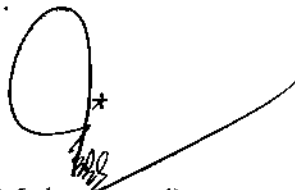


02.11.2022

Learned counsel for the appellant present. Mr. Ahmad Jan, S.I (Legal) alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that she has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 27.12.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

27-12-22

Due to winter vacation, the case is adjourned to 4-4-23 before the same



Reader

05th July, 2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional AG alongwith Ahmad Jan SI for respondents present.

Respondents have not submitted written reply/comments. Learned AAG seeks time for submission of written reply/comments. Last chance is given for submission of written reply/comments. To come up for written reply/comments on 05.09.2022 before S.B.



(Kalim Arshad Khan)
Chairman

05.09.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Ahmad Jan S.I (Legal) for respondents present.

Reply on behalf of respondents was submitted. Copy of the same was handed over to learned counsel for appellant. To come up for rejoinder, if any, and arguments on 02.11.2022 before D.B.



(Rozina Rehman)
Member(J)

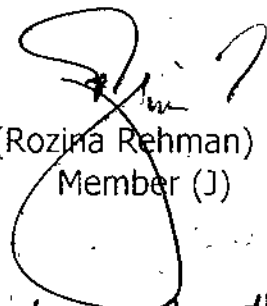
20.12.2021 Appellant present through counsel.

Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for written reply/comments on 07.03.2022 before S.B.

Appellant Deposited
Security & Process Fee

24/12/21


(Rozina Rehman)
Member (J)


7-3-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 24-5-2022


Reader

24.05.2022 Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Raziq H.C and Mr. Gulzar Ahmed SI for the respondents present.

Written reply/comments on behalf of respondents not submitted. Representative of the respondents seeks time for submission of written reply/comments. Granted. To come up for written reply/comments on 05.07.2022 before S.B.




(Mian Muhammad)
Member (E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7599 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/10/2021	<p>The appeal of Mr. Malik Taj presented today, by Roeda Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR.</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>20/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p><i>[Faint handwritten notes in Urdu are visible in the background of the table cells.]</i></p>

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 7599/2021

Malik Taj

VERSUS

Capital City Police Officer Peshawar & Others

INDEX

S#	Description of Documents	Annexure	Pages
1.	Grounds of Petition.		1-5
2.	Affidavit		6
3.	Addresses of Parties		7
4.	Condanation of delay application		8-9
5.	Copy of transferred order	"A"	10
6.	Copy of charge sheet & reply	"B" & "C"	11 to 14
7.	Copies of show cause notice and reply	"D & E"	15 to 19
8.	Copy of impugned order dated 27.11.2020	"F"	20
9.	Copy of departmental appeal, and rejection order	"G & H"	21 to 23
10.	Copy of Roznamcha	"I"	24
11.	Wakalatnama		

APPELLANT

Through


Roeda Khan

Advocate, High Court
Peshawar.

Dated: 14/10/2021

①

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2021

Malik Taj SI Investigation Officer CTD at District
Peshawar.

Appellant

VERSUS

1. Capital City Police Officer Peshawar.
2. Senior Superintendent of Police investigation
CCP, Peshawar.
3. DIG, CTD Khyber Pakhtunkhwa Peshawar.

Respondents

SERVICE APPEAL U/S-4 OF THE
KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL ACT 1974 AGAINST THE
ORDER OB NO. 171 DATED 27/11/2020,
WHEREBY THE APPELLANT HAS BEEN
AWARDED MAJOR PUNISHMENT OF
TIME SCALE OF INSPECTOR FOR TWO
YEARS AND AGAINST WHICH THE
APPELLANT FILED DEPARTMENTAL
APPEAL WITHIN ONE MONTH FROM
THE DATE OF COMMUNICATION OF
THE IMPUGNED ORDER DATED
27.11.2020 WHICH HAS BEEN
REJECTED ON 24.09.2021 ON NO GOOD
GROUND.

Prayer:-

ON ACCEPTANCE OF THIS SERVICE
APPEAL BOTH THE IMPUGNED ORDER

2

OB NO.171 DATED 27/11/2020 AND
24.09.2021 OF MAJOR PUNISHMENT OF
TIME SCALE OF TWO YEARS MAY
KINDLY BE SET ASIDE AND THE
APPELLANT MAY KINDLY BE
RESTORED ON HIS ORIGINAL POST
ALONG WITH ALL BACK BENEFITS OF
SERVICE.

Respectfully Sheweth,

1. That the appellant is working in police department since long time in District Police Peshawar and now has been transferred to CTD Department after appointment the appellant performed his duty with full devotion and hard work & no complaint what so ever has been made against the appellant. (Copy of transferred order is attached as annexure "A")
2. That while performing of his official duty with respondent department a charge sheet & statement of allegation has been issued to the appellant on 16.05.2019 which has been properly replied by the appellant where the appellant denial all the allegation leveled against him. (Copy of charge sheet & reply are attached as annexure "B & C").
3. That after that a final show cause notice has been issued to the appellant which has

been properly replied by the appellant where the appellant denied all the allegations leveled against the appellant. (Copies of show cause notice and reply are attached as annexure "D" & "E")

4. That on 27.11.2020 the appellant has been awarded major punishment of time scale of two years service without providing opportunity of personal hearing and without conducting departmental inquiry against the appellant but the said order has been communicate to the appellant on 18.12.2020. (Copy of impugned order dated 27.11.2020 is attached as annexure "F").
5. That the appellant submitted departmental appeal within one month from the communication of the impugned order dated 27.11.2020 which has been rejected on 24.09.2021. (Copy of departmental appeal, and rejection order are attached as annexure "G" & "H").
6. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

4
GROUND:-

- A. That the appellant has not been treated in accordance with law and hence his rights secured and guaranteed under the Constitution of 1973 were badly violated.
- B. That no opportunity of defense and personal hearing has been provided to the appellant.
- C. That no departmental or regular inquiry has been conducted by the Respondent department.
- D. That there is no proof or evidence regarding the allegation leveled against the appellant.
- E. That the impugned order is void because it has been passed without fulfilling the codal formalities.
- F. That the innocence of the appellant has also been clarified from the Roznamcha report dated 15.06.2019. (Copy of Roznamcha is attached as annexure "I").
- G. That there is not mentioned the punishment given to the appellant of time




scale for two years in any major or minor punishment mentioned in Police Rule 1975.

H. That any other ground not raised here may graciously be allowed to be raised at the time full of arguments on the instant service appeal.

It is therefore, most humbly prayed that on acceptance on acceptance of this service appeal both the impugned order ob no.171 dated 27/11/2020 and 24.09.2021 of major punishment of time scale of two years may kindly be set aside and the appellant may kindly be restored on his original post along with all back benefits of service.


APPELLANT

Through


Roeeda Khan
Advocate, High Court
Peshawar.

Dated: 14/10/2021

NOTE:-

As per information furnished by my client, no such like appeal for the same appellant, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.


Advocate.

6

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2021

Malik Taj

VERSUS

Capital City Police Officer Peshawar & Others

AFFIDAVIT

I, Malik Taj SI Investigation Officer CTD at District Peshawar, do hereby solemnly affirm and declare that all the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.



DEPONENT

Identified by:



Roeeeda Khan
Advocate High Court
Peshawar.

(6) (7)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2021

Malik Taj

VERSUS

Capital City Police Officer Peshawar & Others

ADDRESSES OF PARTIES

PETITIONER.


Malik Taj SI Investigation Officer CTD at District
Peshawar.

ADDRESSES OF RESPONDENTS

1. Capital City Police Officer Peshawar.
2. Senior Superintendent of Police investigation
CCP, Peshawar.
3. DIG, CTD Khyber Pakhtunkhwa Peshawar..


APPELLANT

Through


Roeda Khan
Advocate, High Court
Peshawar.

Dated: 14/10/2021

(9)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2021

Malik Taj

VERSUS

Capital City Police Officer Peshawar & Others

APPLICATION FOR CONDONATION OF DELAY (IF ANY)

Respectfully Sheweth,

Petitioner submits as under:

1. That the appellant submitted departmental appeal within one month from the date of communication of the order dated 27.11.2020.

Grounds:

- A. That the impugned order is void and illegal and no limitation run against the void orders because it has been passed with fulfilling the codal formalities.
- B. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

3


8

C. There are many judgment of the supreme court as well as specific provision in service law that limitation has been counted from the date of communication.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

APPELLANT

Through


Roeeda Khan
Advocate, High Court
Peshawar.

Dated: 14/10/2021



"A"

(10)

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

No. — /E-II

PH: 091-9210239 Fax: 091-9210927
dated Peshawar the 16 / 05 / 2018ORDER

The competent authority has been pleased to approve the transfer/posting of the following newly promoted Inspectors to the Regions/Units as noted against their names with immediate effect. -

S.No.	Name of Officer	From	To
1.	Sajid Nawaz No. H/151	Hazara Region	Hazara Region
2.	Abdus Saeed No. K/70	Kohat Region	Kohat Region
3.	Razi Gul No. K/07	Kohat Region	Kohat Region
4.	Habib-ur-Rehman No. K/166	Kohat Region	Kohat Region
5.	Minhaj Sikandar Yar No.	D.I.Khan Region	D.I.Khan Region
6.	Muhammad Adnan No. D/37	D.I.Khan Region	D.I.Khan Region
7.	Naqceb Ullah No. D/42	D.I.Khan Region	D.I.Khan Region
8.	Sharif Ullah No. D/12	D.I.Khan Region	D.I.Khan Region
9.	Zaffar Ali No. P/58	CCP, Peshawar	C.T.D
10.	Ghani-ur-Rehman No. M/157	Elite Force	Malakand Region
11.	Rehad Ali No. MR/123	Mardan Region	Mardan Region
12.	Abdus Sajid No. MR/6	Mardan Region	Mardan Region
13.	Imrad Ali Khan No. MR/129	Mardan Region	Mardan Region
14.	Bakhtaj Khan No. MR/128	Mardan Region	Mardan Region
15.	Akbar Ali No. MR/204	Mardan Region	Mardan Region
16.	Shah Jehan Khan No. P/350	CCP, Peshawar	C.T.D
17.	Liaqat Ali No. P/351	CCP, Peshawar	C.T.D
18.	Khushdil Khan No. P/364	CCP, Peshawar	C.T.D
19.	Zaffar Ali No. P/383	CCP, Peshawar	C.T.D
20.	Zahir Shah No. P/384	CCP, Peshawar	C.T.D
21.	Muhammad Hassan No. P/28	CCP, Peshawar	C.T.D
22.	Imtiaz Khan No. P/45	CCP, Peshawar	C.T.D
23.	Zubair Khan No. P/47	CCP, Peshawar	C.T.D
24.	Gul Sher No. P/50	CCP, Peshawar	C.T.D
25.	Inayatullah No. P/52	CCP, Peshawar	C.T.D
26.	Ali Akbar No. P/60	CCP, Peshawar	C.T.D
27.	Munir Khan No. P/64	CCP, Peshawar	C.T.D
28.	Khushal Khan No. P/68	CCP, Peshawar	C.T.D
29.	Muhammad Israr No. P/78	CCP, Peshawar	C.T.D
30.	Mira Khan No. MR/140	Mardan Region	Mardan Region
31.	Sher Azam No. P/44	CCP, Peshawar	C.T.D
32.	Malik Taj No. P/55	CCP, Peshawar	C.T.D
33.	Hafeez-ur-Rehman No. P/391	CCP, Peshawar	CCPeshawar
34.	Akhtar Naseer No. P/392	CCP, Peshawar	CCPeshawar
35.	Abdul Ghaffar No. P/25	CCP, Peshawar	CCPeshawar
36.	Sultan Muhammad No. P/30	CCP, Peshawar	CCPeshawar
37.	Malik Ahmad No. P/49	CCP, Peshawar	CCPeshawar
38.	Inamullah No. P/62	CCP, Peshawar	CCPeshawar
39.	Ikhtiar Ali No. P/66	CCP, Peshawar	CCPeshawar



"B" (11) ✓
CAPITAL CITY POLICE PESHAWAR.
OFFICE OF THE
SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

No. /PA

Dated Peshawar the / /2019

CHARGE SHEET.

I, Jehan Zeb Khan Senior Superintendent of Police, Investigation, Peshawar, as competent authority, hereby charge you SI Malak Taj as follow:-

- (i) During scrutiny of under investigation cases, it has been noted with great concern that you has been transferred from Police Station, SGH, Town and Pishkhara, while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you unable to finalize pending cases, neither submitted challan nor hand over concerned moharrer for further proceeding.
- (ii) This amounts to gross misconduct, negligence and malafide on your part for which you are liable for punishment as defined in Police Disciplinary Rules, 1975.

1. By the reasons of the above, you appeared to be guilty of misconduct under Police Disciplinary Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

2. You are therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Inquiry Officer/Committee.

3. Intimate whether you desire to be heard in person?

4. A Statement of allegation is enclosed.

Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.



1629-54
17-5-19

CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE
SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

(12)

No. 93/E/PA
Dated Peshawar the 16/05/2019

DISCIPLINARY ACTION AGAINST SI MALAK TAJ THE THEN IO PS SGH, TOWN AND PS PISHTAKHARA NOW CTD.

Jehan Zeb Khan, Senior Superintendent of Police, (Investigation), Peshawar, as competent authority, am of the opinion that SI Malik Taj has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of Police Disciplinary Rules, 1975.

STATEMENT OF ALLEGATIONS.

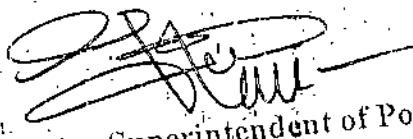
i) During scrutiny of under investigation cases, it has been noted with great concern that you has been transferred from Police Station SGH, Town and Pishtakhara, while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you unable to finalize pending cases, neither submitted challan nor hand over concerned moharrer for further proceeding

ii) That all the above acts amount to gross misconduct, negligence and malafide on his part for which he is liable for punishment as defined in Police Disciplinary Rules, 1975.

iii) For the purpose of scrutinizing the conduct of said accused with reference to the above allegations, DSP Noorullah is deputed as the Inquiry Officer.

iv) The inquiry shall be conducted in accordance with the provisions of the Rules to provide reasonable opportunity of hearing to the accused officer, record its finding within 15 days of the receipt of this order & make recommendations as to punishment or other appropriate action against the accused.

v) The accused shall join the proceeding on the date and time and place fixed by the Inquiry Officer.


Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.

Copy of above is submitted to the IO for initiating proceeding against the defaulter under the provision of Police Disciplinary Rules, 1975.

2- SI Malik Taj now CTD is directed to submit the reply to the charge sheet and summary of allegations.

"C" (135)

حساب عالی حوالہ جاریہ نمبر 931 E. 931 E. 2010-5

کہ جاریہ نمبر کے مطابق رقم خدمات ٹریفک میں درج ہے۔
 325
 6
 206

468-490-419
 471-44E-30

صدر دفتر نے قبیلہ قائل حد سے کارں کیا گیا۔
 سب اس کے لئے بلائی گئی رپورٹ کے لئے تیار ہے۔

تمام بھارت کے علاقوں میں ایک سے لے کر دو ماہانہ سے
 کہ قائل حد سے چار سے تیار کیا گیا تھا۔ ان کے بارے میں
 دیا گیا ہے۔

سب سے پہلے کارں ہوئے۔
 اور مزید کارں کیے گئے۔

ان سے اس حد کے علاقوں میں کارں کیا گیا ہے۔
 اور رپورٹ تیار کی گئی ہے۔
 ان کے بارے میں آج کل - رپورٹ میں ہے۔

Handwritten mark/signature

Handwritten signature and date: 19/6/2019

Handwritten notes and signature at the bottom right.

Better Copy

جناب عالی! بحوالہ چارج شیٹ نمبر 93 IE PA/16-5 2010 شمولہ معروض ہے کہ چارج شیٹ کے مطابق

جملہ الزامات ترتیب واری متعلقہ تھانہ بابت کے محرران صاحبان کو حوالہ کئے ہیں۔ جبکہ مقدمہ علت نمبر 525

میں جرم 10.06.2016 ord: NA 30-14F-468/420-412 PPC تھانہ ٹاؤن کے متعلقہ

معروض ہوں کہ جمیل حیدر محرز نے مجھ کو مثل مقدمہ مارک کیا گیا لیکن مجھ سے پہلے فرہاد حیدر نے سب انسپکٹرنے بمطابق

ضمنی رپورٹ بالکل تحریر نہیں کیا ہے۔ جبکہ یہ مقدمہ کے متعلق فرہاد حسین Si سے پوچھ گچھ کیا گیا ہے کہ مثل مقدمہ چار

مہینے تک یہاں پڑا تھا۔ ان چار مہینوں میں ایک بھی مزید نہیں کی ہے۔ جبکہ مثل مقدمہ میں یہ مجھے مارک ہوا ہے۔ لہذا میرا

حصہ رائے وہی ہے کہ جمیل خان اور فرہاد حسین کو طلب کر کے اس سے اس مقدمہ کے متعلق استفسار کیا جاوے اور وہ اپنے

رپورٹ تحریر کرے۔ تاکہ مقدمہ کے متعلق آئندہ لائحہ عمل آجائے۔ رپورٹ عرض ہے۔

رپورٹ مثل FIR

اور دیگر کاغذات (لف ہے)



CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE

SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

No. 147-E/PA

Dated Peshawar the 12/06/2020

FINAL SHOW CAUSE NOTICE

(UNDER RULES 5(3) KHYBER PAKHTUNKHWA, POLICE RULES, 1975)

1. That you SI Malik Taj the then I.O PS. Pishtakhara have rendered yourself liable to be proceeded under Rule 5(3) of the Khyber Pakhtunkhwa, Police Rules, for following misconduct:-
During scrutiny of under investigation cases, it has been noted with great concern that you have been transferred from Police Station SGH, Town and Pishtakhara, while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you were unable to finalize the pending cases, you neither submitted challan nor handed over the case files to the concerned Moharrer for further proceeding.
2. That by reason of the above, as sufficient material is placed before the undersigned, therefore it is decided to proceed against you in general Police proceedings without aid of Inquiry officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force will amount to encourage in efficient and unbecoming of good Police Officer.
5. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
6. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
7. You are further directed to inform the undersigned that you wish to be heard in person or not.

Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.

147-E/PA

389

4, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

حیات باغی 147-E/PA حوالہ خاتون شکر کا زون میں مشمولہ ہے

مقدمہ $\frac{6}{2015}$ نمبر 12 فیبرم 2015ء

تعمیراتی امور اور ایف ڈی کے بارے میں شکایتیں - تھانہ کراچی اور

اس علاقے میں ذیل کے زمینداروں کے نام سے -

1. عیوب خان $\frac{6}{2015}$ نمبر 12 فیبرم 2015ء 457/380 تھانہ کراچی

2. عیوب خان $\frac{6}{2019}$ نمبر 13 فیبرم 2019ء 458/21 تھانہ کراچی

3. عیوب خان $\frac{8}{15}$ نمبر 19 فیبرم 2016ء 508/148 تھانہ کراچی

4. عیوب خان $\frac{6}{2016}$ نمبر 13 فیبرم 2016ء 399/400/1388 تھانہ کراچی

5. عیوب خان $\frac{8}{2015}$ نمبر 9 فیبرم 2015ء 457/380 تھانہ کراچی

6. عیوب خان $\frac{9}{2015}$ نمبر 9 فیبرم 2015ء 458/21 تھانہ کراچی

7. عیوب خان $\frac{9}{15}$ نمبر 18 فیبرم 2015ء 381-A تھانہ کراچی

8. عیوب خان $\frac{6}{2019}$ نمبر 13 فیبرم 2019ء 382 تھانہ کراچی

9. عیوب خان $\frac{9}{2015}$ نمبر 19 فیبرم 2015ء 382 تھانہ کراچی

(2)

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 12) 4 17/2015 فرم 153/153A/148
 149
 2015

9C سے گاؤں 115 سے 10 9/10 سے 2016 (13)

13/6 سے 2019 میں گاؤں کے لئے رقم

341/148/149 سے گاؤں 306 سے 4 4/15 سے 2016 (14)

302 سے گاؤں 307 سے 1 سے 2016 (15)

23 سے 2019 میں گاؤں کے لئے رقم

365 سے گاؤں 699 سے 12 8/15 سے 2016 (16)

419/42-1468/471 سے گاؤں 705 سے 12 8/15 سے 2016 (17)

20 8/15 سے 2016 میں گاؤں کے لئے رقم

380 سے گاؤں 795 سے 22 9/15 سے 2016 (18)

20 9/15 سے 2016 میں گاؤں کے لئے رقم

419/42-1468/471 سے گاؤں 595 سے 6/15 سے 2016 (19)

302 سے گاؤں 40 سے 14 7/15 سے 2016 (20)

392 سے گاؤں 786 سے 21 9/15 سے 2015 (21)

میں گاؤں کے لئے رقم

اور ان سے عزت بالقرآن سے پہلے لکھا گیا ہے کہ اس پر اکتفا کرنا جائز ہے
 اور اس کے بعد عزت بالقرآن سے پہلے لکھا گیا ہے کہ اس پر اکتفا کرنا جائز ہے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے

اور اس کے بعد عزت بالقرآن سے پہلے لکھا گیا ہے کہ اس پر اکتفا کرنا جائز ہے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے
 تاکہ اس پر عمل کیا جائے اور اس پر عمل کیا جائے اور اس پر عمل کیا جائے

2017/20
 12/2017

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جناب عالی!

بحوالہ فائنل شوکاز نوٹس مسؤلہ نمبر 147-E/PA

مقدمہ 12.05.2020 مسؤلہ معروض ہوں۔

کہ میں بطور نوٹس گیٹیشن آفیسر تھانہ پشتخروہ۔ تھانہ ماڈن اور تھانہ SGH پشاور میں تعینات تھا۔

اس سلسلے میں ذیل عرض گزار ہوں۔

(1) علت نمبر 976 مورخہ 12.08.2015 جرم PPC 457/380 تھانہ پشتخروہ

مورخہ 13.06.2019 کو مقدمہ ہذا میں۔۔۔۔۔ بجرم پتہ چالان رسید نمبر 458/21 دفتر جناب

DPP صاحب پشاور ارسال کیا گیا ہے۔

(2) علت نمبر 1013 مورخہ 19.08.2015 جرم 506/148/149 تھانہ پشتخروہ

بنام مہر صالح: مقدمہ ہذا میں 13.06.2016 کو چالان مکمل دیا گیا ہے۔

(3) علت نمبر 1020 مورخہ 20.08.2015 جرم PPC 399/400/401/15AA تھانہ

پشتخروہ

برمطابق FIR ریکارڈ 14.06.2016 کو ممتاز خان SI کو حوالہ کیا جاتا ہے۔

(4) علت نمبر 1104 مورخہ 09.09.2015 جرم PPC 457/380 تھانہ پشتخروہ

چالان مکمل 13.06.2019 دفتر صاحبان DPP پشاور ارسال کیا گیا۔

(5) علت نمبر 1134 مورخہ 18.09.2015 جرم PPC 381-A تھانہ پشتخروہ

چالان مکمل رسید نمبر 458/21 مورخہ 13.06.2019 کو ریڈر جناب DPP صاحب

ارسال شد کیا گیا ہے۔

(6) علت نمبر 1281 مورخہ 19.09.2015 جرم PPC 382 تھانہ پشتخروہ

بحوالہ۔۔۔۔۔

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(7) علت نمبر 1448 مورخہ 26.11.2015 جرم PPC 489 F تھانہ پشتخڑہ چالان مکمل

07.12.2015 رسید 909/21 بعد الت اکبر علی مہند جوڈیشیل مجسٹریٹ پشاور ارسال کیا گیا ہے۔

(8) علت نمبر 1507 مورخہ 05.12.2015 جرم PPC 337 A2/34 تھانہ پشتخڑہ مورخہ

14.06.2016 کو ممتاز خان SI کو مثل ملاحظہ حوالہ کیا گیا ہے۔

(9) علت نمبر 1608 مورخہ 20.12.2015 جرم PPC 408 تھانہ پشتخڑہ مثل مقدمہ میرے تبادلے

پر باقاعدہ ثار اللہ خان ASI کو حوالہ کیا گیا جس میں 2 ملزمان حسب ضابطہ گرفتار ہے۔

(10) علت نمبر 1613 مورخہ 22.12.2015 جرم PPC 302 تھانہ پشتخڑہ بنام ملزم / ملزمان نامعلوم

میرے تبادلے پر مورخہ 14.06.2016 کو ممتاز خان SI حوالہ کیا گیا ہے۔ برطابق FIR ریکارڈ۔

(11) علت نمبر 719 مورخہ 10.09.2014 جرم PPC 365/511/148/149 تھانہ پشتخڑہ

15.03.2016 کو چالان مکمل بعد الت جناب خالد خان ASJ پشاور سے واپس وصول ہو کر حوالہ ظفر اعلیٰ

خان SI کیا گیا ہے۔ برطابق FIR ریکارڈ پر موجود ہے۔

(12) علت نمبر 286 مورخہ 12.04.2017 جرم PPC 153/153A/148/149 تھانہ SGH

پشاور میرے تبادلے پر مثل مقدمہ جعفر خان Si اور گل افضل خان Si تھانہ SGH میں برطابق FIR

18

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(13) علت نمبر 115 مورخہ 10.02.2016 جرم 9C CNSA تھانہ ٹاؤن میں چالان تصفیہ نام واپتہ

مورخہ 13.06.2019 کو ریڈر جناب DPP صاحب ارسال شدہ۔

(14) علت نمبر 306 مورخہ 06.04.2016 جرم PPC 341/148/149 تھانہ ٹاؤن

(15) علت نمبر 307 مورخہ ----- جرم PPC 302 تھانہ ٹاؤن مورخہ 20.08.2017 کو

باقاعدہ محرر شاہد محمد کو حوالہ کیا گیا ہے۔ جو کہ FIR ریکارڈ پر موجود ہے۔ شیر عالم خان Si ساتھ تھا۔

(16) علت نمبر 699 مورخہ 12.08.2016 جرم PPC 365 تھانہ ٹاؤن مثل مقدمہ تھانہ مثل

موجود ہے۔ جبکہ انور خان SI کے پاس تفتیش ہے۔

(17) علت نمبر 705 مورخہ 12.08.2016 جرم PPC 419/420/148/149 تھانہ ٹاؤن میں

چالان مثل 20.08.2016 کو عدالت ارسال کیا گیا ہے۔

(18) علت نمبر 745 مورخہ 22.09.2016 جرم PPC 380 تھانہ ٹاؤن

20.09.2016 کو چالان مکمل دیا جا کر عدالت ارسال کیا جاتا ہے۔

اس طرح مقدمات (1) علت نمبر 525 مورخہ 9.06.2015 جرم - PPC 419/42-

1468/471/14F

(2) علت نمبر 610 مورخہ 14.7.15 جرم PPC 302 تھانہ ٹاؤن

(3) علت نمبر 786 مورخہ 21.09.2015 جرم PPC 392 تھانہ ٹاؤن

مقدمات فرہاد حسین خان Si کو دفتر طلب کیا جاوے۔

اور ان سے مقدمات بالا کے متعلق باقاعدہ طور پر استفسار کیا جاوے کہ اس نے مجھے مقدمات حوالہ کی ہے یا نہیں۔

باقاعدہ طور پر جب بھی میری ضرورت ہوں آفسران بالا آکر بروقت پیش ہونگا۔ پشاور تھانہ موجود ہے۔ باقاعدہ طور پر میں نے مثل مقدمات میں حوالہ کیا ہے۔ آفسران بالا جب بھی چاہیں۔ اور جہاں بھی چاہیں ثبوت پیش کرونگا۔ سائیل غریب آدمی ہے۔ اور محکمہ پولیس میں (30) سال سے نوکری کر رہا ہے۔

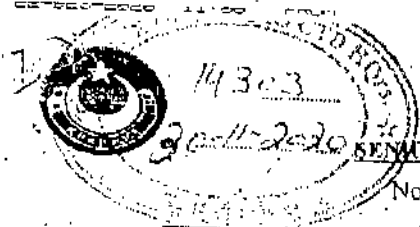
استدعا ہے کہ میرا فائل شوکاز نوٹس داخل دفتر کیا جائے۔ احسان مند ہونگا۔ اور دعا گو رہونگا۔

Inspector CTD

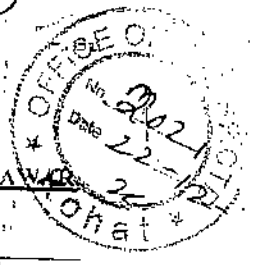
Invest

20-7-2020

"F" (20)



**CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE**



SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR
No. 391-99/PA Dated Peshawar the 22/11/2020

ORDER

This order will dispose off the departmental inquiry of Inspector Malik Taj the then investigation officer of this unit, Initiated by Mr. Shahzada Kaukab Farooq the then SSP Investigation on the grounds that he kept pending various case files without any cogent reason. The alleged officer was served with Charge Sheet & Summary of allegations and Mr. Noor Ullah DSP Inv. Cantt was nominated as Inquiry officer.

The Inquiry officer found Inspector Malik Taj guilty and recommend him for major punishment.

He was also contacted time and again to appear before the undersigned to clear his position regarding case FIR No. 306 dated 04.04.2016 u/s 341/148/149 PPC PS Town, but he did not bother to attend the office of undersigned

I hereby being a competent authority agree with recommendation of Inquiry officer. Therefore, Inspector Malik Taj is hereby awarded "**major punishment of time scale of Inspector for two years**" as defined in Police Disciplinary Rules, 1975" amended 2014.

Order announced.

[Signature]
**SENIOR SUPERINTENDENT OF POLICE
INVESTIGATION, PESHAWAR**

- OB. No. ~~171~~ dated 23/11/2020
- Copies for information and necessary action to the :-
- > Worthy Capital City Police officer, Peshawar.
- > DIG, CTD Khyber Pakhtunkhwa.
- > SP Investigation PBI/HQrs: Peshawar
- > DSP Inv: Cantt, CCP, Peshawar.
- > OII PS Town with the direction to complete the case file of FIR No. 306 dated 04.04.2016 u/s 341/148/149 PPC PS Town, Peshawar within a week time positively.
- > EC-I, EC-II,
- > POC along with enquiry file for record.
- > All concerned

SPHO:
A.O.U: / 5A81/SRC
[Signature]

P.N. 134751
PSCIP Kohat

DIG/CTD
30/11/2020

Inspector Malik Taj

For information

[Signature]
22/11/20

ذریعہ کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

کتابوں کی فہرست

کتاب نمبر 1

391-99/PA
20-11-97

ذریعہ کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

کتاب نمبر 255 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

(اردو کتابیں تسلیم شدہ ہیں)

306
341-148-199
2016

کتاب نمبر 306 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

(کتاب نمبر 55 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔)

3

کتاب نمبر 306 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

3

کتاب نمبر 15 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

309191115AA1148-149
7A7A

کتاب نمبر 176 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

کتاب نمبر 148 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

کتاب نمبر 40 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

کتاب نمبر 30 کتابیں تسلیم شدہ ہیں اور ان کی کاپیاں محفوظ ہیں۔

309191115AA1148-149
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بخدمت جناب کیپیٹل سٹی پولیس آفیسر کے پی کے پشاور

عنوان ہمدردانہ اپیل

جناب عالی

(1) معروض ہوں کہ بحوالہ چھٹی انگریزی نمبر 391-99/PA/27.11.2020

جناب SSP انوسٹی گیشن پشاور بشمولہ عرض ہوں۔ (آرڈر کی کاپی ہمراہ لف ہے)

(2) مقدمہ علت نمبر 306 مورخہ 04.04.2016 جرم PPC 341-148-149 تھان ٹاؤن

میں نے شاہد خان محررانوسٹی گیشن تھانہ ٹاؤن کو حوالہ کیا تھا۔ (نقل مذکور نامچہ 15.06.2019 لف ہے)۔

(3) انکوآری بالا کے روسے آفسران بالانے مجھے اب کہا تھا کہ اس وقت میرے ساتھ اہل تشیح کے نارگٹ کلنگ کے

مقدمات علت نمبر 26 مورخہ 15.09.2020 جرم 15AA/148/149، 302/21(i) تھانہ سی

ٹی ڈی کوہاٹ

(4) مقدمہ علت نمبر 176 مورخہ 06.09.2020 جرم 7 ATA/15 AA/ 302/21(i)

تھانہ سی ٹی ڈی کوہاٹ ٹرانسفر شدہ زیر تفتیش ہے۔ اور ملزمان گرفتار ہے جن سے

تفتیش جاری تھی۔ میں نے باقاعدہ طور پر PA صاحب کو بذریعہ ٹیلی فون بتلایا تھا۔

استدعا ہے کہ میرا اپیل منظور کر کے میرا سزا (2) سال ٹائم سکیل معاف کیا جائے۔

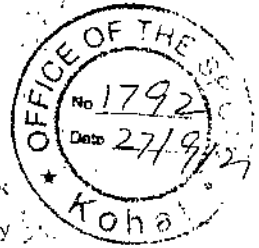
Inspector CTD

1.01.2021



(H) (23)

OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR



ORDER

This order will dispose of the departmental appeal preferred by Inspector Malik Taj who was awarded the major punishment of "Time scale for two years" under PR-1975 by SSP/Inv: Peshawar vide OB No. 171, dated 27.11.2020.

2- Short facts leading to the instant appeal are that the appellant while posted at Investigation wing proceeded against departmentally on the charges that he being Investigation officer, kept pending various case files without any cogent reason.

3- He was issued proper Charge Sheet and Summary of Allegations by SSP/Investigation. DSP/Inv: Cantt: Peshawar was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer after conducting proper enquiry submitted his findings and recommended the official for major punishment. The competent authority in light of the findings of the enquiry officer issued him Final Show Cause Notice, to which he replied but the same was found unsatisfactory, hence was awarded the above major punishment.

4- He was heard in person in O.R and the relevant record along with his explanation perused. A fresh report regarding current pendency on the part of appellant was also obtained from SSP-Inv: Peshawar. According to the report of SSP-Inv: Peshawar five cases are still pending with him from 2015. During personal hearing the appellant also failed to submit any plausible explanation in his defence. Therefore, his appeal for setting aside the punishment awarded to him by SSP-Inv: Peshawar vide OB No. 171, dated 27.10.2020 is hereby rejected/filed, being also time barred.

(Signature)
(ABBAS AHSAN) PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 2984-87 /PA dated Peshawar the 24/09/2021
Copies for information and necessary action to the :-

1. SSP/Inv: Peshawar.
2. EC-I/EC-II/AS
3. FMC along with enquiry file.
4. Official Concern.

Malik Taj Insp
For information
(Signature)

SUPERINTENDENT OF POLICE
CTD KOHAT REGION
KOHAT

27-9-21

"I"

(251)

سنہ 55 روزنامہ 6/15/2019

ضلع شانوار

حکومت پاکستان

سنہ 55 رپورٹ احتیاجات ازہ وقت 17.30 بجے 6/15/2019 7.11 بجیم مکمل کیا؟

کانزاس کے پاس ایف جی جنرل سرحدات زیر تفکیر کے آ رہے ہے۔

آج کو جن جنرل صاحب کے نام سے 7.11 صبح تک اکثر زیر تفکیر جنرل صاحب سے

سے مکالمہ کیا گیا جس میں 4/4/2016 فرم 148-159 341-380 مکالمہ مکمل کیا گیا

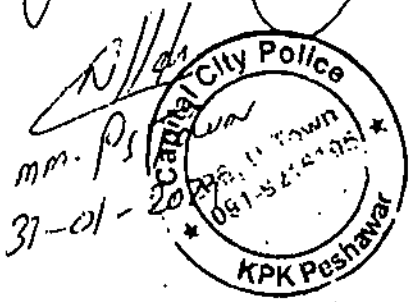
پاروں مکمل زیر تفکیر جنرل صاحب سے 7/9/2019 فرم 22-29 380 مکالمہ مکمل کیا گیا

جنرل صاحب سے 7/11/2016 فرم 452-357 مکالمہ مکمل کیا گیا 1029 عدالت

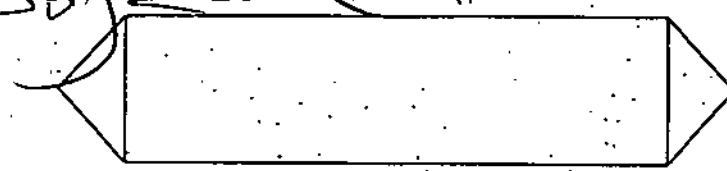
2016 12/16 فرم 9 C/A 68A کے مکالمہ پاروں مکمل مکالمہ سے پہلے سے پاروں مکمل

دیا گیا ہے۔ راکر جی ایم فرم 77 آن کی کمیوں سے مراد ہے۔ کہ جس میں جنرل صاحب کے پاس
کئی سے سماعت ہو کر ان کی کمزوریوں کا سروے کیا گیا ہے جنہیں مکمل کر دیا گیا ہے
انہیں پاروں کے ذریعہ سے دیا گیا ہے۔

ظاہر ہے
مکمل



بعدالتصائب حج دعوتی طرز التوفیق



السلامت
دعوتی

2021ء منجانب

فلسفہ بنام

مورخہ

مقدمہ

دعوتی

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ پر حلف دیے جواب دہی اور اقبال دعوتی اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعوتی اور درخواست ہر قسم کی تصدیق
زرائس پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا ایبل کی برآمدگی
اور منسوخی نیز دائر کرنے ایبل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2021ء

ماہ اکتوبر

۶۶

الرقوم

العہدہ گواہ العہدہ

کے لئے منظور ہے۔

مقام
15/10/21

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.7599/2021

Sub Inspector Malik Taj of CCP Peshawar..... **Appellant.**

VERSUS

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

REPLY BY RESPONDENTS NO. 1, 2&3.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

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

REPLY ON FACTS:-

1. Para pertains to record.
2. Incorrect. In fact the appellant was issued charge sheet with statement of allegations and initiated departmental enquiry against him as he kept pending various under investigation cases without any cogent reason. The enquiry officer after conducting enquiry proceedings under KP Police Rules 1975 (amended 2014) recommended him Major punishment hence issued final show cause notice to which he replied and was awarded major punishment of time scale for two years. (Copy of charge sheet, statement of allegations, enquiry report, Final Show Cause Notice are annexure as A,B,C,D).
3. Incorrect. After completion of the enquiry proceedings, he was issued final show cause notice to which he replied but his explanation was found unsatisfactory hence the allegations stand proved.
4. Incorrect. The competent authority before imposing the punishment had completed all codal formalities and sufficient opportunity of defence was provided to him however he failed to defend, hence was awarded Major punishment of time scale for the period of two years.
5. Incorrect. The appellant filed departmental appeal against the penalty to the appellate authority but failed to defend himself with plausible/justifiable grounds, hence his appeal was rejected on merit however the appeal was also time barred as per law of limitation.

6. That appeal of the appellant being devoid of merit and limitation may be dismissed on the following grounds.

REPLY ON GROUNDS:


- A. Incorrect. The appellant was treated as per law/rules and no violation of the Constitution of Pakistan 1973 has been done by the respondent department.
- B. Incorrect. The appellant availed the opportunity of defense and was also called person to explain his innocence but failed.
- C. Incorrect. Proper departmental enquiry as per prevailing Rules ibid was conducted against him however failed to rebut the charges as he was found guilty committing misconduct within the meaning of Rules ibid.
- D. Incorrect. The allegations were proved against the appellant hence was reprimanded as per law/rules.
- E. Incorrect. After fulfilling of all codal formalities, he was awarded Major punishment of time scale for a period of two years by the competent authority.
- F. Incorrect. Proper departmental enquiry was conducted wherein the allegations leveled against him got proved against him.
- G. Incorrect. The punishment awarded by the competent authority is as per KP Police Rules 1975 (amended 2014).
- H. That respondent may also be allowed to advance any additional ground at the time of hearing of the appeal.

PRAYER.

It is therefore most humbly prayed that in light of above facts and submissions, the appeal of the appellant being devoid of merit and legal footing, may kindly be dismissed with costs please.


Capital City Police Officer,
Peshawar.


Deputy Inspector General of Police,
CTD Khyber Pakhtunkhwa, Peshawar.


Senior Superintendent of Police,
Investigation, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.7599/2021

Sub Inspector Malik Taj of CCP Peshawar..... **Appellant.**

VERSUS


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

AFFIDAVIT

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


**Capital City Police Officer,
Peshawar.**


**Deputy Inspector General of Police,
CTD Khyber Pakhtunkhwa, Peshawar.**


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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No.7599/2021

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VERSUS

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

AUTHORITY.

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

**Capital City Police Officer,
Peshawar.**



CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE

SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

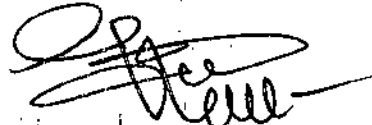
No. / PA

Dated Peshawar the / /2019

CHARGE SHEET.

Jehan Zeb Khan Senior Superintendent of Police, Investigation, Peshawar, as competent authority, hereby charge you SI Malak Taj as follow:-

- (i) During scrutiny of under investigation cases, it has been noted with great concern that you has been transferred from Police Station, SGH, Town and Pishtakhara while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you unable to finalize pending cases, neither submitted challan nor hand over concerned moharrer for further proceeding.
- (ii) This amounts to gross misconduct, negligence and malafide on your part for which you are liable for punishment as defined in Police Disciplinary Rules, 1975.
 1. By the reasons of the above, you appeared to be guilty of misconduct under Police Disciplinary Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.
 2. You are therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Inquiry Officer/Committee.
 3. Intimate whether you desire to be heard in person?
 4. A Statement of allegation is enclosed.


Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.



1629-54
17-5-19

CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE
SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

No. 93/E/PA

Dated Peshawar the 16/05/2019

DISCIPLINARY ACTION AGAINST SI MALAK TAJ THE THEN IO PS SGH, TOWN AND PS PISHTAKHARA NOW CTD.

I, Jehan Zeb Khan, Senior Superintendent of Police, (Investigation), Peshawar, as competent authority, am of the opinion that SI Malik Taj has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of Police Disciplinary Rules, 1975.

STATEMENT OF ALLEGATIONS.

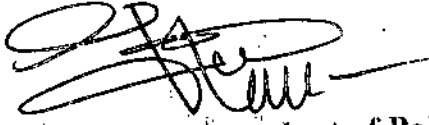
i) During scrutiny of under investigation cases, it has been noted with great concern that you has been transferred from Police Station SGH, Town and Pishtakhara, while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you unable to finalize pending cases neither submitted challan nor hand over concerned moharrer for further proceeding.

ii) That all the above acts amount to gross misconduct, negligence and malafide on his part for which he is liable for punishment as defined in Police Disciplinary Rules, 1975.

iii) For the purpose of scrutinizing the conduct of said accused with reference to the above allegations, DSP Noor Ullah is deputed as the Inquiry Officer.

iv) The Inquiry shall be conducted in accordance with the provision of the Rules to provide reasonable opportunity of hearing to the accused officer, record its finding within 15 days of the receipt of this order & make recommendations as to punishment or other appropriate action against the accused.

v) The accused shall join the proceeding on the date and time and place fixed by the Inquiry Officer.


Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.

Copy of above is submitted to the I.O for initiating proceeding against the defaulter under the provision of Police Disciplinary Rules, 1975.

2- SI Malik Taj now CTD is directed to submit the reply to the charge sheet and summary of allegations.

To **The Senior Superintendent of Police,
Investigation CCP, Peshawar.**

From **The Deputy Superintendent of Police,
Investigation Cantt: Division, Peshawar.**

No. **1629** /ST dated Peshawar, the 12.06.2019.

Subject: - **DISCIPLINARY ACTION AGAINST SI MALAK TAJ THE
THEN IO PS SGH, TOWN AND PS PISHTAKHARA NOW
CTD.**

Please refer to your Office Diary No. 93E/PA dated 16.05.2019(attached originally).

FACTS OF THE ENQUIRY.

It is a departmental enquiry against SI Malak Taj the then IO PS SGH, Twon and PS Pishtakhara , on the allegation that he has transferred from Police Station SGH, Town and Pishtakhara, while the cases in the enclosed list is still pending with you without any cogent reason inspite of repeated directions by the concerned staff, you unable to finalize pending cases neither submitted challan nor hand over concerned moharrer for further proceedings.

The delinquent official SI Malak Taj was charge sheeted and the undersigned was appointed as enquiry officer.

PROCEEDINGS OF THE ENQUIRY.

On the receipt of the charge sheet and summary of allegations against SI Malak Taj.

1. He was summon and on 28.05.2019 appeared in the office of undersigned and charge sheet was handed over to him with the direction to explain his position and report within 7 days.
2. After taken over the charge sheet the delinquent SI did not bothered to appear and nor made his defense about the allegation against him.
3. After his CTD Kohat was contacted for so many times on telephone number 0922-9260212 to inform the delinquent official SI Malak Taj to

attend the office of the undersigned and make his defense but achieving no result.

Besides this, the delinquent official was contacted on his mobile cell Nos. 0334-1929305, 0312-1314168 for time and again but he did not bother to attend the office of enquiry officer and make his defense which seems that the delinquent is deliberately did not taking any interest to appear and make his defense.

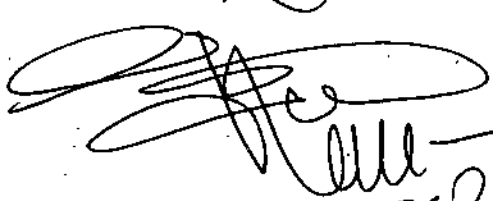
CONCLUSION.

Keeping in view of the facts/circumstances, I came to the conclusion that the delinquent official is not taking any interest to pursue the process of the enquiry and did not make his defense, therefore I am of the opinion that if approved, after full filling of legal formalities, he may be awarded major punishment.

Submitted please.



**Deputy Superintendent of Police,
Investigation Cantt: Div:Peshawar.**

OR

SSP-Inv.
12-06-19

summary of allegations.

**CAPITAL CITY POLICE PESHAWAR
OFFICE OF THE**

SENIOR SUPERINTENDENT OF POLICE INVESTIGATION PESHAWAR.

No. 147-E/PA

Dated Peshawar the 12/06/2020

FINAL SHOW CAUSE NOTICE

(UNDER RULES 5(3) KHYBER PAKHTUNKHWA, POLICE RULES, 1975)


1. That you **SI Malik Taj the then I.O PS Pishtakhara** have rendered yourself liable to be proceeded under Rule 5(3) of the Khyber Pakhtunkhwa, Police Rules for following misconduct:-

During scrutiny of under investigation cases, it has been noted with great concern that you have been transferred from Police Station SGH, Town and Pishtakhara, while the cases in the enclosed list is still pending with you without any cogent reason. In spite of repeated directions by the concerned staff, you were unable to finalize the pending cases, you neither submitted challan nor handed over the case files to the concerned Moharrer for further proceeding.

2. That by reason of the above, as sufficient material is placed before the undersigned, therefore it is decided to proceed against you in general Police proceedings without aid of Inquiry officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force will amount to encourage in efficient and unbecoming of good Police Officer.
5. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
6. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
7. You are further directed to inform the undersigned that you wish to be heard in person or not.

Received

O/C.


**Senior Superintendent of Police,
Investigation
Capital City Police, Peshawar.**

*12/06/2020
at Peshawar*

*gns/petow
29/6/2020*