

28.09.2020

Appellant with counsel present.

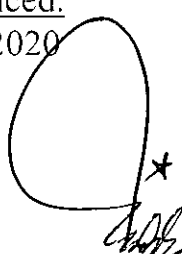
Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

As per record this case was fixed for 19.10.2020 but an application was fixed for earlier fixation of the case in hand, therefore, request was acceded and case was fixed for today.

Another application was submitted on behalf of appellant seeking withdrawal of the instant appeal. To this effect statement of Samad Hussain Advocate learned counsel for appellant was recorded and his signature was thereon.

In view of written request coupled with the statement of learned counsel, instant appeal stands dismissed as withdrawn. No order as to costs. File be consigned to the record room.

Announced.  
28.09.2020

  
(Mian Muhammad)  
Member (E)

  
(Rozina Rehman)  
Member (J)

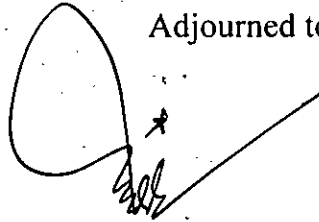
10.07.2020

Appellant in person present.

Addl: AG alongwith Mr. Habib, Inspector for respondents present.

Appellant seeks adjournment as his counsel is not available today.

Adjourned to 17.08.2020 for arguments before D.B.



(Mian Muhammad)  
Member(E)



(Rozina Rehman)  
Member(J)

17.08.2020

Due to summer vacations, the case is adjourned to 19.10.2020 for the same.



Reader



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

No. 3363-68 /E-V, dated Peshawar the 16 /09 /2020

ORDER

This order is hereby passed to dispose off the Mercy Petition dated 07.07.2020 preferred by Shahzeb Ex-Junior Clerk regarding major punishment of "Dismissal from Service" awarded by Chief Traffic Officer, Peshawar vide Order No. 52-58/PA dated 24.01.2019, on the following grounds:-

- "i) He had made fake/bogus signatures on learner permits & driving test file of the 14 candidates and received Rs. 3000/4000/- from each candidate.  
ii. He had also put fake bogus entry numbers on the driving test cases and checked the concerned staff to illegally process the fake cases for getting driving licenses.  
iii. He had also paid Rs. 20000/- to Junior Clerk Sanaullah to close the enquiry initiated against him which proves omission/admission of his guilt/misconduct."

He was called to OR on 15.09.2020, heard in person alongwith available record and the punishment awarded by CTO/Peshawar is too harsh, therefore, taking a lenient view, his major punishment of "Dismissal from Service" is hereby converted into major punishment of forfeiture of three (3) years qualified service. His period remained out of service is treated as leave without pay. He is reinstated into service and concerned officers are advised to have close observation of his conduct etc.

(KASHIF ZULFIQAR)  
AIG/Establishment  
For Inspector General of Police  
Khyber Pakhtunkhwa,  
Peshawar

Endst: No. & date even.

Copy forwarded to the: -

- o Capital City Police Officer, Peshawar.
- o Accountant General Office, Khyber Pakhtunkhwa.
- o Chief Traffic Officer, Peshawar w/r to his letter No. 1620/GC dated 30.07.2020.
- o Registrar, CPO, Peshawar.
- o Office Superintendent Secret Branch CPO Peshawar.
- o Official concerned.

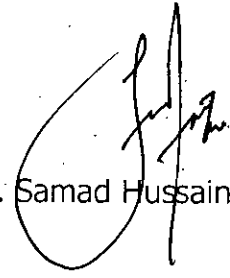
Attested True  
Copy  
[Signature]

Statement of Mr. Samad Hussain Advocate appellant on oath:

Stated that the appellant has been reinstated vide order dated 16.09.2020 and wants to withdraw the instant appeal pending before this Hon'ble Tribunal hence I do not want to press the instant appeal any more and may kindly be dismissed as withdrawn.

R.O & A.C

Dated: 28.09.2020

  
Mr. Samad Hussain Advocate

(Mian Muhammad)  
Member (E)

  
(Rozina Rehman)  
Member (J)

30.01.2020

Appellant in person present. Addl: AG alongwith Mr. Habib, Inspector for respondents present. Representative of the respondents submitted reply which is placed on file. Due to General Strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the instant case is adjourned. To come up for further proceedings/arguments on 11.03.2020 before D.B.

  
Member

  
Member

11.03.2020

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Habib Khan Inspector present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not available. Adjourn. To come up for arguments on 28.04.2020 before D.B.

  
Member

  
Member

28.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 05.08.2020 before D.B.

  
Reader

561/19

11.10.2019

Appellant in person and Addl. AG alongwith Habib Khan, Inspector for the respondents.

Representative of respondents requests for further time for submission of reply/comments. Adjourned to 24.10.2019 on which date requisite reply/comments shall positively be submitted.

  
Chairman

24.10.2019

Appellant in person present. Mr. Kabirullah Khattak learned Addl. AG alongwith Habib Khan Inspector for the respondents present.

Representative of respondents seeks time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 28.11.2019 before S.B.

  
Chairman

28.11.2019

Junior to counsel for the appellant and Addl. AG alongwith Habib Khan, Inspector for the respondents present.

Despite last opportunity, the respondents have not furnished requisite reply/comments. The matter is posted to D.B for arguments on 30.01.2020.

  
Chairman

Appeal No. 561/2019  
Shahzeb vs Govt

26.07.2019

Counsel for the appellant present.

21/7/19

Contends that the candidates whose Driving Licenses were found to be bogus and manipulated were not allowed to participate in the enquiry proceedings. The officials of the department whose statements were recorded during the enquiry proceedings were also not allowed to be put under cross-examination by the appellant. Further contends that in a case of collective responsibility it was all the more necessitated that the requisite witnesses against a civil servant in the departmental proceedings were exposed to the accused which was not done in the case in hand. It was added that during the fact-finding enquiry the appellant was not considered for departmental proceedings while the liability was attributed to Sanaullah Junior Clerk and Traffic Clerk Shaukat Ali.

Appellant Deposited  
Security & Process Fee

29/7

In view of the arguments of learned counsel and available record, instant appeal is admitted for regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 13.09.2019 before S.B.

  
Chairman

13.09.2019




Appellant in person and Addl. AG alongwith Habib Khan, Inspector (Legal) for the respondents present.

Representative of the respondents seek, time to furnish the requisite comments. Adjourned to 11.10.2019 on which date the requisite comments shall positively be submitted.

  
Chairman

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_  
Case No. 561/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/05/2019	<p>The appeal of Mr. Shah Zeb presented today by Mr. Abdul Rauf Rohaila Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR <span style="float: right;">2/5/19</span></p>
2-	09/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/06/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
18.06.2019		<p>Appellant in person present and requested for adjournment on the ground that his counsel is busy before the hon'ble Peshawar High Court, Peshawar. Adjourned to 26.07.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>



BEFORE THE SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 561 /2019

Shahzeb

Versus

Inspector General of Police KP Peshawar and Others

**INDEX**

S NO	Description	Date	Pages
1.	Ground of Appeal	02.05.2018	1-8
2.	Address of parties	02.05.2019	Do
3.	Appointment letters	20.10.2014 \$ 26.09.2017	9-10
4.	Initial Inquiry	08.10.2018	11-13
5.	Charge Sheet	26.11.2018	14-17
6.	Reply Charge Sheet & Departmental Enquiry	30.11.2018	18-26
7.	Final Show Cause Notice & Dismissal Order	09.01.2019 24.01.2019	27-32
8.	Departmental Appeal & Appeal Rejection Order	30.01.2019 05.04.2019	33-36
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Applicant

Through

**Abdul Rauf Rohaila**

Senior Advocate Supreme Court  
and

Barrister Adnan Saboor Rohaila,

Rohaila, Christina and Kiyani

Advocate, legal advisors and

Consultants, sikandarPura,

G.T, Road, Peshawar

e-mail:- [raufrohaila@gmail.com](mailto:raufrohaila@gmail.com)

Cell No.0321-9290960

**BEFORE THE PROVINCIAL SERVICE TRIBUNAL**

Service Appeal No. 561 /2019

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 693

Dated 2-5-2019

Shah Zeb son of Aftab Ahmad (Ex Junior Clerk),  
Resident of Sheik-Abad No.2, Peshawar City.

..... Appellant

**VERSUS**

1. Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Chief Traffic Officer, (SSP), Traffic, Peshawar.
4. Government of Khyber Pakhtunkhwa,  
through Secretary Home, Peshawar.
5. Assistant Inspector General of Police,  
Establishment (CPO), Peshawar

..... Respondents

**SERVICE APPEAL AGAINST ORDER OF  
DISMISSAL No. 52-58/PA DATED 24-01-2019 READ  
WITH ORDER NO. 557-59/PA DATED 05-04-2019**

Respectfully Sheweth,

The Appellant humbly submits as under:-

1. That the appellant was appointed as class IV against the vacant post in FRP, Haed Quarter, Peshawar vide office order No. 7793-93-4/EC dated 20-10-2014. He was subsequently absorbed and appointed as junior Clerk in BPS 11, Peshawar vide notification No. 5696-5750/EV dated 26-09-2017.

(Copies of the relevant documents are annexure "A")

2. That it is alleged that during normal routine working, it was observed that learner permit and test page for driving licence in the name of Shamshad Kausar son of Wajid Ali bear bogus signature of Motor Licensing Authority Traffic and test page has fake test number record.

3. That an inquiry was initiated through letter No. 532/R dated 8-10-2018 and finally the inquiry officer through his report dated 17-10-2018 held Sanaullah Junior Clerk as well as against Shaukat Ali Traffic Clerk. He therefore proposed to hold full fledged departmental enquiry in the matter.

(Copies of the referred documents are annexure "B")

4. That during the course of departmental enquiry, it has been alleged that three employees are involved in preparation of fourteen driving licenses which bear fake signature of MLA traffic and without genuine driving permit.
5. That it is important to mention that according to SOP for issuance of driving licence of motor cycle/motor car, an amount of Rs. 250/- for motor car and motor cycle, Rs. 5. 125/- for motor cycle is to be deposited. Medical fee of Rs. 50/- has also to be paid. Every applicant to appear in person and after completing all initial modalities, learner driving licence is issued for six months.
6. That MLA is authorized to condone the learner driving permit period any time. However, in normal routine, the period condonation is made after six weeks for the issuing driving licence. To proceed in the matter driving test form is provided to the applicant and has to appear for fresh medical fitness certificate with deposit of Rs. 250/- for driving test and Rs. 50/- for medical test. Moreover the candidate has to appear for theory test and physical driving test. An amount of Rs. 620/- is deposited for issuing five years driving licence. The licence is issued after completing all the formalities.
7. That the appellant received charge sheet on 26-11-2018 for taking disciplinary action against the appellant posted as junior Clerk in SSP Traffic Office, Peshawar with the allegation that while posted at Traffic Head Quarters Office, Peshawar made fake /bogus signature on the learner permit of fourteen candidates and received Rs 3,000/- Rs. 4,000 from each candidate; has put fake bogus entry on the such permits; cheated the concerned staff to illegal process for issuance of fake driving licenses. It is further alleged that the appellant paid Rs. 20,000 to Sana Ullah Junior Clerk for closing down the inquiry

(Copies of the relevant documents are annexure "C")

- 3-
8. That on receipt of charge sheet the appellant submitted reply and contended that his friends namely; Tamiur Riazullah and Muhammad Awais approached him for the provision of driving license and explained that he had no authority to issue any driving licence, therefore requested Sana Ullah Junior Clerk posted in accounts branch, a senior personal for the help who demanded Rs. 4000/- for the purpose. It was also submitted that Taimur Riaz, the appellant's friend also approached for issuance of driving licence; that likewise the appellant again approached Sanaullah who demanded Rs. 3,000/- with the plea that though the learner licence has been issued but before expiry of six weeks, prior condonation period is also required. The demanded amount was accordingly paid to him.
  9. That it has also been alleged in the charge sheet that a fake license has also prepared for one Fazal Amin by the appellant which allegation was denied by the appellant. The appellant explained that he has honestly and faithfully narrated the true facts and nothing has been hidden in reply to the charge sheet.
  10. That it has already been explained that during the normal checking of files relating to issuance of bogus driving licenses were identified. During the course of preliminary investigation, the said Sana Ullah approached the appellant with the threat that the concerned officials have taken three files relating to Muhammad Awais, Tamiur Riaz ullah and Fazal Amin; he demanded Rs. 20,000/- which under coercion, pressure and undue influence were paid by the appellant.
  11. That the competent authority/Chief Traffic Police Officer, Peshawar charge sheeted appellant as well as Sana Ullah Junior Clerk and Shukat Ali (Senior Clerk) with the allegation that while posted in account branch at Traffic Head Quarter, Peshawar made fake/bogus signature on learner permits and driving test files of fourteen candidates and received Rs. 4,000/3,000/- from each candidate.
  12. That likewise Sana Ullah junior Clerk was also charge sheeted with the allegations that he has made fake/bogus signature on learner driving permits and driving test files of fourteen candidates receiving Rs. 4000/- /Rs.3000/- from each candidate. Shakut Ali Senior Clerk was also charge sheeted on the allegation that he failed to stop the process of fourteen Driving licenses cases having fake/bogus signature of SSP Traffic and Motor Licensing Authority (MLA) on learner permits and driving test files while posted as Traffic Clerk.

13. That the appellant submitted reply to the charge sheet explaining all the factual aspects of the matter but the Chief Traffic Officer constituted Inquiry Committee of two police officers repeating the allegation rendering appellant to be proceeded against departmentally in terms of section 4 of Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules, 2011.
14. That during the course of proceedings, prosecution produced eight witnesses. However the appellant was not afforded opportunity of cross examination during the proceedings. The inquiry committee accordingly held proposed strict disciplinary action against the appellant.

(Copies of the relevant documents are annexure "D")

15. That the appellant was issued final show cause notice which was replied and he reiterated the same stance that he has made true statement and has not committed any misconduct which can entail any disciplinary action. However the competent authority through office order/letter No. 52-58/PA dated 24-01-2019 has imposed major penalty of dismissal from service under Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules, 2011 with immediate effect.

(Copies of the documents are annexure "E")

16. That the appellant preferred departmental appeal and reiterated the same submission made during the initial inquiry but the Capital City Police Officer, Peshawar vide order No. 557-59/PA dated 05-04-2019 rejected the departmental appeal.

(Copies of the relevant documents are annexure "F")

17. That the appellant prefers this appeal against his dismissal dated 09-01-2019 and rejection of departmental appeal dated 05-04-2019 inter-alia on the following grounds:-

- I. Firstly the order of dismissal dated 24-01-2019 is harsh, unreasonable and does not commensurate with law and facts applicable to the matter; therefore, the same is illegal and untenable.
- II. Secondly during the course of inquiry it has been established that the appellant has received a minor amount of Rs. 3,000/- and Rs. 4,000/- from two candidates for issuance of learner/ driving license whereas from the third candidate no amount has been received, therefore the penalty of major penalty for receiving Rs. 7000/- is not commensurate with the facts of the case.
- III. Thirdly no statement of any candidate out of fourteen has been recorded during the enquiry proceedings nor is any iota of evidence available against the appellant.
- IV. Fourthly the payment of Rs. 20000/- to Sana Ullah has been made under threat, coercion and undue influence whereas the said amount has neither been paid to inquiry officer not to any other authorized competent officers for any favour.
- V. Fifthly there is no evidence to incorporate the allegations that fake signature has been made by the appellant. No handwriting expert report is available in support of allegation. The prosecution has failed to ascertain that who has affixed fake signature of MLA. Even MLA has not been examined to testify the allegation of his fake signature.
- VI. Sixthly no revenue loss has been caused to the exchequer and all leviable fees and charges have been deposited, therefore it is a case of omission which does not fall within the category of misconduct.

VII. Seventhly looking from all attending circumstance of the case it is otherwise established that the leading role has been assigned during the inquiry proceedings on Sana Ullah Junior Clerk whereas the appellant has no concern whatsoever with other 11 candidates nor any iota of evidence is available to involve the appellant with the cases of eleven other candidates.

VIII. Eighthly the entire disciplinary proceedings have been initiated taking into consideration of fourteen candidates and the appellant has been proceeded against not in accordance with law therefore the dismissal order dated 24-01-2019 is uncalled for.

IX. Ninthly the inquiry officer were unfortunately biased against the appellant and have not attended to the other relevant facts of the case therefore it is a case of omission which maximum can warrant issuance of warning also whereas the entire career of the appellant has been put at naught with one stroke of pen.

X. Tenthly the relevant rules and laws applicable to matter have not been followed during the enquiry proceedings in that the statement of eight prosecution witnesses have been recorded but opportunity of cross examination has not been afforded, therefore the appellant has been condemned unheard.

XI. Eleventhly the respondent department has violated article 10-A, 16A and 25 of Constitution thus has been dealt illegally, unlawfully and discriminated. When the career of a candidate is being put to an end permanently then the required procedure has to be adopted.

XII. Twelfthly noncompliance of principal of natural justice rendered the entire proceeding nullity in law and cannot sustain any more. The appellant has not been dealt fairly, properly and judiciously and great injustice has been made.

XIII. Thirteenthly the appellant has unblemished service record at his credit and it has wrongly been held that he is habitually involved in such like activities. The record negates such allegations.

XIV. Fourteenthly the penalty imposed is harsh, excessive, without application of judicial mind and principal of natural justice, thus by no imagination the dismissal order dated 24-1-2019 is liable to be declared unlawful and be quashed.

It is therefore most humbly prayed that on acceptance of the above noted service appeal, the dismissal order/letter No. 52-58/PA dated 24-01-2019 and rejection of departmental appeal order No. 557-59/PA dated 05-04-2019 be declared unlawful, against the facts and law applicable to the matter. Consequently the appellant may be reinstated at his post with all back benefits of wages and seniority.

Any Other appropriate remedy not specifically mentioned may also be granted which this honorable Court deems appropriate.

through

Appellant

Abdul Rauf Rohaila,  
Senior Advocate Supreme Court,

Barrister Adnan Saboor Rohaila,  
Rohaila, Christina & Kiyani,  
Advocates, Consultants & Legal Advisors,  
Sikander Pura, G.T. Road, Peshawar.  
e-mail:- [raufrohaila@gmail.com](mailto:raufrohaila@gmail.com)  
Call # 0321-9290960

Dated:- 2<sup>nd</sup> May, 2019



8-

**BEFORE THE PROVINCIAL SERVICE TRIBUNAL**

Service Appeal No. \_\_\_\_\_ -P/2019

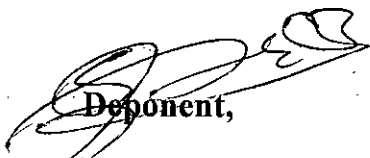
Shah Zeb

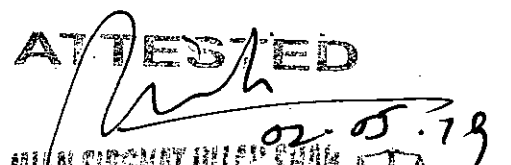
VERSUS

Inspector General of Police and others

**Verification**

Verified on Oath that the content of the above service appeal are true and correct to the best of my knowledge and belief and nothing contain therein is false.

  
Deponent,  
Shahzeb

ATTESTED  
  
02.05.19  
MIAN SIDQAT ULLAH SHAH  
ADVOCATE  
Notary Public/Oath Commissioner  
Peshawar High Court Peshawar

Annuance "A"

-9-

**ORDER.**

Mr. Shah Zeb S/o Aftab Ahmad R/o Sheikh Abad No. 2 Peshawar City is hereby appointed as Class-IV BPS-01 (4800-150-9300) against existing vacancy of FRP HQrs: Peshawar subject to Medical fitness and verification of character and antecedents as per Govt: of Khyber Pakhtunkhwa Peshawar Establishment and Regulation Wing letter No. SOR-VI/E&AD/A-2009 dated 26.09.2009. His service is liable to termination of 14 days notice without assigning any reason. His appointment will take effect from the date he actually report for duty.

On appointment he is posted to FRP HQrs: Peshawar.

Add: IGP/Commandant  
Frontier Reserve Police  
Khyber Pakhtunkhwa Peshawar

No. 7793-94 /EC dated Peshawar the, 20 / 10 /2014.

Copy of above is forwarded for information and necessary action to

- cc:-
1. Accountant FRP HQrs: Peshawar.
  2. Mr. Shah Zeb S/o Aftab Ahmad R/o Sheikh Abad No. 2 Peshawar City.

Attested  
*[Signature]*

Encls: No. & date even.

Copy forwarded to the:-

- Addl: Inspector General of Police HQrs: Khyber Pakhtunkhwa, Peshawar
- Accountant General Khyber Pakhtunkhwa Peshawar
- Addl: Inspector General of Police, Elite Force, Khyber Pakhtunkhwa, Peshawar.
- Commandant, FRP, Khyber Pakhtunkhwa, Peshawar
- Deputy Inspector General of Police, HQrs, CPO Peshawar.
- DIG: Telecommunication, Khyber Pakhtunkhwa, Peshawar.
- Capital City Police Officer, Peshawar.
- Assistant Inspector General of Police, Dist: CPO Peshawar.
- Regional Police Officers Hazara and Mardan Regions.
- District Police Officer, Kohat, Dir Lower, Chitral, Shangla and D.I Khan.
- SP: Investigation Wing, Mardan.
- SP/FRP, Malakand Region
- District Accounts Officers, Abbottabad, Mardan, Kohat, Dir Lower, Chitral, Shangla, D.I Khan and Swat.
- Director, I. E: CPO Peshawar.
- Registrar CPO, Peshawar.
- Office Supdt: Secret CPO Peshawar.
- Accountant, CPO Peshawar
- In-Charge Central Registry Cell CPO, Peshawar.

(ARIF SHAHBAZ KHAN) PSP  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

25/9/17

**ENQUIRY REPORT**

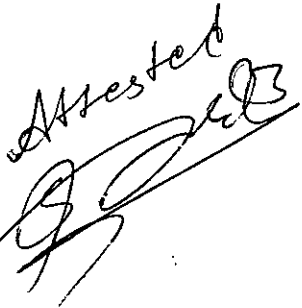
Reference to the letter No.532/R dated 08.10.2018.

No. 736/R, dated Peshawar 17/10/2018

**SUMMARY OF THE ENQUIRY:**

In this regard, it is submitted that I, E.O. received an enquiry letter along-with one learner permit and test page for driving license (motorcar/jeep), on the name of Shamshad Kosar S/O Wajid Ali R/O Alizai, Para Chinar for enquiring its authenticity from the office of SP HQrs Traffic. After going through the relevant material and evidence, it came to surface that the said test page bore bogus sign of MLA Traffic and fake test record. The applicant Wajid Ali was contacted via his cell number 0300-0515359 time and again but his cell phone was found offline. Later, on contact with applicant, he was directed to visit the driving license office for thumb impression, sign and to collect his driving license. As he was already aware of the situation, he refused to disclose the name of person who processed the said file on his behalf and told that he is in Para Chinar these days which is a far flung area, rendering him unable visit the driving license office Peshawar.

Assistant to MLA Inspector Amjid Ali Khan was approached to probe the authenticity of driving test record no. 25785, Motorcar/Jeep. On cross checking, it was found fake. His statement is enclosed here with. For the verification of MDL Number 405127, Junior Clerk Saif Ur Rehman was approached, who is serving in Room No. 07 of DL Branch as MDL Clerk. He disclosed that on 05.10.2018 he was busy in issuing MDL Numbers as per routine. Meanwhile Junior Clerk Sana Ullah came to me and handed over a file for MDL entry. As I was over crowded by the applicants so I didn't check the file properly and return the file to Junior Clerk Sana Ullah, after issuance of MDL Number. His statement is enclosed here with. Computer operator Palwasha Kamal, serving on counter No.5 in fresh/renewal section was also contacted in this regard. She apprised that on Monday 08.10.2018 Traffic

Assessed  


*[Faint handwritten notes and signatures at the bottom of the page]*

clerk Shoukat Ali visited me and gives me 02 files for processing. Later on, while rechecking the files I got suspected on signatures inscribed on a file, named Shamshad Kausar S/O Wajid Ali. For further verification I handed over the said file to Incharge CDL DSP Aneela Naz. Incharge CDL Aleena Naz also testified the statement of Computer Operator Palwasha Kamal. She also added that for verification of signature I sent the file, bearing the fake signature to MLA Gohar Khan. Statement of I/C CDL is enclosed herewith. Traffic clerk Shoukat Ali revealed that I was visiting CDL Branch for getting an NOC. Meanwhile Junior clerk Sana Ullah give me 02 fresh DL files for further processing and I forwarded it to Computer Operator Palwasha Kamal. Later on, I came to know that one of those files bore fake signatures of MLA and fake test records.

Junior clerk Sana Ullah stated that he is serving as APO in Accounts Branch, SSP Traffic Peshawar. Encashment of monthly salary of Traffic Wardens and passing of other official Bills from AG Office is my responsibility. Few days ago I was went to AG Office for official work and visited HR-LAB, Check section and pay roll 6 section. While I was getting out of the pay roll 6 section an employ whose name is un known to me but I can recognize him by face give me 02 files, already signed by MLA Traffic Peshawar. He requested that I should process these files for him. I received these files and left for my office. On reaching the office, roundabout at 03:00, I give these files to Traffic Clerk Shoukat Ali. I inform him that these files belong to an employ of AG Office and requested for its further processing.

Moreover the sections involved in processing of file I.e. section No.07 where MDL number is issued up-to the last counter, did not pay due consideration to verification of particulars of file which is an act of criminal negligence on their part. It is the responsibility of TC Shoukat Ali to recheck the DL files in personnel capacity but he didn't bother to do that which amounts to avoiding his responsibility. Junior clerk Sanna Ullah who is the pivotal role in the forgoing matter, is unwilling to disclosed the reality and is trying to rescue himself by forging a false story about an

Attested  


anonymous employ of AG Office with unknown credentials, who gave him these signed files for the purpose of processing. It is strange to note that how these files reached AG office as the office of MLA, who sign the files and other sections of DL processing are located in same place. If the applicant had got his file signed from MLA, he was supposed to process it by himself immediately.

**FINDINGS:**

The evidence on hand, the statements enclosed, uncooperative behavior of Junior Clerk Sana Ullah and his undue reluctance to expose the character (anonymous employ of AG office) of his fabricated story vividly depict that Junior Clerk Sana Ullah is the main culprit behind this heinous act and declared guilty. Traffic clerk Shaukat Ali can also be not acquitted from the blame for his extreme negligence of duty, carelessness and not withholding his official's responsibility. It is therefore recommended to initiate a full fledged departmental enquiry in the said matter against Junior Clerk Sana Ullah & Traffic Clerk Shaukat Ali.

*[Handwritten Signature]*

RI, Traffic/ E.O

PA/SB

Issue Charge Sheets  
and SP/cante nonmembers  
as ongoing officer. *[Signature]*  
SP/HA

Attested  
*[Signature]*

-15-

CHARGE SHEET

1. I, KASHIF ZULFIAR, Chief Traffic Officer, Peshawar as Competent Authority, hereby charge you Junior Clerk Shahzeb as follow:-

- i. That while posted in Account Branch at Traffic Hqrs. Peshawar, you have made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs. 3000/4000 from each candidate:-

ii.

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii. That you have also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.

iii. You have also paid Rs. 20000/- to Junior Clerk Sanullah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.


2. By reasons of the above, you appear to be guilty of misconduct under Section 4 of Government Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.

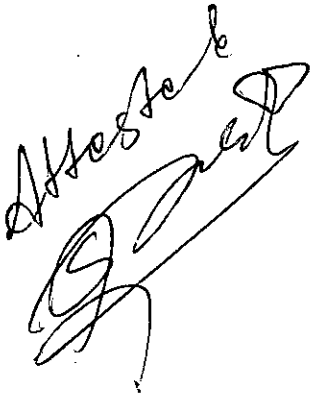
3. You are therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Enquiry Officer.

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

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.

  
( KASHIF ZULFIAR ) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)



-16-

**DISCIPLINARY ACTION.**

i) KASHIF ZULFIAR, Chief Traffic Officer, Peshawar am of the opinion that Junior Clerk Shahzeb has rendered himself liable to be proceeded against departmentally, as he committed the following acts within the meaning of under Section 4 of Government Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011.

**STATEMENT OF ALLEGATIONS**

i) That That while posted in Account Branch at Traffic Hqrs. Peshawar, he has made fake/bogus signatures on learner permits and driving test files o the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii) That he has also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.


iii. He has also paid Rs.20000/- to Junior Clerk Sanauallah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.


2. For the purpose of enquiry against the said official with reference to the above allegation an Enquiry Officer/Enquiry Committee consisting of the following, is constituted: -

Mr. Mohammad Shuaib, ASP Faqirabad  
Mr. Najmul Hasnain, ASP Hayaabad

3. The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

4. The defaulter official and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

  
( KASHIF ZULFIQAR ) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)

*Attested*  




-18-1

DISCIPLINARY ACTION.

i) KASHIF ZULFIAR, Chief Traffic Officer, Peshawar am of the opinion that Junior Clerk Sanauallah has rendered himself liable to be proceeded against departmentally, as he committed the following acts within the meaning of under Section 4 of Government Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011.

STATEMENT OF ALLEGATIONS

i) That while posted in Account Branch at Traffic Hqrs. Peshawar, he has brought clients to Jr. Clerk Shahzeb who made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
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10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	M.Car
12.	Irshad Mohammad	283937	404889	23893	MC+ M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii) That he has also tried to process the fake/bogus file which was intercepted by the concerned staff and handed over to I/C CDL branch for verification.

iii. He has also received an amount of Rs.20000/- from Junior Clerk Shahzeb to close the enquiry initiated against both of them which proves his connivance in processing all the fake/bogus driving license cases.

2. For the purpose of enquiry against the said official with reference to the above allegation an Enquiry Officer/Enquiry Committee consisting of the following, is constituted: -

Mr. Mohammad Shoaib, ASP Faqirabad  
Mr. Najmul Hasnain, ASP Hayaabad

3. The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

4. The defaulter official and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

*Kashif Zulfiar*  
(KASHIF ZULFIQAR) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)

*Attested*  
*G. J. J.*

(KASHIF ZULFIQAR) PSP  
Chief Traffic Officer,  
Peshawar.

-19-

**CHARGE SHEET REPLY BY JUNIOR CLERK SHAHZEB**

Sir I submit the reply of charge sheet received to me on 26.11.2018.

I was transfer in the office of SSP Traffic on 26.10.2018 (**Order Attached**)

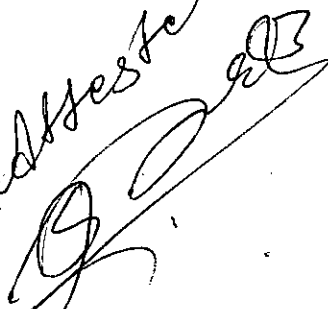
Later on I was posted in account branch as APO/PAY (Assistant Pay Officer) on 21.11.2017. (**Order Attached**)

During my duties hours my two friends Taimur Riaz Ullah and Awais approached me for Driving Licenses.

1. First Awais approached me for driving license he is my Couzns Friend. Awais ne mujhse kaha k oska license jald as jald chaiye q k mera Islamabad anna jana hai mujhe zarourat hai so mene sana ullah she bt ki k mere dost awais ka license banana hai. Q K Awais k pass pehle she learner moujoud tha tou sirf Try pass karwani thi. Sana ullah ne mujhse kaha k is bande ko license jaldi chaiye to ispe Rs.4000/- kharcha aye ga jo k mene khud isseh apni pocket Money diye aur sana ullah ne kaha k meh 4 seh 5 din bad mujhse license Printing Chit lehlo. Lehaza kuch dino bad osne mujhe printing chit deadi jo mene khud license print karwaya. Is case meh applicant she koi payment nai li gai.
2. Second Taimur Riaz Ullah he is my cousins friend and as well as my friend. Is ka learner mene khud office meh is k sath jakar banaya. Mene sana ullah she iski bt ki yeh mera dost hai is ka lisencc banwana hai. Sana ullah ne mujhsekaha k is meh tou PC (Period Condonation) b hai aur try b pass karwani thi tou osne mujhe kaha k ispeh Rs.3000/- kharchaayega is k paise b mene apni pocket money she diye sanaullah ne phr mujhe kuch dino bad phr Printing chit deadi jo mene print karwai. Mene yeh dono licenses Awais ko hand over kardiye Q k yehdono college Fellow thy.is case meh b applicant she paise nailiye gai.

Shahzeb  
[Signature]

3. Kuch din bad sana ullah seh office meh kuch bougus files pakhrigai jo k isne shoukat ko di k jama karwane k liye. Jiska witness Traffic Clerk Shoukat b hai.
4. Sana ullah is duraan bhout tension meh tha mene poucha tou kehne laga k tmhare dosto ki files b mene bougus ki hai. Tou mene kaha tmhe paise diye tou bougus karne ki. kya zarourat thi osne kaha abb tou kaam houwa hai. Meh b tension meh hougaya yeh sun k. isika fayda utha k osne mujhe Blackmailing Shuru kardi k meh tmhare naam b lounga k ismeh tm b Shamil houn aur mujhse Rs.20000/- ka mutalba kiya mene kaha itne paise meh Q dou aur mere pass nai hai meh kaise itne paise douga. Tou osne kaha khair hai jab 1<sup>st</sup> ko salary aye tou deadeana aur kaha mene kisi she bt ki hai k enquiry khatam karne ki.
5. Mujhe Majhbooran deane pare q k mere 2 dosto ko b bhout sakht tang kiya houwa tha police ne aur sana ullah Bougus License banai thy bakoul is k is liye mene apni salary seh Rs.20000/- deadeye apni izzat bachane k liye.
6. Jab Charge Sheet issue hoi tou is meh Fazal Amin ka b naam deakha. Yeh Zarwali ka ristehtar hai. Jab Zarwali ne is par PC karwaya tou mene isseh kaha k MLA k pass seh verified karwalo, jab zarwali ne dispatch nikal diya aur mujhe kaha k yeh file loun aur pass karwani hai mene kaha samne almari meh rakhdo mujhe mouka mila tou meh sanaullah seh bt karlounga k yeh pass karni hai. jabmene Sana Ullah seh bt ki tou osne kaha k mein pass karwadoga file khudhi jama karwao ge mene kaha theak hai. Kuchdino bad jab sanaullah ne mujhe file wapas di tou MDL lagakar k isseh jamakarwa do tou mene counter meh ja k Constable Farman ko di aur osne jama Karli aur osne mujhe printing chit deadi. is k kuch din bad sanaullah she bougus files pakhri gai who tou mere pass

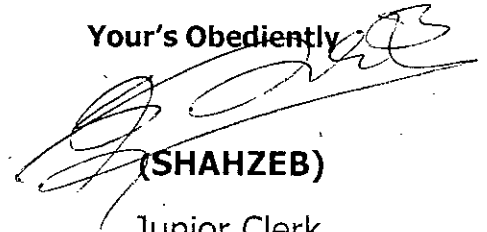
Attest  


21-

thi. Q k mujhe shak houwa k sanaullah she bougus files pakhrigai mene net peh online raabta website peh fazalaminki printing chit peh NIC likha tha o check kiya tou woh cancelled tha. Indino JC zarwali Leave peh tha osne Hair Transplant karwaya tha mene osse call ki are detail batai aur message b kiya woh b jantahai k mein kaisa Larka houn aur Sana Ullah kaisa Larka hai. Osne apni statement mein mere naam diya haijab k mujhe sirf is meh use kiya gaya hai aur sub kuch Sana Ullah ne kiya hai aur front peh mujhe laya gaya.yeh sub mene enquiry officer seh b kaha lekin who manne ko tayyar he nai thy.

7. Mere yeh license sirf aur sirf Sana Ullah ne banai hai aur Baki Charge sheet meh jeetney b bande haina meh oun ko janta na pehchanta houn.
8. Yeh sirf aur sirf Aik Ilzam hai aur zyati hai mere sath.
9. Is silsily meh zati tor peh pesh houna chhataa houn agar ap sahiban ki ijazat houn.

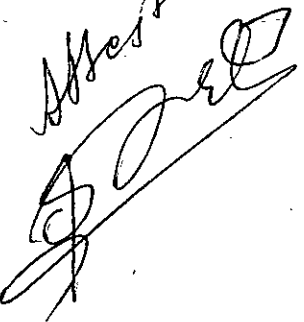
Your's Obediently



(SHAHZEB)

Junior Clerk  
Office of the  
SSP Traffic  
Peshawar

**Submission Date 30.11.2018**

Attested  


Annexure 07

22

### **Subject: Inquiry**

The Competent authority vide office # 1684-86 Dated:26.11.2018 directed an inquiry into the Disciplinary action against Senior clerk Shaukat Ali, J/C Shahzeb and J/C Sanaullah of Capital City Traffic police.

### **Complaints/Allegations:**

Made fake/Bogus signatures on learner permits and driving test files of the below mentioned 14 candidates .

### **Background:**

That while senior clerk Shaukat Ali Khan is posted as in charge of the driving license Branch at Traffic headquarter. Peshawar, you have failed to stop process of the below mentioned 14 cases having Bogus/fake signatures of MLA and SSP/T. Junior clerk Shahzeb posted in account Branch at Traffic Hqrs Peshawar, you have made fake /bogus signature on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidates , while J/C Sanaullah brought clients to J/C Shahzeb.

### **Inquiry Proceedings:**

Statements of all concerned were recorded and they were cross questioned and relevant record was inspected. The statements of following Police officials/persons. were recorded on 29.11.2018

1. S/Clerk Shaukat Ali Khan
2. J/Clerk Shahzeb
3. J/Clerk Sanaullah
4. J/Clerk Zarwali
5. S/clerk Baber Khan
6. Constable Abdur Rehman
7. Computer Operator Palwasha
7. DSP Anceela Naz
8. Inspector Amjid

### **Statements**

#### Statement of Senior Clerk Shaukat Ali Khan :

Senior clerk Shaukat Ali Khan was called to the office, heard in person and his statement was recorded.

*Shaukat Ali Khan*  
*[Signature]*

27  
NO. KIBAL AF  
KHYBER  
IMMEDIATE  
The Address  
Phone # 99  
David R

Sanaullah:

**Analysis of Evidence and Findings:**

In the light of facts, statements and evidences regarding charges leveled against the Junior Clerk Shahzeb, it is established that he was involved in the scam. Allegations wise findings are as under:-

**Allegation 1:** Junior Clerk Shahzeb endorsed fake / bogus signatures on learner permits and driving test files and received Rs. 3000/4000 from each candidate. During inquiry proceedings, he admitted that he took money from 3-4 candidates and gave said money to Junior Clerk Sanaullah for license. He did not admit endorsement of fake signatures, yet, he cannot be freed from the allegation because if he had taken money presumably, he must have endorsed fake signatures too. Furthermore, while considering previous inquiry conducted by Fazal Ahmed Jan (SP) and Rabnawaz Khan (DSP), writing samples of Junior Clerk Shahzeb resembled to fake signatures.

**Allegation 2:** He tried to process the files which were intercepted by the concerned staff and handed over to I/C CIDL branch for verification. And on verification, files were found bogus with fake numbers which proves his guilt for cheating concerned staff to process the illegal files.

**Allegation 3:** He gave Rs.20, 000/- to Junior Clerk Sanaullah as a bribe so that inquiry initiated against him could be filed. During inquiry he admitted to this fact which is clear testimony of his misconduct / guilt.

*Handwritten signature*

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**FINAL SHOW CAUSE NOTICE**

I, **KASHIF ZULFIQAR**, Chief Traffic Officer, Peshawar as Competent Authority under the Government of Khyber-Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 do hereby serve you Junior Clerk Shahzeb Ali as follow:-

i) That while posted in Account Branch at Traffic Hqrs. Peshawar, you have made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
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11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii. That you have also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.

iii. You have also paid Rs.20000/- to Junior Clerk Sanaullah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.

2. That consequent upon the enquiry conducted against you by ASP Hayatabad and ASP Faqirabad for which you were given full opportunity of hearing but you failed to satisfy the enquiry committee/officers.

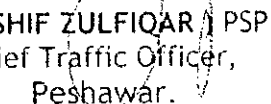
3. On going through the findings and recommendation of the enquiry committee, the material available on record, I am satisfied that you have committed the omission/commission specified under the Government Servant (E&D) Rules 2011.

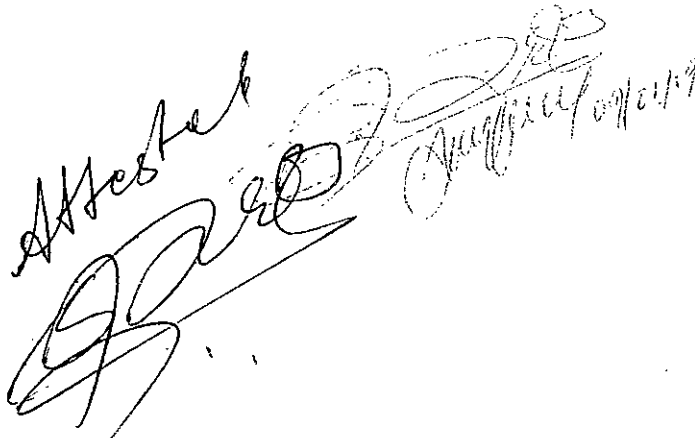
4. As a result therefore, I, **KASHIF ZULFIQAR**, Chief Traffic Officer, Peshawar as competent authority have tentatively decided to impose major penalty upon you including dismissal from service under the Efficiency and Discipline Rules 2011.

5. You are, therefore, directed to show cause as to why aforesaid penalty should not be imposed upon you.

6. If no reply to this show cause notice is received within seven days of its delivery in the normal course of circumstances, it shall be presumed that you have no defense to put in and in that case x-parte action shall be taken against you.

6. A copy of the findings of the enquiry committee is enclosed.

  
( **KASHIF ZULFIQAR** ) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)

Attested  


29-28-

**FINAL SHOW CAUSE NOTICE REPLY BY JUNIOR CLERK SHAHZEER**

Sir I submit the reply of Final Show Cause Notice received to me on 19.01.2019.

I was transfer in the office of SSP Traffic on 26.10.2017 (**Order Attached**)

Later on I was posted in account branch as APO/PAY (Assistant Pay Officer) on 21.11.2017. (**Order Attached**)

During my duties hours my two friends Taimur Riaz Ullah and Awais approached me for Driving Licenses.

1. First Awais approached me for driving license he is my Cousin Friend. Awais ne mujhse kaha k oska license jald as jald chaiye q k mere Islamabad ana jana hai so mene sana ullah she bt ki k mere dost awais ka license banana hai. Q K Awais k pass pehle seh moujoud tha tou sirf Try pass karwani thi. Sana ullah ne mujhse ka k is banda ko license jaldi chaiye to ispe Rs.4000/- kharcha aye ga jo k mene khud isseh apni pocket Money diye aur sana ullah ne kaha k meh 4 seh 5 din bad mujhse license Printing Chit lehlo. Lehaza kuch dino bad osne mujhe printing chit deadi jo mene khud license print karwaya. Is case meh applicant ko payment nai li gai.
2. Second Taimur Riaz Ullah he is my cousins friend and as well as my friend. Is ka learnor mene khud office meh is k sath jakar banawaya. Mene sana ullah seh iski bt ki yeh mera dost hai is ka lisences banwana hai. Sana ullah ne mujhse kaha k ismeh tou PC (Period Condonation) b hai aur try b pass karwani thi tou osne mujhe kaha k ispeh Rs.3000/- kharcha ayega is k paise b mene apni pocket money seh diye sana ullah ne phr mujhe kuch dino bad phr Printing chit deadi jo mene print karwai. Mene yeh dono licenses Awais ko hand over kardiye Q k yeh dono college Fellow thy.is case meh b applicant seh paise nai liye gai.
3. Kuch din bad sana ullah seh office meh kuch bougus files pakhri gai jo k isne shoukat ko di k jama karwane k liye. Jis ka witness Traffic Clerk Shoukat b hai.
4. Sana ullah is duraan bhout tension meh tha mene poucha tou kane laga k tmhare dosto ki files b mene bougus ki hai. tou mene kaha tmhe paise diye tou bougus karne ki kya zarourat thi osne kaha abb tou kaam houwa hai. Meh tension meh hou gaya yeh sun k. isi ka fayda utha k osne mujhe Blackmailing Shuru kardi k meh tmhare naam bounga k ismeh tm b Shamil houn aur mujhse Rs.20000/- ka mutalba kiya mene kaha ismeh mera kya kasoor hai aur meh itne paise mere pass nai hai meh kaise itne paise douga. Tou osne kaha khair hai jab U<sup>n</sup> ko salary aye tou deadeana aur kaha k enquiry khatam houjai gi bs tension na lo
5. Mere dono dosto ki files b jab dubara checking meh pakhri gai tou Police ne onne Phone peh damkana shuru kardiya oono ne mujhse rabta kiya k yeh kya mara hai.
6. Mujhe Majhbooran Rs.20000/- deane pare q k mere 2 dosto ki b bougus License banae is liye mene apni salary seh deadeye q k isne Mera ghar b dekh rakha hai tou aksar mujhe darata dhamkata k meh bach b gaya tou tmhara ghar mene dekh houwa hai.
7. Jab Charge Sheet issue hoi tou ismeh Fazal Amin ka b naam deaha.Yeh Zarwali ka ristehdar hai. Jab Zarwali ne is par PC karwaya tou mene isseh kaha k MLA pass is seh verified karwalo, jab zarwali ne dispatch nikal diya aur mujhe kaha k yeh file loun aur pass karwani hai mene kaha samne almari meh rakho mujhe mouka mila tou meh sana ullah seh bt karlounga k yeh pass karni hai. jab mene Sana Ullah seh bt ki tou osne kaha k mein pass karwado ga file khudhi jama karwaoge mene kaha theak hai. Kuch dino bad jab sana ullah

Shahzeer  
*[Signature]*

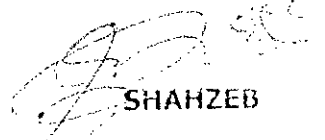


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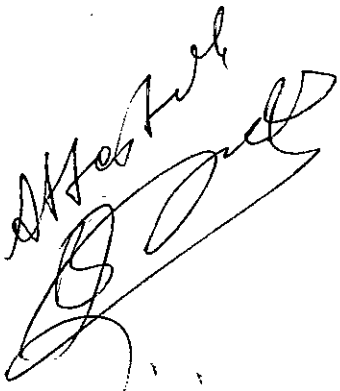
ne mujhe file wapas di tou MDL laga kar k isseh jama karwado tou mene counter meh ja k Constable Farman ko di aur osne jama Karli aur osne mujhe printing chit deadi. is k kuch din bad sana ullah seh bougus files pakhri gai aur osne yeh file b ki ta phr sana ullah mere pass aya aur kaha I mujhse bougus files pakhri gai hai aur wo license cancelled hougai hai tm online check karlo mene net peh online raabta website peh fazl amin ki printing chit peh NIC likha thaw o check kiya tou woh cancelled tha. Indino JC karwali Leave peh tha osne Hair Transplant karwaya tha mene osse call ki sare detail batai aur message b kiya woh b janta hai k mein kaisa Larka houn aur Sana Ullah kaisa Larka hai. Osne apni statement mein mere naam diya hai jab k mujhe sirf ismeh use kiya gaya hai aur sub kuch Sana Ullah ne kiya aur front peh mujhe laya gaya.yeh sub mene enquiry officer seh b kaha lekin who manne ko tayyar he nai thy.

8. Sana ullah har bar apni statement badalta hai Pehle kaha k AC office seh kisi ne di hai k jama karwaleana files jo k isseh pakhri gai , phr kaha k shakal seh janta houn par naam nai atta, phr aghr meh sub kuch mujhpe daldiya gaya q k mere joining writing hai.
9. ASP Faqirabad k samne quran ko Halfan rakh kar kaha k mene Rs.20000/- nai liye blackmailing k Aur dusre he din office a ke Rs.20000/- mere table peh rakhdije apni qasam ko such karne k liye mene (jiska witness Constable Abdur Rehman Hai) who paise utha k Office Supdt k pass chala gaya k sir yeh banda Rs.20000/- laya aur kaha k yeh banda Quran ki qasam jhuti kha sakhta hai tou meh abb kya karo sir, ouno ne kaha k apne enquiry officer k pass jao aur detail batao sub mene bilkul waisa he qiya aur Rs.20000/- ASP Faqirabad k pass jama karwadiye aur sub detail b batai.
10. Mene sirf 2 bando ka kaam sana ullah k zarye karwaya hai jo k mere dost thy aur teesrey meh mujhe sirf use kiya gaya hai is k ilawa meh na kisi ko janta houn aur na pehchanta.
11. Rizk deane wala ALLAH TALLAH ki zaat hai, woh behter janta hai.
12. Sir I belong from very respected & well educated family meh issa souch b nai sakhta q k mere Walid Isse Department she Office Supdt Retired houwe hai oun ki 40 Saal ki service hai is Police Department k liye oun ki izzat b mere sir hai yeh ilzam bebunyad hai sirf aur sirf mujhe basaane ki koshish hai q k meh Aik Urdu Speaker houn bs.
13. Mere yeh 2 license sirf aur sirf Sana Ullah ne banai hai aur final show cause notice meh jeetney b bande hai na meh ounko janta na pehchanta houn.
14. Is silsily meh zati tor peh pesh houna chhata agr ap sahiban ki ijjazat houn

Your's Obediently

  
SHAHZEB

Junior clerk  
Office of the  
SSP Traffic Peshawar



31-

This is an order on the departmental enquiry initiated against Jr. clerk Shahzeb on the allegations that he had made fake, bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

- ii. That he had also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.
- iii. He had also paid Rs.20000/- to Junior Clerk Sanaullah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.

2. He was charge sheeted and an enquiry committee comprising of Mr. Mohammad Shoaib ASP/Faqirabad and Mr. Najmul Hasnain, ASP/Hayatabad was constituted to initiate proper departmental proceedings against him and dig out the facts. He was served with charge sheet and statement of allegation. He submitted in his written statement that he was performing duties as Asst. Pay Officer in Account Branch. He further added that a friend namely Taimor and my cousin Awais came to me for making driving licenses on urgent basis. He disclosed that in order to get the driving test pass from the MLA without appearing in the driving test, he gave Rs.4000/- and Rs.3000/- to Jr. Clerk Sanaullah for the purpose but later on it was found that signatures of MLA were bogus/fake on both files. He also admitted in his statement that he gave Rs.20000/- to Jr. Sanaullah on his demand for filing the enquiry already initiated in this regard.

3. Statement of Jr. Clerk Zarwali was also recorded who disclosed that his relative namely Fzal Amin S/O Zar Khan r/o Khodakhel, Badhaber, Peshawar (mentioned at S#13 above) had made learner permit for Motor Car/Jeep+ Motorcycle which was condoned by the SP/Hqrs. He also added that the driving license file of his relative Fazal Amin was then handed over to Jr. Shahzeb for clearance from MLA (without appearing in the driving test) which he did but later on it was found that signatures of MLA were bogus/fake.

4. During the course of enquiry, he admitted that he received Rs.3000/4000 from each candidate and gave to Jr. Clerk Sanaullah for making licenses. His hand written samples also matched/resembled with the fake/bogus signatures. Being fellow member of the license branch staff, he also cheated all the concerned staff from counter to counter and succeeded in processing all fake/bogus driving license cases. The Enquiry Committee therefore, recommended him for major punishment as all the allegations were proved against him.

5. He was issued Final Show Cause Notice to submit his written explanation but his written reply was again found not satisfactory. He was therefore, called for personal hearing. On 23.01.2019 he was heard in person but his verbal explanation was also not convincing. The undersigned is convinced that Jr. Clerk Shahzeb is habitual of corrupt practices. He can't be exonerated from the charges, hence agreed with recommendations of the Enquiry Committee. He is inflicted upon major penalty of dismissal from service under the Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 with immediate effect.

(KASHIF ZULFIQAR) PSP  
Chief Traffic Officer,  
Peshawar

No. 52-58 /PA, Dated Peshawar the 24/01/2019  
Copies for information and necessary action to :-

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
  2. The Capital City Police Officer, Peshawar.
  3. Office Supdt.
  4. Establishment Clerk
  5. Accountant
  6. SRC
  7. Official concerned.
- Enquiry File + 14 bogus DL cases*

(KASHIF ZULFIQAR) PSP  
Chief Traffic Officer,  
Peshawar

*Attested*

32  
2/1

ORDER

1. This is an order on the departmental enquiry initiated against Sr. clerk Shaukat Ali for his failure to stop process of the below mentioned 14 driving license cases having fake/bogus signatures of SSP/T and MLA on learner permits and driving tests files as he was posted Traffic Clerk:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

2. He was charge sheeted and an enquiry committee comprising of Mr. Mohammad Shoab ASP/Faqirabad and Mr. Najmul Hasnain, ASP/Hayatabad was constituted to initiate proper departmental proceedings and dig out the facts. He was served with charge sheet and statement of allegation. He submitted in his written statement that he was performing duties as Traffic Clerk where a number of visitors come to process their license cases. He also deal with issuance of MDL numbers, Renewal/Duplicate numbers and issuance of NOCs. He further added that he did not know about the above 14 bogus/fake driving license cases.

3. During the course of enquiry, the accused official and other relevant officials were summoned to record their statements. The enquiry committee gave ample opportunity to the accused official to prove his innocence but could not convince the enquiry committee, therefore, found him guilty of the allegation for showing lack of professionalism, negligence and careless attitude.

4. He was issued Final Show Cause Notice to submit his written explanation but his written reply was again found not satisfactory. He was therefore, called for personal hearing. On 23.01.2019 he was heard in person but his verbal explanation was also not convincing.

5. The undersigned is convinced that he could not perform his duty as per his mandate hence agreed with the recommendation of the Enquiry Committee. He is inflicted upon major penalty of reduction to a lower post for a period of 03 years under the Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 with immediate effect.

*[Handwritten signature]*

*[Large handwritten signature]*

33

This is an order on the departmental enquiry initiated against Jr. clerk Sanaullah on the allegations that he had made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

- i.
- ii. That he has also tried to process the fake/bogus file which was intercepted by the concerned staff and handed over to I/C CDL branch for verification.
- iii. He has also received an amount of Rs.20000/- from Junior Clerk Shahzeb to close the enquiry initiated against both of you which proves your connivance in processing all the fake/bogus driving license cases.

2. He was charge sheeted and an enquiry committee comprising of Mr. Mohammad Shoaib ASP/Faqirabad and Mr. Najmul Hasnain, ASP/Hayatabad was constituted to initiate proper departmental proceedings against him and dig out the facts. He was served with charge sheet and statement of allegation. He submitted in his written statement that he was performing duties in Account Branch. He added that license holder namely Imran at s.No.8 above was his real cousin along with Khurshid Ali and Shamshad Kausar at SI No.04 and 14 respectively came to him for making driving licenses, therefore, he asked Jr. Clerk Shahzeb for making their licenses as he was enjoying god relationship with the DSP/MLA. He further added that he always visiting AG office for official duty therefore, he usually received driving license file which he always processed through Jr. Clerk Shahzeb but unaware of the fake/bogus signatures of MLA.

3. During the course of enquiry, it revealed that he brought people to Jr. Clerk Shahzeb for processing bogus license cases which prove him guilty. He also tried to process fake/bogus file which were intercepted by the concerned staff and handed over to I/C CDL branch for verification which were found bogus. He also received Rs.20000/- from Jr. Clerk Shahzeb to get the enquiry file as he admitted in preliminary enquiry which also prove his guilt.

4. The enquiry committee gave ample opportunity to the accused official to prove his innocence but could not convinced the enquiry committee, therefore, found him guilty of the allegations hence recommended him for major penalty.

5. He was issued Final Show Cause Notice to submit his written explanation but his written reply was again found not satisfactory. He was therefore, called for personal hearing. On 23.01.2019 he was heard in person but his verbal explanation was also not convincing. The undersigned is convinced that Jr. Clerk Sanaullah is involved in corrupt practices since long, hence agreed with the recommendation of the Enquiry Committee. He is inflicted upon major penalty of dismissal from service under the Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 with immediate effect.

*Kashif Zulfiqar*  
(KASHIF ZULFIQAR) PSP

*Muhammad*  
*[Signature]*

To: The Capital City Police Officer  
Peshawar

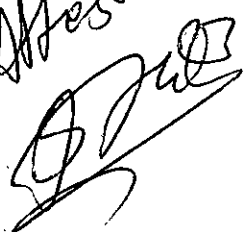
Subject: APPEAL FOR REINSTATEMENT IN SERVICE

75-39  
17/8/19  
30/10/2019

It is submitted for your kind perusal that I was dismissed from service by SSP Traffic Peshawar vide his office endst No.52-58/PA, dated 24.01.2019.(copy enclosed)

I submit the following few lines for your sympathetic consideration.

1. I was posted in the office of the SSP Traffic Peshawar vide IGP KP Peshawar Order Endst No.6466-75/E-V dated 25.10.2017.(copy enclosed)
2. During my duty hours my two friends Taimur Riaz Ullah and Awais approached me for making the driving licenses. First of all Awais approached me for making license, he is my cousin's friend. Awais tell me that he wants to prepare his license on early basis because he usually goes to Islamabad but due to non-availability of driving license he faces great difficulties on Motorway. He told me that my learner license has already been prepared and 6 weeks period also completed. I told JC Sanaullah who is very senior to me for the preparation of Driving License. Sanaullah demanded Rs.4000/- for the clearance of the license, and also told that you may get the license printing chit after 4/5 days from me. I paid Rs.4000/- from my own pocket to JC Sanaullah and did not take any amount for the license from Awais.
3. The 2<sup>nd</sup> person Mr. Taimur Riaz Ullah is my cousin's friend as well as my friend. His learner permit was prepared. I again approached JC Sanaullah and tell him to prepare his license. His learner permit was also required to be condoned and his driving test was also required to be cleared but in routine. He demanded Rs.3000/- for the preparation of the driving license which I paid from my own Pocket and no amount was taken from Taimur Riaz Ullah. Sanaullah Junior Clerk after few days he given me the license printing chit and the license was prepared.
4. JC Zarwali who is colleague of me and JC Sanaullah, given the driving license of Fazal Amin. His learner permit was prepare and his period was condoned by SP Traffic HQrs and his license was required to be passed/cleared

Attest  


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the driving test from, MLA. So joint colleague of me and JC Sanaullah the same was handed over to JC Sanaullah which was cleared.

5. After few days of the preparation of these licenses, some other license files were caught red-handed from JC Sanaullah, which were later on found bogus as all the signature on the licenses were found fake (signed Himself by JC Sanaullah).
6. In these days JC Sanaullah was in great tension. He told me that the licenses of my friends which were prepared by him were also bogus and starts blackmailing me that in case his statement on these licenses will be recorded he will give my name that the 2 said bogus license of my friends have been made by me, and demanded Rs.20000/- from me to shut his mouth against me. I tell him that I have no money to pay him, however he told me that the amount may be paid on 1<sup>st</sup> of the next month, when I get salary. Being junior one I was afraid and to save my reputation I paid Rs.20000/- to him.
7. In the charge sheet 14 licenses have been shown, prepared by me. From the above 2 driving licenses I do not know the other 12 licensees, neither they have approached me nor I have prepared their licenses.
8. It is further added that while the enquiry process was on with the Enquiry Committee comprising of ASP Faqirabad & ASP Hayatabad JC sanaullah come to my office and thrown Rs.20000/- on my table and run away. This incident was brought into the notice of OS Traffic HQrs Mr.Riaz Muhammad, who directed me to hand over the amount to EO ASP Faqirabad. So, I immediate went to the office of ASP Faqirabad tell the story and handed over the amount to him, who attached Rs.20000/- (Four Notes of Rs.5000/-) with the Enquiry Papers.
9. The allegation leveled against me in the dismissal order are not true.
10. It is worth mentioning that my Father Haji Aftab Ahmed served the Police Department for 40 Years spotless service and retired on superannuation pension as Office Superintendent on 03.04.2015 from the office of Commandant FRP Khyber Pakhtunkhwa Peshawar.

He is suffering from the chronic multiple diseases like Kidney Transplant, sugar & blood pressure from last 25 years. His kidneys were failed therefore, his kidney transplant was done on 26.01.2008 and now

Affes  
[Signature]

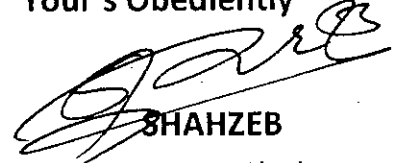
-25-

using expensive medicines for survival of his life. These Medicines will be used for entire life. Since long I am also supporting my father in expensive treatment and due to my dismissal from service it will badly affected. Due to my dismissal he is seriously shocked and in great tension.

Keeping in view the above-mentioned facts, it is most humbly requested that being innocent, the order of SSP Traffic Peshawar may kindly be set aside and I may kindly be reinstated in service from the date of dismissal, please.

I will pray for your long life for this act of kindness.

Your's Obediently



SHAHZEB

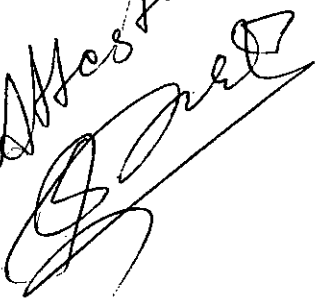
Ex-Junior Clerk

Office of the  
SSP Traffic Peshawar

Contact No: 0335-9015159

Father: 0345-9429302

Date of submission 30.01.2019

Attested  




OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
**PESHAWAR**

Phone No. 091-9210989  
Fax No. 091-9212597

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ORDER.

This order will dispose of the departmental appeal preferred by Ex-Junior Clerk Shah Zeb of Traffic office, Peshawar who was awarded the major punishment of "dismissal from service" by SSP/Traffic Peshawar vide order No.52-58/PA, dated 24-01-2019.

2- The allegations leveled against him were that he while posted in Accounts Branch at Traffic HQr: Peshawar made fake/bogus signatures on learner permits and driving tests files of 14 candidates and received Rs.3000/4000 from each candidate.

3- He was served charge sheet and summary of allegations by SSP/Traffic Peshawar. An enquiry committee comprising of ASP/Faqirabad and ASP/Hayatabad was constituted for proper departmental enquiry. The enquiry committee after conducting a detailed departmental enquiry submitted their finding report in which the allegations of processing bogus licenses by the appellant were stand established hence he was recommended for major punishment. The competent authority i.e. SSP/Traffic Peshawar after perusal of enquiry report issued him Final Show Cause Notice to which he replied. His reply to the final show cause notice was also found unsatisfactory by the competent authority, hence awarded him the above major punishment.

4- He was heard in person in O.R. The relevant record perused along with his explanation. During personal hearing the appellant failed to produce any plausible explanation in his defence to prove his innocence. **Therefore, his appeal for reinstatement in service is hereby filed/rejected**

(QAZI JAMIL UR REHMAN)PSP  
CAPITAL CITY POLICE OFFICER  
PESHAWAR.

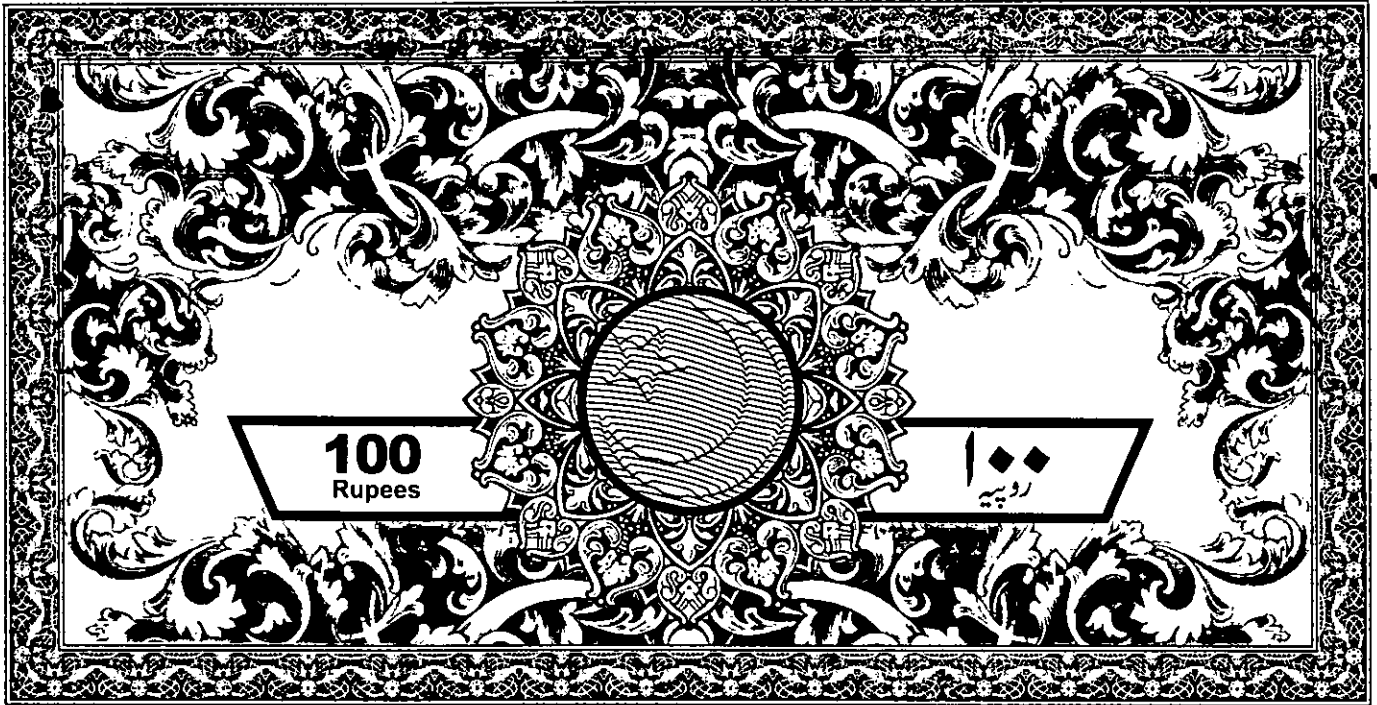
No. 557-59 /PA dated Peshawar the 05-04-2019

Copies for information and n/a to the:-

1. SSP/Traffic Peshawar, along with 02 service books and complete enquiry file.
2. DP/HQrs: Traffic Peshawar.
3. Official concerned.

Attested  
[Signature]





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### AFFIDAVIT OF SHAHZEB

I, was appointed as class IV against the vacant post in FRP, Head Quarter, Peshawar vide office order No. 7793-93-4/EC dated 20-10-2014; was subsequently absorbed and appointed as junior Clerk in BPS 11, Peshawar vide notification No. 5696-5750/EV dated 26-09-2017.

It is alleged that during normal routine working, it was observed that learner permit and test page for driving licence in the name of Shamshad Kausar son of Wajid Ali bear bogus signature of Motor Licensing Authority Traffic and test page has fake test number record. An inquiry was initiated through letter No. 532/R dated 8-10-2018 and finally the inquiry officer through his report dated 17-10-2018 held that Sanaullah Junior Clerk as well as against Shaukat Ali Traffic Clerk be dealt through full fledged departmental enquiry.

During the course of departmental enquiry, it has been alleged that three employees are involved in preparation of fourteen driving licenses which bear fake signature of MLA traffic and without genuine driving permit. According to SOP for issuance of driving licence of motor cycle/motor car, an amount of Rs. 250/- for motor car and motor cycle, Rs. 5. 125/- for motor cycle is to be deposited. Medical fee of Rs. 50/- has also to be paid. Every applicant to appear in person and after completing all initial modalities, learner driving licence is issued for six months. MLA is authorized to condone the learner driving permit period any time. However, in normal routine, the period condonation is made after six weeks for the issuing driving licence. To proceed in the matter driving test form is provided to the applicant and has to appear for fresh medical fitness certificate with deposit of Rs. 250/- for driving test and Rs. 50/- for medical test. Moreover the candidate has to appear for theory test and physical driving test. An amount of Rs. 620/- is deposited for issuing five years driving licence. The licence is issued after completing all the formalities.

I, received charge sheet on 26-11-2018 for taking disciplinary action against him posted as junior Clerk in SSP Traffic Office, Peshawar with the allegation that while posted at Traffic Head Quarters Office, Peshawar made fake/bogus signature on the learner permit of fourteen candidates and received Rs. 3,000/-/Rs. 4,000 from each candidate; has put fake bogus entry on the such permits; cheated the concerned staff to illegal process for issuance of fake driving licenses. It is further alleged that I paid Rs. 20,000 to Sana Ullah Junior Clerk for closing down the inquiry.



*[Handwritten signature]*

*[Handwritten signature]*

15-04-19

District Comptroller of Accounts  
05 APR 2019  
(Treasury Wing) Peshawar.

**Peshawar Treasury**  
Lic No. 5510C/P/H/C, Dated 20-5-2017  
Syed Abbas Shah S. Vender



- (2) -

On receipt of charge sheet, I submitted reply and contended that his friends namely; Tamiur Riazullah and Muhammad Awais approached him for the provision of driving license and explained that he had no authority to issue any driving licence, therefore requested Sana Ullah Junior Clerk posted in accounts branch, a senior personal for the help who demanded Rs. 4000/- for the purpose. It was also submitted that Taimur Riaz, my friend also approached for issuance of driving licence; that likewise I again approached Sanaullah who demanded Rs. 3,000/- with the plea that though the learner licence has been issued but before expiry of six weeks, prior condonation period is also required. The demanded amount was accordingly paid to him.

It has also been alleged in the charge sheet that a fake license has also prepared for one Fazal Amin by me which allegation was denied by me and explained that he has honestly and faithfully narrated the true facts and nothing has been hidden in reply to the charge sheet.

Apropos during the normal checking of files relating to issuance of bogus driving licenses were identified. During the course of preliminary investigation, the said Sana Ullah approached me with the threat that the concerned officials have taken three files relating of Muhammad Awais, Tamiur Riaz ullah and Fazal Amin and demanded Rs. 20,000/- which under coercion, pressure and undue influence were paid.

The competent authority/Chief Traffic Police Officer, Peshawar charge sheeted appellant as well as Sana Ullah Junior Clerk and Shukat Ali (Senior Clerk) with the allegation that while posted in account branch at Traffic Head Quarter, Peshawar made fake/bogus signature on learner permits and driving test files of fourteen candidates and received Rs. 4,000/3,000/- from each candidate. Sana Ullah junior Clerk was also charge sheeted with the allegations that he has made fake/bogus signature on learner driving permits and driving test files of fourteen candidates receiving Rs. 4000/- /Rs.3000/- from each candidate. Shakut Ali Senior Clerk was also charge sheeted on the allegation that he failed to stop the process of fourteen Driving licenses cases having fake/bogus signature of SSP Traffic and Motor Licensing Authority (MLA) on learner permits and driving test files while posted as Traffic Clerk.

I, submitted reply to the charge sheet explaining all the factual aspects of the matter but the Chief Traffic Officer constituted Inquiry Committee of two police officers repeating the allegation rendering appellant to be proceeded against departmentally in terms of section 4 of Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules, 2011. During the course of proceedings, prosecution produced eight witnesses. However I was not afforded opportunity of cross examination during the proceedings. The inquiry committee proposed strict disciplinary action against me and two others.

I, was issued final show cause notice which was replied and he reiterated the same stance that he has made true statement and has not committed any misconduct which can entail any disciplinary action. However the competent authority through office order/letter No. 52-58/PA dated 24-01-2019 has imposed major penalty of dismissal from service under Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules, 2011 with immediate effect. The departmental appeal was filed by me reiterating the same submission made during the initial inquiry but the Capital City Police Officer, Peshawar vide order No. 557-59/PA dated 05-04-2019 rejected the departmental appeal.

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-39-

-(3)-

The order of dismissal dated 24-01-2019 is harsh, unreasonable and does not commensurate with law and facts applicable to the matter; therefore, the same is illegal and untenable. During the course of inquiry it has been established that I have received a minor amount of Rs. 3,000/- and Rs. 4,000/- from two candidates for issuance of learner/ driving license whereas from the third candidate no amount has been received, therefore the penalty of major penalty for receiving Rs. 7000/- is not commensurate with the facts of the case. Statement of any candidate out of fourteen has been recorded during the enquiry proceedings nor is any iota of evidence available against the appellant.

It has been explained that the payment of Rs. 20000/- to Sana Ullah has been made under threat, coercion and undue influence whereas the said amount has neither been paid to inquiry officer nor to any other authorized competent officers for any favour. There is no evidence to corroborate the allegations that fake signature has been made by the appellant. No handwriting expert report is available in support of allegation. The prosecution has failed to ascertain that who has affixed fake signature of MLA. Even MLA has not been examined to testify the allegation of his fake signature.

No revenue loss has been caused to the exchequer and all leviable fees and charges have been deposited, therefore it is a case of omission which does not fall within the category of misconduct. The leading role has been assigned during the inquiry proceedings on Sana Ullah Junior Clerk whereas I have no concern whatsoever with other eleven candidates nor any iota of evidence is available to involve me with the cases of eleven other candidates. The entire disciplinary proceedings have been initiated taking into consideration of fourteen candidates and the appellant has been proceeded against not in accordance with law therefore the dismissal order dated 24-01-2019 is uncalled for.

The inquiry officers were unfortunately biased against me and have not attended to the other relevant facts of the case therefore it is a case of omission which maximum can warrant issuance of warning also whereas my entire career has been put at naught with one stroke of pen. The relevant rules and laws applicable to matter have not been followed during the enquiry proceedings in that the statement of eight prosecution witnesses have been recorded but opportunity of cross examination has not been afforded, therefore the appellant has been condemned unheard. The department has violated article 10-A, 16A and 25 of Constitution thus has been dealt illegally, unlawfully and discriminated. When the career of a candidate is being put to an end permanently then the required procedure has to be adopted.

Noncompliance of principal of natural justice rendered the entire proceeding nullity in law and cannot sustain any more. I have not been dealt fairly, properly and judiciously and great injustice has been made. I have unblemished service record at his credit and it has wrongly been held that I am habitually involved in such like activities. The record negates such allegations. The penalty imposed is harsh, excessive, without application of judicial mind and principal of natural justice, thus by no imagination the dismissal order dated 24-1-2019 is liable to be declared unlawful and be quashed.

Deponent,

  
Shahzeb

قیمت  
50 روپے

12868



ایڈوکیٹ: عظیم السرخند محمد سعید  
بار کونسل / ایسوسی ایشن نمبر: \_\_\_\_\_  
رابطہ نمبر: \_\_\_\_\_

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: حکیم سید سرمد لڑی سیدنا

مخاطب: <u>سیدنا سیدنا</u>	دعویٰ: <u>سرس ایل</u>
<u>سناہ نرید</u>	علت نمبر: _____
<u>بنام</u>	مورخہ: _____
<u>السکریٹری جنرل پولیس</u>	جرم: _____
	تھانہ: _____

**باعت تحریر آنگہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

رحمان و سید

آن مقام سیدنا کیلئے عظیم السرخند محمد سعید کو وکیل مقرر کرنے 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 ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ 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 وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

الرقوم: 9 مئی 2019

\_\_\_\_\_ مقام  
\_\_\_\_\_ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔  
Accepted

[Signature]

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 561 /2019

Put up to the court with relevant appeal.

Shahzeb

Versus

9/6/2020 I.G Police and Others

Be accelerated to 2nd week of July, 2020. Notice. 10-07-2020

APPLICATION FOR EARLY HEARING OF THE CASE

Respectfully Sheweth:-

That the applicant/petitioner humbly submits as under:-

1. That the above captioned case is pending before this honourable Court and is fixed for 05-08-2020.
2. That due to the recent calamity/outbreak and pandemic COVID-19 the case proceeding was halted and did not proceed further due to which the applicant is still unemployed and out of service.
3. That the case has been prolonged for far too long and still is feared that no fruitful result will be obtained as the situation is still unpredictable and it is un-assured that the case will be heard and decided in foreseeing future (With All Due Respect).
4. That the applicant is innocent of the charges leveled against him and he is being roped into fake and frivolous and hopeful for the success and is acquittal.
5. That the very valuable right of the applicant/petitioner is involved in the present case hence the case may be fixed for early date.

It is therefore most humbly prayed that on acceptance of the above noted applicant the above noted case may be fixed for an early date as soon as possible.

Applicant

through

Abdul Rauf Rohaila,  
Senior Advocate Supreme Court,  
&  
Sammad Hasnain,  
Advocate High Court, Peshawar

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

Ex- Junior Clerk Shah Zeb of Traffic Office, Peshawar District & Tehsil Peshawar.

(Appellant)

Versus

1. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.
2. The Capital City Police Officer, Peshawar.
3. The Chief Traffic Officer, Peshawar.
4. The Assistant Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

**Reply on behalf of Respondents No. 1, 2, 3, &4.**

**Respectfully Sheweth!**

**RESPECTFULLY SHEWETH:**

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to this Tribunal with clean hands.
4. That the appellant has no cause of action.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Honorable Tribunal.

**FACTS:**

1. Para No. 1, pertains to record, hence need no comments.
2. Para No. 2 is incorrect. In fact the appellant while posted in Account Branch at Traffic Headquarter Peshawar made fake/bogus signatures on Learner Permits and driving test files of 14 Candidates and received Rs. 3000/- to 4000/- from each Candidate. The appellant also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving license.
3. Para No. 3 is incorrect. In fact full fledged enquiry was initiated against him wherein the appellant admitted that he received Rs. 3000/4000 from each candidate and gave to Junior Clerk Sana Ullah for making licenses. His hand written samples also matched/resembled with the fake/bogus signatures. The appellant also cheated all the concerned staff from counter to counter and succeeded in processing all fake/bogus driving license cases. The appellant also

admitted in his statement that he gave Rs. 20000/- to Junior Clerk Sana Ullah on his demand for filling the enquiry already initiated in this regard. (copy of charge sheet, statement of allegations , Final Show Cause Notice, replies ,enquiry report are annexure as "A""B""C""D""E")

4. Para No. 4 is incorrect. In fact a full fledged departmental enquiry was initiated against him to dig out the real facts. ASP Faqirabad and ASP Hayatabad were appointed as Enquiry Officers. The enquiry committee conducted thorough probe into the matter and found the appellant guilty of the charges.
5. Para No. 5 is legal, but preparation of license as per SOP is routed through various counter of licence branch. But the appellant on his own has unlawfully and unauthorised taken amount from private individual for making licence.
6. Para No. 6 has already explained in above para. However the appellant cheated all the concerned staff from counter to counter and succeeded in processing all the fake/bogus driving license cases. The appellant also admitted that he received Rs. 3000/4000 from each candidate. During the course of enquiry, it also came to fore that the hand write samples also matched with the fake/bogus signatures.
7. Para No. 7, is correct to the extent, but the appellant admitted in his statement that two candidate came to me for making urgent driving license. He also admitted that in order to get the driving test pass from the MLA without appearing in the driving test, he gave to Rs. 3000/4000 to Junior Clerk Sana Ullah for the purpose. When the statement of Junior Clerk Zar Wali was recorded he stated that the driving license file of his relative was handed over to appellant for clearance from MLA without appearing in the driving test which the appellant did but later on it was found that signature of MLA were bogus/fake.
8. Para No. 8, is incorrect. In fact the appellant rendered himself for departmental action of charges explained in the charge sheet and statement of allegations. In this regard a proper departmental enquiry was conducted against him. The enquiry committee conducted thorough probe into the matter and reported that the allegations were reported proved beyond any shadow of doubt.
9. Para No. 9 is incorrect. The appellant was issued charge sheet and statement of allegations to which he received and replied. The appellant admitted all the allegations in his written reply.
10. Para No. 10, is incorrect. In fact Junior Clerk Zar Wali stated that license file of his relative Fazal Amin was handed over to appellant for clearance from MLA without appearing in the driving test which the appellant did.
11. Para No. 11 is incorrect. In fact the appellant admitted in his statement that he gave Rs. 20000/- to Junior Clerk Sana Ullah as bribe, so that the enquiry initiated



against him could be filed. During the enquiry proceeding he admitted to this fact which is clear testimony of his misconduct.

12. Para No. 12, is incorrect. In fact the appellant and others were charge sheeted and proper departmental enquiry was initiated to dig out the real facts. ASP Faqirabad and ASP Hayatabad were appointed as Enquiry Officers. The enquiry committee conducted detailed enquiry by recording the statement of all concerned and after thorough probe into the matter, the enquiry was concluded wherein the appellant was squarely found guilty of the charges framed against him.
13. Para No. 13 is already explained in the above Para No. 11. Furthermore, during the course of enquiry charges framed against him were established and he failed to prove himself innocent.
14. Para is incorrect. In fact the appellant failed to rebut the charges during the course of enquiry and also admitted to all the allegations. The enquiry committee conducted thorough probe into the matter and found the appellant guilty of the charges. The appellant availed the opportunities of defence, but he could not prove himself innocent. The punishment order was passed after fulfilling all the legal and procedural formalities.
15. Para No. 15, is incorrect. The appellant was provided full opportunity to defence but the appellant failed to defend himself. During the course of enquiry, the enquiry committee recorded the statement of all concerned and also recorded cross questions. The enquiry proceedings were initiated purely on merit and in accordance with law/rules.
16. Para No. 16 is incorrect. The appellant was issued Final Show Cause Notice on the completion of enquiry proceedings and reply submitted in response to the Final Show Cause Notice was found unsatisfactory. The allegations were proved beyond any shadow of doubt, hence he was awarded the major punishment.
17. Para No. 17 is correct to the extent that the appellant filed departmental appeal, which was thoroughly processed and an ample opportunity of hearing was provided to appellant by the appellate authority, but the appellant failed to defend himself with plausible/justifiable grounds, hence his appeal was rejected/filed.
18. The appeal of the appellant being devoid of merits many kindly be dismissed on the following grounds.

**GROUND:**

- I. Incorrect. The punishment order is just legal and has been passed in accordance with law/rules. Proper departmental enquiry was conducted and the enquiry committee reported that the charges levelled against him were proved, therefore the punishment order was passed.

- II. Incorrect, the appellant failed to rebut the charges during the course of enquiry and the enquiry committee conducted thorough probe into the matter and the appellant guilty of the charges.
- III. Incorrect, the allegations were proved beyond any shadow of doubt by the enquiry committee.
- IV. Incorrect, payment of Rs. 20000/- as illegal gratification to his accomplice has been admitted by the appellant which clearly reflect his indulgence involvement in the rough practice of bribery and prim facia prove his guilt of extorti on from innocent citizens.
- V. Para is incorrect. Allegation of affixing forged signatures of MLA was also disclosed and admitted by his accomplices and appellant too during the enquiry proceedings. Therefore forged signatures were not verified thorough hand writing expert for the said purpose.
- VI. Para is totally incorrect. Numbers of complaints regarding existence of gang were received to the authority alleging that the said gang is depriving poor citizens from huge amounts on the pretext of preparing driving license and the alleged defaulters were exposed after enquiry and painstaking efforts. Therefore, punitive action under the relevant law was taken in the best interest of general public.
- VII. Incorrect. Members of the gang explained above were taken to task purely in the interest of general public.
- VIII. Incorrect, the whole enquiry proceedings were initiated purely on merit and in accordance with law/rules. The appellant availed the opportunities of defence but he could not prove himself innocent.
- IX. Incorrect, appellant was associated with the enquiry proceedings and proper opportunity of defence was provided to appellant, but he failed to defend the charges levelled against him. The enquiry committee after detailed probe reported that the charges were proved.
- X. Incorrect. The appellant was treated as per law/rules. He was provided full opportunity of defence. The appellant was heard in person in Orderly Room on 23.01.2019 but his verbal explanation was also not convincing.
- XI. Incorrect. The appellant was treated as per law/rules and no provision of law has been violated.
- XII. Incorrect. Proper charge sheet and statement of allegations was issued to the appellant. Proper departmental enquiry was conducted against him, and proper opportunity of defence was provided to appellant. The enquiry committee during the course of enquiry recorded statement of all concerned. After

fulfilling all the codal formalities the appellant was found guilty of the charges levelled against him.

XIII. Incorrect, the appellant was found involved in corrupt practices of taking illegal gratification from innocent citizens in lieu of license.

XIV. Incorrect, the appellant was treated as per law/rules. The allegations levelled against him were proved.

**PRAYER:**

It is therefore, most humbly prayed in the light of the above facts and submission the appeal of appellant may kindly be dismissed being meritless.




PROVINCIAL POLICE OFFICER,  
KHYBER PAKHTUNKHWA, PESHAWAR.



CAPITAL CITY POLICE OFFICER,  
PESHAWAR.



ASSISTANT INSPECTOR GENERAL OF POLICE,  
ESTABLISHMENT (CPO), PESHAWAR.



CHIEF TRAFFIC OFFICER,  
PESHAWAR

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

Ex- Junior Clerk Shah Zeb of Traffic Office, Peshawar District & Tehsil Peshawar.

**(Appellant)**

Versus

1. The Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.
2. The Capital City Police Officer, Peshawar.
3. The Chief Traffic Officer, Peshawar.
4. The Assistant Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.


**(Respondents)**

**AFFIDAVIT**

We respondents No. 1, 2, 3 & 4 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.

  
**PROVINCIAL POLICE OFFICER,  
KHYBER PAKHTUNKHWA, PESHAWAR.**

  
**CAPITAL CITY POLICE OFFICER,  
PESHAWAR.**

  
**ASSISTANT INSPECTOR GENERAL OF POLICE,  
ESTABLISHMENT (CPO), PESHAWAR.**

  
**CHIEF TRAFFIC OFFICER,  
PESHAWAR**

## FINAL SHOW CAUSE NOTICE REPLY BY JUNIOR CLERK SHAHZEB

Sir I submit the reply of Final Show Cause Notice received to me on 09.01.2019.

I was transfer in the office of SSP Traffic on 26.10.2017 (**Order Attached**)

Later on I was posted in account branch as APO/PAY (Assistant Pay Officer) on 21.11.2017. (**Order Attached**)

During my duties hours my two friends Taimur Riaz Ullah and Awais approached me for Driving Licenses.

1. First Awais approached me for driving license he is my Couzns Friend. Awais ne mujhse kaha k oska license jald as jald chaiye q k mere Islamabad anna jana hai so mene sana ullah she bt ki k mere dost awais ka license banana hai. Q K Awais k pass pehle seh moujoud tha tou sirf Try pass karwani thi. Sana ullah ne mujhse ka k is bande ko license jaldi chaiye to ispe Rs.4000/- kharcha aye ga jo k mene khud isseh apni pocket Money diye aur sana ullah ne kaha k meh 4 seh 5 din bad mujhse license Printing Chit lehlo. Lehaza kuch dino bad osne mujhe printing chit deadi jo mene khud license print karwaya. Is case meh applicant koi payment nai li gai.
2. Second Taimur Riaz Ullah he is my cousins friend and as well as my friend. Is ka learner mene khud office meh is k sath jakar banawaya. Mene sana ullah seh iski bt ki yeh mera dost hai is ka lisences banwana hai. Sana ullah ne mujhse kaha k ismeh tou PC (Period Condonation) b hai aur try b pass karwani thi tou osne mujhe kaha k ispeh Rs.3000/- kharcha ayega is k paise b mene apni pocket money seh diye sana ullah ne phr mujhe kuch dino bad phr Printing chit deadi jo mene print karwai. Mene yeh dono licenses Awais ko hand over kardiye Q k yeh dono college Fellow thy.is case meh b applicant seh paise nai liye gai.
3. Kuch din bad sana ullah seh office meh kuch bougus files pakhri gai jo k isne shoukat ko di k jama karwane k liye. Jis ka witness Traffic Clerk Shoukat b hai.
4. Sana ullah is duraan bhout tension meh tha mene poucha tou kehne laga k tmhare dosto ki files b mene bougus ki hai. tou mene kaha tmhe paise diye tou bougus karne ki kya zarourat thi osne kaha abb tou kaam houwa hai. Meh tension meh hougaya yeh sun k. isi ka fayda utha k osne mujhe Blackmailing Shuru kardi k meh tmhare naam lounga k ismeh tm b Shamil houn aur mujhse Rs.20000/- ka mutalba kiya mene kaha ismeh mera kya kasoore hai aur meh itne paise mere pass nai hai meh kaise itne paise douga. Tou osne kaha khair hai jab 1<sup>st</sup> ko salary aye tou deadeana aur kaha k enquiry khatam houjai gi bs tension na lo
5. Mere dono dosto ki files b jab dubara checking meh pakhri gai tou Police ne onne Phone peh damkana shuru kardiya oono ne mujhse rabta kiya k yeh kya masla hai.
6. Mujhe Majhbooran Rs.20000/- deane pare q k mere 2 dosto ki b isne Bougus License banai is liye mene apni salary seh deadeye q k isne Mera ghar b dekh rakha hai tou aksar mujhe darata dhamkata k meh bach b gaya tou tmhara ghar mene dekha howa hai.
7. Jab Charge Sheet issue hoi tou ismeh Fazal Amin ka b naam deakha.Yeh Zarwali ka ristehdar hai. Jab Zarwali ne is par PC karwaya tou mene isseh kaha k MLA pass is seh verified karwalo, jab zarwali ne dispatch nikal diya aur mujhe kaha k yeh file loun aur pass karwani hai mene kaha samne almari meh rakhdo mujhe mouka mila tou meh sana ullah seh bt karlounga k yeh pass karni hai. jab mene Sana Ullah seh bt ki tou osne kaha k mein pass karwado ga file khudhi jama karwaoge mene kaha theak hai. Kuch dino bad jab sana ullah

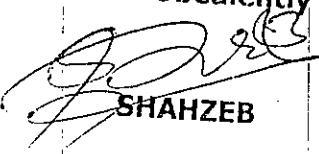
ne mujhe file wapas di tou MDL laga kar k isseh jama karwado tou mene counter meh ja k Constable Farman ko di aur osne jama Karli aur osne mujhe printing chit deadi. is k kuch din bad sana ullah seh bougus files pakhri gai aur osne yeh file b ki thi phr sana ullah mere pass aya aur kaha i mujhse bougus files pakhri gai hai aur wo license cancelled hougai hai tm online check karlo mene net peh online raabta website peh fazal amin ki printing chit peh NIC likha thaw o check kiya tou woh cancelled tha. Indino JC zarwali Leave peh tha osne Hair Transplant karwaya tha mene osse call ki sare detail batai aur message b kiya woh b janta hai k mein kaisa Larka houn aur Sana Ullah kaisa Larka hai. Osne apni statement mein mere naam diya hai jab k mujhe sirf ismeh use kiya gaya hai aur sub kuch Sana Ullah ne kiya aur front peh mujhe laya gaya.yeh sub mene enquiry officer seh b kaha lekin who manne ko tayyar he nai thy:

8. Sana ullah har bar apni statement badalta hai Pehle kaha k AG office seh kisi ne di hai k jama karwaleana files jo k isseh pakhri gai , phr kaha k shakal seh janta houn par naam nai atta, phr aghr meh sub kuch mujhpe daldiya gaya q k mere joining writing hai.
9. ASP Faqirabad k samne quran ko Halfan rakh kar kaha k mene Rs.20000/- nai liye blackmailing k Aur dusre he din office a ke Rs.20000/- mere table peh rakhdiye apni qasam ko such karne k liye mene (jiska witness Constable Abdur Rehman Hai) who paise utha k Office Supdt k pass chala gaya k sir yeh banda Rs.20000/- laya aur kaha k yeh banda Quran ki qasam jhuti kha sakhta hai tou meh abb kya karo sir, ouno ne kaha k apne enquiry officer k pass jao aur detail batao sub mene bilkul waisa he qiya aur Rs.20000/- ASP Faqirabad k pass jama karwadiye aur sub detail b batai.
10. Mene sirf 2 bando ka kaam sana ullah k zarye karwaya hai jo k mere dost thy aur teesrey meh mujhe sirf use kiya gaya hai is k ilawa meh na kisi ko janta houn aur na pehchanta.
11. Rizk deane wala ALLAH TALLAH ki zaat hai, woh behter janta hai.
12. Sir I belong from very respected & well educated family meh aisa souch b nai sakhta q k mere Walid Isse Department she Office Supdt Retired houwe hai oun ki 40 Saal ki service hai is Police Department k liye oun ki izzat b mere sir hai yeh ilzam bebunyah hai sirf aur sirf mujhe basaane ki koshish hai q k meh Aik Urdu Speaker houn bs.
13. Mere yeh 2 license sirf aur sirf Sana Ullah ne banai hai aur final show cause notice meh jeetney b bande hai na meh ounko janta na pehchanta houn.
14. Is silsily meh zati tor peh pesh houna chhata agr ap sahiban ki ijazat houn

*Having heard him in person, undersigned is convinced that Jr. Clerk Shahzeb is habitual of corrupt practices. He can't be exonerated from charges hence agreed with the recommendations of E.O. He is afflicted major penalty of dismissal from service.*

*Khanji*

Date of submission 01/2019

Your's Obediently  
  
**SHAHZEB**  
 Junior clerk  
 Office of the  
 SSP Traffic Peshawar

Reply

5

### W CAUSE NOTICE

I, KASHIF ZULFIQAR, Chief Traffic Officer, Peshawar as Competent Authority under the Government of Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 do hereby serve you Junior Clerk Shahzeb Ali as follow:-

i) That while posted in Account Branch at Traffic Hqrs. Peshawar, you have made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	MC+ M.Car
12.	Irshad Mohammad	283937	404889	23893	M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii. That you have also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.

iii. You have also paid Rs.20000/- to Junior Clerk Sanullah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.

2. That consequent upon the enquiry conducted against you by ASP Hayatabad and ASP Faqirabad for which you were given full opportunity of hearing but you failed to satisfy the enquiry committee/officers.

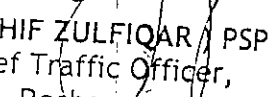
3. On going through the findings and recommendation of the enquiry committee, the material available on record, I am satisfied that you have committed the omission/commission specified under the Government Servant (E&D) Rules 2011.

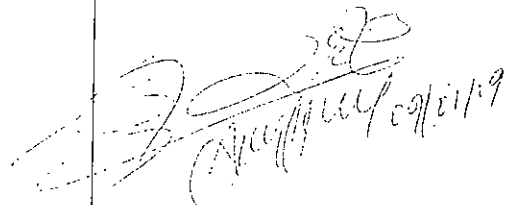
4. As a result therefore, I, KASHIF ZULFIQAR, Chief Traffic Officer, Peshawar as competent authority have tentatively decided to impose major penalty upon you including dismissal from service under the Efficiency and Discipline Rules 2011.

5. You are, therefore, directed to show cause as to why aforesaid penalty should not be imposed upon you.

6. If no reply to this show cause notice is received within seven days of its delivery in the normal course of circumstances, it shall be presumed that you have no defense to put in and in that case x-parte action shall be taken against you.

6. A copy of the findings of the enquiry committee is enclosed.

  
(KASHIF ZULFIQAR) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)



## ENQUIRY REPORT

Reference to the letter No.532/R dated 08.10.2018.

No. 736 /R, dated Peshawar 17/10/2018

### SUMMARY OF THE ENQUIRY:

In this regard, it is submitted that I, E.O received an enquiry letter along-with one learner permit and test page for driving license (motorcar/jeep), on the name of Shamshad Kosar S/O Wajid Ali R/O Alizai, Para Chinar for enquiring its authenticity from the office of SP HQrs Traffic. After going through the relevant material and evidence, it came to surface that the said test page bore bogus sign of MLA Traffic and fake test record. The applicant Wajid Ali was contacted via his cell number 0300-0515359 time and again but his cell phone was found offline. Later, on contact with applicant, he was directed to visit the driving license office for thumb impression, sign and to collect his driving license. As he was already aware of the situation, he refused to disclose the name of person who processed the said file on his behalf and told that he is in Para Chinar these days which is a far-flung area, rendering him unable visit the driving license office Peshawar.

Assistant to MLA Inspector Amjid Ali Khan was approached to probe the authenticity of driving test record no. 25785, Motorcar/Jeep. On cross checking, it was found fake. His statement is enclosed here with. For the verification of MDL Number 405127, Junior Clerk Saif Ur. Rehman was approached, who is serving in Room No. 07 of DL branch as MDL Clerk. He disclosed that on 05.10.2018 he was busy in issuing MDL Numbers as per routine. Meanwhile Junior Clerk Sana Ullah came to me and handed over a file for MDL entry. As I was over crowded by the applicants so I didn't check the file properly and return the file to Junior Clerk Sana Ullah, after issuance of MDL Number. His statement is enclosed here with. Computer operator Pulwasha Kamal, serving on counter No.5 in fresh/renewal section was also contacted in this regard. She apprised that on Monday 08.10.2018 Traffic



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clerk Shoukat Ali visited me and gives me 02 files for processing. Later on, while rechecking the files I got suspected on signatures inscribed on a file, named Shamshad Kausar S/O Wajid Ali. For further verification I handed over the said file to Incharge CDL DSP Aneela Naz. Incharge CDL Aleena Naz also testified the statement of Computer Operator Palwasha Kamal. She also added that for verification of signature I sent the file, bearing the fake signature to MLA Gohar Khan. Statement of I/C CDL is enclosed herewith. Traffic clerk Shoukat Ali revealed that I was visiting CDL Branch for getting an NOC. Meanwhile Junior clerk Sana Ullah give me 02 fresh DL files for further processing and I forwarded it to Computer Operator Palwasha Kamal. Later on, I came to know that one of those files bore fake signatures of MLA and fake test records.

Junior clerk Sana Ullah stated that he is serving as APO in Accounts Branch, SSP Traffic Peshawar. Encashment of monthly salary of Traffic Wardens and passing of other official Bills from AG Office is my responsibility. Few days ago I was went to AG Office for official work and visited HR-LAB, Check section and pay roll 6 section. While I was getting out of the pay roll 6 section an employ whose name is un known to me but I can recognize him by face give me 02 files, already signed by MLA Traffic Peshawar. He requested that I should process these files for him. I received these files and left for my office. On reaching the office, roundabout at 03:00, I give these files to Traffic Clerk Shoukat Ali. I inform him that these files belong to an employ of AG Office and requested for its further processing.

Moreover the sections involved in processing of file I.e. section No.07 where MDL number is issued up-to the last counter, did not pay due consideration to verification of particulars of file which is an act of criminal negligence on their part. It is the responsibility of TC Shoukat Ali to recheck the DL files in personel capacity but he didn't bother to do that which amounts to avoiding his responsibility. Junior clerk Sanna Ullah who is the pivotal role in the forging matter, is unwilling to disclosed the reality and is trying to rescue himself by forging a false story about an

anonymous employ of AG Office with unknown credentials, who gave him these signed files for the purpose of processing. It is strange to note that how these files reached AG office as the office of MLA, who sign the files and other sections of DL processing are located in same place. If the applicant had got his file signed from MLA, he was supposed to process it by himself immediately.

FINDINGS:

The evidence on hand, the statements enclosed, uncooperative behavior of Junior Clerk Sana Ullah and his undue reluctance to expose the character (anonymous employ of AG office) of his fabricated story vividly depict that Junior Clerk Sana Ullah is the main culprit behind this heinous act and declared guilty. Traffic clerk Shaukat Ali can also be not acquitted from the blame for his extreme negligence of duty, carelessness and not withholding his official's responsibility. It is therefore recommended to initiate a full fledge departmental enquiry in the said matter against Junior Clerk Sana Ullah & Traffic Clerk Shaukat Ali.

*[Handwritten Signature]*

RI, Traffic/ E.O

PA/SB-

Issue Charge Sheets  
and SP/court recommended  
as enquiry officer *[Handwritten Signature]*  
SP/Hev

CHP

ANNEXURE

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3 SHEET

i. I, KASHIF ZULFIAR, Chief Traffic Officer, Peshawar as Competent Authority, hereby charge you Junior Clerk Shahzeb as follow:-

ii. That while posted in Account Branch at Traffic Hqrs. Peshawar, you have made fake/bogus signatures on learner permits and driving test files of the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

S#	Name	CDL #	MDL	T. Record	DL Type
1.	Mohammad Abubakar	281755	404687	24890	MC+ M.Car
2.	Mohammad Awais	83584	404562	48870	MC+ M.Car
3.	Taimoor Riazullah	283580	404561	24971	MC+ M.Car
4.	Khurshid Ali	283795	404778	25870	MC+ M.Car
5.	Zahoor Khan	284040	404993	25103	MC+ M.Car
6.	Mohammad Faisal	284042	404994	25120	MC+ M.Car
7.	Mohammad Ifzal Farooq	284284	405128	25610	MC+ M.Car
8.	Imran Khan	283688	404644	24870	MC+ M.Car
9.	Zahid Khan	283794	404560	24980	MC+ M.Car
10.	Nihayatullah	283794	404777	24942	MC+ M.Car
11.	Nazar Gul	283936	404890	25782	M.Car
12.	Irshad Mohammad	283937	404889	23893	MC+ M.Car
13.	Fazal Amin	284041	405025	25782	MC+ M.Car
14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

iii. That you have also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.

iv. You have also paid Rs.20000/- to Junior Clerk Sanauallah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.

2. By reasons of the above, you appear to be guilty of misconduct under Section 4 of Government Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.

3. You are therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Enquiry Officer.

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

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.

(KASHIF ZULFIAR) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)

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DISCIPLINARY ACTION.

I, KASHIF ZULFIAR, Chief Traffic Officer, Peshawar am of the opinion that Junior Clerk Shahzeb has rendered himself liable to be proceeded against departmentally, as he committed the following acts within the meaning of under Section 4 of Government Khyber Pakhtunkhwa, Civil Servants (Efficiency and Discipline) Rules-2011.

STATEMENT OF ALLEGATIONS

i) That That while posted in Account Branch at Traffic Hqrs. Peshawar, he has made fake/bogus signatures on learner permits and driving test files o the below mentioned 14 candidates and received Rs.3000/4000 from each candidate:-

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14.	Shamshad Kausar	pending	405127	25785	MC+ M.Car

ii) That he has also put fake/bogus entry numbers on the driving test cases and cheated the concerned staff to illegally process the fake cases for getting driving licenses.

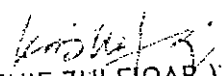
iii) He has also paid Rs.20000/- to Junior Clerk Sanaulah to close the enquiry initiated against you which proves omission/admission of your guilt/misconduct.

2. For the purpose of enquiry against the said official with reference to the above allegation an Enquiry Officer/Enquiry Committee consisting of the following, is constituted: -

Mr. Mohammad Shuaib, ASP Faqirabad  
Mr. Najmul Hasnain, ASP Hayaabad

3. The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record its findings and make within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

4. The defaulter official and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

  
( KASHIF ZULFIQAR ) PSP  
Chief Traffic Officer,  
Peshawar.  
(Competent Authority)

**BEFORE THE PROVINCIAL SERVICE TRIBUNAL, PESHAWAR**

Shahzeb

Versus

Inspector General of Police KPK Peshawar and others



**APPLICATION FOR WITHDRAWAL OF THE APPEAL**

Respectfully Sheweth:-

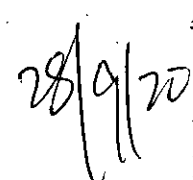
The appellant humbly submits as under:-

1. That the above noted appeal has been filed and fixed for hearing on 19.10.2020.
2. That the mercy petition filed by the applicant has been accepted through office order No.3363-68/E-V dated 16.09.2020 and the applicant has reported arrival on 23.09.2020.
3. That relating to the back benefits of wages and seniority, the applicant reserved his right to pursue the matter in accordance with Law.

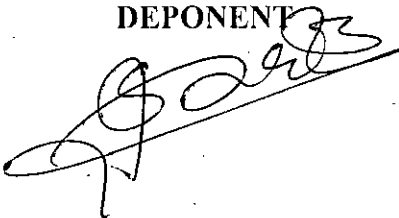
It is therefore humbly prayed that on the acceptance of the above noted application, the applicant may be allowed to withdraw from his service appeal pending before this honorable Tribunal reserving his right to agitate the matter of back benefit of seniority and wages.

  
Applicant/Appellant  
through   
Sammad Hasnain,  
Advocate High Court, Peshawar

**AFFIDAVIT:-**

 I, Shahzeb son of Aftab Ahmed, do hereby solemnly swear and affirm on oath that the contents of the above noted application are true and correct to the best of my knowledge and belief and nothing contain therein false.

DEPONENT



BEFORE THE PROVINCIAL SERVICE TRIBUNAL, PESHAWAR

Shahzeb

Versus

Inspector General of Police KPK Peshawar and others

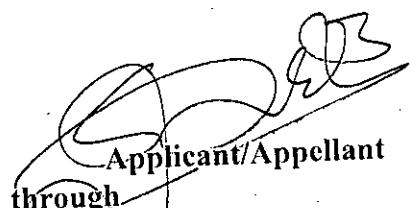
APPLICATION FOR EARLY FIXATION

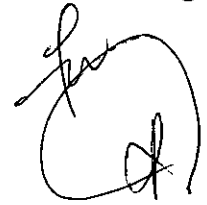
Respectfully Sheweth:-

That the applicant humbly submits as under:-

1. That the above noted Service Appeal No. 561/2019 has been filed before this honourable Tribunal and fixed for hearing on 19.10.2020.
2. That the Applicant/Appellant has been reinstated.
3. That the applicant desires to withdrawal from the above mentioned service appeal pending before this honorable Tribunal.

It is therefore, most humbly prayed on acceptance of instant application, the appeal may be requisitioned and heard today.

  
Applicant/Appellant  
through  
Sammad Hasnain,  
Advocate High Court, Peshawar

Put up with  
file. for today.  
  
28/9/20