

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

**Service Appeal No.1637/2022.**

Khyber Pakhtunkhwa  
Service Tribunal

Constable Jaffar Shah No.4735 of CCP Peshawar.....Appellant.

Diary No. 5356  
Dated 24/5/2023

**VERSUS.**

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

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Date # 25/5/2023

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.1637 /2022.**

Constable Jaffar Shah No.4735 of CCP Peshawar..... **Appellant.**

**VERSUS**

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

**REPLY BY RESPONDENTS NO. 1 to 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 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 this Hon'ble Tribunal.
7. That the appeal is not maintainable being devoid of any merit.

**REPLY ON FACTS:-**

1. First part of the Para Pertains to record hence needs no comment. However the performance of the appellant was not upto the mark as he has earned 07 bad entries and 01 minor punishment upon his credits on the charges of willful absence from duty on different occasions during his service.(Copy of list is attached as A )
2. Incorrect. The appellant while posted as Incharge PP Bara Qadeem, PS Sarband, Peshawar, was proceeded against departmentally on the charges that on 22.12.2021 some unknown accused opened fire on Constable Gul Faraz posted at Bara Qadeem Check Post, PS Sarband and the accused decamped after commission of offence. The appellant did not respond immediately after hearing the gunshots till the arrival of SHO and remained inside the Police Post at the time of incident and failed to handle the situation, due to his negligence the accused fled away and Constable Gul Faraz embraced Shahadat.
3. Correct to the extent that departmental enquiry was initiated against the appellant based on allegations leveled against him.
4. Incorrect. The appellant was issued charge sheet with statement of allegations and proper departmental enquiry was conducted against him wherein he failed to advance any plausible grounds in rebuttal of the charges leveled against him. The enquiry officer after thorough probe found the appellant guilty of the charges. (Copy of charge sheet, Statement of allegations, and Enquiry Report are attached as B, C, and D).
5. Incorrect. Proper Departmental Enquiry was conducted wherein statement of the appellant was recorded as well as ample opportunity was given to him for his self

defense in connection with the allegations leveled against him but he failed to advance any plausible grounds in rebuttal of the charges.

6. Incorrect. Upon the receipt of the findings of the enquiry officer, the appellant was served with Final Show Cause Notice to which he replied but was found unsatisfactory hence, as a result of which the punishment order against the appellant was passed which needs to be upheld. (Copy of Final Show Cause Notice is attached as E).
7. Incorrect. The appellant being Incharge of the Police Post Bara Qadeem did not respond immediately after hearing gunshots at the time of incidents and remained inside the Police Post till arrival of SHO. While FC Nawaz was present on duty point with Shaheed Gulfaraz but he did not retaliated against the attackers. Due to cowardice/negligence of the appellant he was awarded the major punishment. (Copy of order is attached as F).
8. Correct to the extent that departmental appeal of the appellant was filed/rejected after due consideration based on his guilt which was proved beyond any shadow of doubt.
9. That appeal of the appellant being devoid of merit and hit by limitation may be dismissed on the following grounds.

**REPLY ON GROUNDS:-**

- A. Incorrect. Orders passed by the competent authority are just legal, lawful and according to norms of natural justice hence, liable to be intact.
- B. Incorrect. Regular inquiry was conducted and thereafter he was issued a final show cause notice, by given him full opportunity of personal hearing, but he was failed to defend himself, hence after fulfilling all the codal formalities he was awarded the Major punishment under Police Rules 1975 (amended 2014).
- C. Incorrect. The appellant did not respond immediately after hearing gunshots and remained inside the Police Post till arrival of SHO and the accused fled away from the spot easily due to his cowardice/negligence.
- D. Incorrect. Para already explained in the preceding paras. Further the appellant was treated as per law/rules and no violation of constitution of Pakistan has been done by the replying respondents.
- E. Incorrect. Proper departmental enquiry into the charges was conducted and after completion of all codal formalities the competent authority in light of the recommendation of Enquiry Officer passed the punishment order against the appellant being found guilty of misconduct, which is in accordance with law/rules and no discrimination has been done to the appellant by the replying respondents.
- F. Para is misleading the appellant only want to save his skin on different tactics to take advantage in his favour best known to him that he had certainly done the misconduct explained in detail in the above paras of the appeal hence after thorough probe made

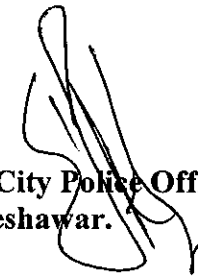
by the Competent Authority the punishment order was passed based on guilt of the appellant which is in accordance with law/rules, hence it needs to be upheld.

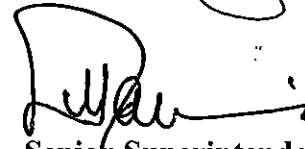
G. That the replying respondents also seek permission of this Hon'ble Tribunal to raise additional grounds at the time of arguments.

**PRAYERS:-**

Keeping in view the above stated facts & reasons it is, most humbly prayed that the appeal of the appellant being devoid of merits and limitation, may kindly be dismissed with costs please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

  
Capital City Police Officer,  
Peshawar.

  
Senior Superintendent of Police,  
Operations, Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.1637 /2022.**


Constable Jaffar Shah No.4735 of CCP Peshawar..... **Appellant.**

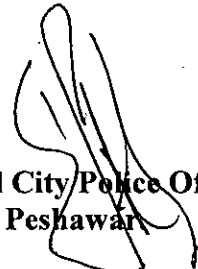
**VERSUS**

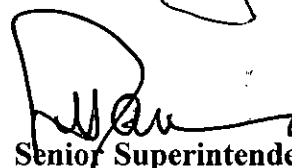
Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others. **Respondents.**

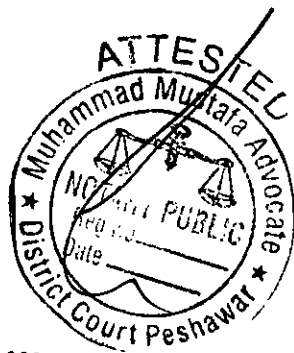
**AFFIDAVIT.**

We respondents 1, 2 and 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**

  
**Senior Superintendent of Police,  
Operations, Peshawar.**



24 MAY 2023

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.1637 /2022.**

Constable Jaffar Shah No.4735 of CCP Peshawar..... **Appellant.**

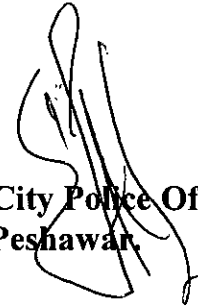
**VERSUS**

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

**AUTHORITY.**

I, **Capital City Police Officer, Peshawar**, hereby authorize **Mr.Ahmad Jan** SI legal of Capital City Police, Peshawar to attend the Hon'ble Court and submit written reply, statement and affidavit required for the defense of above service appeal on behalf of respondent department.

**Capital City Police Officer,  
Peshawar.**



6

A

1. Name of Official: IHC Jaffar Shah No. 4735 S/O Kirammat Shah
2. D/O Birth: 04.11.1984
3. D/O enlistment: 19.07.2007
4. Education: Matric
5. Courses Passed: Lower, Intermediate, Courses Passed
6. Total Qualifying Service: 15 years 00 months and 07 days.
7. Good entries: Nil
8. Punishment (Previous): 08
  - Minor 01
  - Major Nil
9. Bad entries: 07

<u>Leave without pay</u>	<u>Extra Drill</u>	<u>Warning</u>	<u>Quarter Guard</u>	<u>Fine</u>
07	Nil	Nil	Nil	Nil
10. Punishment (Current): Major Punishment of Reversion from the rank of Head Constable to Constable by SSP Operation Dated: 16-06-2022.

EC-II

PA

W/CCPO:

(7)

(B)

**CHARGE SHEET**

1. Whereas I, Haroon Rashid Khan PSP, SSP/Operations Peshawar, am satisfied that a Formal Enquiry as contemplated by Police Rules 1975 is necessary & expedient in the subject case against the following police officials.

- i. IHC Jafar Shah No. 4735 PP Bara Qadeem PS Sarband.
- ii. Constable Muhammad Nawaz No. 7319.

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


3. Now therefore, as required by Rule 6 (1) (a) & (b) of the said Rules, I, Haroon Rashid Khan PSP, SSP Operations, Peshawar hereby charge the above police official under Rule 5 (4) of the Police Rules 1975 on the basis of following allegations/grounds:

i) That on 22.12.2021 some unknown accused opened fire on Constable Gul Faraz posted at Bara Qadeem Check Post, Police Station Sarband and the accused decamped after commission of offence. At the time of incident you did not responded timely and failed to handle the situation and due to your negligence the accused fled away and Constable Gul Faraz embraced Shahadat.


- ii) Being a responsible as you IHC Jafar Shah No. 4735 alongwith Constable Muhammad Nawaz No. 7319 found guilty for your negligence, which amounts to gross misconduct and renders you liable to be proceeded against departmentally under Police Rules, 1975.

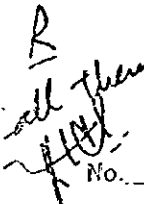
4. I hereby direct you further under Rule 6 (1) (b) of the said Rules to put forth written defence within 7 days of the receipt of this Charge Sheet to the Enquiry Officer, as to why action should not be taken against you and also stating at the same time whether you desire to be heard in person.

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

  
**HARON RASHID KHAN (T.S.P)**  
Senior Superintendent of Police  
(Operations) Peshawar

No. 702 E/PA dated Peshawar the 29/12/2021.

  
3-1-2022

  
No. 702



STATEMENT OF ALLEGATIONS

(8)

(C)

1. I, Haroon Rashid Khan PSP, SSP/Operations Peshawar as competent authority, am of the opinion that the following police officials have rendered themselves liable to be proceeded against departmentally.


- i. IHC Jafar Shah No. 4735 PP Bara Qadeem PS Sarband.
- ii. Constable Muhammad Nawaz No. 7319.

As they have committed the following acts/omission within the meaning of section 03 of the Khyber Pakhtunkhwa Police Rules, 1975.

- i) That on 22.12.2021 some unknown accused opened fire on Constable Gul Faraz posted at Bara Qadeem Check Post, Police Station Sarband and the accused decamped after commission of offence. At the time of incident they did not responded timely and failed to handle the situation and due to their negligence the accused fled away and Constable Gul Faraz embraced Shahadat.
- ii) Being a responsible as IHC Jafar Shah No. 4735 alongwith Constable Muhammad Nawaz No. 7319 found guilty for their negligence, which amounts to gross misconduct and renders them liable to be proceeded against departmentally under Police Rules, 1975.

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

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

  
**HAROON RASHID KHAN (T-ST PSP)**  
Senior Superintendent of Police  
(Operations) Peshawar  
27/12/2021

No. 702 E/PA, dated Peshawar the

Copy to:-

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

R  
all  
F

3-1-022

OFFICE OF THE  
SUPERINTENDENT OF POLICE,  
SADDAR, CCP, PESHAWAR

NO. 4590/PA

DATE: 17-01-2022

To: The Senior Superintendent of Police  
Operations Peshawar.

Subject:- DEPARTMENTAL INQUIRY AGAINST IHC JAFFAR SHAH NO. 4735 AND CONSTABLE NAWAZ KHAN NO. 7319.

Memo:- Kindly refer to your office by No. 702/E/PA-SSP (Ops) dated 29.12.2021.

Brief Facts.

That on 22.12.2021 some unknown accused opened fire on Constable Gul Faraz posted at Barra Qadeem Check Post, Police Station Sarband and accused decamped after the commission of offence. At the time of incident you did not respond timely and failed to handle the situation and due to your negligence, the accused fled away and constable Gul Faraz embraced shahadat.

Being a responsible as you IHC Jaffar Shah No. 4735 along with Constable Muhammad Nawaz No. 7319 found guilty for your negligence, which amounts to gross misconduct and renders you liable to be proceeded against departmentally under Police Rules, 1975.

Proceedings.

To probe into the matter, the following official were called to the office of undersigned, they also submitted their written statement.

1. IHC Jaffer Shah No. 4735.
2. FC Muhammad Nawaz No. 7319.

Statement of IHC Jaffar Shah.

میں نے خدمت میں ہوں کہ بسلسلہ عینان بالا چارج شیٹ مجاریہ از جناب ایس ایس پی آپریشن صاحب بحوالہ چارج شیٹ نمبری 702E/PA مورخہ 29.12.2021 سن ساکن 19.07.2007 کا بھرتی شدہ ہے نیز دوران ملازمت میں قسم کی شکایت کا موقع نہیں دیا ہے تقریباً ایک سال قبل تھانہ سر بند تعینات رہا لیکن SHO صاحب سر بند ہاؤس قدم چیک پوسٹ میں بطور IHC ڈیوٹی سرانجام دیا ہے۔

میں نے تحریری آرڈر نمبری 2842 مورخہ 02.12.2021 SP سیکورٹی میں اس کو ہاؤس قدم چیک پوسٹ سے بغرض جیل سیکورٹی ڈیوٹی کیلئے از مورخہ 17.12.2021 منتخب کیا جا کر جو باقاعدہ طور پر صبح 08.00 تا 08.00 بجے ڈیوٹی سرانجام دی نیز مورخہ 24.12.2021 تک وہ سیکورٹی آرڈر میں توسیع کی گئی جس کی آرڈر کاپی امر لائف ہے۔

(10) (D)

**OFFICE OF THE  
SUPERINTENDENT OF POLICE,  
SADDAR, CCP, PESHAWAR**

NO. \_\_\_\_\_

/PA

DATE: \_\_\_\_\_

/2022

بگم محمد سٹاف تھانہ سریند مزید ڈیوٹی کیلئے من ساکس کو بذریعہ فون نمبرات 0332.9141738، 0345.905260، 0336.9033440 بذریعہ وائس ایپ آڈیو کلپس ڈیوٹی کیلئے طلب کیا گیا چونکہ من ساکس جنیل سیکورٹی ڈیوٹی میں تھامدیں وجہ من ساکس کے انکار پر بحوالہ مد 04 روزنامہ 19.12.2021 کو نیچے غیر حاضر کیا گیا جس کی نقل مد امر لاف ہے۔

تاہم ساکس کو دوبارہ محمد سٹاف نے فوری کی کمی کی وجہ سے دوبارہ جنیل ڈیوٹی سے طلب کر کے جیسا کہ من ساکس اس روز رخصتی شاہاسی جنیل ڈیوٹی سے تھامورا حکم کی تعمیل میں جنیل سیکورٹی ڈیوٹی کے باوجود متعلقہ محمد سریند نے بحوالہ مد بالا دوبارہ اسی مد میں حاضر کر کے جس کے حکم پر من ساکس باقاعدہ بروقت اپنی حاضری برقی بنانے کیلئے چوکی بازہ قدیم میں حاضر ہوا یہ امر قابل ذکر ہے کہ انچارج بازہ قدیم ASI ممتاز خان بغیر کسی دوسرے انچارج کی موجودگی کے بحوالہ مد 26 روزنامہ 22.12.2021 بوقت 15.45 بجے گھر خود چلا گیا تھا۔

جبکہ من ساکس جنیل سیکورٹی ڈیوٹی سے واپس آکر باقاعدہ اپنے فرائض منصبی کو نبھانا ہے مزید یہ کہ حسب احکم انصران بالا من ساکس نے جنیل ڈیوٹی کے ساتھ ساتھ چوکی بازہ قدیم میں بھی ڈیوٹی سرانجام دی ہے مگر باوجود اس قربانی کے ساکس پر غفلت اور بزدلی جیسے الفاظ کو لکھا جا کر ذہنی کوفت میں مبتلا کر دیا ہے۔

گاہ من ساکس بروقت اپنی ڈیوٹی پر مورخہ 22.12.2021 بوقت 10.00 بجے رات سے 20.25 بجے تک بعد دیگر کنسٹیبلان موجود تھا وقوع سے قبل 20.2 منٹ تک SHO صاحب سریند جائے موقع پر موجود تھا اور پھر چلا گیا باقی مشورہ کے تحت من ساکس نماز عشاء کی ادائیگی کیلئے پولیس پوسٹ کے اندر چلا اور ان کا رنگ کی آواز سن کر فوراً من ساکس باہر آیا تو کنسٹیبل گل فرراز نمبری 556 زخمی حالت میں پایا۔

ماجرہ کے بعد من ساکس نے SHO صاحب سریند کے موبائل نمبر پر فوری رابطہ کیا تو جہاں SHO صاحب سریند کے من میں ارشاد کی گئی اور میں واقعہ آگاہ کیا اور یافتہ پر کنسٹیبل موجود وقت کنسٹیبل محمد نواز نمبری 7329 بتایا کہ مذکورہ زخمی کنسٹیبل کو اپنی رائفل کی فائرنگ سے لگ کر زخمی ہوا ہے ایسا نہ تھا مزید معلوم ہوا کہ دو نامعلوم کسان فائرنگ کے سبب سگوبازہ روڈ بھاگ گئے۔

SHO سریند بعد دیگر فوری پولیس اسی وقت جائے وقوع پر پہنچے جو کہ من ساکس نے شدید زخمی کنسٹیبل گل فرراز کو ہسپتال اور دیگر مدد کیلئے اس کا ساتھ دینے کے ساتھ ساتھ سریند کی گاڑی میں ہسپتال لے گئے من ساکس نے فوری طور پر ہر لہ فوری پولیس دہشت گردوں کو چھپا لیا۔

تیس دہشت گردوں کی تھم کی کا فائدہ اٹھاتے ہوئے موقع سے فرار ہو گئے جبکہ من ساکس نے ہر لہ فوری پولیس فوری طور پر تن من دھن کی بہتری لگاتے ہوئے ملزمان کا فوری تعاقب کر کے گرفتاری کی پیش نظر ملزمان نامعلوم موقع سے فرار ہونے میں کامیاب ہوئے۔

در حقیقت جناب SHO صاحب تھانہ سریند جملہ کاروائی کا گولہ چشم دید ہے جیسا کہ زید سرچ کے دوران بھی من ساکس جناب SHO صاحب سریند کے ساتھ شانہ بہ شانہ موجود تھا ساکس نے بہادری کا مظاہرہ کر کے دوران ڈیوٹی ملزمان نامعلوم رسائی مگر بے سود نزد موقع پر موجود شدید زخمی کنسٹیبل کی خدمت میں بھی مصروف عمل رہا۔

یہاں پر ایمان ہے جو حقیقت پر مبنی ہے تاہم بحیثیت مدعی مقدمہ ہونے کے بے قصور ہیں میرے خلاف مٹھلانہ انکوائری بغیر کسی مزید کاروائی کے داخل دفتر فرما کر من ساکس کو معاف کر کے بحال کیا جائے بندہ تمام عمر دعا گو رہیگا۔

**Statement of FC Muhammad Nawaz.**

گزارش ہے کہ من کنسٹیبل جنرل ڈیوٹی پر مورخہ 22.12.2021 بوقت 20.35 بجے میں اپنے ڈیوٹی پر چوک بازہ قدیم میں موجود تھا کہ اس دوران کچھ نہ پسندوں، دہشت گردوں نے میرے ساتھ ڈیوٹی پر مامور شہید کنسٹیبل گل فرراز پر اچانک فائرنگ کی چونکہ گل فرراز کی پوائنٹ ڈیوٹی مجھ پر کچھ قائلے پر تھی اور ملزمان میں نے فائرنگ کی آواز سنی تو میں سمجھا کہ کنسٹیبل گل فرراز شہید نے اپنے کلاشکوف سے غلطی سے فائر ہوئی ہے اور موقع پر اندھیرا تھا اور پھر بھی نہیں آ رہا تھا اور لائٹ وغیرہ بھی نہیں تھی لہذا فوری طور پر جائے موقع آکر دیکھا تو پوائنٹ پر کنسٹیبل گل فرراز شدید زخمی حالت میں پڑا تھا اسی

(11) (D)

OFFICE OF THE  
SUPERINTENDENT OF POLICE,  
SADDAR, CCP, PESHAWAR

NO. \_\_\_\_\_/PA DATE: \_\_\_\_\_/2022

دلت تقریباً پانچ بجے کسان مقامی موقع پر موجود تھے مگر میرے پہنچے پر وہ جگہ سے چلے گئے اسی دوران چوکی انچارج جعفر شاہ IHC بھی موقع پر آگئے تاہم موقع پر ٹرمان بعد شدید فائرنگ کے رونچکے ہوئے تاہم من کنسٹیبل نے بوجہ موجود مقامی لوگوں تک ٹرمان تک رسائی نہ کر سکا اور زخمی گل فرار کو جناب ایس ایچ اے صاحب کی گاڑی میں ڈال کر ہسپتال بنفرض علاج معالجہ منتقل کیا من کنسٹیبل سے کوئی غلطی یا کوئی کوتاہی نہیں ہوئی ہے میں نے باقاعدہ طور پر رپورٹ، استطاعت کے مطابق پہنچ کر زخمی کنسٹیبل کی ہر ممکن مدد کی ہے من کنسٹیبل پولیس فورس کے علاوہ ایک پختون معاشرہ کا فرد ہے آدمی کتنا ہی ڈر پوک کیوں نہ ہوں لیکن جب غیرت کا معاملہ آجائے تو وہ لہتی جان کی پرواہ تک بھی نہیں کرتا اور کوئی بھی اپنی ساتھی کو کسی کے رحم کو کہہ کر نہیں چھوڑتا میں نے بروقت بہادری کا مظاہرہ کیا ہے اور الحمد للہ میرا دل مطمئن ہے تاہم ٹرمان نے تدریجی کا فائدہ اٹھاتے ہوئے موقع سے فرار ہونے میں کامیاب ہوئے اگر ٹرمان دہشت گردوں کو موقع پر دیا جاتا تو من کنسٹیبل اپنے تن من دھن کی بڑی لگا کر پولیس فورس کے نام پر کسی قسم کا داغ نہیں چھوڑتا مگر موقع پر مقامی لوگوں کی وجہ سے گائرنہ کر سکا تھا کہ مزید نقصان نہ اٹھاتا پڑے تاہم زخمی کنسٹیبل کی جان بچانا فوری طور پر اپنا فرض ادا کیا سمجھتا تھا جیسا کہ اس بات کا جناب ایس ایچ اے صاحب تھانہ سر بند چشم دید گواہ ہیں۔ لہذا میرا بیان ہے جو کہ حقیقت پر مبنی ہے۔

**FINDINGS.**

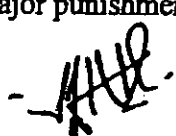
After thorough examination of statements and circumstance, the following points are worth to perused:

1. IHC Jaffar Shah did not responded immediately after hearing the gunshots till the arrival of SHO and remained inside Police post.
2. FC Nawaz Khan was present on duty point with Shaheed Gulfaraz but he did not react to the attackers.
3. Due to cowardice/ negligence of both officials, the attackers fled from the spot easily.
4. This act of cowardice falls in the meaning of Article 118 (b) Police Act 2017.

**RECOMMENDATIONS.**

Both the officials are guilty and recommended for major punishment.

Submitted please.

  
(Waqar Ahmed)  
Superintendent of Police, Saddar.  
CCP Peshawar.



(12) 'E'

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

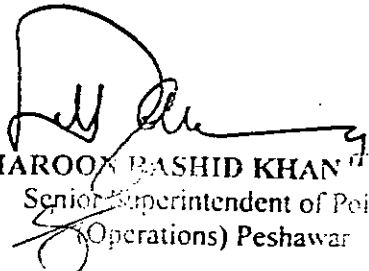
No. 230 /PA

Dated Peshawar the 24/01. 2022

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

1. I, Senior Superintendent of Police, Operations, Peshawar as competent authority, under the Police disciplinary Rules 1975, do hereby serve you IHC Jaffar Shah No. 4735 while posted at PP Bara Qadeem PS Sarband as follows:-
2. (i) That consequent upon the completion of enquiry committee conducted against you by CCP Peshawar, who found you guilty of the charges for which you were given the opportunity of personal hearing.  
(ii) On going through the findings and recommendations of the inquiry officer, the material on record and other connected papers including your defense before the said officers; I am satisfied that you have committed the follow misconducts:  

You have been found guilty of the charges already communicated to you vide this office charge sheet bearing No. 702/E/PA dated 29.12.2021.
3. As a result thereof I, as Competent Authority decided to impose upon you major/minor penalty including dismissal from service under the said Rules.
4. You are, therefore, require to Show Cause as to why the aforesaid penalty should not be imposed upon you.
5. If no reply to this notice is received within 7-days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
6. You are at liberty to be heard in person, if so wished.

  
HAROON BASHID KHAN (JST PSP)  
Senior Superintendent of Police  
(Operations) Peshawar

Page No.

OFFICE OF THE  
SENIOR SUPERINTENDENT OF POLICE,  
(OPERATIONS)  
PESHAWAR

No. 230 /PA

Dated Peshawar the 24/01/2022

**FINAL SHOW CAUSE NOTICE**  
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6. You are liberty to be heard in person, if so wished.

**HAROON RASHID KHAN**  
Senior Superintendent of Police  
(Operations) Peshawar



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

### ORDER

1. This office order will dispose of formal departmental proceedings against the following police officials of PP Bara Qadom PS Sarband were placed under suspended by W/CC vide No. 4756 63/PA dated 23.12.2021 and proceeded against departmentally vide No. 702/E/PA dated 29.12.2021. That on 22.12.2021 some unknown accused opened fire on Constable Gul Faraz posted at Bara Qadom Check Post, Police Station Sarband and the accused decamped after commission of offence. At the time of incident they did not responded timely and failed to handle the situation and due to their negligence the accused fled away and Constable Gul Faraz embraced Shahadat.

- i. IHC Jaffar Shah No. 4735
- ii. Constable Muhammad Nawaz No. 7319

2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary allegation were issued against them and SP Saddar was appointed as Enquiry Officer who submitted his finding and concluded that the above alleged official found guilty. Final Show Cause Notice were issued vide No. 230/PA and 231/PA dated 24.01.2022 to which they submitted reply but found unsatisfactory.

3. Having gone through findings of the EO along with relevant material on record, I am fully convinced that the alleged officials are found guilty of gross misconduct.

4. The undersigned being competent under (Efficiency & Disciplinary) Rules, 1975, has decided to impose major penalty on the accused official i.e. IHC Jaffar Shah No. 4735 hereby awarded Major Punishment "Reverted from Head Constable to Constable" and Constable Muhammad Nawaz No. 7319 is hereby awarded minor punishment "Forfeiture of 1 year approved service."

**HAROON RASHID KHAN** (R ST PSM)  
Senior Superintendent of Police  
(Operations) Peshawar

No. 1772-23 /PA dated Peshawar, the 23 /2022.

Copy for information and necessary action to:

1. The Capital City Police Officer Peshawar w/c to his office order No. 4756 63/PA dated 23-12-2021
2. EC II/OASI/CRC/PO/FMC along with \_\_\_\_\_ pages for record
3. Officials concerned

Page No.

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

**ORDER**

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4. The undersigned being competent under Efficiency & Disciplinary). Rules, 1975, decided to impose major penalty on the accused official i.e. IHC Jaffar Shah No. 4735 hereby awarded Major Punishment "Reverted from Head Constable to Constable Muhammad Nawaz No. 7319 is hereby awarded minor punishment "Forfeiture of 1 year approved service".

**HAROON RASHID KHAN**  
Senior Superintendent of Police  
(Operations) Peshawar

No. 1772-73/PA dated Peshawar, the 16.06. 2022.

Copy for information and necessary action to:-

1. The Capital City Police Officer Peshawar w/r to his office endst No. 4756-63/PA dated 23-4-2021
2. EC-II/QASI/CRC/PO/EMC along Pages for record
3. Officials concerned.