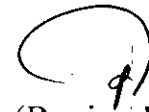


16.01.2023

Counsel for the appellant present. Muhammad Jan learned
District Attorney for the respondents present.

Miss Fareeha Paul, learned Member (Executive) is on
leave today, therefore, case is adjourned to 13.04.2023 for
arguments before the D.B.



(Rozina Rehman)
Member (J)


SCANNED
KPST
Peshawar

24th Oct., 2022


Lawyers are on strike today.

To come up for arguments on 21.11.2022 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

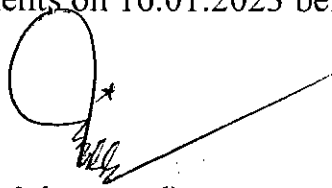

(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

21.11.2022

 Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 16.01.2023 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

13.05.2022

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

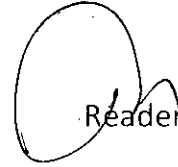
Reply/comments on behalf of respondents not submitted. Learned Assistant Advocate General requested for time to submit reply/comments. Last opportunity is granted to respondents to submit reply/comments within 03 days, failing which the right of respondents to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 18.07.2022.



(Kalim Arshad Khan)
Chairman

18.07.2022

Due to non-availability of Bench, case is adjourned to 15.09.2022 for the same as before.



Reader

15.09.2022

Appellant alongwith counsel present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Reply on behalf of respondents No. 1, 2 & 3 submitted which is placed on file. A copy of the same is handed over to the learned counsel of the appellant. Adjourned. To come up for rejoinder, if any, and arguments on 24.10.2022 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

29.10.2021

Counsel for the appellant present. Preliminary arguments heard. Memorandum of appeal and the copies of record annexed there with have been perused.

This appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 24.02.2022 before the D.B.

Appellant Deposited
Security & Process Fee


Chairman

24.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 13.05.2022 for the same as before.

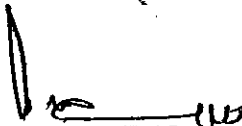


Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7374 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/09/2021	<p>The appeal of Mr. Gulbhar Khan resubmitted today by Mr. Taimur Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

7374

APPEAL NO. _____/2021

Gul Bahar Khan

V/S

Police Deptt:

INDEX

S.No.	Documents	Annexure	Page
1.	Memo of Appeal	-----	01-04
2.	Affidavit	-----	05
3.	Copies of letter/memo dated 23.01.2020, ETEA form and list of ineligible candidates	A,B&C	06-11
4.	Copies of charge sheet along statement of allegations and reply to charge sheet	D&E	12-14
5.	Copies of inquiry report, show cause notice and reply to show cause	F,G&H	15-19
6.	Copy order dated 23.09.2020	I	20
7.	Copies of departmental appeal, order dated 29.12.2020, revision, application and order dated 30.06.2021	J,K,L,M&N	21-25
8.	Wakalat Nama		26

APPELLANT

THROUGH:


TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

Room # Fr,8, 4th floor,
Bilour Plaza Saddar Cannt:
Cell # 03339390916

RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was appointed as Constable in the respondent department in the year 1998 and is performing his duty with great devotion and honesty whatsoever assigned to him and no complaint has been filed by his superiors regarding his performance.
2. That the appellant has passed A-1 Course and also other professional courses and was eligible for B-1 Course. The respondent department conduct B-1 examination through ETEA and in this respect applications were invited from the candidates for B-1 exam which is evident from the letter/memo dated 23.01.2020, however in that letter/memo age limit was not mentioned for B-1 examination and as the appellant has passed A-I examination, therefore he applied for B-I examination, however he inadvertently wrote his date of birth as 07.07.1977 instead of 07.07.1980 in ETEA form for B-1 examination, due to which he was declared ineligible for B-1 examination and was not allowed in examination. **(Copies of letter/memo dated 23.01.2020, ETEA form and list of ineligible candidates are attached as Annexure-A,B&C)**
3. That charge sheet along statement of allegations were issued to the appellant. The appellant submitted detailed reply to charge sheet in which he gave the real facts about the issue and clearly mentioned that he has no knowledge about the age limit required for B-1 examination and inadvertently wrote his date of birth as 07.07.1977 instead of 07.07.1980 in ETEA form for B-1 examination. **(Copies of charge sheet along statement of allegations and reply to charge sheet are attached as Annexure- D&E)**
4. That the inquiry was conducted against the appellant and the inquiry officer recommended suitable punishment for the appellant and then show cause notice was issued to the appellant which was replied by the appellant and took the same stance as already has taken by the appellant in reply to charge sheet. **(Copies of inquiry report, show cause notice and reply to show cause are attached as Annexure-F,G&H)**
5. That although inquiry officer recommended suitable punishment for the appellant, but respondent No.3 imposed major punishment of reduction to lower stage of time scale for the period of two years upon appellant vide order dated 23.09.2020 only for inadvertently writing of wrong date of birth in the ETEA form as the appellant has no malafide intention and inadvertently wrote his date of birth as 07.07.1977 instead of 07.07.1980 in ETEA form for B-1 examination as he has no knowledge about the age limit required for B-1 examination and due to age factor he was also not allowed to

appear in examination. (Copy order dated 23.09.2020 is attached as Annexure-I)

6. That against the impugned order, appellant filed departmental appeal which was rejected on 29.12.2020. Then the appellant filed revision under Rule 11-A of Police Rules 1975 (Amended) 2014 which was also rejected on 30.06.2021 and same was communicated to the appellant on 30.07.2021 through application. (Copies of departmental appeal, order dated 29.12.2020, revision, application and order dated 30.06.2021 are attached as Annexure-J,K,L,M&N)
7. That the appellant has no other remedy except to file the instant appeal in this august Tribunal on the following grounds amongst others.

GROUND:

- A) That the impugned order dated 23.09.2020, 29.12.2020 and 30.06.2021 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 no malafide intention as he has no knowledge about the age limit required for B-1 examination and inadvertently wrote his date of birth as 07.07.1977 instead of 07.07.1980 in ETEA form for B-1 examination and only on that mistake very harsh punishment of reduction to lower stage of time scale has been imposed upon the appellant which is against the norms of justice and fair play, therefore the impugned orders are liable to be set aside.
- C) That the appellant has already been declared ineligible for B-1 examination due to age factor, therefore, there remain no ground to penalize the appellant on the basis that he has written wrong date of birth in the ETEA form for B-1 examination.
- D) That only mistake of writing wrong date of birth in ETEA form has done by the appellant in the ETEA form and major punishment of reduction to lower stage of time scale for the period of two years is too harsh for only such mistake, which is not tenable in the eyes of law and violation of superior courts judgments.
- E) That the appellant being a low paid employee is suffering badly for such a harsh punishment for only mistake and if the impugned orders are not set aside, it will effect his current salary as well as his pension.
- F) That the appellant seeks permission of this Honourable Tribunal 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.

1902
APPELLANT
Gul Bahar Khan

THROUGH:


TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

CERTIFICATE:

It is certified that no other similar service appeal between the parties has been filed earlier.

1902
DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____ /2021

Gul Bahar Khan

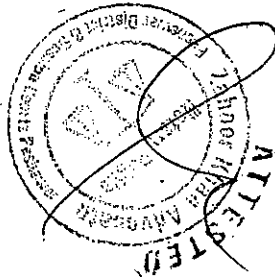
V/S

Police Deptt:

.....

AFFIDAVIT

I, Gul Bahar Khan, Constable No.1612, Capital City Police, Peshawar, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honourable Tribunal.



[Signature]
DEPONENT

Gul Bahar Khan
(APPELLANT)



(6)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
CENTRAL POLICE OFFICE,
KHYBER PAKHTUNKHWA
PESHAWAR

✓
A6

NO. 1057-127/E-iv dated Peshawar the 23/01/2020

To:

The Capital City Police Officer,
Peshawar

All Head of Police Units,
In Khyber Pakhtunkhwa.

All District Police Officers,
In Khyber Pakhtunkhwa.

Subject: CONDUCT OF A-I AND B-I EXAMS 2020 THROUGH ETEA

Memo:

As approved by the competent authority, the process of B-I & A-I Exams 2020, are to be carried out as per below schedule:-

S. No	Description	Date
1.	Availability of online application form on www.etea.edu.pk	From 28 th January 2020
2.	Last date of submission of application with OAS/OHC	14 th February 2020
3.	Last date of submission of applications by OAS/OHC with ETEA	20 th February 2020
4.	Issuance of Roll Number slips by ETEA to OAS/OHCs for B-I	28 th February 2020
5.	Tentative Date for B-I Examination at all centers	08 th March 2020
6.	Declaration of Result of B-I on www.etea.edu.pk	22 nd March 2020
7.	Issuance of Roll Number slips by ETEA to OAS/OHCs for A-I	20 th March 2020
8.	Tentative Date for A-I Examination at all centers	29 th March 2020
9.	Declaration of Result of A-I on www.etea.edu.pk	15 th April 2020
10.	Submission of merit list & other record to police department (B-I)	By 25 th March 2020
11.	Submission of merit list & other record to police department (A-I)	By 20 th April 2020

2. HOW TO APPLY ONLINE FOR A-I & B-I EXAM: 2020

- i. Eligible candidates (Constables) should visit www.etea.edu.pk and apply online for either A-I or B-I Exam: 2020.
- ii. After successful submission of online application, take a printout of the PDF generated Application form along with a prescribed UBL online deposit slip (having token number, Project code & candidates personal information) & deposit Rs. 500/- as test fee (non refundable) in any branch of UBL on that prescribed printed deposit slip of UBL.
- iii. Submit the printed application form along with UBL bank receipt (original candidate copy), 01 recent passport size photo and copy of CNIC & Service Card to the respective OAS/OHC office.
- iv. OAS/OHC will countersign/ stamp all the submitted forms after checking/ verifying candidate's eligibility.


7

3. OTHER IMPORTANT INSTRUCTIONS:-

- i. Please keep your documents and passport size scanned picture (soft copy) with you at the time of online application.
- ii. Read the instructions thoroughly before filling the online application form.
- iii. ETEA shall verify deposited fee at any stage. If your payment is not verified, your candidature shall be rejected.
- iv. Fee deposited on someone else's CNIC shall not be verified.
- v. OASIs/OICs are required to submit the collected application forms latest by 20th March 2020 to ETEA office. i.e. ETEA will not accept any application form after 20th March 2020.

4. A wide publicity should be given through wireless messages and announcement in roll calls may also be made at Police Lines and Police Stations in every district with regard of B-I & A-I Examinations 2020.

5. It is, therefore, requested that the above information may be conveyed to all the candidates under your respective districts/units who are eligible for B-I & A-I Exams, please.


(ZAIBULLAH KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

CC.

Copy to the:-

1. DIG/HQrs, Khyber, Pakhtunkhwa, Peshawar.
2. CSO to IGP, Khyber Pakhtunkhwa, Peshawar.
3. The Executive Director, ETEA, Khyber Pakhtunkhwa, Peshawar
4. Superintendent Operation Room, CPO with the directions to ensure proper delivery of the letter.

B 8



ETEA

KHYBER PAKHTUNKHWA EDUCATIONAL TESTING & EVALUATION AGENCY



TOKEN NO. B1-17999 DISTRICT/UNIT: Peshawar (OCP)

NAME: Gul Bahar Khan
FATHER / HUSBAND NAME: Abdul Rauf Khan
APPLICANT CNIC NUMBER: 1790192208251
DATE OF BIRTH: 7-July-1980
DATE OF Recruitment: 22-July-1998
MOBILE NUMBER: 03028874940
ALTERNATE MOBILE NUMBER: 03130908049
RELIGION: muslim
GENDER: male
MARITAL STATUS: married
POSTAL ADDRESS: Surizai Bala Peshawar
PERMANENT ADDRESS: Surizai Bala Peshawar
PHONE NUMBER: 1512

7-7-1977
as per CNIC



Signature Of The Applicant

Verification by the Concerned Police Head/ Authority:
Certified that as per Para-05, 06 & 07 of the MOU signed b/w ETEA and AIG (Establishment), its candidate has fulfilled all the formalities and is ELIGIBLE for BT Examination on 2025
Given under my hand & office Seal

Signature of the Concerned Head of the Police

امریکی حکومت کے ساتھ تعلیمی اور ترقیاتی معاہدے کے تحت ایف ای ای کے ذریعے پاکستان کے مختلف علاقوں میں امتحانوں کی سہولت فراہم کی جا رہی ہے۔ اس کے تحت ایف ای ای کے ذریعے پاکستان کے مختلف علاقوں میں امتحانوں کی سہولت فراہم کی جا رہی ہے۔ اس کے تحت ایف ای ای کے ذریعے پاکستان کے مختلف علاقوں میں امتحانوں کی سہولت فراہم کی جا رہی ہے۔

7-7-1977 as per CNIC



OFFICE OF THE
CAPITAL CITY POLICE OFFICER
PESHAWAR

No. 4495-32 IOASI, dated Peshawar 28.12.2020

To: The Deputy Director (I.T),
ETEAA, Peshawar.

Subject: **INELIGIBLE CONSTABLES FOR B-I EXAMINATION 2020 THROUGH ETEA**

Memorandum: Please refer to your office letter No. ETEA/2-26/2017/Vol-III/4229-36 dated 27.02.2020 on the subject cited above.

In this connection, it is to inform you that this office records have been checked and their service particulars are as under:-

S.No.	Names & Nos.	F/Name.	CNIC	Date of birth	Date of enlistment	Remarks
1	Shakir Ullah 1575	Muhammad Nawaz	1420227629889	12.03.1990	01.01.2011	Ineligible for B-I Exam.
2	Basir Jan 3051	Pazeer Ahmad	1710106187491	02.02.1987	25.11.2009	Ineligible for B-I Exam.
3	Muhammad Sohail, 2555	Zakir Ullah	1710112169359	21.11.1989	19.12.2011	Ineligible for B-I Exam.
4	Najeeb Ullah 730	Ihsan Ud Din	1710124233785	01.02.1992	05.11.2013	Ineligible for B-I Exam.
5	Tuseef Ullah 2873	Bahader Khan	1710134463699	02.04.1992	10.09.2013	Ineligible for B-I Exam.
6	Ghafar Ali 2387	Sardar, Ali	1710146502353	01.01.1989	29.11.2011	Ineligible for B-I Exam.
7	Itidar Khan 361	Azeem Khan	1710303495813	23.04.1991	28.09.2015	Ineligible for B-I Exam.
8	Rahim Khan 2522	Sher Khan	1730104324907	07.04.1991	26.11.2014	Ineligible for B-I Exam.
9	Sajid Yousaf 2344	Yousaf Khan	1730104889453	14.03.1989	06.02.2012	Ineligible for B-I Exam.
10	S. Shoab Ali Shah 5738	S. Habib Shah	1730107849139	12.03.1988	07.01.2012	Ineligible for B-I Exam.
11	Muhammad Arif 2959	Hikmat Khan	1730111597521	14.05.1993	01.09.2014	Ineligible for B-I Exam.
12	Tehsin Ullah 2326	Ghulam Hussain	1730114841549	05.05.1984	25.06.2007	Ineligible for B-I Exam.
13	Muhammad Saddique 3679	Abdul Ghaifar	1730120052999	26.01.1992	28.09.2015	Ineligible for B-I Exam.
14	Azhar Iqbal 841	Afsar Khan	1730121609523	20.04.1992	18.06.2011	Ineligible for B-I Exam.
15	Muhammad Afzal 5088	Sikandar Khan	1730122917587	21.01.1996	26.11.2014	Ineligible for B-I Exam.
16	Kamran Khan 245	Meraj Khan	1730129549051	28.02.1986	29.08.2009	Ineligible for B-I Exam.
17	Muhammad Bilal 4325	Imtiaz Ahmad	1730129900473	13.01.1989	20.02.2006	Ineligible for B-I Exam.
18	Asad Khan 4330	Taj Muhammad Khan	1730133604003	07.05.1990	05.06.2009	Ineligible for B-I Exam.
19	S. Whid Ali Shah 3569	S. Harid Ali Shah	1730136366009	03.01.1986	29.08.2009	Ineligible for B-I Exam.
20	Wajid Ali Shah 20	Muhammad Ibrahim	1730140049059	12.04.1985	30.05.2005	Ineligible for B-I Exam.
21	Azhar Khan 405/CTD	Fazli Raziq	1730141364327	30.08.1990	31.05.2013	Ineligible for B-I Exam.
22	Wajid Ullah 256	Aman Ullah	1730142156645	15.05.1994	28.10.2013	Ineligible for B-I Exam.
23	Sohail Adnan 3974	Zahir Khan	1730145285597	05.09.1992	16.12.2011	Ineligible for B-I Exam.
24	Shehzad Khan 544	Maqbal Khan	1730148054139	08.03.1992	04.01.2011	Ineligible for B-I Exam.
25	Arafat Khan 325	Sardar, Ali Khan	1730150525207	20.02.1992	07.01.2012	Ineligible for B-I Exam.

11

Annex-B

6

LIST OF CANDIDATES INELIGIBLE FOR B1 EXAM: 2020 DUE TO AGE-FACTOR

SRM TOKEN #	CNIC	NAME	FATHER NAME	DISTRICT/ UNIT	BELT NO.	D.O.B	DATE O RECTT.
18488	1730116196073	AMJAD KHAN	MAJEED KHAN	PESHAWAR (CCP)	4741	7-Feb-80	21-Jul-0
17526	1730153946913	WAHID KHAN	KHAN MUHAMMAD	PESHAWAR (CCP)	2526	1-Apr-80	1-Jan-0
17999	1730192208251	GUL BAHAR KHAN	ABDUR RAUF KHAN	PESHAWAR (CCP)	1612	7-Jul-80	22-Jul-9
16550	1430120388483	RAFAQAT A.I	WAHAB ALI	KOHAT	183	31-Dec-79	18-Apr-t
19720	1610111950217	AMJID ALI	MUHAMMAD YAQOOB KHAN	MARDAN	187	12-Jan-80	26-Jul-0

1. Jy
 2. CRP
 3. CRP
 4. CTO
 5. SB
 6. CRP

ELITE

6

D (12)

CHARGE SHEET

I, Superintendent of Police, Headquarters, Capital City Police Peshawar, as a competent authority, hereby, charge that officials mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B of Capital City Police Peshawar with the following irregularities.

"It has been proved in preliminary enquiry that you mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of you were in knowledge that you are ineligible for BI-Examination even then upi tried to deceive the department and ETEA. This amounts to gross misconduct on your part and is against the discipline of the force."

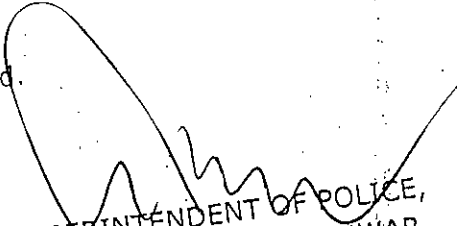
You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

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

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

دستور العمل
مقررہ وقت میں
موجود ہے


SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

21/05/2020
1612
1612

DISCIPLINARY ACTION

13

I, Superintendent of Police, Headquarters, Capital City Police Peshawar as a competent authority, am of the opinion that officials mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B has rendered themselves liable to be proceeded against under the provision of Police Disciplinary Rules-1975

STATEMENT OF ALLEGATION

"It has been proved in preliminary enquiry that they mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of them were in knowledge that they were in-eligible for BI-Examination even then they tried to deceive the department and ETEA.. This amounts to gross misconduct on their part and is against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and following Officer appointed as Enquiry Officers.

- i) Mr. Niaz Muhammad DSP Civil Secretariat
- ii) Mr. Arshid Khan DSP Coordination

2. The Enquiry Officer shall, in accordance with the provisions of the Police Disciplinary Rules, 1975, provide reasonable opportunity of hearing to the accused officer, record his finding within 30 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.

3. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer:

[Signature]
SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

No. 98 /E/PA, dated Peshawar the 15/04 /2020

1 DSP Civil Secret & DSP Coord is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.

Official concerned

Handwritten notes and signatures:
21/05/20 18/4/20

E (14)

جناب عالی

گزارش ہے کہ سائل گل بہار خان 1612 1612 1612
 اور 1999 میں ریگروٹ کورس پاس کیا۔ سائل نے 2003 یا 2003 میں A-1
 امتحان پاس کیا۔ سائل نے 2018 اور 2019 میں B+I امتحان لیز لیا
 ETEA دیا مگر کامیاب نہ ہو سکا۔ سائل نے جب 2020 میں B+I امتحان
 دیا تو وقت فارم ڈرافٹ لڑا کرنا چاہا تو نہیں ہو سکا۔ اس کے
 تاریخ میں اس نے 1979 لکھا تو فارم ڈرافٹ لڑا ہو گیا۔ اس کے
 کے DASS نام لکھا گیا تو یہ علم میں اور اس کے بعد اس نے
 دے سکتا۔ اس کے بعد اس نے اس کے بعد اس نے اس کے بعد اس نے
 نہیں لیا اور اس کے بعد اس نے اس کے بعد اس نے اس کے بعد اس نے
 میں نے فارم اس کے بعد اس نے اس کے بعد اس نے اس کے بعد اس نے
 دیا۔ اس کے بعد اس نے اس کے بعد اس نے اس کے بعد اس نے
 وغیرہ لکھا۔

الحامد

گل بہار خان 1612 1612 1612
 17301-9220825-1
 M.B.# 0302 8874940

80

بہار خان
 1612 1612 1612
 17301-9220825-1
 M.B.# 0302 8874940

Subject: **INELIGIBLE CONSTABLES FOR B-1 EXAMINATION 2020**
THROUGH ETEA of constable *Wajid* No. 1612
Unit CCP

(15)

Memo: Please refer to your office letter No.98/E/PA, dated 15.04.2020
in the subject cited above.

ALLEGATION:-

It has been proved in preliminary inquiry that they mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of them were in knowledge that they were in-eligible for B1-Examination even then they tried to deceive the department and ETEA. This amounts to gross misconduct on their part and is against the discipline of the force.

PROCEEDINGS:-

To dig out the real fact all the Police Officials from annexure-A 1 to 39 and annexure-B 1 to 03 were summoned whose was appear before the undersigned charge sheets and summary of allegations was received by them separately. The service record of the alleged officials were obtained from CRC Branch vide diary No.33 dated 05.05.2020. The A-1 and B-1 passed candidate lists were also obtained from OASI Branch from year 2014 to 2019.

Statements of the officials of OASI Branch and CRC Branch were also recorded. After the completion of charge sheet time all the alleged officials submitted their replies one by one. All the alleged officials from annexure-A (1 to 39) and annexure B (1 to 03) were personally heard one by one and they were also cross examined.

During of checking the service record it was found that there are some fake entries of A-1 passed examination in the service books.

1. Constable Wajid Ullah No.256 vide his A-1 examination has failed in the year 2018 under Roll No.24678.
2. Constable Ibrahim No.3199 A-1 examination failed in the year 2018 under Roll No.24215.
3. Constable Qadar Ali No.5456 A-1 examination failed in the year 2019 under Roll No.19670.
4. Constable Nabi Amin No.1331 A-1 examination failed in the year 2018 under Roll NO.23563.
5. Constable Imran Khan No.2630 A-1 failed in the year 2017 under Roll No.00832.

De

6. Constable Muhammad Bilal No.4325 A-1 failed in the year 2018 under Roll No.22894.
7. Constable Sohail Adnan No.3974 A-1 failed in the year 2019 under Roll No.20097.
8. Constable Bilal Ahmad No.2039 A-1 Failed in the year 2019 under Roll No.20250.
9. Constable Rehman Ali No.3530 A-1 Failed in the year 2019 under Roll No.18361.
10. Constable Muhammad Sohail No.2555/CCP/349/EF A-1Failed in the year 2019 under Roll No.12407.
11. Constable Muhammad Afzal No.5088/278/FRP/HQrs: A-1 Failed in the year 2019 under Roll No.19122.
12. Constable Sadiq Shah No.3389 A-1 Failed in the year 2019 under Roll No.18930.
13. Constable Maqsood Ali No.2882/3785 A-1 Failed in the year 2019 under Roll No.19151.
14. Constable Raheem Khan No.2522/428/FRP/HQrs: A-1 Failed in the year 2019 under Roll No.19505.
15. Constable Qayum Khan No.3693/2924 Latter No.466 Dt: 08.02.2012 A-1 Failed in the year 2012.
16. Constable Arafat No.325/EF A-1 Failed in the year 2015 under Roll No.12550.
17. Constable Shahzad Khan No.544 A-1 Passed examination by ETEA vide OB 990 Dt: 20.04.2014 entry is present in the Service Roll but his name is not find in 2014 A-1 ETEA examination Result.
18. Constable Baseer Khan No.3051 A-1 Passed examination 2013 vide OB No.2309 Dt: 01.07.2013 entry is present in the service Roll but his name is not find in the above order book 2309.
19. Constable Shakir Ullah No.1575 A-1 Passed examination 2017 by ETEA entry is present in the service Roll but his name is not find in A-1 examination 2017 Result.
20. Constable Tauseef Ullah No.2873/CCP/5669/EF A-1 Passed examination 2018 by ETEA entry is present in the service Roll but his name is not find in 2018 examination ETEA Result.
21. Constable Kamran No.245/CCP/836 A-1 Passed examination vide PTC Hangu Notification No.1329/S Dt: 20.05.2013 entry is present in the service Roll but his name is not find in PTC Hangu

It is also worth mentioning that the 18 alleged officials have now fake entry in their service Roll. However they used shortcut way to get promotion illegally.

The statements of all alleged officials were also examined. There was contradiction in their statements. Their replies are un-satisfactory. It was also found that the age of Constable Amjad Khan Belt No.4147, Constable Wahid Khan No.2526 & Constable Gulbahar Khan No.1612, were found aged according to the criteria of ETEA. The copies of A-1 examination forms were obtained from ETEA office which was sent by alleged officials to ETEA Office for B-1 examination are attached with inquiry file.

Finding:-

After going through inquiry papers statements of the alleged officials and other material available on record. The undersigned came to the conclusion that all the alleged officials from annexure A (1 to 39) & annexure B (1 to 03) used shortcut way to get promotion. The Police department is a discipline force and such kind of actions of Police officials demoralized the name of Police department. All the alleged officials were ineligible for B-1 examination.

Their malafied intentions involved. All the alleged officials were given sufficient time to defend their self. They could not defend their self and all of them found guilty of gross misconduct.

All the alleged official are recommended for suitable punishment.

Wahid Khan
SP - Coordination

(Niaz Muhammad)
Deputy Superintendent of Police
(Security), Civil Secretariat,
Peshawar.

Shan No. 116 /R, Dated 21 / 07 / 2020
Encl (10)

Issue PCRN
Superintendent of Police
HQs: Peshawar.

W/SP-HQs:

G 18

FINAL SHOW CAUSE NOTICE

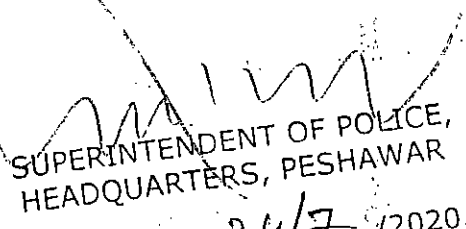
I Superintendent of Police, Headquarters, Capital City Police Peshawar, as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve upon you, Constable Gulbahar No. 1612 the final show cause notice.

The Enquiry Officer, DSP Civil Secretariat, after completion of departmental proceedings, has recommended you for suitable punishment for the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you, Constable Gulbahar No. 1612 deserve the punishment in the light of the above said enquiry report.

And as competent authority, has decided to impose upon you the penalty of minor/major punishment under Police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
2. If no reply to this notice is received within 7 days of its receipt, in normal course of circumstances, it shall, be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.


SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

No. 98/E /PA, SP/HQrs: dated Peshawar the 24/7 /2020.

Copy to official concerned

502
29/7/2020

(جناب عالی)

19

CCP

گزارش ہے کہ سائل گل بیار خان 1612 پشاور
1998 کا بھرتی شدہ ہے۔ سائل نے 2002 یا 2003 کے وقت پاس
سائل نے ETEA امتحان سے پہلے دو مرتبہ بی ڈف B-1 امتحان
مگر میرٹ لسٹ میں نہیں آیا سائل نے 2018 اور 2019 میں
امتحان بذریعہ ETEA دیا مگر کامیاب نہ ہو سکا۔

سائل نے 2009 B-1 امتحان لیکے داخلہ کمرہ وقت فارم میں
تاریخ پیدائش لکھا تو فارم ڈاؤن لوڈ نہیں ہو رہا تھا اور جب
تاریخ پیدائش 1977 لکھا تو فارم ڈاؤن لوڈ ہو گیا۔ جب سائل
رول نمبر سلیپ لیکے OAS-I - تاریخ لیا تو پتہ چلا کہ میں اور ایچ
ہو گیا ہوں۔ اور B-1 امتحان نہیں دے سکتا۔ جیسا کہ علم نہیں تھا
فارم O.A.S-I میں جمع کیا مگر یاد نہیں آس کو دیا۔ فارم جمع کرنے کے لئے
نہ کسی کو سے دیں۔ اور یہی کسی کو لایچ دیا۔

(العارض)

1612 پشاور
CCP

CNIC: 17301-9220825-1
mobil: 0302-8874940-

I (20)

ORDER

This office order relates to the disposal of formal departmental enquiry against Constable Gul Bahar Khan No.1612 of Capital City Police Peshawar on the allegations that he showed deceitful attitude having knowledge that he was in-eligible for BI-examination even then he tried to deceive the department and ETEA.

In this regard, he was issued charge sheet & summary of allegations. DSP Civil Secretariat & DSP-Coordination were appointed as Enquiry Officer. They conducted enquiry proceedings & submitted their finding/report that the alleged official used shortcut way to get promotion & such kind of action of Police official demoralized the Police department. The E.O further recommended suitable punishment for defaulter official.

Upon the finding of E.O, he was issued final show cause notice which he received & replied. His explanation found unsatisfactory.

From perusal of finding of Enquiry Officers & other material available on record, the undersigned came to the conclusion that the defaulter official found guilty of this misconduct. In exercise of the power vested to me under Police & Disciplinary Rules-1975, he is awarded the major punishment in reduction to lower stage of time scale for/period of 02-years with immediate effect.

a

**SUPERINTENDENT OF POLICE
HEADQUARTERS, PESHAWAR**

OB. NO. 2313 / Dated 23/9 /2020

No. 4985-93/PA/SP /dated Peshawar the 23/9 /2020

Copy of above is forwarded for information & n/action to:

- ✓ The Capital City Police Officer, Peshawar.
- ✓ DSP/HQrs, Peshawar.
- ✓ Pay Officer
- ✓ OASI, CRC & FMC along-with complete departmental file.
- ✓ Officials concerned.

حکومت کے کونسل میں یو این ایس کے ساتھ صلح ہو سکتی ہے

حکومت کے کونسل میں یو این ایس کے ساتھ صلح ہو سکتی ہے
23 نومبر 1998ء کو محکمہ پولیس میں بطور کونسل ختم ہو کر
حکومت کے کونسل میں یو این ایس کے ساتھ صلح ہو سکتی ہے
Reduction کی ہر طرف کوشش ہے

- 1۔ یہ کہ مسائل کے سال 1998ء کو محکمہ پولیس میں بطور کونسل ختم ہو کر
ریکارڈ کوڑوں میں سے لیا گیا ہے
- 2۔ یہ کہ مسائل کے سال 1998ء کو محکمہ پولیس میں بطور کونسل ختم ہو کر
ریکارڈ کوڑوں میں سے لیا گیا ہے اور کئی اخبار ان بارے
کو شکر کا بیٹ کا موقع ہیں دیا ہے
- 3۔ یہ کہ مسائل کے مختلف خانہ جات میں تسلی کی شدت کوئی انجام دی ہے
اور کئی قسم کی غلطیاں کو تباہی نہیں دی ہے
- 4۔ یہ کہ مسائل کے سال 2003ء میں A-1 کا امتیاز پاس کیا ہے جو کہ
ریکارڈ پر موجود ہے
- 5۔ یہ کہ مسائل کے سال 2000ء میں B-1 کیلئے دستخط کی استعداد
لیکن بد قسمتی سے مسائل "average" تھا - جس کے مسائل کو کوئی علم نہیں
یہ کہ مسائل کے دوہرا کوئی تصور نہیں ہے ماسوائے "average" کے جو کہ B-1 میں شامل ہے
- 6۔ یہ کہ مسائل کے مختلف خانہ جات میں تسلی کی شدت کوئی انجام دی ہے
اور کئی قسم کی غلطیاں کو تباہی نہیں دی ہے



K (22)

OFFICE OF THE
CAPITAL CITY POLICE OFFICER
PESHAWAR

Phone No. 091-9210989

Fax No. 091-9212597

ORDER.

This order will dispose of the departmental appeal preferred by Constable Gulbahar No.1612 who was awarded the major punishment of "Reduction to the lower stage of time scale for a period of 02 year" by SP/HQrs Peshawar vide OB No.2363, dated 23-09-2020.

2- He was proceeded against departmentally on the allegations that he showed deceitful attitude having knowledge that he was in-eligible for B-I examination, even then he tried to deceive the department and ETEA.

3- He was issued Charge Sheet and Summary of Allegations by SP/HQrs Peshawar and an enquiry Committee comprising of DSP, Civil Secretariat & DSP/Coordination Peshawar was constituted to scrutinize conduct of the accused official. The enquiry Committee after conducting proper enquiry submitted their findings and recommended him for suitable punishment. The competent authority after perusal of the findings of the enquiry officer issued him Final Show Cause Notice to which his reply was found unsatisfactory and hence was awarded the above major punishment.

4- He was heard in person in O.R. The relevant record along with his explanation perused. He failed to produce any plausible explanation. Therefore, his appeal for setting aside the punishment awarded to him by SP/HQrs Peshawar is hereby dismissed/rejected.

(ABBAS AHSAN)PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 1647-53 /PA dated Peshawar the 29-12 - 2020

Copies for information and n/a to the:-

1. SP/HQrs Peshawar.
2. OSI/CRC/EC-II/AS/FMC.
3. Official concerned.

rx 219 -
11-02-20

بخدمت جناب انسپکٹر جنرل آف پولیس خیبر پختونخواہ پشاور

(23)

مضمون: Revision Petition پر خلاف حکم مجاریہ نمبری PA/53-1647 مورثہ 29/12/2020 جسکی رو سے سائل کا حکمانہ اپیل بلا جواز نامنظور کیا گیا ہے۔

جناب عالی!

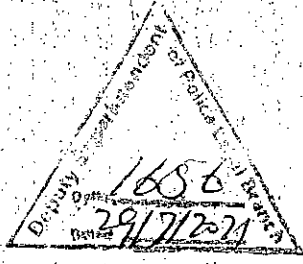
سائل ذیل عرض رساں ہے۔

- 1- یہ کہ سائل سال 1998ء کو محکمہ پولیس میں بطور کنسٹیبل بھرتی ہو کر ریکروٹ کورس پاس کیا ہے۔
 - 2- یہ کہ سائل نے تاحال بے داغ ملازمت انجام دی ہے اور کبھی انفران بالا کو شکایت کا موقع نہیں دیا ہے۔
 - 3- یہ کہ سائل نے مختلف تھانہ جات میں تسلی بخش ڈیوٹی انجام دی ہے۔ اور کبھی کسی قسم کی غفلت یا کوتاہی نہیں کی ہے۔
 - 4- یہ کہ سائل نے سال 2003ء میں A-1 کا امتحان پاس کیا ہے جو کہ رکارڈ پر موجود ہے۔
 - 5- یہ کہ سائل نے سال 2020ء میں B-1 کیلئے شمولیت کی استدعا کی لیکن بد قسمتی سے سائل "Overage" تھا۔ جس کا سائل کو کوئی علم نہیں تھا۔
 - 6- یہ کہ سائل کا دوسرا کوئی قصور نہیں ہے۔ ماسوائے "Overage" ہونے کی، اور B-1 میں شامل ہوئے۔ جسکی بناء پر سائل کے خلاف محکمانہ کارروائی ہو کر جسمیں سائل کو اپنی دفاع اور صفائی کا موقع دیئے بغیر عنوان الصدر سنگین سزا دلائی گئی جس سے سائل کو کافی مالی بحران کا سامنا اور سائل کا کیریئر بری طرح متاثر ہو چکا ہے۔
- سائل بے گناہ ہے اور نا کردہ جرم میں بلا جواز نامزد کر کے سائل کے ساتھ زیادتی ہوئی ہے۔ اس لیے درخواست بحضور انور ہے کہ درجہ بالا حقیقت کو پیش نظر رکھ کر سائل کی مذکورہ بالا سزا کو منسوخ فرما کر اپنے سابقہ حالت پر بحال فرما کر مشکور فرمائیں۔ سائل تمام عمر ڈعا گور ہونگا۔

العارض

آپ کا تابعدار گلہار خان نمبر 1612 حال پولیس لائن پشاور

موبائل نمبر: 0302-8874940



M 24

29/7/2021

حاجی

تذارت میں سائل کو دیا - DSP/140
 2 سال کیلئے ٹائم کیل گیا ہے۔ جس کے خلاف CCPD میں
 کو اپیل کی۔ وہ بھی ٹائم ہو گیا۔ اور آفیسر صاحب DSP/140
 کو بھی رقم اپیل کی گئی مگر وہ بھی Reject ہو گیا۔
 ایس ایس میں شری پرنٹل جگہ کا خرابا ہے۔ سائل
 کھنڈ کو اگلی ڈیپٹ بجوم مانڈنڈ لٹولت کے کام
 صدر شرمائی - (عام کامیاں اور میراہ نوہیں)

الحاجی

- ماسٹر کونسل محل بیار عمر 1612 حصہ پولیس لائنز

DSP/legal

for afa & ev
cases

Fmc.
For Necessary action

[Signature]

D. Street, Police
Station, Peshawar

30/7/2021

DSP/140

28/7

[Signature]



N

25

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. S/ 286 /21, dated Peshawar the 30/06/2021.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended, 2014) submitted by Constable Gulbahar No. 1612. The petitioner was awarded penalty of reduction to lower stage of time scale of pay for a period of two years by Supdt: of Police, HQrs: Peshawar vide OB No. 2363, dated 23.09.2020 on the allegations that he showed deceitful attitude having knowledge that he was ineligible for B-1 examination, even then he tried to deceive the department and ETEA. His appeal was rejected by Capital City Police Officer, Peshawar vide order Endst: No. 1647-53/PA, dated 29.12.2020.

Meeting of Appellate Board was held on 03.06.2021 wherein petitioner was heard in person.

During hearing, petitioner failed to advance any plausible explanation in rebuttal of the charges. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

KASHIF ALAM, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 286-69 /21,

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One Service Roll, one Fauji Missal and one enquiry file of the above named FC received vide your office Memo: No. 4772/CRC, dated 08.03.2021 is returned herewith for your office record.
2. Superintendent of Police, HQrs: Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

(IRFAN ULLAH KHAN) PSP
AIG Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

VAKALAT NAMA

NO. _____/2021

IN THE COURT OF KP Service Tribunal, Peshawar

Gul Bahar Khan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Deptt

(Respondent)
(Defendant)

I/We, Gul Bahar Khan

Do hereby appoint and constitute **Taimur Ali Khan, Advocate High Court Peshawar**, 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 _____/2021

Foz
(CLIENT)

ACCEPTED

TAIMUR ALI KHAN
Advocate High Court
BC-10-4240

CNIC: 17101-7395544-5
Cell No. 0333-9390916

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.7374 /2021.

Constable Gul Bahar No.1612 of CCP Peshawar..... **Appellant.**

VERSUS

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others ... **Respondents.**

REPLY BY RESPONDENTS NO. 1, 2&3.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
3. That the appellant has not come to Hon'ble Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi to file instant appeal.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Hon'ble Tribunal.
7. That the appeal is not maintainable being devoid of merit.

REPLY ON FACTS:-

1. Incorrect. Pertains to record, however the performance of appellant during service is not satisfactory.
2. Incorrect. The appellant committing cheating despite having knowledge that he is ineligible for B-1 examination even then he tried to deceive the department and ETEA. Resultantly he was issued charge sheet with statement of allegations. DSP Civil Secretariat & DSP Coordination were appointed as Enquiry committee who conducted probe into the matter and submitted finding report that the appellant deliberately mentioned his wrong date of birth to get promotion and such action of appellant demoralized the Police department. After completion of the enquiry proceedings, the appellant was issued final show cause notice to which he replied and after observing all codal formalities, he was awarded major punishment in reduction to lower stage of time scale for a period of 02 years. (copy of charge sheet, statement of allegations, enquiry report, Final Show Cause Notice are annexed as A,B,C,D)
3. Para is totally misconceiving and the appellant was issued charge sheet with summary of allegations for committing misconduct, but his reply was found unsatisfactory.
4. Para is totally incorrect as explained above. Proper departmental enquiry was conducted against him and the appellant failed to rebut the charges hence enquiry committee the appellant guilty of the charges. Lastly the appellant was issued final show cause notice to which he replied, but his reply was also found unsatisfactory.

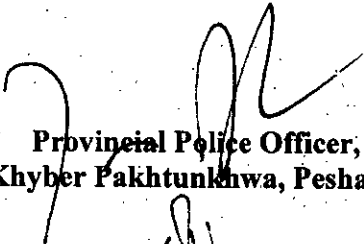
5. Para-5 the Appellant has personally explained the facts of the case as police is a disciplined force wherein such fault/illegality is not tolerated however deserving individuals are not deprived of their due rights what so ever. The enquiry committee after thorough probe into the matter pointed out the unlawful entries made in the record hence the competent authority rightly awarded Major punishment as per law/rules keeping in view the gravity of misconduct committing by him.
6. Incorrect. In fact, the punishment awarded to the appellant was found justified and lawful, therefore his departmental appeal was rejected having no substance in it. The appellant then filed revision petition which after due consideration was also filed/rejected.
7. That appeal of the appellant being devoid of merits and limitation may be dismissed on the following grounds.

REPLY ON GROUNDS:-

- A) Incorrect. During the scrutiny of A-1 and B-1 examination form, the appellant was found over age as per requirement of ETEA. The charges levelled against him was proved, as he deliberately wrote his date of birth incorrect while filling online application of ETEA, hence he was awarded an appropriate punishment as per law/rules.
- B) Incorrect. The appellant has accepted his guilt in this para in the shape of misconduct which cannot be tolerated in police department. Further ignorance of law is no excuse as the appellant time and again states that he was unaware about age restriction therefore, after fulfilling all the codal formalities he was awarded the major punishment in reduction to lower stage of time scale for a period of 02 years.
- C) Incorrect. An enquiry committee consisting two officers to scrutinized the record of OSI branch and CRC who after thorough probe in to the matter which revealed that pre planned mischief was done by police personnel including the appellant as some were found failed while appellant was averaged.
- D) Incorrect. the appellant with malafide intention cheated while concealing his real date of birth despite having clear information that he is averaged for the subject examination of B-I.
- E) Incorrect. The appellant himself is responsible for the situation by committing misconduct of cheating however he was treated judiciously and no violation of his right has been committed by the replying respondents.
- F) Respondents also seek permission of this Honorable Tribunal to raise additional grounds at the time of arguments.

PRAYER.

Keeping in view the gravity of slackness, willful negligence and misconduct of appellant, it is prayed that appeal being devoid of merit may kindly be dismissed with cost please.



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.**



**Capital City Police Officer,
Peshawar.**



**Superintendent of Police,
HQs, Peshawar.**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.7374 /2021.

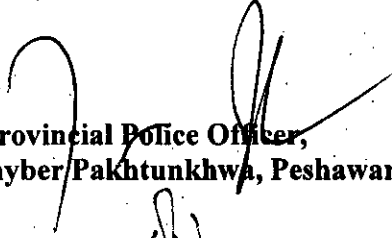
Constable Gul Bahar No.1612 of CCP Peshawar..... **Appellant.**

VERSUS


Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others ... **Respondents.**

AFFIDAVIT

We respondents No. 1, 2 & 3 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.


**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.**


**Capital City Police Officer,
Peshawar.**


**Superintendent of Police,
HQrs, Peshawar.**

CHARGE SHEET

I, Superintendent of Police, Headquarters, Capital City Police Peshawar, as a competent authority, hereby, charge that officials mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B of Capital City Police Peshawar with the following irregularities.

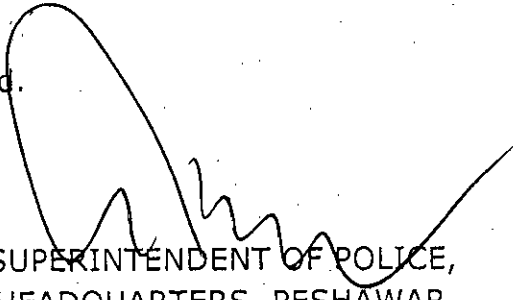
"It has been proved in preliminary enquiry that you mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of you were in knowledge that you are ineligible for BI-Examination even then upi tried to deceive the department and ETEA. This amounts to gross misconduct on your part and is against the discipline of the force."

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

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

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.


SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR.

پولیس سپرنٹنڈنٹ
ہیڈ کوارٹرز
پشاور

21/05/20
1612/20

5

DISCIPLINARY ACTION

I, Superintendent of Police, Headquarters, Capital City Police Peshawar as a competent authority, am of the opinion that officials mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B has rendered themselves liable to be proceeded against under the provision of Police Disciplinary Rules-1975

STATEMENT OF ALLEGATION

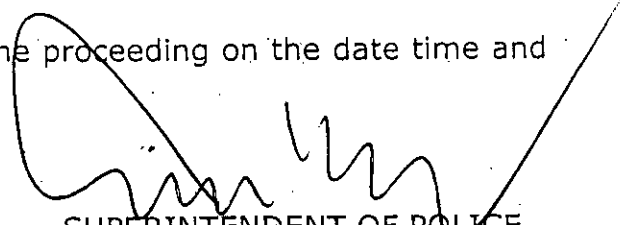
"It has been proved in preliminary enquiry that they mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of them were in knowledge that they were in-eligible for BI-Examination even then they tried to deceive the department and ETEA.. This amounts to gross misconduct on their part and is against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and following Officer appointed as Enquiry Officers.

- i) Mr. Niaz Muhammad DSP Civil Secretariat
- ii) Mr. Arshid Khan DSP Coordination

2. The Enquiry Officer shall, in accordance with the provisions of the Police Disciplinary Rules, 1975, provide reasonable opportunity of hearing to the accused officer, record his finding within 30 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.

3. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.


SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

No. 98 /E/PA, dated Peshawar the 15/04 /2020

1 DSP Civil Secret: & DSP Coord is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.

Official concerned

Handwritten notes in Urdu:
3/21/20
2/21/20
21/05/20
16/04/20

Subject: **INELIGIBLE CONSTABLES FOR B-1 EXAMINATION 2020**

DD

THROUGH ETEA of constable

کلبا No. 1612

Unit CCP

Memo:

Please refer to your office letter No.98/E/PA, dated 15.04.2020 on the subject cited above.

ALLEGATION:-

It has been proved in preliminary inquiry that they mentioned in the letter No.4492-93/OASI dated 28.02.2020 & other 03-officials mentioned in annexure-B showed deceitful attitude as all of them were in knowledge that they were in-eligible for B1-Examination even then they tried to deceive the department and ETEA. This amounts to gross misconduct on their part and is against the discipline of the force.

PROCEEDINGS:-

To dig out the real fact all the Police Officials from annexure-A 1 to 39 and annexure-B 1 to 03 were summoned whose was appear before the undersigned charge sheets and summary of allegations was received by them separately. The service record of the alleged officials were obtained from CRC Branch vide diary No.33 dated 05.05.2020. The A-1 and B-1 passed candidate lists were also obtained from OASI Branch from year 2014 to 2019.


Statements of the officials of OASI Branch and CRC Branch were also recorded. After the completion of charge sheet time all the alleged officials submitted their replies one by one. All the alleged officials from annexure-A **(1 to 39)** and annexure B **(1 to 03)** were personally heard one by one and they were also cross examined.

During of checking the service record it was found that there are some fake entries of A-1 passed examination in the service books.

1. Constable Wajid Ullah No.256 vide his A-1 examination has failed in the year 2018 under Roll No.24678.
2. Constable Ibrahim No.3199 A-1 examination failed in the year 2018 under Roll No.24215.
3. Constable Qadar Ali No.5456 A-1 examination failed in the year 2019 under Roll No.19670.
4. Constable Nabi Amin No.1331 A-1 examination failed in the year 2018 under Roll NO.23563.
5. Constable Imran Khan No.2630 A-1 failed in the year 2017 under Roll No.00832.

6. Constable Muhammad Bilal No.4325 A-1 failed in the year 2018 under Roll No.22894.
7. Constable Sohail Adnan No.3974 A-1 failed in the year 2019 under Roll No.20097.
8. Constable Bilal Ahmad No.2039 A-1 Failed in the year 2019 under Roll No.20250.
9. Constable Rehman Ali No.3530 A-1 Failed in the year 2019 under Roll No.18361.
10. Constable Muhammad Sohail No.2555/CCP/349/EF A-1 Failed in the year 2019 under Roll No.12407.
11. Constable Muhammad Afzal No.5088/278/FRP/HQrs: A-1 Failed in the year 2019 under Roll No.19122.
12. Constable Sadiq Shah No.3389 A-1 Failed in the year 2019 under Roll No.18930.
13. Constable Maqsood Ali No.2882/3785 A-1 Failed in the year 2019 under Roll No.19151.
14. Constable Raheem Khan No.2522/428/FRP/HQrs: A-1 Failed in the year 2019 under Roll No.19505.
15. Constable Qayum Khan No.3693/2924 Latter No.466 Dt: 08.02.2012 A-1 Failed in the year 2012.
16. Constable Arafat No.325/EF A-1 Failed in the year 2015 under Roll No.12550.
17. Constable Shahzad Khan No.544 A-1 Passed examination by ETEA vide OB 990 Dt: 20.04.2014 entry is present in the Service Roll but his name is not find in 2014 A-1 ETEA examination Result.
18. Constable Baseer Khan No.3051 A-1 Passed examination 2013 vide OB No.2309 Dt: 01.07.2013 entry is present in the service Roll but his name is not find in the above order book 2309.
19. Constable Shakir Ullah No.1575 A-1 Passed examination 2017 by ETEA entry is present in the service Roll but his name is not find in A-1 examination 2017 Result.
20. Constable Tauseef Ullah No.2873/CCP/5669/EF A-1 Passed examination 2018 by ETEA entry is present in the service Roll but his name is not find in 2018 examination ETEA Result.
21. Constable Kamran No.245/CCP/836 A-1 Passed examination vide PTC Hangu Notification No.1329/S Dt: 20.05.2013 entry is present in the service Roll but his name is not find in PTC Hangu

It is also worth mentioning that the 18 alleged officials have now fake entry in their service Roll. However they used shortcut way to get promotion illegally.

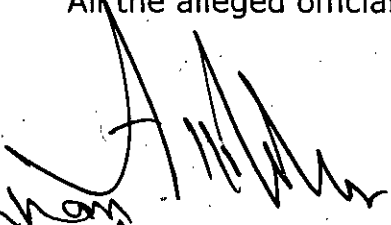
 The statements of all alleged officials were also examined. There was contradiction in their statements. Their replies are un-satisfactory. It was also found that the age of Constable Amjad Khan Belt No.4147, Constable Wahid Khan No.2526 & Constable Gulbahar Khan No.1612, were found aged according to the criteria of ETEA. The copies of A-1 examination forms were obtained from ETEA office which was sent by alleged officials to ETEA Office for B-1 examination are attached with inquiry file.

Finding:-

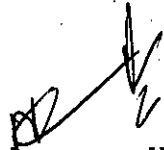
After going through inquiry papers statements of the alleged officials and other material available on record. The undersigned came to the conclusion that all the alleged officials from annexure A **(1 to 39)** & annexure B **(1 to 03)** used shortcut way to get promotion. The Police department is a discipline force and such kind of actions of Police officials demoralized the name of Police department. All the alleged officials were ineligible for B-1 examination.

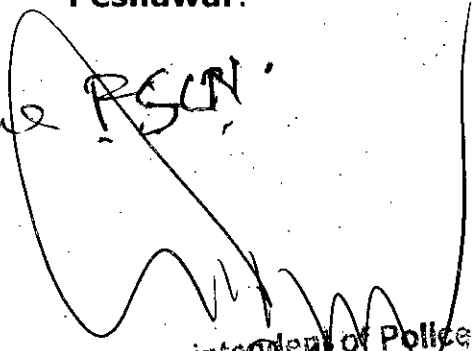
Their malafied intentions involved. All the alleged officials were given sufficient time to defend their self. They could not defend their self and all of them found guilty of gross misconduct.

All the alleged official are recommended for suitable punishment.


Arghid Khan
DSP - Coordination
Peshawar No. 116 /R, Dated 21 / 07 / 2020

Encl (10)


(Niaz Muhammad)
Deputy Superintendent of Police
(Security), Civil Secretariat,
Peshawar.

Issue PCIN

Superintendent of Police
HQrs: Peshawar.

W/SP-HQrs:

(جناب عالی)

گزارش ہے کہ سائل گل بیار خان $\frac{1612}{CCP}$ پشاور

۱۹۹۸ کا بھرتی شدہ ہے۔ سائل نے ۲۰۰۲ یا ۲۰۰۳ کے دن پاس کیا ہے

سائل نے ETEA امتحان سے پہلے دو مرتبہ بی ڈن B-1 امتحان پاس کیا ہے

مگر میرٹ لیٹ میں نہیں آیا سائل نے ۲۰۱۸ اور ۱۹۹۹ میں B-1

امتحان بذریعہ ETEA دیا مگر کامیاب نہ ہو سکا۔

سائل نے ۲۰۰۹ و B-1 امتحان کیلئے داخلہ کرنے وقت فارم میں

تاریخ پیدائش لکھا تو فارم ڈاؤن لوڈ نہیں ہو رہا تھا اور جب

تاریخ پیدائش ۱۹۷۹ لکھا تو فارم ڈاؤن لوڈ ہو گیا۔ جب سائل

اول نمبر سلیپ کیلئے O.A.S. - تاریخ کیا تو پتہ چلا کہ میں اور ایچ

ہو گیا ہوں۔ اور B-1 امتحان نہیں دے سکتا۔ جسکا صحیحہ علم نہیں تھا

فارم O.A.S. میں جمع کیا مگر یاد نہیں آس تو دیا۔ فارم جمع کرنے کیلئے

نہ آسے کو پیسے دیں۔ اور یہی آسے کو لایچ دیا۔

۲۲

(العارض)

گل بیار خان $\frac{1612}{CCP}$ پشاور

CNIC : 17301-9220825-1

mobil : 0302-8874940-

FINAL SHOW CAUSE NOTICE

I Superintendent of Police, Headquarters, Capital City Police Peshawar, as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve upon you, Constable Gulbahar No. 1612 the final show cause notice.

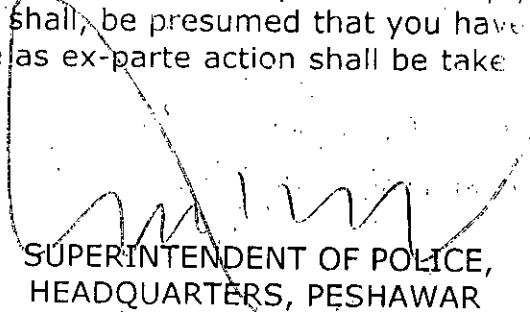
The Enquiry Officer, DSP Civil Secretariat, after completion of departmental proceedings, has recommended you for suitable punishment for the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you Constable Gulbahar No. 1612 deserve the punishment in the light of the above said enquiry report.

And as competent authority, has decided to impose upon you the penalty of minor/major punishment under Police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

2. If no reply to this notice is received within 7 days of its receipt, in normal course of circumstances, it shall be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.


SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

No. 98/E /PA, SP/HQrs: dated Peshawar the 24/7 /2020.

Copy to official concerned

F02
29/7/2020