


FORM OF ORDER SHEET

Court of _____

Appeal No. 651/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/05/2024	<p>The appeal of Mr. Faizan Khan presented today by Mr. Fazal Shah Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 15.05.2024. 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 651 /2024

Faizan Khan. Appellant

V E R S U S

Superintendent of Police & another. Respondents

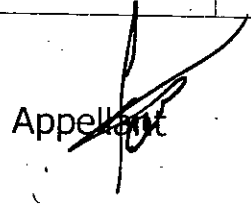
I N D E X

S #.	Description of Documents	Annex	Pages
1.	Service Appeal with Affidavit		1-4
2.	Copy of Appointment Order	A	5
3.	Copy of Transfer Order dated 21.06.2021	B	6-7
4.	Copy of Order dated 06-12-2023	C	8
5.	Copy of Pay Slips	D	9-12
6.	Copy of Removal Order dated 05-01-2024 & Application dated 15-01-2024	E & F	13-15
7.	Copy Departmental Appeal and TCS Receipt	G	16-2
8.	Vakalat Nama		21

Dated:- 13-05-2024

Through

Appellant


Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

OFFICE:-

Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

Email:-

fazalshahmohmand@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No BSI /2024

Faizan Khan, Ex Constable No.354, Capital City Police Peshawar.

.....Appellant

V E R S U S

1. Superintendent of Police Head Quarters Capital City Police Peshawar.
2. Capital City Police Officer Khyber Pakhtunkhwa Peshawar.

.....Respondents

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER
DATED 05-01-2024 WHEREBY, THE APPELLANT HAS
BEEN REMOVED FROM SERVICE AND AGAINST
WHICH DEPARTMENTAL APPEAL OF THE
APPELLANT HAS NOT BEEN RESPONDED SO FAR
DESPITE THE LAPSE OF MORE THAN THE STATUTORY
PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal the impugned Order dated 05.01.2024 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant was enlisted as Special Police Officer (SPO) in the year 2019 and later on regularized in the year 2020 along with others and since enlistment the appellant performed his duties with honesty and full devotion and to the entire satisfaction of his high ups. (Copy of Appointment Order is enclosed as Annexure A).

2. That the appellant was transferred to District Khyber on 21.06.2021, where he regularly performed his duties. **(Copy of transfer order dated 21.06.2021 is enclosed as Annexure B).**
3. That in the month of October 2023 fact finding inquiry was initiating and the appellant along with others were brought to police lines at about 10:00 PM on leave days i.e. Saturday and Sunday where he was forced to sign a blank paper and was also directed to deposit his service book, service card, cheque book and ATM card etc., which are still not returned to the appellant despite repeated requests.
4. That the salary of the appellant was subsequently stopped, after the mentioned preliminary inquiry on the allegations of ghost/illegal/fake employees vide order dated 06-12-2023 **(Copy of order dated 06-12-2023 is enclosed as Annexure C)**
5. That the appellant was duly enlisted as SPO and later on regularized and he performed his duties honestly and also received salaries from respondent departments. **(Copy of pay Slips are enclosed as Annexure D)**
6. That in the meanwhile the appellant was removed from service vide order 05-01-2024, copy of which was obtained through RTI Commission on 15-01-2024. **(Copy of removal order dated 05-01-2024 & application dated 15-01-2024 is enclosed as annexure E & F)**
7. That the appellant visited the office of respondent No. 2 on 02.02.2024 to submit departmental appeal, however the same was not entertained where after the appellant sent his departmental appeal through registered courier (TCS) on

02.02.2024 which has not been responded so far. (Copy departmental Appeal and TCS receipt are enclosed as Annexure G).

8. That the impugned Order dated 05-01-2024 to the extent of appellant is against the law, facts and principles of natural justice on grounds inter alia as follows:-

GROUND S:-

- A. That the impugned order dated 05-01-2024 is illegal, unlawful and void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules.
- C. That no charge sheet and show cause notice was issued to the appellant.
- D. That no regular inquiry was conducted in the matter to have found out the true facts and circumstances.
- E. That no evidence was collected in support of the allegations thus the charges never stood established against the appellant.
- F. That the appellant was not heard in person and ex parte action has been issued against him in violation of the principles of natural justice.
- G. That there is no omission and commission on part of the appellant and the appellant could not be punished for the fault of others if any, strangely the alleged master mind have been transferred only and no action has been taken against them, hence the impugned order smacks malice. .

- H. That the appellant has about 5 years of service with unblemished service record.
- I. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.

Dated:- 13.05.2024

Through

Appellant

Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

Baseer Ahmad Shah

&

Ibad ur Rehman Khalil
Advocates Peshawar

AFFIDAVIT


I, Faizan Khan, Ex Constable No.354, Capital City Police Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

DEPONENT


5
A

APPOINTMENT ORDER

Ex-Service Man Mr. Faizan Khan s/o Manwar Khan R/O
Newam Pura Gate R/O Karoon Pura PS Hashnaghd Distt: Behawal is hereby appointed as
Constable (BPS-5) in CCP, Behawal for two years on contract basis subject to the Medical fitness and
local Police verification. The period of contract may be extended.


SP: SUPERINTENDENT OF POLICE
HQRS: PESAWAR.

OR NO _____
DATED _____


ATTEST



OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

ORDER

Constable Muhammad Faizan No. 354 is hereby transferred from Capital City Police Peshawar to DPO Khyber on loan basis with immediate effect.

For CAPITAL CITY POLICE OFFICER
PESHAWAR

OB No. 3729 /2021.

No 10960-⁶⁰-10ASI dated Peshawar the, 21 / 06 - /2021

Copy of the above is forwarded for information and necessary action to the:-

1. DPO Khyber.
2. PO CCP Peshawar.
3. FM CCP Peshawar.

ATTESTED

(7)

دولت

تاریخ: 14/07/2021
مقام: وزیر اعظم

(7)

موضوع: وزارت صحت کی طرف سے 14/07/2021 کو جاری کی گئی نئی 10:00 بجے کے بعد

کورونا وائرس کی تشخیص کے لیے 1096-68 پر 21-06-2021 سے

دو روزہ ٹیسٹنگ کی سہولت فراہم کرنے کے بارے میں وزارت صحت کی طرف سے

PHARMACY

دو روزہ ٹیسٹنگ کی سہولت فراہم کرنے کے بارے میں وزارت صحت کی طرف سے

دو روزہ ٹیسٹنگ کی سہولت فراہم کرنے کے بارے میں وزارت صحت کی طرف سے

دو روزہ ٹیسٹنگ کی سہولت فراہم کرنے کے بارے میں وزارت صحت کی طرف سے

OFFICE OF THE
DISTRICT POLICE OFFICER
KHYBER



No. 8824 /PA-DPO Khyber

Dated

ORDER

With reference to Office Letter No. 20279/PA-SP-Coord dated Peshawar the 30/11/2023, in pursuance of the directions, the pay of the following is hereby stopped with immediate effect till further orders.

Sr.	Name/No.	Personnel No.
01	Umar Farooq s/o Zahoor Ahmad No. 4656	997181
02	Hazrat Gul s/o Habib Gul No. 397	00522449
03	Ibrar Akhtar s/o Javed Akhtar No. 319	532147
04	Saud Ali s/o Mustaqeem Shah No. 4248	37673
05	Inam	699858
06	Muhammad Younas s/o Gul Khan No. 6208	377450
07	Salman Shehzad s/o Shehzad Gul No. 7168	00589967
08	Muhammad Iftikhar s/o Shakir Ullah No. 6221	700148
09	Faizan No. 354	0098163
10	Moeen Ali s/o Abdul Manan No. 1529	985652
11	Shuukat Iqbal s/o Mir Khatam No. 1593	921365
12	Muhammad Ejaz s/o Tariq Khan No. 7466	553304
13	Muhammad Ubaid s/o Liaqat Ali No. 6472	395704
14	Farhad s/o Khan Shah No. 945	322369
15	Hamza s/o Musa Khan No. 1414	985649
16	Muhammad Tahir s/o Sher Zamin No. 6631	361979
17	Usman s/o Saleem No. 6048	544048
18	Faraz Mehmood s/o Taj Muhammad No. 6567	997180

DISTRICT POLICE OFFICER
KHYBER

OR No. 1159 /dated 16/12/2023
No. 8825-29/PA-DPO Khyber

Copies to:

1. The Capital City Police Officer, Peshawar
2. DSP HQ, Khyber
3. Accountant Khyber
4. Service Record Branch
5. HRMIS Branch, Khyber

ATTES

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (September-2022)



Personal Information of Mr FAIZAN KHAN d/w/s of MUNAWAR KHAN

Personnel Number: 00981635 CNIC: 1730151939863 NTN:
Date of Birth: 16.03.1997 Entry into Govt. Service: 01.12.2020 Length of Service: 01 Years 10 Months 001 Days

Employment Category: Active Temporary

Designation: CONSTABLE 80877516-GOVERNMENT OF KHYBER PAKH
DDO Code: PR8109-Levies Secretariat Merged Areas Peshawar
Payroll Section: 006 GPF Section: 003 Cash Center:
GPF A/C No: GPF Interest applied GPF Balance: 12,496.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 07 Pay Stage: 1

Wage type		Amount	Wage type		Amount
0001	Basic Pay	17,220.00	1004	House Rent Allow 45% KP21	4,968.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1547	Ration Allowance	681.00	1567	Washing Allowance	150.00
1646	Constabulary R Allowance	300.00	1902	Special Incentive Allowance	775.00
2168	Fixed Daily Allowance	2,730.00	2314	Risk Allow Police - 2021	7,400.00
2347	Adhoc Rel Al 15% 22(PS17)	1,740.00	5879	Adj Risk Allowance(Police)	3,292.00

Deductions - General

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,010.00	3530	Police wel:Fud BS-1 to 18	-344.00
4004	R. Benefits & Death Comp:	-450.00	6173	CM Flood Relief Fund01-16	-2,506.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
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Deductions - Income Tax

Payable: 0.00 Recovered till SEP-2022: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 42,688.00 Deductions: (Rs.): -4,310.00 Net Pay: (Rs.): 38,378.00

Payee Name: FAIZAN KHAN
Account Number: 0010084241510015
Bank Details: ALLIED BANK LIMITED, 250304 Chowk Yadgar Peshawar Chowk Yadgar Peshawar, Peshawar

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: City: P Domicile: - Housing Status: No Official
Temp. Address: City: Email: f03101993390@gmail.com

ATTESTED

Government of Khyber Pakhtunkhwa
District Accounts Office khyber
Monthly Salary Statement (January-2023)

10



Personal Information of Mr FAIZAN KHAN d/w/s of MUNAWAR KHAN

Personnel Number: 00981635 CNIC: 1730151939863 NTN:
Date of Birth: 16.03.1997 Entry into Govt. Service: 01.12.2020 Length of Service: 02 Years 02 Months 001 Days

Employment Category: Active Temporary

Designation: CONSTABLE 80849941-GOVERNMENT OF KHYBER PAKH
DDO Code: KH4037-District Police Officer Khyber
Payroll Section: 001 GPF Section: 001 Cash Center:
GPF A/C No: GPF Interest applied **GPF Balance:** 16,536.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 07 Pay Stage: 2

Wage type		Amount	Wage type		Amount
0001	Basic Pay	18,130.00	1001	House Rent Allowance 45%	2,384.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1547	Ration Allowance	681.00	1567	Washing Allowance	150.00
1646	Constabulary R Allowance	300.00	1902	Special Incentive Allowance	775.00
2168	Fixed Daily Allowance	2,730.00	2314	Risk Allow Police - 2021	7,400.00
2347	Adhoc Rel Al 15% 22(PS17)	1,740.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,010.00	3530	Police wel:Fud BS-1 to 18	-363.00
4004	R. Benefits & Death Comp:	-450.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
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Deductions - Income Tax

Payable: 0.00 Recovered till JAN-2023: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 37,722.00 Deductions: (Rs.): -1,823.00 Net Pay: (Rs.): 35,899.00

Payee Name: FAIZAN KHAN
Account Number: 0010084241510015
Bank Details: ALLIED BANK LIMITED, 250304 Chowk Yadgar Peshawar Chowk Yadgar Peshawar, Peshawar

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:
City: P Domicile: - Housing Status: No Official
Temp. Address:
City: Email: f03101993390@gmail.com

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ATTESTED

Government of Khyber Pakhtunkhwa
District Accounts Office khyber
Monthly Salary Statement (November-2023)

11



Personal Information of Mr FAIZAN KHAN d/w/s of MUNAWAR KHAN

Personnel Number: 00981635 CNIC: 1730151939863 NTN:
Date of Birth: 16.03.1997 Entry into Govt. Service: 01.12.2020 Length of Service: 03 Years 00 Months 001 Days

Employment Category: Active Temporary

Designation: CONSTABLE 80849941-GOVERNMENT OF KHYBER PAKH
DDO Code: KH4037-District Police Officer Khyber
Payroll Section: 001 GPF Section: 001 Cash Center:
GPF A/C No: GPF Interest applied GPF Balance: 30,066.00 (provisional)
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 07 Pay Stage: 2

Wage type		Amount	Wage type		Amount
0001	Basic Pay	18,130.00	1001	House Rent Allowance 45%	2,384.00
1210	Convey Allowance 2005	1,932.00	1300	Medical Allowance	1,500.00
1547	Ration Allowance	1,000.00	1567	Washing Allowance	150.00
1646	Constabulary R Allowance	300.00	1902	Special Incentive Allowance	775.00
2168	Fixed Daily Allowance	2,730.00	2314	Risk Allow Police - 2021	7,400.00
2347	Adhoc Rel Al 15% 22(PS17)	1,740.00	2378	Adhoc Relief All 2023 35%	6,345.00

Deductions - General

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,500.00	3530	Police wel:Fud BS-1 to 18	-363.00
4004	R. Benefits & Death Comp:	-450.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
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Deductions - Income Tax

Payable: 0.00 Recovered till NOV-2023: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 44,386.00 Deductions: (Rs.): -2,313.00 Net Pay: (Rs.): 42,073.00

Payee Name: FAIZAN KHAN
Account Number: 0010084241510015
Bank Details: ALLIED BANK LIMITED, 250304 Chowk Yadgar Peshawar Chowk Yadgar Peshawar, Peshawar

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: P Domicile: - Housing Status: No Official

Temp. Address:

City: Email: f03101993390@gmail.com

all
ATTESTED

LAST PAY CERTIFICATE

(12)

1. Last pay certificate of AC Farooq Khan ID No. 881635
 Of the CAPITAL CITY POLICE PESHAWAR
 Proceeding to 18045/2022 To DPO Khyber
 2. to has been paid up to 30-01-2022
 As per following rates

1.	Basic Pay	17220-
2.	House Rent Allowance	4868-
3.	Conveyance Allowance	1932-
4.	Medical Allowance	1500-
5.	Ration Allowance	681-
6.	Washing Allowance	150-
7.	Constabulary Relief Allowance	300-
8.	Risk Allowance	7400-
9.	Special Incentive Allowance	775-
10.	Special Allowance	-
11.	Adhoc Relief 2013	-
12.	Fixed Daily Allowance	2730-
13.	Adhoc Relief 2015	-
14.	Adhoc Relief 2022	2740-
		3892-
		-
		-

Verified

Account Officer
 o/o
 A.G KPK, Peshawar

Deductions:

He made over the charge of the office of _____

on the _____ noon of _____

Recoveries are to be made from the pay of Government servant as detailed on the reverse
 He has paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____ to at Rs _____ a month
 From _____ to at Rs _____ a month
 From _____ to at Rs _____ a month

He is entitled to draw the following:
 He is also entitled to joining time for _____ days.
 The details of the Income Tax recovered from him to the date from the _____
 year are noted the reverses

No. 18800 (N/O)
 Date at 01/02/2022

[Signature]
 Drawing & Disbursing Officer
 For Capital City Police
 Signature _____
 Designation _____

[Signature]
ATTESTED

...including ...

...the OAS report was obtained on Belt No. 354 in CCP Peshawar which revealed ...

...Faizan s/o Munawar Khan Belt No. 354, after completing his matriculation, was ...

...accordingly, Enquiry Committee headed by the SSP Coordination was ...

...He was proceeded against on account of ...

...with the direction of DIG/HQs, Khyber Pakhtunkhwa issued ...

13



OFFICE OF THE
SUPERINTENDENT OF POLICE
HEADQUARTERS CCP PESHAWAR
Phone No. 091-9210737

13

ORDER

1. In compliance with the direction of DIG/HQrs: Khyber Pakhtunkhwa issued vide letter No. 101/PA/DIG/HQrs: dated 21.08.2023 and W/CCPO vide endst: No. 4242-51 dated 02.11.2023 Faizan Khan s/o Munawar Khan Belt No. 354, Personnel Number 0098163 (Khyber) was found to be ghost/illegal employee. He was proceeded against on account of receiving illegal salaries through bank account despite the fact that he did not found in the official record: -
2. Accordingly: Enquiry Committee headed by the SSP Coordination was constituted to enquire into the allegations. The Enquiry Committee, after going through the pros and cons of the issue, held that Illegal employee Faizan s/o Munawar Khan No. 354 was fictitiously recruited by master minds of the then Account Branch i.e, Budget Officer Aslam, Senior Clerk Haji Shahid Ali and Pay Officer Tahir Shah who were siphoning out salary from national exchequer on his name. The masterminds of this scam adopted tactics like illegally employing a namesake of previous dismissed police employee, illegal/fake/ghost employees recruited through fake orders/OB entries and fake transfer orders and thereafter starting their salaries in connivance of AG office etc.
3. Faizan s/o Munawar Khan Belt No. 354, after completing his matriculation, was looking for a job and approached a salesman of Haji Shahid garments shop in Mena Bazaar, requesting for recruitment as Constable. From 2017 to 2019, Faizan served with Haji Shahid in Police Lines as his private personal employee, performing various tasks and frequently expressing his desire for a job. In 2020, Haji Shahid handed over orders for Faizan's recruitment as Constable, directing him to report to District Khyber Police Lines without undergoing any required procedures such as physical checkup, medical examination or training. Faizan claims that he did not give any bribe for his recruitment.
4. The OASI report was obtained on Belt No.354 in CCP Peshawar which revealed that this belt No. is vacant, with Faizan Ilyas previously served with this number, who has been struck off on July 13, 2023. The allotted belt number is vacant now. No service book or record found of Muhammad Faizan s/o Munawar Khan. He is an illegal/fake employee.
5. After having been gone through all the available material on record including findings/recommendations of the Enquiry Committee, the undersigned is fully convinced that no process whatsoever was followed for his recruitment clearly violating the principle of open competition and transparency as envisaged for general recruitment in police and the only purpose was to draw salary on his name from the national exchequer by the delinquent officials of Pay Branch and their associates.

Pakistan vide Civil Petition No.4057 of 2021 & C.M. Appeal No.1 of 2022 wherein such illegal employments in a Government Department were declared illegal in which no pre-requisite criteria was being followed. Para-3 of the judgment ibid is reproduced for ready reference as under:

3. "Having heard learned counsel for the parties and going through the impugned judgment and on the basis of the comments filed by the Government of Khyber Pakhtunkhwa, it appears that at the time of appointing the petitioner no process was followed and the principle of transparency and open competition was entirely ignored. The petitioner was appointed in violation of the law and the rules and even if the termination letter does not mention so, it is clear and obvious from the record that this was indeed the case. Further no vested right to claim continuation of service has been pleaded or shown".

7. Hence, in exercise of the powers mentioned in Section 4(1)(b)(iii) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014), Faizan Khan Personnel Number 0098163 ghost/illegal employee is hereby removed from Police record. He is also liable to be proceeded against under sections 110 & 115 of the Khyber Pakhtunkhwa Police Act, 2017 (Khyber Pakhtunkhwa Act No.11 of 2017) and other relevant provisions of the Pakistan Penal Code

**SUPERINTENDENT OF POLICE
HORS CCP PESHAWAR**

Dated Peshawar the 05/01/2024.

Dated: 05/01/2024.

Copies to:-

1. The Dy. Inspector General of Police, HORS, Khyber Pakhtunkhwa at CPO Peshawar.
2. The Capital City Police Officer, Peshawar
3. The Senior Superintendent of Police, Operations, Peshawar
4. The Senior Superintendent of Police, Coordination, Peshawar
5. The District Police Officer, Khyber
6. The Pay Officer, PG-II, OASL, CRC & PAC

No. 459-68
OB No. 94

6. In this connection, it has also been observed in the judgment of the Apex Court of Pakistan vide Civil Petition No.4057 of 2021 & C.M. Appeal No. I of 2022 wherein such illegal employments in a Government Department were declared illegal in which no pre-requisite criteria was being followed, Para-3 of the judgment ibid is reproduced for ready reference as under;

3. "Having heard learned counsel for the parties and going through the impugned judgment and on the basis of the comments filed by the Government of Khyber Pakhtunkhwa, it appears that at the time of appointing the petitioner no process was followed and the principle of transparency and open competition was entirely ignored. The petitioner was appointed in violation of the law and the rules and even if the termination letter does not mention so, it is clear and obvious from the record that this was indeed the case. Further no vested right to claim continuation of service has been pleaded or shown".

7. Hence, in exercise of the powers mentioned in Section 4(1)(b)(iii) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014), Faizan Khan Personnel Number 0098163 ghost/illegal employee is hereby removed from Police record. He is also liable to be proceeded against under sections 110 & 115 of the Khyber Pakhtunkhwa Police Act, 2017 (Khyber Pakhtunkhwa Act No. II of 2017) and other relevant provisions of the Pakistan Penal Code.

Sd/-
SUPERINTENDENT OF POLICE
HQRS CCP PESHAWAR

No.459-68/

Dated Peshawar the 05/01/2024.

OB NO.94

Dated: 05/01/2024.

Copies to:-

1. The Dy: Inspector General of Police, HQrs Khyber Pakhtunkhwa at CPO Peshawar
2. The Capital City Police Officer, Peshawar
3. The Senior Superintendent of Police, Operations, Peshawar
4. The Senior Superintendent of Police, Coordination, Peshawar
5. The District Police Officer, Khyber
6. The Pay Officer EC-II, QASI, CRC & FMC

(18)

F

بخدمت جناب ڈائریکٹر رائٹ ٹو انفارمیشن خیبر پختونخوا پشاور

KP-RTI COMMISSION
Diary No: 11633
Date: 15/01/2024
Section:

تقاضا! درخواست برائے عطائگی حکم برخاستگی

جناب عالی!

گزرش ہے کہ میں محکمہ پولیس میں بطور کانسٹیبل ڈیوٹی انجام دے رہا تھا اور مورخہ 6-12-2023 کو میری تنخواہ مخصوص الزامات کے تحت بند کی گئی جس کے بعد مجھے محکمہ نے بتایا کہ مجھے سمیت دیگر اہلکاران کو ملازمت سے برخاست کیا گیا ہے۔ تاہم مجھے ابھی تک برخاستگی کے حکم کی کاپی فراہم نہیں کی گئی۔ میں نے جناب ایس پی ہیڈ کوارٹر کو برخاستگی حکم کی کاپی کے لیے درخواست دینے کی کوشش کی۔ تاہم انہوں نے وصول کرنے سے انکار کر دیا (نقل درخواست لف ہے)

نام فضائل خان

بیلٹ نمبر 354

تاریخ 15-01-2024

کاپی سٹی پولیس

سی پی پشاور

well
پولیس پشاور

(16)

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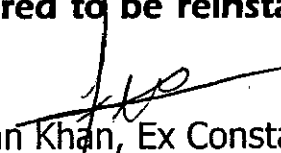
Before the Capital City Police Officer, Peshawar

Subject:- Appeal against the Order dated 05-01-2024, of the Superintendent of Police, Head Quarters, Peshawar, whereby the appellant has been removed from service.

Respectfully Submitted:-

That the appellant was enlisted as Special Police Officer (SPO) in the year **2019** and later on Regularized w.e.f from 01-03-2020 along with others and since enlistment the appellant performed his duties with honesty and full Devotion to the entire satisfaction of his high ups. The appellant was transferred to District Khyber on 21-06-2021, where he regularly performed his duties and in the month of October, 2023 fact finding inquiry was initiated and the appellant along with others were brought to police Lines at about 10.00 P.M on leave days, i.e Saturday and Sunday where he was forced to sign a blank paper and was also directed to deposit his Service Book, Service Card, Check Book and ATM Card etc. which are still not returned to the appellant despite repeated requests. The salary of the appellant was subsequently stopped, after the mentioned preliminary inquiry on the allegations of ghost/illegal/Fake employees vide order dated 06-12-2023, and then the appellant was **removed from Police Record** vide Order dated 05-01-2024, which order is illegal and void ab-initio. The appellant was duly enlisted as SPO and later on regularized and he duly performed his duties. Thus the impugned order to the extent of the appellant is not tenable. The appellant was not heard and ex-parte action has been issued against him in violation of the principles of natural justice. No Charge Sheet and Show Causes Notice were issued to the appellant nor was any regular inquiry conducted in the matter. There is no omission or commission on part of the appellant and the appellant could not be punished for the fault of others if any. Strangely the alleged Masterminds have been transferred only and no action has been taken against them, hence the impugned order smacks malice.

It is therefore requested that on acceptance of this appeal impugned Order dated 05-01-2024 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.


Faizan Khan, Ex Constable
No 354, Capital City Police, Peshawar
R/O New Rampura Gate Hashtnagri
Cell # 0310-1993390

Dated:02/02/2024


ATTESTED



17



CN: 4765814192

DATE: 2024-02-02 15:28

Staff: 122969 Pcs: 10.0
Route: X33104

Name: IANZAR KHAN
Phone: 03101993390
Address: NEW RAMPURA GATE PESHAWAR
CNIC: 1730172675089

Name: COP PA OFFICE
Phone: 03101993390
Address: POLICE LINE PESHAWAR

Service CHG	139.0
Fuel Surcharge	26.0
Other Amount	0.0
VAS	8
Insurance CHG	0
KPSIF Premium	27
TOTAL	200.0

(Signature)
PAID

CN Print Charges

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From


to

Handwritten text in the middle section, possibly a list or notes.

From

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NTN No. K2832053-7	
	
CN: 4765814192	
Product	Service Type
C	O
Payment Mode	Date-Time
CASH	2024-02-02 15:28
ORG-DEST	Pieces WEIGHT
PEW-PEW Staff # : 122989	1Pcs -0.5 X33104
Shipper Details	
Name :	FAIZAN KHAN
Phone :	03101993390
Address :	NEW RAMPURA GATE PESHAWAR
CNIC :	1730172675089
Consignee Details	
Name :	CCP PA OFFICE
Phone :	03101993390
Address :	POLICE LINE PESHAWAR
Packet Content	
Insured Value	
Rs. 0	
Express Center Cut Of Time	
COD Amount	
Rs. 0.0	
Credit Card Auth ID.	

Handwritten signature

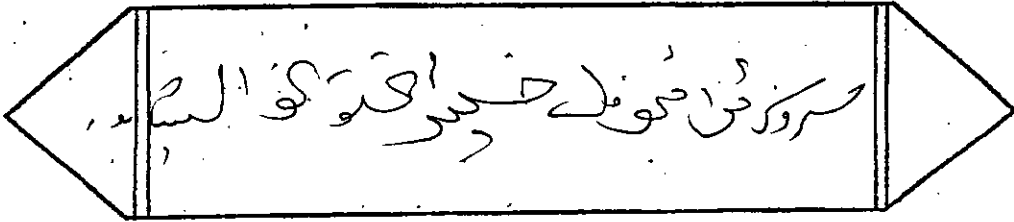
ATTESTED

Payment Details	
Service CHG	139.0
Discount	0.0
Premium	0
Other Amount	0.0
Fuel Surcharge	26.0
Value Added Service	8.0
Insurance CHG	0
KPST	27
TOTAL	200.0
Remarks	
Time Choice Delivery	
Instructions	
CN Print Charges	
For Terms & Conditions Visit www.tcsexpress.com/tnc TCS Headquarters 101-104, Civil Aviation Club Road Karachi - 75202 Pakistan UAN: +92 21 111 123 456 Web: tcs.com.pk (Shipper) V-1.83	

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ATTES



بعدالت



2024ء منجانب

حسنان خان بنام حکومت و سسرہ

BC-10-5543

Govt Appeal

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنک

بعد الت

آن مقام حسنان خان کیلئے فضل شاہ سمہیل حساب (الرحمان جلالی) مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو رضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلاف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں 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 اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانشین التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشگی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ مندر ہے۔

الرقوم 13

ماہ صئی 2024

وہ العہد

کے لئے منظور ہے۔

Handwritten signature

Handwritten signature with name 'Asam' below it

بمقام

وہ حسنان خان سابق سسرہ