

①

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

In the matter of

Service Appeal No: 222/2023

Nisar Ali Khan Ex-Assistant Superintendent Jail Central Prison
Peshawar.....(APPELLANT)

Director, Prisons Peshawar

VERSUS

Case No. 5618

1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home and TA's Department Khyber Pakhtunkhwa, Peshawar.

Dated 26/5/2023

..... (RESPONDENTS)

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(21) Authority Letter

S 60

Peshawar
Date of hearing 01-06-2023
Place on file on 26/05/2023


Deponent

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

In the matter of
Service Appeal No: 222/2023
Nisar Ali Khan Ex-Assistant Superintendent Jail Central Prison
Peshawar.....(APPELLANT)

VERSUS

- 1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
 - 2. Secretary Home and TA's Department Khyber Pakhtunkhwa, Peshawar.
- (RESPONDENTS)

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO:1 and 02

Respectfully Sheweth

Preliminary Objections:

- i. *That the appellant has got no cause of action/ locus standi.*
- ii. *That the instant appeal is badly time barred.*
- iii. *That the appellant has concealed the material facts from this honorable tribunal, hence liable to be dismissed.*
- iv. *That the appellant has not come to this honorable tribunal with clean hands.*
- v. *That the appellant has filed the instant appeal just to pressurize the respondents.*
- vi. *That the appellant has filed the instant appeal on malafide motives.*
- vii. *That the instant appeal is against the prevailing law and rules.*
- viii. *That the appellant is stopped by his own conduct to file this instant appeal.*
- ix. *That the present appeal is not maintainable in the present form and also in the present circumstances of the case.*
- x. *That the appeal is bad for misjoinder and non joinder of necessary parties.*

OBJECTION ON FACTS:

- 1. Provincial Government of Khyber Pakhtunkhwa vide Home and Tribal Affairs Department Notification No.SO(P&R)-HD/2-26/2021/Decl:Sub:Jail Dated 30-03-2022 (**copy enclosed**) declared Sub Jail at MPA Hostel Room No.11 Block-D for further confinement of the accused Faisal Zaman MPA whereto he was shifted on 31/03/2022.For further production of the Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa continued on the subject at MPA Hostel. For the purpose of duty 01 Assistant Superintendent Jail Nisar Ali Khan Incharge Sub Jail the present appellant was deputed alongwith 01 Chief Head Warder namely Mr.Nawab Ali and 03 other Warders/official namely Kashif, Rooh Ullah and Ali Akbar were deployed to perform further duty in the Sub Jail. Due to the gross negligence/inefficiency in the performance of their duties on 22/04/2022 at about 04:31 PM, the accused MPA Faisal Zaman escaped from Sub Jail in broad daylight, thus the appellant as well as other officials deployed there for the duty committed grave misconduct on their part.
- 2. Admitted as correct.
- 3. Incorrect and not admitted. The competent authority initiated disciplinary proceedings against the officers/officials concerned deployed for the protection and were assigned to perform duties there. They were properly charge sheeted and also served upon them Show Cause Notices to prove their innocence but they failed to explain their negligence. Ultimately on the conclusion of departmental proceedings, the competent authority awarded **Major**

Penalty of Compulsory Retirement from Service with immediate effect vide IG Prison office order dated 29/09/2022.

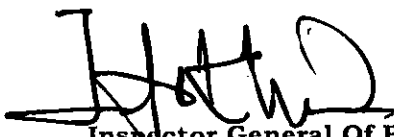
- 4. Admitted to the extent that the present appellant feeling aggrieved from the impugned order passed by the competent authority preferred Departmental Appeal before the Honourable Secretary Home (being appellate authority) which was rejected vide Home Department order dated 27/01/2023 **(Copy enclosed)**.


OBJECTION ON GROUNDS:

- a. Pertains to record.
- b. Incorrect, and not admitted. The appellant committed gross negligence and misconduct to perform his duty with zeal and zest. If he took serious interest in his duty, keeping in view the sensitivity of the issue such like fateful incident would not be occurred.
- c. Incorrect and not admitted. The appellant was on duty at the time of escape was required to monitor every acts of the accused strictly and have vigilant eyed on his activities, but he failed to perform his assigned duties as per norms of the Khyber Pakhtunkhwa Prison Rules 2018 regarding safe custody and control of prisoner involved in heinous offence and prevent of escape from sub jail. The appellant also failed to inform the Police staff timely for its prevention, thus have committed gross negligence and misconduct.
- d. Incorrect and not admitted. The appellant was failed to perform his duty well hence committed inefficiency and disobedience in the performance of his duties as well as lack of responsibility for safe and sound custody of MPA Faisal Zaman (under trial prisoner).
- e. As explained in Para-d above.
- f. Subject to proof.
- g. As explained in Para-c above.
- h. Incorrect and not admitted. The appellant was deputed for the safe custody and for the protection of under trial prisoner to adhere with the Prison Rules strictly but unfortunately disobeying the instructions of the competent authority which ultimately culminate the escape of the under trial prisoner from Sub Jail.
- i. As explained in Para-h above.
- j. Pertains to record.
- k. Pertains to record.
- l. The appellant could not see such fateful punishment if he was serious to his assigned duties.
- m. As explained in Para-l above.
- n. Incorrect and not admitted. The appellant was treated as per Law.
- o. Did not pertain to respondents.
- p. Respondents also seek permission of this Honourable Tribunal to raise additional points/objections at the time of arguments.

PRAYER :

It is therefore most humbly prayed that on the acceptance of above Joint Para-wise comments on behalf of respondent No. 01 and 02, the appeal of the appellant may graciously be dismissed being devoid of merit and against the law.


Inspector General Of Prisons
Khyber-Pakhtunkhwa, Peshawar
 Respondent No.01


Secretary Home & Tribal Affairs Department
Khyber Pakhtunkhwa, Peshawar
 Respondent No.02
 Khyber Pakhtuakhwa

(4)

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

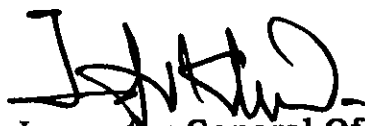
In the matter of
Service Appeal No: 222/2023
Nisar Ali Khan Ex-Assistant Superintendent Jail Central Prison
Peshawar.....(APPELLANT)

VERSUS

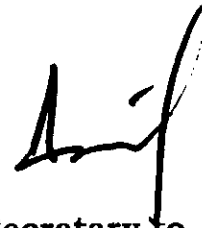
1. The Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
 2. Secretary Home and TA's Department Khyber Pakhtunkhwa, Peshawar.
- (RESPONDENTS)

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.01 and
02**

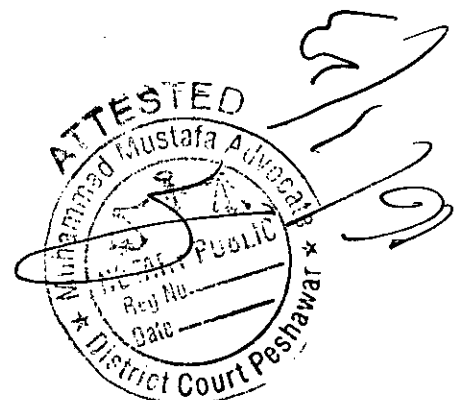
We the following respondents do hereby solemnly affirm and declare that the contents of Para-wise Comments are true and correct to the best of our Knowledge and belief and nothing have been concealed from this Honorable Service Tribunal.



Inspector General Of Prisons
Khyber Pakhtunkhwa Peshawar
(Respondent No. 1)



Secretary to
Govt of Khyber Pakhtunkhwa
Home & TA's Department Peshawar
(Respondent No. 2)
Home Secretary,
Khyber Pakhtunkhwa



ATTESTED
Muhammad Mustafa Advocate
PUBLIC
Reg No. _____
Date _____
District Court Peshawar

(5) 9/3

101

MOST IMMEDIATE / A Y BUSINESS
GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

Phone # 091-9214161/Fax # 091-9210201

No. SO (D/AB) HD/1-4/PO/2021
Dated Peshawar the 10.03.2022

To

- Nisar Ali*
1. The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar
 2. The Inspector General of Prisons,
Khyber Pakhtunkhwa, Peshawar.

IG	SP
A.G.	20 (II)
D.D.	
A.D.	

Furnish reply
16.3.2022

Subject:- **DECLARATION OF MPAS HOTEL AS SUB IAIL**

Dear Sir,

I am directed to enclose herewith a copy of letter No. PA / Khyber Pakhtunkhwa / Lagis-I/Produ: Order/2022/7155 dated 11.03.2022 received from Secretary, Provincial Assembly of Khyber Pakhtunkhwa, copy already forwarded to your good offices; which is self-explanatory for information and further necessary action, please.

2. This may be accorded **Top Priority**.

Yours faithfully,

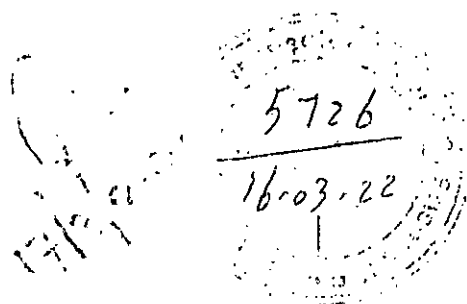
Madadullah Khan
16/03/2022
SECTION OFFICER
(Directives/Assembly Business)

Cc.

Attes
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

1. Secretary Provincial Assembly of Khyber Pakhtunkhwa.
2. Secretary to Mr. Speaker, Provincial Assembly of Khyber Pakhtunkhwa.
3. PS to Home Secretary, Khyber Pakhtunkhwa.
4. PS to Special Secretary Home, Khyber Pakhtunkhwa
5. Master File.

Madadullah Khan
16/03/2022
SECTION OFFICER
(Directives/Assembly Business)



(7)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

I.G.	
A.I.G.	
D.	
A.D.	

Peshawar dated: 30th March, 2022

NOTIFICATION

No. SO(P&R)-HD/2-26/2021/Decl; Sub: Jail:- In exercise of powers conferred by section 2(1) of the Prisons Act, 1894, read with section 4 thereof, the Government of Khyber Pakhtunkhwa is pleased to declare Room No. 11, Block-D MPA Hostel, Peshawar as sub-Jail for confinement of accused MPA Faisal Zaman w/o Muhammad Usman, with immediate effect, in the public interest.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
HOME & TA'S DEPARTMENT

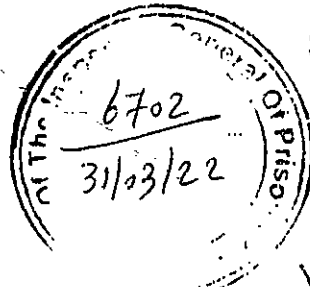
Endst: NO SO (P&R)HD/2-26/2021/Decl:Sub:Jail:

Peshawar. 30-03-2022

Copy forwarded to the:

1. Commissioner, Peshawar Division Peshawar.
2. Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
3. Capital City Police Officer, with the request to provide necessary security.
4. Deputy Commissioner, Peshawar.
5. P.S.O to Chief Secretary, Khyber Pakhtunkhwa.
6. Superintendent Central Prison Peshawar.
7. Master File.

Almaz
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



30/03/22
SECTION OFFICER (P&R)

N
31/3/22



OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR

(8)

13

No: _____ /LO Dt: 1/3/2022

To,

Mr. Nisar Ali Khan
Assistant Superintendent.
Central Prison Peshawar.

Subject: RELIEVING DOCKET

Memo:

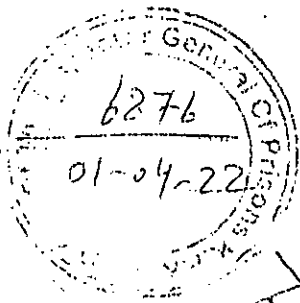
You are hereby relieved of your duties at this jail today on 31-03-2022 (FN/AN) and directed to report as Incharge Sub Jail MPA Hostel Room No. 11, Block-D (as declared Superintendent Sub Jail by the Provincial Government for confinement of accused/ MPA Faisal Zaman) for further duty there till further orders.

SUPERINTENDENT
CENTRAL PRISON PESHAWAR

Endst: No. 5786 /-

Copy of the above is forwarded to the Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar for information with reference to his memo No. 12170-WE dated 31-03-2022 please;

SUPERINTENDENT
CENTRAL PRISON PESHAWAR



ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

3/4/22

(9) H

OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

☎ 9210937 / 9210334

No. 3/8--J-14-- 12170-WE

Dated 31 -- 03 -- 2022

IMMEDIATE
OUT TODAY
BY FAX.

To:
The Superintendent,
Central Prison Peshawar ✓

Subject:- NOTIFICATION ✓

Memo:-

I am directed to forward herewith a copy of Home & T.As Department, KP Notification No.SO(P&R)-IID/2-26/2021/Decl: Sub Jail dated 30-3-2022 (self explanatory) for information and further necessary action under the rules.

[Signature]
30/3
DEPUTY DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

Encls: No. 12171

Copy of the above is forwarded to the Secretary to Government of Khyber Pakhtunkhwa, Home & T.As Department Peshawar for information with reference to above please.

[Signature]
30/3
DEPUTY DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

31-3-2022

[Signature]
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 4612-WASH DI. 22 / 04 / 2022

(10)

Faisal Zaman
Passes immediate
e by
23/

The Inspector General of Prisons,
Khyber Pakhtunkhwa, Peshawar.

Subject:

**DETAIL REPORT REGARDING ESCAPE OF FAISAL ZAMAN FROM SUB
JAIL AT MPA HOSTEL.**

Dear Sir,

Reference in continuation of this office letter No. 4606/10 dated 22-04-2022.

Detail report in escape incident of MPA Faisal Zaman s/o Muhammad Usman from the Sub Jail at Room No. 11 Block D, MPA Hostel Peshawar is as below:

1. Faisal Zaman Member Provincial Assembly (MPA) was under trial Prisoner in Case FIR No. 7 Dated: 14-09-2020 U/s 302/324/34/427/21-1-/7-ATA Police Station. CTD Hazara (copy enclosed as ANNEX-I) and remained confined in District Jail Abbottabad. Copy of Warrant is enclosed.
2. The Provincial Assembly of Khyber Pakhtunkhwa vide production order No. PA:Khyber Pakhtunkhwa/Legis-1/Produ:Orders/2022/7011 Dated: 09-03-2022 (copy enclosed ANNEX-II) issued directions that Mr. Faisal Zaman MPA to be produced at the commencement of each sitting of 21st Session of the Provincial Assembly of Khyber Pakhtunkhwa.
3. In compliance to the production order of the Provincial Assembly Khyber Pakhtunkhwa, Faisal Zaman MPA he was shifted from District Jail Abbottabad to Central Prison Peshawar on 14-03-2022.
4. In compliance to the directions, he was produced before Session of Provincial Assembly of Khyber Pakhtunkhwa till 31-03-2022 from Central Prison Peshawar.
5. Thereafter, Provincial Government of Khyber Pakhtunkhwa Vide Home & Tribal Affairs Department Notification No. SO(P&R)-HD/2-26/2021/Decl:Sub:Jail Dated 30-03-2022 (copy enclosed ANNEX-III) declared Sub Jail at the MPA Hostel Room No. 11 Block D for further confinement of the accused Faisal Zaman MPA, whereto he was shifted on 31-03-2022. Further Production of the Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa continued from the Sub Jail at MPA Hostel.
6. The following Officer and Staff of the Prison Department posted at Central Prison Peshawar was deployed on the Sub Jail declared at MPA Hostel for Faisal Zaman MPA.



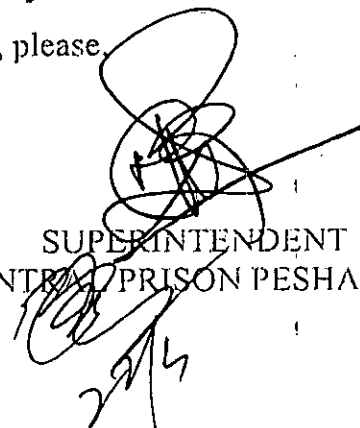
(11)
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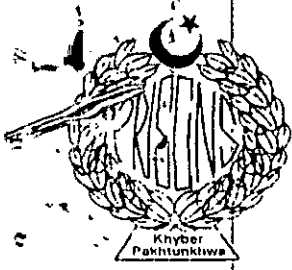
7. Besides the aforementioned staff of Prison Department, District Police Squad in the charge of Sub Inspector Haroon along with staff was also deployed which besides providing security to the Sub Jail was also producing the Faisal Zaman MPA before Provincial Assembly Khyber Pakhtunkhwa.
8. Today on 22-04-2022 as per your directions, written letter (copy enclosed ANNEX-IV) & verbal directions were issued to the Incharge Sub Jail for re-shifting of Faisal Zaman MPA to District Jail Abbottabad for further confinement.
9. However, as per report by the Incharge Sub Jail Faisal Zaman MPA return from the Provincial Assembly Khyber Pakhtunkhwa around 02:40 PM was confined in his room. Around 04:30 PM -04:45 PM the staff deployed on duty found that the Faisal Zaman MPA is not present in his room and they forthwith started searching him there but failed to find him there. As per the staff deployed on duty, the MPA Faisal Zaman escaped using Balcony door. The footage from the control room of the MPA hostel was checked where it can be seen that Faisal Zaman MPA entered his black colour vehicle around 04:31PM and left the MPA hostel immediately. No footage of coming out of the room or balcony is available due to lack of camera on that side.
10. Local Police station and offices were informed forthwith to initiate quick action for tracing and re-arrest of the Faisal Zaman MPA.
11. On receiving written report from the Incharge Sub Jail regarding escape of the Faisal Zaman MPA, that undersigned forthwith issued letter (copy enclosed ANNEX-V) to East Cantt Police Station, Peshawar for information and registration of FIR under relevant section of laws against the escaped prisoner Faisal Zaman MPA along with the staff for negligence.
12. East Cantt Police Station Peshawar registered the FIR (copy enclosed ANNEX-VI) against the Faisal Zaman MPA as well as the staff on duty.

The report is submitted for the further necessary action as well as disciplinary proceedings against the aforementioned deployed staff on duty, please.

Alles
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

SUPERINTENDENT
CENTRAL PRISON PESHAWAR


29/4



(12) ~~217~~
OFFICE OF THE
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406 091-9213445

No. KC/13956/WE /-

Dated 23-04-2022 /-

To

The Secretary to Government of Khyber Pakhtunkhwa
Home and Tribal Affairs Department Peshawar.

Subject:

**DETAIL REPORT REGARDING ESCAPE OF MPA FAISAL ZAMAN FROM
SUB JAIL AT MPA HOSTEL PESHAWAR.**

Dear Sir,

1- I am directed to refer to the subject and to state that as reported by the Superintendent Central Prison Peshawar vide his letter NO.4612/WE dated 22-04-2022 (Copy enclosed) that MPA Faisal Zaman confined in Sub Jail declared by the Government at MPA Hostel Peshawar has made good his escape around 04:30 PM to 04:45 PM on 22-04-2022. Details of the escapee prisoner as well as incident took place on 22-04-2022 at Sub Jail declared by Government at MPA Hostel Peshawar is as under: -

- 1) Faisal Zaman MPA was undertrial prisoner in Case FIR No.7 dated 14-09-2020 U/S 302/324/34/427/21-1/7-ATA Police Station CTD Hazara and remained confined in District Jail Abbottabad. Copy of Warrant is enclosed as **Annex "A"**.
- 2) The Provincial Assembly of Khyber Pakhtunkhwa vide production order No.PA/Khyber Pakhtunkhwa/Legis-1/Produ:Orders/2022/7011 dated 09-03-2022 (**Annex "B"**) issued directions that Mr. Faisal Zaman MPA to be produced at the commencement of each sitting of 21st Session of the Provincial Assembly of Khyber Pakhtunkhwa.
- 3) In compliance to the production order of the Provincial Assembly Khyber Pakhtunkhwa, Faisal Zaman MPA was shifted from District Jail Abbottabad to Central Prison Peshawar on 14-03-2022.
- 4) In compliance to the directions he was produced before Sessions of Provincial Assembly of Khyber Pakhtunkhwa till 31-03-2022 from Central Prison Peshawar.
- 5) Later on Provincial Government of Khyber Pakhtunkhwa vide Home Department Notification No.SO(P&R)HD/2-26/2021/Decl:Sub:Jail dated 30-03-2022 (**Annex "C"**) declared Sub Jail at the MPA Hostel Room No.11 Block D for further confinement of accused Faisal Zaman MPA. Accordingly he was shifted on 31-03-2022 for further Production of Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa continued from the Sub Jail at MPA Hostel Peshawar.
- 6) The following Officer and Staff of the Prisons Department of Central Prison Peshawar was deployed on the Sub Jail declared at MPA Hostel for Faisal Zaman MPA.
 - a. Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16), Incharge Sub Jail MPA Hostel Peshawar.
 - b. Mr. Nawab Ali Chief Head Warder (BPS-11) attached to Sub Jail MPA Hostel Peshawar.
 - c. Warder Kashif (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
 - d. Warder Rooh Ullah (BPS-07), attached to Sub Jail MPA Hostel Peshawar.

(13) 279

e. Warder Ali Akbar (BPS-07), attached to Sub Jail MPA Hostel Peshawar.

- 7) Besides the aforementioned staff of Prisons Department, District Police Squad in the charge of Sub Inspector Haroon alongwith staff was also deployed which besides providing security to the Sub Jail was also producing the Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa.
- 8) On 22-04-2022 as per your directions conveyed via telephone and after confirmation from the Secretary Provincial Assembly via telephone as to whether the Session of Provincial Assembly has been prorogued or otherwise. He accordingly confirmed that Session of Provincial Assembly has been prorogued. Thereafter, necessary telephonic orders were immediately conveyed to Superintendent Central Prison Peshawar to issue necessary direction to the Incharge Sub Jail MPA Hostel Peshawar for re-shifting of accused MPA Faisal Zaman to District Jail Abbottabad immediately.
- 9) However, as per report by the Incharge Sub Jail MPA Hostel Peshawar received through Superintendent Central Prison Peshawar accused MPA Faisal Zaman returned from the Provincial Assembly Khyber Pakhtunkhwa around 02:40 PM and was confined in his room. Around 04:30 PM to 04:45 PM the staff deployed on duty found that Faisal Zaman MPA is not present in his room and they forthwith started searching him there but failed to find him. As per the staff deployed on duty, the MPA Faisal Zaman escaped using Balcony Door. The footage from the control room of the MPA hostel was checked where it can be seen that Faisal Zaman MPA entered his black colour vehicle around 04:31 PM and left the MPA hostel immediately. No footage of coming out of the room or balcony is available due to lack of camera on that side.
- 10) Local Police Station and offices were informed forthwith to initiate quick action for tracing and re-arrest of the escapee prisoner MPA Faisal Zaman.
- 11) As evident from the above report, necessary FIR has been lodged against the escapee prisoner as well as neglected Prison Officials in Police Station East Cantt (**Copy of FIR is Annex "D"**).
- 12) Prison Officials mentioned in Para-01(6) above are responsible for negligence in the performance of their duties and were placed under suspension with immediate effect (**Annex "E"**)

2- I am further directed to add here that the Incharge of Sub Jail MPA Hostel Peshawar is BPS-16 Officer, therefore, the Inspector General of Prisons Khyber Pakhtunkhwa is the competent authority to initiate the departmental proceedings against all the accused Prison Officials mentioned above under the Khyber Pakhtunkhwa Government Servants (E&D) 2011 for which statement of allegations / charge sheet will be served shortly.

3- I am further directed to request you to kindly direct the Police Authority for initiating disciplinary proceedings against Police Personnel deployed for the security of Sub Jail MPA Hostel Peshawar.

4- The report is submitted for kind information and further necessary action please.

Yours faithfully

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

Endst; No. 13957-63 /-

(14) *[Signature]*

Copy of the above is forwarded to the: -

- 1) Principal Secretary to Chief Minister Khyber Pakhtunkhwa Peshawar for information.
- 2) Capital City Police Officer Peshawar for information and with the request to initiate stern disciplinary action against the Police Personnel deployed for the security of the Sub Jail MPA Hostel Peshawar.
- 3) District Police Officer Haripur for information and with the request to depute search party to his residence in Tehsil Ghazi for re-arrest of the escapee prisoner Faisal Zaman MPA.
- 4) Superintendent Headquarters Prison Peshawar for information.
- 5) Superintendent Central Prison Peshawar for information.
- 6) Superintendent District Jail Abbottabad for information.
- 7) PS to Special Assistant to Chief Minister for Prisons Khyber Pakhtunkhwa Peshawar for information please.

[Handwritten mark]

[Handwritten signature]
22/4/2022

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

Seen

Di. Prisons



(15) 859
OFFICE OF THE
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406

091-9213445

No. 13946 /-

Dated 23/4/2022 /-

ORDER

The following officials are hereby placed under suspension with immediate effect in escape case of accused Faisal Zaman MPA from Sub Jail at MPA Hostel Peshawar on 22-04-2022, due to their gross negligence in the performance of duties: -

- 1) Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16), Incharge Sub Jail MPA Hostel Peshawar.
 - 2) Mr. Nawab Ali Chief Head Warder (BPS-11) attached to Sub Jail MPA Hostel Peshawar.
 - 3) Warder Kashif (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
 - 4) Warder Rooh Ullah (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
 - 5) Warder Ali Akbar (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
- During suspension they will get subsistence allowance as admissible under the rules.

the rules.

Endst; No. 17-55 /-

INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA

Copy of the above is forwarded to the: -

- 1) Secretary to Government of Khyber Pakhtunkhwa Home and Tribal Affairs Department Peshawar for information.
- 2) Superintendent Headquarter Prison Peshawar.
- 3) Superintendent Central Prison Peshawar.
- 4) PS to Special Assistant to Chief Minister for Prisons Khyber Pakhtunkhwa Peshawar for information please.
- 5) Officials concerned.

Assistant
Assistant Director
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

Assistant Director
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

(16) 237

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 4608_ ASH

REGISTERED

The Station House Officer,
East Police Station Peshawar

Subject: Information and Registration of FIR

Memo:

As reported by Incharge Sub Jail (copy enclosed) at MPA Hostel Peshawar, the Undertrial Prisoner Member Provincial Assembly (MPA) Faisal Zaman son of Munir ul Usman has escaped from the Sub Jail At Room No.11 Block-D of MPA Hostel Peshawar at around 6:30 PM.

The following staff was deployed on duty at the Sub Jail.

1. Nisar Ali Khan Assistant Superintendent Incharge Sub Jail.
2. Nawab Ali Chif Head Warden.
3. Kasht Warden
4. Koolah Warden
5. Ali Akbar Warden

Besides these Security Squad of District Police was also deployed at that Sub Jail. It is requested that necessary FIR under proper section of law may please be registered against the Faisal Zaman the escaped prisoner and the staff on duty for the negligence please.

Ali Akbar

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

SUPERINTENDENT
CENTRAL PRISON PESHAWAR

Encl: No 1609-10

Copy of the above is forwarded to the

Director of Prisons, Government of Khyber Pakhtunkhwa, Peshawar & Tribal Affairs Department Peshawar



OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 4608/ASH dt 22/04/2022

REGISTERED

To,

The Station House Officer,
East Police Station Peshawar

Subject: **Information and Registration of FIR**

Memo:

As reported by Incharge Sub Jail (copy enclosed) at MPA Hostel Peshawar, the under trial prisoner Member Provincial Assembly (MPA) Faisal Zaman S/o Muhammad Usman has escaped from Sub Jail At Room No.11 Block-D MPA Hostel Peshawar at around 04:30 PM.

The following staff was deployed on duty at Sub Jail.

1. Nisar Ali Khan Assistant Superintendent Incharge Sub Jail.
2. Nawab Ali Chief Head Warder.
3. Kashif Warder.
4. Roohullah Warder.
5. Ali Akbar Warder.

Besides these security squad of District Police was also deployed at that Sub Jail. It is requested that necessary FIR under proper section of law may please be registered against the Faisal Zaman the escaped prisoner and the staff on duty for the negligence, please.

SUPERINTENDENT
CENTRAL PRISON PESHAWAR

Endst No.4609-10 _____/-

Copy of the above is forwarded to the

1. The Secretary to Government for Home & Tribal Affairs Department Peshawar.
2. Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information.
Detailed report will be submitted shortly.
3. Capital City Police Officer.

SUPERINTENDENT
CENTRAL PRISON PESHAWAR

ابتدائی اطلاع رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ نمبر 158 مجموعی نمبر 19 جدارتی

شہر: شرقی

تاریخ: 22/04/2022 صفحہ: 27 نمبر: 277-75

وقت رپورٹ: 22/04/2022 بجے 19:15 جگہ: کاملاً

مکثرت اطلاع دہندہ و مستفیث اور اس کا کیڑا پل ڈن نمبر: 0333-913553

کیفیت جرم (مردود) دال اڑیکو لیا گیا اور

کیڑا پل نام و مقام سے اور دست: MPA - کال

مکثرت نمبر: 223-224

کی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو بیان کرو: آئندہ اگر تفریق فریڈ اور راجہ صاحب کے تفریق کیا گیا

سے روایت کی تاریخ و وقت: برسبیل عام

ابتدائی اطلاع نیچے درج کرو۔

To The Station House Officer, East Police Station Peshawar Subject Information and Registration of FIR memo as deposited by Mchazje Sub Jail (copy enclosed) at MPA Hostel Peshawar the Custodial Prisoner Member of Provincial Assembly (MPA) Kaisal Zaman (Momin) has escaped from the Sub Jail At Room No 11 Block 7 of MPA Hostel Peshawar at a round 04:30 PM The following Staff was deployed on at the Sub Jail

① Nisar Ali Khan Assistant Superintendent in charge Sub Jail

② Nour Ali Chief Head warden

③ Kashif Warden

④ Roshid Warden

⑤ Amir Ahmad Warden Besides these Security Squad of District Police was also deployed at that Sub Jail It is Requested that necessary FIR under Peshwa Section of law may please be Registered against the Kaisal Zaman the escaped Prisoner and the Staff on the duty for the negligence please.

کاملاً

کاملاً

کاملاً

کاملاً

کاملاً

ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 154 مجموعہ ضابطہ فوجداری

ضلع

شرقی

پشاور

تاریخ 22/04/2022

277-25

تاریخ و وقت رپورٹ	22/04/2022 وقت 19:10 چاکیدگی پرچہ 19:30 بجے
نام و سکونت اطلاع دہندہ مستغیث اور اسکا موبائل فون نمبر	عمیر صاحب سپرنٹنڈنٹ سنٹرل جیل پشاور 03339135552
مختصر کیفیت جرم (معدہ دفعہ) حال اگر کچھ لیا گیا ہو۔	PPC 223-224
جائے وقوعہ فاصلہ تھانہ سے اور سمت	MPA حاسٹل
نام سکونت ملزم	
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	آمدہ انگریزی کردیا گیا
تھانہ سے روانگی کی تاریخ و وقت	بیل عام

ابتدائی اطلاع نیچے درج کرو۔ بوقت صدر ایک تحریری آرڈر ضمانت

مستغیث خانہ نمبر 02 سے بدست عرفان وارڈن سے موصول ہو کر جو بہ

مضمون ذیل ہے۔ To the Station House Office-

East Police Station Peshawar Subject Information and Registration of FIR Memo As reported by Incharge Sub Jail (copy enclosed) at MPA Hostel Peshawar, the under trial prisoner Member Provincial Assembly (MPA) Faisal Zaman S/o Muhammad Usman has escaped from Sub Jail At Room No.11 Block-D MPA Hostel Peshawar at around 04:30 PM. The following staff was deployed on duty at Sub Jail. (1) Nisar Ali Khan Assistant Superintendent Incharge Sub Jail. (2) Nawab Ali Chief Head Warder. (3) Kashif Warder (4) Roohullah Warder. (5) Ali Akbar Warder. Besides these security squad of District Police was also deployed at that Sub Jail. It is requested that necessary FIR under proper section of law may please be registered against the Faisal Zaman the escaped prisoner and the staff on duty for the negligence, please.

22/04/2022

عمیر صاحب سپرنٹنڈنٹ سنٹرل جیل پشاور مورخہ

دستخط انگریزی

22/04/2022 حرف بہ حرف ف درجہ 4608 مورخہ

کارروائی تھانہ آمدہ انگریزی چھٹی نمبری

پرچہ کر جا بانی

مضمون رپورٹ سے صورت جرم بالاکا

تفتیش بغرض نقل پرچہ جات مزر

چاک کیا

مقبول جمان SI / INP کیا جانا ہے پرچہ گزارش ہے۔

AMHC PS. E/ Cantt

22-04-2022



(18)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR.

NO. 14476
DATED 28-04-2022

DISCIPLINARY ACTION

I, Khalid Abbas, I.G. Prisons Khyber Pakhtunkhwa, as competent authority, am of the opinion that Nisar Ali Assistant Superintendent Jail (BPS-16) (under suspension) presently attached Central Prison Peshawar has rendered himself liable to be proceeded against, as he committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

He was assigned to duties as Incharge Sub Jail MPA Hostel Peshawar. Due to his gross negligence/inefficiency in the performance of duties, on 22-04-2022 at about 04:31 PM, the accused MPA Faisal Zaman escaped from Sub Jail in broad day light. Thus he, has committed grave misconduct on his part.

2. For the purpose of inquiry proceedings against the afore-said accused with reference to the above allegations, the below noted inquiry committee is hereby constituted, under Rule-10(1)(a) of the E&D Rules, 2011:

1. Muhammad Arif Deputy Superintendent-cum-Superintendent District Jail Timergara.
2. Mr. Hashmatullah Deputy Superintendent/Deputy Director Inspectorate General of Prisons Peshawar.

3. The Inquiry committee shall, in accordance with the provisions of the Rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to the punishment or other appropriate action against the accused.

4. Mr. Mohy Ud Din Shah Deputy Superintendent Jail Peshawar is hereby nominated as Departmental representative. He and the accused officer shall join the proceedings on the date, time and place fixed by the Inquiry committee.

ENDST; NO. 14477-83

INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Copy of the above is forwarded to:

1. The Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department Peshawar for information with reference to this office letter No. KC/13956/WE dated 23-04-2022.
2. Superintendent Central Prison Peshawar for information and necessary action. Charge sheet in duplicate is sent herewith. One copy of the same duly signed and dated by the above named official may be returned to this office in token of its receipt. An extract copy of Rule-13 of E&D Rules 2011 regarding duties of departmental representative may be handed over to nominated officer.
3. Muhammad Arif Deputy Superintendent-Cum-Superintendent District Jail Timergara.
4. Mr. Hashmatullah Deputy Superintendent/Deputy Director Inspectorate General of Prisons.
For initiating proceedings against the accused under the provisions of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011. A copy of charge sheet is enclosed herewith. An extract copy of Rule-11 of E&D Rules 2011 regarding procedure to be followed by Inquiry committee is enclosed for ready reference please.
5. Mr. Mohy Ud Din Shah Deputy Superintendent Jail Central Prison Peshawar (Departmental Representative) for information.
6. PS to Special Assistant to Chief Minister (For Prisons) Khyber Pakhtunkhwa Peshawar for information.
7. Accused officer concerned.

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

CHARGE SHEET


(19) 269 #


I, Khalid Abbas, I.G. Prisons Khyber Pakhtunkhwa Peshawar, as competent authority, hereby charge Mr. Nisar Ali Assistant Superintendent Jail (under suspension) as follows:

That you, while posted at ~~MP Hostel Peshawar~~ ^{MP Hostel Peshawar} as Assistant Superintendent Jail (BPS-16) committed the following irregularities/misconduct:

You were assigned the duties as Incharge Sub Jail MPA Hostel Peshawar. Due to your gross negligence/inefficiency in the performance of duties, on 22-04-2022 at about 04:31 PM, the accused MPA Faisal Zaman escaped from Sub Jail in broad day light. Thus, you have committed grave misconduct on your part.

2. For the reasons above, you appear to be guilty of inefficiency/misconduct under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules ibid.
3. You are, therefore required to submit your written defense within ten (10) days of the receipt of this Charge Sheet to the Inquiry Officer, as the case may be.
4. Your written defense, if any, should reach the Inquiry Officer 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.
5. Intimate whether you desire to be heard in person .
6. A statement of allegations is enclosed.


INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR


ASSISTANT DIRECTOR
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



(20) 329

OFFICE OF THE
SUPERINTENDENT
DISTRICT JAIL TIMERGARA
Phone/Fax: 0945-9250995
Email: districtjailtimergara@gmail.com

No. _____ / dated: 9/5/2022.

DISTRICT JAIL TIMERGARA DIR LOWER, DISTRICT JAIL TIMERGARA DIR LOWER, DISTRICT JAIL TIMERGARA DIR LOWER, DISTRICT JAIL TIMERGARA DIR LOWER, DISTRICT JAIL TIME

To,

The Superintendent,
Central Prison Peshawar.

SEEN	
I.G.	
A.I.G.	
D.D.	
A.D.	

Subject: **DISCIPLINARY ACTION/INQUIRY.**

Reference letter No. 11476 dated 28.04.2022 of the Inspector General of Prisons Khyber Pakhtunkhwa Peshawar and to state that the undersigned will visit on Thursday **12.05.2022 at 10:30 AM** for conducting inquiry proceedings against Nisar Ali Assistant Superintendent Jail (BPS-16).

It is therefore kindly inform/direct the Assistant Superintendent Nisar Ali for appearance before the ^{Committee} undersigned, for inquiry proceedings on the above, date/time fixed for the purpose please.

Endst. No. _____

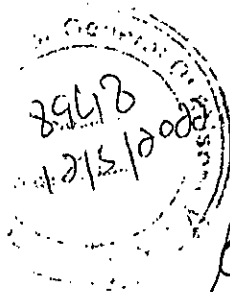
Attested
Ed
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

MUHAMMAD ARIF KHAN
SUPERINTENDENT
DISTRICT JAIL TIMERGARA

Copy of the above is forwarded to:-

1. The Worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information with reference to letters referred to above, please.
2. Mr. Hashmatullah Superintendent/Deputy Director Inspectorate General of Prison for information please. (*Member Committee*)
3. Mr. Mohy Ud Din Shah Deputy Superintendent Central Prison Peshawar (Departmental Representative) for information please.

Muhammad Arif Khan
MUHAMMAD ARIF KHAN
SUPERINTENDENT
DISTRICT JAIL TIMERGARA



A
19/5/22

9/5/22



(21) 205

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 5111/ME/HC DA-5-22

To
The Inspector General of Prisons,
Khyber Pakhtunkhwa Peshawar.

Subject: **DISCIPLINARY ACTION**

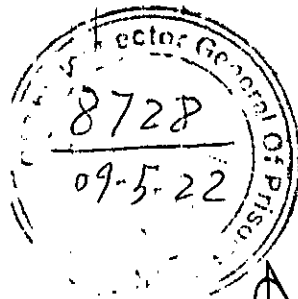
IG	SRIN
AI	
PD	
AD	

Memo:

Kindly refer to your office memo No. 14468 dated. 28-04-2022 on the subject and to return herewith one copy of charge sheet served to the accused officials duly signed by them as desired please.

P-271

[Signature]
SUPERINTENDENT
CENTRAL PRISON PESHAWAR



A
19/5/22

[Signature]
ASSISTANT DIRECTOR
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



(22) 304

**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

☎ 091-9210334, 9210406 📠 091-9213445

No. 15203-4 /-

Dated 12 - 05 - 2022 /-

To.

1. Muhammad Arif,
Deputy Superintendent-cum-Superintendent,
District Jail Timergara
2. Mr. Hashmatullah,
Deputy Superintendent-cum-Deputy Director,
Inspectorate of Prisons Peshawar.

} Inquiry Officers

Subject:

**DETAIL REPORT REGARDING ESCAPE OF MPA FAISAL ZAMAN FROM
SUB JAIL AT MPA HOSTEL PESHAWAR**

Memo.

I am directed to refer to the subject and to forward herewith a copy of Home Department letter No. SO(P&R)HD/2-26/2021 dated 10-06-2022 on the captioned subject (self-explanatory) along with its enclosure for information and necessary action.

[Signature]
DEPUTY DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Endst: No. 15205 /-

Copy of the above is forwarded to the Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department Peshawar for information with reference to Home Department letter referred to above please.

[Signature]
DEPUTY DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

[Signature]
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



(23)

~~239~~

OFFICE OF THE
SUPERINTENDENT
DISTRICT JAIL TIMERGARA
Phone/Fax: 0945-9250095
Email: districtjailtimergara@gmail.com

No. 358/WB dated: 19/05/2022.

To,

The Inspector General of Prisons.
Khyber Pakhtunkhwa Peshawar.

I.G.	
A.I.G.	
D.D.	
A.D.	


Subject


DISCIPLINARY ACTION/INQUIRY REPORT.

R/Sir,


→ P-307

Reference Inspector General of Prison Khyber Pakhtunkhwa Peshawar vide No.144468 dated 28.04.2022 and No. 14476 dated 28.04.2022 and to submit herewith Inquiry Report along with Annexures in matter of escape of accused MPA, Faisal Zaman from Sub Jail (MPA Hostel) at Peshawar for further necessary action as directed/required please.


Muhammad Arif Khan
SUPERINTENDENT
DISTRICT JAIL TIMERGARA
19/5/22


ASSISTANT DIRECTOR
INSPECTOR GENERAL

777
27/6/22


27/6/22

(24) +

INQUIRY REPORT REGARDING ESCAPE OF ACCUSED FAISAL ZAMAN
MPA FROM SUB JAIL AT MPA HOSTEL PESHAWAR

R/Sir,

In compliance of the order of Inspector General of Prison Khyber Pakhtunkhwa Peshawar vide No.144468 dated 28.04.2022 and No. 14476 dated 28.04.2022 visited Central Prison Peshawar & MPA Hostel, along with Hashmatullah Deputy Director I.G Prisons Office Peshawar and Syed Mahayuddin Shah Deputy Superintendent Central Prison Peshawar (Departmental Representative) for inspection of the Room No.11-D Block (Sub Jail) at MPA Hostel declared for confinement of accused Faisal Zaman (MPA) and place of escape and recorded statements of the Sub Jail staff i.e Nisar Ali Assistant Superintendent Jail, Nawab Ali (Chief Head Warder), Kashif (Warder), Rooh ullah (Warder) and Ali Akbar (Warder).

The following statements were recorded which are reproduced as under along with question put to them and replies in order to know the factual position and digging out ground realities of the unpleasant incidence of escape:-

STATEMENTS:-

1. STATEMENT OF NISAR ALI, ASSISTANT SUPERINTENDENT JAIL

Nisar Ali, Assistant Superintendent Jail (BPS-16)/In-charge Sub Jail stated on oath that he was detailed/ deputed on 31.03.2022, in Sub Jail MPA hostel Peshawar where Faisal Zaman , MPA was required to be confined, and that on 22.04.2022 the accused MPA was kept/lodged in room No.11 of Block D after attending Assembly session after proper search but he made good his escape due to unsafe building with the help of his driver and other friends and that as per order contained in the relieving docket, Room No.11 of MPA hostel had been declared as Sub Jail and the adjacent areas outside the Jail and were fall under the jurisdiction of Police Station East and Police force had been deployed for surveillance of the outside area and that there was no facility of CCTV to observe the movements of the accused in the room/ Sub jail and that observing movement of the accused outside the room was responsibility of the Police as per law and rules and that the outside help provided by the driver and his friend in

Atty ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
PAKHTUNKHWA PESHAWAR

(25)

the shape of ladder was the responsibility of the Police to prevent but unfortunately the Police failed to prevent the escape of the accused using ladder. 5/7

Nisar Ali Assistant Superintendent submitted that notifying Rooms of MPA hostel, having no CCTV system, doors and windows of iron grills, was highly unsafe and that when the wooden doors and windows would remained closed they would unable to monitor movement of the accused.

Replying to a number of questions the accused official stated that he was present in his room allotted to him in front of the room notified as Sub Jail and that one Chief warder and three Warders had been deployed for safe and secured custody of the accused MPA, and that a police constable would remain present with him round the clock and that the accused MPA escaped at about 4:30 PM.

(Annexure-A)

2. STATEMENT OF NAWAB ALI, CHIEF WARDER.

Nawab Ali, Chief Warder (BPS-11) stated on oath that he was detailed/deputed for duties in Sub Jail MPA Hostel Peshawar on 31.03.2022, where accused Faisal Zaman MPA, was required to be confined and that on 22.04.2022 he went to sleep at 02:00 PM after performing his duties and that at about 05:00 PM was awakened by warder Ali Akbar and informed that accused Faisal Zaman has escaped and that all present staff searched all parts of the MPA hostel but could not find the accused prisoner.

Replying to a number of questions, the accused official stated that after performing his duties upto 02:00 PM he went guards room and slept and that he was informed at about 5:00 PM by warder on duty that the accused/ prisoner is not present in the room/Sub Jail and that they searched all parts of the hostel but could not find him and that he remained unaware of any plan for escape.

(Annexure-B)

3. STATEMENT OF ALI AKBAR WARDER.

Stated that the charges level against him is baseless, result of some biased and prejudicial misinformation and he deny the same and explained his position as follows:

1. That initially he was recruited against the post of warder way back in the year 2013, since then has been performing duties to the entire satisfaction of the high-ups. He was never proceeded against departmentally.

Attorney
ASSTANT DIRECTOR
INSPECTOR GENERAL
HYDERABAD PAKHTUNKHWA PESHAWAR

- (26)
3/5
2. That on eventful day, he was performing duties at Sub jail at MPA Hostel, jail Road, Peshawar where accused/MPA Faisal Zaman was brought and resultantly entered judicial lock-up. Sub jail having two rooms a door with same/single entrance/exit where he was discharging duties to keep watch on him.
 3. The accused official stated that through balcony/terrace of the Sub jail the said accused/MPA in connivance with the personal Driver fled away from the judicial lockup through the stair provided by him. It is important to narrate here that the duty as assigned to him was that of internal in nature where external duty was the responsibility of the police personnel on duty outside the building.
 4. That he was vigilantly performing his duties where through CCTV it was revealed that the accused/MPA ran away from Judicial Lock-up in his private Vehicle with his personal Driver and Guard, therefore, He cannot be blamed for the occurrence because the way as adopted by the accused/MPA is not generally used rather it was the duty of the Police personnel to handle/control the external security.
 5. That all sudden, he was subjected for the departmental proceedings by issuing the instant Charge Sheet and Statement Allegations under Rule-3 of the Government Servants (Efficiency & Discipline) Rules, 2011. In this backdrop of the matter, it contended that the charge as leveled against him are ambiguous and it is cardinal principle of law that the delinquent civil servant has to be provided with full chance of defense by furnishing clear language of charges.
 6. That on the day, he was performing duties alongside other warders. Moreover, it is crystal clear from the CCTV footage that the accused/MPA fled away from the judicial lockup via balcony for which he should not be subjected to departmental proceedings because as a human being it is not possible to keep watch on two opposite side of the a building. As other Police Personnel were also there to perform their duties and it was their responsibility to restrain the accused/MPA from escaping from the Judicial Lockup.

Attest
Sd/-
ASSISTANT DIRECTOR
INSPECTORATE GENERAL P.D. SOHS
KHYBER PAKHTUNKHWA PESHAWAR

- (27)
~~27~~
7. That it is steadfast principle of law that whenever Sub-Jail is declared by the Home Department, a Notification is circulated to the concerned quarters wherein the is also printed out, therefore, the In-charge of the Police Official is also responsible for the said act because accused/MPA left through the main Gate, the personnel on duty did not bother to inquire from the accused/MPA about his exit there-from. Moreover, Nisar Khan In-charge was also present on the eventful day with him.
8. That he has rendered more than 9 years unblemished service for the Department even without any single warning, therefore, keeping in view his elegant service record, and may kindly be exonerated for the charges leveled against him

Replying to a number of questions the accused official stated that at about 4:30 PM along with Assistant Superintendent adjacent to the room of MPA. Police Constable Haseenullah came at that time and said that his charger has left there. He stated shouting after some time that MPA is not present his room. The accused did not escape on the main entrance but he escaped in the second/ back door, which is opening towards balcony from room of confinement of MPA. He said that the accused scaled down on the stairs from balcony with the help of his driver. He was confined in room No.11-D Block, while his driver and cook were also allotted another room, No.12-D (Annexure-C)

4. STATEMENT OF MUHAMMAD KASHIF KHAN, WARDER

Muhammad Kashif Khan, Warder stated on oath that he was detailed/deputed for duties in Sub Jail MPA Hostel Notified as Sub Jail for Confinement of Faisal Zaman, MPA and in compliance, he performed his duties and that on 22.04.2022, he performed his duties from 12:00 PM to 04:00 PM, efficiently, effectively and honestly and that he was not negligent in the performance of his duties and that nothing unlawful/illegal happened during his duty time, and that during his duties MPA had not escaped from custody and that as per prison Rules, external security is the responsibility of the police and that he is innocent in the instant case and may be re-instated in

Attest

ASSISTANT DIRECTOR
STATE GENERAL OFFICE
MUMBAI

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Replying to a number of question the accused official stated that he performed his duties from 12:00PM to 40:00 PM on the day of occurrence and that he was informed telephonically by warder Ali Akbar at about 40:50 PM regarding the escape of the accused MPA, and that he participated in search of the surrounding area to re-arrest the accused but could not find him.

(Annexure-D)


5. STATEMENT OF ROOHULLAH, WARDER

Roohullah, Warder Stated on Oath that he was detailed/deputed for duties to Sub Jail in MPA Hostel Peshawar and that on 22.04.2022, he performed his duties from 08:00 am to 12: 00PM as per duty roaster and that he made preparation for *Juma* Prayer after performing his duties and that he never made any negligence in the performance of his duties and that on 22.04.2022, at 04.30 PM he was not on duty and that the incident of escape of prisoner not happened due to his negligence and that according to prison rules, external security of the Jail is responsibility of the Police and that he may be exonerated from the charges and the departmental proceedings may be closed.

Replying to a number of Questions he stated that he performed his duties from 08:00 AM to 12:00 PM and that he had gone to bazar for shopping and that he was informed by Ali Akbar, warder telephonically regarding the escape of prisoner and that he participated in search of all parts of the MPA hostel but could not find the prisoner as he had escaped in his vehicle from the hostel. (Annexure-E)

FACTS OF THE CASE:-

1. Faisal Zaman MPA was under trial prisoner in Case FIR No.7 dated 14.09.2020 U/S 302.324.34.427.21-1-ATA of Police station CTD Hazara and remained confined in District Jail Abbottabad.
2. Speaker of the Provincial Assembly of Khyber Pakhtunkhwa vide production order No.PA/Khyber Pakhtunkhwa/Legis-1/produ:Orders/2022/7011 dated 09.03.2022 issued directions that Mr. Faisal Zaman MPA to be produced at the commencement of each sitting of 21st Session of the provincial Assembly of Khyber Pakhtunkhwa.

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ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

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3. In compliance to the production order of the Provincial Assembly Khyber Pakhtunkhwa, Faisal Zaman MPA was shifted from District Jail Abbottabad to Central Prison Peshawar on 14.03.2022. He was produced for attending before sessions of Provincial Assembly of Khyber Pakhtunkhwa til 31.03.2022 from Central Prison Peshawar.
4. The Provincial Government of Khyber Pakhtunkhwa vide Home Department Notification No. SO(P&R)HD/2-26/2021/Decl:Sub: Jail dated 30.03.2022 declared Sub Jail at MPA Hostel Room No.11 Block D for further confinement of accused Faisal Zaman MPA. Accordingly he was shifted on 31.03.2022 for further production of Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa continued from the Sub Jail at MPA Hostel Peshawar.
5. The following Officer and Staff of prison Department of Central Prison Peshawar was deployed on Sub Jail declared at MPA Hostel for Faisal Zaman MPA.
 - a. Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16), In-charge Sub Jail MPA Hostel Peshawar.
 - b. Mr. Nawab Ali Chief Warder (BPS-11) attached to Sub Jail MPA Hostel Peshawar.
 - c. Warder Kashif (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
 - d. Warder Rooh Ullah (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
 - e. Warder Ali Akbar (BPS-07), attached to Sub Jail MPA Hostel Peshawar.
6. District Police Squad in the charge of Sub Inspector Haroon along with staff was also deployed which besides providing security to the Sub Jail was also producing the Faisal Zaman MPA before the Provincial Assembly Khyber Pakhtunkhwa.
7. On 22.04.2022 Faisal Zaman MPA returned from the Provincial Assembly Khyber Pakhtunkhwa around 02:40 PM and was confined in his room. Around 04:45 PM the staff deployed on duty found that Faisal Zaman MPA is not present in his room and they forthwith started searching him there but

Attest
DIRECTORATE
PESHAWAR
PAKHTUNKHWA

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FINDINGS OF THE CASE:-

After recording all statements of accused official and Watch & Ward staff and visit of the Sub Jail in question from where accused Faisal Zaman MPA (Involved in Murder case facing trial in ATC Abbottabad) made good his escape around 4:40 PM on 22.04.2022, it is concluded that the concerned prisoner/MPA escaped due to the gross negligence of all on duty, both Police and prison staff. As far as the role of prison staff is concerned all were not performing their duties as efficiently as required under the prison rules, nor vigilant enough to prevent the escape in question due to the following reasons.

1. Nisar Ali, Assistant Superintendent (In-charge) was not present at the time of escape at his place of duty and MPA Hostel, and failed to perform his duty as efficiently as required and directed, resulting in escape of under trial prisoner. He did not reside in the room allotted to them for duty at MPA Hostel, which was right in front of Room No.11-D (Sub Jail) hence committed gross negligence and inefficiency in the performance of his allotted duty and lack of control over his subordinate staff.
2. Chief Warder Nawab Ali, failed to perform his duty efficiently and remained absent from duty during night hours and committed gross negligence and highly irresponsible approach in the performance of duty at Sub Jail, nor taken any measures for prevention of escape or any other unpleasant situation and also failed to prevent escape.
3. Nisar Ali, Assistant Superintendent (In-charge) failed to report the arrival of concerned accused MPA back till late hours at night after Assembly session, which speaks volume of no check and violation or not following the provisions of Prison rules for confinement of prisoner properly in Sub Jail and keeping vigilant eye on his movement in the premises of MPA Hostel .
4. Warder Ali Akbar on duty at the time of escape failed to prevent escape of concerned prisoner as he was not vigilant and sitting in the allotted room, nor noticed the escape or informed Police staff timely for its prevention, nor

Attest

ASSISTANT DIRECTOR
INSPECTOR GENERAL
MURDER PAKHTUNKHA

performed duty as efficiently as required under the provision of prison rules, hence totally responsible for occurrence of escape of accused MPA.

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5. Other Warders Kashif & Roohullah were also not present in the premises of MPA Hostel at the time of escape nor performed their duties as efficiently as required under the prison rules due to the loose control of Assistant Superintendent Jail over staff on duty.
6. No steps for proper control/custody of prisoners (MPA) at Sub Jail were taken either by Jail/ Police staff, nor there was any co-ordination, nor proper security plan for safe and sound custody of prisoner in question at Sub Jail, was chalked out and no measures were adopted for ensuring strict control and supervision over movement of prisoner and activities of accused MPA.
7. No CCTV cameras are installed in corridor or his rooms or around the specific building of MPA Hostel through which the movement of accused MPA out of his room of confinement can be monitored or supervised by staff. The room of his confinement cannot locked from outside as required, besides another door in the room opening towards balcony, through which the accused MPA is stated to be escaped by prison staff, which was only option for him as stated by prison staff in their statements, otherwise there was no restriction/check on him for leaving his room and rooming around in the premises of MPA Hostel or outside MPA Hostel on his own sweet will and manner through police staff. The outer security of the that Sub Jail was the responsibility of Police staff deputed at Sub Jail and his private vehicle as well as his personal driver was also allowed by Police staff, giving easy and free access to him for rooming around in Peshawar City till late hours as evident from the record of the Jail, enclosed as **Annexure- F** along with other documents.
8. The role of police and I/C of staff detailed for outer security in the escape of that Sub jail, their disobedience, insubordination, vigilance and inefficiency as well as non-adoption of any preventive measures or check on movement of going outside the premises of MPA Hostel cannot be ruled out and is the key factor in managing escape of accused MPA from Sub Jail with the

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ASSISTANT DIRECTOR
INSPECTORATE GENERAL
KHYBER PAKHTUNKHWA PRISONERS

convenience of his driver in vehicle as shown in the footage of CCTV Cameras. (33)
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9. Accused MPA (Faisal Zaman) is still absconding and escapee, his re-arrest has also been requested to CCPO, Peshawar/DPO Abbottabad vide letter No. 13957-63 dated 23.04.2022 efforts of police department are under way but in vain till date.
10. FIR lodged by superintendent Central Prison Peshawar against Prison Staff on duty at Sub Jail on the day of occurrence of escape i.e. 22.04.2022 and all concerned were released on bail from concerned court due to charging them under bailable offences on 23.04.2022.
11. Taking the plea by concerned prison staff of responsibility of security by police cannot absolve them from the charge leveled against them, nor it is the ambit of police Department to keep the prisoner in safe custody as per prisons rules in Jail as In-Charge of that Jail was the custodian of concerned prisoner.

CONCLUSION:

After conducting a thorough inquiry into the allegations/charges leveled against the accused officials it is crystal clear that the charges leveled against Mr. Nisar Ali Assistant Superintendent Jail (In-Charge) Sub Jail at MPA Hostel Peshawar, Chief Warder Nawab Ali and Warder Ali Akbar are fully proved without any shadow of doubt for which they are liable to be proceeded against under the Government Servants (Efficiency & Discipline) Rule 2011 and punished accordingly for gross negligence, their inefficiency and disobedience in the performance of their duties as well as lack of responsibility for safe and sound custody of Faisal Zaman MPA (under trial prisoner) resulting in escape of accused MPA in question from Sub Jail at MPA Hostel Peshawar. The allegations/Charges leveled against Warder Roohullah and Kashif are partially proved as they were not on duty at the time of escape.

RECOMMENDATION:

1. It is recommended that the accused officials being guilty and violated Prison rules of Khyber Pakhtunkhwa Rules 2018 regarding safe custody and control of prisoners involved in heinous offence and prevention of escape

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GENERAL
KHYBER PAKHTUNKHWA

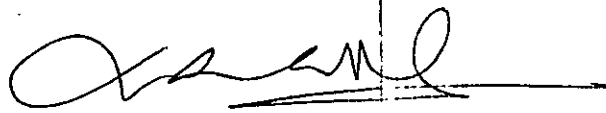
from Sub Jail as well as failure on part on prison staff for taking security measures/ steps, non-submission of reports of unauthorized & unlawful movements of prisoner and careless approach towards proper security and negligence by Police staff to Inspector General of Prisons are liable be punished under Government servant (E&D) Rules 2011, therefore they may be awarded the following punishments as recommended below:-

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1. Nisar Ali, Assistant Superintendent (BPS-16) may be awarded major penalty of "Compulsory Retirement from service".
 2. Nawab Ali, Chief Warder (BPS-11) may be awarded major penalty of "Compulsory Retirement from service".
 3. Ali Akbar, Warder (BPS-07) may be awarded the major penalty of "Removal From Service".
 4. Roohullah, Warder (BPS-07) and Kashif Warder (BPS-07) may be awarded major punishment of "Reduction to lower stage in pay scale".
2. As the outer security and security audit of that Sub Jail is the responsibility of Police Department and concerned officers and official, and detrimental for safe and secure place of confinement of prisoner in such like circumstances and cases. A committee comprising representative of Home Department and of police, prison and Elite Force officers may be constituted for recommendation of proper place and building whenever required and for whosoever and deemed appropriate to avoid such like incidents in future.

Submitted as desired for further necessary action please

Hashimatullah
DEPUTY DIRECTOR
INSPECTORATE OF PRISONS
KHYBER PAKHTUNKHWA
PESHAWAR


Muhammad Arif Khan
SUPERINTENDENT
DISTRICT JAIL TIMERGARA

19/5/22

Atter
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

بیان نثار علی سینئر اسٹنٹ سپرنٹنڈنٹ سنٹرل جیل پشاور

جناب عالی!

حلیفہ بیان کرتا ہوں کہ میں سنٹرل جیل پشاور میں بطور سینئر اسٹنٹ سپرنٹنڈنٹ جیل فرائض سرانجام دے رہا تھا کہ مورخہ 31-03-2022 کو افسران بالا سے سب جیل MPA ہاسٹل میں مزید ڈیوٹی کرنے کا حکم موصول ہوا۔ جہاں پر فیصل زمان MPA نامی حوالاتی پابند جوڈیشل حوالات تھا۔ لہذا میں نے حسب الحکم سب جیل MPA ہاسٹل میں جا کر ڈیوٹی شروع کر دی۔

چونکہ MPA ہونے کے ناطے ملزم کی MPA ہاسٹل میں بندش، وہاں پر منتقلی کیلئے ہاسٹل کو سب جیل کا درج دینے اور صوبائی اسمبلی کے اجلاسوں میں شرکت وغیرہ جیسے سہولیات میسر تھیں۔ لہذا اُس روز یعنی 22-04-2022 کو بھی ملزم کو اسمبلی اجلاس میں شرکت کے لیے جایا گیا تھا۔ جہاں سے واپسی پر ہاسٹل کے کمرہ نمبر 11 بلاک نمبر D میں مناسب تلاشی کے بعد بند کیا گیا۔ لیکن ہاسٹل کے کمرے کو جیل کیلئے نامناسب عمارت اور ڈرائیور اور دیگر ساتھیوں کے ہاتھ سازش کے نتیجے میں ملزم فائدہ اٹھاتے ہوئے جیل سے مورخہ 22-04-22 کو فرار ہو گیا۔ جس کو CCTV کیمروں میں اپنے لوگوں کے ساتھ فرار ہوتے ہوئے دیکھا گیا ہے۔

یہاں پر یہ امر قابل ذکر ہے کہ مجھے سب جیل میں ڈیوٹی کرنے کیلئے جو آرڈر Releiving Docket دیا گیا تھا۔ اُس میں ہاسٹل کے کمرہ نمبر 11 کو جیل کا درجہ دیا گیا تھا اور ملزم کو اسی کمرہ میں رکھا گیا تھا۔ جہاں پر اُس کو گھومنے پھرنے یعنی ٹوائلٹ وغیرہ میں کوئی پابندی نہیں تھی۔ لیکن چونکہ کمرہ کے باہر چاروں طرف بالحدہ اور متصل علاقہ جیل سے باہر ہونے کی وجہ سے تھانہ شرقی کے اختیار و حدود میں تھا۔ لہذا اس وجہ سے جیل کے بیرونی علاقے کی دن رات کی حفاظت اور نگران کیلئے پولیس کا عملہ پہلے سے تعینات کیا جا چکا تھا۔ اور جیل سے باہر جیل عملہ کی کسی قسم کی مداخلت یا عملداری اس کے دائرہ اختیار میں نہیں آتا اور غیر قانونی تصور کیا جاتا ہے۔ یہاں پر اس امر کی وضاحت بھی ضروری کہ جیل میں CCTV کیمرے کی سہولت بھی موجود نہ تھی۔ کہ جیل کے ہر حصے کو جیل کے اندر دیکھا جاسکتا۔ لہذا

R.O. Attested

12/5/22

فارغ ہو کر سب سے پہلے ہی میرے پاس آئے

دیکھو

باہر کے ہر قسم کے سرگرمیوں یا حرکات پر نظر رکھنا اور اس روکنا ڈیوٹی پر موجود پولیس عملہ کی قانونی ذمہ داری ہوتی ہے۔
 ملزم کو اپنے ڈرائیو اور دیگر ساتھیوں نے فرار کیلئے بیرونی مدد سیزھی وغیرہ فراہم کی جس کے روکنے کیلئے قانونی ذمہ داری
 ڈیوٹی پر موجود پولیس اہلکاروں کی تھی مگر بد قسمی ہاسٹل کے اوپر والے کمرہ سے سیزھی سے اترتے ہوئے فراری کا روکا نہیں

جاسکا۔

جیسے کہ آپ صاحبان کی خدمت میں گزارش کی گئی ہے کہ سیکورٹی کے لحاظ سے ہاسٹل کے کمروں کو جیل قرار دینا
 انتہائی نامناسب ہے کیونکہ نہ تو ان کمروں CCTV کمپروں کا کوئی انتظام ہے اور نہ ہی لوہے کی مضبوط دروازے
 کھڑکیاں اور روشندان ہیں بلکہ کمروں میں لکڑی کے دروازے جب بند کیئے جاتے ہیں تو جیل عملہ کو ملزم کے حرکات و
 سکنات نظر نہیں آتے اور موجود وقوعہ میں بھی ملزم اسی کمزوری اور خامی کا فائدہ اٹھا کر فراری میں کامیاب ہو گیا۔
 جناب عالی! میں عرصہ 35/36 سال سے محکمہ جیل خانہ جات میں فرائض سرانجام دے رہا ہوں اس پورے
 عرصہ میں اپنی ڈیوٹی ایمانداری، لگن اور قانون کے مطابق سرانجام دی ہے۔ اور کبھی افسران بالا کو شکایت کا موقع دیا ہے
 اسی طرح MPA ہاسٹل میں بھی اپنی ڈیوٹی نہایت ایمانداری پوری توجہ اور قانون کے مطابق سرانجام دی ہے۔ چونکہ
 ملزم مندرجہ مذکورہ حالات میں جیل سے فرار ہو چکا ہے۔

لہذا من سائل کو فراری میں غفلت برتنے کے الزام سے بری الذمہ قرار دیا جائے اور کسی ناکردہ جرم کی سزا نہ
 دی جائے۔ جس کیلئے میں آپ صاحبان کیلئے عمر شکر گزار رہونگا۔

Arrested
D. M. L.

آپ کا تابع اور ملازم
 شاعلی

شاعلی سینٹرا سٹنٹ سپرٹینڈنٹ سنٹرل جیل پشاور

22/12/22
 سوال: مولانا فیصل زمان کو درجہ جیل سے فرار سزا
 جواب: درجہ جیل سے فرار سزا
 7/1/2024
 7/1/2024

22
 فارغ ہو کر سیاہی کے بارے میں

(37) 463



**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406 091-9213445

No. 3/14-J-22-23073-1-WE

Dated 21-07-2022

To

The Superintendent,
Central Prison Peshawar

Subject:
Memo:

SHOW CAUSE NOTICES

I am directed to refer to the subject and to forward herewith Show Cause Notices (in duplicate) in respect of the below noted (under suspension) officer/officials attached your Jail for service upon them. Duplicate copy of the Show Cause Notice duly signed and dated by them may be returned to this office as a token of its receipt:

1. Nisar Ali Assistant Superintendent Jail
2. Nawab Ali Chief Head Warder
3. Rooh Ullah Warder
4. Ali Akbar Warder
5. Kashif Warder

Atties
 ASST. DIR. GEN. PRISONS
 INSPECTORATE GENERAL OF PRISONS
 KHYBER PAKHTUNKHWA PESHAWAR

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[Signature]
 DEPUTY DIRECTOR (E)
 INSPECTORATE GENERAL OF PRISONS,
 KHYBER PAKHTUNKHWA PESHAWAR

[Signature]

(38) 465

SHOW CAUSE NOTICE

I. Saadat Hassan, Inspector General of Prisons Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Mr. Nisar Ali Assistant Superintendent Jail (BPS-16) (under suspension) posted at Central Prison Peshawar as following :

- i. That consequent upon the completion of inquiry conducted against you by the Inquiry Committee for which you were given opportunity of hearing;
- ii. That on going through the findings and recommendations of the Inquiry Committee, the material on record and other connected papers including your defense before the Inquiry Committee;

I am satisfied that you have committed the following acts/omissions specified in rule-3 of the said rules:

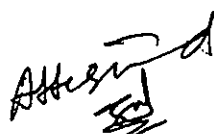
(a). Charge of gross negligence /inefficiency fully proved.

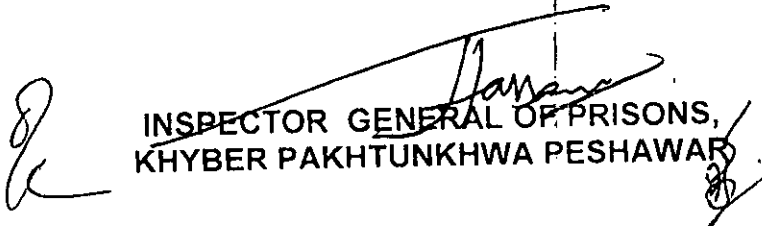
2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the major penalty of "Compulsory retirement from service" under rule-4 of the said rules.

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

4. If no reply to this notice is received within seven days or not more than fifteen (15) days of its delivery, it shall be presumed that you have no defense to put in and in that case, ex-parte action shall be taken against you.

5. A copy of the findings of the Inquiry Committee is enclosed.


ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR


INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR



OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 10391 / Dt: 19/8/2022
WE

(39) 677

To,

The Inspector General of Prisons,
Khyber Pakhtunkhwa Peshawar.

Subject: **SHOW CAUSE NOTICES.**



R/Sir,

Reference your Worthy office letter No. 23073/WE dated 21-07-2022.

A copy of Show Cause notices duly signed and dated by the below noted officer / officials are enclosed herewith:-

1. Nisar Ali Assistant Superintendent Jail
2. Nawab Ali, Chief Head Warder
3. Ali Akbar, Warder
4. Kashif, Warder.
5. Wader Rooh Ullah.

Moreover, written reply of the above show cause notices by official at S.No. 3, 4 & 5 were directly submitted to Inspectorate, however, reply in respect of Officer / official at S.No1 & 2 is enclosed herewith for your kind perusal and necessary action, please.

SUPERINTENDENT
CENTRAL PRISON PESHAWAR

Assistant Director
Inspectorate General
Khyber Pakhtunkhwa

16527
19-8-22

7/9/22

(40) 495

SHOW CAUSE NOTICE

I, Saadat Hassan, Inspector General of Prisons Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve upon you, Mr. Nisar Ali Assistant Superintendent Jail (BPS-16) (under suspension) posted at Central Prison Peshawar as following :

- i. That consequent upon the completion of inquiry conducted against you by the Inquiry Committee for which you were given opportunity of hearing;
- ii. That on going through the findings and recommendations of the Inquiry Committee, the material on record and other connected papers including your defense before the Inquiry Committee;

I am satisfied that you have committed the following acts/omissions specified in rule-3 of the said rules:

(a). Charge of gross negligence /inefficiency fully proved.

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the major penalty of "Compulsory retirement from service" under rule-4 of the said rules.

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

4. If no reply to this notice is received within seven days or not more than fifteen (15) days of its delivery, it shall be presumed that you have no defense to put in and in that case, ex-parte action shall be taken against you.

5. A copy of the findings of the Inquiry Committee is enclosed.

Hassan
INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Ali
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

R/Six
I have reviewed Show Cause
letter alongwith finding of the
Inquiry Committee today on 22-07-2022

Nisar Ali
ASJ, CP Peshawar

(41)

S.F.

**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406 091-9213445

No. 3/14-J-22-31703-1-

Dated 16-09-2022-1-



*Immediate
Out today*

To

The Superintendent,
Central Prison Peshawar

Subject
Memo:

DISCIPLINARY ACTION/PERSONAL HEARING

I am directed to refer to the subject and to state that the below noted officer/officials (under suspension) may please be directed to appear before the Worthy I.G for personal hearing in the disciplinary proceeding on 27-09-2022 at 10:00 AM positively:

- 1 Nisar Ali, Assistant Superintendent Jail
- 2 Nawab Ali, Chief Head Warder
- 3 Ali Akbar Warder
- 4 Kashif Warder
- 5 Rooh Ullah Warder

I am further directed to state that the history of the service of the above mentioned officer/officials from their service book record on the below noted prescribed form may be submitted to this office within two days positively for further necessary action by this office please

S#	Name & Parentage	Designation	D/O/Birth	D/O Appointment.	Penalties awarded previously	Name of jail to which he attached for pay.

ASST. DIR.
ASSTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

16/9/22
ASSISTANT DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Endst. No. 31703-1-

Copy of the above is forwarded to the:

- 1 P A to I.G Prisons Khyber Pakhtunkhwa, Peshawar for information.
- 2 PS to Special Assistant to Chief Minister (For Prisons) Khyber Pakhtunkhwa Peshawar for information.

16/9/22
ASSISTANT DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR



(42) 55

OFFICE OF THE
SUPERINTENDENT
CENTRAL PRISON PESHAWAR
No. 12469 / Dt: 22/09/2022

To,
The Inspector General of Prisons,
Khyber Pakhtunkhwa Peshawar.

SEEN	
I.G.	
A.I.G.	
D.D.	
A.D.	

Subject: **DEPARTMENTAL APPEAL.**

Respected Sir,

→ P-551

Reference your Worthy office letter No. 31703 dated 16-09-2022.

The requisite views / comments on the prescribed format is as under:-

S#	Name with Parentage	Rank	Date of Birth	Date of Appointment	Detail of Posting
1	Nisar Ali s/o Said Rehman	Assistant Superintendent Jail (BPS-16)	10-05-1967	29-01-1985	1. CP Peshawar 2. DJ Dir Lower 3. CP Peshawar 4. SJ Dassu 5. CP Peshawar 6. CP Bannu 7. CP D.I Khan 8. CP Peshawar 9. CP Haripur

Penalty Awarded during Service:-

1. As per service book record he was Removed from service", by Supdt HQs Peshawar dated 19-06-1988 and upon acceptance of service appeal he was reinstated into service on 29-05-1991, by Service Tribunal Khyber Pakhtunkhwa Peshawar, vide Supdt HQs Prison Peshawar order dated 27-05-1991, (copy enclosed)
2. One Increment stopped for one year", dated 10-04-1999.
3. CENSURE", by Supdt HQs Prison Haripur dated 06-09-2012
4. CENSURE", by Supdt HQs Prison Haripur dated 15-09-2017

2-- NAWAB ALI S/O SHAMSHER

S#	Name with Parentage	Rank	Date of Birth	Date of Appointment	Detail of Posting
	Nawab Ali s/o Shamsher	Chief H/Warder	25-10-1964	01-11-1987	1. DJ Kohat 2. CP Peshawar 3. CP Haripur 4. CP Peshawar 5. CP Haripur 6. CP Peshawar 7. CP D.I Khan 8. DJ Abbottabad 9. CP Peshawar 10. SJ Charsadda 11. CP Peshawar 12. SJ Charsadda 13. CP Peshawar 14. SJ Nowshera 15. CP Peshawar

Penalty Awarded during Service:-






1. **Minor Penalty**— "CENSURE" dated 12-09-1992.
2. **Minor Penalty**— "Absence period is treated as leave without pay.
3. **Major Penalty**— "Reduction to lower post i.e from Head Warder to Warder, vide I.G Prisons order dated 21-04-2012 and upon acceptance of service appeal his penalty was set aside vide judgment dated 12-08-2017 and the case reminded back to the


Alleged
ASSISTANT DIRECTOR
INSPECTORATE GENERAL
KHYBER PAKHTUNKHWA PESHAWAR

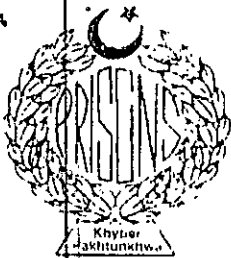
(43) - 44

ATTENDANCE OF PERSONAL HEARING OF ACCUSED OFFICER/OFFICIAL BEFORE
THE WORTHY I.G. IN DISCIPLINARY ACTION ON 27-09-2022 AT 10:00 A.M.

563

NAME OF OFFICER OFFICIAL & CNIC #	SIGNATURE
1. Nisar Nisar Ali, Assistant Superintendent Jail	
2. Nawab Ali, Chief Head Warder	
3. Ali Akbar Warder	
4. Kashif Warder	
5. Rooh U llah Warder	

Adhered

ASST. SUPERVISOR
CORRECTIONAL DEPARTMENT
ISLAMABAD



(44) 56

**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406

091-9213445

No. 3/14 J-22 - 3320-1

Dated 29 - 09 - 2024

ORDER

WHEREAS, the following accused officer/officials (under suspension) attached to Central Prison Peshawar proceeded against under Rule-3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 on charges mentioned in the charge sheets served upon them vide this office orders No. 14468-75 & 14476-83 dated 28-04-2022:

1. Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16)
2. Mr. Nawab Ali, Chief Head Warder (BPS-11)
3. Muhammad Kashif S/O Fazal Mir, Warder (BPS-07)
4. Roohullah S/O Shakirullah, Warder (BPS-07)
5. Ali Akbar S/O Bakht Muhammad Khan, Warder (BPS-07)

AND WHEREAS, an Inquiry Committee consisting of the following officers was constituted vide this office orders No. referred to above for conducting inquiry in the matter:

1. Muhamamd Arif, the then Deputy Superintendent-cum-Superintendent District Jail Timergera
2. Mr. Hashmatullah, the then Deputy Superintendent -cum-Deputy Director, Inspectorate of Prisons, Peshawar.

AND WHEREAS, the Inquiry Committee concerned submitted their findings according to which charges against accused officer/officials at serial No. 01, 02 & 05 above fully proved and charges against accused officials at serial No. 03 & 04 above partially proved.

AND WHEREAS, the undersigned, being competent authority, issued the Show Cause Notices to the accused officer/officials mentioned above and they furnished their replies but failed to prove their innocence.

AND WHEREAS, the undersigned, being competent authority, granted them the opportunity of personal hearing on 27-09-2022 as provided under rules ibid. During the course of personal hearing, the accused officer/officials failed to prove their innocence.

NOW THEREFORE, in exercise of powers conferred under Rule-14 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, having considered the charges, evidence on record, explanation of the accused officer/officials as well as recommendations of the Inquiry Committee and after affording the opportunity of personal hearing, the undersigned being competent authority is pleased to impose the penalties as noted against their names:

S#	Name of officer/officials	Penalty awarded
1.	Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16)	Compulsory retirement from service with immediate effect
2.	Mr. Nawab Ali, Chief Head Warder (BPS-11)	Compulsory retirement from service with immediate effect
3.	Muhammad Kashif S/O Fazal Mir, Warder (BPS-07)	Reduction to lower stages in time pay scale for a period of 03 years without cumulative effect.

(45) 567



**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406

091-9213445

No. _____

Dated 2-9-09 - 2024

4.	Roohullah S/O Shakirullah, Warder (BPS-07)	Reduction to lower stages in time pay scale for a period of 03 years without cumulative effect.
5.	Ali Akbar S/O Bakht Muhammad Khan, Warder (BPS-07)	Removal from service with immediate effect

Officials at serial No. 03 & 04 above (Muhammad Kashif & Roohullah Warders) are hereby reinstated in service with immediate effect and the period of suspension in respect of officials at serial No. 01, 02, 03 & 04 is hereby treated as duty for all purposes.

**INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR**

ENDST: NO. _____

Copy of the above is forwarded to:

1. Secretary to the Government of Khyber Pakhtunkhwa, Home & TA's Department for information.
2. Accountant General, Khyber Pakhtunkhwa Peshawar for information.
3. The Superintendent, Circle HQ's Prison Peshawar for information.
4. The Superintendent, Central Prison Peshawar for information.

Necessary entry may please be made in the Service Books of the officer/officials under proper attestation.

5. Muhammad Arif, Deputy Inspector General, Regional Prisons Office Mardan for information
6. Mr. Hashmatullah, A.I.G Prisons, Inspectorate of Prisons, Peshawar for information.
7. Officers/Officials concerned C/O Superintendent Central Prison Peshawar.
8. PS to Special Assistant to Chief Minister (For Prisons) Khyber Pakhtunkhwa Peshawar for information.
9. Confidential clerk for placing a copy of this order in C.R dossier of the officer at serial No. 01 above.

Ali...
**ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

[Signature]
**DEPUTY DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR**

(46)

22

To

The Home Secretary
Government of Khyber Pakhtunkhwa,
Peshawar

Subject:- DEPARTMENTAL APPEAL AGAINST THE IMPUGNED
ORDER DATED 29/09/2022 WHEREBY THE
APPELLANT WAS COMPULSORY RETIRED FROM
SERVICE.

Respected Sir!

Succinctly stated facts giving rise to file the instant
Departmental Appeal against the impugned order dated are
as under:-

1. That the Appellant along with other officials, had been deputed at MPA Hostel Peshawar, that was declared as a Sub Jail for the Accused, MPA namely Faisal Zaman.
2. That the said Accused MPA was allotted Room No 11 at Block D, MPA Hostel Peshawar which was given the status of Sub Jail. The Appellant and other officials were entrusted with duty to look after and keep watchful eye on the Accused MPA.
3. That the said Accused MPA escaped from the MPA Hostel on 22/04/2022. Later on, it revealed that Personal Guard and Driver of the said MPA were the facilitators to make the escape possible.

Issue Branch Home Deptt

No. 19190 Dated 29/10

Alk...

ASSISTANT DIRECTOR
INSPECTOR GENERAL PRISONS
KHYBER PAKHTUNKHWA PESHAWAR
Adl Secy

AS (Prisons) L

(47)

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4. That at the time of Accused MPA escape, the Appellant was performing duty at his office and was informed by his subordinates about the unfortunate incident.
5. The Appellant has taken all the humanly possible measures to recapture the Accused MPA but despite all his sincere efforts it went in vain.
6. That the Department issued Show Cause Notice Dated 28/04/2022 to the Appellant which was replied accordingly but to the utmost surprise of the Appellant, his bona fide assertions were overlooked and Appellant was compelled for forced retirement.
7. That feeling aggrieved from the said impugned order the Appellant, now, file this Departmental Appeal for the redressal of his grievances, inter alia, on the following ground:-

Grounds:-

- a) That equating the security scales/measures of proper Jail/ Prison and Sub Jail is impossible. An established Jail by all means is considered highly secured than Sub jail in terms of security and look after of the prisoners.

Attest
Ed

ASSISTANT DIRECTOR
INSPECTOR GENERAL OF PRISONS
MUMBAI

(48)

- b) While Declaring MPA Hostel Peshawar as Sub. Jail for Accused MPA namely Faisal Zaman not all the protective facilities were provided. MPA Hostel has large premises both territorially and constructionally and to safeguard each and every corner of the said Hostel there need a considerable numbers of security Personals. Unfortunately we were lacking reasonable numbers of security Personal in terms of security and looking after the Accused MPA.
- c) That having some privileges and immunities we were unable to escort the Accused MPA from Assembly to the Hostel and vise versa, as it was the responsibility of police, hence, we could not keep an eye on said MPA all the time. Apart from this we are not given the schedule of Assembly Session and possible departure and Arrival time table of the said MPA.
- d) That as stated above, a Personal Guard and Driver of the Accused MPA played a pivotal rule in his escape, I am unable to understand under what law and conditions they were allowed to keep the company of the said MPA.
- e) That due to lack of security Personals the Accused MPA has preferred an unusual route to make his escape possible, hence, stringent actions against the Appellant make no sense in the circumstances.

Attest

ASSISTANT DIRECTOR
INSPECTOR GENERAL PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

(49)

~~52~~

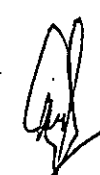
f) That the Appellant has neglected nothing intentionally and whatever happened is beyond his powers and approach.

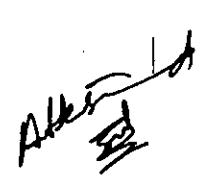
g) That the Appellant has devoted his life for this Department by rendering, for more than 37 years service, hence, an arbitrary order of forced retirement is nothing more than unjust conclusion of his services for the Department.

h) That any other grounds may be raised at the time of Personal hearing with the prior permission of your good office.

It is therefore most humbly prayed that keeping in view of a long service period of the Appellant and in the circumstances, this Departmental Appeal be kindly accepted by setting aside the previous order and the Appellant may graciously be reinstated as a superintendent with all back benefits.

Dated:- 05/10/2022

Appellant: 
Nisar Ali
Assistant Superintendent Jail
(BPS-16)
Cell No 0301-5969884



ASSISTANT DIRECTOR
INSPECTORATE OF PRISONS
HYDERABAD



(50) 696

**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

091-9210334, 9210406 091-9213445 WB
No. 3/14-J-22-4163/4-1-
Dated 28-11-2022-1-

To, The Secretary to the Government of Khyber Pakhtunkhwa,
Home and Tribal Affairs Department, Peshawar

Subject: DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER DATED
29-09-2022.

Dear Sir,

I am directed to refer to Home Department letter No. SO(Prison-I)HD/8-3/2022 dated 10-11-2022 on the subject and to state that as per report of the Superintendent Central Prison Peshawar vide letter No. 4612/WE dated 22-04-2022 (F/A); MPA Faisal Zaman confined at Sub Jail MPA Hostel Peshawar escaped on 22-04-2022 at about 04:31 PM. A detailed report regarding the said incident was communicated to Home Department vide this office letter No. 13956/WE dated 23-04-2022 (F/B). The below noted officer/officials who were posted at Sub Jail MPA Hostel Peshawar were placed under suspension (F/C), due to their gross negligence in the performance of duties:

1. Nisar Ali Assistant Superintendent Jail (BPS-16)/Incharge Sub Jail MPA Hostel
2. Nawab Ali Chief Head Warder (BPS-11)
3. Kashif Warder (BPS-07)
4. Rooh Ullah Warder (BPS-07)
5. Ali Akbar Warder (BPS-07)

In addition, vide (F/D), necessary FIR under section 223/224 PS Peshawar East Cantt; was also registered against the responsible officials / escapee prisoner mentioned above. For conducting Formal Departmental Proceedings, an Inquiry Committee consisting of the following officers was constituted vide this office orders No. 14476 & No. 14468 dated 28-04-2022(F/E) (F/F):

1. Muhammad Arif the then Superintendent District Jail Timergara
2. Mr. Hashmatullah the then DSJ/Deputy Director of this Inspectorate.

The Inquiry Committee concerned has submitted their report which can be perused at (F/G) wherein the charges leveled against the officer/officials at serial No. 01, 02 & 05 were fully proved, while charges against the official at serial No. 03 & 04 were partially proved. According to the recommendations of the Inquiry Committee show case notices (vide F/H & F/I) was served on the accused officer/officials as required under the rule-14 of Khyber Pakhtunkhwa Govt; Servants (E&D) Rules 2011. The accused officers/officials submitted their written replies, wherein all of them denied the charges leveled against them and requested for providing opportunity of personal hearing. As required, under the Rule-14 of Khyber Pakhtunkhwa Government Servants (E & D) Rules, 2011, opportunity of personal hearing was afforded to them vide this office letter No. 3/14-J-22-31703 dated 16-09-2022 (F/J). In exercise of powers conferred under Rule-14 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, having considered the charges, evidence on record, explanation of the accused officer/officials as

Ahsan
3

ASSISTANT DIRECTOR
INSPECTORATE GENERAL
KHYBER PAKHTUNKHWA

(51)



P-02

INSPECTORATE GENERAL OF PRISONS KHYBER PAKHTUNKHWA PESHAWAR

☎ 091-9210334, 9210406 📠 091-9213445

No. _____ /-

Dated _____ /-

well as recommendations of the Inquiry Committee and after affording the opportunity of personal hearing, the following penalties as noted against their names were awarded to them vide this office order No.33203 dated 29-09-2022 (F/K):

S#	Name of officer/officials	Penalty awarded
1.	Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16)	Compulsory retirement from service with immediate effect
2.	Mr. Nawab Ali, Chief Head Warder (BPS-11)	Compulsory retirement from service with immediate effect
3.	Muhammad Kashif S/O Fazal Mir, Warder (BPS-07)	Reduction to lower stages in time pay scale for a period of 03 years without cumulative effect.
4.	Roohullah S/O Shakirullah, Warder (BPS-07)	Reduction to lower stages in time pay scale for a period of 03 years without cumulative effect.
5.	Ali Akbar S/O Bakht Muhammad Khan, Warder (BPS-07)	Removal from service with immediate effect

Now feeling aggrieved with the decision of the competent authority i.e. Inspector General of Prisons, they preferred their departmental appeal for setting aside the penalties awarded to them. Their inefficiency and negligence on their part proved in the light of findings of the Inquiry Committee as discussed above. Moreover, the penalties awarded to the appellants are strictly in accordance with the rules.

In view of the above foregoing discussion, it is requested that Departmental appeals of the appellants may please be rejected being without any substance/valid grounds. Their history of service is as under:

S#	Name with Parentage	Rank	Date of Birth	Date of Appointment	Detail of Posting
1	Nisar Ali s/o Sajid Rehman	Assistant Superintendent Jail (BPS-16)	10-05-1967	29-01-1985	1. CP Peshawar 2. DJ Dir Lower 3. CP Peshawar 4. SJ Dasso 5. CP Peshawar 6. CP Bannu 7. CP D.I Khan 8. CP Peshawar 9. CP Haripur
2	Nawab Ali s/o Shamsher	Chief H/Warder	25-10-1964	01-11-1987	1. DJ Kohat 2. CP Peshawar 3. CP Haripur 4. CP Peshawar 5. CP Haripur 6. CP Peshawar 7. CP D.I Khan 8. DJ Abbottabad 9. CP Peshawar 10. SJ Charsadda 11. CP Peshawar 12. SJ Charsadda 13. CP Peshawar 14. SJ Nowshera 15. CP Peshawar

Ali
ASST. DIR. GENERAL
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

C/O P-3



INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406 091-9213445

P-03

No. _____ /-

Dated 28 - 11 - 2022 /-

3	Muhammad Kashif s/o Fazal Mir	Warder	02-03-1991	23-01-2015	1. SJ Nowshera 2. CP Haripur 3. CP Mardan 4. CP Peshawar
4	Rooh Ullah s/o Shakir Ullah	Warder	10-02-1992	22-01-2015	1. SJ Nowshera 2. CP Peshawar 3. SJ Nowshera 4. CP Peshawar
5	Ali Akbar s/o Bakht Muhammad Khan	Warder	01-01-1990	18-05-2013	1. CP Peshawar 2. DJ Jimergara 3. CP Peshawar

Yours Faithfully,

[Signature]
 DEPUTY DIRECTOR (E)
 INSPECTORATE GENERAL OF PRISONS,
 KHYBER PAKHTUNKHWA PESHAWAR

ENDST; No. _____

Copy of the above is forwarded to the PS to Special Assistant to Chief Minister (For Prisons) Khyber Pakhtunkhwa for information.

[Signature]
 DEPUTY DIRECTOR (E)
 INSPECTORATE GENERAL OF PRISONS,
 KHYBER PAKHTUNKHWA PESHAWAR

[Signature]
 ASSISTANT DIRECTOR
 INSPECTORATE GENERAL OF PRISONS
 KHYBER PAKHTUNKHWA PESHAWAR

(53) 125



**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

☎ 091-9210334, 9210406 📠 091-9213445

No. _____ /-

Dated 13 - 01 - 2023 /-

MOST IMMEDIATE/PERSONAL HEARING

To, The Superintendent,
Central Prison Peshawar

Subject: **DEPARTMENT APPEAL AGAINST IMPUGNED ORDER DATED 29-09-2022**

Memo; I am directed to refer to this office letter No. 971 dated 06-01-2023 on the subject and to forward herewith a copy of Home Department letter No. SO(P&R)HD/2018/Vol-II dated 12-01-2023 on the captioned subject (self-explanatory) for information and necessary action.

Please inform the following appellants to appear before the Worthy Secretary, Home & Tribal Affairs Department on 16-01-2023 at 0900 hours in his office for personal hearing in the subject cited case:

1. Nisar Ali, Ex-Assistant Superintendent Jail
2. Nawab Ali, Ex-Chief Head Warder
3. Muhammad Kashif S/O Fazal Mir, Warder
4. Roohullah S/O Shakirullah, Warder
5. Ali Akbar S/O Bakht Muhammad Khan, Ex-Warder

[Handwritten Signature]

**DEPUTY DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR**

Endst: No. 971 /-

Copy of the above is forwarded to the:

1. Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department for information with reference to Home Department letter No. referred to above please.
2. Mr. Hashmatullah, AIG (J) for information. He is requested to attend the personal hearing in the office of Worthy Home Secretary, on the fixed date and time alongwith complete record please.

[Handwritten Signature]

**DEPUTY DIRECTOR(E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR**

INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



MOST IMMEDIATE

(54)

Government of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department.

ADG
For Mr.

No. SO (Prisons)HD/8-3/KC/2022
Peshawar, dated the 04th January, 2022

PERSONAL HEARING

To,
**The Inspector General of Prisons,
Khyber Pakhtunkhwa.**

Subject: - DEPARTMENT APPEAL AGAINST IMPUGNED ORDER DATED 29-09-2022

Dear Sir,

I am direct to refer to your letter No. 3/14-J-22-41634/WE dated 28-11-2022 on the above captioned subject and to inform that worthy Home Secretary has desired personal hearing to the appellants with regard to their Departmental Presentations on 10-01-2023 at 09:15 am in his office.

2. I am, therefore, directed to request you to kindly ensure the appearance of the said appellants before the Honorable Home Secretary on the date, time and venue mentioned above, please.

Yours faithfully,

[Signature]
Section Officer (Prison-I)

Endst of even No. & Date:

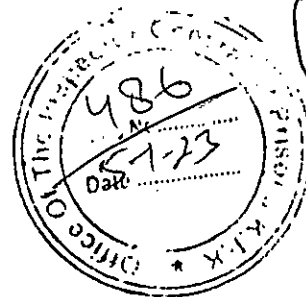
Copy of forwarded to the;

1. PS to Secretary Home, Khyber Pakhtunkhwa.
2. PS to Special Secretary-I Home, Khyber Pakhtunkhwa.
3. Master File.

[Signature]
Section Officer (Prison-I)

[Signature]

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



[Signature]
6/1/23



INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406 091-9213445

No. 3/14 J-22-971 - WFI-

Dated 06-01-2023

MOST IMMEDIATE/PERSONAL HEARING

To:

The Superintendent,
Central Prison Peshawar

Subject:
Memo;

DEPARTMENT APPEAL AGAINST IMPUGNED ORDER DATED 29-09-2022

I am directed to refer to the subject and to forward herewith a copy of Home Department letter No. SO(Prisons)HD/8-3/KC/2022 dated 04-01-2023 on the captioned subject (self-explanatory) for information and necessary action.

Please inform the following appellants to appear before the Worthy Secretary, Home & Tribal Affairs Department on 10-01-2023 at 09:15 AM in his office for personal hearing in the subject cited case:

1. Nisar Ali, Ex-Assistant Superintendent Jail
2. Nawab Ali, Ex-Chief Head Warder
3. Muhammad Kashif S/O Fazal Mir, Warder
4. Roohullah S/O Shakirullah, Warder
5. Ali Akbar S/O Bakht Muhammad Khan, Ex-Warder

DEPUTY DIRECTOR (E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Endst No. 971 -

Copy of the above is forwarded to the Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department for information with reference to Home Department letter No. referred to above please.

DEPUTY DIRECTOR (E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR



Government of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department

NO. SO (P&R)/HD/8-3/2018/Vol-II.

Peshawar dated the 12th January, 2023.

To,

The Inspector General of Prisons,
Khyber Pakhtunkhwa,

IG	
SG	
DP	
A.D.	

Subject: - DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER DATED 29.09.2022

Dear Sir,

I am directed to refer to your letter No. 3/14-J-22-41634 dated 28.11.2022 on the subjects noted above and to state that the competent authority is pleased to give an opportunity of personal hearing to the following officers / officials scheduled to be held on 16th January, 2023 at 0900 hours in the office of Home Secretary.

- i. Nisar Ali, Assistant Superintendent Jail
- ii. Nawab Ali Chief Head Warder
- iii. Kashif Warder
- iv. Rooh Ullah Warder
- v. Ali Akbar Warder

It is, therefore, requested to inform the above officers / officials for attending the personal hearing and also depute a well conversant officer along-with complete record to attend the personal hearing, please.

Yours faithfully,

Atlee
ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

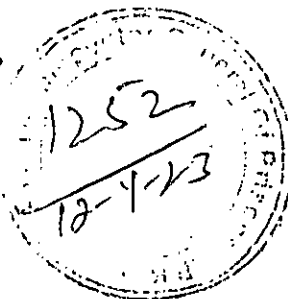
NZAL
Section Officer (Prison-I) 12/1/23

Endst: of even No & date:-

Copy forwarded for information and further necessary action to the:

1. PS to Secretary, Home Department, Khyber Pakhtunkhwa.
2. PS to Special Secretary-I, Home & T.As Department.
3. PS to Special Secretary-I, Home Department, Khyber Pakhtunkhwa.
4. PA to Deputy Secretary, Home Department, Khyber Pakhtunkhwa.
5. Section Officer (General) Home Department, Khyber Pakhtunkhwa.
6. Master file.

Immediatly inform



13/1/23

NZAL
Section Officer (Prison-I) 12/1/23



INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

091-9210334, 9210406

091-9213445

No. 3/14-J-22

1905

1/NE

Dated 13-01-2023

MOST IMMEDIATE/PERSONAL HEARING

To,

The Superintendent,
Central Prison Peshawar

Subject:
Memo;

DEPARTMENT APPEAL AGAINST IMPUGNED ORDER DATED 29-09-2022

I am directed to refer to this office letter No. 971 dated 06-01-2023 on the subject and to forward herewith a copy of Home Department letter No. SO(P&R)HD/2018/Vol-II dated 12-01-2023 on the captioned subject (self-explanatory) for information and necessary action.

Please inform the following appellants to appear before the Worthy Secretary, Home & Tribal Affairs Department on 16-01-2023 at 0900 hours in his office for personal hearing in the subject cited case:

1. Nisar Ali, Ex-Assistant Superintendent Jail
2. Nawab Ali, Ex-Chief Head Warder
3. Muhammad Kashif S/O, Fazal Mir, Warder
4. Roohullah S/O Shakerullah, Warder
5. Ali Akbar S/O Bakht Muhammad Khan, Ex-Warder

DEPUTY DIRECTOR(E)

INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Endst: No. 1/16-1/23

Copy of the above is forwarded to the:

1. Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department for information with reference to Home Department letter No. referred to above please.
2. Mr. Hashmatullah, AIG (J) for information. He is requested to attend the personal hearing in the office of Worthy Home Secretary, on the fixed date and time alongwith complete record please.

DEPUTY DIRECTOR(E)

INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

ASSISTANT
INSPECTOR
KHYBER PAKHTUNKHWA



Government of Khyber Pakhtunkhwa,
Home & Tribal Affairs Department

NO. SO (Prison-I)/HD/8-3/2018/Vol-II.

Peshawar dated the 27th January, 2023.

(58)

126

To,

The Inspector General of Prisons,
Khyber Pakhtunkhwa,

SEARCHED
SERIALIZED
INDEXED
FILED

Subject: - DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER DATED 29.09.2022

Dear Sir,

I am directed to refer to your letter No.3/14-J-22-41634/WE dated 28.11.2022 on the subject noted above and to state that the competent authority has decided to regret / reject the departmental appeals against impugned order No.3/14-J-22/33203 dated 29.09.2022 of the Inspector General of Prisons, Khyber Pakhtunkhwa, submitted by the following officer / officials of Prisons Department:-

- i. Mr. Nisar Ali, Assistant Superintendent Jail (BPS-16)
- ii. Mr. Nawab Ali Chief Head Warder (BPS-11)
- iii. Mr. Muhammad Kashif S/O Fazal Mir, Warder (BPS-07)
- iv. Mr. Roohullah S/O Shakirullah, Warder (BPS-07)
- v. Mr. Ali Akbar S/O Bakht Muhammad Khan, Warder (BPS-07)

Yours faithfully,

Section Officer (Prison-I)

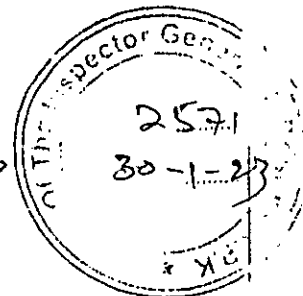
Endst: of even No & date:-

Copy forwarded for information and further necessary action to the:

1. PS to Secretary, Home Department, Khyber Pakhtunkhwa.
2. Master file.

Section Officer (Prison-I)

ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR



31/1/23

(59)



**INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

☎ 091-9210334, 9210406 📠 091-9213445
No. 3/14-J-22 4691 I.W.B.
Dated 31-01-2023 I-

To,

The Superintendent,
Central Prison Peshawar

Subject:
Memo;

DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER DATED 29-09-2022

I am directed to refer to this office letter No. 1905/We dated 13-01-2023 on the subject and to forward herewith a copy of the decision of competent authority in the subject cited appeal vide letter No. SO(Prison-I)/HD/8-3/2018/Vol-II dated 27-01-2023 with the request to kindly handover a copy of the same to the applicant concerned for their information please.

[Signature] 31/1/23
DEPUTY DIRECTOR (E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

Endst: No. 4691 I-

Copy of the above is forwarded to the Secretary to the Government of Khyber Pakhtunkhwa Home & TA's Department for information with reference to Home Department letter No. referred to above please.

[Signature] 31/1/23
DEPUTY DIRECTOR (E)
INSPECTORATE GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR

[Signature]

(60)

OFFICE OF THE
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR
☎091-9210334, 9210406 🏢 091-9213445

No. _____

Dated _____

AUTHORITY LETTER

Mr.Sulaiman, Law Officer(BPS-17) attached to the office of Inspector General of Prisons Khyber Pakhtunkhwa Peshawar is hereby authorized to make affidavit, to file comments/reply/report and to attend the Lower Courts, Ombudsperson, Khyber Pakhtunkhwa Service Tribunal, Peshawar High Court Peshawar, Supreme Court of Pakistan Islamabad, Federal Shariat Court, meeting of scrutiny committee at Law Department and also to attend the office of Advocate General Khyber Pakhtunkhwa at Peshawar on each and every date of hearing, on behalf of the Inspector General of Prisons Khyber Pakhtunkhwa .


INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR

Attested


24/5/2023