کی پرواہ کیے بغیر ۰۳ دھشت گردوں
 کو جہنم واصل جبکہ ایک کو زخمی حالت میں گرفتار کر کے لے گیا

میں پر بحوالہ مقدمہ عد ۱۱۲/۲۰۱۵ جرم ۱۱۲-۱۷/۴۲۶/۳۲۴/۳۰۲ قائم شدہ
 رقم رٹرن ہو گیا۔ جسکی بنا پر ہمارے اسکیرٹینل صاحب
 نے مبلغ ایک لاکھ روپے نقد انعام اور تفریبا سند سے
 نواز آگیا۔

جسٹس عالیہ میں حلف نامہ کی تازگی کی درخواست کی گئی ہے۔
 نیک نیتی کے ساتھ ترقی کی ہے اور اس کی ذاتی فضا کو سرگرم بناتے
 ہیں۔ 3۔ جہاں تک ملزیاں ملے۔ حوالہ نمبر 583 مورخ
 03/6/2022 کے ساتھ روانہ کیا تعلق ہے تو اس سلسلہ میں
 تازگی کی عملیات CDF سپر رائٹ مورخ 3/6/2022 طیارے گناہ
 جس سے ہلتا ہے کہ مسائل کا وقوع سے تقریباً 03 مہینے قبل رائٹ
 طیارے گناہ ہے۔

حلف نامہ کی تازگی کے مسائل کا رائٹ کی وقوع سے سلسلہ
 میں نہیں تھا۔ بلکہ کارپوریشن کے جانے سے پہلے اس لیے
 کہ مسائل سے پہلے ہی Targeted Cases کو جانے کیا ہے۔ اور گناہ
 مقتول پولیس افسران کا دل لیا ہے۔ علاوہ ازیں مسائل
 کوئی سرکاری راز یا ہفتہ اشاعتی کو فاش نہیں کیا ہے
 مسائل مکمل گناہ ہے اس لیے درج بالا ہفتہ اشاعتی رشتی
 میں مسائل کے خلاف جاری حکیمانہ انوائسری کو داخل دفتر
 نوٹ کر شکور ماسٹر۔ پورہ دیا گورنمنٹ کا

5/8/2022

ان کا نام سردار طاہر علی خان 9/11/146
 حال پولیس لائن سٹارڈ
 03009333146
 0300933046



No. 2888 /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 IHC Tahir Ali No. 911 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 follow misconducts:

You have been found guilty of the charges already communicated to you vide this office bearing No. 173/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 ABBASI)PSP
Senior Superintendent of Police
(Operations) Peshawar

[Handwritten Signature]
3/11/22

ضابطہ عالی

جواب فائنل شوکار ٹوئس محترم دفتر صاحب DSP صاحب آپریشن حوض
 خدمت میں کہ من سائل نے حکم پولیس میں 21 سال ملازمت کی ہے اور
 زیادہ تر عرصہ ATS سکواڈ میں حسب احکم اقتراں یا صاحبان کینٹن ریپری
 اس دوران سائل نے ملکہ دشمن عناصر اور طالبان کے خلاف کئی بار پولیس
 تقابل میں زیر قیادت ضابطہ DSP صاحب ATS انتہائی دلیری اور جرات سے حصہ
 لیا ہے اور پولیس تقابلوں میں بے شمار سہ روزوں، شہر کشیوں اور گزین
 کاروں کو کینٹر وارنٹ بھیجا ہے اور بے شمار شہداء کا بدلہ لیا ہے

ضابطہ عالی: سال 2015 کو پولیس چونک سفید ڈھری میں گشت ڈیوٹی کے دوران رات
 کو بیماری پولیس موٹیل پر نامعلوم دھتکے زدوں نے حملہ کر کے خلیک بنا کر موٹیل
 ڈرائیور موقع پر جان بحق جسکے سائل نے بھی متعدد گولیوں تک رسوخت رچی
 پورا مگر اس حالت میں بھی جان بچا کر گئے کئی روز دھتکے زدوں کو جسم
 واصل کیا جسکے ایک کو رچی حالت میں گرفتار کر کے حد پر کوالے مقدم عدالت
 رقم 302/324/427/7A7A کٹام چشمہ درج 2 حصہ رہ گیا جسکے بنا پر حساب
 انسپکٹر جنرل صاحب نے مبلغ ایک لاکھ روپے نقد انعام اور کئی سہ سے ٹوڑا

محمد اسحاق

ضابطہ عالی: من سائل حلنا بیانی رہا ہوں کے سہیتہ میں پولیس فورس کا سینک
 ناجی سینے قربان رہا ہے اور کئی ذاتی مفاد کو کارسز کارسز قومیت میں دی
 یہ جہاں تک ملازمت و طلبہ بحوالہ مقدم عدالت 583 حورم $3\frac{6}{22}$ کا ساکھ
 رالپوں کا لفظ ہے تو اس سلسلہ میں عرض گزاروں کے مطالبات CR
 حیران حورم $3\frac{6}{22}$ کا ساکھ لیا گیا ہے جس سے سہیتہ حلنا کے وقوع سے

تقریباً ۱۰۰ سے زائد کارکن ہیں۔

۱۰۱

حلقہ بیان رٹائرمنٹ کے سائل کا راجہ کہہ دو تو ہم سے میں تھا ملک کارکنوں کا
یہ آرٹیکل اس لئے ہے سائل نے سب سے Targeted case کو کہا۔
اور بے ناہ حصول پولیس ایجنسیوں کا بدلہ لیا ہے۔ علاوہ اس سائل
نے کوئی سرکاری راز یا عظیم افواہیں کو فاش نہیں کیا ہے

سائل حکم بے ناہ ہے۔ اس لئے درجہ ۲۱ صحت اور دہلی سے سائل
کے خلاف حرام حکم نامہ انکو آڑی گورنمنٹ دفتر کرنے کا حکم صادر فرمایا
جا رہا ہے۔ سائل نے حیات خیرا گریہ گا

(حکومت)

۱۴۷ طابری علی ۶۱۱ - ۰۳/۱۱/۲۲
۵۳۰۱-۸۸۸۵۷۷۰



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

ORDER

This office order will dispose-off the departmental proceedings against IHC Tahir Ali No. 911 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 IHC Tahir Ali No. 911, 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. 2888/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 ABBASI)PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 3034-37 PA 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.
3. FMC along with complete enquiry file for record (1/9).

Handwritten notes in Urdu at the bottom of the page, including the date 16/11/2022 and other illegible text.

11/11/2022
2022
15

16/7

محفوظہ کاپی میں پولیس افیسر صاحب سے مشاورت

16/11/2022
جسکی سابقہ پتہ سائل کو حنا - DSP صاحب اپریشن سے ملازمت سے
برخواستہ کیا ہے۔

FMC
248
11/11/2022
8

خودمانگ گزارشت کے سائل 2001 کو پولیس میں کوئی پورے
P.T.C. ہنگو ریکورڈ کو میں اور A.T.S. کو میں پاس کر کے بے داع ملازمت
انعام دیا ہے۔

2
جہاں تک انوائٹری میں لگائے گئے التزامات کا تعلق ہے اس بار میں
E.O. کو تفصیلی اور تہیٰ بخش بیانات دیکر جس کو مکمل نظر انداز
کیا گیا ہے۔

3
یہ کہ سائل نے دوران ملازمت کسی قسم کی فریبی سے دریغ نہیں کیا ہے۔

3
زیادہ تر ملازمت شاہ نواز DSP اپریشن کی زیر قیادت کی ہے اور
دھندت گریز کی سمت اپریشن سائل نے توڑنا طالبان کے خلاف ہر مقابلہ
میں حصہ لیا ہے۔ جس میں متعدد بار تک گرفتاریاں بھی ہو چکی ہیں۔

4
علاوہ ازیں سائل نے دوران نوکری سینکڑوں پولیس سٹیشنوں پر
کی فون کا تبادلہ کیا ہے۔ اور پولیس کا حورال بلند رکھا ہے۔

5
یہ کہ سائل نے اسی اچھی کارکردگی کی بناء پر بے شمار تعریفی اسناد اور لغت
انعامات لے لئے ہیں۔

6
جہاں تک قواعد ملازمت 583 (1903) و 7-ATA-109-302-365

کے مطابق سے روریلو کا تعلق ہے تو اس بار میں دوران پیشہ زبانی
تہیٰ بخش بیان دونوں کا

DSP/L
For comments pl.

M/DA

11/11/2022

یہ کہ پوچھیں کہ ہر مقام میں حصہ لینے کی بناء پر مسائل کو
سہولت "left threats" کا بھی سامنا ہے۔ جس کی بناء پر
مسائل تک سہولت دیکھنا اور اپنی حسرت سے زندگی گزارنا ہے۔

18) ہر خواہش کی سبب سے مسائل کو سہولت دینی کو حق اور معاشی
تنگدستی کا سامنا ہے۔ جس کے اپنی سیکورٹی اور حفاظت کے دوسرے
طرف پر استیصال کر رکھا ہے۔

19) مسائل کے گناہ ہے اور سب سے ناگزیر ہوتی ہے اس لئے درخواست
کرتا ہوں۔ درہم بالا حقیقت کو پیش نظر رکھ کر مسائل کو
ملازمت پر دوبارہ بحال فرما کر دکھو اور مسائل کے لئے دماغ کو تیز کرنا

اور کفو

0301-8885770

طاہر علی صالح IHC No. 911
CCP



H
18

**OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR**

ORDER.

This order will dispose of the departmental appeal preferred by **Ex-IHC Tahir Ali No. 911**, who was awarded the major punishment of "**Dismissal from service**" under KP PR-1975 by SSP/Operations Peshawar vide order No. 3034-37/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 365/302/109/7-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 defend himself. Therefore, his appeal for setting aside the punishment awarded to him by SSP/Operations Peshawar is hereby **rejected/filed**.

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

No. **278-85** /PA dated Peshawar the / /2023

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
2. SP/Rural Peshawar.
3. AD/TI CCP Peshawar.
4. IC-ILAS & Pay Officer
5. FMC along with Fouji Missal.
6. Official Concerned.

OFFICE OF THE
MEMBER SUPERINTENDENT OF POLICE
 (OPERATIONS)
 PENHAWAR

ORDER

It has allegedly been reported that the following police officials have been indulged in activities and misconduct as they have linked with notorious criminals as well as Proscribed Person (P) of case vide FIR No. 583 dated 03.06.2022 u/s 365/302/1097-A TA PS Shikhar

Therefore, the following police officials are placed under suspension and their names are to be removed from the roll of police with immediate effect. Subsequently, proper charge sheet and supporting documents are to be submitted separately.

S.No	Name	Posting
1	Musaf Khan P-54	Inspector - C.I.T. Camp
2	Rashid Ali Belt No. 1070	Officer PS Daud / 20
3	Waqar Khan Belt No. 1688	PS Shikhar
4	Muhammad Bilal No. 2270	Inspector
5	Syed Ali Khan Belt No. 1190	Inspector MP's Area / 1000
6	Qazi Muhammad Hussain Belt No. 1058	IC PS Shikhar
7	Mohsin Khan 2853	PS Shikhar
8	Syed Saadul Shah	ASIS Shikhar
9	Ghazal Hussain Belt No. 1959	Officer SP / 1000 / 1000
10	Muhammad Irshad No. 191	IC PS Shikhar
11	Syed Waqar Ali Shah Belt No. 1273	IC PS Shikhar
12	Irfan Khan Belt No. 2988	Officer MP's Area / 1000
13	(Inspector) You saf Jan No. P-323	IC PS Shikhar
14	Asfandyar Belt No. 4607	PS Shikhar
15	Bashir Khan Belt No. 323	PS Chamkani
16	Amjad Khan Belt No. 5564	AS Sagar
17	HC Tahir Ali 911	PS Shahqabool
18	HC Mohsin Khan, Belt No. 2853	DVC PS Chamkani
19	IC Fakhr Alam	DVC PS Phande
20	Arif Ullah Belt No. 2864	Officer RMI
21	Zarshad Khan Belt No. 362P	Muhtir Inz PS Chamkani
22	Mukhtiar Ullah Belt No. 1201	

(Lt Cdr) KASHIF AFTAB AHMAD ABRASHPSP
 Senior Superintendent of Police

29/7/22

VAKALAT NAMA

NO. _____/20

20

IN THE COURT OF KP Service Tribunal, Peshawar

Tahir Ali (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Deptt (Respondent)
(Defendant)

I/We, Tahir Ali (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

(Signature)

(CLIENT)

ACCEPTED

(Signature)

M. ASIF YOUSAFZAI, ASC,

(Signature)

SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar