


Cost of Rs. 5000/- received in Service Appeal No. 1612/2022

Titled Muhammad Subhan vs Police

in the office of Assistant Registrar, Vide Order 12-01-2024,
submitted on 13/02/2024.


13/02/24

Assistant Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR.

Appeal No. 1612/2022

Muhammad Subhan, Ex DSP, CTD

(Appellant)

VERSUS

IGP etc.

(Respondents)

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13-02-2024

①

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

Appeal No. 1612/2022

Muhammad Subhan, Ex DSP, CTD

**Khyber Pakhtunkhwa (Appellant)
Service Tribunal**

VERSUS

Diary No. 11110

Dated 13-02-2024
(Respondents)

IGP etc.

PARA WISE COMMENTS OF RESPONDENTS NO. 1 to 4

Respectfully Sheweth

The respondents respectfully submit as under: -

PRELIMINARY OBJECTIONS.

1. That the Appellant has got no cause of action.
2. That the Appeal is not maintainable under the law.
3. That the Appeal is barred by law & limitation.
4. That the Appellant has not been discriminated in any way.
5. That the Appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the Appellant has approached the Honorable Tribunal with unclean hands.
7. That the Appellant has got no cause of action and locus-standi to file the instant Appeal.
8. That the Appellant has been estopped by his own conduct.

ON FACTS

1. Correct to the extent that the appellant was employee of the respondent department, however, the appellant has got tainted reputation and found links/relation with Gambler and other criminals.
2. Incorrect, a fake FIR was registered in the year 2016 vide No. 436 dated 20.07.2016 u/s 15 AA /9ACNSA, a concocted story was made to save the skin of the criminal Namely Naseebo and his gang, all allegations were established during preliminary enquiry conducted by RPO Bannu in which the appellant along with planer Muhammad Siddiqe HC colluded with the Narcotics criminal gang of Naseebo Involved in heinous offences including the murder of Police Officer and utilized the services of Zarpayon Jan Alias Bajjan of Karak district notorious gambler and runner of Gambling Den and planned the surrender member of the gang by the present appellant and HC Muhammad Siddiqe. He also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above. (Preliminary inquiry is annexed as Annexure "A").
3. Incorrect, after conducted preliminary enquiry by RPO Bannu the appellant was properly charge sheeted along with summery of allegations, regular enquiry was entrusted to DIG DIK. Mr. Sher Akbar Khan and Mian Naseeb Jan DPO Karak. After departmental enquiry the charged leveled against the appellant was established and he was awarded major punishment. (Charge sheet statement of allegation & enquiry are annexed as Annexure B, C & D). Rest of the para pertains to record.
4. Incorrect, proper department enquiry was conducted, all codal formalities were adopted, during enquiry proceedings, opportunity of personal hearing is provided to the appellant. After establishment of charges the impugned order dated 20.10.2016 is awarded.
5. Pertain to record hence no comments, however departmental proceedings and criminal trial can run parallel, during the enquiry proceedings the appellant was found guilty therefore he was awarded punishment.
6. Incorrect, reply has been already given in the above para.


7. The respondents department seek permission of this Honorable Tribunal for further/ additional grounds at the time of arguments.


GROUNDS:


- A. Incorrect, the impugned order dated 20.10.2016 is not against the law, Facts & norms of Justice and material on record, was issued after regular enquiry and fulfilled all codal formalities which are required under land laws.
- B. Incorrect, the appellant was treated by the respondents department according to law, Rule, policy and did not violated Article 4 and 25 of the Islamic Republic of Pakistan.
- C. Incorrect, the respondents has not acted arbitrary and in malafidy manner, but was issued the order dated 20.10.2016 after establishment of charges during departmental enquiry.
- D. Incorrect, proper departmental enquiry was conducted by the then DIG Di. Khan and DPO Karak.
- E. Incorrect, the opportunity of personal hearing and defense has been provided to the appellant but he badly failed to substantiate him innocence.
- F. Incorrect, proper show cause notice was issued before the impugned order.
- G. The Respondents department seeks permission to arise additional grounds at the time of arguments.

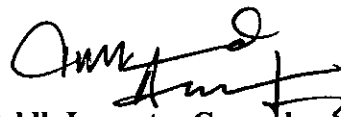
PRAYER:

In view of the above Para wise comments, it is most humbly prayed that the Appeal of the Appellant may kindly be dismissed with cost.


 District Police Officer
 Lakki, Marwat
 Respondent No.4
 (Tariq Habib Khan PSP)
 Incumbent


 Regional Police Officer
 Bannu, Region Bannu
 Respondent No. 3
 (Qasim Ali Khan PSP)
 Incumbent


 DIG/Legal, CPO
 For Inspector General of Police,
 KP, Peshawar
 Respondent No. 1
 (Dr. Muhammad Akhtar Abbas)
 Incumbent


 Addl: Inspector General
 (Establishment) Peshawar.
 Respondent No. 2
 (Muhammad Azhar PSP)
 Incumbent

3

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

Appeal No. 1612/2022

Muhammad Subhan, Ex DSP, CTD

(Appellant)

VERSUS


IGP etc.

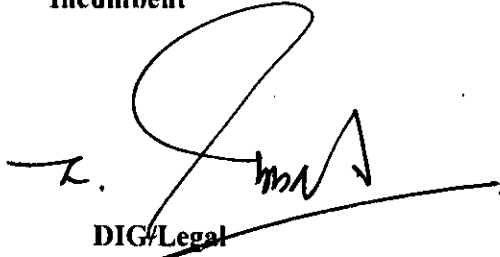
(Respondents)


AUTHORITY LETTER.

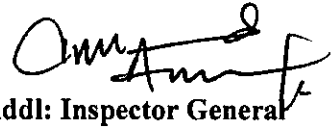
Mr. Muhammad Farooq Khan DSP Legal Bannu, is hereby authorized to appear before Honorable Tribunal on behalf of the undersigned in the above cited Appeal.

He is authorized to submit and sign all documents pertaining to the present Appeal.


**District Police Officer
Lakki, Marwat
Respondent No.4
(Tariq Habib Khan PSP)
Incumbent**


**DIG/Legal
For Inspector General of Police,
KP, Peshawar
Respondent No. 1
(Dr. Muhammad Akhtar Abbas)
Incumbent**


**Regional Police Officer
Bannu, Region Bannu
Respondent No. 3
(Qasim Ali Khan PSP)
Incumbent**


**Addl: Inspector General
(Establishment)
Peshawar.
Respondent No. 2
(Muhammad Azhar PSP)
Incumbent**

4

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

Appeal No. 1612/2022

Muhammad Subhan, Ex DSP, CTD

(Appellant)

VERSUS

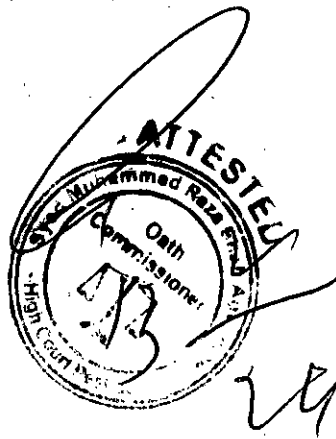
IGP etc.

(Respondents)

AFFIDAVIT.

I, Mr. Tariq Habib Khan DPO Lakki Marwat, representative for Respondent Nos.1 to 4, do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by us are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex. Parte nor their defense has been struck off.



Deponent
Tariq Habib Khan
DPO Lakki Marwat



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar
Fax No. 091-9210518

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No. 980 /SE-I,

Dated Peshawar 19 Sept. 2016.

To : The Supdt: Secret,
CPO Peshawar.

Subject: **CHARGE SHEET/STATEMENT OF ALLEGATION.**

Memo:

Please refer to your office letter No. S/6231-32/16, dated 16.09.2016 on the subject cited above.

Mr. Muhammad Subhan DSP BS-17 has received Charge Sheet/Statement of Allegations and Show Cause Notice alongwith Grounds of Action and ^{his} signature has been taken as token of its receipt.

For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

Endst: No. & date even.

Copy forwarded to the:-

- Addl: IGP CTD Khyber Pakhtunkhwa Peshawar.
- Regional Police Officer Bannu Region.
- District Police Officer Karak.
- Central Registry CPO Peshawar.

OFFICE OF THE INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

By: 3281/16

Date: 19-9-16

Attended
SP

6

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No. S/ 6231-32 /16, Dated Peshawar the 16/09/2016.



- To:
1. Mr. Sher Akbar Khan,
Regional Police Officer, DIKhan.
 2. Mian Naseeb Jan,
District Police Officer, Karak.

Subject:- CHARGE SHEET/STATEMENT OF ALLEGATIONS

Memo:

Enclosed please find herewith copies of Charge Sheets/Statements of Allegations etc duly signed by the Competent Authority in r/o following police personnel for conducting enquiry into the allegations mentioned in the requisite Charge Sheets/Statements of Allegations and report within 07 days as desired by the competent authority:-

1. Mr. Muhammad Subhan DSP/CTD Lakki under suspension now closed to CPO.
2. Head Constable Muhammad Sadiq under suspension now closed to CTD HQrs:

(MUHAMMAD ALAM SHINWARI)

DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Alleshel
S/

No. S/ 6231-32 /16.

Copy of to the:-

1. Addl: R/P/Special Branch, Khyber Pakhtunkhwa, Peshawar with the request that Charge Sheet/Statement of Allegations and Show Cause Notice alongwith Grounds of Action (in-duplicate) for service upon Head Constable Muhammad Sadiq (under suspension) now closed to CTD HQrs: and one copy of the same may be returned to this office after signature as a token of its receipt.
2. Office Supdt: I-I CPO with the direction that the Charge Sheet/Statement of Allegations and Show Cause Notice alongwith Grounds of Action (in-duplicate) for service upon Mr. Muhammad Subhan-DSP/CTD Lakki Marwat (under suspension) now closed to CPO and one copy of the same may be returned to this office after signature as a token of its receipt.
3. Office Supdt: I-III, CPO.

AS/11
b
10/9

DT: 10/08/2016
at 16-9-16

(MUHAMMAD ALAM SHINWARI)

DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

SHOW CAUSE NOTICE

(Under Rule 5 (3) Khyber Pakhtunkhwa Police Rules, 1975)

1. That based on the preliminary enquiry conducted by RPO/Bannu, you Muhammad Subhan while posted as DSP/CTD Lakki Marwat have rendered yourself liable to be proceeded under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) for following misconduct and negligence in duty enumerated below:-
 - a. According to preliminary enquiry conducted by RPO/Bannu you colluded with the notorious Criminal Gang of Naseeb involved in heinous offences including the murder of Police Officer and that you mala-fidely utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and Muhammad Sadiq Head Constable for planned surrender of the members of the gang. You also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.
 - b. You are also reportedly mixed up with criminals of the area for fulfilling your ulterior motives. You also reportedly possess a stinking reputation and have been involved in case FIR No. 539 dated 09.12.2011 Under Section 155 Police Order 2002 Police Station Yaqoob Khan Shaheed district Karak.
 - c. Being a gazetted/supervisory officer, the above omissions, and commissions on your part amounts to gross misconduct and are detrimental to discipline and moral of the force.
2. That by reason of above, as sufficient material is placed before the competent authority; therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the police force will amount to encourage in-efficient and unbecoming of good Police officers;
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) for the misconduct referred to above.
7. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

Received by

Dated:

DSP.
19.4.2016

(NASIR KHAN DURRANI)
Inspector General of Police.
Khyber Pakhtunkhwa, Peshawar.

Attested
[Signature]



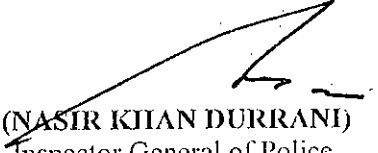
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

GROUND OF ACTION

That Muhammad Subhan while posted as DSP/CTD Lakki Marwat committed following misconducts:-

- a. According to preliminary enquiry conducted by RPO/Bannu he colluded with the notorious Criminal Gang of Naseeb involved in heinous offences including the murder of Police Officer and that you mala-fidely utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and Muhammad Sadiq Head Constable for planned surrender of the members of the gang. Muhammad Subhan DSP also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.
- b. Muhammad Subhan DSP is also reportedly mixed up with criminals of the area for fulfilling his ulterior motives. Muhammad Subhan DSP also reportedly possess a stinking reputation and has been involved in case FIR No. 539 dated 09.12.2011 Under Section 155 Police Order 2002 Police Station Yaqoob Khan Shaheed district Karak.
- c. Being a gazetted/supervisory officer, the above omissions, and commissions on his part amounts to gross misconduct and are detrimental to discipline and moral of the force.

By reasons of above he has rendered him-self liable to be proceeded under Rules 5 (3) of the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014), hence these ground of action.


(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
Dated: / /2016.





OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

CHARGE SHEET

I, **Nasir Khan Durrani**, Inspector General of Police, Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) hereby charge you Mr. Muhammad Subhan the then DSP (TD) Lakki Marwat as follows:-

- i. *According to preliminary enquiry conducted by RPO/Bannu you colluded with the notorious Criminal Gang of Naseeb involved in heinous offences including the murder of Police Officer and that you mala-fidely utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and Muhammad Sadiq Head Constable for planned surrender of the members of the gang. You also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.*
- ii. *You are also reportedly mixed up with criminals of the area for fulfilling your ulterior motives. You also reportedly possess a stinking reputation and have been involved in case FIR No. 539 dated 09.12.2011 Under Section 155 Police Order 2002 Police Station Yaqoob Khan Shaheed district Karak.*
- iii. *Being a gazetted/supervisory officer, the above omissions, and commissions on your part amounts to gross misconduct and are detrimental to discipline and moral of the force.*

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

You are therefore, directed to submit your written defense within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer/Committee..

Your written defense, if any, should reach the Enquiry Officer/Committee 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.

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar



DISCIPLINARY ACTION

I, Nasir Khan Durrani, Inspector General of Police, Khyber Pakhtunkhwa Peshawar being Competent Authority, am of the opinion that Mr. Muhammad Subhan the then DSP/CTD Lakki Marwat has rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

STATEMENT OF ALLEGATIONS

- i. *According to preliminary enquiry conducted by RPO/Bannu, Muhammad Subhan DSP colluded with the notorious Criminal Gang of Naseeb involved in heinous offences including the murder of Police Officer and that he mala-fidely utilized the services of Zurpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and Muhammad Sadiq Head Constable for planned surrender of the members of the gang. Muhammad Subhan DSP also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.*
- ii. *Muhammad Subhan DSP are also reportedly mixed up with criminals of the area for fulfilling his ulterior motives. Muhammad Subhan DSP also reportedly possess a stinking reputation and had been involved in case FIR No. 539 dated 09.12.2011 Under Section 155 Police Order 2002 Police Station Yaqoob Khan Shaheed district Karak.*
- iii. *Being a gazetted/supervisory officer, the above omissions, and commissions on his part amounts to gross misconduct and are detrimental to discipline and moral of the force.*

The view stated above warrants stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, an Enquiry Committee comprising of the following Officers is constituted under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

- i. Mr. Sher Akbar Khan, RPO/DIKhan
- ii. Mian Naseeb Jan, DPO/Karak.

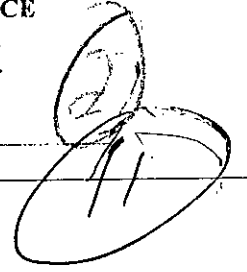
The Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officers, record and submit its finding within 25 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused officer.

(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Attested
S/S



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar



SHOW CAUSE NOTICE

(Under Rule 5 (3) Khyber Pakhtunkhwa Police Rules, 1975)

1. That based on the preliminary enquiry conducted by RPO/Bannu, you Muhammad Sadiq (under suspension) while posted as DFU CTD PS Naurang have rendered yourself liable to be proceeded under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) for following misconduct and negligence in duty enumerated below:-
 - i. *According to preliminary enquiry conducted by RPO/Bannu you alongwith DSP/Muhammad Subhan colluded with the notorious Criminal Gang of Naseebo involved in heinous offences including the murder of Police Officer and utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and planned the surrender of the members of the gang. You and DSP/Muhammad Subhan also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.*
 - ii. *You are also reportedly mixed up with criminals of the area for fulfilling your ulterior motives.*
 - iii. *Being a member of disciplinary force such act on your part is gross misconduct and are detrimental to discipline and moral of the force.*
2. That by reason of above, as sufficient material is placed before the competent authority; therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the police force will amount to encourage in-efficient and unbecoming of good Police officers;
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) for the misconduct referred to above.
7. You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

(MUHAMMAD ALAM SHINWARI)

DIG/NQs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Received by

Dated: / /2016.



GROUND OF ACTION

That Muhammad Sadiq while posted as DFU_CTD_PS Naurang committed following misconducts:-

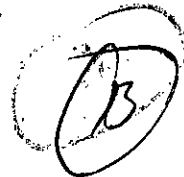
- i. According to preliminary enquiry conducted by RPO/Bannu Muhammad Sadiq Head Constable alongwith DSP/Muhammad Subhan colluded with the notorious Criminal Gang of Naseebo involved in heinous offences including the murder of Police Officer and utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and planned the surrender of the members of the gang. Muhammad Sadiq HC and DSP/Muhammad Subhan also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.
- ii. Muhammad Sadiq Head Constable is also reportedly mixed up with criminals of the area for fulfilling your ulterior motives.
- iii. Being a member of disciplinary force such act on Muhammad Sadiq part is gross misconduct and are detrimental to discipline and moral of the force.

By reasons of above he has rendered him-self liable to be proceeded under Rules 5 (3) of the Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014), hence these ground of action.

(MUHAMMAD ALAM SHINWARDI)
DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Attended
[Signature]



CHARGE SHEET

I, **Muhammad Alam Shinwari**, Deputy Inspector General of Police, Headquarter, Khyber Pakhtunkhwa, Peshawar as Competent Authority, hereby charge you Head Constable Muhammad Sadiq (under suspension) of DFU Police Station Naurang as follows:-

- i. *According to preliminary enquiry conducted by RPO/Bannu you alongwith DSP/Muhammad Subhan colluded with the notorious Criminal Gang of Naseebo involved in heinous offences including the murder of Police Officer and utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and planned the surrender of the members of the gang. You and DSP/Muhammad Subhan also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.*
- ii. *You are also reportedly mixed up with criminals of the area for fulfilling your ulterior motives.*
- iii. *Being a member of disciplinary force such act on your part is gross misconduct and are detrimental to discipline and moral of the force.*

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules 1975 amended in 2014 Para 6 (b) and have rendered yourself liable to all or any of the penalties specified in the said Rules.

You are therefore, directed to submit your written defense within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer/Committee..

Your written defense, if any, should reaches the Enquiry Officer/Committee 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.

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

(MUHAMMAD ALAM SHINWARI)

DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Attested



914

DISCIPLINARY ACTION

I, **Muhammad Alam Shinwari**, Deputy Inspector General of Police, Headquarters Khyber Pakhtunkhwa Peshawar being Competent Authority, am of the opinion that Head Constable Muhammad Sadiq the then DFU PS Naurang, have rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber Pakhtunkhwa Police Rules 1975 amended in 2014 Para 6 (b) Sub Para v.

STATEMENT OF ALLEGATIONS

- i. *According to preliminary enquiry conducted by RPO/Bannu Muhammad Sadiq Head Constable alongwith DSP/Muhammad Subhan colluded with the notorious Criminal Gang of Naseebo involved in heinous offences including the murder of Police Officer and utilized the services of Zarpayon Jan alias Bajjan of Karak District a notorious gambler and runner of gambling den and planned the surrender of the members of the gang. Muhammad Sadiq HC and DSP/Muhammad Subhan also facilitated fake recovery of the weapons belonging to the gang with sole aim and motive of weakening the prosecution of criminal cases registered against the gang mentioned above.*
- ii. *Muhammad Sadiq Head Constable is also reportedly mixed up with criminals of the area for fulfilling your ulterior motives.*
- iii. *Being a member of disciplinary force such act on Muhammad Sadiq part is gross misconduct and are detrimental to discipline and moral of the force.*

The said act of negligence depicts height of inefficiency, disobedience, indiscipline attitude and lack of professionalism which amounts to grave misconduct on his part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, as Inquiry Officer/Committee consisting of the following Officer (s) of Khyber Pakhtunkhwa Police Rules 1975, amended in 2014 Para 6 (b) Sub Para v.

- i. **Mr. Sher Akbar Khan, RPO/DIKhan**
- ii. **Mian Naseeb Jan, DPO/Karak.**

The Inquiry Committee/officer (s) shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officers, record and submit its finding **within 10 days** of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

(MUHAMMAD ALAM SHINWARD)
DIG/HQrs:

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

[Handwritten signature]