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BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 7942/2021

Shah Nawaz s/o Muhammad Nawaz r/o Garhi Ismail Zai p/o Garhi Kapora Tehsil &
District Mardan.....Appellant

VERSUS

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others
.....Respondents

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

Service Appeal No. 7942/2021

Shah Nawaz s/o Muhammad Nawaz r/o Garhi Ismail Zai p/o Garhi Kapora Tehsil
& District Mardan.....Appellant

VERSUS

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others
.....Respondents

Para-wise comments by respondents:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

1. That the appellant has not approached this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action or locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the appeal is barred by law and limitation.

REPLY ON FACTS

1. Para pertaining to enlistment of the appellant in Police Department pertains to record needs no comments.
2. Incorrect. Plea taken by the appellant is not plausible because every Police Officer is under obligation to perform his duty upto the entire satisfaction of his superiors. Moreover, non receipt of complaint against the appellant does not mean a clean chit for the future wrong deeds. Moreover, service record of the appellant is tainted with bad entries (**Copy of list of bad entries and punishment enclosed as Annexure "A"**).
3. Incorrect. Stance taken by the appellant is totally ill based, because he while posted at PP Machi PS Rustam Mardan, was placed under suspension as per report of SDPO Rural Mardan office letter No. 764/ST. dated 06.10.2020, complaining therein that the appellant is habitual Ice/Charas Smoker and absentee with taking no interest in official duty. The SDPO Rural also reported that he on routine basis hands over his Rifle to a private person namely Akib Khan s/o Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle which brought a bad name for entire Police Force. On account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations and enquiry was entrusted to Mr. Qazi Asmat Ullah the then SDPO/Katlang Mardan. During the course of enquiry the appellant was contacted time and again to appear before the enquiry officer but neither did he appear before the enquiry officer nor did he

submit his reply. However, after fulfillment of all legal and codal formalities, the Enquiry Officer recommended the appellant for taking ex-parte action. In light of the above, the appellant was called in Orderly Room on 30.12.2020, but he failed to present any plausible reasons in his defense, hence, he was awarded major punishment of dismissal from service, which does commensurate with the gravity of misconduct of the appellant (**Copies of Charge Sheet with statement of allegations, and enquiry report are annexed as annexure "B & C"**).

4. Correct to the extent that the appellant preferred departmental appeal as well as revision petition which were also decided on merit because the appellant was provided full-fledged opportunity of defending himself before the appellate authorities but he bitterly failed to produce any cogent reasons in his defense. Therefore, the same were rejected/filed being devoid of any merit.
5. That appeal of the appellant is liable to be dismissed on the following grounds amongst the others.

REPLY ON GROUNDS:

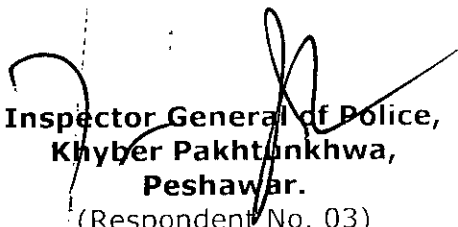
- A. Incorrect. Orders passed by the competent as well as appellate authorities are legal, lawful and passed after fulfilling all legal and codal formalities, hence, liable to be maintained.
- B. Incorrect. Stance taken by the appellant is totally ill based, because he while posted at PP Machi PS Rustam Mardan, was placed under suspension as per report of SDPO Rural Mardan office letter No. 764/ST dated 06.10.2020, complaining therein that the appellant is habitual Ice/Charas Smoker and absentee with taking no interest in official duty. The SDPO Rural also reported that he on routine basis hands over his Rifle to a private person namely Akib Khan s/o Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle which brought a bad name for entire Police Force. On account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations and enquiry was entrusted to Mr. Qazi Asmat Ullah the then SDPO/Katlang Mardan. During the course of enquiry the appellant was contacted time and again to appear before the enquiry officer but neither did he appear before the enquiry officer nor did he submit his reply. However, after fulfillment of all legal and codal formalities, the Enquiry Officer recommended the appellant for taking ex-parte action. In light of the above, the appellant was called in Orderly Room on 30.12.2020, but he failed to present any plausible reasons in his defense, hence, he was awarded major punishment of dismissal from service, which does commensurate with the gravity of misconduct of the appellant. It worth to mention here that the copy of Charge Sheet with Statement of Allegations were received by the appellant himself on 10.11.2020 and duly signed Parwana, the photo copy as token of its receipt (**Copy of Parwana is attached as annexure -"D"**).
- C. Incorrect. Stance taken by the appellant is totally ill based, because he while posted at PP Machi PS Rustam Mardan, was placed under suspension as per report of SDPO Rural Mardan office letter No. 764/ST dated 06.10.2020,

complaining therein that the appellant is habitual Ice/Charas Smoker and absentee with taking no interest in official duty. The SDPO Rural also reported that he on routine basis hands over his Rifle to a private person namely Akib Khan s/o Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle which brought a bad name for entire Police Force. On account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations and enquiry was entrusted to Mr. Qazi Asmat Ullah the then SDPO/Katlang Mardan. During the course of enquiry the appellant was contacted time and again to appear before the enquiry officer but neither did he appear before the enquiry officer nor did he submit his reply. However, after fulfillment of all legal and codal formalities, the Enquiry Officer recommended the appellant for taking ex-parte action. In light of the above, the appellant was called in Orderly Room on 30.12.2020, but he failed to present any plausible reasons in his defense, hence, he was awarded major punishment of dismissal from service, which does commensurate with the gravity of misconduct of the appellant.

- D. Correct to the extent that no one can be condemned unheard but the appellant cannot take this plea as he has duly been provided fulfilled opportunity of defending himself, during departmental proceedings carried out against the appellant.
- E. Incorrect. Stance taken by the appellant is totally devoid of merit because during the course of enquiry the appellant was extended fulfilled opportunity of defending himself but he bitterly failed to justify his innocence.
- F. Para already explained needs no comments:
- G. Incorrect. Plea taken by the appellant is totally a tailored one because in this regard he could not produced any evidence.
- H. The respondents also seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.

PRAYER:-

Keeping in view the above narrated facts, it is most humbly prayed that the appeal of the appellant being badly time barred by law and limitation, may kindly be dismissed with costs please.


**Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.**
(Respondent No. 03)


**Regional Police Officer,
Mardan.**
(Respondent No. 02)


**District Police Officer,
Mardan.**
(Respondent No. 01)

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

In Re S.A No. 7942/2021

Shah Nawaz

VERSUS

District Police Officer, Mardan & others

Reply to the application for condonation of delay:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

1. That applicant has no cause of action to file the instant application.
2. That the application is barred by law.

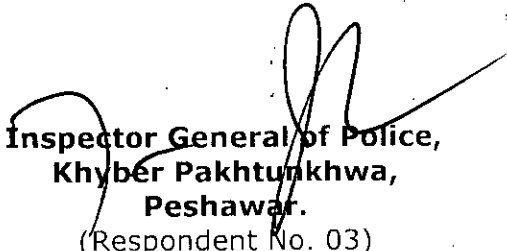
REPLY ON FACTS

1. That the appeal filed by the applicant before this Honorable Tribunal may kindly be dismissed being a badly time-barred.
2. Incorrect. Stance taken by the appellant is totally ill based, because he while posted at PP Machi PS Rustam Mardan, was placed under suspension as per report of SDPO Rural Mardan office letter No. 764/ST dated 06.10.2020, complaining therein that the appellant is habitual Ice/Charas Smoker and absentee with taking no interest in official duty. The SDPO Rural also reported that he on routine basis hands over his Rifle to a private person namely Akib Khan s/o Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle which brought a bad name for entire Police Force. On account of aforementioned allegations, the appellant was issued charge sheet with statement of allegations and enquiry was entrusted to Mr. Qazi Asmat Ullah the then SDPO/Katlang Mardan. During the course of enquiry the appellant was contacted time and again to appear before the enquiry officer but neither did he appear before the enquiry officer nor did he submit his reply. However, after fulfillment of all legal and codal formalities, the Enquiry Officer recommended the appellant for taking ex-parte action. In light of the above, the appellant was called in Orderly Room on 30.12.2020, but he failed to present any plausible reasons in his defense, hence, he was awarded major punishment of dismissal from service, which does commensurate with the gravity of misconduct of the appellant.
3. Correct to the extent that the appellant preferred departmental appeal as well as revision petition which were also decided on merit because the appellant was provided full-fledged opportunity of defending himself before the appellate authorities but he bitterly failed to produce any cogent reasons in his defense. Therefore, the same were rejected/filed being devoid of any merit.

Reply on Grounds

- A. Incorrect. Orders passed by the competent as well as appellate authorities are legal, lawful and passed it after fulfilling all legal and codal formalities, hence, liable to be maintained.
- B. Incorrect, plea taken by the applicant is whimsical / concocted rather fanciful hence, liable to be set at naught. As the apex court of Pakistan has held that the question of limitation cannot be considered a "technicality" simpliciter as it has got its own significance and would have substantial bearing on merits of the case.
- C. Para already explained needs no comments.

Keeping in view the above submission, it is humbly prayed that application of the applicant regarding condonation of delay may very kindly be dismissed please.


**Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.**
(Respondent No. 03)


**Regional Police Officer,
Mardan.**
(Respondent No. 02)


**District Police Officer,
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**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR.**

Service Appeal No. 7942/2021

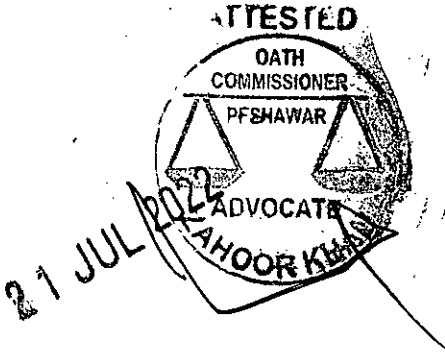
Shah Nawaz s/o Muhammad Nawaz r/o Garhi Ismail Zai p/o Garhi Kapora Tehsil &
District Mardan.....Appellant

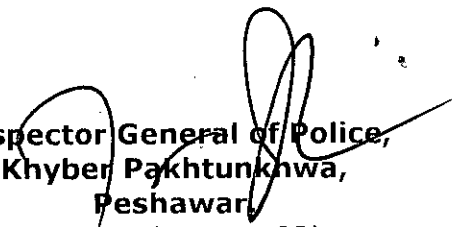
VERSUS

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others
.....Respondents

COUNTER AFFIDAVIT.

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.




**Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.**
(Respondent No. 03)


**Regional Police Officer,
Mardan.**
(Respondent No. 02)


**District Police Officer,
Mardan.**
(Respondent No. 01)

CHARACTER ROLL OF 8. NAMES OF RELATIVES IN GOVERNMENT SERVICE. (Continued.)

1	2	3	4
Name	Relationship	Nature of employ	District

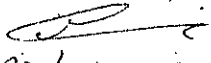
9. NAME, RESIDENCE AND OTHER PARTICULARS OF HEIRS.

ORDER

Awarded minor punishment of "Censure" with counting his absence period as c/leave

Wife.

ORdo-1203


DPD/Mandan

Father.

20/07/2020

Mother.

Brother.

Sister.

12. MISCELLANEOUS PARTICULARS

12. Miscellaneous Particulars.

War Medals and Decorations.—

(NOTE—Enter designation of award and date only—Gazette Notification in case of Quaid-i-Azam Police Medal and the Pakistan Police Medal. Other special decoration to be entered fall under commendatory entries.)

ORDER
He is hereby Appeal is Rejected. vide 16P KPLR
perhwar order Enclt no. 4443-49/21 dt. 26.11.2021

TC
DPO / M/D

13. Miscellaneous particulars including awards others than accompanied by commendation certificates, admission to removal from promotion lists.

Passed Recruit Training Course
held at PTC Hangu for the Term Ending
on 20-12-2007 vide Commandt, PTC Hangu
Notification No-1464-P1/P dt-18-6-2010-

DBNO-2950
3-8-2010

DA / Mardan

1/11/21

14. COMMENDATORY ENTRIES

Serial No.

Passed A-I Examination
Vide Comdt: PTC HGU Notification
No - 5081-83/S, dt: 7-2-013.

OB No: 513
20-2-013

[Signature]
DPO/MR

Awarded a minor punishment of censure
and his pay released with immediate effect.

OB No. 2238
dt. 28-9-17

[Signature]
DPO/Menolan

ORDER

He was found in use of
U.F.M i.e. use of mbl phone and
Cheating in B-I. ETEA Test 2018

Awarded Minor Punishment of

Censure

OB No. 852

dt. 15.4.2018

[Signature]
DPO/Menolan

Serial No.

[Faint text from adjacent page]

14. COMMENDATORY ENTRIES—Contd.

ORDER

4

is hereby awarded a minor
 Punishment by stoppage his one increment
 without cumulative effect with counting
 his (10) days absence's period as leave
 without pay.

Rest of (09) days as casual leave
 & his pay released with immediate effect,
 in exercise of the power vested in me
 under police rules - 1975.

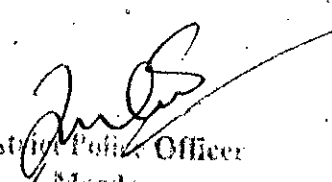
OB NO 1916
16-9-19

DPO/MRD

ORDER

Awarded him major punishment of dismissal
 from service with immediate effect.

OB NO: 07
 Date: 01-01-2021


 District Police Officer
 Masdan

14/8/15

14. COMMENDATORY ENTRIES—Concl'd.

Serial No.

Serial No.

ORDER

In the light of recommen-
 dations of Enquiry Committee,
 bail from the court and hearing
 during O.R. he is exonerated of
 the charges leveled against him
 by filling the enquiry in hand
 with re-instating him in service
 from the date of suspension, while
 his suspension period counted
 as duty in exercise of power vested
 in me under the rules.

OB No. 2086

24.7.12

DPO/Mardan

(03) days Quarter guard awarded.

OB No. 1867

05/09/09

DPO/MR

(07) days Quarter guard awarded

OB No. 1083

01/07/20

DPO/Mardan

2/4

90/M

ms 60000/1 J a 69L

176/12 ms

3 MR

15-CENSURES AND PUNISHMENTS.

ORDER

He is hereby placed
under suspension and closed
to police lines Marden with
immediate effect.

OB No: 4111

2-12-2011

DPD/MR

He is hereby warned
to be careful in future.

OB No: 3202

29-8-011

DPD/MR

He is hereby warned
to be careful in future.

OB No: 903

26-3-12

DPD/MR

uiry

a.1
art

1/2/15

CHARACTER ROLL OF

(Continued) CHARACTER ROLL

15-CENSURES AND PUNISHMENTS.—Contd.

Serial No.

Serial No.

1

Fined Rs: 1000/- for
his absence in the Griparade
held on 16-4-2012.

OB No: 1270

21-4-12

DPO/MR

u

ABSENCE REPORT

The pay of Constable

Shah Nazeem No. 26161 is hereby stopped
for his absence from PTC Hangu city
vide Principal R.T.C Manselra memo
No. 141 / dated - 2-3-2-13.

CR No. 922

21-4-13.

Deputy Officer
1211

2

3

Fined Rs: 200/- for his
Absence.

OB No: 379

8-2-13

DPO/MR

07

11

12

13

15-CENSURES AND PUNISHMENTS.—Contd.

Serial No.

70001

He is hereby dismissed from Service and his absence period counted as absence from duty in exercise of the power vested in me under the Police Rules, 1975.

OB No. 1118
23/1/75

[Signature]
D.P. Marudan

Crow

Appeal rejected by D.P. Marudan vide Enclst. No. 1457/85 dt. 5/3/75.

[Signature] inquiry

(2) days extra bill for his absence.

10

OB No. 1283
2-5-76

[Signature]
4 D.P. Marudan

(1) day extra bill for his absence.

11

OB No. 1889
4/8/76

5 *[Signature]*
D.P. Marudan

(1) day extra bill for his absence.

12

OB No. 2324
4-10-76

5 *[Signature]*
D.P. Marudan

(1) day extra bill for his absence.

13

OB No. 2324
4-10-76

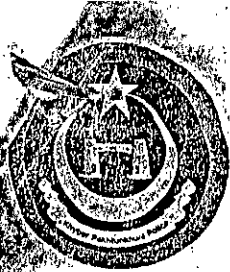
6 *[Signature]*
D.P. Marudan

21/8/76

16. LEAVE, ABSENCE AND IN SERVICE

All periods not counting "approved service" to entered in red ink.

1		2			3	4
DATE		EXTENT			No. of District Order	Description of leave i.e. Privilege, hospital, sick leave, or furlough, or of absence, or forfeiture of approved service. All entries to be initialed, by Superintendent of Police.
From	To	Years	Months	Days		
				(6)	273 22-1-2010	Leave w/o pay DPD/MR
				(4)	363 30-1-2010	do DPD/MR
				(3)	3508 1-5-10	do DPD/MR
				(6)	3652 20-5-10	do DPD/MR
				(6)	3816 29-1-10	do DPD/MR
				(18)	4332 3-11-10	do DPD/MR
				(12)	4627 4-12-10	do DPD/MR
				(1)	4710 9-12-10	do DPD/MR
				(4)	71 6-1-01	do DPD/MR
				(9)	196 13-1-01	do DPD/MR
				(2)	259 13-1-01	do DPD/MR



7 (B) (11)
**OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpomdn@gmail.com

2020

No. 402 /PA

Dated 4 / 11 / 2020

DISCIPLINARY ACTION

I, Dr. Zahid Ullah (PSP), District Police Officer Mardan, as competent authority am of the opinion that Constable Shah Nawaz No.2614, himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATIONS

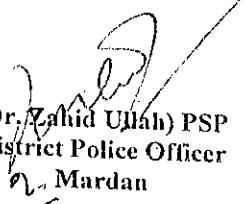
Whereas, Constable Shah Nawaz No.2614, while posted at Police Post Machi, Police Station Rughtam (now under suspension Police Lines), as per SDPO Rural Mardan office letter No.764/ST dated 06-10-2020, complaining therein that Constable Shah Nawaz is habitual Ice/Charas Smoker and absentee with taking no interest in official duty.

It may be mentioned here that he on routine basis handing over his Rifle to a private person namely Akib Khan Son of Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle, bringing a bad name for entire Police Force.

For the purpose of scrutinizing the conduct of the said accused official with reference to the above allegations, Qazi Asmat Ullah DSP/KTG is nominated as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Officer, record/submit his findings and make within (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused Official.

Constable Shah Nawaz is directed to appear before the Enquiry Officer on the date + time and place fixed by the Enquiry Officer.


(Dr. Zahid Ullah) PSP
District Police Officer
Mardan



**OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN**


Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpomdn@gmail.com



CHARGE SHEET

I, Dr. Zahid Ullah (PSP), District Police Officer Mardan, as competent authority, hereby charge Constable Shah Nawaz No.2614, while posted at PP Machi, Police Station Ruqam (now under suspension Police Lines), as per attached Statement of Allegations.

1. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.
2. You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.
3. Your written defense, if any, should reach the Enquiry Officers 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 follow against you.
4. Intimate whether you desired to be heard in person.


(Dr. Zahid Ullah) PSP
District Police Officer
Mardan

Handwritten notes at the top of the page, including "2614" and "2614".

Deputy Superintendent of Police
Rural Circle, Mardan

Page (10)

Submitted please.

It is submitted that Constable Shahmawz No: 2614 and constable Sardar No: 2572 while posted at P.P. Machi of P.S. Rastam are habitual tea and Chars Smokers as well as habitual absentees. Both the officials are irresponsible and they are not taking interest in their office duties. It is worth mentioning here that constable Shahmawz No: 2614 giving his official rifle to one private person namely Akib Awan Khan on routine duty on 05.10.2020 the private person injured himself from government rifle of constable Shahmawz No: 2614. From this kind of irresponsible acts of the above mentioned officials are badly damaging good role of R.P. Police. It is therefore, strict departmental action may kindly be taken against Constable Shahmawz No: 2614 and Constable Sardar No: 2572 (D.P. reports are attached).

RECOMMENDATION FOR STRICT DEPARTMENTAL ACTION
AGAINST CONSTABLE SHAHMAWAZ NO 2614 AND CONSTABLE
SARDAR NO 2572 OF P.P. MACHI P.S. RASTAM

Subject:

Respected Sir

Mardan.

The District Police Officer,

To:

No. 784 /SI

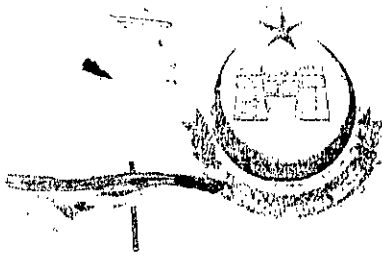
Dated 05-10-2020

Phone: 0937-580322 E-mail: dpp.mardandpp@mail.com

OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
RURAL CIRCLE, MARDAN.

(2)

Handwritten signature and initials at the bottom of the page.



OFFICE OF THE
DEPUTY SUPERINTENDENT OF POLICE,
KATLANG

Phone & Fax No. 0937-575333
Email. sdpo.katlang@gmail.com

To: The District Police Officer,
Mardan.

No. 707/SI

dated 30/11/2020

Subject: DEPARTMENTAL ENQUIRY AGAINST SHAH NAWAZ NO. 2614/FC.

Memo: Kindly refer to your good office Diary No: 402/PA, dated 04.11.2020
In pursuance of your kind order, the undersigned completed enquiry in the above
subject case. Its step-wise detail is given below.

STATEMENTS OF ALLEGATIONS:

Whereas, Shah Nawaz No. 2614/FC, while posted at PP Machi, PS Rustam (under suspension) the SDPO Rural Mardan complaining in his office diary No. 707/SI dated 06.10.2020 against the alleged that the above mentioned police official is habitual fee-charger, smoker and absentee with no interest in his official duty. The alleged hand over his rifle to a private person namely Akib Zaman s/o Anwar Zaman r/o Jafar Abad Machi on routine basis. Due to the negligence of alleged the said Akib Zaman injured himself with the said rifle of alleged Shah Nawaz. All these acts of alleged Shah Nawaz brought a bad name for entire police department.

PROCEEDINGS:

The defaulter Shah Nawaz No. 2614/FC was summoned and copy of summons was served upon.

During the course of enquiry the alleged did not appear before the undersigned. Statements of I/C PP Machi IHC Shoaib Ali, Ali Mansoor No. 381 PP Jabal and Akib Zaman (injured) were recorded which are as under:

IHC SHOAIB ALI (I/C PP MACHI):

IHC Shoaib Ali stated that he is performing his duty as incharge PP Machi. The alleged Shah Nawaz No. 2614 while posted at PP Machi was an ignorant, indiscipline and misbehave person. He stated that the alleged was drug addict and was habitual to fee and charge smoking. He further mentioned that the alleged was so irresponsible that he handed over his rifle to private person on routine basis. In this regard he wrote several I/D reports and also inform concern authorities.

ALI MANSOOR No. 381/FC PP JABAL:

Ali Mansoor No. 381 stated that earlier he was performing his duty at PP Machi. The alleged Shah Nawaz No. 2614 while posted at PP Machi was indiscipline and misbehave person. He stated that the alleged was drug addict and was habitual to fee and charge smoking. He handed over his rifle to him several times but in vain.

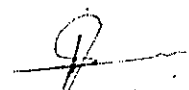
AKIB ZAMAN S/O ANWAR ZAMAN R/O JAFAR ABAD RUSTAM:

Akib Zaman s/o Anwar Zaman r/o Jafar Abad Machi stated that the establishment of PP Machi is situated at their Tujra. Police official Sindh Nawaz while posted at Machi handed over his rifle to him on routine basis. On dated 05.10.2020 as usual he handed over his rifle to him. He took the said rifle to his home to keep and preserve. On the way to home he pressed the trigger by mistake. Due to which he shot and injured himself.

FINDING/CONCLUSION:

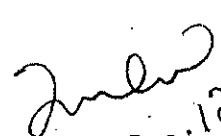
The alleged was contacted time and again to appear and produce his written statement, but in vain, which reveals that he has no interest in official duty. It is therefore requested that he may be treated as Ex-parte action, if agreed, please.

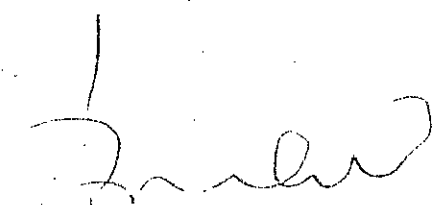
Encl : (18)


Deputy Superintendent of Police,
Kullang Circle

The officer was heard in O.R.
He was given opportunity
to clarify his position but
he failed.

Keeping in view the findings of the F.O
& material on record, C/2616 Shah
Nawaz is awarded major punishment
of dismissal
from service
with immediate effect.


30.12.2020


30.12.2020

دفتر ڈپٹی سپرنٹنڈنٹ آف پولیس کاتلنگ سرکل

فون نمبر: 0937-575333

ای میل: sdpo.katlang@gmail.com

مورخہ: 09/11/2020

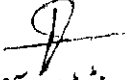
نمبر: 685/ST

پردانہ بنام آفیسر مہتمم تھانہ گڑھی کپورہ مردان

بھارت سرکار گڑھی ہے کہ کنسٹبل شاہ نواز نمبر 2614 سکنہ گڑھی اسماعیل زئی علاقہ تھانہ گڑھی کپورہ موبائل نمبرات

0306-8537380 --- 0300-5728071 کی انکوائری زبردستی کے ساتھ مقرر ہے۔ مذکورہ کنسٹبل کو مطلع کرے کہ

مورخہ 11/11/2020 کو بسلسلہ انکوائری زبردستی کے پیش ہو جائے۔ چارج شیٹ مشمولہ کنسٹبل مذکورہ کو حوالہ کر کے پردانہ
سزا بعد از قبیل، بحودہ پورٹ قبیل کنندہ زبردستی کو ارسال کرے۔


ڈپٹی سپرنٹنڈنٹ آف پولیس
کاتلنگ سرکل

من مقررہ نام و معینہ و دستاویزات کے ساتھ
اندر اترک و رشید آباد

۱۲/۱۱/۲۰۲۰
۲۰۱۹ سال کے لیے

۱۱/۲۸۰/۱۰۳۰۰

۱۶/۱۰۱-۳۸۸۱۵۲۰-۷

۱۳۱

کامیاب بنانے کے لیے
کامیاب بنانے کے لیے

AS/PS/915
10-11-2020





**OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpomdn@gmail.com



No. 27-28 /PA

Dated 04/1/2020

ORDER ON ENQUIRY OF CONSTABLE SHAH NAWAZ NO.2614

This order will dispose-off a Departmental Enquiry under Police Rules 1975, initiated against the subject official, under the allegations that while posted at Police Post Machi PS Rustam (Now under suspension Police Lines) was placed under suspension and closed to Police Lines vide this office OB No.1834 dated 19-10-2020, issued vide order/endorsement No.5544-47/OSI dated 20-10-2020, on account of that as per SDPO Rural Mardan office letter No.764/ST dated 06-10-2020, complaining therein that Constable Shah Nawaz is habitual Ice/Charas Smoker and absentee with taking no interest in official duty.

It may be mentioned here that he on routine basis handing over his Rifle to a private person namely Akib Khan Son of Anwar Khan, resultantly on 05-10-2020, the said person injured himself with the said Rifle, bringing a bad name for entire Police Force.

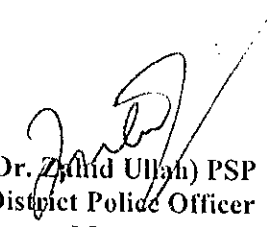
In order to ascertain real facts, the alleged official was proceeded against departmentally through Qazi Asmat Ullah SDPO/Katlang vide this office Statement of Disciplinary Action/Charge Sheet No.402/PA dated 04-11-2020, who (E.O) after fulfilling necessary process, submitted his Finding Report to this office vide his office letter No.707/ST dated 20-11-2020, concluding that the alleged official was contacted time and again to appear before the enquiry officer with producing written statement, but in-vain, so recommended him for ex-parte action.

Final Order

Constable Shah Nawaz was heard in OR on 30-12-2020 & given opportunity to clarify his position, but he failed to present any plausible reasons in his defense, therefore, awarded him major punishment of dismissal from service with immediate effect, in exercise of the power vested in me under Police Rules-1975.

OB No. 07

Dated 04/01/2020


(Dr. Zahid Ullah) PSP
District Police Officer
Mardan

Copy forwarded for information & n/action to:-

- 1) The DSP/HQs Mardan.
- 2) The P.O & E.C (Police Office) Mardan.
- 3) The OSI (Police Office) Mardan with () Sheets.

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

Service Appeal No. 7942/2021

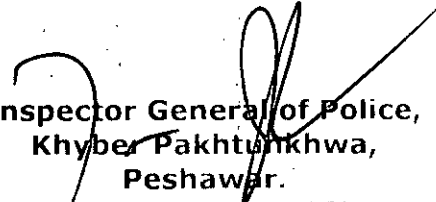
Shah Nawaz s/o Muhammad Nawaz r/o Garhi Ismail Zai p/o Garhi Kapora Tehsil &
District Mardan.....Appellant

VERSUS

The Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others
.....Respondents

AUTHORITY LETTER.

Mr. Atta-ur-Rahman Inspector Legal Branch, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.


**Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.**
(Respondent No. 03)


**Regional Police Officer,
Mardan.**
(Respondent No. 02)


**District Police Officer,
Mardan.**
(Respondent No. 01)