


FORM OF ORDER SHEET

Court of _____

Appeal No. 528/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	04/04/2024	<p>The appeal of Mr. Ihsan Ullah presented today by Mr. Kabir Ullah Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>08-04-2024</u>. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 528 /2024

Ihsan Ullah Constable

VERSUS

IGP of Police KPK & others

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Ihsan Ullah
APPELLANT

Through

Kabirullah Khattak
Kabirullah Khattak
Advocate, High Court
Peshawar.

Dated: 03/04/2024

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 528 /2024

Ihsan Ullah Constable No.3526 Posted Police Station
Sarband Peshawar.

Appellant

VERSUS

1. The Inspector General of Police KPK Peshawar.
2. Capital Police Officer Peshawar.
3. Superintendent of Police Saddar Division CCP
Peshawar.

Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE IMPUGNED ORDER
DATED 06/09/2022 WHEREBY THE MAJOR
PUNISHMENT OF REDUCTION TO THE
LOWER STAGE TIME SCALE OF PAY WAS
AWARDED TO THE APPELLANT AGAINST
WHICH THE APPELLANT FILED
DEPARTMENTAL APPEAL ON 08.09.2022
WHICH WAS REJECTED ON 09.12.2022 IN
UTTER VIOLATION OF LAW. HE THEN
FILED REVISION PETITION ON 12.12.2022
BUT THE SAME WAS ALSO REJECTED ON
22.03.2024 ON THE SAME RESULT.

PRAYER:-

ON ACCEPTANCE OF THIS APPEAL THE
IMPUGNED ORDERS DATED 06.09.2022,
09.12.2022 & 22.03.2024 PASSED BY THE
RESPONDENTS MAY VERY GRACIOUSLY
BE SET ASIDE AND THE APPELLANT MAY
KINDLY BE RESTORED ON HIS ORIGINAL
POST WITH ALL BACK WAGES AND
BENEFITS.

ANY OTHER RELIEF DEEMED
APPROPRIATE IN THE CIRCUMSTANCES
OF THE CASE NOT SPECIFICALLY ASKED
FOR, MAY ALSO BE GRANTED TO THE
APPELLANT.

Respectfully Sheweth,

1. That the appellant was initially appointed as constable at the year 2008 and after appointment he performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
2. That while performing his official duty at PS Sarband a charge sheet along with statement of allegation dated 04.04.2022 was issued against

the appellant. He submitted reply and denied the allegations. But copy of reply of charge sheet was not kept by the appellant. (Copy of charge sheet is attached as annexure "A").

3. That a final show cause notice was issued against the appellant on 22.08.2022 which was properly replied by the appellant. Whereby the appellant denied all the allegations leveled against him. (Copy of show cause notice and reply are attached as annexure "B & C").
4. That on 06.09.2022 the impugned order has been issued against the appellant whereby major punishment of reduction to lower stage time scale of pay has been imposed against the appellant. (Copy of impugned order is attached as annexure "D").
5. That the appellant submitted Departmental appeal on 08.09.2022 which was rejected on 09.12.2022 on no good grounds. (Copies of departmental appeal & rejection order are attached as annexure "E & F").
6. That the appellant submitted revision petition on 12.12.2022 against the appellate order which was rejected on 22.03.2024 but unlucky copy of

(4)

revision petition was not kept by the appellant.
(Copy of rejection order is attached as annexure
"G").

7. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:

GROUND:-

- A. That the impugned orders dated 06.09.2022, 08.09.2022 & 22.03.2024 are come under the definition of void order because has been passed without fulfilling the codal formalities.
- B. That there is no prove or evidence regarding the alleged allegation leveled against the appellant.
- C. That no departmental and regular inquiry has been conducted against the appellant which is mandatory before imposing of major punishment.
- D. That no statement of witness has been recorded and no opportunity of cross examination has been provided to the appellant.

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- E. That no complaint has been made against the appellant.
- F. That the punishment awarded to the appellant is not mentioned in any major punishment of police rules 1975.
- G. That there is no lower rank/ post on constable in police rules 1975.
- H. That the competent authority was not empowered to award such a penalty for indefinite period by virtue of FR-29.
- I. That there is no concreted and trust worthy evidence against the appellant regarding the alleged involvement with narcotics suppliers and illegal activities. Therefore the impugned order is not sustainable in the eyes of law.
- J. It is a well settled maxim no one can be condemned unheard because it is against the natural justice of law in this respect the appellant relied upon a judgment reported on 2008 SCMR page:678.

(6)

K. That any other ground not raised here may graciously be allowed to be raised at the time of arguments on the instant service appeal.

It is therefore, most humbly prayed that on acceptance of this appeal the impugned orders dated 06.09.2022, 09.12.2022 & 22.03.2024 passed by the respondents may very graciously be set aside and the appellant may kindly be restored on his original post with all back wages and benefits

Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.

Ahsan Ullah
APPELLANT

Through

Kabir Ullah
Kabir Ullah Khattak
& *Roeeda Khan*
Roeeda Khan
Advocates, High Court
Peshawar.

Dated: 03/04/2024

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.

Roeeda Khan
Advocate.

(7)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Ihsan Ullah Constable

VERSUS

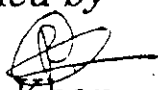
IGP of Police KPK & others

AFFIDAVIT

I, Ihsan Ullah Constable No.3526 Posted Police Station Sarband Peshawar, do hereby solemnly affirm and declare that all the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

Ihsan Ullah
DEPONENT

Identified by:


Roeeda Khan
Advocate High Court
Peshawar.

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BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Ihsan Ullah Constable

VERSUS

IGP of Police KPK & others

ADDRESSES OF PARTIES

PETITIONER.

Ihsan Ullah Constable No.3526 Posted Police Station
Sarband Peshawar.

ADDRESSES OF RESPONDENTS

1. The Inspector General of Police KPK Peshawar.
2. Capital Police Officer Peshawar.
3. Superintendent of Police Saddar Division CCP
Peshawar.

Ihsan Ullah
APPELLANT

Through

Roeeda Khan
Roeeda Khan
Advocate, High Court
Peshawar.

Dated: 03/04/2024

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BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Ihsan Ullah Constable

VERSUS

IGP of Police KPK & others

APPLICATION FOR CONDONATION OF DELAY (if any)

Respectfully Sheweth,

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the appellant submitted revision petition on 12.12.2022 against the appellate order which was rejected on 22.03.2024 but unlucky copy of revision petition was not kept by the appellant.

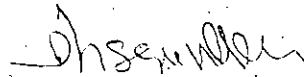
Grounds:

- A. That the impugned orders are void order and no limitation run against the void orders.

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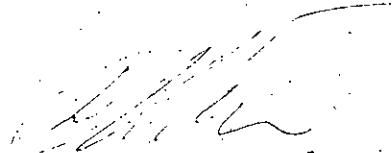
B. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

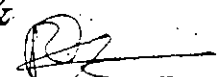

Appellant

Through

Date: 03.04.2024


Kabir Ullah Khattak

&


Roeeeda Khan

Advocates, High Court

Peshawar

08-E Nr
06/09/2022
6. (01)

(A)

OFFICE OF THE
SUPERINTENDENT OF POLICE,
SADDAR, CCP, PESHAWAR

"A"

(11)

NO. 14/E/PA

DATE: 04-04/2022

DISCIPLINARY ACTION AGAINST FC IHSAN ULLAH NO. 3526 OF PS SARBAND.

I, Farhand Khan (PSP), Superintendent of Police, Saddar Division, Peshawar, am of the opinion that FC Ihsan Ullah has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of Police Disciplinary Rules, 1975.

STATEMENT OF ALLEGATIONS.

- i) As per report of SHO PS Sarband, that while he posted in PS Sarband, he has links with narcotics suppliers and involved in illegal activities.
- ii) That all the above acts amount to gross misconduct, negligence, inefficiency and malafide on his part for which he is liable for punishment as defined in Police Disciplinary Rules, 1975.
- iii) For the purpose of scrutinizing the conduct of said accused with reference to the above allegations. DSP Saddar is deputed as the Inquiry Officer.
- iv) The Inquiry shall be conducted in accordance with the provision of the Rules to provide reasonable opportunity of hearing to the accused officer, record its finding within 15 days of the receipt of this order & make recommendations as to punishment or other appropriate action against the accused.
- v) The accused shall join the proceeding on the date and time and place fixed by the Inquiry Officer.

Superintendent of Police Saddar Division
CCP, Peshawar.

Copy of above is submitted to the I.O for initiating proceeding against the defaulter under the provision of Police Disciplinary Rules, 1975.

2- FC Ihsan Ullah is directed to submit the reply to the charge sheet and summary of allegations.

Handwritten signature

Handwritten signature

Superintendent of Police
Saddar Circle Peshawar
06/09/2022

OFFICE OF THE
SUPERINTENDENT OF POLICE,
SADDAR, CCP, PESHAWAR

NO. 14/E /PA

DATE: 04-04 /2022

(12)

CHARGE SHEET.

I, Farhan Khan (PSP), Superintendent of Police, Saddar Division, Peshawar, as competent authority, hereby charge you FC Ihsan Ullah No. 3526 of PS Sarband as follow:-

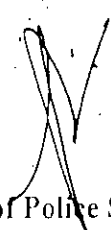
- i) As per report of SHO PS Sarband, that while you posted in PS Sarband, you have links with narcotics suppliers and involved in illegal activities.
- ii) This amounts to gross misconduct, negligence and malafide on your part for which you are liable for punishment as defined in Police Disciplinary Rules, 1975.

1. By the reasons of the above, you appeared to be guilty of misconduct under Police Disciplinary Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

2. You are therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Inquiry Officer/Committee.

3. Intimate whether you desire to be heard in person?

4. A Statement of allegation is enclosed.


Superintendent of Police Saddar Division
CCP, Peshawar.

(B) (13)

OFFICE OF THE
SUPERINTENDENT OF POLICE,
SADDAR, CCP, PESHAWAR

NO. M/E/PA

DATE: 22-08-2022

FINAL SHOW CAUSE NOTICE

I, Superintendent of Police, Saddar, Capital City Police, Peshawar, as a competent authority under the provision of Police Disciplinary Rules 1975 of the said Ordinance, hereby issue this notice to you, FC Hissar Ullah No. 3526 of Capital City Police, Peshawar as follows:

(i) That consequent upon the completion of enquiry conducted by an inquiry officer for which you were given opportunity of hearing.

(ii) On going through the findings and recommendation of the inquiry officer, material on record and other connected papers produced before the I.O.

I am satisfied that you have committed the following acts contrary to Police Disciplinary Rules 1975 of the said Ordinance.

"That as reported by SHO PS Surband, you while posted in PS Sarband, dealt with narcotics suppliers and involved in illegal activities. Direct and indirect misconduct on your part and against the discipline of the Police."

2. As a result thereof, I, as competent authority, have tentatively imposed on you the penalty of major punishment under Police Disciplinary Rules 1975 of the said Ordinance.

3. You are, therefore, required to show cause as to why the aforesaid penalty should be imposed upon you and also intimate whether you desire to be heard in your defence.

4. If no reply to this notice is received within 7 days of its delivery, in the circumstances, it shall be presumed that you have no defence to put forward and the appropriate action be taken against you.

5. The copy of the finding of the inquiry officer is enclosed herewith.

(Signature)
Superintendent of Police
Saddar Division, CCP, Peshawar

NO. M/E/PA SP, Saddar dated Peshawar the 22-08-2022

OFFICE OF THE
Superintendent Of police
Saddar, CCP, Peshawar

141

No. 14/E/PA

Dated 22.08.2022

Final Show Cause Notice

1. Superintendent of Police, Saddar, Capital City Police, Peshawar as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve you FC Ihsan Ullah No.3526 of Capital City Police, Peshawar as follows.

- (i) That consequent upon the completion of enquiry conducted against you by the enquiry officer for which you were given opportunity of hearing.
- (ii) On going through the findings and recommendation of the enquiry Officer, the material on record and other connected papers produced before the E.O.

I am satisfied that you have committed the following acts/omissions specified in Police Disciplinary Rules 1975 of the said Ordinance.

"That as reported by SHO PS Sarband, you while posted in PS Sarband had links with narcotics suppliers and involved in illegal activities. This act amounts to gross misconduct on your part and against the discipline of the force".

2. As a result thereof, has competent authority, have tentative decided to impose upon you the penalty of major punishment under Police Disciplinary Rules 1975 for absence.
3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within 7 days of its delivery, in normal course of circumstances, it shall, be presumed that you have no defence to put in and in that case as ex-parte action be taken against you.
5. The copy of the finding of the enquiry officer is enclosed.

(Aqeeq Hussain)
Superintendent of Police
Saddar Division CCP, Peshawar

بحوالہ فائل شوکاز نمبری----- مورخہ 22.08.2022 معروض خدمت ہوں کہ جملہ الزامات سن گھڑت، غلط اور خود ساختہ ہے اور اس میں کوئی حقیقت نہیں ہے مزید یہ کہ ایس۔ ایچ۔ اڈ صاحب نے محض ذاتی رنجش کے بنا پر الزامات میرے خلاف لگائے ہیں۔ الزامات لگانا آسان ہے لیکن اس کو ثابت کرنا مشکل ہوتا ہے اسلئے SHO صاحب نے تو الزامات لگائے ہیں لیکن کسی قسم کی ثبوت ساتھ نہیں لگایا ہے جس سے یہ ثابت ہوتا ہے کہ الزامات میں صداقت نہیں ہے اور سراسر غلط ہیں۔

میرے ذاتی موبائل کے CDR سے بھی واضح ہے کہ میرا کسی بھی مشکوک شخص سے رابطہ نہ ہے جو کہ میرے بے گناہی کیلئے کافی ہے۔ نیز محترم SHO صاحب نے جو شکایت میرے خلاف کیا ہے اسکی ساتھ کسی قسم کی دستاویزی ثبوت لف نہیں ہیں میں ایک پولیس اہلکار ہوں اور اپنی ذیوتی سے خوب واقف ہوں اور شریک اور غیر اخلاقی سرگرمیوں میں مبتلا افراد کے خلاف اپنا ذیوتی ایک جہاد سمجھ کر کر رہا ہوں۔ میرا تو کیا میرے خاندان کے افراد کے موبائل نمبرات کے CDR بھی نکالے اگر اس نمبرات کا بھی کسی غیر سے روابط ثابت ہوتے تو بھی گنہگار ہوں۔

یہاں بھی یہ وضاحت ضروری سمجھتا ہوں کہ برطابق باب 16 فقرہ 39 اور باب 16 فقرہ 16 پولیس رولز 1934 کے مطابق بد عنوانی میں ملوث اہلکار کا باقاعدہ ریکارڈ بنایا جا کر پرسل فائل کر یکٹر رول اور فوجی مشل پر لایا جاتا ہے جس کی معصومہ نقل متعلقہ پولیس اہلکار کو بھجوایا جاتا ہے لیکن اللہ تعالیٰ کے کرم سے ایسا کوئی ریکارڈ موجود نہیں ہے اسلئے الزام کی کوئی حقیقت نہیں ہے۔ مزید وضاحت بھی کروں چارج شیٹ سے لگایا ہوا الزام گناہے اور اسلسلہ میں صوبائی حکومت اور دیگر قوانین کے رو سے گناہ در خواست یا شکایت کا نوٹس نہیں لینا چاہئے۔

پولیس رولز 1934 کے حوالے سے پولیس اہلکار کی ذمہ داری ہے کہ وہ جرائم کے بیج گئی کو یقینی بنائے اور اس حوالے سے یہ فرض بنتا ہے میں قسمیہ طور پر کہتا ہوں کہ میں نے ہر لمحہ پوری پوری کوشش کی ہے کہ اس بنیادی ذمہ داری کو پورا کروں اور جرائم کے خلاف لڑوں۔ متعدد موقعوں پر میں نے اپنے جان کو ہتھیلی پر رکھ کر اپنی زندگی کو خطرے میں ڈال کر جرائم پیشہ افراد کے خلاف کوئی بھی کٹرا صورتی نہیں چھوڑی ہے ہر موقع پر دید و گیری سے کارروائی کی ہے اور غیر قانونی کارروائیوں سے اجتناب کیا ہے۔ جب سے میں نے محکمہ پولیس میں شمولیت اختیار کی ہے اپنی فرائض منصبی نہایت دیا بنداری سے سر انجام دے رہا ہوں۔ اور اسکا ثبوت میرے سرورس ریکارڈ سے مل سکتا ہے۔ اور ابھی تک نہ کوئی انکو انری ہو چکی ہے اور نہ مجھے کوئی سزا ملی ہے اور قسمیہ کہتا ہوں کہ الزام متذکرہ میں کوئی حقیقت نہیں ہے۔

جناب والا انوٹس میں لانا چاہتا ہوں کہ الزام بالا کی تائید میں کوئی بھی مضبوط یا اہم شہادت موجود نہیں ہے اور حسب روئے قانونی کوئی اہمیت نہ ہونے کی وجہ سے سماعت کے قابل نہیں ہے اگر میرے خلاف چارج شیٹ میں لگائے ہوئے الزام کی کوئی تصدیق یا تسلی درکار ہو تو اس سلسلہ میں کسی فرد سے پوچھ گچھ کی جاسکتی ہے۔۔۔۔۔ حقائق کی روشنی میں لگایا ہوا الزام خلاف انصاف اور ناجائز ہے جس سے براہ راست کوئی بھی ثبوت و شہادت دستیاب نہیں ہے۔ استدعا ہے کہ میرے خلاف جاری فائل شوکاز بغیر کسی مزید کارروائی کے خارج کیا جائے کوئی بھی کارروائی / سزا میرے ملازمت اور خاندان کیلئے ناقابل تلافی نقصان اور ذہنی کوفت کا باعث ہو گا۔ مزید میری معطلی بھی ختم کرنے کی استدعا ہے۔

العارض و تابع فرماں

کنستبل احسان اللہ نمبری 3526 پولیس لائن پشاور

(D) (17)

OFFICE OF THE
SUPERINTENDENT OF POLICE,
SADDAR, CCP, PESHAWAR

NO. 14/E/PA.

DATE: 06/09/2022

ORDER.

Under purview of Police Rules of 16.1(2), Police Rules 1975 amended-2014 and Police Act, 2017, Article 141(3), this order will dispose the departmental proceedings carried out against constable Hisan Ullah No. 3526 of PS Sarband, Peshawar.

- ❖ Reportedly while he was posted to PS Sarband Bani Qadeem Check Post had links with narcotics suppliers and involved in illegal activities/gratification.
- ❖ He was charge sheeted vide this office No. 14/E/PA dated 04.04.2022 and departmental enquiry was entrusted to DSP Saddar. Enquiry officer submitted his report vide his office No. 08/E/PA DSP Saddar circle dated 15.08.2022; the E.O recommended him for appropriate punishment.
- ❖ Final Show Cause Notice vide this office No. 14/E/PA dated 22.08.2022 was issued and served upon him and hearing chance in O.R for defence provided to the accused Police official.
- ❖ He replied to final Show Cause Notice, which is placed in enquiry proceedings file and found unsatisfactory. He also appeared before this office but failed in his defence, allegations proved against him.
- ❖ In his service, he was suspended twice by SPs Cantt and Saddar on similar charges and he had managed his posting to Check Posts Karkhano and Bani Qadeem (03 times) which showed that he is interested to get black money from the narcotics smugglers.
- ❖ Keeping in view his links with narcotics suppliers, involved in illegal activities and he has been found guilty of the charges therefore, Constable Hisan Ullah No. 3526 salary reduction is hereby ordered as time scale constable and re-instated from suspension with immediate effect.

(Encl: 23 pages)

(Aqeeq Hussain)
Superintendent of Police,
Saddar Division CCP, Peshawar.

OB No. 2769 dated 06/09/2022.

Copy to:

1. The Capital City Police officer Peshawar.
2. The Senior Superintendent of Police Operations, CCP Peshawar.
3. The Superintendent of Police Headquarters, CCP Peshawar.
4. The SDPO Badshah/SIO PS Sarband.
5. Pay Officer/OASI/CRC/ FMC for necessary action.

گورنمنٹ ہائیڈرو پوائنٹ پولیس انسٹیٹیوٹ

ہیڈ آفس

گورنمنٹ ہائیڈرو پوائنٹ پولیس انسٹیٹیوٹ کے ذریعہ 14/E/PA 14/09/06
TimeScale اور مائیکرو ٹیکنالوجی کے بارے میں (معلومات TimeScale)

مسائل 2008 کا ہے۔ اور مینٹیننس کے مختلف شعبہ جات، پولیس اور
اور خانہ بدلوں میں ایسی ڈیولپمنٹ کی ضرورت ہے جس سے ان کی کارکردگی اور
کے ساتھ ساتھ ان کے کاموں میں اضافہ ہو سکے۔

ذریعہ مسائل پر مشتمل Suppliers کے ساتھ ساتھ ان کے کاموں میں
اپنے کاموں میں معاونت کی ضرورت ہے۔ اس کے ساتھ ساتھ ان کے کاموں میں
میں سے کسی بھی قسم کی مشکلات کو دور کرنے کے لیے ان کے کاموں میں
گورنمنٹ ہائیڈرو پوائنٹ پولیس انسٹیٹیوٹ کے ذریعہ ان کے کاموں میں
دال کے ساتھ ساتھ ان کے کاموں میں اضافہ ہو سکے۔

مسائل کے لیے ضروری اقدامات کی ضرورت ہے۔ اور مسائل کی ضرورت کے لیے
درج ذیل مسائل کے لیے ضروری اقدامات کی ضرورت ہے۔ اور ان کے کاموں میں
اور ان کے کاموں میں اضافہ ہو سکے۔

ان کے کاموں میں اضافہ ہو سکے۔ اور ان کے کاموں میں
نقصان کے ساتھ ساتھ ان کے کاموں میں اضافہ ہو سکے۔ اور ان کے کاموں میں
میں سے کسی بھی قسم کی مشکلات کو دور کرنے کے لیے ان کے کاموں میں

14/09/06

حاجی مراد

گورنمنٹ ہائیڈرو پوائنٹ پولیس انسٹیٹیوٹ کے ذریعہ 3526
حاجی مراد



OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

CFⁿ (19)

ORDER.

This order will dispose of the departmental appeal preferred by Constable Ihsan Ullah No. 3526 who was awarded the major punishment of "reduction to the lower stage and scale of pay" under KP PR-1975 (amended 2014) by SP/Saddar Peshawar vide O.R. No. 11 dated 06/09/2022.

Shorts facts leading to the instant appeal are that the detainee constable with CP Bara Qadeem PS Sarband was proceeded against departmentally on the charge of links with notorious drug dealers of the area by receiving gratification from them.

He was issued proper Charge Sheet and Summary of Allegations by SP/Saddar Peshawar. SDPO/Saddar Peshawar was appointed as inquiry officer to scrutinize the charges against accused official. The inquiry officer after conducting proper inquiry submitted report in which he was recommended for appropriate punishment. The competent authority on the findings of the inquiry officer issued him Final Show Cause Notice to which the appellant's same was found unsatisfactory, hence awarded the above major punishment.

4. He was heard in person in O.R. and the relevant record along with his examination perused. During personal hearing the appellant failed to submit any plausible defence. He was given ample opportunity to prove his innocence but he failed to produce any proof. Therefore, his appeal for setting aside the punishment awarded to him by SP/Saddar Peshawar is hereby rejected/filed.

(MUHAMMAD ILAKH) P.S.
CAPITAL CITY POLICE OFFICER
PESHAWAR

dated Peshawar the 09/12/2022

No. 1051-57 / P.A.

Copies for information and necessary action to the:-

1. SP/Saddar Peshawar
2. ADP/CCP Peshawar
3. PO/CRG and OAS
4. ADP/CRG with complete four missal
5. Official Record

OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

(20)

ORDER

This order will dispose of the departmental appeal preferred by Constable Ihsan Ullah No.3526 who was awarded the major Punishment of "reduction to the lower stage time scale of pay" under KP PR-1975 (amended 2014) by SP/Saddar Peshawar vide OB No.2269, dated 06.09.2022.

2- Shorts facts leading to the instant appeal are that the defaulter constable while posted at PP Bara Qadeem PS Sarband was proceeded against departmentally on the charges that he had links with notorious drug dealers of the area by receiving gratification from them.

3- He was issued proper Charge Sheet and Summary of Allegations by SP/Saddar Peshawar. SDPO/Saddar Peshawar was appointed as inquiry officer scrutinize the conduct of the accused official. The inquiry officer after conducting proper inquiry submitted his findings in which he was recommended for appropriate punishment. The competent authority in light of the findings of the inquiry officer issued him Final Show Cause Notice to which he replied but the same was found unsatisfactory, hence awarded the above major punishment.

4- He was heard in person in O.R and the relevant record along with his explanation perused. During personal hearing the appellant failed to submit any plausible explanation in his proof. Therefore, his appeal for setting aside the punishment awarded to him by SP/Saddar Peshawar is hereby rejected/filed.

(MUHAMMAD IJAZ KHAN) PSP
CAPITAL CITY POLICE OFFICER,
PESHAWAR

No. 4051/57/ PA,

dated Peshawar the

09/12/2022

Copies for information and necessary action to the:

1. SP/Saddar Peshawar.
2. AD-IT CCP Peshawar.
3. PO CRC and QASI
4. FMC along with complete fouji missal.
5. Official concerned.



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by FC Jhsan Ullah No: 3526. The petitioner was awarded major punishment of reduction to the lower stage time scale pay by SP Saddar vide OB No. 2269, dated 06.09.2022 on the allegations that he while posted at PP Bara Qadeem PS Sarband was proceeded against departmentally on the charges that he had links with notorious drug dealers of the area by receiving gratification from them.

The Appellate Authority i.e. CCPO Peshawar rejected his appeal vide Order Endst: No. 4051-57/PA, dated 09.12.2022.

Meeting of Appellate Board was held on 01.03.2024 wherein petitioner was heard in person. The petitioner contended that he is innocent.

Perusal of enquiry papers revealed that the allegations leveled against the petitioner has been proved. The petitioner failed to submit any cogent reason in his self-defense. The Board sees no ground and reasons for acceptance of his petition, therefore, his petition is hereby rejected.

Sd/-

AWAL KHAN, PSP

Additional Inspector General of Police:
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI 603-608 /24, dated Peshawar, the 22-03- /2024.

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One Service Roll, One Enquiry File and One Fauji Missal containing Enquiry File of the above named FC received vide your office Memo: No. 367/CRC, dated 06.01.2022 is returned herewith for your office record.
2. Superintendent of Police, Saddar Peshawar.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-IV CPO Peshawar.

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

بعد التخصیص



2024 منجانب اللہ

مورثہ

اصحاب اللہ بنام

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

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

آں مقام کیلئے لکھنیا لکھنیا

کا

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے کے تقریر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضعی دعویٰ اور درخواست ہر قسم کی تصدیق زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا 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 کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر واضح منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ ایذا و کالت نامہ لکھنیا کہ سند ہے۔

Shesulder

2024

المرقوم

ماہ

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العبد

کے لئے منظور ہے۔
Raj

مقام