22.03.2023

Learned counsel for appellant present.

Mr. Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Learned Member Judicial (Mrs. Rozina Rehman) is on leave,

SCANNED therefore, case is adjourned to 07.06.2023 for arguments before

D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan) Member (E)

31.05.2022

Counsel for the appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Former requested for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 09.08.2022 before D.B.

(Fareeha Paul) Member(E)

(Rozina Rehman) Member (J)

Due to the Public holiday the case is adjourned to 9-11-2022

9-11-22

Spore An November has been declared

as public Habiday, Therefore, The ease it adjourns

To 23-12-22 for the fame.

23.12.2022

Counsel for the appellant present.

Muhammad Riaz Khan Paindakhel learned Assistant Advocate General for respondents present.

Former made a request for adjournment in order further prepare the brief. Adjourned. To come up for arguments on 22.03.2023 before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

Learned counsel for the appellant present.

Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he is not feeling well today. Adjourned. To come up for arguments before the D.B on 19.11.2021.

(ROZINA REHMAN) MEMBER (JUDICIAL) CHAIRMAN

19.11.2021

Clerk of learned counsel for the appellant present. Mr. Fazal Mabood, Inspector (Legal) alongwith Mr. Noor Zaman Khattak, 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 out of station today. Adjourned. To come up for arguments before the D.B on 02.03.2022.

(Mian Muhammad) Member (E) (Salah-Ud-Din) Member (J)

02.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 31.05.2022 for the same as before.

Regger

28.12.2020

Junior counsel for appellant is present. Mr. Asif Masood Ali Shah, Deputy District Attorney and Mr. Fazle Mabood, Inspector (Legal), for the respondents are also present.

Representative of the department submitted written reply, which is placed on record. File to come up for rejoinder and arguments on 30.03.2021 before D.B.

(MUHAMMAD JAMAL KHAN) MEMBER



30.03.2021 Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former submitted rejoinder with a request for adjournment; granted. To come up for arguments on $\frac{12}{7}$ /2021 before D.B.

(Atiq ur Rehman Wazir) Member (E) (Rozina Rehman) Member (J) Counsel for the appellant present.

Contends that the charge sheet as well as statement of allegations were issued against the appellant with the signature of Inspector General of Police Khyber Pakhtunkhwa while, on the other hand, the impugned order dated 20.04.2020 was passed by Addl. IGP/H.Qrs Peshawar who was not competent for the purpose. Similarly, the departmental appeal of appellant was decided by the same Addl. I.G H.Qrs. Peshawar. In the said manner, the penalty imposed upon the appellant was passed by an incompetent officer which tantamount, to void decision.

Annaliant Deposited

Annaliant Deposited

Annaliant Deposited

Annaliant Deposited

Subject to all just exceptions, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 09.11.2020 before S.B.

Chairman

09.11.2020

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is present.

Written reply on behalf of respondents not submitted. Learned Additional AG requests for time to contact the respondents and furnish written reply/comments on the next date of hearing. Adjourned to 28.12.2020 on which date file to come up for written reply/comments before S.B.

(Muhammad Jamal Khan) Member (Judicial)

Form- A

FORM OF ORDER SHEET

Court of		
Case No	7815	/2020

	Case No	/ 010 /2020		
1\$.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1	14/07/2020	The appeal of Mr. Hussain Ghulam presented today by Syed Noman Ali Bukhari Advocate may be entered in the Institution Register and put up		
		to the Worthy Chairman for proper order please.		
2-		This case is entrusted to S. Bench for preliminary hearing to be put up there on 1009 2000		
,		CHAIRMAN		
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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Hussain Ghulam

· V/S

Police Deptt

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APPELLANT
Hussain Ghulam

THROUGH:

SYED NOMAN ALI BUKHARI (ADVOCATE, HIGH COURT)

Cell No: 0306-5109438.

BEFORE THE KHYBER PAKHTU NKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO.____/2020

Mr. Hussain (RI) PTC Hangu Now DSP, PTC Hangu.

(Appellant)

VERSUS

- 1. The Commandant Police Training college hangu.
- 2. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
- 3. The Addl: Inspector General of Police, Khyber Pakhtunkhwa Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 20.04.2020 WHEREIN THE PENALTY OF WITHHOLDING OF ANNUAL INCREMENT FOR TWO YEARS WAS IMPOSED UPON THE APPELLANT AND AGAINST THE REJECTION ORDER DATED 15.06.2020 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED WITHOUT SHOWING ANY COGENT REASON.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 20.04.2020 AND 15.06.2020 MAY PLEASE BE SET-ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO RESTORE THE ANNUAL INCREMENT FROM DUE DATE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS TRIBUNAL FIT AND PROPER MAY ALSO BE AWARDED IN THE FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

2

FACTS:

- 1. That the appellant was serving as inspector PTC Hangu, now serving as DSP PTC Hangu the appellant working with full zeal and zest.
- 2. That the appellant while performing his duties served with show cause notice along with grounds of action on 15.03.2019, which was roperly replied by the appellant and denied the entire allegation.

 Copy of show cause notice and reply is attached as annexure-A & B
- 3. That thereafter appellant was served with charge sheet and statement of allegation. The appellant properly replied to the charge sheet and denied the entire allegation with cogent proves. (Copy of charge sheet and reply is attached as Annexure-C &D).
- 4. That inquiry was not conducted properly wherein no chance of cross examination was provided to the appellant and nothing has been proved against the appellant but despite that the appellant was declared negligent. Copy of inquiry report was attached as annexure-E.
- That the final show cause notice was served upon the appellant along with the copy of finding not whole inquiry. The appellant properly replied to the show cause notice and denied the entire allegations. (Copy of SHOW CAUSE and reply is attached as Annexure-F&G).
- 6. That thereafter the impugned order dated 20.04.2020 was served upon the appellant whereby the minor penalty of "withholding of annual increment for two year with cumulative effect" was imposed upon the appellant. The appellant feeling being aggrieved filed departmental appeal against the impugned order dated 20.04.2020, which was rejected vide order dated 15.06.2020 without showing any cogent reason (Copy of order, departmental appeal and rejection order is attached as Annexure-H, I & J).
- 7. That now the appellant comes to this august Tribunal on the following grounds amongst others.

GROUNDS:

- A) That impugned order dated. 20.04.2020 AND 15.06.2020 is against the law, facts, norms of justice and material on record. Therefore, not tenable and liable to be set aside.
- B) That neither proper inquiry was conducted examination has been nor any chance of cross examination, no procedure was followed before the penalty was imposed upon the appellant which is against the law and rules.
- C) That no proper procedure has been followed before the awarding the penalty, the whole proceedings were conducted in violation of law and rules. Thus, not tenable in the eye of the law.
- D) That there was no inquiry report was provided to the appellant with the show cause notice which is violation of law and rules and the whole proceeding is defective in eye of law
- E) That according to Rule 15 of standing order wherein duties of Reserve Inspector is mentioned, so according to rule The appellant performed his duties with full devotion, sincerity, according to rules and neither unfair nor any undue favor was given to any official. Copy of relevant rule of PTC manual and roznamchy is attached as annexure-K & L.
- F) That according to standing order no:3/2013 wherein clause 4 & 5 is so much clear about duties of RI and The appellant performed his duties with full devotion, sincerity, according to rules and neither unfair nor any undue favor was given to anyone or show negligence in his duties. Copy of standing order no:3/2013 is attached as Annexure-M.
- That according to operational guide lines number 13/0G-11, The District police officers and every Unit officers examines the ammunition etc once in every three months. In these guide lines there is no role of reserve inspector. The appellant as reserve inspector properly performed his duties according to rules but the appellant made only scape goat to save the skin of high officials. (Copy of guide lines is attached as Annexure-N).
- H) That the appellant is also discriminated because the responsible officials only awarded minor punishment of one increment without cumulative effect. Copy of orders is attached as annexure-O.
- I) That the punishing authority of the appellant is Additional inspector General of Police so the appellate /review authority

shall be PPO/inspector General of police but in case of appellant review was rejected by the same authority (incompetent authority) which is illegal and unlawful.

- J) That grounds taken in show cause reply and charge sheet reply may also be considered integral part of the appeal.
- K) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

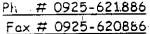
It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT
Hussain Ghulam

THROUGH:

SYED NOMAN ALI BUKHARI (ADVOCATE, HIGH COURT)











OFFICE OF THE COMMANDANT, POLICE TRAINING COLLEGE, HANGU

No	// b	_/PA
Dated:	15 1031	2019

SHOW CAUSE NOTICE !!! (Under Rule 5(3) KPK Police Rules, 1975)

Whereas you Inspector Hussain Ghulam of Kohat Region, have rendered yourself liable to be preceded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for following misconduct.

You Inspector Hussain Ghulam while posted Reserve Inspector in PTC Hangu have been charged for irresponsibility negligence in discharge of his official duty. Detail of charges has been given in the attached ground of action.

- It is decided to proceed against you in general Police proceeding without aid of 2. enquiry office.
- That, the misconduct on your part is prejudicial to good order of discipline in the 3. Police force.
- That your retention in the Police force will amount to encourage in efficient and 4. unbecoming of good Police Officers.
- That by taking cognizance of the matter under enquiry, the undersigned proposes 5. stern action against you by awarding one or mone of the kind punishments as provided in the rules.
- You are, therefore, called upon to show cause as to why you should not be dealt 6. strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
- 7. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an expart action shall be taken against you.
- You are further directed to inform the undersigned that you wish to be heard in 8.. person or not.

9. Grounds of action are also enclosed with this notice.

Police Training College, Hangu.

GROUNDS OF ACTION

You Inspector Hussain Ghulam of Kohat Region, while posted as Reserve Inspector in PTC Hangu have committed the following negligence/misconduct:-

On 09.01.2019 ASI/LI Abid Ullah of Bannu Region was posted as incharge ammunition Kot in-place of ASI Bashir Muhammad. On 14.01.2019 while taking the charge, he observed that a number of 87369 glive SMG rounds were short / missing. A preliminary enquiry consisting of DSP (Legal) Abdul Sattar and DSP/CLI Shah Mumtaz Khan was constituted. During enquiry accused officers and their co-accused produced the embezzled rounds numbering 76285 before the enquiry committee which were deposited in the SMG round Kot PTC Hangu. The enquiry officers submitted their initial enquiry report and held responsible accused officers and other co-accused with their mutual understanding and with their common criminal attention to each other embezzled a huge quantity of Govt: SMG rounds numbering 76285 while the enquiry committee indicated that SMG rounds 11084 were not entered in the relevant record properly. They were suspended and show cause notices were served upon them. In response their replies were found unsatisfactory hence proper charge sheet and statement of allegations were issued to them and DSP/CLI Shah Mumtaz. Inspector Baroz Khan and Inspector Said Noor Shah were appointed as enquiry officers/committee.

The enquiry committee recorded the statements of all concerned witnesses and also of the accused officers/officials. They recounted the SMG rounds produced by the accused officers/officials. During enquiry and perused of relevant record in ammunition. Kot PTC Hangu it was found that you did not perform your official duty while checking and inspection the relevant record of Kot i.e stock/issue register and also to compare the same with the ammunitions physically lying therem. While you are bound to follow Police Rules 6-19, 17-02, 17-3, Operation Guide Lines No. 11, Standing Order No. 03/2003 and PTC Hangu Manual Rules No. 14A, 15 & 17, but you failed to do so. Being Reserve Inspector of the discipline force, such like act shows irresponsibility /negligence on the part of your duty, which is a great violation of discipline and a grass misconduct/negligence on your part.

By the reason of above you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

Commandant

Police Training College, Hangu.

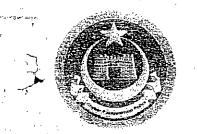
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20-03-19 1213P/RI



CHARGE SHEET

1, Dr. Muhammad Nacem Khan, Inspector General of Police. Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Khyber Pakhtunkhwa Police rules 1975 (amended 2014) hereby charge you Mr. Hussain Ghulam the then Reserve Inspector, PTC Hangu (now DSP in PTC Hangu) as follows:-

That a preliminary enquiry was conducted in which ASI Bashir Muhammad, IHC Matiullah, HC Akram and FC/DI Sohail No. 44 for embezzlement of huge quantity of SMG rounds from PTC. Hangu SMG kot with facilitation of corruption.

ii. That proper departmental enquiry was conducted against ASI Bashir Muhammad, Matiullah IHC, Ikram IHC and IFC Sohail for embezzlement of 76285 rounds of SMG.

iii. That the enquiry committee submitted report to the Commandant, PTC Hangu on 12.03.2019 with the recommendations of embezzlement by the above officers/officials and reportedly you facilitated them being supervisory officer.

iv. That you being a member of discipline force have a very toose and un-professional attitude and negligence in your supervision and lack of interest the official duties.

v. That your this act has degraded the image of Police in the eyes of Police force and amongst general public.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

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

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

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

A statement of allegation is enclosed.

Muhammad Naecm Khan, Dr. PSP

Inspector General of Police. Khyber Pakhtunkhwa, Peshawar



KHYBEA Central Police

DISCIPLINARY ACTION

I, Dr. Muhammad Naccin Khan, Inspector General of Police, Khyber Pakhtunkhwa Peshawar being Competent Authority, am of the opinion that Mr. Hussain Ghulam the then Reserve Inspector, PTC Hangu (now DSP in PTC Hangu) has rendered him-self liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

STATEMENT OF ALLEGATIONS

- i. That a preliminary enquiry was conducted in which ASI Bashir, Muhammad, IHC Matiullah, HC Akram and FC/DI Sohail No. 44 for embezzlement of huge quantity of SMG rounds from PTC, Hangu SMG kot with facilitation of corruption.
- ii. That proper departmental enquiry was conducted against ASI Bashir Muhammad, IHC Matiullah, HC Ikram and FC Sohail for embezzlement of 76285 rounds of SMG.
- That the enquiry committee submitted report to the Commandant, PTC Hangu on 12.03.2019 with the recommendations of embezzlement by the above tofficers/officials and reportedly he facilitated them being supervisory officer.
- That he being a member of discipline force have a very loose and un-professional attitude and negligence in his supervision and lack of interest the official duties.
- v. That his act has degraded the image of Police in the eyes of Police force and amongst general public.

The said act of negligence depicts inefficiency, disobedience, indiscipline and lack of professionalism which amounts to grave misconduct on his part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, an Enquiry Officer/Enquiry Committee of following (amended 2014):-

i. Mr. Salman Choudhary, DIG Crimes, Investigation, Khyber Pukhtunkhwa

The Inquiry Committee/officer (s) shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officers, recommendations as to punishment or other appropriate action against the accused officer.

Muhammad Naeem Khan, Dr., PSP Inspector General of Police Khyber Pakhtunkhwa, Peshawar

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Subject.

DEPARTMENTAL ENQUIRY REPORT AGAINST MR. MOHSIN SHAH THE THEN DSP/ADMIN; PTC HANGU (NOW DSP IN DI KHAN REGION) AND MR. HUSSAIN GHULAM, THE TEHN RESERVE INSPECT PTC HANGU (NOW DSP IN PTC HANGU)

It is submitted that Mr. Mohsin Shah, the then DSP/Admin PTC Hangu and Mr. Hussain Ghulam the then Reserve Inspector (now DSP/Security PTC Hangu) were charged on the basis of the following allegations, under the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

- That preliminary enquiry was conducted in which ASI Bashir Muhammad, IHC Matti Ullah, HC Akram and FC Sohail were found guilty for embezzlement of huge quantity of SMG rounds from PTC Hangu SMG Kot with facilitation of corruption.
- ii. That proper departmental enquiry was conducted against ASI Bashir Muhammad, IHC Matti Ullah, HC Akram and FC Sohail for embezzlement of 76285 rounds of SMG.
- iii. That the enquiry committee submitted report to the Commandant PTC Hanguwith the recommendations of embezzlement by the above officers/officials and reportedly they facilitate them being supervisory officers.
- iv. That they being members of discipline force have a very loose and un-professional attitude and negligence in their supervision and lack of interest in the official duties.

Charge sheets and summary of allegations were served upon the delinquent officers i.e Mr. Mohsin Shah, the then DSP/Admin PTC Hangu and Mr.Hussain Ghulam, the then Reserve Inspector (now DSP Security PTC Hangu). They submitted their replies to the charge sheets within the stipulated period

Reply to the charge sheet of DSP Mohsin Shah

In his reply he submitted that he was posted as DSP/Admin PTC Hangu on 25.08.2016. He stated that he discharged his duties diligently and kept his seniors informed. He also submitted that according to Standing Order No.03/2013 he was not required to inspect arms and ammunition. (F/A).

Reply to the charge sheet of DSP Hussain Chulam

In his reply he submitted that he was posted as Reserve Inspector (RI) on 24.08.2017. He stated that he discharged his duties diligently and kept his seniors informed. He also submitted that according to Standing Order No.03/2013 he was not required to inspect arms and ammunition. (F/A).

When this embezzlement was discovered the then Commandant PTC Hangu issued him a Show Cause Notice which was set uside after hearing.



Proceedings

After going through the replies of the officers concerned, the following were also summoned, heard in person and their statements were recorded. They were also cross examined.

- 1. Ex-ASI Bashir Muhammad. (Ex-Incharge Kot PTC Hangu).
- 2. Ex-IHC Matti Ullah.
- 3. HC Muhammad Akram. (Law Instructor PTC Hangu)
- 4. Ex-FC Sohail Ahmed. (Ex-Naib Ket PTC Hangú)

Statement of Ex-ASI Bashir Muhammad, Ex-Incharge PTC Hangu Ammunition Kot.(now dismissed)

He stated in his statement that DSP Mohsin Shah and DSP Hussain Ghulam never demanded any illegal favour. He also submitted that he never paid any gratification to the officers concerned.

Statement of Ex-FC Sohail (Ex-Naib Kot PTC Hangu)

He stated in his statement that DSP Mohsin Shah and DSP Hussain Ghulam never demanded any illegal favour. He also submitted that he never paid any gratification to the officers concerned

Statement of HC Muhammad Akram (Law Instructor PTC Hangu)

He stated in his statement that DSP Mohsin Shah and DSP Hussain Ghulam never demanded any illegal favour. He also submitted that he never paid any gratification to the officers concerned.

For better understanding of the job description of DSP/Admin PTC Hangu and Reserve Inspector PTC Hangu Standing Order No.03/2013 was also looked at "F/A". Following are the relevant extracts:-

Job Description of DSP/Admin PTC Hangu

- 1. Police Training College, Hangu Rule No.14A, Para-ii vide "F/B" clearly indicates that the DSP/Admin PTC Hangu will inspect all the lines management twice a week and report any deficiency and irregularity, if any.
- 2. Operational Guideline No. 11/2013 vide "F/C" also provides responsibility to SDPO for quarterly inspection of Government arms etc. While in PTC Hangu the DSP/Admin is responsible to inspect all the ammunition etc.
- 3. Police Rules 17-2 Para (i) vide "F/D" show that Reserve Inspector is responsible under the control of the (Senior Gazzated Officer) Incharge of lines to the Superintendents for the discipline, good conduct and training etc.

Job Description of Reserve Inspector PTC Hangu

- 1. Police Rules 17-2 provides vast responsibility to the Reserve Inspector in which he is responsible to supervise Arms and ammunition, clothing, equipments, tents and stores etc.
- 2. PTC Manual Rule No. 15 provides responsibility to Reserve Inspector Para-I of the said Rules stated that all duties mentioned in Punjab Police Rules 17-2 is the responsibility of the Reserve Inspector.

FACTS:

- 1. On 03.02.2019. ASI Abid Ullah while posted as Incharge SMG ammunition Kot PTC Hangu, during taking charge from his predecessor namely ASI Bashir Muhammad, he found the deficiency of 87369 alive SMG rounds. He brought the matter into the notice of senior officers of PTC Hangu through information report dated 03.02.2019. The then Commandant PTC Hangu ordered to initiate initial enquiry on the same day i.e 03.02.2019. DSP/Legal Abdul Sattar and CLI Shah Mumtaz were nominated as enquiry officers. Who conducted preliminary enquiry with the conclusion that ASI Bashir Muhammad, IHC Mati Ullah, and FC/DI Sohail No.44 have embezzled government SMG rounds numbering 76285 with the facilitation of accomplices. It is further clarified that 76285 round were missing instead of 87369.
- 2. Proper departmental proceedings were conducted against above named officers officials by the enquiry committee consisting of DSP Shah Murntaz, Inspector Behroz Khan and Inspector Said Noor Shah. During enquiry the delinquent officers deposited embezzled round number 76285, which were examined through Armourer and 70285 were found below standard and local made. The enquiry committee submitted report to the Commandant PTC Hangu with the recommendations of embezzlement by the above officers/officials, with the facilitation of supervisory officers the then DSP/Admin Mohsin Shah and the then Reserve Inspector Hussain Ghulam (Now DSP) and negligence of Inspector Kot Muhammad Bashir Khan and Line Officer ASI Muhammad Israr whereas exonerated HC Muhammad Akram Khan, the then Assistant SMG Kot.
- 3. In the light of enquiry report, Commandant PTC Hangu awarded major punishment of dismissal to ASI Bashir Muhammad, IHC Matti Ullah and FC Sohail while exonerated HC Muhammad Akram.
- 4. The Commandant PTC Hangu has charged Mr. Mohsin Shah, the then DSP/Admin PTC Hangu and Mr. Hussain Ghulam the then Reserve Inspector (now DSP/Security PTC Hangu) for lack of supervision. He further recommended major punishment to the then DSP Mohsin Shah now posted at DI Khan and DSP Hussain Ghulam, presently DSP Security PTC Hangu.

- 5. On the basis of report/recommendation of Commandant PTC Hangu Mr. Mohsin Shah; the then DSP/Admin, PTC Hangu (now DSP in DI Khan Region) and Mr. Hussain Ghulam, the then Reserve Inspector (now DSP/Security PTC Hangu) were Charge Sheeted.
- 6. Charge sheets and summary of allegations were served upon the delinquent officers i.e Mr. Mohsin Shah, the then DSP/Admin PTC Hangu and Mr. Hussain Ghulam, the then Reserve Inspector (now DSP Security PTC Hangu). They submitted their replies to the charge sheets within the stipulated period.

FINDINGS:

After going through the relevant record and cross examination of all concerned, it was revealed that:-

- On 03.02.2019 ASI Abid Ullah posted as Incharge SMG ammunition Kot, PTC Hangu, during taking charge found deficiency of 87369 SMG rounds.
- During preliminary enquiry ASI Bashir Muhammad, Incharge SMG Ammunition Kot, IHC Matti Ullah and FC Sohail were found guilty of embezzlement of Govt: SMG rounds numbering 76285 with the facilitation of accomplices.
- 3. 76285 rounds were missing instead of 87369.
- 4. During departmental enquiry the accused officials deposited embezzled round number 76285.
- 5. During departmental enquiry, the enquiry committee submitted report to Commandant PTC Hangu with the recommendation of embezzlement by the above officials with the facilitation of supervisory officers.
- 6. Commandant PTC Hangu awarded major punishment of dismissal to ASI Bashir Muhammad, IHC Matti Ullah and FC Sohail.
- 7. Commandant PTC Hangu has charged Mr. Mohsin Shah, DSP/Admin, PTC Hangu and Mr. Hussain Ghulam, the then Reserve Inspector for negligence in supervision and lack of interest.
- 8. There is no evidence of collusion and malafide on the part of Mr. Mohsin Shah DSP/Admin and Mr. Hussain Ghulam. RI.

Recommendations

Keeping in view the above mentioned facts and circumstances, the delinquent officers have committed negligence which warrants departmental action.

Enquiry report containing 0 $\frac{1}{4}$ pages bearing my signature on each page is submitted for kind perusal, please.

(SALMAN CHOUDHRY) PSP Additional Inspector General of Police, Internal Accountability

Khyber Pakhtunkhwa, Peshayar



OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKITUNKHWA No. S/ //44

Central Police Office, Peshawar

/20. Dated Peshawar the 26/52 /2020.

FINAL SHOW CAUSE NOTICE

WHEREAS, you Mr. Hussain Ghulam, while posted as Reserve Inspector (RI). (now DSP/Security PTC Hangu) committed gross misconduct as defined in Khyber Pakhtunkhwa Police Rules 1975 amended in 2014 Para 6 (b), resultantly you were Charge Sheeted and served. with the Statement of allegations, Mr. Salman Choudhary, DIG of Police Crimes, Investigation, Khyber Pakhtunkhwa was appointed to conduct enquiry.

- WHEREAS, the Enquiry Officer finalized the Enquiry proceedings, giving you full opportunities of defense i.e personal hearing as well as cross examination was recorded in your presence besides audience of relevant record. Consequent upon the completion of Enquiry proceeding, the Enquiry Officer held you have committed negligence as per Charge Sheet. A copy of the finding in enclosed.
- AND WHEREAS, ongoing through the finding and recommendation of Enquiry Officer, the initterial placed on record and other connected papers including your defense before the said Enquiry Officer. I am satisfied that you have committed gross misconduct and are guilty of the charges leveled against you as per statement of allegations conveyed to you vide. No. S/3828/19, dated 31.10.2019 and signature as token of its receipt is placed on record, which stands proved and recommended to be awarded appropriate punishment under the said rules.
- NOW THEREFORE, I. Dr. Ishtiaq Ahmed, Additional Inspector General of Police, Headquarters, Khyber Pakhtunkhwa Peshawar, iis Competent Authority have tentatively decided to impose upon you, any one or more penalties including the penalty of "Dismissat from Service" under Khyber Pakhtunkhwa Police rules, 1975 amended in 2014.

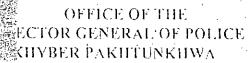
You are therefore, required to Show Cause within Seven (07) days of the receipt of a this Notice, as to why the aforesaid penalty should not be imposed upon you, failing which it shall be presumed that you have no defense to offer and exparte action shall be taken against you. Meanwhile also intimate whether you desire to be heard in person or otherwise.

> (DR. ISHTIAQ (HMED), Additional Inspector General of Police. Headquarters, Khyber Pakhtunkhwa. Peshawar.

Mr. Hussain Chulam, DSP The then Reserve Inspector (RI) PTC Hangu Now DSP Security PTC Hangu c/o Commandant, PTC, Hangu.

1443/Date P084 4/2 Objust July 15 عرب بروان العرائب من ساک تو و مارم فارس مول فقا - مرمان أبلوليو و بيان سي مال وي سر بيان _ و و رسلاك كما كفالف كم 113 west 26 / 03 BUT ille WI 116年10日11日前一个一个一个 ان او اس المعالم المعا الولى ما طالى سين لا-1 27/40 JUL 27/40 JUL 2 216/11 مر تدف رست عرف - انفواندی دافل دفیر کو ما قیم قیالیا و ماوس - سائل دعا كو رئي كا worm DSP/CPO. Page. 22/02/2020

-12 -26 -1



Central Police Office, Peshawar

No. S/1531-40 /2020, Dated Peshawar the 20/04/2020.

ORDER

This order will dispose off the Departmental Enquiry initiated against Mr. Hussain Ghulam, DSP, the then Reserve Inspector PTC Hangu (now closed to CPO) who was charge sheeted with statement of allegations issued by the worthy IGP. Khyber Pakhtunkhwa vide No. S/3828/19, dated 31.10.2019 He was charged on the basis of the - following allegations under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) which reads:-

- That a preliminary enquiry was conducted in which ASI Bashir Muhammad, IHG Matiullah, HC Akram and FC/DI Sohail No.44 for embezzlement of huge quantity of SMG rounds from PTC. Hangu SMG Kot.
- That proper departmental enquiry was conducted against ASI Bashir Muhammad, Matiullah IHC. Ikram HC and FC Sohail for embezzlement of 76285 rounds of SMG.
- That the enquiry committee submitted report to the Commandant, PTC flangu on 12.03.2019 with the recommendations of embezziement by the above officers/officials and reportedly you facilitated them being supervisory officer.
- That you being a member of discipline force have a very loose and unprofessional attitude and negligence in your supervision and lack of interest the official duties.
- That your this act has degraded the image of Police in the eyes of Police force and amongst general public.

An enquiry was conducted by the Addl: IGP/IAB, Khyber Pakhtunkhwa. Peshawar (Mr. Salman Choudhry) against the delinquent officer (Mr. Hussain Ghulam DSP). The enquiry officer submitted findings and found that Mr. Hussain Ghulam, DSP has committed negligence.

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

Keeping in view the findings of the Enquiry Officer and material on record. He was called in orderly room listened in detailed and he was questioned regarding his job description às mentioned in Police Rules, PTC manual etc. He could not satisfy the undersigned regarding his gross negligence in supervision and monitoring of Police Training Collège Store. Although as evident from the enquiry, he was not involved in misappropriation but the negligence on his part has been proved beyond any doubt. Hence he (Mr. Hussain Ghulam DSP) is awarded minor punishment of "withholding of annual increment for two (02) years with cumulative effect."

Order announced.

(DR. ISHTIAL MIMED) PSP/PPM Addl: IGP/NOrs:

Inspector General of Police. Khyber Pakhtunkhwa, Peshawar,

Endst: No. & date even.

Copy of above is forwarded for information and necessary action to the:-Accountant General Khyber Pakhrunkhwa Peshawar.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA

PESHAWAR.

No. S/ 2160

_/20, dated Peshawar the 15/06/2020.

ORDER

This order is hereby passed to dispose of review petition under Rule 11 of Khyber. Athtunkhwa Police, Rule-1975 (amended 2014) submitted by Mr. Hussain Ghulam, DSP, the then Reserve spector PTC Hangu, (now closed to CPO). The appellant was awarded minor punishment of withholding of inual increment for two years with cumulative effect vide CPO order No. S/1531-40/20, dated 20.04.2020 n the following allegations:-

- That a preliminary enquiry was conducted in which ASI Bashir Muhammad, IHC Matiullah, HC Akram and FC/DI Sohail No.44 for embezzlement of huge quantity of SMG rounds from PTC, Hangu SMG Kot.
- That proper departmental enquiry was conducted against ASI Bashir Muhammad, Matiullah ii. IHC, Ikram HC and FC Sohail for embezzlement of 76285 rounds of SMG.
- iii. That the enquiry committee submitted report to the Commandant, PTC Hangu on 12.03.2019 with the recommendations of embezzlement by the above officers/officials and reportedly he facilitated them being supervisory officer.
- That he being a member of discipline force have a very loose and un-professional attitude and iv. negligence in his supervision and lack of interest the official duties.
- That his this act has degraded the image of Police in the eyes of Police force and amongst general public.

The petitioner was called to orderly room on 04.06.2020, listened and questioned but he could not satisfy the chair regarding his negligent attitude and poor supervision with utter disregard for set SOP, hence his appeal is filed.

Sd/-

DR. ISHTJAQ AHMED, PSP/PPM

Additional Inspector General of Police, - HQrs: Khyber Pakhtunkhwa, Peshawar.

No. St. 2161-73 120.

Copy of the above is forwarded to the:

- 1... Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2. Commandant, Police Training College, Hangu.
- 3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
- 4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
- 5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
- 6. PA to AIG/Establishment, CPO Peshawar.
- 7. PA to AIG/Legal. Khyber Pakhtunkhwa, Peshawar.
- 8. Registrar, CPO Peshawar.
- 9. Office Sudpt: CP Branch, CPO Peshawar,
- 10. Office Sudpt: E-I, CPO Peshawar.
- 11. Asstt: Secret, CPO for placing in his C.R Dossier.
- 12. UOP, file.
- 13. Officer Concerned.

(DR. ZAHID ULLAH) PSP AIG/Establishment For Inspector General of Police. Khyber Pakhtunkhwa, Peshawar.

23

d. He shall have the power to order the postings of the staff within the Institution.

e. He shall have the power to return to district any *[junior rank officer as defined in the Police Order, 2002, (Order No. 22 of 2002)] who is no longer considered useful to the Institution with intimation to the *[Provincial Police Officer, Khyber Pakhtunkhwa] Peshawar or any other authorized officer.

f. He shall be empowered to place any locality out of bounds to the trainees and

g. During holidays he shall have powers to detain at the College for a further period of instructions any trainees who in his opinion is weak in law and drill subjects as well as the staff and the trainees necessary for the maintenance of guards and other duties.

h. *[The Commandant has the power to immediately repatriate any staff member to his district/ unit, if his conduct and performance is not upto the mark.]

DUTIES AND POWERS OF THE *[DEPUTY COMMANDANT]

Rule No. 14.

- (i) *[He will be second in command and assist the Commandant in all matters relating to administration, control, training, working and running of the College.
- (ii) He would exercise all the powers of SP in respect of disciplinary issues, as provided in the police rules or any other rules for the time being in force.
- (iii)He will supervise the daily working of the lines, law and Drill staff. He will take care of the discipline.]

*|DUTIES OF THE DSP ADMINISTRATION

Rule No. 14A

- i. He will make sure that the daily training programmes are run according to the manual and daily time table.
- ii. He will inspect all the lines management twice a week and report any deficiency and irregularity if any.
- iii. He will make sure to implement all orders pertaining to lines, discipline, security and cleanliness of the college.
- iv. He will supervise the work of instructors.]

^{*} Substituted vide CPO, Pesh: Memo: No. 789/PA/Oprs: dated 06.02.2012.



the personal custody of the Controller of Examinations.

- c. The initial of an examiner be taken on answer papers as a measure to avoid cheating.
- d. The Controller of Examinations will be in-charge of the examinations of all subjects. He will be assisted by the staff members selected for invigilation duties. No other member of the staff will be allowed to enter the examination hall during the course of examination, except on urgent business after seeking permission.
- e. The question papers, prepared by the examiners, will be distributed personally by them or by the controller of Examinations.
- f. The question papers prepared by the Controller of Examinations will remain in his personal custody till they are distributed to the examinees in the examination hall.
- g. Answer papers will be collected by the invigilators and immediately handed over to the Controller of Examinations.
- h. In case of Board subjects the answer books shall be handed over to the examiner if present.
- i. The answer papers of the trainees shall be kept by the Controller of Examinations in his personal custody in a locked box in between the time he receives them in the hall and the time when they are finally marked by the group of examiners. Other members of the staff shall on no account be entrusted with or have access to the answer papers during this period.
- j. He will be responsible to admit eligible candidates in the examination.
- k. He will present the question papers in safe and secured manner in the examination hall.
- l. In consultation with CLI, he will nominate the invigilation staff.
- m. In consultation with CLI, he will form team (s) for checking of papers and for this purpose he may, with the approval of the Commandant, call instructors from RTW Kohat or RTW Mansehra.
- n.- He will be responsible for compilation of merit based results.
- o. He will be responsible to present the results or any related document (s) to the Commandant or any officer nominated by the Commandant.
- p. He will be responsible to dispatch the results after the signature of the Commandant.
- q. The answer papers will be destroyed after every two years.]

DUTIES OF RESERVE INSPECTOR.

Rule No. 15.

a. He will daily visit the hospital, barracks, quarters, all *[College] buildings and premises to see that they are clean and tidy.

* Substituted vide EPO, Pesh: Memo: No. 789/PA/Oprs: dated 06.02.2012.



- b. He will tell off guards and attend roll calls daily.
- c. He will bring in to the notice of *[Commandant] matters in which he considered that any specific orders should be issued.
- d. He will see that the duties allotted to members of the administrative staff and class IV servants are properly and efficiently carried out.
- e. He will attend orderly room regularly and inspect all *[College] guards at least twice a week by night after zero hours and at day time as well.
- f. He will personally inspect all men reporting sick when they fall in for morning and evening parade.
- g. He will report matters relating to administration of the Police Training *[College] to the Commandant.
- h. He should also see that orders made by the *[Commandant] in respect of any matter are carried out properly by the persons concerned.
- i. All other duties mentioned in the Punjab Police Rules 17.2.

DUTIES OF CHIEF DRILL INSTRUCTOR.

Rule No. 16.

The chief Drill Instructor will:

- Supervise the instructions in drill, *[weapon handling, firing] and in physical training and see that the attendance of all ranks is regular.
- b. That the drill is being carried-out according to the prescribed regulations and that all ranks are taught to clothe themselves smartly and neatly. He shall command the parade and give special instructions under the control of the *[Commandant].
- b. Make the parade statement daily and present to the *[Commandant] or other senior officer on parade and see that the absentees are noted therein.
- c. Supervise the work of the drill staff and see that discipline is maintained amongst the trainees and staff.
- d. See that all bugle calls are sounded punctually.
- e. Conduct personally all the daily drill preparation parade.
- f. Arrange all drill demonstrations and tactical schemes.
- g. Prepare with the approval of the *[Commandant] daily, weekly and monthly time-tables according to the syllabus.
- h. Scrutinize all lesson plans and ensure that they are being followed minutely by all the instructors. He will supervise all long and short range firing.
- i. Report all breaches of discipline and misconduct during parade and PT hours to the *[Commandant].
- j. Maintain record of all trainees showing their progress, punctuality in attendance on parade and PT behavior on the parade ground, initiative and leadership.
- * Substituted vide CPO, Pesh: Memo: No. 789/PA/Oprs: dated 06.02.2012.



- Supervise and organize all sports, games and PT displays.
- 1 Organize and supervise all authorized social works.
- Attend all firing on the miniature, long rifle and other weapon ranges. m.
- Conduct tests in such drill subjects as are assigned to him according to rule 128 of the manual.
- Maintain a record of the working and instructional ability of all drill instructors and ensure that harsh and bullying methods are not employed by them.
- Perform such other duties as may be assigned to him by the *[Commandant]. p.

DUTIES OF THE LINES OFFICER.

Rule No. 17.

The Lines Officer will generally perform all the duties that are assigned to his counterpart in the district Police Lines.

- He will also maintain record of all the furniture beds and boxes. Я.
- He will be responsible for the correct up keep and maintenance of all the Ъ. equipment arms and ammunition on charge of the *[College].
- Supervise the cleanliness of the *[College] premises:
- Inspect the buildings, the lines attached to the College and the sanitary arrangements daily.
- Supervise the work of malies and organize vegetable gardens and other cultivated e. lands.
- Be responsible for the maintenance of all Government vehicles on charge in the ſ. *[College] and their logbooks.
- To supervise the disbursement of money received from the account branch and to g. act as a treasurer of the Regimental Fund, *[College] funds and such other funds as the *[Commandant] may direct:
- To supervise irrigation and other water arrangements. h.
- To see that all animals on charge of the *[College] are properly looked after.
- To look after welfare of the men in hospital and to arrange for their special diet if necessary.
- And to perform such other duties as the *[Commandant] may direct. \mathbf{k} .
- All duties mentioned in Police Rules 17.03.

Substituted vide CPO, Pesh: Memo: No. 789/PA/Oprs: dated 06.02.2012.

مروزاء رياس

کے میٹزین رجبڑ کے ساتھ پڑتال کی جائے گی۔ ہرا یک فتم روانگی سے پیشتر الگ الگ بند کی جائے گی۔اور ناقس کا روز آف خالی خول کیجا بندئیس کئے جا کمیں گے۔ 476 جنگی کا رتو سول کے کاغذی خول جلائے جا کمیں گے۔اور جلانے کے بعد بھتے کے بنیادی جھے جمع ہوجا کمیں گے وہ سلاخ خانہ جنگی کو واپس جسجے جا کمیں گے۔ ان ، کے ہمراہ گڑٹ شدہ افسر کا دستی مرٹینگیٹ بھیجا جائے گا'جس میں خول ہائے ساختہ کی تعداد کھی جائے گی۔ ناقس رونداور کا رتو س جونا قابل استعال قرار کے ہوں کی حالت میں بھی ضلع میں تیوڑے جا کمیں گے ہوں کی حالت میں بھی ضلع میں تیوڑے جا کمیں گے۔

(2) اوزاراور سامان جنب سازی وغیره مهری کے باس رے گا ورکون گرٹ شده افسر سال میں ایک دفیہ تعقیق الماریوں میں رکھ جائیں گئی تقاعت میں مقبل الماریوں میں رکھ جائیں گئی تقاعت میں مقبل الماریوں میں رکھ جائیں گئی ڈول کے ذکرہ میں نے تقیم آت میں مرک گؤہوں گا۔ اوروہ بھی گی ڈول کے ذکرہ میں نے تقیم آت میں مرک گؤہوں گا۔ اوروہ بھی گئی شرہ المرک کا کوت بیڈ کشفیل فارم نمبر 6-20(2) ہر دجر ذخیرہ برزہ جائے گئی جائے گا۔ اور سالانہ ویکر تبدیل اتباء کے اعرب تاریخ جائیں گے۔ ہر ایک تقیم کی منظوف یا دواشت اس دجر میں کھی جائے گا۔ اور جب برزوں کی قیمت کی خاص ہے دصول کا گئی ہوتو اعراق یا دواشائی میں ہوگا۔

حفاظت ومرمت اسلحه۔ 6-21 مراک ضلع من ایک یا ایک سے زیادہ سندیا فتد ستری منظور شدہ تغذاد

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(09:30 00) 21 10 pour JSP 1 10 ASI (16:10) 12/1 12/10 روج على الروز جاب ١٦١ ما عب غ دي كوت ها في كالنيكتان بمو بعد السيل الشرفان آيكي - عالمنه كوت مين موجود اي علام ربانی کی صلفائی کی ترتیب برابر متی دهم افزائی کیلے سفاری کی ماتی ہے ۔ ایمونیشن کوت بیسا فی داکم عاد دودی ما معالی تدر بے بیتر متی اهیکہ جزل کو ت میں بیمری میپن کوت میں صین افر و دود تا علقا في بيتريا في شيئت اسلم و دود تقا معما دراني كى فاطر سرسلفكس كى سنفارش كى فاتى سداسى طرح 303 إنعل كوت س ساجرويات موجود باكرصفائي بهربنان كى برايت سوئي صد ما محمد کی مفاقی نا تقل پائی دویا ره انسیسی کرنے کی برایت برنی اور سیست بعی موجود ن نقع ای کسیارخان کو معقائی ترسی کیارے میں سی سے سرای می کو ت printing of the state of the pointing of the ر دار المراح الما الح الى حالى الم نعل معابل ۱۹۹۱ فیل

MASI P.TC Hangu

برورن انسکست ۱ وور آل انجارج کو ت انسکر بستیرطان کی موجود کی میں ا برا يم تد - براسه ما - كي صفائي نا قعن بائي حلَّ حكم حكر يون يرحال سے سرے تھے۔ سے بیل MSکوت کالسیکٹن فروع کیا جمال ہر رانعلوں در گرد در می سوئی تھی سندولشرس در بڑے تھے الے کنتیار طال موجود وليا - توسيرار كابرابر بعاور مراب عان نا حق عقى - اس طرح والنه توت كالسكيد إكما المارك سف الله وجود بايا جمعانى قدر ع بسريانى رائليل رمكس سُي درساليا مالت مين جهاف نِيرى عني الوركوشوار عدا برابر عقد اوروزير مِعَانَى يَهِ إِلَيْ مِلْمِتْ سِرِتَى اسْطِيدًا مِعْنَى كُوتْ مَا أَسْكِنْ الْمُ شروع كالمراح المسترفي مع فوديا يا كوستوار ما ما كل تع اور صفائي مع نا قون بای سنی سع برایت کرا سطرح میزین توسی جا کرهیک بهاب تعت چیک کیا نا/Si یعرداد می فعد با یا جمعانی قدر سے بیتری گر شوار س سراسر تق امر مل يرمفاني كر سول يرارت مناسب سوي اسسارج 305 لور كوت مِيك كيا المازي المنتارة في موجود إيا . برأ مره مات سي مكريول ك جاے سے سرے بھے را منلیں رکستن سی درست حالت سی پٹری میں جمعا فی کو بهربنان کی برایت سوفی توشوار مدا برا مج بسوی میبن توت کوچیک کنا صفائی نامقن یا تی اسلی ترتیب کیسا تھ رکھا تیا تھا۔ صفائی کو بہتر بنانے کے سلق برایت بونی اوور آل ایار ح اور صلی کوت سٹاف کو برایت دی تی کے برکوت مس کے کاندر پڑے اسلی کی سینٹ آویزاں سوی واسے کوتا ہی کی صورت س سقلة افسران دا فيارطان ك خلاف كارواني عمل مس لائي طئيكي لعدة أك كما علا قال آل بي مراب س صكد تبدل كرا ارحد هروى ب ر پورٹ انسیکنٹی کوت درج ہورا ہے سوکر لفلہ علمہ صربت کر کے ا فسران الاهامان كى فدست ما رسال كى حاشيكيا المامان كى فدست ما المامان كى فدست ما المامان كى حاشيكيا المامان كى فدست ما المامان كى فدست كى

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جناریان نس کرلانی رجم

MASI P.TC Hangu

11 08 13/19/ 31 19/ 11 58 es es es Ri (4/1) Asl (4/1) ales es 31 وَقُنْ رَدِ: 13 عَمَارِ اصرور عِمَامِ اعرور عِمَامِ اعراد وَقَالَ اللهِ عَمَامِ اعراد وَاعِمَامِ اللهِ عَمَامِ الني را مراسان ما وي ماز كا ماس كالانس الوره سال هوس تان ورسس سال کسی ارجا/ الع مروف سال مين مات الله ووديا كريزة نا فراويران 24, 60 M, 1 100 1. 140 Jul. 80 CM W/ Slo صلی سے مازار سے رمائی ہر وسیاں تھے۔ فنین فی طفائی بہر اور سامال رسول ی تربی برا برتعی و رواز مناب میں وقو و انواز عر Untile He Cot 33 gow SMg & Joshin Row کالایم وس آک سلی الله اور المولیس کون ص قرائر ما H ک مان ن معالی میں کے نافعی باتی طابر کر ہار کی دول کے اول تے اسی فرام کر لوٹ میں ہوی وسٹ مر مرائے ساہر مرد تے۔ ريا ٢ سولت عي 2 ووو لور امنا مي و يول ميد و ميل ميد ال كروداد طان اورال رفاري سرطان بي وود عا أبرال رسی فرے کورمر ما دو میں بدائے میں نے ، نہرون ساسے رہائی وگ خد تاین ی صراتی بوقی دی و دو معاندی بروز جی ما جا درگا إسلس دول على المراق الم

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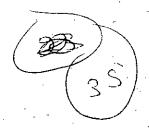
23/B/3/1/9/ 30 lis 14:15 (16) 23/2 PM (1/2) Di 15:11 C, 20 16:11 C, 20 16 المحت بوها المان في انسان كي المسلمان في ا الله الموت المعالى مر العوالي الله الموت المعالى المراب المعالى المراب الموت المراب الموت المراب الموت المراب الموت المراب المرا 31,777 () 2 m y y y 2 16 () 57/1/18 فل سلافيا الله

مع مع و حق المرت المار على المارة و المارة و المارة و المارة المارة و الما

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عَمَّمَ قَاعِمُ أَعْمَلُ نَبِرًا سَالَاً عَمَّا اللهِ عَمَّمَ قَاعِمُ أَعْمَلُ نَبِرًا سَالَاً عَمَّا اللهِ عَ اسلحه وقع في الدود في في ي مطو

ا - کی منظم -

کی حوالوں سے یہ موس کیا گیا ہے گئی ہو مگو کا نظام ہے تر حیب ہے ،اس میں کام اخبائی تخف ہے اور تعیناتی کے حوالے سے بیزیادہ پندیدہ شدہ نہیں ہے۔ان تمام اسرار میلی براعمل وظل کوت میں بھاری مقدار میں اسلحن والیمویشن کی موجودگی ،سابقدادوار کے مقالے میں اسلحد گوئی بارود کی تخالات کے بین اسلحد گوئی بارود کی انسام کی آید، حالات کے بین مقرادار کے حفاظت کے لئے سیکورٹی ڈیؤیوں میں اضافدادرسب سے بندہ کردہشت گردی کے فحالات جوانوں کو سیار کرنے نے کہ کہ میں اور نیا میں میں میں میں میں کر بیت بھی ایک بجہ ہے۔ کیونکہ بر بختے بلکہ برووز کوئی شد کوئی کاس دین ہیڈ نگ بوق کی کیاس دین ہیڈ نگ بوق کی کیاس دین ہیڈ نگ بوق کی میں موروف رہتی ہے دورج بالاحالات میں ایک انجائی مشکل ہے۔

کوئی کاس دین ہیڈ نگ نے جاتا ہو گا تا تہائی مشکل ہے۔

دورج بالاحالات میں اور شاف کے جاتا ہو گا تا تہائی مشکل ہے۔

۲- متصدن

درج بالاحالات متقاضي بينا

(۱) ۔ کہ یہ سویے کی سب النظام کی اور مصروف ترین کوت، جس میں تمام اتبام کے اسلحہ وگو کی بارود کوتو اعد کے مطابق محفوظ، صاف ادر باتر تیب

بنایا جائے۔

(١١١) - كوت كي معمول كوآسياً في مناحجم، شفاف اورمنصبة كولي جائي -

(۱۷)۔ایک انسرکو ہزاروں انگیر انگور کارتو سوں اور نے انگیر اشیاء کی ذسدار کا دینے کی بجائے گئی افسران کوتھوڑی تھوڑی ذسداریاں دے کر ایک خوش کن رہا بل شل اور انگیر گئے نظام وضع کیا جائے۔ انگیر آئیں۔

r_ <u>تام فاذاوروسعيك</u>اً

اں تھم کو پی ٹی ن ہنگو کے اسکیڈ ٹیول بارود کا تھم قائم العمل کے تاہم ہے موسوم کیا جائے میٹم مورجہ ۱۵ اگست ۲۰۱۳ سے تافذ ہوگا اوراس و اطلاق پی ٹی میں ہنگو اور سناسب ردو نیڈل کے ساتھ اتحت تربتی اوار دون پڑہوگا۔

سم المحدوكون مارودكي مراني اورتحويل -

ا - انجارج کوت زانش ومیگزین اورسامان متعلقه و شم بور _

ii - انچارج كوت زامط المسلم الميم المي

أأأ - عارى بتصارف كانجارج

٧١ - انجارج كوث أذ مجرتمام انسام اسلحة ومتعلقه سامان _

٧- انجارخ كونت فرنده كارتوس_

ا٧-انچارج كوت فالى خول كارتوس_

اا - بعادی تصیارون کا نجاران ATS یا بلیث کورس استرکٹرزی سے تعینات کیاجا بڑگا۔

الا- برايك كوت انجارت كالمعياد تعينال كم اذكم ايك سال موى _

١٧ - برايك كوت بس تأمين في النيال بس انسكر اسلحد كون باردوك رائع لى جائع ك - تاكده يا نتدار بحنق اورنيك نام نائبين كي تعييناتي مو ـ

ت- کونت بائے: را

ا فقر بنبر مبالا کے مطابق بی کوت کے زیرتحویل اسلح، کول باردد، دیکر ساز دسامان الگ الگ مخش کوت میں رکھا جائے گئی کوت ک شارت کی تقیر تک بچھ کوت النظام وجودہ میکزین ممارت میں اور دیگر کوت ہائے آئے سامنے داقع برانی ابراہیم کمپنی کی مثارت میں قائم کئے جائیں کے - DSP ایڈین ادرا کی گارت کی کورٹ میں از کھے جانے دالے اسلحہ کی تعداد، مقدار اور جم کے مطابق کوت کی متارت فراہم کرے۔

ا۔ ہرایک کوت سی اسکی ضراور کے سطابق فرنیچر کا اہتمام کیا گئی گئی اور دھافتی نقط نگاہ ہے کھڑ کیوں اور دوشندا نوں میں لوہ کی سما فیس نصب اور حسب ضرورت برونی دیوار فیم کی کیا گئی ہے۔ حسب ضرورت برونی دیوار فیم کرنی کیا گئی ۔

الله يه خيال ركها جائ كه مراكك كوت شي مواكي آندادرا بك يجي في انظام موجود مو

۱۷- ہرایک کوت میں رکھے جانے دالے اسلحہ کو لی باروداور دیگر آما مان کاریکار و محفوظ ومرتب رکھا جائے گا اور کمی ایک کوت میں اسلحہ کی نگر الی یا سکے متعلق کا مروسرے انچارج کوت کے ذریعی لگایا جائے گا۔

٧- بركوت كانچارن الى تخويل من موجود اللحدواشياء كے لئے بعظ بق ائد تمام رجسزات مرتب ركھے جا_

VI - برایک کوت سی برایک واکنان ایک (Rack) می بوگ -

٧١١ - دہشت گردي كے دا تعان كے نتيج كے لئے سخت سے ہدايت كى جاتى ہے كہوت ائے ميں موجود تمام اسلحدو كولى بار ددكى مقدار ، تعدا داور

نوعيت باديگر كنتم كي خرا نشان بيه وجائي كوكي بهي المكاركوت كاسلحه ياسامان كاكو كي محيشواره يابورؤ جس مي اسلحه د كولي بارودوغيره كي مقدار،

تعدا دنوعیت یا دیمر کن تمر نمونتارت کے اندر یا با ہرنصب یا جہاں ہیں کرے جا کوت کے معاملات بہر لحاظ میندرازیں رکھا جائے گا۔

٧١١١ - كن بهي كونت من كسيم بي التصوير كينجا يا فلم بنانا ممنوع موكار

CPO-IX پشا درکوتر ریمیا جائے گا کہ انسینر سال آ دمزمقرر و مدت کے اغر پی ٹی تی کوت کارور و کرے اور نا کاروشم کے اسلحہ کی بڑی ل اور معالمینیہ کر

کے رپورٹ دیں۔ جواسطی اُکارو ہواس ابت ضروری کاروائی کرے CPO کوت یااسطی فاندواخل کیا جائے گا۔

X - جواسلحددرست بمراسكا استثمال بيس الصمتعلقة نشلع و PQ كوت والبس كيا جائد

XI۔ان آیا ماوراد فات جن میں اسلحہ یاد مجراشیا و کا استعال نہ تو میں کوت اے ، جس میں اسلحہ یا گولی بارود یاد مجرسا مان موجود ہو، کے درواز ہے

متعنل ادرہ کے مربم بررکے جاری ہے۔

XII - تمام المحدد كون باردد كاريكارة كيبير فردائز وكياجائ _

ا _انسکٹراسلحدوکون بارددی دسداری موگی که برایک اسلحن بسفر قصیت مرتب کرے اوراس مل تا در کا ندرا جات مکمل موں -

الا _ریکارز کی بھیل اور کوت اے کی تقسیم کے لئے تمن ماہ کا دفت کتا جاتا ہے جومور خد ۱۵ اگست الفاق ہے شروع ہوگا۔

ا اسلح كي جواست وخركيري بي مثلن احكام مندرجة عده ١٠-١٠ كي بيروي كي جائے گا-

۱۱- ہرا کیے زین برز بیت کے آغاز سے اختیام تک استعال ہونے والا ایک ایک اسلیستنل طور جھٹیم کیا جائے جس کی وصولی کاس سے دستخطالیا گیا ہو۔ ہرٹرین ڈیوٹی ، دبین مینڈلنگ اور پریڈ کے دوران اپنے ٹام پر تقسیم شدہ اسلحہ بی لے جائے گا اور جناظت ، خبر کیری کا خود ذسدار ہوگا۔

عاد اری سے معلق تواند بولیس کی مل بیردی کی جائے گی اس کے علاوہ درج ذیل نظام دشع کی جاتا ہے۔

ا- جس تسم كى جائد ارى رئى إسان نے كرنى ہودائے ؛ م كي تشيم شده اسلحہ سے ، كارا كى جائے۔

١١ - جس دن زين حين حين روند فارترك اسكابه طابق روز ، مي لويون اندراج كياجائ اوردوز المجيد كار بورث رائفل يا يستول وغيره ك سنرى شين كے ساتھ لف كى جائے ۔اس طرح برايك اسلى سے قائز ہو نيوالے كارتوسوں كى تعديد كيے ہے بھی علے ج جس سے اسلم كے قابل

استعال ہونے انہ ہونے كاقطى تبوت ميسر ہوگا۔

الا ۔اس طرح جاند اری اوین ہندانگ کے دوران زیاں رہندگی اِشکتنگی یا کمشدگی کی باہت دوڑنا مجدر بورٹ کی ایک نقل ہرا یک اسلحد کی ہسٹری شیٹ

١٧- ہراسلی کشتنگی، گشدگی، یاز یاں رسیدگی کی بابت با تاعدہ بچیکتیات بمطابق تواعد۲-۲۲ کی چارسی کی دراس اسلیدگی انگوائزی برصا درشدہ احکامات ك اورد يكر كانذات كى مسدقه نقول اسلحه كى بسفرى شيث كيها تي تقيير وارنف كى جائيس-

۷۔ جائد ہاری کے انچاران کی ذمدداری ہوگی کدوہ بیاس نیٹ کی ایٹ کے کہ ہرٹرین اپ تام کے اسلید سے ہی جاند ماری کرائے اوراس اسلحہ پر فائر شدہ كارتوس كى خصرف روز تامچين تفصيلى رپورف كهيس بكه كوشوارے كاشكل ميں (جس كانمون عبراه لف ب) مرروز، برشم كى جاند مارى كى تفصيل اسكِئز اسلحة وكولى بارد ركوبلا تا فجير حوالدكرين -اس كوشوار ب مين فرين متعلقه كانام بنبر منطع ، كلاين ، كورس ، فائز كرده كارتوسول كي تعداد ، ميس شده كارتوسول كى تعدادا دراسلى يالسكى برزى كى تشكى يازيان رسيدگى يا كمشدكى كى بابت تفسيل بزرايك رائفل كے سابسے درج كرے و گوشوارے پر جا ند مارز رہے انچار جی انسراور ہرا کے ٹرین کا اپنے اپنے نام اور اسلی کے سامنے دستخط درج ہوگیا۔ ۔

٧١ ـ انجارة عاند ماري كي ذ مدداري موكى كه مرروز جائد ماري كے بعداستعال شدواسلي في في الله تواند بوليس صفائي كرائے -

۷۱ - جاند ، ری اور صفائی کے بعد ہرایک اسلحہ اورائے پرزے اسلحہ کے مستری ہے چیک کرانے کے بعد داخل کوت کیا جائے ۔ اور فقر ، نمبر ۷ الا كرمطابق أوت من جمع الموني والتي كوشوار ، براسلحد كيمسترى بيطور تصديق وسخط المجاليا جائے -

٩ <u>ويين منترلنگ : ﴿</u> الله .

ا۔ برایک زین کی منظور شدہ نصاب کے مطابق اسلحہ کی ٹر ہیشتا کی جائے جو ATS یا ایک پینے آپٹیٹر کٹرز کی تحرانی میں ہوگ ۔

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ا۔ ہرایک گروب انسٹر کر اُوا نجاری وین مندنگ کی ذمدداری ہوگی کدودران تربیت ترین این تام کا اسلح استعال کریں پر منز اور انسٹر کنر ز کامقدم فرض ہوگا کہ کوالیک اُلگی اُلگی کا برزہ دوسرے اسلحہ کے ساتھ تبدیل نہ ہوجائے ۔ بہر حال ایسی کوئی تبدیلی یاشکسٹگی یا کمشد می بابت متعابد انسٹر کٹر زبسطا بق لف شار فالد کر انسکٹر اسلحہ و کوئی بارد دکو بلاتا خیر حوالہ کرے گا۔

١٠ اسليركامستري:

ا۔اں وقت پی ٹی می منگو میں اسلحہ کے صرف دوستر کی ہیں جگہ کوت میں چھ ہزارے زائد اسلح موجود ہے بیک وقت تقریباً ۲۰۰۰ کے لگ جگ زینین اور ۲۰ کے لگ بخک سناف مہران اسلحہ کا روز انداستعال کرتے ہیں۔ کہذا CPO پٹاور ہے استدعا کی جاتی ہے کے مزید کم از کم دواسلے کے مستری تعینات کریں تا کہ میں نظام ہمتر انتظاف اور موٹر رہے۔

۱۱-CPO ے یہ بھی گزارت ہے کہ ان ستر یوں کے لئے متعلقہ ادا ۔ ۔ دیفریٹر کورسز کے لئے آسامیاں مانتے اور ہرایک ریفریشر کورس میں بی فی تن سکو سے ایک ستری المورکر ۔ ۔ بی فی تن سکو سے ایک مستری المورکر ۔ ۔

١١١- اسلحه كامسترى بسطا بي في الما باريكارة مرتب اورسا ال مستري كمل ر كه على

١٧ مسترى كى بعن اسلحاكى مرز المناصرف محاز حاكم عظم من عن كر منع كار

۷- و ذاسلحہ کے پرزے درسل فی فٹ کرنے ،اسلحہ اور پرزوں فی شیاخت قابل استعمال یا تا تل استعمال ہونے کی بابت رپورٹ دینے کا ذیب وار ہو

۷۱۔ اسلحہ کے تمام مستریان بڑا ورا مت انسپکز اسلحہ و گوئی باردہ ہے بروہ جائز کام کریں ہے جس کا انہیں انسپکز اسلحہ و گوئی باردہ ہے کہ کرے۔
۱۱۷۔ اسلحہ کی وت سے اخران کیا گوت بین داخلے کے تمام اوقات میں اسلحہ کے مستری موجود رہیں ہے ادر جب بھی کسی اسلحہ یا اسلحہ کی برزے یا کسی
حصے کی مرمت کرے تو ایس کی بالے مطابق مسلکہ گوشوار وانسپکیز اسلحہ دھوئی بارودکور پورٹ کریں ہے۔

ا تھم ہذا ہے تن کُ کُ تمام کا ذُوْلِ کُیاں ، ریکارو کی تھیل ، اختیارات جواستعال کے مجے اورا حکام جوصا در کئے محنے کی نسبت میمشور ہوگا کہ وہ جائز طور پر کُ مُنس ، ریکارو کی تھیل کی کُولِ اُنٹیارات استعال کئے مجھے اورا حکام صادر کئے مجھے ۔

المحتم بزا قانون اورتوائد من افتران بالاكوحائس اختيارات كے نلادہ ہوگا۔

سر کے مگریر ما میرالوحیدخان(بی ایس پی) کمانڈنٹ پولیس ٹریٹٹ کالج متکو

نبر۱۳۲-۱۳۳ بل المستال ١

ئتول:

ا ـ بخدمت جناب صوبان بوليين أضرصاحب ، خيبر بختونخواه ويتطو وربغرض اطلاعمالي ـ

٢- بخدمت مناب اليُرتشل النَّهِيمُرُ جزل صاحب بوليس ، ثريَّتُهَا أَيْلُهُ ٱلرِيشز ، نَسِر بِحَنَّو تُواه ، بيثا در بغرض اطلاعما بي -

٧ ٣- اسنت انسكتر جزل يوليس إثر ينتك خبير بختونخواه، بشاه ريغزض اطلاعيا بي -

م د في كما ندست لي في سيكو في خرص اطلاعيا بي وضروري كاردالي ..

۵ - پرنسل صاحبان ریمرون فی نیشک و یک و بات اور مانسمره بینج مین اطلاعیا بی و شل درآید _

ر - ۱ - DSP، CLl نيرس الميالي وتمل درآ مد الما الماعيالي وتمل درآ مد -

كـ السيئزاسلحد . كولى باردة كي أن شي متكو بغرض اطلاعيا في وشن دِرا ٓ مهـ ـ

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آبریشنل گائیڈلائنز OG-11/2013

سركاري اسلحه كاسه ماي ملاحظه

1۔ مقصد: محکمہ پولیس کو دیۓ محتر کاری اسلحہ وگولہ بارود کی حفاظت جارا بنیادی فریضہ ہے۔ سشاہرہ میں آیا ہے کہ اسلسلے میں مناسب با حقہ کے طریقہ کارکا فقدان پایا جاتا ہے۔ لبندااس امر کو بقتی بنانے کے لیے کہ خشاموں اور ووسرے پولیس بوشس مثلا الف آر پی مناسب نورس یا بیشل برائج کی صوالدید پر فراہم کے گئے سرکاری اسلحہ کی مناسب دیکھ بھال کی جارتی ہے۔ ذیل رہنما اصول جاری کے جائے ہیں۔ جن پر مختی سے شل درآ مرکیا جائے۔

2 اسلحہ گوئی بارود کا سہائی ملاحظہ ہر شلعی پولیس سر براہ اور ہر پولیس بونٹ کا سربراہ مثلاث برانچے ایلیٹ فورس ، ایف آر پی ہی ٹی ذی وغیرہ کے سربراہان ان کی صوابدید پردیئے گئے اسلحہ پر کریں گے۔ اس اسلحہ اور گوئی بارود کا تین ماہ میں ایک بار ملاحظہ کریں گے۔ ان ملاحظہ و تی وغیرہ کے مربراہان ان کی صوابدید پردیئے گئے اسلحہ پر کریں گے۔ اس اسلحہ اور گوئی بارود کا تین ماہ میں ایک بار ملاحظہ کریں گے۔ ان ملاحظہ میں ذیل امور کو مدنظر رکھا جائے گا۔

ا ا کی ایسی کوت کی دیکھے بھال۔

المنظمة المرابع وجيل موت والفاسلي فقرست

ج_ گزند افسران کو جاری کرد داسلحه کی فبرست اوران کی موجوده جائے تعیما آن

د۔ منطع یا پونٹ کے ان افسران کی فہرست جنہوں نے بصورت تادلہ چارج چھوڑنے کے باد جواسلحہ والبس نہیں کیا

ح . مشکوک یا تبدیل شده اسلحه کی فهرست

و الركوني في ميش إني من الماح كي تجاويز

ورکوئی دوسراا آم نکته جس کافرکر ما مناسب ہو۔

2.1 مرمّا حطب ودران تفانه، بوليس لأسّر الونث كا آرمور رم نفيك دے كاكه لاحظه كيا جانے والا متصيار نيو تبديل موا اور نه عل

اس مِن كُونَى ردو برل بوانيخ -

3۔ 3۔ وَ مِرْتَ ابِدِیسَ قَاسَا کاسہ ما بی ملاحظہ سب ڈویڑ تل پولیس آفیسرا بنے صدود کے ہرتھانسکی تین ماہ میں ایک بار ملاحظہ کرے گا۔سب ڈویژ تل بولیس آفیسر منعلقہ ملتی پولیس آفیسر کوذیل ترتیب سے ملاحظہ کی سہ ماہی رہج برٹ میسیجوا کیں گئے۔ ĽΛ

اليس ۋى يى اوكى سەما بى رپورىك دىيىنے كى تارىخ

بیلی سهای ملاحظه ربورث (جنوری، مارج) ۱۵ ایریل دوسری سهای ملاحظه ربورث (ابریل، جون) ۱۵ جولائی تیسری سهای ملاحظه ربورث (جولائی، تیسر) ۱۵ اکتوبر

چقی سهای لاحقد بورث (اکتوبر، دسمبر) ۱۵ جنوری

4۔ پولیس لائٹز با پولیس مونٹ کا سدما ہی بلاحظہ نے اسلی پولیس آفیسر پاپٹاور کی صورت میں ایس بی ہیڑکوارٹرز ہرسد ماہی پولیس لائٹز کے اسلحہ اور گولی بارود کا بلاحظہ کریں گے۔

4.1 پیس بینت جیسا کہ بیٹل برائج، ایلیٹ فورس، ایف آر لی، کی اُن وی وغیرہ کا اسلحدایک بیس افسر جوکدالیس لی سے کم عبدہ کا نہ ہوتین ماہ میں ایک بارا بی متعلقہ بینے کا اسلحہ چیک کرےگا۔

5- المحد كونى باردوكا سلانه ملاحظه: كنيول ثى بولين افسريار يجل بولين افسر بذراجه كميني شيوله فلع بولين افسر دو في الين بي على المردوك الين بي المردوك الين بي المردوك الين بي المردوك الين بي المردك المردك عودت من بذريجه الين الين بي آبريشز بمعددو في الين بي المحدكا سالانه ملاحظه كرائين عجمه -

5.1 - الله المونت كي ترمر براه كوجي المحدالات كما كما سما المحدكا مالانه لما حقد بذر بعددوالس بيز برمشمله كميثل سي كرائي الم

6 محمرانی اور دیورتک: فیلمی پولیس آفیسر یا پولیس بین کاسر براه مربوط سدای ملاحظه، ربورث اے آئی جی لاحظکس کوفیل

شیرول کے مطابق جیجے گا۔ ضلعی پاہدیس بونٹ کی سہائی ملاحظہ رپورٹ بہلی سہائی کی ملاحظہ رپورٹ (جنوری ارچ) کے 125 پر بل دوسری سہائی کی ملاحظہ رپورٹ (اپر بل جنون) کے 25 جولائی تیسری سہائی کی ملاحظہ رپورٹ (جولائی ستبر) کے 125 کتو پر چیتی سہائی کی ملاحظہ رپورٹ (اکتوبر دسبر) کے 25 جنوری

6.1 - است نے انسکٹر جزل آف بولیس لاجنگس ایک مخترر بورٹ برائے ملاحظہ انسکٹر جزل آف بولیس کواس مہینے کے آخر کی دن مجوائے گاجس مہینے میں رپورٹ انہیں موصول ہوئی ہو۔



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6.2 ریجنل پولیس آفیسر کمیوبل شی پولیس آفیسرا در پولیس پونٹ کے سربراہان ملاحظہ کی سالا شد پورٹیس اے آئی جی الاجھس کو ہر سال کی پندرہ (15) فروری کو برائے بلاحظہ انسیکٹر جزل سال کی پندرہ (15) فروری کو برائے بلاحظہ انسیکٹر جزل آف پولیس کو بھیجیں گے۔

نامرخان درانی انسپگر جزل آف پولیس خیبر پختونخوا، پیثاور

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OFFICE OF THE COMMANDANT POLICE TRAINING COLLEGE, HANGU

ORDER

My this order will dispose off a departmental action conducted against ASI Muhammad Israr, No. 336 of District Swat presently serving as Line Officer in PTC Hangu.

Brief facts of the case are that on 14.01.2019 ASTILL Abid Ullah of Bannu Region while taking the charge of ammunitions Kot from ASI Bashir Muhammad, No. 840/MR of Mardan were short / missing in Kot. Region, he observed that a huge number of alive SMG rounds A proper departmental enquiry/committee was constituted. They recorded the statements of all accused officers/officials and concerned witnesses, the enquiry committee submitted their findings report in which they held responsible accused officers and other co-accused with their mutual understanding and with their common criminal attention to each other for embezzlement service vide O.B No. 90 dated of a huge quantity of Govt: SMG rounds. They were dismissed from 15.03.2019 and Order No. 119-34/P.A. dated 15.03.2019. The enquiry officers/committee in their findings report further indicated that Line Officer also did not penform his duty properly while checking and inspection the relevant record of Kot i.e stock/issue register and also to comparing the same with the ammunitions physically lying therein as he was bound to follow Police Rules 6-19, 17-02, 17-3, Operation Guide Lines No. 11, Standing Order No. 03/2003 and PTC Hangu Manual Rules No. 14A, 15 & 17. Therefore, he was issued show cause notice vide No. 117/PA, dated 15.03.2019 and final show cause notice vide No. 824/PA, dated 1709:2019. He also appeared in orderly room, but he could not offer plaus. He reason in defense, thus found guilty.

Keeping in view the facts available on record and perusal of the findings report, it has been established/substantiated that such like negligence/ irresponsibility of ASI Muhammad Israr being Line Officer, is a serious misconduct, hence befitting punishment, therefore, taking a lenient view, the defaulter is being awarded a minor punishment of forfeiture of one increment for a period of one year without cumulative effect and strict warned " to be careful in future".

Order is announced on 10-10-299.

Commandant,

Police Training College, Hangu

O.B No. 340 Dated: 10-10.2019

No. 869-67/PA, dated Hangu, the 10 /10/2019.

Copy submitted for information / necessary action to the

v. W/Inspector General of Police, Khyber Pakhtunkhwa.

vi. Regional Police Officer, Malakand Region at Saidu Sharif Swat.

vii. DSP (Admin), RI, CLI, PO, SRC & OASI PTC Hangu.

viii. ASI Muhammad Israr, No. 448, District Swat.

Commandant,
Radice Training College, Hangu



OFFICE OF THE COMMANDANT POLICE TRAINING COLLEGE, HANGE

ORDER

My this order will dispose off a departmental action conducted against Inspector Muhammad Bashar, No. 35/M, of Malakand Region while serving as Incharge Kot in PTC Hangu.

Brief facts of the case are that on 14.01.2019 ASTITE Abid Ullah of Bannu Region while taking the charge of ammunitions Kot from ASI Bashir Muhammad, No. 840/MR of Mardan Region, he observed that a huge number of alive SMG ammounitions were short / missing in Kot. A proper departmental enquiry/committee was constituted. The enquiry committee recorded the statements of all accused officers officials and concerned witnesses and submitted their findings report in which they held responsible accused officers and other co-accused with their mutual understanding and with their common criminal attention to leach other for embezzlement of a huge number of Govt: 5MG rounds. They were dismissed from service vide 0.8 No. 90 dated 15.03.2019 and Order No. 119-34/PA, dated 15.03.2019. In Findings report, the enquiry officers/committee further indicated that Incharge Amrs/ Ammunitions Kot has also not perform his duty properly as he was bound to follow Police Rules 6-19, 17-02, 17-3, Operation Guide Lines No. 11, Standing Order No. 03/2003 and PTC Hangu Manual Rules No. 14A, 15 & 17, thus he found negligent/irresponsible in performance of duty. He was, therefore, issued show cause notice vide No. 118/PA, dated 15.03.2019 and final show cause notice vide No. 823/PA, dated 17.09.2019. He also appeared in orderly room, but he could not offer solid proof in defense, thus found guilty.

Keeping in view the facts available on record and penusal of the findings report, it has been established that such like negligence / irresponsibility of Inspector Muhammad Bashar, No. 35/M being Incharge Kot, is a serious breach, hence befitting punishment, so taking a lenient view, the defaulter is being awarded a minor punishment of "forfeiture of one increment for a period of one year without cumulative effect and strict warned to be careful in future".

Order is announced on 10-10-2019

Commandant.

Police:Training College, Hangu

O.B No. 339 Dated: 10-10-2019

No. 860-63/PA, dated Hangu, the 10 /10/2019.

Copy submitted for information / necessary action to the

- W/Inspector General of Police, Khyber Pakhtunkhwa. i.
- Regional Police Officer, Malakand Region at Saidu Sharifi Swat. ii.
- DSP (Admin), RI, CLI, PO, SRC & OASI PTC Hangu. iii.
- Inspector Bashar, No. 35/M, Malakand Region. iv.

Police Training College, Hangu

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باعث تحریر آنک قدمه مندرجه عنوان بالامیں آبی طرف سے واسط میر سرے میں میں کاروائی متعلق

آن مقام مقررکر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقد مدی کل کا روائی کا کا مل اختیار ہوگا۔ نیز وکیل صاحب کوراضی نامہ کرنے وتقر رفالٹ وفیصلہ پرحلف دیئے جواب دہی اورا قبال دعوی اور بصورت ڈگری کرنے اجراء اوروصولی چیک وروپیدار عرضی دعوی اور درخواست ہرتہم کی تصدیق زرایں پردسخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی مطرفہ یا اپیل کی برامدگ اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر فائی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر فائی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت تقرر کا اختیار ہوگا۔ اورصاحب مقرر شدہ کو بھی وہی جملہ ندکورہ با اختیارات حاصل ہوں گے تقرر کا اختیار ہوگا۔ اورصاحب مقرر شدہ کو بھی وہی جملہ ندکورہ با اختیارات حاصل ہوں گے اوراس کا ساختہ پر داختہ منظور وقبول ہوگا دوران مقدمہ میں جوخر چہ ہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ بیثی مقام دورہ پر ہو یا حدسے باہر ہوتو وکیل صاحب پابند ہوں گے۔ کہ پیروی ندکور کریں۔ للبذاوکالت نامہ کھمدیا کہ سندر ہے۔

Hester Week

الرقوم

العبــــدگـــــواه

کے لئے منظور ہے۔

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مقام

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7815/ 2020.			•
Hussain Ghulam	•••••	***************************************	(Appellant)
	VERSUS		
PPO KPK etc	•••••	************	(Respondents)
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Respondents through

Inspector/ Legal PTC, Hangu.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service App	peal No. 7815/ 2020.		
Hussain Gh	ulam	······································	(Appellant)
		VERSUS	•
PPO KPK et			(Respondents)
SUBJECT:	PARA-WISE COMMEN	ITS BY RESPONDE	NTS NO. 1 TO 3.

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is not based on facts.
- b) That the appellant has got no cause of action and locus standi to file present appeal.
- c) That the appeal is bad for non-joinder and miss-joinder of necessary parties.
- d) That the appellant is estopped by his own conduct to file the present appeal.
- e) That the appellant has not come to this Honorable Tribunal with clean hands.
- f) That the appellant has wrongly invoked the Jurisdiction of this Honorable Tribunal.

FACTS:-

- Correct to the extent that appellant was serving in Police Training College,
 Hangu being Reserved Inspector. During service his supervision over the
 subordinates' staff was found very loose as a lot of Ammunition was
 embezzled by the concerned staff.
- 2. Correct to the extent that show cause notice with ground of action was issued to the appellant after conducting of preliminary enquiry through enquiry committee wherein, in finding report lack of supervision and negligence on the part of appellant was established. Reply of appellant was found unsatisfactory and un-plausible.

- 3. Correct to the extent that charge sheet with statement of allegations was issued to appellant by the Competent Authority and Additional Inspector General of Police, Internal Accountability, Khyber Pakhtunkhwa, Peshawar was appointed as enquiry officer. The reply of the appellant to the charge sheet was found un-plausible and against the job description of Reserve Inspector in PTC, Manual.
- 4. Incorrect. Proper enquiry was conducted wherein, all the opportunity of self defence, cross examination were provided to the appellant and the charges of negligence, lack of supervision were established against the appellant.
- 5. Correct to the extent that on the receipt of AddI: IGP/ IAB 's enquiry findings report, final show cause notice was issued to the appellant and his reply was found unsatisfactory therefore, minor punishment of withholding of annual increments for two years with cumulative effect was awarded.
- 6. As explained above. Legal order for minor punishment was issued against the appellant. Departmental appeal of the appellant was rejected after providing opportunity of self defence/ hearing.
- 7. The appeal in the minor punishment is not maintainable may liable to be dismissed on the following Grounds.

GROUNDS:-

- A. Incorrect. Order of the respondents are based on facts, justice and in accordance with law/ rules.
- B. Incorrect. Preliminary enquiry followed by regular enquiry were conducted against the appellant wherein, all the opportunities of self defence, cross examination and hearing were provided.
- C. Incorrect. Enquiry proceeding was carried out in accordance with Khyber Pakhtunkhwa, Police Rules 1975 wherein, all the codal formalities were observed and appellant was awarded minor punishment on the proved charges of gross misconduct.
- D. Incorrect. All the public documents have been provided to the appellant in accordance with existing rules.
- E. Incorrect. The appellant has not performed responsibilities and duties as Reserve Inspector under Police Rules, 1934 Rule 17(2) and PTC, Manual

Rule 15 Part-I wherein, all the duties mentioned in ibid Police Rule 17(2) was the responsibility of appellant.

F. Incorrect. As explained above. The appellant has not performed his lawful duty under the ibid rule.

G. Incorrect. The appellant being posted as Reserve Inspector has not performed his lawful duties and responsibilities in accordance with rules/job description. Due to his lack of supervision, negligence and lethargy attitude a lot number of rounds were misappropriated by his subordinates staff.

H. Incorrect. Competent Authority while taking lenient view, awarded minor punishment to the appellant in the gross proved charges without any discrimination/ malafide.

Incorrect. Inspector General of Police, Khyber Pakhtunkhwa has delegated powers to the Additional Inspector General of Police, HQrs: for disposal of departmental appeal of junior ranks officers so the order of the appellate authority is legal and justified under the rules.

J. Para is misleading. All the codal formalities under the rules have been fulfilled while awarding minor punishment to the appellant in the gross proved charges.

K. The respondents may be allowed to raise additional Grounds at the time of the instant Service Appeal.

PRAYERS:-

In view of the above narrated facts, it is, humbly prayed that the appeal being not maintainable, may kindly be dismissed with costs, please.

Commandant,

Police Training College,

Hangu.

(Respondent No. 01)

Additional Inspector General of Police,

HQrs: Khyber Pakhtunkhwa,

Peshawar.

(Respondent No. 03)

Inspector General of Police, Khyber Pakhtunkhwa,

Pesnawar.

(Rèspondent No. 02)

BEFROR THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No7815/2020		•
Hussain Ghulam DSP		Appellant
	Versus	. •

Provincial Police Officer, Khyber Pakhtunkhwa Peshawar etc....Respondents

<u>AFFIDAVIT</u>

I Fazal Mabood Inspector Legal, PTC Hangu do hereby solemnly declare on oath that the content of Parawise comments submitted in reply to the Service Appeal No. 7815/2020 title as above are correct to the best of our knowledge, belief and nothing has been concealed from the Honorable Tribunal.

DEPONENT

FAZALMABOOD

Inspector/ Legal
Police Training College Hangu
15402-9066821-3

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 7815/2020

Mr. Hussain Ghullam

33

VS

Police Department

REJOINDER ON BEHALF OF APPELLANT

RESPECTFULLY SHEWETH:

Preliminary Objections:

(a-f) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- First portion of para-1 of the appeal has been admitted by the deptt. While rest of the contention of the respondent is incorrect. The appellant properly performed his duties strictly accordance with law.
- The contention of the respondent is incorrect. The reply of the show cause is satisfactory and according police manual.
- The contention of the respondent is incorrect. The reply of the charge sheet is satisfactory and according police manual. According to Rule 15 of standing order wherein duties of Reserve Inspector is mentioned, so according to rule The appellant performed his duties with full devotion, sincerity, according to rules and neither unfair nor any undue favor was given to any official. Moreover, according to operational guide lines number 13/0G-11, The District police officers and every Unit officers examines the ammunition etc once in every three months. In these guide lines there is no role of reserve inspector. The appellant as reserve inspector properly performed his duties according to rules but the appellant made only scape goat to save the skin of high officials.
- Incorrect. While Para-4 of the appeal is correct as mentioned in the main appeal of the appellant.

- Incorrect. While Para-5 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the appellant has good cause of action and his appeal may be accepted. Moreover, the respondent not denied the fact that the inquiry report was not handed over to the appellant.
- 6 Incorrect. While Para-6 of the appeal is correct as mentioned in the main appeal of the appellant.
- Incorrect. While Para-7 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the appeal in every punishment is maintainable according to superior court judgments.

GROUNDS:

- A) Incorrect. While Para-A of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- B) Incorrect. While Para-B of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- C) Incorrect. While Para-C of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. While Para-D of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- E) Incorrect and misconceiving. While Para-E of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Incorrect. While Para-F of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- G) Incorrect. While Para-G of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- H) Incorrect. While Para-H of grounds of the appeal is correct as mentioned in the main appeal of the appellant. Moreover as explained in the above paras.
- I) Incorrect. While Para-I of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- J) Incorrect. While Para-J of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- K) legal

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

APPELLANT

Through:

(SYED NOMAN ALI BUKHARI) ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.

DEPONENT

