

FORM OF ORDER SHEET

Court of _____

Appeal No. _____ **490/2024**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/04/2024	<p>The appeal of Mr. Noor ul Basar presented today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.04.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p>REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 490 /2024

Noor Ul Basar

VS

Police Department

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THROUGH:

APPELLANT



TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

Cell# 0333-9390916

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 490/2024

Noor Ul Basar Ex-Constable No.6070,
Police Station East Cantt, Peshawar.

(APPELLANT)

VERSUS

1. The Capital City Police Officer, Peshawar.
2. The Senior Superintendent of Police, (Operation) Peshawar.

(RESPONDENTS)

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 15.12.2023, WHEREBY
MAJOR PUNISHMENT OF REMOVAL FROM
SERVICE WAS IMPOSED UPON THE APPELLANT
AND AGAINST THE ORDER DATED 26.03.2024,
WHEREBY THE DEPARTMENTAL APPEAL OF THE
APPELLANT WAS REJECTED FOR NO GOOD
GROUNDS.**

PRAYER:

**THAT ON THE ACCEPTANCE OF THIS APPEAL, THE
ORDER DATED 15.12.2023 AND 26.03.2024 MAY
KINDLY BE SET ASIDE AND THE APPELLANT MAY
BE REINSTATED INTO HIS SERVICE WITH ALL
BACK AND CONSEQUENTIAL BENEFITS. ANY
OTHER REMEDY, WHICH THIS HONORABLE
TRIBUNAL DEEMS FIT AND APPROPRIATE THAT,
MAY ALSO, BE AWARDED IN FAVOUR OF
APPELLANT.**

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was working in the respondent department as Constable and has performed his duty with great devotion and honesty, whatsoever assigned to him and no complaint has been filed against him regarding his performing.
2. That the appellant while posted at PS East Cantt Peshawar, charge sheet along with statement of allegations were issued to the appellant along with two other officials namely ASI Nazar Gul and Constable Azeem No.5256 in which following allegations were leveled against ASI Nazar Gul and Constable Azeem No.5256 that it has been learnt through reliable source that during the confinement period ASI Nazar Gul and constable Azeem No.5256 contacted the brother of the accused Yasir and demand 01 lac rupees and 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem, however, no allegation was leveled against the appellant in the charge sheet and statement of allegations issued to the appellant. The appellant submitted his reply to the charge sheet in which he mentioned that he was on duty in the Police Station East Cantt Peshawar and accused namely Yasir who was re-arrested by the surveillance and confined along with other persons at Police Station East Cantt Peshawar requested the appellant to contact his family to inform them that he is PS East Cantt as they would be worried for him on which the appellant contacted his father namely Shakil, however, the father of Yasir told the appellant that he has knowledge that the Yasir in the Police station Cantt and the appellant clearly mentioned in his reply that he has no ulterior motive for contact and inform the family about Yasir. **(Copies of charge sheet along with the statement of allegations and reply are attached as Annexure-A&B)**
3. That inquiry was conducted against the appellant in which no proper opportunity of defense was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him opportunity of cross examination, even the inquiry report is not provided to the appellant and as the inquiry report was not provided to the appellant therefore, he filed an application for provision of inquiry report, however, inquiry report was not provided to him

which may be requisite from the department. **(Copy of application is attached as Annexure-C)**

4. That without any allegation, the appellant was removed from service vide order dated 15.12.2023 without issuing show cause notice to the appellant. The appellant filed departmental on 22.12.2023 against dismissal order dated 15.12.2023, which was rejected on 26.03.2024 for no good grounds. **(Copies of removal order dated 15.12.2023, departmental appeal and order dated 26.03.2024 are attached as Annexure-D,E&F)**
5. That the appellant wants to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

GROUND:

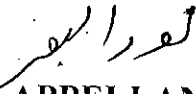
- A) That the impugned orders dated 15.12.2023 and 26.03.2024 are against the law, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That no allegation was leveled against the appellant in the charge sheet and statement of allegations, but despite that the appellant was removed from service vide order dated 15.12.2023, which is against the norms of justice and fair play
- C) That although no allegation was leveled against the appellant but despite that inquiry was conducted against the appellant in which no opportunity of defense was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him opportunity of cross examination, which is violation of law and rules and such the impugned orders are liable to be set aside.
- D) That allegations were leveled against the ASI Nazar Gul and constable Azeem No.5256 in the statement of allegations that during the confinement period ASI Nazar Gul and constable Azeem No.5256 contacted the brother of the accused Yasir and demand 01 lac Rupees and 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem without mentioning the name of the appellant in that statement of allegations,

but he was also removed from service along with ASI Nazar Gul and Constable Azeem in the order dated 15.12.2023 without specification of charges, which is against the norms of justice and fair play and as such the impugned orders are liable to be set aside on this ground alone.

- E) That when no allegation was leveled against the appellant then on which ground the appellant was departmentally proceeded by the inquiry officer?
- F) That when no allegation was leveled against the appellant then on which ground the appellant and was removed from service by the respondent department?
- G) That the appellant mentioned in his reply to charge sheet that Yasir who was re-arrested by the surveillance and confined along with other persons at Police Station East Cantt Peshawar requested the appellant to contact his family to inform them that he is PS East Cantt as they were worried for him on which the appellant contacted his father namely Shakil, however, the father of Yasir told the appellant that he has knowledge that the Yasir in the Police station Cantt and the appellant clearly mentioned in his reply that he has no ulterior motive for contact and inform the family about Yasir, but without observing his reply to charge sheet, the appellant was removed from service, which is against the norms of justice and fair play.
- H) That in statement of allegations it was mentioned that during the confinement period ASI Nazar Gul and constable Azeem No.5256 contacted the brother of the accused Yasir and demand 01 lac Rupees and 02 09 MM pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) Pistols to ASI Nazar Gul Khan and Constable Azeem, but in impugned removal order dated 15.12.2023 and rejection order dated 26.03.2024, the name of the appellant was inserted along with the ASI Nazar Gul and Constable Azeem without knowing the realty by the authorities that the charges were not leveled against the appellant in the statement of allegations and if the allegations were not leveled against the appellant and proved through proper and regular inquiry then on which ground his name was inserted in the impugned order dated 15.12.2023 and 26.03.2024 and was punished, which means that the appellant has been punished for no fault on his part.

- I) That show cause notice was not issued to the appellant before passing the impugned removal order which is against the natural justice and fair play.
- J) That the appellant has not been treated in accordance with law and has been punished in violation of law and rules.
- K) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that on the acceptance of this appeal, the order dated 15.12.2023 and 26.03.2024 may kindly be set aside and the appellant may be reinstated into his service with all back and consequential benefits. Any other remedy, which this honorable tribunal deems fit and appropriate that, may also, be awarded in favour of appellant.



APPELLANT

Noor Ul Basar

THROUGH:



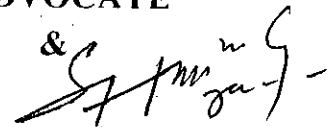
(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT



(SHAKIR ULLAH TORANI)

ADVOCATE



(SHOAIB AKHTAR)

ADVOCATE

06

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2024

Noor Ul Basar

VS

Police Department

AFFIDAVIT

I, Noor Ul Basar Ex-Constable No.6070, Police Station East Cantt, Peshawar (Appellant), do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.


DEPONENT

CHARGE SHEET

A

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1. Whereas I am satisfied that a formal enquiry as contemplated by Efficiency & Disciplinary Rules-1975 is necessary & expedient.

2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in Rule 3 of the aforesaid Rules.

3. Now therefore, as required by Rule 6 (1) of the said Rules, I, Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP Operations, Peshawar hereby charge you the following police officials under Efficiency & Disciplinary Rule 1975 on the allegations mentioned in the enclosed Summary of Allegations.

- i. ASI Nazar Gul Khan PS East Cantt
- ii. Constable Azeem No. 5256 PS East Cantt
- iii. Constable Noor ul Basar No. 6070

4. And I hereby direct you further under the said Rule to put forth written defence within 7 days of the receipt of this Charge Sheet as to why the proposed action should not be taken against you and also stating at the same time whether you desire to be heard in person.

5. And in case your reply is not received within the specific period, it shall be presumed that you have no defense to offer and ex-parte action will be taken against you.

6. Statement of Allegation is enclosed.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBASI)PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 286 /PA dated Peshawar the 06/11 /2023

Copy of the above is forwarded to the Enquiry Officer for initiating proceeding against the above named officer.

A 7
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CHARGE SHEET

1. Whereas I am satisfied that a formal enquiry as contemplated by Efficiency Disciplinary Rules 1975 is necessary & expedient.
2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in rule 3 of the aforesaid Rules.
3. Now therefore, as required by Rule 6 (1) of the said Rules 1, Lt Car Kashif Aftab Ahmad Abbasi, P SP, SSP Operations, Peshawar hereby charge you the following police officials under Efficiency & Disciplinary Rules 1975 on the allegations mentioned in the enclosed Summary of allegations.
 - I. ASI Nazar Gul Khan PS East Cantt
 - II. Constable Azeem No. 5226 PS East Cantt
 - III. Constable Noor Ul Basar No. 6070
4. And I hereby you further under the said Rule to put forth written defence within 7 days of the receipt of this charge Sheet as to why the proposed action should not be taken against you and also stating at the same time whether you desire to be heard in persons.
5. And in case your reply is not received within the specified period, it shall be presumed that you have no defense to offer and ex-parte action will be taken against you.
6. Statement of allegations is enclosed.

(Lt Cdr KASHIF AFTAB AHMAD ABBASI)
Senior Superintendent of Police
(Operations) Peshawar

No. 286/PA dated Peshawar the 06.11.2023.

Copy of the above is forwarded to the Enquiry Officer for initiating proceeding against the above named officer.

A (8)

SUMMARY OF ALLEGATIONS

1. Lt Cdr @ Kashif Aftab Ahmad Abbasi, PSP, SSP Operations Peshawar as competent authority is of the opinion that the following police officials have rendered themselves liable to be proceeded against departmentally as they have committed the following acts/omission within the meaning of the Khyber Pakhtunkhwa (E&D) Rules, 1975.

- i. ASI Nazar Gul Khan PS East Cantt
- ii. Constable Azeem No. 5256 PS East Cantt
- iii. Constable Noor ul Basar No. 6070

STATEMENT OF ALLEGATIONS

- A preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan s/o Shakeel Khan r/o Masho Khel Badaber, Peshawar was rearrested by the surveillance team and was confined at Police Station East Cantt.
- It has been learnt through reliable sources that during the confinement period ASI Nazar Gul Khan and Constable Azeem No. 5256 contacted the brother of the accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) pistols to ASI Nazar Gul Khan and Constable Azeem.
- Being a part of disciplinary force their this act is highly objectionable and renders them liable for disciplinary proceedings under (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of afore said police official in the said episode with reference to the above allegations ASP Nazam is appointed as Enquiry Officer under Efficiency & Disciplinary Rule 1975.

3. The Enquiry Officer shall in accordance with the provision of the Efficiency & Disciplinary Rules 1975, provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused official.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBASI PSP
Senior Superintendent of Police
Operations) Peshawar

A (8)

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SUMMARY OF ALLEGATIONS

1. Lt Cdr Kashif Aftab Ahmad Abbasi, PSP, SSP Operations Peshawar as competent authority am of the opinion that the following police officials have rendered themselves liable to be proceeding against departmentally as they have committed the following acts/omission with in the meaning of the Khyber Pakhtunkhwa (E&D) Rules , 1975.

- I. ASI Nazar Gul Khan PS East Cantt.
- II. Constable Azeem No 5226 PS East Cantt
- III. Constable Noor Ul Basar No 6070

STATEMENT OF ALLEGATIONS

A Preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan S/o Shakeel Khan r/o Masho Khel Badaber, Peshawar was rearrested by the Surveillance team and was confined at Police Station East Cantt.

It has been learnt through reliable that during the confinement period ASI Nazar Gul Khan and Constable Azeem No 5226 contacted the brother of the Accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) to ASI Nazar Gul Khan and Constable Azeem.

Being a part of disciplinary force their this act is highly objectionable and render them liable for disciplinary proceedings under (E&D) Rules, 1975.

2. For the purpose of scrutinizing the conduct of the aforesaid police officials in the said episode with reference to the above allegations ASP Nayab is appointed as Enquiry Officer under Efficiency & Disciplinary Rules 1975.
3. The Enquiry Officer shall in accordance with the provision of the Efficiency & Disciplinary Rules 1975, provide reasonable opportunity of hearing to the accused Official and make recommendations as to punish or other action to be taken against the accused Official.

(Lt Cdr KASHIF AFTAB AHMAD ABBASI PSP
Senior Superintendent of Police
Operations) Peshawar)

17201-22497
5911-9417409

6070
6070

Handwritten text in Urdu script, appearing to be a list or account of items. The text is dense and somewhat difficult to decipher due to the cursive style and some fading. It includes various numbers and descriptions of goods or services.

6070

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بیان ازاں کنسٹیبل نور البصر نمبر 6070

بحوالہ چارج شیٹ نمبر 286 مورخہ 06.11.023 دفتر مجاریہ جناب SSP/OP صاحب معروض خدمت ہوں کہ یاسر نام کے لڑکے جو کہ تھانہ ہذا کے بارک کنسٹیبلان معہ دیگر کسان کے ساتھ موجود تھا اور میرے انکے ساتھ ڈیوٹی لگائی گئی تھی مجھے یاسر ولد شکیل نے کہا کہ میں پستول کیس میں بند ہوں۔ مہربانی کر کے مجھے ایک نمبر ملائے تاکہ میں گھر والوں کو اطلاع دے سکوں۔ میرے گھر والے پریشان ہو گئے تو میں نے اپنے موبائل سے یاسر کے بھائی کے ساتھ بات کی تو اس نے بتلایا کہ ہمیں معلوم ہے۔

لہذا میں بطور SPO کنسٹیبل بھرتی ہوں مجھے محرر یا SHO صاحب نے اس بارے میں بریف نہیں کیا تھا کہ یہ ملزمان ہے اور اسکے کیلئے فون وغیرہ نہ ملائے، لہذا جو کچھ بھی کیا ہے نا سمجھی میں کیا ہے، لہذا یہ علم نہیں تھا کہ یاسر کس جرم میں بند ہے۔ لہذا یاسر نامی شخص کوئی لالچ وغیرہ نہیں کی ہے۔ دیگر لاعلم ہوں۔ یہی میرا بیان ہے۔ لہذا استدعا ہے کہ بمنظوری جواب ہذا، سائل کے خلاف انکو آری چارج شیٹ داخل دفتر کسی کارروائی نہ کی جانے سے مشکور فرمائیں۔ سائل تاحیات دعا گورہیگا۔

نور البصر

العبد

کنسٹیبل نور البصر نمبر 6070 تعینات تھانہ شرقی

0311-9417409

C

10

تعمیرات خانه C

خانه حال

تعمیرات خانه C
در تاریخ 15/12/2023
مردم آباد پروژه و
به نام خانه و تعمیرات
بیتا و تعمیرات خانه
کاملاً در تمام مدت

اسرار
25/12/2023

کمال و غیره 5256
تعمیرات خانه

C

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خدمت جناب CCPO صاحب کیشمار
جناب عالی!

گزارش سنیکہ ساٹلان مورفہ 15/12/2023 ریپول آف سروس
اڈر ہو چکی ہے جسکی انکوائری کا پی پی سی ہے کہ ساٹلان کو
فائل انکوائری کے کا پی پی سی ہو جائے لہذا اسکی کاپی
کہ انکوائری فائل کے فورٹ کاپی دینے کا حکم صادر فرمائے
مشکور فرمائیں

الفارص

25/12/2023.

سیٹیل نذر گل
ASi
3256 منظم
" کیشیل نور الدین "



11

ORDER

1. This office order will dispose of formal departmental proceedings against ASI Nazar Gul Khan No. 682/P, Constable Noor-ul-Basar No. 6070, Constable Azeem No. 5256 while posted at Police Station East Cantt was proceeded against departmentally vide this office No. 286/E/PA dated 06.11.2023, on allegations that a preliminary enquiry conducted by SDPO Cantt vide his office memo No. 2467/PA dated 01.11.2023 that in light of the directions the accused namely Yasir Khan s/o Shakeel Khan r/o Masho Khel Badaber, Peshawar was rearrested by the surveillance team and was confined at Police Station East Cantt. It has been learnt through reliable sources that during the confinement period ASI Nazar Gul Khan, Constable Azeem No. 5256 and Constable Noor ul Basar No. 6070 contacted the brother of the accused Yasir and demanded 01 lac Rupees and 02 9-MM Pistols of which after mutual bargaining the brother confined accused handed over two 9MM (local made) pistols to ASI Nazar Gul Khan and Constable Azeem.
2. Under Police Rules 1975 (amended 2014) proper charge sheet alongwith summary of allegation were issued against them and ASP Hayatabad was appointed as Enquiry Officer, who submitted his finding, wherein he concluded that the allegations against delinquent officials have been proved and they stand guilty of the charges and agree with the preliminary enquiry. The E.O further recommended them for major punishment.
3. Having gone through the enquiry file and other relevant record, the undersigned is fully satisfied that the delinquent officials have committed a gross misconduct, which is proved beyond any shadow of doubt. Thus, they brought bad name to the police department. The undersigned being a competent authority do agree with the recommendations of the enquiry officer, therefore, ASI Nazar Gul Khan No. 682/P, Constable Noor-ul-Basar No. 6070, Constable Azeem No. 5256 are hereby awarded major punishment of "Removal from Service" with immediate effect.

(Lt Cdr @ KASHIF AFTAB AHMAD ABBAS)PSP
Senior Superintendent of Police
(Operations) Peshawar

No. 2106-11 PA dated Peshawar, the 15/12 2023.

Copy for information and necessary action to:-

1. The Capital City Police Officer, Peshawar.
2. SsP Cantt & HQrs, CCP Peshawar.
3. SDPO Cantt, CCP Peshawar.
4. EC-II/OASI/CRC/PO, FMC along with complete enquiry file for record (58).
5. Officials concerned.

4. Video footage was examined, showing that police officials visited an Arms Company in civilian clothing, but no illegal exchange or transaction was observed. (USB attached)
5. The accused party admits in their written statements that they received... (attached).

عنوان: اپیل بمراجہ جالی ملازمت ایپلانٹ بمقام مہتممات منظم شدہ

جناب عالی: ایپلانٹ حسب ذیل عرض رساں ہے۔

1- یہ کہ ایپلانٹ ایک شریف اور باعزت خاندان سے تعلق رکھتا ہے اور قانون کی پاسداری کرنے والا شہری ہے اور ضلع نوشہرہ کارہائشی و پیدائشی باشندہ ہے۔

2- یہ کہ ایپلانٹ محکمہ پولیس میں بحیثیت کنسٹیبل بمطابق نمبر 16070 اپنی خدمات خوش اسلوبی سے سرانجام دے رہا تھا اور کبھی بھی افسران بالا شکایت کا موقع نہیں دیا۔ سائل تھانہ کی ڈیوٹی سے ناواقف تھا چونکہ بطور جنرل ڈیوٹی سائل کی پہلی تھانہ ہے اور سررٹاف نے جملہ ملزمان کیساتھ جو بیرک کنسٹیبلان نے ایپلانٹ کی ڈیوٹی لگائی تھی اور کوئی ہدایات وغیرہ نہیں دے گئے تھے کہ ملزمان کس جرم میں گرفتار ہیں۔ نیز یہاں پر یہ امر قابل وضاحت ہے کہ ملزم یا سرنے ایپلانٹ کو بتایا کہ میں پستول کے مقدمہ میں گرفتار ہوں۔

3- یہ کہ ملزم مذکورہ کی رہائی متعلق ایپلانٹ کو جارج شیٹ کیا گیا اور انکو آری آفسرنے ایپلانٹ کی انکو آری حقیقت اور شواہد/بیانات کے خلاف مرتب کر کے ایپلانٹ کو غیر قانونی طور پر بلا جواز نوکری سے بمطابق چٹھی نمبر 11-2106-PA مورخہ 15-12-2023 درخواست کر دیا گیا۔ (جملہ دستاویزات لف اپیل ہذا ہیں)

4- یہ کہ ایپلانٹ ایک غریب بندہ ہے اور ایپلانٹ اپنے گھرانے کا واحد طور پر کفیل ہے اور ایپلانٹ کا گزر بسر بمشکل ہو رہا ہے اور آمدنی کا دیگر کوئی ذریعہ نہ ہے نیز ایپلانٹ کے چھوٹے چھوٹے بچے ہیں جن کی کفالت سائل کے کندھوں پر ہے۔

5- یہ کہ اس ناامیدی کے حالت میں آپ جناب سے انصاف کی توقع رکھتے ہوئے ایپلانٹ کو اپنی ملازمت پر بعد واجبات بحالی کی پر زور اپیل کرتا ہے نیز ایپلانٹ کے چھوٹے چھوٹے بچوں کے خاطر ایپلانٹ کو اپنی ملازمت بعد دیگر مہتممات بحالی کا حکم صادر فرمائیں سائل عمر بھر دعا گو رہے گا۔

لہذا استدعا ہے کہ منظوری اپیل ہذا ایپلانٹ کو اپنی ملازمت پر بحالی اور عطا شدہ
مراعات کے احکامات جاری فرمائیں اس امر کے لیے ایپلانٹ دعا گو رہیگا۔

المرقوم:- 22-12-2023

ارض

ایپلانٹ:-

کنسٹیبل نور البصر نمبر 6070 نور الیوم

قومی شناختی کارڈ نمبر 1-2249740-17201

رابطہ نمبر 0311-9417409



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

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

ORDER.

This order will dispose of the departmental appeal preferred by **Ex-Constable Noor-ul-Basar No. 6070**, who was awarded the major punishment of "**dismissal from service**" under KP PR-1975 (amended 2014) by SSP/Operations, Peshawar vide order No. 2106-11/PA, dated 15.12.2023.

2- Brief facts leading to the instant appeal are that the defaulter Constable was proceeded against departmentally on the charges that in light of the directions, the accused namely Yasir Khan s/o Shakeel r/o Masho Khel Badaber, Peshawar was arrested by the surveillance team and was confined at PS East Cantt: till further orders. During the confinement period, the defaulter Constable contacted brother of the accused namely Yasir and demanded 01 Lac Rupees and two 09-MM (Local made) Pistols. After mutual bargaining, brother of the accused i.e. Yasir, handed over two 09-MM (Local made) Pistols to ASI Nazar Gul and Constable Azeem.

3- He was issued Charge Sheet and Summary of Allegations by SSP/Operations, Peshawar. ASP/Hayatabad, Peshawar was appointed as Enquiry Officer to scrutinize the conduct of the accused official. The Enquiry Officer after conducting departmental enquiry submitted his findings in which he was recommended for major punishment. The competent authority in light of the findings of the Enquiry Officer awarded him the major punishment of dismissal from service.

4- He was heard in person in Orderly Room. During personal hearing, he was given an opportunity to prove his innocence. However, he failed to submit any plausible explanation in his defense. Therefore, his appeal for setting aside the punishment awarded to him by SSP/Operations, Peshawar vide order No. 2106-11/PA, dated 15.12.2023, is hereby rejected/filed.

"Order is announced"

**CAPITAL CITY POLICE OFFICER,
PESHAWAR**

No. 1462-19 /PA/CCP, dated Peshawar the 26 03/2024

Copies for information and necessary action to the:-

1. SSP/Operations Peshawar.
2. SP/HQrs., Peshawar.
3. AD/IT CCP Peshawar.
4. EC-II, AS & Pay Officer.
5. FMC along with complete Fouji Missal.
6. Official concerned.

بعدالت

فیبر بختشو خواہ سرورس شراٹھینول

نور البصر 2 منجانب
نور البصر بنام محکمہ پولیس

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیروی و جواب وہی وکل کاروائی متعلقہ

آن مقام پشاور کیلئے تسموود علی خان اور سائل اللہ تھان ریڈو ایس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز وکیل صاحب کو رائی نامہ کرنے کے تقرر ثالث و فیصلہ پر حلف دیئے جواب وہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضعی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم بیروی یا ڈگری یکطرفہ یا ایجیل کی برآمدگی اور منسوقی نیز دائر کرنے ایجیل نگرانی و نظر ثانی و بیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ و بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پرواخذ منظور قبول ہوگا و دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔

کہ بیروی مذکور کریں۔ لیذا حالت نامہ لکھد یا کہ سند ہے۔

Accepted

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ماہ

المرقوم

العبد و گواہ العبد

کے لئے منظور ہے۔

نور البصر

تمام

نور البصر