

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 156/2015

Date of Institution ... 29.01.2015

Date of Decision ... 03.11.2017

Mst. Rabia Shahzadi, Ex-Female Warder, attached to Judicial Lock-up, Swabi.  
... (Appellant)

VERSUS

1. The Secretary to Home & Tribal Affairs, Government of Khyber Pakhtunkhwa,  
Peshawar and 2 others. ... (Respondents)

MR. HIDAYATULLAH KHATTAK, ... For appellant  
Advocate

MR. ZIAULLAH, ... For respondents.  
Deputy District Attorney

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN  
MR. GUL ZEB KHAN, ... MEMBER

JUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN.- Arguments of the  
learned counsel for the parties heard and record perused.

FACTS

3. The appellant was dismissed from service on 15.10.2014, against which she  
filed departmental appeal on 27.10.2014, which was not responded to and hence the  
present service appeal on 29.01.2015. The allegations against the appellant were that  
she held Press Conference on 24.07.2014 wherein she had levelled embarrassing  
allegations of sexual harassment against senior officers of the jail.

### ARGUMENTS.

4. The learned counsel for the appellant argued that the appellant has denied the holding of press conference which is the sole charge against her. That perusal of the enquiry report would reveal that not a single witness has been examined regarding the factum of holding of press conference. That in view of judgment reported as PLD 2014 Sindh 538 read with 1996-SCMR-1747, the newspaper clipping could not be proved unless author of the same was examined as witness. He further argued that the appellant had made a complaint against many jail officials who with malafide intentions proceeded against the appellant.

5. On the other hand, the learned Deputy District Attorney argued that the allegations of the press conference have not been denied by the appellant. But he failed to show any statement of any witness or the author of the news item in proof of his stance.

### CONCLUSION.

6. The sole charge against the appellant is holding of press conference or giving statement to the newspapers. The enquiry committee was constituted which has not probed into those factual controversies regarding the press conference. The appellant has refuted the press conference in her memo. of appeal as well as in reply to the final show cause notice. The report of the enquiry committee also does not show that how did they come to the conclusion that the appellant did hold a press conference. The enquiry committee simply reproduced the rules from the relevant Conduct Rules where under a civil servant cannot hold press conference. This Tribunal is of the view that the enquiry committee has failed to examine the relevant witnesses of the holding of press conference.

In the light of the above, this appeal is accepted and the department is directed to hold denovo enquiry in the light of the above mentioned observation

within a period of 3 months from the date of receipt of this judgment, failing which the appellant shall be reinstated in service. Parties are left to bear their own costs.

File be consigned to the record room.


  
(GUL ZEB KHAN)  
MEMBER

  
(NIAZ MUHAMMAD KHAN)  
CHAIRMAN

ANNOUNCED  
03.11.2017


06.04.2017

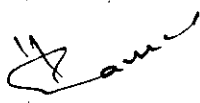
Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Argument could not be heard due to incomplete bench. To come up for final hearing on 07.07.2017 before D.B.

  
Chairman

13 07.07.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG alongwith Mr. Sohrab Khan, Assistant Mr. for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 03.11.2017 before D.B.

  
(Gul Zeb Khan)  
Member

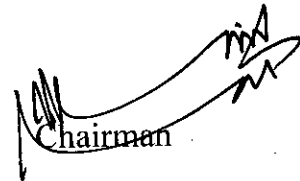
  
(Muhammad Hamid Mughal)  
Member

03.11.2017

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Sheryar, ASJ for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.

  
Member

  
Chairman

ANNOUNCED  
03.11.2017

12.08.2016

Appellant with counsel (Mr. Hidayatullah Khattak, Advocate) and Mr. Sheharyar Khan, ASJ alongwith Mr. Ziaullah, GP for respondents present. Learned counsel for the appellant submitted Wakalatnama today which is placed on file. To come up for arguments on 27-10-16 before D.B.



Member



Member

27.10.2016

Appellant with counsel and Addl:AG for respondents present. Counsel for the appellant requested for adjournment. Adjournment granted. To come up for arguments on 25.01.2017.



(ABDUL LATIF)  
MEMBER



(PIR BAKHSH SHAH)  
MEMBER

25.01.2017

Appellant with counsel and Mr. Ziaullah, GP for respondents present. Learned GP seeks adjournment as he has not prepared the case. Last opportunity granted. To come up for arguments on 06/04.2017 before D.B.



Member




Chairman

25.05.2016

Ms. Uzma Syed, Advocate on behalf of appellant present and submitted Wakalatnama. Mr. Sheharyar Khan, ASJ alongwith Mr. Usman Ghani, Sr.GP for respondents present. Learned counsel for the appellant submitted rejoinder, copy whereof handed over to learned Sr.GP. To come up for arguments on 7/6/16 before D.B.

Member

  
Member

07.06.2016

Appellant with counsel and Mr. Shehryar Khan, ASJ alongwith Assistant AG for respondents present. Learned Assistant AG requested for adjournment as copy of rejoinder was not handed over to him and further that the department filed to provide him certain important documents for which reason he could not prepared the arguments in this appeal. The learned counsel for the appellant has no objection. Last opportunity for arguments granted to the respondent-department. To come up for arguments on 12.8.2016.

  
Member

  
Member

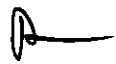
01.10.2015

Agent of counsel for the appellant and Mr. Sheharyar Khan, ASJ  
alongwith Addl: A.G for respondents present. Written statement  
submitted. The appeal is assigned to D.B for rejoinder and final hearing  
for 23.12.2015.

  
Chairman

23.12.2015

Clerk to counsel for the appellant and Mr. Suhrab,  
Junior Clerk alongwith Mr. Ziaullah, GP for respondents  
present. Clerk to counsel for the appellant requested for  
adjournment. To come up for rejoinder  
on 25.5.2016.

  
Member

  
Member

12.03.2015

*Appellant deposited fees  
for security.*



Appellant with counsel appellant present. Learned counsel for the appellant argued that the appellant was serving as female Warder in the establishment of Prisons. That during her career she lodged complaints against certain officers regarding sexual harassment and other undesirable activities due to which she was frequently transferred and posted to different stations and, finally, departmental enquiry was conducted against her and that she was dismissed from service vide impugned order dated 15.10.2014 against which she preferred departmental appeal on 27.10.2014 which remained un-responded and hence the present service appeal on 29.01.2015.

That the enquiry was conducted illegally as the appellant was afforded no opportunity of hearing nor she was associated with the enquiry in the prescribed manners.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 29.06.2015 before S.B.

  
Chairman

29.06.2015

Agent of counsel for the appellant and Mr. Sheharyar Khan, ASJ alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 1.10.2015 before S.B.



  
Chairman



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 156/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	24.02.2015	<p>The appeal of Mst. Rabia Shahzadi resubmitted today by Mr. Ashraf Ali Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2	9-3-15	<p>This case is entrusted to Bench <u>I</u> for preliminary hearing to be put up thereon <u>12-3-15</u>.</p> <p> CHAIRMAN</p>

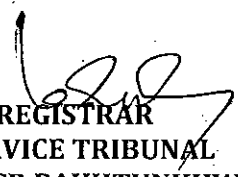
The present appeal was returned to the counsel for the appellant for completion and resubmission within 15 days. Today he resubmitted the same which is returned again to the counsel for the appellant with the following remarks:-

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Copy of show cause notice mentioned in para-8 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Annexure-B (Page-16) of the appeal is illegible which may be replaced by legible/better one.

The same may be resubmitted within 15 days.

No. 189 /S.T,

Dt. 13/2 /2015.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Ashraf Ali Khattak Advocate Peshawar.

Re-submitted:-

- (1) The charge-sheet at page 30 is the show cause from the contents of the documents.
- (2) Memo of appeal has been got signed.
- (3) Anx: B is replaced/visualized.




Ashraf Ali Khattak  
Advocate.

The appeal of Mst. Rabia Shahzadi Ex-Female Warder Attached to Judicial Lock up Swabi received today i.e. on 29.01.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 4- Copies of annexures A to G referred to in the memo of appeal are not attached with the appeal which may be placed on it.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete all respect may also be submitted with the appeal.

No. 11 /S.T,

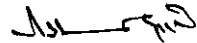
Dt. 29-1 /2015

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Ashraf Ali Khattak Adv. Pesh.

Re-submitted

Re-submitted after completing  
the required formalities.





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 156 /2015

Rabia Shehzadi Ex-Female  
Warder.  
.....Appellant

Versus

Inspector General Prison,  
KPK, Peshawar and others  
..... Respondents

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*Rabia Shehzadi*  
Appellant

Through

*Ashraf Ali Khattak*  
Ashraf Ali Khattak  
Advocate, Peshawar

Dated: \_\_\_\_\_ / 02 / 2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR

Service Appeal No. 156 /2015

1. W. P. No. 74  
29-1-2015

Rabia Shahzadi Ex-Fe male warder, attached to Judicial lock up, Swabi  
..... Appellant.

Versus

1. The Secretary to Home and Tribble Affairs Govt of Khyber Pakhtunkhwa, Peshawar.
2. The Inspector General Jail Khana Jat (Prison) Govt: of Khyber Pakhtunkhwa, Peshawar.
3. The Superintendent Circle HQS, Prison, Peshawar.  
..... Respondents.

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Service Appeal U/S 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with Rule 19 of the Khyber Pakhtunkhwa Govt: Servant (Efficiency and Discipline) Rules, 2011 against the impugned order dated 15-10-2014 of respondent No.3, wherein he dismissed the appellant from her legal service and against which appellant filed departmental appeal, which is still pending without disposal.

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Prayer:-

On acceptance of the instant writ petition this Honorable Court may graciously be pleased to the impugned order of respondent No.3 dated 15-10-2014 as illegal, unlawful, un fair, against the principle of fair play, equity, justice and without lawful authority and also set aside the same and re-instate the appellant with all back benefits:-

Respectfully Sheweth,

Facts giving rise to the present writ petition are as under:-

Filed to-57

29/1/15

29/1/15

1. That appellant has served the prison department as Female warder. She has considerable service at her credit.
2. That lodged numbers of complaints against Mr. Khalid Abbas Supdt: Central Jail Haripur, Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his son Mr. Sohrab for sexual harassment etc but instead of initiating proceedings against them and scrutinizing the accusation leveled as against them; appellant have been made escaped goat (Annexure-A).
3. That in order to take revenge and save their skin from the accusations leveled in the above referred complaints Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar in convenience with others conspired a well managed plan against appellant.
4. That later on the conspirators went long and made appellant a rolling stone. They subjected her to continuous transfer orders (Annexure-B) within short span of period on one pretext or another. This unwarranted attitude against a petty employee was nothing but to harass her and to force her to take U-turn of her lawful stand.
5. That appellant knock the door of all most every authority, who are setting at the helm affairs and brought the whole matter into their active knowledge but no one was there to listen to the agonies of the petty employee, rather the conspirators went long and in order to kick the petty employee from her lawful service managed another plan.

6. That it is the Golden Principle of Justice, fair-play and Equity that "No man ought to be a judge in his own cause". Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar in violation of this golden principle of law by himself served the appellant with charge sheet and statement of allegation to which appellant refuse to reply on the ground that since appellant has made/lodged complaints against him therefore, he cannot act as prosecutor and judge and that the inquiry should have been conducted through independent forum.
7. That slip shod inquiry (Annexure-C) was conducted in the absence and at the back of appellant. The inquiry officer was under the direct influence of the penal authority. The element of bias is evident from the inquiry report. Star witness has not been examined. The Inquiry officer has not recorded the statement of any person in the presence of appellant. The opportunity of defense has been willfully ignored. The defense witnesses have been called at the back of the appellant and have been forced to give statement of prosecution choice.
8. That appellant was served with final show cause (Annexure- D). Appellant submitted detail reply (Annexure-E).
9. That respondent without adopting the prescribe procedure of fair hearing and scrutinizing the legal and factual position and also disregarding the defense pleas imposed upon the appellant major penalty of dismissal from service (Annexure-F).
10. That being aggrieved from the impugned penal order dated 15-10-2014, appellant preferred departmental appeal (Annexure-G) before the respondent No.2, which still pending without disposal, hence the

statutory period has elapsed therefore the instant service appeal inter alias on the following grounds:

**GROUNDS:-**

- A. That the respondents have not treated the appellant in accordance with law, rules and policy governing the subject and acted in violation of Article 4 of the Constitution of Pakistan, 1973. That departmental disciplinary proceeding has been initiated by the officer against whom appellant had submitted numerous applications. That it is the Golden Principle of Justice, fair-play and Equity that "No man ought to be a judge in his own cause". Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar in violation of this golden principle of law by himself served appellant with charge sheet and statement of allegation to which she refused to reply on the ground that since appellant have made/lodged complaints against him therefore, he cannot act as prosecutor and judge.
- B. That the whole proceeding in a departmental inquiry is required by the Rules to be conducted in accordance with the principle of justice. The superior courts will not tolerate, and certainly not within the frame-work of the judicial administration itself, conditions in which officials can be made prosecutors, judges and punishing authorities, when they themselves are parties, merely on the ground that the power of removal is vested in them as appointing authorities under the Rules.
- C. That appellant's right of fair trial guaranteed under Article 10-A of the Constitution of Pakistan has been violated. Right of fair trial means right to a proper hearing by an unbiased competent forum.



In the instant case appellant have been prosecuted by a biased forum. The so called inquiry committee was bias and was under direct influence of Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group. The inquiry has been conducted through a biased inquiry committee.... Element of fairness bound to disappear.... Validity of the inquiry vanished and inquiry stands vitiated.

D. The so called inquiry proceeding has been initiated with mala fide intention and with bad faith in order to divert the scenario from the existing situation. Appellant have made number of complaints against the high officers of the department, but instead of taking lawful proceedings to redress miseries and grievances of the petty low paid employee (appellant), the authority in order to safeguard their skin has taken U turn and have got appellant involved in flimsy, concocted accusation, which has no factual and legal backing. So far the question alleged accusations against appellant are concerned; the same have no factual and legal support. All the allegations are flimsy in nature and spirit.

E. That it has been laid down in the so called inquiry report that Appellant has made allegation/accusation against Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and Mr. Khalid Abbas Supdt: Central Jail, Haripur. Similarly it has also been laid down in the inquiry report that appellant have mentioned some name, who are witnesses to the happening encounters in the Jail premises.

Now the question is!

1<sup>st</sup>, Whether Masood Ur Rehman Supdt: Central Jail, Peshawar

can act as prosecutor and judge against appellant in circumstance, when I have made serious allegation against him?

2<sup>nd</sup>, Whether Mr.Masood Ur Rehman Supdt: Central Jail, Peshawar and his group have been made a party to the inquiry proceedings.

3<sup>rd</sup> , Whether Mr.Masood Ur Rehman Supdt: Central Jail, Peshawar and his group has placed any defense as against appellant accusations/complaints.

**The inquiry committee in their report has submitted that they have recorded statements of witnesses.**

Now 4<sup>th</sup>, whether the inquiry officer has bothered to record the statement of those officers in appellant presence and whether appellant have been provided opportunity to scrutinize their statement under the scrutiny of cross examination? Appellant have the right to cross examine the witnesses, who are likely to depose statement against her interest. No such opportunity have been provided to appellant, therefore, the whole evidence has no legal status and evidentiary value and therefore, conviction cannot be based on such type frivolous and flimsy evidence.

It is very humbly submitted that if Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group has not offered any defense as against Appellant accusations, then under the provision of Qanoon-e-Shahadat and law governing the fair trial appellant's accusations against them stand proved.

F. That appellant have been treated very harshly by Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group since her appointment. Appellant have submitted a series of complaints against their unprecedentedly ill behaviors and harassment, but no heed has been paid to her legitimate expectancy; rather She has been penalized for her stand. Appellant have worked devotedly for her department and that too beyond the call of her legal duty, but instead of appreciating her performances, she has been subjected illegally, which has prolonged her uncertainties, snatched peace of mind and created a continuous agonizing tensions for her. The agonizing tensions have adversely affected her health. Public functionaries should act in a way to eliminate problems and not in a way to create further problems.

G. So far the allegation of media contact and holding of press conference is concerned; the same has totally been misconceived. Appellant have neither communicated any official documents or information to any press media nor have conducted or participated in the editing or management of any news paper or other periodical publication etc, which could likely be considered to jeopardize the integrity of a government servant, the security of Pakistan or to offend public order, decency or morality, defamation or incitement to an offence.

Moreover, the alleged accusation has not been probed into in the right way; rather the inquiry committee has acted as witness to the so called accusation. Neither the subscriber to the publication have been summoned and inquired about as per prescribed procedure provided in the statute and statutory rules. In absence of conformity with such procedure, the accusation cannot be held to have been proved.

- H. That so far the question of personal hearing is concerned. Appellant made appearance for so called personal hearing, wherein she made categorical statement that You, Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar is not competent to initiate, and conduct inquiry against appellant (me) or to issue any penal order against appellant. The recording of the so called personal hearing is available in appellant personal cell/phone and She is ready to produce the same, if this Honour Tribunal allow her and permits her.
- I. That the impugned order has been passed in sheer violation of the rules and laws governing the subject. Inquiry has failed to procure an iota of evidence in respect of the charge leveled against the appellant. The finding of the inquiry officer is based on conjecture and summarize and speculations, which has evidently value and legal backing therefore, the verdict of the respondent No.3 is illegal, unlawful and without lawful authority and liable to set back and set aside.
- J. That major penalty has been imposed without giving reason for disregarding appellant's defense constitute violation of Section 24A of the General Clauses Act, 1897, therefore, the impugned orders are not sustainable in the eyes of law and liable to be struck down.
- K. That the Honourable Supreme Court of Pakistan has in thousands of cases has held that no major punishment could be imposed without regular inquiry, the subject impugned order based on slipshod inquiry has therefore, no base in the light of the decision of the Apex Court, thus liable to be set aside.
- L. That so called slipshod inquiry has been conducted in the absence and at the back of the appellant. Appellant active participation during inquiry

proceeding has been willfully and deliberately ignored. Inquiry proceedings are of judicial in nature in which participation of accused civil servant as per law condition sine qua non. On this ground the impugned orders are coarm non judice and liable to be set back.

M. That the well-known principle of law "Audi altram Partem" has been violated. This principle of law was always deemed to have embedded in every statute even though there was no express specific or express provision in this regard.

....An adverse order passed against a person without affording him an opportunity of personal hearing was to be treated as void order. Reliance is placed on 2006 PLC(CS) 1140. As no proper personal hearing has been afforded to the appellant before the issuing of the impugned order, therefore, on this ground as well the impugned order is liable to be set aside.

N. That appellant has been jobless since impugned order, therefore, entitled to be re instated with all back benefits.

For the aforesaid reasons, it is therefore, humbly prayed that the appeal may kindly be allowed as prayed for above.

Any other relief not specifically asked for, but deem fit in the circumstance of the case may also be graciously be granted.

*Rakha Shobzadi*  
Appellant

Through

*Ashraf Ali Khattak*  
Ashraf Ali Khattak  
Advocates, Peshawar.

Dated: \_\_\_\_\_ / 01/ 2015

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. \_\_\_\_\_/2015**

**Rabia Shehzadi Ex-Female Warder. ....Appellant**

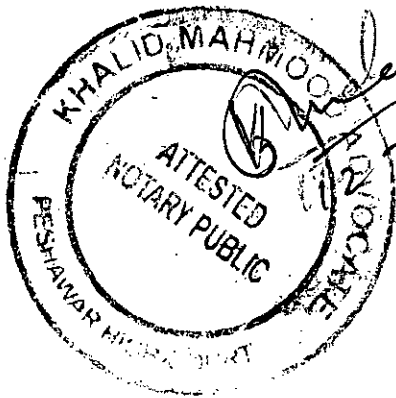
**Versus**

**Inspector General Prison, Khyber Pakhtunkhwa Peshawar & others. ....Respondents**

**AFFIDAVIT**

I, Rabia Shehzadi, Ex-Female Warder, Attached to Judicial Lockup, Swabi, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

*Rabia Shehzadi*  
**DEPONENT**



## بخدمت جناب چیف سیکرٹری ارباب شہزاد صاحب پشاور

جناب عالی!

مودبانہ گزارش ہے کہ میں گذشتہ (4) چار سال فی میل واڈون کی حیثیت سے جیل خانہ جات میں ڈیوٹی سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلیٹ قیدیوں کی طرف سے یا محکمہ کی طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیں ہے جو ہم جیسی مجبور لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی کوشش کرتے ہے۔ محکمہ جیل خانہ جات میں چند افراد جنکے

نام

1- سینئر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2- سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکننگ، آئی جی جیل خانہ جات خالد عباس انگی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہے اور جنسی تشدد کیلئے آمادہ کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے لیکر فون موبائل ہمیں قیدیوں کو مہیا کرنے کیلئے اکتاتے ہے۔ میں آج کل چارسدہ جیل میں فی میل واڈون کی حیثیت سے کام کر رہی ہوں۔

مجھے ذہنی کوفت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہے۔ اور بہانہ یہ کرتے ہے کہ باقی فی میل واڈون چھٹی پر ہے اور آپ کو مجبوراً انکی جگہ ڈیوٹی کرنی پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔

میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔

برائے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

عین نوازش ہوگی!

شہزادی رابطہ زوجہ امتیاز احمد

فی میل واڈون سب جیل چارسدہ

Arrested  
True Copy

## بخدمت جناب ملک قاسم صاحب وزیر جیل خانہ جات پشاور

جناب عالی!

مودبانہ گزارش ہے کہ میں گذشتہ (4) سال فی میل واڈرن کی حیثیت سے جیل خانہ جات میں ڈیوٹی سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلینٹ قیدیوں کی طرف سے یا محکمہ کی طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیں ہے جو ہم جیسی لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی کوشش کرتے ہے۔ محکمہ جیل خانہ جات میں چند افراد جنکے نام۔

1- سنیر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2- سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکنگ، آئی جی جیل خانہ جات خالد عباس انکی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہے اور جنسی تشدد کیلئے آمادہ کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے لیکر فون موبائل اور سمیں قیدیوں کو مہیا کرنے کیلئے اکتاتے ہے۔ میں آج کل چارسدہ جیل میں فی میل واڈرن کی حیثیت سے کام کر رہی ہوں۔

مجھے ذہنی کوفیت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہیں۔ اور بہانہ یہ کرتے ہیں کہ باقی فی میل واڈرن چھٹی پر ہیں اور آپ کو مجبوراً انکی جگہ ڈیوٹی کرنے پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔

میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔

برائے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

عین نوازش ہوگی!

شہزادی رابطہ زوجہ امتیاز احمد  
فی میل واڈرن سب جیل چارسدہ

Attested  
True Copy



# بخدمت جناب چیف جسٹس دوست محمد صاحب پشاور ہائی کورٹ

جناب عالی!

مودبانہ گزارش ہے کہ میں گذشتہ (4) چار سال فی میل واڈون کی حیثیت سے جیل خانہ جات میں ڈیوٹی سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلینٹ قیدیوں کی طرف سے یا محکمہ کی طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیں ہے جو ہم جیسی مجبور لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی کوشش کرتے ہے۔ محکمہ جیل خانہ جات میں چند افراد جنکے

نام

1- سینئر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2- سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکنگ، آئی جی جیل خانہ جات خالد عباس انکی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہے اور جنسی تشدد کیلئے امداد کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے لیکر فون موبائل ہمیں قیدیوں کو مہیا کرنے کیلئے اکتاتے ہے۔

میں آج کل چارسدہ جیل میں فی میل واڈون کی حیثیت سے کام کر رہی ہوں۔

مجھے ذہنی کوفیت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہے۔ اور بہانہ یہ کرتے ہے کہ باقی فی میل واڈون چھٹی پر ہے اور اپ کو مجبوراً انکی جگہ ڈیوٹی کرنی پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔

میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔

برائے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

عین نوازش ہوگی!

شہزادی رابطہ زوجہ امتیاز احمد

فی میل وارڈن سب جیل چارسدہ

0332-9985011

Arrested

True Copy



# بخدمت جناب چیف جسٹس دوست محمد صاحب پشاور ہائی کورٹ

جناب عالی!

مودبانہ گزارش ہے کہ میں گذشتہ (4) چار سال فی میل واڈن کی حیثیت سے جیل خانہ جات میں ڈیوٹی سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلینٹ قیدیوں کی طرف سے یا محکمہ کی طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیں ہے جو ہم جیسی مجبور لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی کوشش کرتے ہے۔ محکمہ جیل خانہ جات میں چند افراد جنکے

نام

1- سینئر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2- سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکٹنگ، آئی جی جیل خانہ جات خالد عباس انکی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہے اور جنسی تشدد کیلئے امداد کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے لیکر فون موبائل ہمیں قیدیوں کو مہیا کرنے کیلئے اکتاتے ہے۔ میں آج کل چارسدہ جیل میں فی میل واڈن کی حیثیت سے کام کر رہی ہوں۔

مجھے ذہنی کوفیت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہے۔ اور بہانہ یہ کرتے ہے کہ باقی فی میل واڈن چھٹی پر ہے اور اپ کو مجبوراً انکی جگہ ڈیوٹی کرنی پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔

میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔ برائے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

عین نوازش ہوگی!

شہزادی رابطہ زوجہ امتیاز احمد

فی میل وارڈن سب جیل چارسدہ

0332-9985011

بیرون یکہ توت آغا میر جانی شاہ روڈ نزد نور نیکی اسٹینڈ

خالد ٹاؤن سٹریٹ نمبر 2 مکان نمبر ~~80-29-6~~

697

کاپی برائے:-

Attested  
True Copy

1- چیف جسٹس افتخار چوہدری صاحب سپریم کورٹ آف اسلام آباد

2- چیف جسٹس دوست محمد صاحب پشاور ہائی کورٹ

3- سیشن جج تنولی صاحب چارسدہ

Annex-B- P-16

OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

No 4769

NO. 25330

DATED 22/10/2012

Following postings/transfers is hereby ordered in the public interest:-

Female warder Rashida Perveen attached to District Jail Timergara is hereby transferred/posted in the same capacity to Sub Jail Charsadda vice No.2

Female warder (BPS-5) Shahzadi Rabia attached to Sub Jail Charsadda is hereby transferred/posted in the same capacity to C.P, Peshawar against the vacant post.

Arrival and departure reports should be sent to all concerned.  
Both officials should be relieved of their duties immediately by making local arrangements.  
Minimum joining time may be allowed.

*[Signature]*  
INSPECTOR GENERAL OF PRISONS,  
KHYBER PAKHTUNKHWA PESHAWAR

NO. 25331-37

Copy of the above is forwarded to :-

- The Accountant General Khyber Pakhtunkhwa Peshawar, for information
- The Superintendents Headquarters Prison Peshawar & Haripur for information.
- The Superintendent Central Prison Peshawar.
- The Superintendent, District Jail Timergara.
- The Superintendent, Sub Jail Charsadda.
- For information and necessary action.
- The District Accounts Officers Timergara & Charsadda for information.

*[Signature]*  
INSPECTOR GENERAL OF PRISONS,  
KHYBER PAKHTUNKHWA PESHAWAR

*[Handwritten marks]*

Attested  
True Copy



P-(17)

OFFICE OF THE  
**SUPERINTENDENT**  
CENTRAL PRISON PESHAWAR

No. 2559 /LO/Dt: 11/14/2013

To

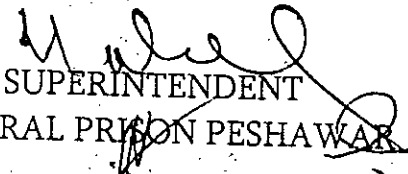
Female Warder Shahzadi Rabia  
Attached to Central Prison Peshawar.

Subject: RELIEVING DOCKET.

Memo:

Under the instructions contained in the Superintendent Headquarters Prison Peshawar Office order No.865 dated 10-04-2013 you are hereby relieved of your duties at this jail today dated 11-04-2013 (AN) and directed to report to the Superintendent District Jail Mardan for further duties there.

You are allowed 03 days joining time.

  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

Endorsement No: \_\_\_\_\_/-

Copy of the above is forwarded to the: -

- 1- Superintendent Headquarters Prison Peshawar for information with reference to above.
- 2- Superintendent District Jail Mardan.
- 3- Head Clerk (Pay Branch) Central Prison Peshawar.

\_\_\_\_\_  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

Attested  
  
True Copy



*20/4*  
*for action*  
*P-18*  
*23/4*

OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQs. PRISON PESHAWAR  
No. 894 /P.B/ Dt: 18 / 04 / 2013

OFFICE ORDER

Following posting/ transfers are hereby ordered in the public interest:

- 1- Orders regarding posting/ transfers of Female Warder Rabia Shahzadi from Central Prison Peshawar to District Jail Mardan issued vide this Headquarters P.B Order No. 865 dated 10-04-2013 are hereby amended and now she is posted to Sub Jail Charsadda vice No. 2.
- 2- Female Warder Anwar Zia attached to Sub Jail Charsadda is hereby transferred and posted to District Jail Mardan vice No. 1 above.

SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR

Endorsement No: 895-98

Copy of the above is forwarded to the:-  
P.A to ~~Additional~~ Secretary Home please.

- 1-
- 2-
- 3-
- 4-

Superintendent Central Prison Peshawar.  
Superintendent District Jail Mardan.  
Superintendent Sub Jail Charsadda.

*[Signature]*  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR

**Attested**  
*[Signature]*  
**True Copy**



*LO/HC  
for action  
23/4*

P-19

OFFICE OF THE  
**SUPERINTENDENT**  
CENTRAL PRISON PESHAWAR

No. 2559 /LO/Dt: 11/14/2013

To

Female Warder Shahzadi Rabia  
Attached to Central Prison Peshawar.

Subject: RELIEVING DOCKET.

Memo:

Under the instructions contained in the Superintendent Headquarters Prison Peshawar Office order No.865 dated 10-04-2013 you are hereby relieved of your duties at this jail today dated 11-04-2013 (AN) and directed to report to the Superintendent District Jail Mardan for further duties there.

You are allowed **03** days joining time.

*[Signature]*  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

Endorsement No: \_\_\_\_\_/-

Copy of the above is forwarded to the: -

- 1- Superintendent Headquarters Prison Peshawar for information with reference to above.
- 2- Superintendent District Jail Mardan.
- 3- Head Clerk (Pay Branch) Central Prison Peshawar.

SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

*22/04/2013 :- Transfer order from C.P. Peshawar to District Jail*

*Mardan is hereby amended vide PB order No. 894*

*dated: 18/04/2013 and now she is posted to Sub Jail*

*Charsadda.*

Attested  
*[Signature]*  
true Copy

*[Signature]*  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR  
*22/4/13*



19-90

OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQs. PRISON PESHAWAR  
No. 1901 /P.B/ Dt: 28/6 /2013

OFFICE ORDER

Following posting/ transfers are hereby ordered in the public interest: -

- 1- Female Warder Rabia Shahzadi attached to Sub Jail Charsadda is hereby transferred and posted to Judicial Lockup Swabi vice No. 2
- 2- Female Warder Saeeda Bano attached to Judicial Lockup Swabi is hereby transferred and posted to Sub Jail Charsadda vice No. 1 above.

NOTE

- (i) They should be relieved of their duties immediately by making local arrangements.
- (ii) Minimum days joining time may be allowed to them.

SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR

Endorsement No: 1902-031

Copy of the above is forwarded to the: -

- 1- Superintendent Sub Jail Charsadda with reference to his report No. 868 dated 26-06-2013.
- 2- Superintendent Judicial Lockup Swabi.  
For information & further necessary action.

*Handwritten signature*  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR  
28/6/13

H/c. L.O  
Forwarded for  
n/a please  
super L.  
2/7/13

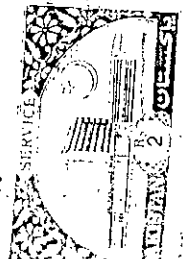
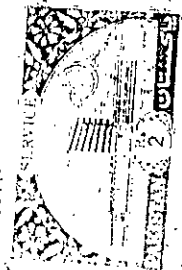
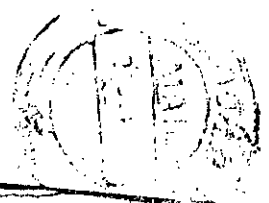
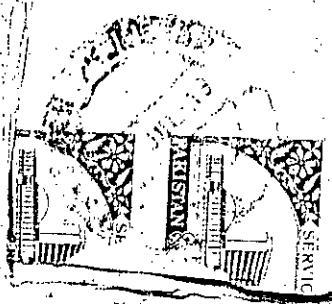
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True Copy



P.S.S

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Smolt: Tall  
Central Prison, Esthwaite



Kaisons, KPK P-71  
Peshawar

Subject: Appeal against order dated. 28.6.2013.

R. Sir,

Most profoundly it is submitted that I have been working as female warder in prisons Dept since 2009.

Last I was posted in Charsadda Jail vide order dt: 18.4.2013, but soon after two months I have been again transferred to Swabi vide order dt. 28.6.2013.

The last transfer order dt. 28.6.2013 is pre-mature and against the posting/transfer policy of the Govt. More-over being a female gender, belongs to Peshawar and also has permanent residence in Peshawar, it would be difficult for me to manage 24 hrs duty at Distt. Swabi and that too without having any quarters there. Thus my marital life would also be become on stake.

Therefore, it is requested that my transfer order dt: 28.6.2013 may be cancelled and I may be let to complete my tenure at Charsadda.

Dt: 23.7.2013:

Sincerely Yours.

Rakia Shahzadi  
Female Warder  
Prisons Dept. Peshawar.

No. 12297  
12297  
24-7-13



Attested  
True Copy

P-99

OFFICE OF THE  
SUPERINTENDENT SUB JAIL CHARSADDA  
NO. 910 /DATED 03/07/2013

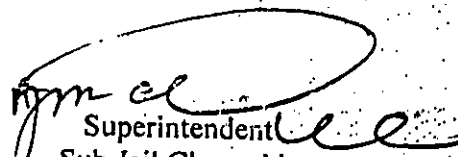
To

Mr. Rabia Shahzadi P/walid  
Attached to Sub Jail Charsadda.

Subject:- RELIEVING DOCKET  
Memo:-

Under the instructions contained in the, suiddt H/O Prison Peshawar  
Order No. 1901 dated 28/1/6 /2013, you are hereby relieved from your duties  
today ~~After Noon/Fore Noon~~ of 03-07-2013 and directed to report to the Superintendent  
G.P./Distt./Jail/Sub Jail Swabi for further duties.

You are allowed (3) days of joining time.


  
Superintendent  
Sub Jail Charsadda

3/6/13

Endst.No. \_\_\_\_\_

Copy forwarded to the :-

- 1- Superintendent Headquarter Prison Peshawar for information with reference to his endorsement No. 1902-03 dated 28/1/6 /2013.
- 2- Superintendent, Judicial Quarter Central Prison/District/Sub Jail Swabi for information.
- 3- District Accounts Officer Charsadda for information.

  
Superintendent  
Sub Jail Charsadda

Attached  
true Copy

13

P-23

OFFICE OF THE  
SUPERINTENDENT JUDICIAL LOCKUP SWABI  
No 213 DATED 7/2 /2013/

To,

1. Mr. Naseeb Gul (Warder)
  2. Mr. Kaleemullah (Warder)
  3. Mst. Rabia Shahzadi (Female Warder)
- Attached to Judicial Lockup Swabi.

Subject: RELIEVING DOCKET.

Memo,

Under the instruction contained in the Superintendent Circle Head Quarter Jail Peshawar order No 263-66/P.B dated 06-02-2014, you are hereby relieved of your duties at this Jail today on A.N/02/2014 (F.N/A.N) and directed to report to the Superintendent Central Jail Peshawar for further duty.

You are allowed 03 (Three) days joining time

  
SUPERINTENDENT  
JUDICIAL LOCKUP SWABI

Endost No \_\_\_\_\_ /

Copy of the above is forwarded to the.

- 1 The Superintendent Circle Head Quarter Jail Peshawar
- 2 The Superintendent Central Jail Peshawar for information and necessary action please.
- 3 DAO Swabi for information please.

  
SUPERINTENDENT  
JUDICIAL LOCKUP SWABI

Attested  
Admitted  
True Copy



P-24

OFFICE OF THE  
**SUPERINTENDENT**  
CENTRAL PRISON PESHAWAR  
No. 5563 /L.O/ Dt: 11/07/2014

To

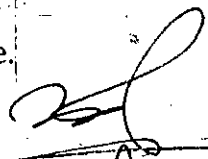
Female Warder Rabia Shahzadi  
Attached to Central Prison Peshawar.

Subject: RELIEVING DOCKET.

Memo:

Under the instructions contained in the Superintendent Circle HQs. Prison Peshawar Office Order No. 1737 dated 11-07-2014, you are hereby relieved of your duties at this jail today dated 11-07-2014 (AN) and directed to report to the Superintendent Judicial Lockup Swabi for further duties there.

You are allowed MINIMUM days joining time.

  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

Endorsement No: \_\_\_\_\_ /-

Copy of the above is forwarded to the: -

- 1- Superintendent Circle HQs. Prison Peshawar for information with reference to above please.
- 2- Superintendent Judicial Lockup Swabi.
- 3- Head Clerk (Pay Branch) Central Prison Peshawar.  
For information.

  
SUPERINTENDENT  
CENTRAL PRISON PESHAWAR

Attested  
  
COPY



P-95

OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQS. PRISON PESHAWAR  
No. 1319 /P.B dt: 2/15/2012

**OFFICE ORDER**

Following posting/ transfers of Female Warders are hereby ordered in the public interest: -


S.#	Name of Female Warder	From	To	Remarks
1	Female Warder Saeeda Khatoon	CP Peshawar	JL Nowshera	Vice No. 2
2	Female Warder Muntaz Muhal	JL Nowshera	CP Peshawar	Vice No. 1
3	Female Warder Rabia Shahzadi	CP Peshawar	SJ Charsadda	Vice No. 4
4	Female Warder Shahnaz Bibi	SJ Charsadda	CP Peshawar	Vice No. 3
5	Female Warder-Naheed Bibi	CP Peshawar	SJ Mardan	Vice No. 6
6	Female Warder Anwar Zia	DJ Mardan	CP Peshawar	Vice No. 5
7	Female Warder Saeeda Bano	CP Peshawar	JL Swabi	Vice No. 8
8	Female Warder Nihara Bibi	JL Swabi	CP Peshawar	Vice No. 7
9	Female Warder Munira Akhtar	CP Peshawar	DJ Mardan	Vice No. 10
10	Female Warder Zahida Begum	DJ Mardan	CP Peshawar	Vice No. 9
11	Female Warder Yasmeen Bibi	CP Peshawar	SJ Charsadda	Vice No. 12
12	Female Warder Saliha Bibi	SJ Charsadda	CP Peshawar	Vice No. 11
13	Female Warder Shabana Perveen	CP Peshawar	SJ Dir	Against Vacant post
14	Female Warder Tasleem Bibi	CP Peshawar	JL Malakand	Vice No. 15
15	Female Warder Alia Bibi	JL Malakand	CP Peshawar	Vice No. 14

**SUPERINTENDENT**  
CIRCLE HQ. PRISON PESHAWAR

Endorsement No: 1320-281

Copy of the above is forwarded to the: -

- 1- Secretary to Government of Khyber Pukhtunkhwa, Home & T.As Department, Peshawar
- 2- Inspector General of Prisons, Khyber Pukhtunkhwa, Peshawar.
- 3- Private Secretary to Minister for Prisons, Khyber Pukhtunkhwa, Peshawar.
- 4- Superintendent Central Prison Peshawar.
- 5- Superintendent District Mardan.
- 6- Superintendent Sub Jail Charsadda.
- 7- Superintendent Judicial Lockup Swabi, Nowshera & Malakand.

  
**SUPERINTENDENT**  
CIRCLE HQ. PRISON PESHAWAR

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INQUIRY REPORT IN PRESS CONFERENCE ILLEGALLY HELD BY  
FEMALE WARDER MST. RABIA SHAHZADI

**BRIEF FACTS**

Female warder Rabia Shahzadi presently attached to Judicial lock up Swabi, held Press Conference, on 24.7.2014 wherein she had leveled embarrassing allegations of sexual harassment against Senior officers of the department which were publicized through print Media on 25.7.2014.

Thus, indulging in misconduct as defined under rule 2(1) of Khyber Pakhtunkhwa Government Servants (efficiency & Discipline) Rules of 2011, By holding of press conference, she by-passed the laid down procedure thus violating rules 21,24 & 25 of Khyber Pakhtunkhwa Government Servants (conduct) rules 1987 read with rules 1091(i),(ii) & 1095 (F) of Khyber Pakhtunkhwa Prison Rules, 1985 and as such rendered herself liable to be proceeded under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011.

**FINDINGS.**

Inquiry committee consisting of the undersigned and Mr Falak Sher Khan Senior Assistant Superintendent presently attached to Judicial Lock Up Nowshera was constituted for the purpose of inquiry against the female warder with reference to the above allegations against her.

To make first move in the probe, female warder Mst. Rabia Shahzadi ( Shehzadi Rabia per her statement) was asked through Superintendent Judicial lock up Swabi (Copy of letter No.5534 dated 02.9.2014 is enclosed as Annexure "A") to appear before the inquiry committee for personal hearing at the office of the Superintendent Judicial lock up Nowshera on 09.9.2014. She was also advised to provide written statement and documents (if any) in her defense.

In the meanwhile, the inquiry committee was informed that the accused official had refused to receive the statement of allegations/ charge sheet sent to her through Superintendent jail Swabi. (copy of letter No. 2073/WE/PB. Dated 01.9.2014 from the superintendent, Circle HQS.Prison Peshawar is enclosed as Annexure "B").

She appeared before the inquiry committee on the date fixed, who was asked to record the statement and to produce any defense, however her first lexis was that she doesn't accept any departmental inquiry but when she was asked to give a short written statement to this effect then she thought twice and opted to give statement. She was provided pen & paper and then she wrote and gave her statement which is attached as Annexure "C".

Though she made the same allegations against Mr. Khalid Abbas Supdt, Central Prison Haripur, Mr. Masood ur Rehman Supdt, Central Prison Peshawar and his son Mr. Sohrab as were published through News papers however; this time in her statement she added the names of other officers i.e of Mr. Shamroz Assitt; Supdt; , Mr. Salman Assitt; Supdt; and Mr. Mukhtiar Haider Senior Assistant Superintendent jail charging them also for similar allegations of sexual harassment. She also alleged in her statement that they used to take out female prisoners from jail to outside hospitals on the pretext of illness but instead of taking them to hospitals these female prisoners were taken to the places of amusement where sex was committed with them.

She was given reasonable opportunity of hearing and was asked to provide pertinent evidence to prove such serious allegations against the officers. She gave the names of Mr. Daulat Khan warder, Mr. Janas warder, Mr. Sadarat warder, Mr. Wasidullah warder and Mr. Hazrat Ali employ of Information Technology Department working at central prison Peshawar as the eye witnesses. She further added that she had also submitted complaints before the honorable Chief Minister of Khyber Pakhtunkhwa, I.G Prisons, Advisor to the Hon'ble Chief for Prisons, Hon'ble Sessions Judge, Hon'ble Chief Justice High Court as well as to Hon'ble Chief Justice of Pakistan but with no response.

The above mentioned jail staff members (witnesses) were asked to appear before the inquiry committee, to record their statements and to give the truthful and candid evidence. They appeared before the inquiry committee on 10.9.2014, recorded their statements on oath that they were absolutely unaware of such happenings. (Attached as Annexure "D").

To a question that how long before she was coerced and compelled by the officers for coming into illicit relations with them, she replied that it was the year of 2009 when she was recruited and soon after her enrollment in service she was attempted upon by the then officers for making sexual advances with them.

To another question that what were the reasons that she remained mum and didn't make complaint against them in the year of 2009, she thought twice and replied that the then Superintendent jail was transferred to Haripur and she was not in position to go there.

When she was asked that she has not only violated rules by holding Press conference but have charged a number of officers for serious allegations of sexual harassment and the burden of proof lie on her shoulders, she added she will produce further justifications on other occasion when she will be granted leave,



... asked to produce the documents in her defense on the date of ...  
Refusal from receiving of statement of allegations/ Charge Sheet sent to her through Supdt; judicial Lock up swabi, then at the time of appearance before the inquiry committee her first lexis of non acceptance of any departmental inquiry and non production of any cogent evidence at the time of personal hearing, further continuation of the inquiry proceedings would be a futile exercise.

CONCLUSION.

After conducting detailed inquiry and, as per above explained circumstances the inquiry committee has observed the following:


- That she has violated rules by holding Press Conference.
- That during the course of inquiry she was not successful in discharging of onus of proof
- The witnesses named by her were heard carefully but statements given by them are containing nothing to support her statement/ allegations
- The contents of her statement to the effect that jail officers used to take out female prisoners from jail to outside hospitals on the pretext of illness but instead of taking them to hospitals these females were used to be taken to the places of amusement where sex was to be committed with them, is really not only difficult but is impossible as male and female prisoners both can never be taken out from prison by the jail authorities but as per rules they are always handed over to police authorities under the proper signatures for escorting them to hospitals, trial courts or for the purpose of transfer to other jails, particularly the female prisoners are taken out by joint escorting party consisting of male and female police officials.
- On the other hand record reveals that in past too, such complaints against officers have filed by her upon which inquiries were conducted (Copies enclosed as annexure "E) but were finally found without any legal substance and baseless. However during those inquiries the crux came to the surface that nothing else but her transfer from central prison Peshawar to sub jail Charsadda, which was effected in line with statutory requirement of rule 1117 of the prison rules which places embargo on the posting of a warder in his/ her district of domicile and then from sub jail Charsadda to Judicial lock up Swabi after a series of complaints sent against her to senior administration of the department and issuance of show cause notices to her by the administration of sub jail Charsadda due to her casual attitude and non becoming an official had annoyed her against her officers.

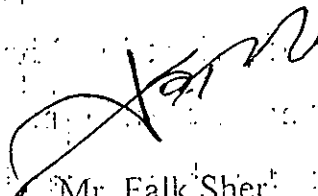
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As it is admitted position of law that official record has veracity of truth related to it, so her transfer from Charsadda to Swabi on complaint of jail administration and show cause notices issued to her at various occasions are the evidences which amply proves her casual attitude and unbecoming of an official. It is Pertinent to mention here that the immediate cause of holding press conference on 24.7.2014 by her was her transfer from Central Prison Peshawar to Judicial Lock up Swabi on 11-07-2014.

To sum up, Mst. Rabia Shahzadi, being a Government servant and that too in a discipline force has violated rules 21, 24 and 25 of the Khyber Pakhtunkhwa Government Servant (Conduct Rules) 1987, which placed clog on the holding press conference as well as talk in Radio telecast, as such she has committed serious and grave misconduct. On the other hand she had not been able to prove allegations leveled by her against jail officers so in such circumstances the inquiry committee has no other alternative but to recommend her for major penalty of dismissal from service.

Submitted as desired please

  
 Mujeeb-ur Rehman 24/9/2014  
 Senior Assistant Superintendent  
 Central Prison Haripur

  
 Mr. Falk Sher  
 Senior Assistant Superintendent,  
 Judicial Lockup Nowshera

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I, Masud-ur-Rahman, Superintendent Headquarters Prison Peshawar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you, Female Warder (BPS-05) Rabia Shahzadi as follows: -

- (i) That consequent upon the completion of inquiry conducted against you by the Inquiry Committee for which you were given opportunity of hearing vide communication No. 1903-07/PB dated 25-08-2014.
- (ii) On going through the findings and recommendations of the inquiry Committee, the material on record and other connected papers including your defence before the inquiry committee, I am satisfied that you have committed the following acts/ omissions specified in rule 3 of the said rules: -

*"You held press conference on 24-07-2014, the contents of which were published in newspapers on 25-07-2014 wherein you leveled frivolous, vexatious, false and embarrassing allegations against senior officers and others with malafide intentions by-passing the laid down procedure in violation of rules 21, 24 & 25 of Khyber Pakhtunkhwa Government Servants (Conduct) Rules 1987 read with rules 1091 (i) (ii) 1095 (F) of Khyber Pakhtunkhwa Prison Rules 1985, thus committed gross misconduct as defined under rule 2(l) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011. Furthermore you habitually indulge in such like misconduct."*

2- As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of **Dismissal from Service** under section 4 of the said rules.

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

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

5- A copy of the findings of the inquiry committee is enclosed.

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11-11-14  
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SUPERINTENDENT  
CIRCLE HQS, PRISON PESHAWAR

To

Departmental Appeal/Representation

The Honourable Agency Education Officer, Khyber  
Agency at Jamrud.

**Subject: Reply to the final Notice Endst No. Nil Dated Nil.**

Respected Sir,

With due respect I have the honour to submit the instant reply in response to the Charge Sheet/Show Cause Notice cited above for your kind consideration and favorable action, please.

**Preliminary Objections:-**

The so called disciplinary action, initiation of inquiry and further proceeding on your part is illegal, unlawful, without lawful authority and more so void ab initio and therefore, not sustainable in the eyes of law, justice, fair play and equity; for the reasons:-

- i. The relevant law provides that disciplinary action could only be initiated against an employee by concerned employer, since Your Good self is not my appointing authority; therefore, you are not competent to initiate any sort of disciplinary proceedings against me.
- ii. Since I have made and lodged numbers of complains against you and your son Sohrab, therefore, on this score as well, your person comes within the definition of an accused person and you have to defend your skin against my accusations and therefore, you cannot act as prosecutor. The act on your part is highly unwarranted at law, equity and fair play. The Honorable Supreme Court of Pakistan has laid down golden principle of law "No man ought to be a judge in his own cause, because he cannot act as a judge and at the same time be a party.
- iii. The whole proceeding in a departmental inquiry is required by the Rules to be conducted in accordance with the principle of justice. The superior courts will not tolerate, and certainly not within the

15-10-2014  
11-05-2009  
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1<sup>st</sup>, Whether Your Good self can act as prosecutor and judge against me in circumstance, when I have made serious allegation against you?

2nd, whether the inquiry officer has bother to record the statement of those officers in my presence and whether I have been provided opportunity to scrutinize their statement under the scrutiny of cross examination? I have the right to cross examine the witnesses, who are likely to depose statement against my interest. No such opportunity have been provided to me, therefore, the whole evidence has no legal and evidentiary value and therefore, conviction cannot be based on such type frivolous and flimsy evidence.

3rd, whether You and Mr. Khalid Abbass has made any defense against my accusation?

4th, whether You and Mr. Khalid Abbass have been called/summoned by the inquiry committee and you have offered any defense? If no defense has been made on your part, it means that my accusation stand proved.

2. I have been treated very harshly by the authorities since my appointment. I have submitted a series of complaints against the unprecedentedly ill behaviors and harassment, but no heed has been paid to my legitimate expectancy; rather I have been penalized for my stand. I have worked devotedly for my department and that too beyond the call of my legal duty, but instead of appreciating my performances, I have been subjected illegally, which has prolonged my uncertainties, have snatched peace of mind and created agonizing tensions. The agonizing tensions have adversely affected my health. Public functionaries should act in a way to eliminate problems and not in a way to create further problems.

3. So far the allegation of media contact and holding of press conference is concerned; the same has totally been misconceived. I have neither communicated any official documents or information to any press media nor have conducted or participated in the

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P-34

editing or management of any news paper or other periodical publication etc, which could likely be considered to jeopardize the integrity of a government servant, the security of Pakistan or to offend public order, decency or morality, defamation or incitement to an offence.

Moreover, the alleged accusation has not been probed into in the right way; rather the inquiry committee has acted as witness to the so called accusation. Neither the subscriber to the publication have been summoned and inquired about as per prescribed procedure provided in the statute and statutory rules. In absence of conformity with such procedure, the accusation cannot be held to have been proved.

In view of the above, it is humbly requested that the present unilateral disciplinary action may kindly be filed and proper inquiry under the rules may be convened to dig out the real truth of the whole episode.

Your faithfully.

Rabia Shahzadi warder, attached to Judicial lock up, Swabi.

Dated: <sup>29</sup>25/09/2014

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Anx, F P-35



OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQS. PRISON PESHAWAR.  
No. 2462 /P.B/ Dt: 15/10 /2014

OFFICE ORDER

Upon completion of proceedings under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, and after giving her the opportunity of personal hearing, penalty of "Dismissal from Service" with immediate effect is awarded to Female Warder Shahzadi Rabia attached with Judicial Lockup Swabi on establishment of charges contained in Charge Sheet/ Statement of allegations issued vide this Headquarters Endorsement No: 1903-07/WE dated 25-08-2014.

SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

Endorsement No: 2463-65

Copy of the above is forwarded to the: -

- 1- Inspector General of Prisons Khyber Pakhtunkhwa Peshawar with reference to his memo No. 21504-05 dated 21-08-2014.
- 2- Superintendent Judicial Lockup Swabi for necessary action.
- 3- District Accounts Officer Swabi.

SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

*Handwritten notes:*  
D/O  
J.H.C  
for ms De  
20/10/14

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To

The Honourable I.G Prison Khyber Pakhtunkhwa,  
Peshawar.

Subject: Departmental Representation/Appeal

Respected Sir,

With due respect I have the honour to submit this departmental representation/appeal for your kind consideration and favourable action, please.

1. I, Rabia Shehzadi D/o Sakhawat Khan Ex-Fe-male Warder have been penalized with major penalty of "Dismissal from Service" vide order No.2462/P.B dated 15-10-2014.
- ✓ 2. I have made/lodged numbers of complaints against Mr. Khalid Abbas Supdt: Central Jail Haripur, Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his son Mr. Sohrab for sexual harassment etc but instead of initiating proceedings against them and scrutinizing the accusation leveled as against them; I have been made escaped goat.
- ✓ 3. That in order to take revenge and save their skin from the accusations leveled in the above referred complaints Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar in convenience with others conspired a well managed plan against me.
- ✓ 4. That initially, they managed numbers of inquiries against me on flimsy, concocted allegations, but failed to establish the same and to bring me on the penal of employees committed mis-conduct.

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*Rabia*



5. That later on the conspirators went long and made me a rolling stone. They subjected me to continuous transfer orders within short span of period on one pretext or another. This unwarranted attitude against a petty employee was nothing but to harass her and to force her to take U-trun of her lawful stand.
6. That I knock the door of all most every authority, who are setting at the helm affairs and brought the whole matter into their active knowledge but no one was there to listen to the agonies of the petty employee.
7. That my continuous hectic efforts remained unheeded, which afforded Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group an opportunity to conspire further plans and kick me out of my legal service.
8. That it is the Golden Principle of Justice, fair-play and Equity that "No man ought to be a judge in his own cause". Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar in violation of this golden principle of law by himself served me with charge sheet and statement of allegation to which I refuse to reply on the ground that since I have made/lodged complaints against him therefore, he cannot act as prosecutor and judge.
9. That the whole proceeding in a departmental inquiry is required by the Rules to be conducted in accordance with the principle of justice. The superior courts will not tolerate, and certainly not within the frame-work of the judicial administration itself, conditions in which officials can be made prosecutors, judges and punishing authorities, when they themselves are parties, merely on the ground that the power of removal is vested in them as appointing authorities under the

Rules.

10. That since Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group were bent upon to remove the petty employee from her legal service, therefore, they ignored not only the law but also the ethics and constituted a bias inquiry committed, who forced me to appear.
11. That my right of fair trial guaranteed under Article 10-A of the Constitution of Pakistan has been violated. Right of fair trial means right to a proper hearing by an unbiased competent forum. In the instant case I have been prosecuted by a biased forum. The so called inquiry committee was/is bias and was/is under direct influence of Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group. The inquiry has been conducted through a biased inquiry committee.... Element of fairness bound to disappear.... Validity of the inquiry vanished and inquiry stands vitiated.
12. The so called inquiry proceeding has been initiated with mala fide intention and with bad faith in order to divert the scenario from the existing situation. I have made number of complaints against the high officers of the department, but instead of taking lawful proceedings to redress my miseries and grievances, the authority in order to safeguard their skin has taken U turn and have got me involved in flimsy, concocted accusation, which has no factual and legal backing.
13. That so far the question <sup>of the</sup> alleged accusations against me are concerned, the same have no factual and legal support. All the allegations are flimsy in nature and spirit.

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14. That it has been laid down in the so called inquiry report that I have made allegation/accusation against Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and Mr. Khalid Abbas Supdt: Central Jail, Haripur. Similarly it has also been laid down in the inquiry report that I have mentioned some name, who are witnessess to the happening encounters in the Jail premises.

Now the question is!

1<sup>st</sup>, Whether Masood Ur Rehman Supdt: Central Jail, Peshawar can act as prosecutor and judge against me in circumstance, when I have made serious allegation against him?

2<sup>nd</sup>, Whether Mr.Masood Ur Rehman Supdt: Central Jail, Peshawar and his group have been made a party to the inquiry proceedings.

3<sup>rd</sup>, Whether Mr.Masood Ur Rehman Supdt: Central Jail, Peshawar and his group has placed any defense as against my accusations/complaints.

The inquiry committee in their report has submitted that they have recorded statements of witnesses.

Now 4<sup>th</sup>, whether the inquiry officer has bothered to record the statement of those officers in my presence and whether I have been provided opportunity to scrutinize their statement under the scrutiny of cross examination? I have the right to cross examine the witnesses, who are likely to depose statement against my interest. No such opportunity have been provided to me, therefore, the whole evidence has no legal status and evidentiary value and therefore, conviction cannot be based on

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such type frivolous and flimsy evidence:

Your Honour, it is very humbly submitted that if Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group has not offered any defense as against my accusations, then under provision of Qanoon-e-Shahadat my stand/accusations against them stand proved.

15. That I have been treated very harshly by Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group since my appointment. I have submitted a series of complaints against their unprecedentedly ill behaviors and harassment, but no heed has been paid to my legitimate expectancy; rather I have been penalized for my stand. I have worked devotedly for my department and that too beyond the call of my legal duty, but instead of appreciating my performances, I have been subjected illegally, which has prolonged my uncertainties, snatched my peace of mind and created a continuous agonizing tensions. The agonizing tensions have adversely affected my health. Public functionaries should act in a way to eliminate problems and not in a way to create further problems.

16. So far the allegation of media contact and holding of press conference is concerned; the same has totally been misconceived. I have neither communicated any official documents or information to any press media nor have conducted or participated in the editing or management of any news paper or other periodical publication etc, which could likely be considered to jeopardize the integrity of a government servant, the security of Pakistan or to offend public order, decency or morality, defamation or incitement to an offence.

Moreover, the alleged accusation has not been probed into in

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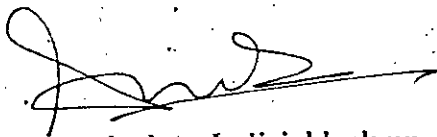
the right way; rather the inquiry committee has acted as witness to the so called accusation. Neither the subscriber to the publication have been summoned and inquired about as per prescribed procedure provided in the statute and statutory rules. In absence of conformity with such procedure, the accusation cannot be held to have been proved.

17. That so far the question of personal hearing is concerned. I made appearance for so called personal hearing, wherein I made categorical statement that You, Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar is not competent to initiate, and conduct inquiry against me or to issue any penal order against me. The recording of the so called personal hearing is available in my personal cell/phone and I will produce the same, if Your Honour permits me and allows me for personal hearing. I may kindly be allowed for personal hearing.

In view of the above explained position, it is therefore, humbly requested that I may kindly be exonerated from the leveled charges and the impugned order dated 15-10-2014 be set aside and I may kindly be re-instated with all back benefits.

It is also requested that proper inquiry committee under the Law and Rules may kindly be constituted and convened, where I and Mr. Masood Ur Rehman Supdt: Central Jail, Peshawar and his group shall stand in equal footing; who shall dig out the real truth of the whole episode/story in true spirit of law and justice.

Yours faithfully



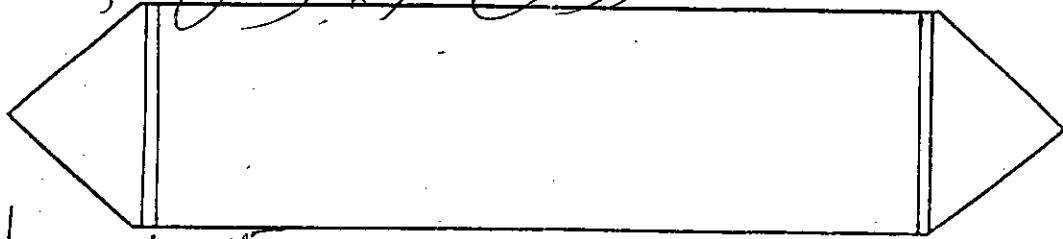
Rabia Shahzadi/Ex-Fe male warder, attached to Judicial lock up, Swabi.

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JL-905  
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Dated: 27/10/2014.

PH = 0345-9052653

# بعدالت سرویس ٹریبونل شاور



2015ء پنجاب سائیکس  
رابعہ شہزادہ بنام سیکٹری محوم

موزخہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام شاور کیلئے اشرف علی حسنی 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 تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔  
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 لکھد یا کہ سندر ہے۔

Rabia Shazada  
رابعہ شہزادہ

المرقوم \_\_\_\_\_ ماہ جنوری 2015ء

العبد \_\_\_\_\_ واہ العبد

کے لئے منظور ہے۔  
Attested & Accepted  
۶/۱۵

بمقام

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

In the matter of  
 Service Appeal No.156/2015  
 Rabia Shehzadi, Ex-Female Warder  
 attached to Judicial Lockup Swabi.....**Appellant.**

**VERSUS**

- 1- Secretary to Government of Khyber Pakhtunkhwa,  
 Home and T.A Department.  
 2- Inspector General of Prisons,  
 Khyber Pakhtunkhwa Peshawar.  
 3- Superintendent  
 Circle Headquarters Prison Peshawar.....**Respondents.**

**PARAWISE REPLY ON BEHALF OF RESPONDENTS**

**Preliminary Objections.**

- i. That the appellant has got no cause of action.
- ii. That the appeal is incompetent and is not maintainable in its present form.
- iii. That the appellant is estopped by her own conduct to bring the present appeal.
- iv. That the appellant has no locus standi.
- v. That the appeal is bad for mis joinder and non-joinder of necessary parties.
- vi. That the appeal is badly time barred.

**ON FACTS**

- 1- Correct upto the extent that she served the Prisons Department in the capacity of female warder at various Stations/ Jails i.e. Sub Jail, Judicial Lockup and Central Prisons Peshawar at different period of time as per record but the most common element of her performance during her stay/tenure is that she remains headache for administration/management because she is trouble monger due to her rash and unwanted attitude just to black mail or create complications on false and foundless excuses as per her habitual second nature she always in search to achieve her ill-will and to evolve trouble-some situation just to avoid her lawful assigned responsibility.

Due to her ill-will she always tried to misuse her status of gender being female and to invoke all mechanism to set the things as per her sweet well. More-so, she makes numerous complaints even to the superior Judiciary and to the August Supreme Court of Pakistan just to pressurize the sitting administration/management to let her things done in accordance to her vested designs. Just to put things straight and apprise the Learned Court about her such evil designs made while she was posted to Sub Jail Charsadda that how she implored to the Peshawar High Court Peshawar and Supreme Court of Pakistan (**Annexure-A**) and how things dig-out through impartial inquiry which clearly proving the allegations of the appellant baseless and totally false as per findings of the said impartial inquiry report (**Annexure-B**) by the concerned authorities and brought the factual position before the August Supreme Court of Pakistan and Honorable High Court (**Annexure-C**) which were accordingly filed by the Apex Courts.

- 2- Incorrect, misleading, the allegations against all the mentioned persons were properly enquired through Departmental Inquiry by an impartial / credible officer of the rank of Director Legal of the Prosecution Directorate. In detail inquiry report and findings thereof (**Annex-D**) clearly made recommendations that allegations leveled are baseless and the act of said appellant tantamounts to be proceeded against under E & D Rules as these falls within the ambit of gross mis-conduct on the part of appellant by making Press Conference and publicizing defamation of the credentials of the jail officers in order to achieve her vested interest through blackmailing and defamation through media.

The plea of the appellant is nothing but lame excuse on her part because it was not the end of the channel of command, if she is in real sense having aggrieved of any action / intention of any officer / official she could have knocked the door of hierarchy i.e. I.G Prisons, Home Secretary Khyber Pakhtunkhwa, Chief Secretary Khyber Pakhtunkhwa , Chief Minister Complaint Cell and so many other forums such as Directorate of Human Rights Commission and even then she could raise the point at any appropriate Judicial forum.

Intentionally ignoring all possible legal channels and adoption of short-cut media channel just to stigmatize and defame the credentials and to trap the immediate officers by adoption of such mechanism that clearly communicate the idea of ill-well and bad intention of the appellant.

Resultantly prevailing law / rules came into action and accordingly she was proceeded against under E & D Rules as per requirements of fulfillment of norms of natural justice.

- 3- Incorrect, misleading. Based on ill-well as elaborated in Para-2 above, neither Mr. Masud-Ur-Rahman Superintendent Jail nor any other officer of Prisons Department has followed the revenge theory, been put in appeal by the appellant because in such cases normal course of action for Government Officials is to knock the door of justice in term of Damage Suit but the officers did not opt for such course of action that might develop the idea of revenge on their part. It is neither Mr. Masud-Ur-Rahman Superintendent Jail nor other Officer who proceeded her under E & D Rules at their own sweet will. Actually it is the recommendations made by the impartial inquiry Officer in his inquiry report that concrete steps should be taken to "**nip the evil in the bud**" and that is why that legal action has been adopted in a very transparent manner.

The episode of the illegal un-wanted, un-pleasant, un-warranted Press Conference (**Annex-E**) already been reported and thus as per course of legal action proper Charge Sheet (**Annex-F**) was framed and served upon the appellant, here at that juncture again maximum possible ways and means were adopted to perform justice with its full swing and accordingly formal Departmental Inquiry proceedings were initiated thereby means ample opportunities were provided to the appellant to defend her case that she may not be deprived of her legal and rightful options.



All initiatives were made and matured in accordance to the legal course of action as a result her services were dispensed with in accordance to the recommendations made by Inquiry committee regarding thrashing out the idea behind the Press Conference and defamation of Prisons Department as a whole.

- 4- Mis-leading, based on immature presumptions because Posting / Transfer is part of the game in the Government Service. There is set criteria for making Posting / Transfer alongside the demands of the arising circumstances. To clip the Posting / Transfer issue with the Severe misconduct committed by the appellant which has been proved twice in different Departmental Inquiries by different Inquiry Officers / Committees thus arising the point of Posting / Transfer is nothing but waste of precious time of the Learned Court in irrelevant matters that clearly depicts ill-nature and cunningness of the appellant to engage the Learned Court for the sack of her satisfaction.
- 5- Incorrect, misleading, as elaborated in Para-2 above the channel of Command not ended at the verge of Superintendent Jail, I.G Prisons as it has been discussed that there were several command and control authorities such as Home Secretary and Chief Secretary of the Province but the appellant did not prefer her appeal to them but giving a twist to the matter by publicly defaming the good names of the jail officers to save her skin and to enjoy garb of fair game out-worldly but internally playing dubious game. Though having bad intentions yet impartial proper Departmental Inquiry conducted in her case to dig out the hidden facts as elaborated in preceding Paras.
- 6- Incorrect, misleading. Initial inquiry was conducted by an officer of high caliber having no direct or in-direct relevancy with the Jail subject thus the plea of the appellant is totally baseless because inquiry initiated at later stage was on the recommendations of the earlier facts findings detail inquiry. At the later stage the officers of the committee play their role in the capacity of Competent Authority nothing more than that.
- 7- Incorrect, misleading, ample substances are there in the first ever inquiry conducted on the orders of the Competent Authority at Home Department, then blaming the later inquiry is nothing but the illusions of the appellant in wake of the established facts against her in term of misconduct. Numerous opportunities provided to the appellant to defend her case, but she failed to do so.
- 8- Pertains to record, hence no comments.
- 9- Incorrect, misleading, through adaptation of all codal formalities and by using all available ways and means to reach to the factual position and to comply with the norms of natural justice, course of action completed in all respects and in view of the severe misconduct on her part, her services were dismissed on the recommendations made by both inquiries. In order to thwart /foil the ugly attempts in future that might bring bad impacts at a later stage and departments will be blamed for taking lenient view of the committed blunders on the part of appellant.

- 10- Incorrect, the departmental appeal was accordingly processed but having no sound footing it was accordingly proceeded but could not acceded to, thus it was filed.

**GROUNDS: -**

- A. Incorrect, misleading, golden principle of justice "Fair Play and Equity" though having its own impacts but "ignorance of Law is no excuse in Law" that clearly apply in the instant appeal, the appellant herself denied to respond to the Charge Sheet which is in itself speaks her ill-will. Because as per prevailing Rules/ Regulations she was bound to put forth her defense and to rebut the allegations framed in the Charge Sheet, thereby means that she has ignored her own official status i.e Subordination and herself assumed in equivalency in status with the Competent Authority. That is the lame excuse of the appellant, refusal to reply on the grounds that since appellant have lodged complaints against him, therefore, he cannot act as Prosecutor and Judge yet his status of competent authority remain intact.
- B. Incorrect, misleading. Just amalgamating both different situation i.e publicizing defamation through Press / Electronic media and then disappointment from her attempt she denied to reply to the Show Cause Notice under the theory of her own framed idea of least justicing in the case of her departmental inquiry.
- C. Incorrect, misleading, at an earlier stage the appellant was provided with lot of opportunities to prove her allegations in front of the impartial inquiry officer / committee appointed by the Competent Authority at Home Department.
- D. Incorrect, no malafide intentions were there as elaborated in Para-3 above, as discussed, she might be engaged in Damage Suit yet legal course of action was adopted by just following recommendations made by Inquiry Officer and thereby Charge Sheet framed and served upon her accordingly.
- E. Incorrect, misleading. Proper Departmental Inquiry was initiated in compliance of the recommendations made in the earlier report of Home Department regarding threshing out facts of the allegations leveled by the appellant, it is not the desire of any corner but it was mandatory as per Law / Rules because the initiator of allegations had tried her level best to change the flow in her favour but Law sets its way as deemed fit in its parameters.
1. It is the assumption of the appellant, actually the officer did not own the general trend of envisaging / preferring Damage Suit but let the things to go its way as per norms of natural justice, the question does not arise as to whether he can act as a Prosecutor or otherwise.
  2. Never have they been made nor is it covered under any Law / Rules.
  3. It was the prime Objective/ Duty of the Inquiry Officer to dig out the hidden facts and so it has been done in a more judicious and proper manner.

4. The question seems devoid of the procedure because the inquiries at both levels were conducted in according to the laid down procedures. All codal formalities accordingly fulfilled. Each and every step being taken in a very very clear and transpire manner as discussed in detailed in the said inquiry report. Moreover, in the instant case the inquiry was initiated and conducted on the recommendations made by facts finding inquiry officer / committee where it has been desired that the complainant i.e appellants badly failed to prove her allegation against the officers thus she might be proceeded against E&D rules that such character and their role could be discouraged in future. Accordingly the inquiry initiated/ conducted within the parameter of the recommendations.

F. Incorrect, As envisaged in the instant Para that "Public functionaries should act in a way to eliminate problems and not in a way to create problems" the phrase is quite amazing and it attracts the reason but is it only for the opponent from whom we expect a lot but in case of deliverance our side we ignored the facts that has been done in the instant appeal and such like approaches cannot be fit in any fair play game.

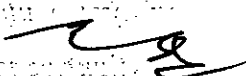
G. Incorrect, misleading, deviation and ignoring set procedure on the part of any official tantamounts misconduct on her/his part that has been done in the instant case. The officers blamed for sexual harassment is the highest degree of defamation, the individual as well as in the official capacity it strengthen the idea of publically tarnishing the integrity of any Government organization which might cause the instigation of the sentiments of the General Public especially of the hundreds of families whom nearer and dearer are imprisoned of both sex. Such steps may invite and irritate the sense of self respect against such elements and the official arena/domain of the Prisons Department. In the deeper sense, the offence of the appellants is so severe that the awarded penalty seems void minor than the cause of her offence.


H. It seems that respondent should keep mum over the plea of the appellants in this para because it in itself provide specious room that the appellants is going to prove ill-well and it also communicate the idea that she might presumed herself above all Rules /Regulation meant for a disciplined force like Jail warder. It is nothing but a sort of Challenging the official status of the competent authority by acting in a manner that she is not in subordinate position but deemed herself in a upper and high status that is why that she instead of submission has adopted an aggressive attitude that cannot be expected from any subordinate in the official capacity.

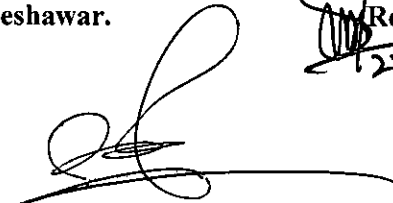
I. Incorrect, misleading, the order passed thereof falls within the parameter of laid down procedures. At both end i.e at the inquiry as well as imposition of penalty stages maximum care has been taken to defend the right of Justice and to avoid its denial at all stages. The Plea of the appellants not based on facts. To fulfill the requirements of the relevant rules a lawful orders issued by the competent authority and accordingly implemented.

- J. Incorrect, being a lawful order of imposition of major penalty keeping in view the establishment the charges contained in the Show Cause Notice and thereof recommendations made by the inquiry officer/committee, the competent authority rests with the sole option to impose major penalty invoke of the potential of the committed offence on the part of appellant.
- K. Incorrect, misleading, the imposition of major penalty of dismissal from service has been done in accordance to the establishment of the charges and its potential /severity that demands in itself from the inquiry officers /committee to make recommendations of the major penalty. The imposition of major penalty was made after thorough regular inquiry been conducted in the instant case in accordance to the spirit of the Apex Court decision cited in the instant Para.
- L. Incorrect, misleading, being routine departmental inquiry which has been conducted in accordance to the laid down procedure with active participation of the appellant up to the maximum extent as required, hence the plea of the appellant is baseless.
- M. It is quite amazing and to our sheer astonishment that in Para-H, the appellant admits the opportunity of personal hearing and her denial to respond with willful intention communicate the idea of self contradictions, here in this Para emphasizes upon provision of personal hearing opportunity whereas in the same breath the denial and refusal is not but a Paradoxical statement on the part of appellant.
- N. Incorrect, having no official status or lawful footing to be considered, hence the plea of the appellant is nothing but a self deception.

In view of the above parawise comments the appeal of Rabia Shehzadi Ex-Female Warder may be dismissed with cost please.

  
**SECRETARY TO GOVERNMENT**  
 Khyber Pakhtunkhwa  
 Home & T.As Department Peshawar.  
 (Respondents No.1)

  
**INSPECTOR GENERAL OF PRISONS**  
 Khyber Pakhtunkhwa Peshawar  
 (Respondent no.2)

  
**SUPERINTENDENT**  
 Circle Headquarters Prison Peshawar  
 (Respondent NO.3)

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

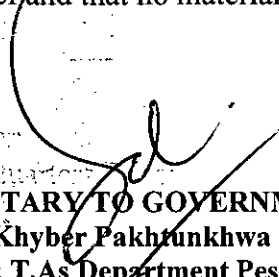
In the matter of  
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Rabia Shehzadi, Ex-Female Warder  
attached to Judicial Lockup Swabi.....**Appellant.**

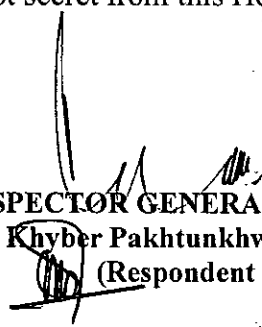
**VERSUS**

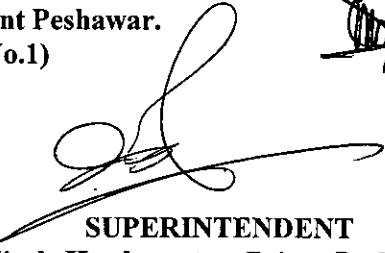
- 1- Secretary to Government of Khyber Pakhtunkhwa,  
Home and T.A Department.
- 2- Inspector General of Prisons,  
Khyber Pakhtunkhwa Peshawar.
- 3- Superintendent  
Circle Headquarters Prison Peshawar.....**Respondents.**

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 1 TO 3.**

We the undersigned respondents do hereby solemnly affirm and declare that the contents of the parawise comments on the above cited appeal are true and correct to the best of our knowledge and belief and that no material facts has been kept secret from this Honorable Tribunal.

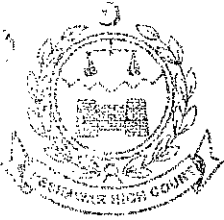
  
**SECRETARY TO GOVERNMENT**  
Khyber Pakhtunkhwa  
Home & T.As Department Peshawar.  
(Respondents No.1)

  
**INSPECTOR GENERAL OF PRISONS**  
Khyber Pakhtunkhwa Peshawar  
(Respondent no.2)

  
**SUPERINTENDENT**  
Circle Headquarters Prison Peshawar  
(Respondent NO.3)

Annex-A

499



**The  
PESHAWAR HIGH COURT  
Peshawar**

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58  
Off: 9210135  
Fax: 9210170

www.peshawarhighcourt.gov.pk  
info@peshawarhighcourt.gov.pk  
phcpsh@gmail.com

No. 1793 /HRD

Dated Peshawar, the 16-7-13

From: The Director-II,  
Human Rights Directorate,  
Peshawar High Court,  
Peshawar

<b>PRISONS DEPARTMENT</b>
Inspector General.....
A.I.G.....
Admn. Officer.....

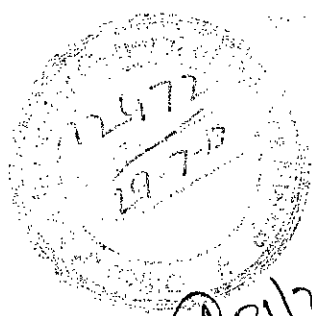
To: The Inspector General (Prisons),  
Peshawar.

Subject: COMPLAINT (#20679)

Memo:

*Ajmal 29/7/13*  
*Wan*  
*Super jail chasadda*  
*To enquire & report*  
*29/7*

I am directed to forward herewith a copy of the subject complaint submitted by Mst. Shehzadi Rabta, for conducting enquiry and to submit detail report, within **Two Weeks** for placing the same before his Lordship Hon'ble the Chief Justice, Peshawar High Court, please.



Director-II,  
Human Rights Directorate

Encl. No. \_\_\_\_\_ /HRD

*29/7/13*

Dated Peshawar, the \_\_\_\_\_

Copy forwarded for information to:

Mst. Shehzadi Rabta w/o Imtiaz Ahmad r/o House No. 8929-6 Outside Yakkatoot Khalid Town, Agha Mir Jani Shah Road, Peshawar.

Director-II,  
Human Rights Directorate

# بخدمت جناب چیف جسٹس دوست محمد خان صاحب

## پشاور ہائی کورٹ پشاور

جناب عالی!

مودبانہ گزارش ہے کہ میں گذشتہ (4) چار سال فی میل واڈون کی حیثیت سے جیل خانہ جات میں ڈیوٹی سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلینٹ قیدیوں کی طرف سے یا محکمہ کی طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیں ہے جو ہم جیسی مجبور لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی کوشش کرتے ہے۔ محکمہ جیل خانہ جات میں چند افراد جنکے نام

1- سینئر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2- سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکنگ، آئی جی جیل خانہ جات خالد عباس انکی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہے اور جنسی تشدد کیلئے آمادہ کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے لیکر فون موبائل ہمیں قیدیوں کو مہیا کرنے کیلئے اکتاتے ہے۔

میں آج کل چارسدہ جیل میں فی میل واڈون کی حیثیت سے کام کر رہی ہوں۔

مجھے ذہنی کوفیت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہے۔ اور بہانہ یہ کرتے ہے کہ باقی فی میل واڈون چھٹی پر ہے اور آپ کو مجبوراً نگی جگہ ڈیوٹی کرنی پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔ میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔ لڑکے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

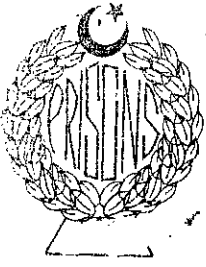
عین نوازش ہوگی

شہزادی رابعہ زوجہ امتیاز احمد

فی میل واڈون سب جیل چارسدہ

0332-9985011

Annex-B



*Regd  
(Confidential)*

OFFICE OF THE  
INSPECTOR-GENERAL OF PRISONS,  
KHYBER PAKHTUNKHWA  
Tel: 9210937/9210334

No. 7/39-J-2010/22082/WR  
Dated 06-08-2013

To

Mr. Ajmal Khan  
Superintendent  
Sub Jail Chasradda.

Subject: - **COMPLAINT (#20679).**

Memo;

I am directed to refer to the subject and to forward herewith a copy of Director-II Human Rights Directorate Peshawar High Court Peshawar letter 1793/HRD dated 16-07-2013 together with a copy of the complaint submitted by Mst; Shahzadi Rabita wife of Imtiaz Ahmad against the staff of Central Prison Peshawar and Charsadda for information.

Please look into the allegations brought forward in the said complaint conduct inquiry into the matters and submit detailed report based on facts to this office within three days positively.

*[Signature]*  
7-8-13

ASSISTANT DIRECTOR (ADMN)  
FOR INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

Endst; No. 22083-84 *[Signature]*

Copy of the above is forwarded to the: -

- 1) Director-II, Human Rights Directorate Peshawar for information with reference to his letter referred to above.

Superintendent Central Prison Peshawar for information.

*[Signature]*  
7-8-13

ASSISTANT DIRECTOR (ADMN)  
FOR INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

*[Signature]*



OFFICE OF THE  
SUPERINTENDENT SUB JAIL CHARSAZZA  
NO. 1227-WE  
DATED 28/8 /2013

To

The Inspector General of Prisons  
Khyber Pakhtunkhwa Peshawar.

PRISONER	INSPECTION
Inspector	
L.I.G.	
Admn. Officer	

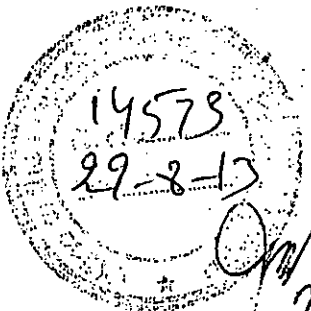
29/8/13

Subject:- COMPLAINT # 20679  
Memo:-

Reference is made to your good self memo; No.7/39-J-2010/22082/WE dated 06-8-2013. and to submit that proper inquiry was conducted into the matter and the following facts were found out:-

**BRIEF FACTS:-**

- 1)- The female warder Mst: Shahzadi Rabia was posted to Sub Jail Charsadda on 26-4-2013, which has not accepted to her heart and did not bother to come for duty regularly. She was a habitual late comer (copies of Roznamcha attached)
- 2)- Her disciplinary record has been loose during her stay at this jail, apart from absentees and habitual late comer, she has often used loud and abusive language against the jail administration. She has never bother to be in uniform.
- 3)- The then Superintendent Jail and lines officer have recorded their remarks in the Roznamcha, on regular basis. (copies attached)
- 4)- The then Superintendent Jail has reported the behaviour of the Female Warder in question to Inspector General of Prisons Khyber Pakhtunkhwa Province (Photo copies attached)



30/8/2013

- 541
- 5)- The then Superintendent Jail has also recommended for her dismissal from service, due to her non serious attitude towards performance of official duties vide his journal dated 13-6-2013. (copy attached).
  - 6)- She was served twice with show cause notice from circle Headquarter without any reply from her (copies attached).

Statement of the Senior Assistant Superintendent Jail Mr. Mukhtyar Haider, Assistant Superintendent Jail Mr. Salman, Female Warder Mst: Rashida Perveen and the complainant are recorded and copies attached for perusal.

**OPINION/ CONCLUSION:-**

The above facts reveals that female warder Mst: Shahzadi Rabia has a loose disciplinary record, especially during her stay at Sub Jail Charesadda. She has regularly remained absent from duties and was a habitual late comer. She has adopted such behaviour, so as to compel the Jail administration to transfer her back to Central Prison Peshawar.

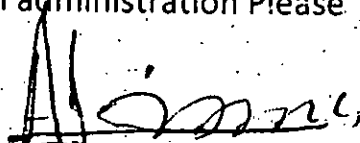
In view of the above facts the under signed conclude that the allegation framed against the concerned official are baseless

Perusal of the record shows that she has submitted the present application just to gain sympathies of the August Court where as her main motive was to get transferred back to Central Prison Peshawar.

**RECOMMENDATIONS:-**

The female warder in question may be awarded with major punishment for loose discipline, use of abusive language against the jail administration in front of inmates and lower staff and non serious attitude toward performance of her official duties.

She may be transferred from Circle Peshawar to some outer circle for the best interest of general public and jail administration Please

  
(Ajmal Khan)

INQUIRY OFFICER/ SUPERINTENDENT  
Sub Jail Choresadda

33 6-2012 ...

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Tatad. Ha. Fu. qau

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02 - 00 - 02 - [Redacted] - شیناز بیگم

31 - 02 - 01 - 28 - صبران

01 - 00 - 00 - 01 - وقت ضروری خالد نام

30 - 02 - 01 - 27 - صبران

وقت گزنی گھنٹی 4:50 AM

حوالہ دہ گزنی گھنٹی 176

وقت گزنی بند شاک 6:30 PM

حوالہ دہ گزنی بند شاک 172

(9)

(2)

جناب عالی! آج لہجہ جو میرا فادر رضا نام (2) لہجہ  
غنیہ خیر کے لہجہ آئے خاں میرا لہجہ اور لہجہ  
جناب عالی! آج لہجہ جو میرا فادر رضا نام لہجہ  
لہجہ اور لہجہ لہجہ

Handwritten signature and notes in the bottom left corner.

Handwritten signature in the bottom center.

Handwritten signature in the bottom right corner.

26/6/207

4:50 AM

177

6:30 PM

196

27/10

Abstract

Dr. Ralana Shehadi ...

... paper ...

Academic issue ... to Flu ... will be initiated

Signature

12/13

- (a) Today I locked out 186 prisoners at the time of 5-15 AM.
- (b) Tea and mid day meal for prisoners checked and found up to standard.
- (c) Jail locked at 11-00 upto 1-00 pm
- (d) Evening meal for prisoners checked and found up to the standard.
- (e) Today I locked up 189 prisoners at 6-00

12/16

- (a) Today I locked out 188 prisoners at the time of 5-15 AM.
- (b) Tea and mid day meal for prisoners checked and found up to standard.
- (c) Jail locked at 11-00 upto 1-00 pm
- (d) Dict. the report of live officer Jail  
 You are not Habib Saeed as you are coming on line on your duty and not taking part in your job. You are finally warned to be careful in future and show leniency in your duty. otherwise you will be severely punished for dismissal from service.
- (e) Evening meal for prisoners checked and found up to the standard.

ملاحظہ ہو کہ حبیب سید صاحب کو خط لکھا گیا ہے کہ وہ اپنے فرائض سرانجام دینے میں کوتاہی کر رہے ہیں اور ان کی جگہ پر نہ آ رہے ہیں۔ ان کو سختی سے سزا دی جائے گی۔

- (a) Today I locked up 191 prisoners at 6-15 pm

13/16

- (a) Today I locked out 191 prisoners at the time of 5-15 AM
- (b) Tea and mid day meal for prisoners checked and found up to the standard.
- (c) Jail locked at 11-00 upto 1-00 pm
- (d) Education proposed to the all confined prisoners.
- (e) Evening meal for prisoners checked and found up to the standard.

- (a) Today I locked up 194 prisoners at 7-15 pm.

16/16

565

SHOW CAUSE NOTICE

I, Khalid Abbas, Superintendent Headquarters Prison Peshawar as Competent Authority, under the Khyber Pakhtunkhwa, government servants (Efficiency & Discipline) Rules 2011, do hereby serve you, Female Warder Rabia Shahzadi attached to Sub Jail Charsadda (Under transfer to Judicial Lockup Swabi) with this Show Cause Notice, on the basis of material on record, I am satisfied that you have committed the following acts/ omission specified in Rule-5 (1) (a) read with rule-7 of the said rules: -

- 1- On 27-06-2013, a letter of the Supdt: Sub Jail Charsadda was received bearing No. 568 dated 26-06-2013, mentioning therein that you are not punctual and showing lack of interest in your duties and you are habitual of coming late, you were allotted duties to search female visitors, but you did not bother to search them, also you have a rough tone and does not know how to speak with your high-ups, having rough behaviour and treat like DMG officers, and stern action was recommended against you.
- 2- On 04-07-2013 another letter vide No. 921/WE dated 03-07-2013 alongwith daily Rozmancha Report of Sub Jail Charsadda was received containing therein that:
  - i) As per Roznamcha Record of that jail dated 09-06-2013, it was mentioned by the Lines Officer that "F/ Warder Rabia is not present on her duty and always comes late, competent authority may be requested to take action.
  - ii) On 10-06-2013, it was recorded that Female Warder Rabia is absent. She has allotted duties to search female visitors, but Supdt: Jail Charsadda noticed that you are not taking keen interest in her duties."
  - iii) On 14-06-2013, you were issued warning that "you are not coming for duty in time and not taking keen interest in your duty. You are finally warned to be careful in future and show punctuality otherwise you will be "Removed" from service."
  - iv) On 22-06-2013, as per Rezmancha Record of that jail, you were found absent inspite of issuing several directions.
  - v) On 23-06-2013 you were again found absent and it was recorded by the Lines Officer of that jail in Daily Roznamcha that "F/ Warder Shazadi is found absent time and again. She is no more required to this jail, Supdt: Jail are requested to take strict disciplinary action against her.
  - v) On 25 & 26-06-2013 as per record of that Jail Rozmancha, you were again found absent from your duties without prior permission of the competent authority.
  - vi) On 03-07-2013 another letter vide Supdt: Sub Jail Charsadda letter No. 921-WE was received mentioning that when you were relieved of your duties for Judicial Lockup Swabi and were handed over docket, You started abusing to Clerk, other officials, Lines Officer & Supdt: of that jail started shouting in main dewri in front of prisoners."

In view of above facts it reveals that you have reckoned the government job as your own personal property and have crossed every limit of disrespect, which is intolerable, hence committed gross misconduct and your this activity has transgressed moral & civil laws.

P.T.O

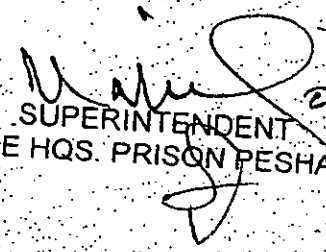
567

2- And whereas in exercise of powers Rule-5 (1)(a) of the same Rules, I am satisfied that sufficient evidence is available in the aforementioned inquiry report warranting to dispense with further inquiry.

3- As a result thereof, I, as competent authority, have reached to the conclusion that there is no need of holding any further inquiry in this case and have tentatively decided to impose upon you the major penalty of "Removal from Service" under rule-4 of the E&D Rules 2011.

4- 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.

5- If no reply to this notice is received within seven 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.

  
28/7/13  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR.

1- RABIA SHAHZADI  
C/o Supdt. Sub Jail Charsadda.

To

The Iq of Prisons  
KPK

No 362

569

Dated 26/6/2013

(1)

Subject: Request for the transfer of female warder Miss Rabia Shahzadi

R/sir,

It is submitted for your kind information that female warder Rabia Shahzadi is not punctual and showing lack of interest in her duties. She is habitual of coming late to office.

She has allotted duty to search female visitors but she does not bore to search female visitors. She does not know how to speak her high officials. Her behavior is very rude and behave like DMG officer although she is warder.

Moreover, ~~on 15 June she came office at 9:50 Am.~~

~~on 22 June she was found absent~~

~~on 11 June undersigned noted that she did not come office till 9:50 am~~

~~on 9 and 6 June she was found late~~

It is requested to transfer her on administrative ground for the best interest of Administration.

Copy of above is forwarded to Supdt Jail Peshawar for n/a

26/6/13

O/C



PROPOSED DISCIPLINARY ACTION UNDER JAIL EXECUTIVE STAFF PUNISHMENT AND APPEAL RULES OF PAKISTAN PRISONS RULES, 1106(9)(1).

7

SHOW CAUSE NOTICE.

No. 876 /Dt: 27/6/13

Miss You Mr. Rabia Shehzad Warden

Attached to Sub Jail Charsadda.

While attached to this Jail, You failed to perform your duties as required under Rule 1086 as per statement of allegation attached.

- a- By reasons of the above you have found guilty of mis-conduct / in-efficiency with in the preview of PPR 1106(9)(1) of executive staff punishment and appeal rules for liable to disciplinary action which may amount to your dismissal from service.
- b- Since the offence is proved therefore in view of the PPR Rules 1106(9)(1), it has been decided that no further inquiry should be conducted in this case and you shall be punished accordingly.
- c- You are hereby required to explain and show cause notice within Seven days of the receipt of this show cause notice as to why the aforesaid disciplinary action should not be taken against you.
- d- You should also be state in writing the same period weather you adm<sup>it</sup> the truth of the charges, what explanation/ defense as you wish to offer and weather you desired to be hard in person.
- e- Your explanation should be reach the undersigned within the aforesaid period failing which it should be presumed that you entail an ex-party proceeding.

*[Signature]*  
Superintendent  
Sub Jail Charsadda

STATEMENT OF ALLEGATION.

*[Signature]* 27/6/13 *[Signature]*

→ You find Rabia is habitual of causing late to office and remain absent for 10 days.

You are directed to submit reply within 3 days.

*[Signature]*

The Suptd C P Peshawar  
Head Quarter

5/12  
No - 921-ae  
Dated 3/7/13

Subject: Report in respect of (B)  
F/W Miss Rabia Shekzadi

R/sir,  
It is submitted in your honor  
that F/W Rabia Shekzadi is no  
more require to this Jail.  
She was not interested in  
duty and now has been  
relieved from this Jail Post  
on relieving she created Drama  
and use abusive language  
The ~~evidence~~ evidences against  
her are enclosed herewith.

Ex Suptd of this Jail on his  
Journal on 12/6/13 recommended  
major penalty 13 " Dismissal for  
her

Your good offices has already  
been informed about her  
You are kindly requested  
to take strict disciplinary  
action against her which may be  
example for others. Pz

Approved  
Suptd C P Peshawar  
3/7/13

By Pax

No 916

575

~~The Supdt~~

Date 3-7-2013

~~C.P. Peshawar~~

(W)

Subj: Report Against F/w Rabia

R/sir, It is submitted that F/w Rabia has been relieved from this Jail today. But she does not leave the Jail premises and use abusive language to me. She is shunting and give abuses time and again to officials. She is female ~~and~~ although but her behavior is intolerable and affecting the smooth running of administration.

~~She must behave with LO,~~  
~~under sign and line Mahowar~~

~~Respected sir, under sign can~~

~~not be done, this is a must, we are~~

~~PLZ Issue~~

*Ajmal Ali*  
 Superintendent P12

No. 917 Dated 3/7/13

Sub Jail Consultant

4 copy

Forwarded to TGT Prisons

lepk

oll

The Super  
P. Peshawar

No. 913 577  
Date 3-7-2013

Subj: Disciplinary Action Against P/Wards  
Rabia Shehzadi

R/Sir,  
It is submitted in your honor  
that P/W Rabia has been relieved  
from this Jail. The clerk when  
issue relieving docket to her she  
use abusive language. She was  
shouting and give abuses time and  
again to officials. Her immoral  
attitude is intolerable.  
she misbehaved with undersign, Lt  
and Line Moharar. The language  
which she used is unexplainable.  
She insulted the officials alot.  
in front of prisoners in deuri.  
Therefore notice may be serve to  
her under Rule 7. Strict discipline  
action may be taken against  
her. P/W

The following are witnesses against  
her abusive language and immoral  
attitude.

- 1/ Lt. Khaliq
- 2/ Lt. Zairan
- 3/ Lt. AFS

- 4/ Lt. Yousaf
- 5/ Lt. Awan
- 6/ Lt. Rashida

Copy No-919- Date 3-7-13  
Furnished to

Wardy IG of Prison Dept for info

O/C

Signature  
Superintendent  
Signature  
Signature

Statement of Mr S.M. SALMAN AS

R/sir

I have the honour to submit that I have no personal grudges with female warder Rabia. The allegations charged against me are baseless.

As LO its my foremost duty to check up ward staff and on case of absence and non punctuality to report superintendent

- on 9-6-2013 due to her non punctuality supdt jail directed to issue show cause notice her.

- on 10-6-2013 According to Roznancha Jail Supdt directed LO to inform 109 prisoners about her non punctuality.

- on 13-6-2013 Supdt directed LO to submit detail report against her to supdt Head Quarter for n/action.

- she was found absent from 22 to 26 June from her duty as well as jail premises without permission.



میں سے پہلے رشید پر وہیں قتلے وارڈر مباحیلے

چار گروہ بلوری عوشی و خواہ اس سے انہا پر ان قلم لکھ کر دیے ہوں۔

۱۰۔ یہ کہ میں سے پہلے رابع شہزادی کے ساتھ زنا خانہ میں ڈیوٹی

۱۱۔ یہ کہ میں سے پہلے رابع شہزادی سے اکثر سنا کرتے تھے کہ مختیار

فیروز نے میرے ساتھ بہت زیادہ کیا۔ اور میرا نام

اس سے زیادہ کہ ضرور بھلا لکھتے۔ اور اکثر اہل

انتظامیہ کے خلاف سخت تیرا برا کہتے تھے۔

۱۲۔ یہ کہ رابع شہزادی اکثر ڈیوٹی کرتے تھے۔ ۸ بجے گئے جگہ

تقریباً ۱۰ بجے تک کو آتے تھے۔ نہ وہ کسی ما تریکے لکھے

تھے۔ اور نہ وہ زنا خانہ کو بروقت آتے تھے۔ میرا ان

کے غیر حاضر ہونے کا افسران کو شکایت کرتے تھے۔ لیکن ان

پر وہی اکثر نہ ہوتے تھے۔ اٹا جیل سٹاف اور

انتظامیہ کو تیرا برا کہتے تھے۔

لہذا ریوٹ ختم ہے۔

قلم وارڈر رشید پر وہیں سب مباحیلے چار گروہ

STATEMENT OF MALIK MUKHTAR HAIDAR, DEPUTY SUPERINTENDENT CENTRAL PRISON PESHAWAR.

Respected Inquiry Officer


It is submitted that the undersigned don't know about the transfer of the Female Warder Rabia Shahzadi as I was performing the duty at Warrant Branch at that time and the power of transfer and posting is and was in the hand of the Superintendent Headquarters Prisons Peshawar.

It is pertinent to mention here that the report of any of the warder is submitted by the Lines Officer (Senior Assistant Superintendent Jail) not of the undersigned.

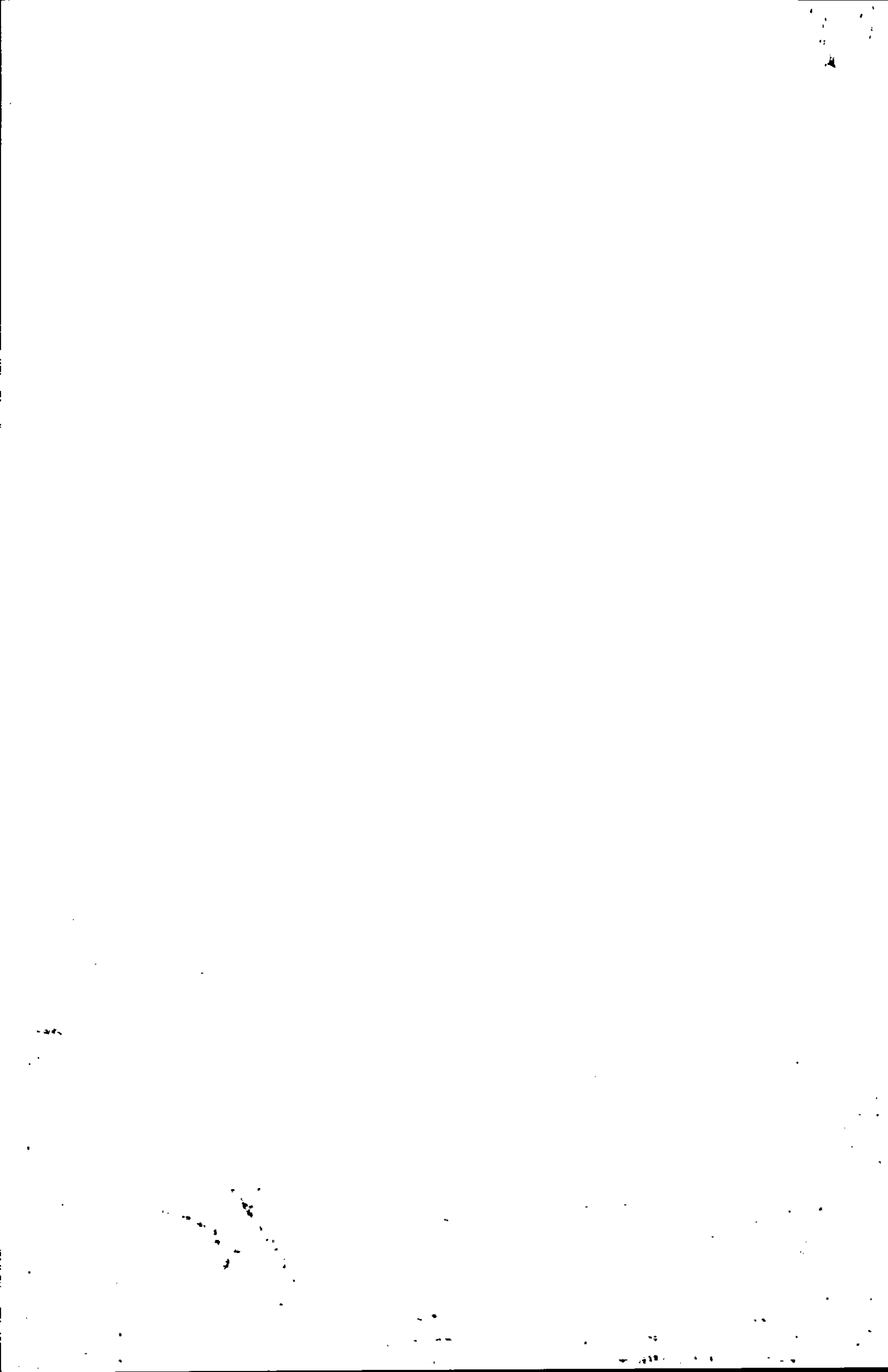
As a matter of fact, that the undersigned is performing the duty of officiating Deputy Superintendent Central Prison Peshawar and the concerned Female Warder is performing her duty in the Sub Jail Charsadda.

The undersigned has no intrigue nor any sort of personal grudges with any one, so the charges are baseless and illogical because of the above mentioned reasons.

Submitted as desired please.

  
MALIK MUKHTIAR HAIDA  
DEPUTY SUPERINTENDENT  
CENTRAL PRISON PESHAWAR











OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

☎ 091-9210334, 9210406 ☎ 091-9213445

No. Complaint/2013-14 7/397-2010/29108-WE

Dated 03-10-2013 1-

To

The Director-II  
Human Rights Directorate  
Peshawar High Court Peshawar

Subject:- **COMPLAINT (S#20679).**

Memo;

I am directed to refer to your No.1793/HRD dated 16-07-2013 and to state that the Mr. Ajmal Khan, Superintendent Sub Jail Charsadda has been appointed as Inquiry Officer in the case and he has submitted a report vide his memo: No.1227/WE dated 28-08-2013. According to which he conducted proper inquiry into the matter and the following acts were pointed out: -

- 1) The female warder Mst; Shahzadi Rabia was posted to Sub Jail Charsadda on 26-04-2013, which she has not accepted by her heart and did not bother to come for duty regularly. She was a habitual late comer (Copies of Roznamcha attached).
- 2) Her disciplinary record has been loose during her stay at this jail, apart from absentees and habitual late comer, she has often used loud and abusive language against the Jail administration. She has never bother to be in uniform.
- 3) The then Superintendent Jail and lines officer have recorded their remarks in the Roznamcha, on regular basis (Copies attached).
- 4) The then Superintendent Jail has reported the behavior of the Female Warder in question to Inspector General of Prisons Khyber Pakhtunkhwa Province (Photocopy Copies attached).
- 5) The then Superintendent Jail has also recommended for her dismissal from service, due to her non serious attitude towards performance of official duties vide his journal dated 13-06-2013 (Copy attached).
- 6) She was served twice with show cause notice from circle Headquarter without any reply from her (Copies attached).
- 7) Statement of Senior Assistant Superintendent Jail Mr. Mukhtyar Haider, Assistant Superintendent Jail Mr. Salman, Female Warder Rashida Parveen and the complainant are recorded and copies attached for perusal.

**OPINION / CONCLUSION**

The above facts reveal that female warder Mst; Shahzadi Rabia has a loose disciplinary record, especially during her stay at Sub Jail Charsadda. She has regularly remained absent from duties and was a habitual late comer. She has adopted such behavior, so as to



**OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**

☎ 091-9210334, 9210406 📠 091-9213445

No. Complaint/2013-14 \_\_\_\_\_ /-

Dated \_\_\_\_\_ /-

compel the Jail administration to transfer her back to Central Prison Peshawar.

In view of the above facts the undersigned conclude that the allegations framed against concerned official are baseless.

Perusal of the record shows that she has submitted the present application just to gain sympathies of the August Court where as her main motive was, her transfer back to Central Prison Peshawar. A copy of the report of Inquiry Officer submitted by him vide his No.1227/WE dated 28-08-2013 is enclosed herewith for information please.

The report of said Inquiry Officer was found defective on the ground that no cross examination of the accused officer / official was obtained. Furthermore some allegations were of the serious nature, therefore, Mr. Hashmatullah, Senior Assistant Superintendent Jail attached to District Jail Mardan was asked vide this office memo; No.27828 dated 20-09-2013 to examine the inquiry report with cross examination of the accused officer / official and thereafter submit a detailed report.

After investigation and fulfillment of codal formalities, the said officer has now submitted a detailed report (Copy enclosed). According to his report, the complainant female warder Mst; Shazadi Rabia is local resident of District Peshawar and she is not happy on here transfer from Sub Jai Charsadda to Judicial Lockup Swabi, due to which she forwarded application to high ups leveling false allegations against Jail officers. Moreover she violated the rules 1091 (i), (ii) and 1095 (f) of the Khyber Pakhtunkhwa Prison Rules 1985 as she made frivolous, and false allegations against the staff members. The Inquiry Officer supported the recommendations of the Inquiry Officer Mr. Ajmal Khan, Superintendent Sub Jail Charsadda.

In view of the position explained above, allegations brought forward in the said application are baseless / unfounded. Therefore, the case may please be filed.

  
**ASSISTANT DIRECTOR (ADMIN)  
FOR INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**

22

Annex-C

**IN THE SUPREME COURT OF PAKISTAN, ISLAMABAD**  
(Original Jurisdiction) Regd. A.D.

HRC No.24226-K/2013

Application by Shahzadi W/O Imtiaz Ahmed  
Female Warden, Sub Jail Charsadda

*AD*  
*already disclosed*  
*to Pul up instantly*  
*19/8/13*  
*Amul*  
*19/8/13*

To:  
The Inspector General of Prisons,  
Khyber Pakhtunkhwa. C/o DR(P).

Take notice that in pursuance of order of the Hon'ble Chief Justice of Pakistan you are required to submit report on the above application so as to reach this Court on/or before September 04, 2013.

Islamabad: August 15, 2013

**Director**  
**Human Rights Cell**  
**Phone # 051-9220581/319**  
**Fax # 051-9219516**

Encl: Copy of application

13567  
19-8-13

*20/8/2013*

خدمت جناب چیف جسٹس افتخار چوہدری صاحب

سپریم کورٹ آف اسلام آباد

AGENCY TO  
Dy. No. ....  
Date .....

کتاب خانہ

موردانہ گزارش ہے کہ میں گذشتہ (4) چار سال فی میل واڈن کی حیثیت سے جیل خانہ جات میں ہیں۔  
سرانجام دے رہی ہوں۔ اور گذشتہ چار سال میں مجھ پر ابھی تک کوئی شکایت یا کمپلینٹ قیدیوں کی طرف سے یہ مورد  
طرف سے نہیں ہوئی لیکن جیل خانہ جات میں کچھ کالی بھیڑیوں سے جو ہم جیسی مجبور لڑکیوں کو جنسی تشدد کا نشانہ بنانے کی  
کوشش کرتے ہیں۔ محکمہ جیل خانہ جات میں چند افراد جکے نام

1۔ سینئر اسٹنٹ مختیار حیدر جیل خانہ جات پشاور

2۔ سلمان اسٹنٹ جیل خانہ جات سب جیل چارسدہ

ایکٹنگ آئی جی جیل خانہ جات خالد عباس انکی پشت پناہی کرتا ہے۔ یہ کہ متعلقہ افراد مجھے بلیک میل کرتے ہیں اور جنسی تشدد  
کے ذریعے امداد کرنے کی کوشش کرتے ہیں۔ اور مختیار اور سلمان لوگوں سے پیسے پٹیل فون میں ایک قیدیوں کو  
مہیا کرنے کیلئے اگتاتے ہے۔

میں آج کل چارسدہ جیل میں فی میل واڈن کی حیثیت سے کام کر رہی ہوں۔

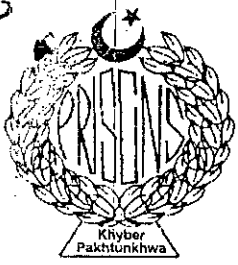
مجھے ذہنی کوخفت دینے کیلئے تین تین دن قیدیوں کے ساتھ مجھے بند کرتے ہے۔ اور بہانہ یہ کرتے ہے کہ باقی فی میل  
واڈن چھٹی پر ہے اور آپ کو مجبوراً انکی جگہ ڈیوٹی کرنی پڑے گی۔ ان لوگوں نے مجھ پر اتنا ذہنی دباؤ ڈالا ہے جس کی وجہ سے  
میرا حمل ضائع ہوا ہے۔ میں ایک شریف خاندان کی لڑکی ہوں۔ اور نہ ہی میں کوئی کرپٹ ہوں۔  
میری زندگی اور میری عزت کو ان افراد سے خطرہ ہے یہ مجھے ہر وقت دھمکیاں دیتے رہتے ہیں۔  
برائے مہربانی مجھے آپ سے انصاف چاہیے اور میں آپ سے انصاف کی امید رکھتی ہوں۔

عین نوازش ہوگی

شہزادی رابطہ زوجہ انبیاز احمد

فی میل واڈن سب جیل چارسدہ

0332-9985011



OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR

☎ 091-9210334, 9210406 🏠 091-9213445

No. Complaint/2013-14

7/39 J-2010/29/109 - WE

Dated

03-10-2013 / 1-

To

The Director  
Human Rights Cell  
in the Supreme Court of Pakistan  
Islamabad.

Subject:- **COMPLAINT.**  
Memo;

50/7 - I am directed to refer to your HRC No.24226-K/2013 dated 15-08-2013 and to state that the Mr. Ajmal Khan, Superintendent Sub Jail Charsadda has been appointed as Inquiry Officer in the case and he has submitted a report vide his memo: No.1227/WE dated 28-08-2013. According to which he conducted proper 59/4 inquiry into the matter and the following acts were pointed out: -

- 1) The female warder Mst; Shahzadi Rabia was posted to Sub Jail Charsadda on 26-04-2013, which she has not accepted by her heart and did not bother to come for duty regularly. She was a habitual late comer (Copies of Roznamcha attached).
- 2) Her disciplinary record has been loose during her stay at this jail, apart from absentees and habitual late comer, she has often used loud and abusive language against the Jail administration. She has never bother to be in uniform.
- 3) The then Superintendent Jail and lines officer have recorded their remarks in the Roznamcha, on regular basis (Copies attached).
- 4) The then Superintendent Jail has reported the behavior of the Female Warder in question to Inspector General of Prisons Khyber Pakhtunkhwa Province (Photocopy Copies attached).
- 5) The then Superintendent Jail has also recommended for her dismissal from service, due to her non serious attitude towards performance of official duties vide his journal dated 13-06-2013 (Copy attached).
- 6) She was served twice with show cause notice from circle Headquarter without any reply from her (Copies attached).
- 7) Statement of Senior Assistant Superintendent Jail Mr. Mukhtyar Haider, Assistant Superintendent Jail Mr. Salman, Female Warder Rashida Parveen and the complainant are recorded and copies attached for perusal.

**OPINION / CONCLUSION**

The above facts reveal that female warder Mst; Shahzadi Rabia has a loose disciplinary record, especially during her stay at Sub Jail Charsadda. She has regularly remained absent from duties and was a habitual late comer. She has adopted such behavior, so as to





**OFFICE OF THE  
INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**

☎ 091-9210334, 9210406 ☎ 091-9213445

No. Complaint/2013-14 \_\_\_\_\_ /-

Dated \_\_\_\_\_ /-

compel the Jail administration to transfer her back to Central Prison Peshawar.

In view of the above facts the undersigned conclude that the allegations framed against concerned official are baseless.

Perusal of the record shows that she has submitted the present application just to gain sympathies of the August Court where as her main motive was, her transfer back to Central Prison Peshawar. A copy of the report of Inquiry Officer submitted by him vide his No.1227/WE dated 28-08-2013 is enclosed herewith for information please.

The report of said Inquiry Officer was found defective on the ground that no cross examination of the accused officer / official was obtained. Furthermore, some allegations were of serious nature, therefore, Mr. Hashmatullah, Senior Assistant Superintendent Jail attached to District Jail Mardan was asked vide this office memo; No.27828 dated 20-09-2013 to examine the inquiry report with cross examination of the accused officer / official and thereafter submit a detailed report.

After investigation and fulfillment of codal formalities, the said officer has now submitted a detailed report (Copy enclosed). According to his report, the complainant female warder Mst; Shazadi Rabia is local resident of District Peshawar and she is not happy on here transfer from Sub Jai Charsadda to Judicial Lockup Swabi, due to which she forwarded application to high ups leveling false allegations against Jail officers. Moreover she violated the rules 1091 (i), (ii) and 1095 (f) of the Khyber Pakhtunkhwa Prison Rules 1985 as she made frivolous, vexations and false allegations against the staff members. The Inquiry Officer supported the recommendations of the Inquiry Officer Mr. Ajmal Khan, Superintendent Sub Jail Charsadda.

In view of the position explained above, allegations brought forward in the said application are baseless / unfounded. Therefore, the case may please be filed.

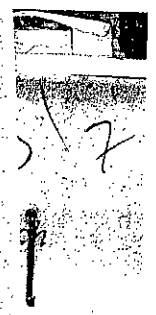
*[Signature]*  
3-10-13  
**ASSISTANT DIRECTOR (ADMN)  
FOR INSPECTOR GENERAL OF PRISONS  
KHYBER PAKHTUNKHWA PESHAWAR**



Annex-D

1496

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT



**ORDER**

SO(Com/Eng)/HD/1-39/C.P.Press/2014. The Competent Authority i.e. Home Secretary, Khyber Pakhtunkhwa is pleased to appoint Mr. Saleem Muhammad, Director legal, Directorate of Prosecution, Khyber Pakhtunkhwa as inquiry officer to probe into the allegations of Mst. Shezadi Rabia (Female Warder) Central Prison Peshawar published in the newspapers dated 25/07/2014, with the following terms of reference;

- i. To inquire the allegations of female warder and determine the factual position.
- ii. To evaluate gravity of the situation and unearth ground realities.
- iii. To dig out the reason why the complainant by passed all hierarchical setup and resorted for press conference.
- iv. Fix responsibility

2. The Inquiry Officer shall conclude the inquiry within 15 days and submit report to the competent authority.

**SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA HOME DEPARTMENT.**

Endst. No. SO(Com/Eng)/HD/1-39/C.P.Press/2014 dated Peshawar July 25, 2014

Copy forwarded for information to the: -

- 1. Inspector General of Prisons, Prisons Department Khyber Pakhtunkhwa Peshawar.
- 2. PS to Chief Secretary, Khyber Pakhtunkhwa w/r to his diary No. 7517 dated 25/07/2014 please.
- 3. PS to Secretary, Home and Tribal Affairs Department, Khyber Pakhtunkhwa.
- 4. PS to Special Secretary, Home and Tribal Affairs Department, Khyber Pakhtunkhwa.
- 5. Officer concerned.

*[Handwritten Signature]*  
SECTION OFFICER (Com/Eng)

465



103505

Priority B

Special Branch

**INFORMATION REPORT**

PS/C.S Khyber Pakhtunkhwa

Diary No. 7517

Date. 25-7-14

(District Peshawar)

24 جولائی، بوقت 1300 تا 1330 بجے۔ شہزادی رابعہ (جیل وارڈن) نے پریس کانفرنس بمقام پریس کلب کینٹ منعقد کرتے ہوئے کہا کہ وہ گزشتہ پانچ سالوں سے جیل وارڈن کی ڈیوٹی سرانجام دے رہی ہے۔ سابقہ جیل سپرنٹنڈنٹ خانہ عباس اسے تنگ کر کے جنسی مطالبات کرتا تھا انکار پر پشاور سنٹرل جیل سے صوابی، مردان اور چارسدہ جیل تبدیل کرتا رہا۔ اب مسعود الرحمن جیل سپرنٹنڈنٹ پشاور اور اسکا بیٹا سہراب (طالب علم) بھی اس سے جنسی مطالبات کر رہے ہیں انکار پر صوابی جیل ٹرانسفر کیا گیا۔ سہراب نے پشاور سنٹرل جیل سے فحاشی کا اڈہ بنایا ہوا ہے جس میں اسے اپنے والد کی حمایت حاصل ہے۔ کہا کہ اس نے اس سلسلے میں IG جیل خانہ جات اور وزیر اعلیٰ کو درخواست دی لیکن اس پر کوئی شنوائی نہیں ہوئی۔ کہا کہ صوبہ میں نوکری کرنے والی خواتین کو کوئی تحفظ حاصل نہیں۔ مسعود الرحمن جیل سپرنٹنڈنٹ پشاور میڈیا کو حقائق بتانے پر سنگین نتائج کی دھمکیاں دے رہا ہے۔ عمران خان چیئرمین پاکستان تحریک انصاف، وزیر اعلیٰ خیبر پختونخوا اور IG جیل خانہ جات سے مطالبہ کیا کہ اسے انصاف فراہم کیا جائے، ان افسروں کے خلاف کارروائی کی جائے اور نوکری کرنے والی خواتین کو تحفظ فراہم کیا جائے۔ کہا کہ اگر اسے کوئی بھی نقصان پہنچا تو اس کی تمام تر ذمہ داری مسعود الرحمن جیل سپرنٹنڈنٹ پشاور اور خالد عباس سابقہ سپرنٹنڈنٹ جیل پر عائد ہوگی۔ مزید کہا کہ خلاف ورستی کی صورت میں وہ وزیر اعلیٰ ہاؤس کے سامنے خود سوزی کریگی۔

For Add: Inspector General of Police,  
Special Branch, Khyber Pakhtunkhwa, Peshawar.

Copy to:-

1. Chief Secretary, Khyber Pakhtunkhwa.
2. Provincial Police Officer, Khyber Pakhtunkhwa.
3. Home Secretary, Khyber Pakhtunkhwa, Peshawar
4. Add: Inspector General of Police, Operations, Khyber Pakhtunkhwa.
5. Divisional Commissioner, Peshawar.
6. Capital City Police Officer, Peshawar.
7. CSO to Chief Minister, Khyber Pakhtunkhwa, Peshawar
8. MS to Governor, Khyber Pakhtunkhwa, Peshawar
9. SSP/ Political, Security, Intelligence, Special Branch Khyber Pakhtunkhwa

*HS*  
*and report -*  
*duplicate action*  
*24/7/14*  
**Chief Secretary**  
Govt. of Khyber Pakhtunkhwa

IR No. 44489-97 PB dated 24/07/2014

*solemp*  
*25/7/14*  
*25/7/2014*  
*PI note.*  
*25/7/2014*

Annex-D

ENQUIRY REPORT

I was nominated as Inquiry Officer vide Home Department's Order No.SO(Com/Eng)/HD/1-39/C.P.Press/2014 dated 25-07-2014 (Flag-A) to probe into the allegations of Mst. Shezadi Rabia (Female Warder) Central Prison Peshawar published in the newspapers dated 25-07-2014 (Flag-B).

Accordingly the complainant Mst. Shezadi Rabia (Female Warder) was asked to appear before the inquiry officer for recording her written statement (Flag-C). On dated 05-08-2014, she appeared before the inquiry officer in the presence of Sahibzadi Yasmeen Ara, Assistant Director Legal and recorded her written statement (Flag-D). Similarly, the Superintendents Central Prisons Peshawar and Haripur were also asked to submit their written statements (Flag-E). Consequently they submitted their replies supported by relevant enclosures vide (Flag-F & G).

The Senior Superintendent of Police (Operation) District Peshawar has also been requested to furnish data/information of cell phones numbers i.e. 0345-9052653 and 0332-9985011 of the complainant Mst. Shezadi Rabia (Female Warder), which is necessary for probing the allegation properly and in accordance with scientific manners (Flag-H). As such he furnished data of her cell number 0332-9985011 only for the period from 26-02-2014 to 06-08-2014 (Flag-I). According to the data of her cell number so provided by the Police Department, there is no evidence of contact of the officers with the complainant.

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Background of the case is that in press conference Mst. Shezadi Rabia (Female Warder) made allegations against Mr. Khalid Abbas, Superintendent Central Prison Haripur and Mr. Masood Ur Rehman Superintendent Central Prison Peshawar and his son, which was published in the newspapers dated 25-07-2014. She has stated that all the above are pressing hard her for sexual practices and also to compel her to make sexual relationships with other lady prisoners.

According to the available material recommendations in line with TORs are as under:-

- I. The root cause for holding of press conference by the lady official is for the purpose of her transfer from Central Prison Peshawar to Judicial Lockup Swabi. This fact motivated her to drag senior officers in these unfound allegations which are having no legal substance. Even she has not spared Sohrab s/o Masood Ur Rehman Superintendent Central Prison Peshawar who is a student of F.Sc 1<sup>st</sup> year at Hazara Public School & College Haripur, with sole motive of destroying his academic career. Relevant to mention here that earlier too, such type of malicious complaints was filed by her upon which proper inquiry was initiated and same were found without any legal substance. Consequently, warnings were issued to her. This was also on the eve of her transfer from Central Prison Peshawar to Judicial Lockup Charsadda. However, she was transferred from District Charsadda to District Swabi on the complaint of jail Administration due to her casual attitude and unbecoming of an official. The previous as well as the
- 2/2  
1/1

14/5/4

current posting/transfer orders have been issued in line with statutory requirement of Rule-1117 of the Khyber Pakhtunkhwa Prisons Rules. This rule places embargo on the posting of a Warder in his/her district of domicile.

II. Despite of the fact, serious allegations have been leveled against senior government servants without an iota of evidence which find support from the detailed replies of both the officers which are duly supported and collaborated by a host of documentary evidence, therefore, she is required to be taken into task.

III. The female official being a civil servant and that too in a Discipline force violated the chain of command and has violated Rules-21, 24 & 25 of the Khyber Pakhtunkhwa Government Servant (Conduct Rules), 1987, these rules placed clog on the holding of press conference as well as talk in radio telecast.


IV. According to the available material coupled with the statements of Mr. Masood-Ur-Rehman Superintendent Central Prison Peshawar and Mr. Khalid Abbas Superintendent Central Prison Haripur, further continuation of the inquiry proceeding would be a futile exercise. Therefore, it is recommended that the same may kindly be filed without any further proceedings.

ADDITIONAL RECOMMENDATIONS:

The official being a government servant has violated service discipline by holding a press conference and also by

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addressing the high-ups of the Provincial Government without adopting proper procedure as well as she violated Rules-21, 24 & 25 of the Khyber Pakhtunkhwa Government Servant (Conduct Rules), 1987 (Flag-J) and committed serious and grave Mis-conduct as defined by Rule-2(1)(l)(v) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 (Flag-K) . Earlier she also submitted identical complaints against her high-ups that too without any legal substances which were filed accordingly, Departmental Inquiry was held against her, and consequently warnings were issued to her. Thus her retention in the discipline force would be against service discipline and would surely be a stigma for the department. Therefore, her services may kindly be dispensed with by holding a proper Departmental Inquiry, which has already been initiated by the Superintendent Central Prison Peshawar in his capacity as competent authority under Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, photo copy of the show cause notice is available at page-2 of his reply i.e. Annexure-E.

  
(SALIM MUHAMMAD)  
Inquiry Officer

7/8/2014



**DIRECTORATE OF PROSECUTION  
KHYBER PAKHTUNKHWA**

No. DP/1269/8908  
Dated Peshawar August 04, 2014  
Office phone # 091-9212559  
Fax # 091-9212559  
E-mail [kgprosecution@yahoo.com](mailto:kgprosecution@yahoo.com)

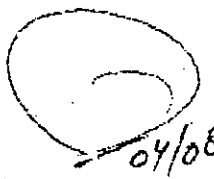
**MOST IMMEDIATE BEING TIME LIMIT ISSUE**

The Superintendent Central Prison,  
Peshawar & Haripur ✓

Subject: - **WRITTEN STATEMENT.**


I am directed to refer to the subject noted above and to state that the competent authority has nominated Mr. Saleem Muhammad, Director Legal, Directorate of Prosecution, Khyber Pakhtunkhwa as Inquiry Officer to probe the allegations raised by Mst. Shehzadi Rabia (Jail Warden) Central Prison Peshawar published in Daily News Paper dated 25-07-2014. Copy of the press clipping is enclosed.

You are, therefore, requested to furnish your written statements before the Inquiry Officer by tomorrow positively, otherwise, it will be presumed that you have no defense at all and ex-parte proceeding will be initiated against you.

  
(IRSHAD ULLAH AFRIDI)  
Deputy Director Legal

**Copy forwarded to the:-**

- PS to Secretary Home Department Khyber Pakhtunkhwa.
- Section Officer (Complaint) with reference to the order No. SC(Com/ENQ)/HD/1-29/C.P.Press/2014 dated 25-07-2014.

  
Deputy Director Legal



24 اپریل، بوقت 1300 تا 1330 بجے۔ شہزادی رابعہ (جیل وارڈن) نے پراسیکیوٹرز جنرل کے ساتھ ایک میٹنگ منعقد کی۔  
 ہونے لگا کہ وہ گزشتہ پانچ سالوں سے جیل وارڈن کی ڈیوٹی سرانجام دے رہی ہے۔ سابقہ جیل سپرنٹنڈنٹ نے کہا کہ اسے جیل سے  
 رہنے دینی مطالبات کرتا تھا انکار پر پشاور سنٹرل جیل سے سو ابھی، مردان اور چارسدہ جیل تہمیل کرتا رہا۔ اب مسعود نے کہا کہ اسے  
 پر مشنڈہ پشاور اور اسکا پٹا سہراب (طالب علم) بھی اس سے جنسی مطالبات کر رہے ہیں انکار پر سو ابھی جیل ٹرانسفر کیا گیا۔  
 نے پشاور سنٹرل جیل سے لاشی کا اڈہ بنایا ہوا ہے جس میں اسے اپنے والد کی حمایت حاصل ہے۔ کہہ کہ اس نے اسے اسے  
 IQ نکل خانہ جات اور وزیر اعلیٰ کو درخواست دی لیکن اس پر کوئی شنوائی نہیں ہوئی۔ کہہ کہ سو ابھی فریڈم فائٹنگ فورسز کے  
 جیل سپرنٹنڈنٹ پشاور میڈیا کو حقائق بتانے پر سنگین نتائج کی دھمکیاں دے رہے ہیں۔  
 جیل خانہ جات سے مطالبہ کیا کہ اسے انصاف دیا جائے۔  
 نے والی خواتین کو تحفظ فراہم کیا جائے۔ کہا کہ اگر اسے کوئی بھی نقصان پہنچے گا تو اسے سخت سزا دی جائے گی۔  
 پشاور اور خالد عباس سابقہ سپرنٹنڈنٹ جیل پر ہانک ہوئی۔  
 سورت میں وہ وزیر اعلیٰ ہاؤس کے سامنے خود سوزی کر گئی۔

**OFFICE OF THE SUPERINTENDENT**  
**CENTRAL PRISON HARIPUR**

Ph # (0995) 611196, 612402

No. 4938-WE Dated 05-08-14

To,

The Deputy Director Legal,  
Directorate of Prosecution,  
Khyber Pakhtunkhwa, Peshawar.

Subject: **WRITTEN STATEMENT.**

Memo,

Please refer to your letter No. DP/IL607/89002—4 dated 04-08-2014 on the subject noted above.

Kindly find enclosed herewith written statement of the undersigned for further necessary action as desired please.

*om*  
8/8/14  
SUPERINTENDENT  
CENTRAL PRISON HARIPUR

STATEMENT OF MR. KHALID ABBAS SUPERINTENDENT JAIL.

On 13<sup>th</sup> August 2011, I was posted as Superintendent Central Prison Peshawar and was allotted the additional duties of the I.G Prisons on 18-04-2012 also, since then I was working against both these posts till 03-08-2013. Including other female staff Mst; Shehzadi Rabia was also performing her duties as female warder at Central Prison Peshawar during my above said period.

An order regarding transfer of local watch and ward staff from domiciled districts was issued by the Home Department of Khyber Pakhtunkhwa (also required under rule 1117 of PPR) so in compliance of the Home Department orders like other local staff, the said Shehzadi Rabia female warder was transferred from Central Prison Peshawar to District Jail Mardan in the year of 2013 which was later on amended to Sub jail Charsadda. It may also be pointed out that at the time of her transfer she had already completed her tenure at Central Prison Peshawar.

Though she had resumed duty at Sub jail Charsadda but her transfer had become a reason of her annoyance against the undersigned. During her stay at Sub jail Charsadda she remained continuous headache for the administration of that jail resulting in pouring of complaints and reports made by Superintendent jail Charsadda against her to the senior administration of the department for action and transfer (photocopies of all relevant communication are attached as Annex-A). Being having no alternative she was transferred from Charsadda to Judicial Lockup Swabi. She was also served a show cause notice having sufficient evidence against her during her stay at Sub Jail Charsadda and under transfer to Judicial Lockup Swabi on 08-07-2013 (photocopy of show cause notice enclosed as Annex-B)

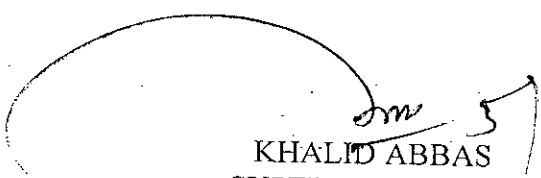
She also used to submit complaints before the High Court and Supreme Court of Pakistan against the staff of Peshawar Jail blaming the Assistant Superintendents Mr. Mukhtiar Haider and Mr. Salman Khan leveling baseless charges of sexual harassment against them for the reasons that she was asked by them to be punctual and performance of her official duties and to avoid use abrasive language and misbehavior in the offices, resultantly 2 Nos inquiries were conducted on her complaint which was however found quite baseless, unfounded, false and being an attempt on the prestige of the officers of the department, she was recommended for major penalty by both the inquiry officers. Accordingly both the honourable courts were informed by the worthy Inspector General of Prisons which were filed in both the superior courts (copies of the inquiry reports and reports submitted to Superior courts are attached as Annex-C).

It is further added that until and unless she was working at Peshawar Jail performing her duties at her sweet will, she had no grievances against the undersigned during her 2 years stay but soon after her transfer from Peshawar she revealed her false nature by submitting baseless charges against Assistant Superintendent Mr. Mukhtiar Haider and Salman Khan with the charge against the undersigned of giving support to them against her while in her another statement she categorically stated that she tried to have access to the I.G Prisons and tell him her baseless stories but she was not given time here lies the truth of her claim of sexual harassment (Photocopy of her statement is attached as Annex-D). Not knowing reasons to the undersigned that what are the factors which led her to level the charges against the undersigned after the passing of more than a year even when I was away from the country for the purpose of performance of Umrah but perhaps all this is happening with the undersigned and other jail officers of other different jails due to her stubborn, shady, fraudulent and untruthful nature.

To sum up, she is such a jail staff member that as long as she remains in this department she will play with the honours of all those concerned officers who issue advices or ask her to perform her allotted duties or particularly on the occasion of her transfer against her will, she will create such scenes.

Detail and parawise reply will be submitted before your goodself if received a copy of her detail statement mentioning specific allegations with solid proofs, evidences and statements of witnesses if any. Astonishing enough that what are the factors which motivated her towards the undersigned and naming me for the charge of sexual harassment, but here a question which clicks to the mind of one is that what for such a modest lady was waiting for more than a year for charging an individual after commission of offence by him in the press conference although her present transfer was issued by the present administration of Peshawar Jail.

It is pertinent to mention here that for the last more than a year, I have not even seen her.

  
KHALID ABBAS  
SUPERINTENDENT  
CENTRAL PRISON HARIPUR

آج 25-7-44

## جیل حکام خواتین عملے کو ہراساں کرتے ہیں، شہزادی رابعہ

خاتون سسر داروں کے الزامات بے بنیاد ہیں سسر شہزاد جیل مسودہ الزامات کا مہر

پشاور (جنرل رپورٹ) سنٹرل جیل پشاور کی سسر جیل | پشاور (جنرل رپورٹ) سینٹرل جیل پشاور کے سسر شہزاد  
 داروں نے جیل حکام پر خواتین عملے اور قیدیوں کو | مسودہ الزامات نے جیل داروں شہزادی رابعہ کی جانب  
 ہراساں کرنے کا الزام (باقی صفحہ 10 پتھر نمبر 22) | سے ان پر عائد الزامات (باقی صفحہ 10 پتھر نمبر 23)

## پتھر نمبر 23 سسر شہزاد کی وضاحت

کو سسر لخواہ سسر بنیاد قرار دیا ہے اور کہا ہے کہ ایک ہفتہ  
 قبل شہزادی رابعہ کا تبادلہ سمرانی جیل کر دیا گیا تھا کیونکہ  
 وہاں عملے کی شہزادی کی سے اور اس کی کو پورا کرنے کیلئے  
 قواعد و ضوابط کے مطابق شہزادی رابعہ کا تبادلہ کیا گیا ہے  
 تاہم اب شہزادی رابعہ اپنا تبادلہ رکوانے کیلئے بے جا  
 الزامات عائد کر رہی ہے انہوں نے کہا کہ شہزادی رابعہ کی  
 جانب سے ان پر عائد الزامات کی تحقیقات کرائی جائے  
 تاکہ دودھ کا دودھ اور پانی کا پانی ہو سکے۔



BY FAX  
Registered

OFFICE OF THE  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR  
No. 2073-74/P.B./Dt: 01/09/2014  
WE

To

- 1- Haji Mujeeb-ur-Rahman  
Senior Assistant Superintendent  
Central Prison Haripur.
- 2- Mr. Falak Sher Khan  
Senior Assistant Superintendent  
Judicial Lockup Nowshera.

Subject: STATEMENT OF ALLEGATIONS/ CHARGE SHEET

Memo:

Reference this office endorsement No: 1903-07/WE dated 25-08-2014.


Statement of allegations/ Charge Sheet were sent to the accused Female Warder Rabia Shahzadi, but the same was returned by the Superintendent Judicial Lockup Swabi vide his No. 1734 dated 29-08-2014 with the remarks that the accused official in question refused to receive Statement of allegations/ Charge sheet. (Photocopy attached).

Therefore further action in the matter may be taken according to the rules please.

  
SUPERINTENDENT  
CIRCLE/HQS. PRISON PESHAWAR


Endorsement No: \_\_\_\_\_/-

Copy of the above is forwarded to the Superintendent Judicial Lockup Swabi for information with reference to above.

  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

1734 Date: 29-08-2014

Determined in original letter  
the remarks that the official  
Council was asked to receive  
one copy of this letter but the  
original to be received in  
So please bear for further  
action by Hill Joint Police.

  
SUPERINTENDENT  
JULY 29 11 18  
2014



INQUIRY REPORT IN PRESS CONFERENCE ILLEGALLY HELD BY  
FEMALE WARDER MST. RABIA SHAHZADI

**BRIEF FACTS**

Female warder Rabia Shahzadi presently attached to Judicial lock up Swabi, held Press Conference, on 24.7.2014 wherein she had leveled embarrassing allegations of sexual harassment against Senior officers of the department which were publicized through print Media on 25.7.2014.

Thus, indulging in misconduct as defined under rule 2(1) of Khyber Pakhtunkhwa Government Servants (efficiency & Discipline) Rules of 2011. By holding of press conference, she by-passed the laid down procedure thus violating rules 21,24 & 25 of Khyber Pakhtunkhwa Government Servants (conduct) rules 1987 read with rules 1091(i),(ii) & 1095 (F) of Khyber Pakhtunkhwa Prison Rules, 1985 and as such rendered herself liable to be proceeded under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011.

**FINDINGS.**

Inquiry committee consisting of the undersigned and Mr Falak Sher Khan Senior Assistant Superintendent presently attached to Judicial Lock Up Nowshera was constituted for the purpose of inquiry against the female warder with reference to the above allegations against her.

To make first move in the probe, female warder Mst. Rabia Shahzadi ( Shehzadi Rabia per her statement) was asked through Superintendent Judicial lock up Swabi (Copy of letter No.5534 dated 02.9.2014 is enclosed as Annexure "A") to appear before the inquiry committee for personal hearing at the office of the Superintendent Judicial lock up Nowshera on 09.9.2014. She was also advised to provide written statement and documents (if any) in her defense.

In the meanwhile, the inquiry committee was informed that the accused official had refused to receive the statement of allegations/ charge sheet sent to her through Superintendent jail Swabi. (copy of letter No. 2073/WE/PB. Dated 01.9.2014 from the superintendent, Circle HQS.Prison Peshawar is enclosed as Annexure "B").

She appeared before the inquiry committee on the date fixed, who was asked to record the statement and to produce any defense, however her first lexis was that she doesn't accept any departmental inquiry but when she was asked to give a short written statement to this effect then she thought twice and opted to give statement. She was provided pen & paper and then she wrote and gave her statement which is attached as Annexure "C".

Though she made the same allegations against Mr. Khalid Abbas Supdt; Central Prison Haripur, Mr. Masood ur Rehman Supdt; Central Prison Peshawar and his son Mr.Sohrab as were published through News papers however this time in her statement she added the names of other officers i.e of Mr. Shamroz Assitt; Supdt; , Mr.Salman Assitt; Supdt; and Mr. Mukhtiar Haider Senior Assistant Superintendent jail charging them also for similar allegations of sexual harassment. She also alleged in her statement that they used to take out female prisoners from jail to outside hospitals on the pretext of illness but instead of taking them to hospitals these female prisoners were taken to the places of amusement where sex was committed with them.

She was given reasonable opportunity of hearing and was asked to provide pertinent evidence to prove such serious allegations against the officers. She gave the names of Mr. Daulat khan warder, Mr. Janas warder, Mr. Sadarat warder, Mr. Wasidullah warder and Mr. Hazrat Ali employ of Information Technology Department working at central prison Peshawar as the eye witnesses. She further added that she had also submitted complaints before the honorable Chief Minister of Khyber Pakhtunkhwa, I.G Prisons, Advisor to the Hon'ble Chief for Prisons, Hon'ble Sessions Judge, Hon'ble Chief Justice High Court as well as to Hon'ble Chief Justice of Pakistan but with no response.

The above mentioned jail staff members (witnesses) were asked to appear before the inquiry committee, to record their statements and to give the truthful and candid evidence. They appeared before the inquiry committee on 10.9.2014, recorded their statements on oath that they were absolutely unaware of such happenings. (Attached as Annexure "D").

To a question that how long before she was coerced and compelled by the officers for coming into illicit relations with them, she replied that it was the year of 2009 when she was recruited and soon after her enrollment in service she was attempted upon by the then officers for making sexual advances with them.

To another question that what were the reasons that she remained mum and didn't make complaint against them in the year of 2009, she thought twice and replied that the then Superintendent jail was transferred to Haripur and she was not in position to go there.

When she was asked that she has not only violated rules by holding Press conference but have charged a number of officers for serious allegations of sexual harassment and the burden of proof lie on her shoulders, she added she will produce further justifications on other occasion when she will be granted leave.

Attested  
True Copy

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OR  
D  
r

Refusal from receiving of statement of allegations/ Charge Sheet sent to her through Supdt; judicial Lock up swabi, then at the time of appearance before the inquiry committee her first lexis of non acceptance of any departmental inquiry and non production of any cogent evidence at the time of personal hearing, further continuation of the inquiry proceedings would be a futile exercise.

CONCLUSION.

After conducting detailed inquiry and as per above explained circumstances the inquiry committee has observed the following.

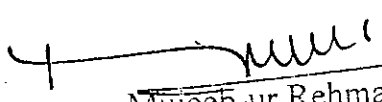
- That she has violated rules by holding Press Conference.
- That during the course of inquiry she was not successful in discharging of onus of proof
- The witnesses named by her were heard carefully but statements given by them are containing nothing to support her statement/ allegations
- The contents of her statement to the effect that jail officers used to take out female prisoners from jail to outside hospitals on the pretext of illness but instead of taking them to hospitals these females were used to be taken to the places of amusement where sex was to be committed with them, is really not only difficult but is impossible as male and female prisoners both can never be taken out from prison by the jail authorities but as per rules they are always handed over to police authorities under the proper signatures for escorting them to hospitals, trial courts or for the purpose of transfer to other jails, particularly the female prisoners are taken out by joint escorting party consisting of male and female police officials.
- On the other hand record reveals that in past too, such complaints against officers have filed by her upon which inquiries were conducted (Copies enclosed as annexure "E) but were finally found without any legal substance and baseless. However during those inquiries the crux came to the surface that nothing else but her transfer from central prison Peshawar to sub jail Charsadda, which was effected in line with statutory requirement of rule 1117 of the prison rules which places embargo on the posting of a warder in his/ her district of domicile and then from sub jail Charsadda to Judicial lock up Swabi after a series of complaints sent against her to senior administration of the department and issuance of show cause notices to her by the administration of sub jail Charsadda due to her casual attitude and non becoming an official had annoyed her against her officers.

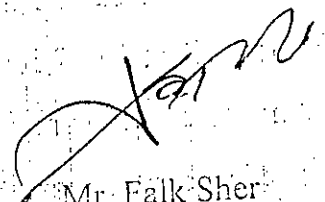
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True Copy

As it is admitted position of law that official record has veracity of truth related to it, so her transfer from Charsadda to Swabi on complaint of jail administration and show cause notices issued to her at various occasions are the evidences which amply proves her casual attitude and unbecoming of an official. It is Pertinent to mention here that the immediate cause of holding press conference on 24.7.2014 by her was her transfer from Central Prison Peshawar to Judicial Lock up Swabi on 11-07-2014.

To sum up, Mst. Rabia Shahzadi, being a Government servant and that too in a discipline force has violated rules 21, 24 and 25 of the Khyber Pakhtunkhw Government Servant (Conduct Rules) 1987, which placed clog on the holding of press conference as well as talk in Radio telecast, as such she has committed serious and grave misconduct. On the other hand she had not been able to prove allegations leveled by her against jail officers so in such circumstances the inquiry committee has no other alternative but to recommend her for major penalty of dismissal from service.

Submitted as desired please

  
Mujeeb-ur Rehman 24/9/2014  
Senior Assistant Superintendent  
Central Prison Haripur

  
Mr. Falk Sher  
Senior Assistant Superintendent  
Judicial Lockup Nowshera

Attested  
  
True Copy

~~Annex - D~~

CHARGE SHEET

P-30

Annex - F

I, Masud-ur-Rahman, Superintendent Headquarters Prison Peshawar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 do hereby serve you, Female Warder (BPS-05) Rabia Shahzadi as follows: -

- (i) That consequent upon the completion of inquiry conducted against you by the Inquiry Committee for which you were given opportunity of hearing vide communication No. 1903-07/PB dated 25-08-2014.
- (ii) On going through the findings and recommendations of the inquiry Committee, the material on record and other connected papers including your defence before the inquiry committee, I am satisfied that you have committed the following acts/ omissions specified in rule 3 of the said rules: -

*"You held press conference on 24-07-2014, the contents of which were published in newspapers on 25-07-2014 wherein you leveled frivolous, vexatious, false and embarrassing allegations against senior officers and others with malafide intentions by-passing the laid down procedure in violation of rules 21, 24 & 25 of Khyber Pakhtunkhwa Government Servants (Conduct) Rules 1987 read with rules 1091 (i) (ii) 1095 (F) of Khyber Pakhtunkhwa Prison Rules 1985, thus committed gross misconduct as defined under rule 2(l) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011. Furthermore you habitually indulge in such like misconduct."*

2- As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of **Dismissal from Service** under section 4 of the said rules.

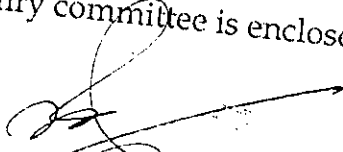
3- You are thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desired to be heard in person.

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

5- A copy of the findings of the inquiry committee is enclosed.

Attested

Copy

  
SUPERINTENDENT  
CIRCLE HQS, PRISON PESHAWAR



Anx, F P-35

OFFICE OF THE  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR  
No. 2462 /P.B/Dt: 15/10/2014

OFFICE ORDER

Upon completion of proceedings under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, and after giving her the opportunity of personal hearing, penalty of "Dismissal from Service" with immediate effect is awarded to Female Warder Shahzadi Rabia attached with Judicial Lockup Swabi on establishment of charges contained in Charge Sheet/ Statement of allegations issued vide this Headquarters Endorsement No: 1903-07/WE dated 25-08-2014.

SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

Endorsement No: 2463-65/-

Copy of the above is forwarded to the:-

- 1- Inspector General of Prisons Khyber Pakhtunkhwa Peshawar with reference to his memo No. 21504-05 dated 21-08-2014.
- 2- Superintendent Judicial Lockup Swabi for necessary action.
- 3- District Accounts Officer Swabi.

SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

*Handwritten notes:*  
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Hic  
for ms De  
20/10/14

Attested  
True Copy

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

In the Matter of  
Service Appeal No. 156/2015

Rabia Shahzadi

Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa and others.

Respondents

**REJOINDER OF ON BEHALF OF THE APPELLANT.**

**RESPECTFULLY SUBMITTED.**

Rejoinder on behalf of appellant is as under:-

**ON PRELIMINARY OBJECTIONS:-**

- a. Contents incorrect and misleading, the appellant has illegally been dismissed of her service, hence she has got the necessary cause of action to file the instant appeal.
- b. Content incorrect and misleading, the appeal being filed well in accordance with the prescribed rules and procedure, hence maintainable in its present form.
- c. Contents incorrect and misleading, no rule of estoppel is applicable

- d. Contents incorrect and misleading, the appellant is a civil servant. she has illegally been dismissed hence she has got necessary locus standi to challenge the impugned order before this Honourable Court.
- e. Contents incorrect and misleading, all the parties necessary for the disposal of the instant appeal are arrayed in the instant appeal.
- f. Contents incorrect and misleading, the appeal is filed well in the prescribed period of limitation.

**ON FACTS:-**

1. Contents of Para 1 of the appeal are correct. The reply submitted to the para is incorrect and misleading.
2. Contents of Para 2 of the appeal are correct. the reply submitted to the para is incorrect false and misleading one. the respondents have made a false, baseless, and concocted story in order to justify their illegal actions against the appellant. moreover, right from the start on sale personal judges. they have left no stone unturned to destroy the service carrier of the appellant.
3. Contents of Para 3 of the appeal are correct, reply submitted to the Para is incorrect and misleading.
4. Contents of Para 4 of the appeal are correct, reply submitted to the Para is incorrect and misleading.
5. Contents of Para 5 of the appeal are correct, reply submitted to the Para is incorrect and misleading.



6. Contents of Para 6 of the appeal are correct, reply submitted to the Para is incorrect and misleading.
7. Contents of Para 7 of the appeal are correct, reply submitted to the Para is incorrect and misleading.
- 8 to 10: Contents of Para 8 to 10 of the appeal are correct, reply submitted to the Para is incorrect and misleading.

**GROUND:-**

Grounds taken in the memo of appeal are legal and will be substantiated at the time of arguments.

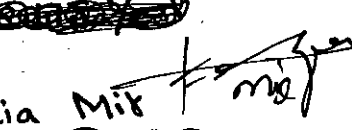
It is therefore, most humbly prayed that the appeal of the appellant may kindly be accepted as prayed for.

Through

Appellant

Uzma 

And

Fazia Mit   
~~Uzma~~  
Advocates, Peshawar.

**AFFIDAVIT:-**

Solemnly affirm and declare on oath that the contents of the above rejoinder as well as the titled appeal are true and correct to best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.

  
DEPONENT

Date 25-5-2016

قیمت 10 روپے



53711

ایڈووکیٹ / دستخط  
بار کونسل ابار ایسوسی ایشن  
رابطہ نمبر: 9440376-0311

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: مسٹر ڈی بی نائیپ پٹا اڈر

منجانب:	دعویٰ: <i>سید سید علی احمد</i>
دلیلہ:	علت نمبر: <i>156/12/15</i>
	موردہ نمبر:
	جرم:
	تھانہ:

بامستحضرانکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
 آن مقام *سید سید علی احمد* کو وکیل 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 نمائندگی و فیصلہ برصن دینے جواب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق  
 زریں بردستخط کرنے کا اختیار ہوگا، نیز *سید سید علی احمد* پیروی و جواب دہی کے لئے *سید سید علی احمد* کی برآمدگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظر جانی و پیروی کرنے کا مختار ہوگا اور یہ صورت ضرورت مقدمہ مذکورہ کے کل ماخوذی  
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہو گا اور صاحب  
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ پر ذراخت منظور و قبول ہوگا دوران مقدمہ  
 میں جو خرچہ ہر جہانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف و شرکاء کے لئے کا مختار ہوگا کوئی تاریخ پیشی مقام  
 دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ *سید سید علی احمد* کو وکیل مقرر کر کے، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 25-5-2016

\_\_\_\_\_ مقام  
 \_\_\_\_\_  
 \_\_\_\_\_ کے لئے منظور ہے۔

Accepted.  
 SATISH ANJANA  
 Advocate, Peshawar.



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No 2511 /ST

Dated 21 /11/2017

To

The Superintendent Circle HQS, Prison,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: **JUDGEMENT IN APPEAL NO. 156/15, Mst.RABIA SHAHZADI.**

I am directed to forward herewith a certified copy of Judgment dated 03/11/2017 passed by this Tribunal on the above subject for strict compliance.

**Encl: As above**

*ole*

*[Signature]*  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.



OFFICE OF THE  
**SUPERINTENDENT**  
CIRCLE HQS. PRISON PESHAWAR  
No. 1902 /P.B/ Dt: 25/08/2014

**DISCIPLINARY ACTION**

I, Masud-ur-Rahman, Superintendent Headquarters Prison Peshawar, as competent authority, am of the opinion that Female Warder Rabia Shahzadi attached to Judicial Lockup Swabi has rendered herself liable to be proceeded against under rule 3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

**STATEMENT OF ALLEGATIONS**

*Female Warder Rabia Shahzadi held press conference on 24-07-2014, the contents of which were published in newspapers on 25-07-2014 wherein she leveled frivolous, vexatious, false and embarrassing allegations against senior officers and others with malafide intentions by-passing the laid down procedure in violation of rules 21, 24 & 25 of Khyber Pakhtunkhwa Government Servants (Conduct) Rules, 1987 read with rules 1091 (i), (ii) & 1095 (F) of Khyber Pakhtunkhwa Prison Rules, 1985.*

*Thus she committed grave misconduct as defined under rule 2(i) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011. She habitually indulges in such like misconduct.*

2- For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry committee, consisting of the following, is constituted under rule 10(1)(a) of the ibid rules:

- i- Haji Mujeeb-ur-Rahman, Sr. Assistant Supdt: CP Haripur ----- Chairman  
ii- Mr. Falak Sher Sr. Assistant Supdt: JL Nowshera ----- Member

3- The inquiry committee shall, in accordance with the provisions of the ibid 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 punishment or other appropriate action against the accused.

4- The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the inquiry committee.

  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

Endorsement No: 1903-07/WE 1

- Copy of the above is forwarded to the: -
- 1- Inspector General of Prisons Khyber Pakhtunkhwa Peshawar with reference to his endorsement No. 21504-05/WE dated 21-08-2014 for information please.
  - 2- Haji Mujeeb-ur-Rahman Sr. Assistant Superintendent, Central Prison Haripur, Chairman of the Inquiry Committee and Mr. Falak Sher, Sr. Assistant Superintendent Judicial Lockup Nowshera member of the Committee for initiating proceedings against the above named accused Female Warder under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.
  - 3- Above named accused Female Warder C/o Superintendent Judicial Lockup Swabi with the directions to appear before the inquiry committee for the purpose of inquiry proceedings.
  - 4- Superintendent Judicial Lockup Swabi with the request to serve the Charge Sheet/ Statement of allegations on the accused Female Warder & return a copy duly signed & dated by her in token of receipt.

  
SUPERINTENDENT  
CIRCLE HQS. PRISON PESHAWAR

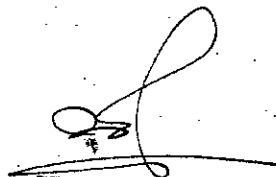
## CHARGE SHEET

I, Masud-ur-Rahman, Superintendent Headquarters Prison Peshawar as competent authority, hereby charge you, Female Warder Rabia Shahzadi attached to Judicial Lockup Swabi as follows:-

*That you held press conference on 24-07-2014, the contents of which were published in newspapers on 25-07-2014 wherein you leveled frivolous, vexatious, false and embarrassing allegations against senior officers and others with malafide intentions by-passing the laid down procedure in violation of rules 21, 24 & 25 of Khyber Pakhtunkhwa Government Servants (Conduct) Rules 1987 read with rules 1091 (i), (ii) & 1095 (F) of Khyber Pakhtunkhwa Prison Rules, 1985.*

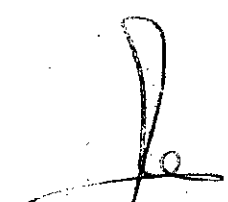
*Thus you committed grave misconduct as defined under rule 2(l) of Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011. You habitually indulge in such like misconduct.*

- 2- By reasons of above, you appear to be guilty of misconduct under rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & 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 defence within seven days of the receipt of this Charge Sheet to the inquiry committee, ~~as the case may be.~~
- 4- Your written defence, if any, should reach the inquiry committee within the specified period, failing which it shall be presumed that you have no defence 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.

  
SUPERINENDENT  
CIRCLE HQS. PRISON PESHAWAR

No - 1734 Date: 29-08-2014

Returned in original with  
the remarks that the official  
concerned was asked to receive  
one copy of this letter but she  
refused to receive it -  
So please refer for further  
action by H:O Jai P. Meena.

  
SUPERINTENDENT  
JUDICIAL  
SWABH

Cross examination on statement of Mst Rabia Shahzadi Female warden

سوال کیا یہ درست ہے کہ آپ ڈیوٹی پر دیر سے آتی تھی

اور زمانہ صلاحاتیاں کی تلاش نہیں لیتی تھی؟  
جواب: چونکہ میں پشاور سے ڈیوٹی کیے آتی تھی لہذا کچھ بھی  
چارسدہ پہنچنے میں دیر ہو جاتی تھی

سوال کیا یہ درست ہے کہ تم بغیر اجازت کے ڈیوٹی سے

غیر حاضر ہو جاتی تھی؟  
جواب: جب میں غیر حاضر تھی تو میں نے میڈیکل رپورٹ  
جیل ہیڈ روم تھی کیلن جیل انتظامیہ نے رد کر دی تھی

سوال مورخہ 13-7-3 کو جب آپ کو سوال جیل کیا گیا

فارغ کیا گیا تو آپ نے کلرک اور جیل کے سپاہیوں اور انتظامیہ  
کو کہا کیا دی تھی؟

ج: میں نے گال کسی کو نہیں دی البتہ جب کہاں صاحبہ  
نے مجھے فارغ کرنے وقت کہا کہ اب میرا آیا ہے تو میں  
نے اس کو بتائیں سنائی تھی



سوال: آپ نے اپنی درخواست میں جتنے لگائے کیا وہ سارے درست ہیں اور کیا آپ کے ساتھ ان الزامات کو ثابت کرنے کیلئے کوئی ثبوت یا گواہ وغیرہ ہیں؟

جواب: یہ سارے الزامات درست ہیں لیکن چونکہ میرے لئے کوئی گواہی نہیں دے گا

لہذا اس کے لئے کوئی ثبوت نہیں دے گا


سوال: کیا آپ کو حاضر ناظر جان کر کبھی ہوں کہ یہ

ساری باتیں درست ہیں اور میں عدالت میں قرآن پڑھاؤں گا اور یہ سب ثابت ہوگا کہ میں نے

سچ کہا ہے

Attested

Sr. Asst. Superintendent  
Distt. Jail Garden

  
Fw شہزادہ راہ

# Cross Examination on statement

Salman Khan Assistant Sdho. Jant

س: آپ پر 5/11/11ء کے الزعم لگایا ہے کہ آپ  
اختیار حیدر کے کہنے پر اس کو تنگ کرتے ہو کیا  
یہ درست ہے؟

ج: میرا اختیار حیدر کے ساتھ پشاور جیل

سے تبادلہ کے بعد کوئی واسطہ نہیں ہوا ہے  
میں نے مذکورہ فیصلہ وارڈز کے بارے میں ڈیون  
کو دینے کا وہ سے رپورٹ لکھی تھی۔

س: کیا وہ یہ کہ مذکورہ فیصلہ وارڈز نے آپ کے

خلاف الزامات لگائے ہیں؟

ج: چونکہ یہ ڈیون کیلئے وقت پر نہیں آئی تھی

اور ڈیون نے سرانجام نہیں دئی تھی لہذا جب

میں نے اس کو ڈیون سے طریق سے

سرانجام دینے کیلئے کہا تھا تو یہ اس طرح

کے الزامات لگانا شروع کر دی تھی جس کا ثبوت  
رپورٹ کے رپورٹ ہیں۔

Cross Examination on statement

Salman Khan Assistant Sekt. Jail

س: آپ پر F.W. رابہ کے الزعم لگایا ہے کہ آپ  
مختیار صدرا کے کہنے پر اس کو تنگ کرتے ہیں کیا  
یہ درست ہے؟

ج: میرا اختیار صدرا کے ساتھ پشاور جیل

سے تبادلہ کے بعد کوئی رابطہ نہیں ہوا ہے  
میں نے مذکورہ فیصلہ وارڈز کے بارے میں ڈیون  
نہ دینے کا وجہ سے رپورٹ لکھی تھی۔

س: کیا وہ یہ کہ مذکورہ فیصلہ وارڈز نے آپ کے

خلاف الزامات لگائے ہیں؟

ج: چونکہ یہ ڈیون کیلئے وقت پر نہیں آتی تھی

اور ڈیون بھی سرانجام نہیں دیتی تھی لہذا جب

بھی میں نے اس کو ڈیون علی طریق سے

سرانجام دینے کیلئے کہا تھا تو یہ اس طرح

کے الزامات لگانا شروع کر دیتی تھی جس کا ثبوت

رہنما بھیہ کے رپورٹ ہیں۔



w. Yousaf, w. Zaroon and  
F.w. Rashida Parveen. ANX-c

میں بیان کرتے ہیں کہ جب F.w. شہزادہ کو  
اس جیل سے فارغ کیا گیا تو اس نے سلمان خان  
اسٹیشن سپرنٹنڈنٹ اور دیگر افسران کو گالیاں دی  
اور کہا کہ جیل کے سارے افسران ذلیل ہیں  
افسراہیل ہیں۔ نیز سلمان خان نے اس پر ہاتھ  
نیں اٹھایا تھا۔

س: کیا آپ لوگوں نے کبھی دیکھا ہے کہ سلمان خان  
نے اس فیصل وارڈ راجہ شہزادی کو کبھی دفتر  
میں بلایا ہو؟

ج: نہیں نہیں! اس بات کا علم نہیں ہے۔  
س: کیا سلمان خان کو آپ نے کبھی دیکھا ہے کہ وہ  
روشنی پر چڑھ کر زمان خانہ دیکھ رہا ہو؟  
ج: نہیں اس طرح کبھی نہیں ہوا ہے نیز روشن

پہنچنا اور پڑھنا ناممکن ہے۔ اس لیے  
کہ ضرورت ہے۔

س۔ کیا مذکورہ F.W. وارڈ، اپنے سالہ موبائل  
رہتی تھی اور اس پر پائیس کرتی تھی۔

ج۔ ہاں وہ اپنے سالہ موبائل رہتی تھی اور جیل  
حصہ میں موبائل بھی لائی تھی۔

س۔ مذکورہ F.W. وارڈ شہزادی کاروبار شاف  
کے ساتھ کیا تھا؟

ج۔ اس کاروبار انتہائی نامناسب ہوتا تھا۔

ایشرفیل شاف کے بارے میں کہتی تھی

کہ جیل شاف سارا گمنام ہے نیز وہ زنانہ

صلاحتیاں رکھتی تھی اور پائیس لیتی تھی

اور کہتی کہ میرے ہاتھ گندے ہوتے ہیں جب کہ

اس کو اور میراں ڈیوٹ صبح کے وقت سے دینے کا کہتے

تھے وہ خود کھال لے کر آتی تھی اور وہ غیرہ کا نام

لے کر کہتی کہ آگاہی ظلم ہوتا ہے

W. Joushy

W. Zavan

F.W. Ralhide

Sr. Mark  
F.W. Ralhide

Examination on Statement of  
Mulla Heidar Senior Anst. Sublt Jant

ANX  
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جی، فیصل وارڈ، شہزادوں کا بہن ہے آپ یہ کہیں گے الٹا  
لگائے ہیں اور ساتھ یہ بھی کیا ہے کہ آپ ان کے  
ساتھ تلخ کلامی جوہر بھی کیا ہے؟  
ج۔ مذکورہ فیصل وارڈ کے الزامات سے اس سے جوڑ  
اور بلیک میل ہے۔ اس نے میرے ساتھ کبھی دست نہیں  
دیکھیں ہیں کسی سے اور نہ ہی میں انہیں آئینہ تھا۔ اصل میں  
یہ پشاور کی لوکل ریاضت ہے جو جس کے بعد سے  
اس کے پشاور سے چار ماہہ تیرہ بجی ہوئی تھی۔ اس  
کو شک ہے کہ اس کے تیرہ بجی میں میرا ہاتھ ہے حالانکہ  
میرے پاس کے ڈاکٹر اشرف کا علم ہی نہیں تھا۔  
جی: کیا آپ کا سلیمان اسٹریٹ سپرینٹنڈنٹ کے ساتھ  
چار ماہہ جیل میں کوئی رابطہ ہے؟  
جی: جب سے سلیمان پھانسی سے ڈاکٹر اشرف ہوا ہے اس کے  
ساتھ میرا کوئی رابطہ نہیں ہوا ہے۔  
جی: مذکورہ فیصل وارڈ نے آپ پر الزام لگایا ہے  
کہ آپ قیدیوں سے پیسے لیکر مافیہاں دیتے ہیں  
اس کی کیا وجہ ہے؟

HEADQUARTERS PRISON PESHAWAR

Respected Sir,

It is submitted that Female Warder Rabia Shahzadi attached to Judicial Lockup Swabi was directed vide this office memo No. 2451 dated 14-10-2014 to appear to office of the Supdt: HQ Prisons Peshawar for personal hearing on 15-10-2014 at 1100 hours.

She has arrived for the purpose. Further orders may be issued please.

15-10-2014

PB  
15/10/2014

Heard in person

She has nothing more to add to her defence. Instead kept on threatening the authorities. Charges levelled against her stand proved beyond doubt. Her conduct renders her unfit for government service. The following penalty is awarded to her with immediate effect

"Dismissal from Service"

15/10/2014



SHOW-CAUSE NOTICE UNDER RULE-5 (1) READ WITH RULE-7 OF THE  
KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS (EFFICIENCY &  
DISCIPLINE) RULES 2011.

You, Female Warder (BPS-05) Rabia Shahzadi were transferred from Central Prison Peshawar to Judicial Lockup Swabi and relieved on 11-07-2014 with minimum days joining time. Instead of joining your duties, you telephoned the Superintendent Circle Headquarters Prisons Peshawar on 21-07-2014 at 1135 hours and threatened him to go to media if your transfer orders were not cancelled.

Your this act amounts to <sup>is</sup> blackmailing/ misconduct.

I, Masud-ur-Rahman, Superintendent Headquarters Prison, Peshawar as competent authority, am satisfied by the report and there is no need of holding any further inquiry.

Now therefore, you above named Female Warder are hereby called upon to show cause within 07 days of receipt of this notice as to why the punishment of "Removal from Service" may not be awarded to you for your above stated act of negligence and misconduct.

In case your reply does not reach this office within stipulated period, ex-parte action shall be taken against you.

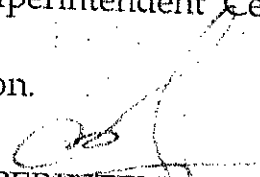
  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR

Endorsement No: 183942 dated: 21/07 /2014

Copy of the above is forwarded to the: -

- 1- The Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar for information please.
- 2- The Superintendent Central Prison Peshawar.
- 3- The Superintendent Judicial Lockup Swabi.
- 4- Above named Female Warder C/o Superintendent Central Prison Peshawar.

For information & further necessary action.

  
SUPERINTENDENT  
CIRCLE HQs. PRISON PESHAWAR

