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## KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EXECUTION NO \_\_\_\_\_

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Izaz Khan vs Police

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*[Signature]*  
01/07/24  
Muharrir Compilation

*[Signature]*  
1/7/24  
Incharge Judicial Branch

S.No.	Name	Father's Name	District	Posted At
79	Maria Rehman	Fazal-Ur-Rehman	Abbottabad	GGCMS NAWANSHAH
80	Sofia Noreen	Haji Akhtar Zaman	Bannu	GGHSS MANDOZAI
81	Sadia Noreen	Haji Akhtar Zaman	Bannu	GGHSS S.K. BALA
82	Uzma Bibi	Ghulam Serwar Khan	Hattagram	GGHS DANIAN
83	Mehnaz	Umbar Khan	Buner	GGHS KALPANA
84	Robina	Subhan-Ud-Din	Charsadda	GGHS PRANG
85	Shabana Sattar	Sattar Khan	Charsadda	GGHS SHAIJO DAR FORT
86	Shaista	Mumtaz Ahmad	Charsadda	GGHS BODIAK
87	Shahida Begum	Sajid Akbar	Charsadda	GGHS HARIKHAND
88	Shahida Bibi	Muht Hashim Khan	Chitral	GGHS DENIN
89	Danish Mahmood	Mehmood Iqbal	Chitral	GGHS DROSHI
90	Shaima Bibi	M. Baig	Chitral	GGHS BOONI
91	Miss Sheila Ambreen	Haji Abdur Rehman	D.I. Khan	GGHS KULACHI
92	Dar E Shauwar	Sanaullah	D.I. Khan	GGHS PANIALA
93	Irum Sultan	Abdur Rahim Khan	D.I. Khan	GGHSS PATIARPUR
94	Nusrat Iabeen	Habib-Ur-Rehman	Dir (Upper)	GGHSS DIR
95	Husain Amin	Muhammad Amir	Hunza	GGHS HADRI
96	Nighat Gul	Ayub Khan	Hunzipur	GGHS HANU KUNJERI
97	Nuzhat Iqbal	Muhammad Iqbal	Hunzipur	GGHS K.T.S. NO. 3
98	Toseer Fatima	Abbas Ali Shah	Hunzipur	GGHS BAGRA
99	Kalsoon	Rizwan Ullah	Karak	GGHS LATUMBER
100	Nasira Sultan	Khan Nawaz Khan	Karak	GGHS AHMAD AHAD
101	Nasim Khatoon	Pto Zariat Khan	Karak	GGHSS CHOKARA
102	Riffat Sultana	Khan Nawaz Khan	Kohat	GGHS NO. 1 KOHAT
103	Mehwish Zeb	Aurang Zeb	Kohat	GGHS NO. 2 KOHAT
104	Tasleem Kausar	Muhammad Zaman	Kohat	GGHSS BABRI BANDA
105	Fahira Rahim	Abdul Raheem	Lakki	GGHS NO. 1 LAKKI
106	Fahiem Akhter Noshceer	Shahid Muid Akhtar	Lakki	GGHS SHAIKHAZ KIBBI
107	Safia	M. Rasool Khan	Malakand	GGHS BAFKHALA
108	Hamida Bibi	M. Rasool Khan	Malakand	GGHS ALLAH DAND
109	Bushra Javid	Muhammad Javid	Mansehra	GGHS DATTA
110	Bibi Sabira	Qazi Nadim Islam	Mansehra	GGHS DIORHAL
111	Bibi Sadia Javid	Malik Muhammad Javid	Mansehra	GGHS NO. 2 MANSEHRA
112	Rabia Javid	Malik Muhammad Javid	Mansehra	GGHSS DAFPA
113	Sadaf	Fazal Mehmood	Mardan	GGHS KATIANG
114	Tahira Noz	Jalim Zeb	Mardan	GGHSS SHAI BOND HARA
115	Ghazala	Noor Islam	Mardan	GGHS GUDAR CHARI
116	Fauqiat Nafees	M. Nafees Ahmad	Nowshera	GGHS PABBI
117	Nighat Arif	Muhammad Ali	Nowshera	GGHS BADRABILLI
118	Haleema Ishaq	Muhammad Ishaque	Nowshera	GGHSS AKORA KHATTAN
119	Sadaf Rani	Muhammad Yaqub Rani	Nowshera	GGHSS PIR PAI
120	Hiba Bibi	Gul Hafeez	Peshawar	GGHS IRRIGATION
121	Noreen Imtiaz	Muhammad Imtiaz	Peshawar	GGHS NISI PIR KHAN

*Accepted*  
 Assistant Director (Education)  
 E & SE Department  
 Khyber Pakhtunkhwa Peshawar

SA 157/23

05.06.2024


01. Appellant present in person. Mr. Arshad Azam, Assistant Advocate General for the respondents present.

02. Perusal of order sheets shows that the case has been adjourned several times either by the learned counsel for the appellant or his junior. Today again learned counsel for the appellant is not present. On 08.05.2024, last opportunity was granted. Appellant present before the bench stated that his counsel is not available today and requested for adjournment.

03. In view of the previous order sheets it appears that the learned counsel for the appellant is not interested in pursuing the case. The appeal is, therefore, dismissed. Consign.

04. *Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 05<sup>th</sup> day of June, , 2024.*

SCANNED  
KPST  
Peshawar

  
(FAREEHA PAUL)  
Member(E)

\*Fazle Subhan, PS\*

08.05.2024 1. Clerk to counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Ejaz, DSP (Legal) for the respondents present.

2. Clerk to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Last opportunity is granted. To come up for preliminary hearing on 05.06.2024 before S.B. P.P given to clerk of learned counsel for the appellant.

(Muhammad Akbar Khan)  
Member (E)

\*kamran\*

SCANNED  
MST  
PESHAWAR

3


14<sup>th</sup> Dec. 2023

1. Junior to counsel for the appellant present.
2. Lawyers are on strike. Therefore, case is adjourned.

To come up for hearing 29.01.2024 before S.B. P.P given to the appellant.

SCANNED  
KPST  
Peshawar

\*Mutazem Shah\*

  
(Kalim Arshad Khan)  
Chairman

29<sup>th</sup> Jan. 2024

01. Nemo for the appellant. Mr. Muhammad Jan, District Attorney alongwith Ijaz Hussain, DSP (Legal) for the respondents present.

02. To come up for preliminary hearing on 07.03.2024 before the S.B. PP given to the representative of the respondents.


SCANNED  
KPST  
Peshawar

\*Fazle subhan P.S\*


  
(Fareeha Paul)  
Member(E)

07.03.2024

1. Clerk to counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Junior to counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is busy before Worthy Peshawar High Court, Peshawar. To come up for  on 08.05.2024 before S.B. P.P given to the parties.

SCANNED  
KPST  
Peshawar

  
(Rashida Bano)  
Member (J)

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28<sup>th</sup> Aug, 2023

1. Mr. Muhamimad Irfan, Advocate present on behalf of the appellant and filed Wakalat Nama which is placed on file. Mr. Muhammad Jan, District Attorney for respondents present.

SCANNED  
KPST  
Peshawar

2. Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case, being freshly engaged. Adjourned. To come up for preliminary hearing on 04.10.2023 before S.B. P.P given to the parties.

\*Adnan Shah\*

(Kalim Arshad Khan)  
Chairman

04<sup>th</sup> Oct, 2023

SCANNED  
KPST  
Peshawar

01. Learned counsel for the appellant present and sought adjournment on the ground that learned counsel for the appellant was busy before the MII Tribunal. Granted. To come up for preliminary hearing on 14.11.2023 before the S.B. PP given to the learned counsel for the appellant.

(FAREEHA PAUL)  
Member (E)

\*Fazle Subhan, PS\*

14<sup>th</sup> Nov, 2023

SCANNED  
KPST  
Peshawar

1. Junior to counsel for the appellant present.  
2. He made a request for adjournment as senior counsel is busy before the Peshawar High Court Peshawar. Granted. To come up for preliminary hearing on 14.12.2023 before S.B. P.P given to the junior counsel.

(Kalim Arshad Khan)  
Chairman

\*Muhammad Shah\*

01.06.2023

Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate for the respondents present.

Record shows that notices have not been issued to respondent No. 2 to 4, therefore, office is directed to issue notice to respondent No. 2 to 4 for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 13.07.2023 before S.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)  
Member (E)

SCANNED  
KPST  
Peshawar

\*Kamranullah\*

13.07.2023

Appellant in person present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Reply/comments on behalf of respondents submitted through office which are placed on file. Copy of the same handed over to the appellant who sought adjournment on the ground that his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 28.08.2023 before S.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)  
Member (E)

SCANNED  
KPST  
Peshawar


\*Kamranullah\*

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03.03.2023


Learned counsel for the appellant present.

Let pre-admission notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 17.04.2023 before S.B. P.P given to learned counsel for the appellant.

  
(Muhammad Akbar Khan)  
Member (E)

17.04.2023

Learned counsel for the appellant present. The appeal in hand is at pre-admission stage, therefore, notice be issued to the respondents and to come up for reply/comments as well as preliminary hearing on 01.06.2023 before the S.B. Parcha Peshi given to learned counsel for the appellant.

  
(Salah-Ud-Din)  
Member (J)

\*Naeem Amin\*

SCANNED  
KPST  
Peshawar.


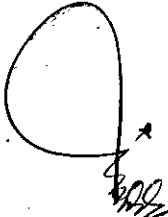


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# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. - 157/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/1/2023	<p>The appeal of Mr. Aizaz Khan presented today by Mr. Zafar Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>23-1-23</u>. Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>
23.01.2023	<p>SCANNED KPST Peshawar</p>	<p>Clerk to learned counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is busy in the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 03.03.2023 before the S.B.</p> <p> (Mian Muhammad) Member (Executive)</p>

(8)

KHYBER PAKHTUNKHWA MTTI TRIBUNAL, PESHAWAR

Case Title:

*Suppl. Petition for* *Objection*  
CHECK LIST

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Whether appeal is within time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Whether the enactment under which the appeal is filed mentioned?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Whether the enactment under which the appeal is filed is correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Whether affidavit is appended?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Whether affidavit is duly attested by competent Oath Commissioner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Whether appeal/annexures are properly paged?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Whether annexures are legible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Whether annexures are attested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Whether copies of annexures are readable/clear?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13	Whether copy of appeal is delivered to AG/DAG?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15	Whether numbers of referred cases given are correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16	Whether appeal contains cutting/overwriting?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	Whether list of books has been provided at the end of the appeal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18	Whether case relate to this court?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19	Whether requisite number of spare copies attached?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20	Whether complete spare copy is filed in separate file cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21	Whether addresses of parties given are complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22	Whether index filed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23	Whether index is correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
24	Whether Security and Process Fee deposited? On	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26	Whether copies of comments/reply/rejoinder-submitted? On	<input type="checkbox"/>	<input type="checkbox"/>
27	Whether copies of comments/reply/rejoinder provided to opposite party? On	<input type="checkbox"/>	<input type="checkbox"/>

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

*Zafar Ali Khan ad*

Signature:

Dated:

*19-1-2023*

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BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 157 /2023

SCANNED  
KPST  
Peshawar

**Aizaz Khan** ..... Appellant

Versus

I.G.P, Khyber Pakhtunkhwa, Peshawar & others..... Respondents

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S.No.	Description of documents.	Annex:	Pages.
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3)	Addresses of the parties.		7
4)	Copy of Pay Roll	A	8
5)	Copy of FIR alongwith Better Copy	B	9-10
6)	Copy of Charge sheet, Inquiry and Show cause notice are attached	C, D and E	11-15
7)	Copy of dismissal order	F	16
8)	Copy of departmental appeal and rejection order dated 20.12.2022	G & H	17-19
9)	Wakalatnama.		20

Dated: 18.01.2023

Appellant

**Aizaz Khan**

Ex Constable Belt No.1961

Through

**Zafar Ali Khan**

Advocate High Court

Mobile No. 0333-9349442

0313-95392690

Email: Zafaradv@msn.com @PK

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1

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 157 /2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3051

Dated 18/1/2023

**Aizaz Khan** son of Fazle Amin  
Ex Belt No.1961, District Police Nowshera  
R/O Khush Muqam, District Nowshera..... Appellant

**Versus**

- 1) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2) Deputy Inspector General, Mardan
- 3) Regional Police Officer, District Mardan.
- 4) District Police Officer, Nowshera
- 5) District Accounts Officer, Nowshera

..... Respondents

Appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order dated 20.12.2022 whereby the departmental appeal was filed on 05.09.2022 by the appellant was rejected and maintained the dismissal order dated 24.01.2022.

Filed to-day  
Registrar 18/1/23

Prayer:

On acceptance of this service appeal, the impugned order dated 20.12.2022 and 24.01.2022 may kindly be declared illegal, unlawful, without jurisdiction and is liable to be set aside and the appellant may kindly be re instated on service alongwith all back benefits.

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Any other relief to whom the  
appellant found entitled during course of  
hearing may also be granted.

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***Respectfully Sheweth;***

Brief facts giving rise to the instant appeal are as under:-

- 1) That the appellant was appointed on 28.11.2013 as constable in police department, KP and posted as such at District Nowshera.

(Copy of Payrol is Annex: "A").

- 2) That the appellant was transferred to police lines Nowshera for performing his duties.
- 3) That the appellant was allotted Rifle No.4800678, 02 magazines, 60 live rounds and bullet proof Jacket.
- 4) That the above mentioned Rifle etc was misplaced in Weapon/ ammunition company Nowshera and in this respect FIR No.589 dated 13.12.2021 Charge U/S 409 PPC at Police station Azakhel was registered against the appellant. (Copy of FIR is annexure "B").
- 5) That the appellant was arrested in the above mentioned case and released on bail on 13.01.2022 by the competent court of law.
- 6) That the appellant was charge sheeted and inquiry was initiated and final show cause notice was issued on 05.1.2022 in this case by the respondents. (Copy of Charge sheet, Inquiry and Show cause notice are attached as annexure C, D and E).
- 7) That the appellant was dismissed from service by the respondents on 24.01.2022. (Copy of dismissal order is annexure F).

- 8) That the appellant has submitted departmental appeal to the respondent on 05.09.2022 which was decided on 20.12.2022 by the respondent and maintained the dismissal order in this case. (Copy of departmental appeal and rejection order dated 20.12.2022 are annexure G &H).
- 9) That the appellant feeling aggrieved from the impugned Order dated 20.12.2022 , hence constrained to file the instant service appeal for his reinstatement in service on the following amongst other grounds:

GROUND FOR APPEAL:

- a) That the impugned order dated 20.12.2022 is against the law, facts and material available on record, hence not tenable in the eyes of law, which is violative of Service Law and Rules on subject.
- b) That the all proceedings conduct in this case by the respondents in absence of appellant because that time he was behind the bars in the above mentioned FIR.
- c) That the final show cause notice was not personally served upon the appellant but served upon the father of appellant.
- d) That the whole departmental proceedings conducted in violation of Police Rules and Service Law and passed the all impugned orders.
- e) That the allegations in respect of Rifle etc are unsubstantiated as the Rifle etc were recovered from the Arms/ Weapon Ammunition Company owner namely Shamshad and not from the appellant due to which no loss occurred to the department.
- f) That the appellant was vigilantly performing his regular duties at District Police Office Nowshera as evident from

his duty record, and all the departmental proceedings conduct ex parte in this case.

- g) That the impugned order dated 20.12.2022 is illegal, unlawful and without perusal of the record of the appellant.
- h) That the inquiry was conducted by the Inquiry Officer, no opportunity was properly given to the appellant to face the departmental inquiry and pass the impugned order.
- i) That no **show cause notice/ statement of allegation/ charge sheet** was served upon the appellant nor the same was communicated to him, which factum is violative the principles of natural justice, due process of law and violative of the **mandatory provisions of Article 10-A of the Constitution of Pakistan.**
- j) That no initial show cause notice nor any final show cause notice was served upon the appellant before imposition of the major penalty of dismissal from service which factum is against all the canons of justice, fair play and equity. Equity demands that sufficient opportunity of providing defence should have been provided by conducting a regular inquiry, which mandatory exercise has not been carried out, therefore, the impugned orders are bereft of any legal sanctity, which can be termed as void ab-initio.
- k) That the allegations as contained in the impugned order are vehemently denied by the appellant, **for the reason that the Rifle etc were recovered from the other person and not from the appellant.**
- l) That no **opportunity of personal hearing** was afforded to appellant.
- m) That the impugned order dated 20.12.2022 has been received by the appellant on 27.12.2022 hence the appeal is well within time.

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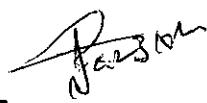

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n) That **additional grounds** will be raised at the bar with kind permission of this Hon'ble Tribunal.

Keeping in view, what has been stated above, it is, therefore, On acceptance of this service appeal, the impugned orders dated 24.01.2022 and 20.12.2022 may kindly be declared illegal, unlawful, without jurisdiction and is liable to be set aside and the appellant may kindly be re instated on service alongwith all back benefits.

Any other relief, which has not been specifically asked for and to whom the appellant found entitled may also be granted.

Dated: 18.01.2023

Appellant   
**Aizaz Khan**  
Ex Constable Belt No.1961  
Through  
  
**Zafar Ali Khan**  
Advocate High Court  
Mobile No. 0333-9349442  
0313-9539269



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6

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. \_\_\_\_\_/2023

**Aizaz Khan** ..... Appellant

**Versus**

I.G.P, Khyber Pakhtunkhwa, Peshawar & others..... Respondents

**AFFIDAVIT**

I, **Aizaz Khan** son of Fazle Amin Ex Belt No.1961, District Police Nowshera R/O Khush Muqam, District Nowshera do hereby affirm and declare on oath that the contents of the Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

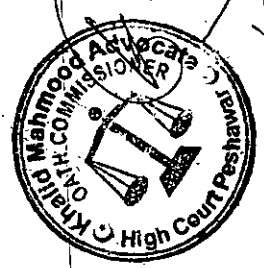
*[Handwritten Signature]*

Deponent

Cell No. 0319-3578478

CNIC No.17202-0345163-7

*[Handwritten Signature]*  
18-1-23



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BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. \_\_\_\_\_/2023

**Aizaz Khan** ..... Appellant

**Versus**

I.G.P, Khyber Pakhtunkhwa, Peshawar & others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

**Aizaz Khan** son of Fazle Amin  
Ex Belt No.1961, District Police Nowshera  
R/O Khush Muqam, District Nowshera

RESPONDENTS:

- 1) Inspector General of Police, Khyber Pakhtunkhwa,  
Peshawar.
- 2) Deputy Inspector General, Mardan
- 3) Regional Police Officer, District Mardan.
- 4) District Police Officer, Nowshera
- 5) District Accounts Officer, Nowshera

Dated: 18.01.2023

Appellant

**Aizaz Khan**

Ex Constable Belt No.1961

Through

**Zafar Ali Khan**

Advocate High Court

Mobile No. 0333-9349442

0313-9539269

(17)

Annex A 8

**Government of Khyber Pakhtunkhwa**  
District Accounts Office Nowshera  
Monthly Salary Statement (June-2020)

**Personal Information of Mr AZAZ KHAN d/w/s of FAZLI AMIN**  
Personnel Number: 00734955 CNIC: 1720203451637  
Date of Birth: 01.04.1994 Entry into Govt. Service: 28.11.2013

NTN:  
Length of Service: 06 Years 07 Months 004 Days

**Employment Category: Active Temporary**

Designation: CONSTABLE

80003634-GOVERNMENT OF KHYBER PAKH

DDO Code: NR4218-NR4010 Law and Order Nowshera

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: No

**GPF Balance:**

4,040.00

Vendor Number:

**Pay and Allowances:**

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 07

Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	10,990.00	1000	House Rent Allowance	1,589.00
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	1901	Risk Allowance (Police)	3,530.00
1902	Special Incentive Allowance	775.00	2168	Fixed Daily Allowance	2,730.00
2211	Adhoc Relief All 2016 10%	859.00	2224	Adhoc Relief All 2017 10%	1,099.00
2247	Adhoc Relief All 2018 10%	1,099.00	2264	Adhoc Relief All 2019 10%	1,099.00
5002	Adjustment House Rent	4,767.00	5011	Adj Conveyance Allowance	5,796.00
5012	Adjustment Medical All	4,500.00	5054	Adj Ration Allowance	2,043.00
5070	Adj Washing Allowance	450.00	5079	Adj C.R.A Allowance	900.00
5322	Adj Adhoc Relief All 2018	3,297.00	5336	Adj Adhoc Relief All 2019	3,297.00
5801	Adj Basic Pay	32,970.00	5878	Adj Spl Incentive Allow	2,325.00
5879	Adj Risk Allowance(Police)	10,590.00	5945	Adj. Fixed Daily Allowanc	8,190.00
5975	Adj Adhoc Relief All 2016	2,577.00	5990	Adj Adhoc Relief All 2017	3,297.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3007	GPF Subscription	-1,010.00	3530	Police wel:Fud BS-1 to 18	-220.00
4004	R. Benefits & Death Comp:	-690.00	4200	Professional Tax	-1,000.00
5831	Adj Basic Pay for Contract	-45,000.00	5956	Adj. Police wel:Fud KPK	-660.00
6001	Adj Benevolent Fund	-2,070.00	6075	Adj GPF	-3,030.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 0.00 Recovered till June-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

**Gross Pay (Rs.): 113,332.00 Deductions: (Rs.): -53,680.00 Net Pay: (Rs.): 59,652.00**

Payee Name: AZAZ KHAN

Account Number: 0109000241058589

Bank Details: UNITED BANK LIMITED, 210385 TARU JABBA NOWSHERA TARU JABBA NOWSHERA, NOWSHERA

Leaves: Opening Balance: Aailed: Earned: Balance:

(50496881/25.06.2020/12:43:24) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

*[Handwritten Signature]*

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0312-0880397  
0345-9703993

تفصیلی رپورٹ

پولیس ایف ڈی آر

(1) 5. 11. 61

کاؤنٹر فائٹنگ

### ابتدائی اطلاع رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست الامرائی پولیس رپورٹ شدہ زیر نمبر 153 مجوز ضابطہ نو بداری  
اسٹیشن نمبر

<p>صفحہ 13 تعداد صفحات 13</p> <p>تاریخ 13/12/61</p> <p>وقت 19:30 بجے</p>	<p>589 49</p> <p>18:20</p>
<p>نام و کونٹ اطلاع دہندہ</p> <p>مقام کثرت</p> <p>جائے وقوعہ</p> <p>تاریخ و وقت</p> <p>وہرائی و پیشینگی</p> <p>مقامت و علاقہ</p>	<p>مقامت و علاقہ</p> <p>تاریخ و وقت</p> <p>وہرائی و پیشینگی</p> <p>مقامت و علاقہ</p>

ابتدائی اطلاع

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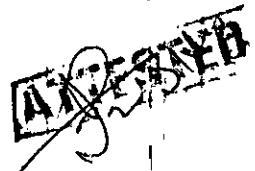
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اسٹیشن  
A41-P5-A214  
13-12-61



ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۴ مجموعہ ضابطہ فوجداری

ضلع نوشہرہ

تھانہ اضاحیل

تاریخ و وقت وقوعہ 15.11.2021 وقت دفتری اوقات کار

نمبر علت 589

۱۔ تاریخ و وقت رپورٹ	چا کیدگی پرچہ 13.12.021 وقت 19.30 بجے
۲۔ نام سکونت اطلاع دہندہ مستغیث	حق نواز ASI نوشہرہ
۳۔ مختصر کیفیت جرم (معد دفعہ) حال اگر کچھ لیا گیا ہو۔	PPC 409
۴۔ جائے وقوعہ فاصلہ تھانہ سے اور سمت	ڈسٹرکٹ کورٹ پولیس لائنز نوشہرہ
۵۔ نام سکونت ملزم	کنشیل اعزاز نمبر 1961
۶۔ کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع کرنے میں توقف ہو تو وجہ بیان کرہ	برسیدگی تحریری مراسلہ پرچہ دیا جاتا ہے
۷۔ تھانہ سے روانگی کی تاریخ و وقت	برسویل ڈاک

ابتدائی اطلاع نیچے درج کرو۔

اس وقت ایک تحریری مراسلہ منجانب حق نواز ASI نوشہرہ بدست خان شیر خان ASI موصول ہو کر حسب ذیل ہے۔ بخدمت جناب SHO صاحب تھانہ اضاحیل درج ہے کہ کنشیل اعزاز 1961 کورائل نمبر 48006280 بمعہ 02 عدد میگزین اور 60 عدد گولیاں 7.62 بور اور بلیٹ پروف چیٹ بغرض ڈیوٹی مورخہ 15.11.2021 کو پولیس لائنس نوشہرہ کوٹ سے تقسیم کی گئی اب کچھ دن گزرنے کے بعد جب کنشیل مذکورہ نے جملہ اسلحہ و ایمنیشن جمع نہیں کیا تو مذکورہ کے ساتھ موبائل فون پر رابطہ کر کے کہ رائل بالا بمعہ ایمنیشن وغیرہ جمع کر لیا اور بار بار رابطہ کرنے کے باوجود اسلحہ جمع نہیں کیا گیا تو آج بوقت صدر بچہ کنشیل مذکورہ کو طلب کر کے جس سے معلوم ہوا کہ متذکرہ رائل نمبری بالا اس سے کہیں پس و پیش ہو چکا ہے جملہ حالات و واقعات افسران بالا صاحبان کے نوٹس میں لائی جا کر کنشیل مذکورہ نے جملہ سامان سرکاری قصدا عدا پس و پیش کیا ہے کنشیل مذکورہ بالا اعزاز نمبر 1961 کو مرتکب جرم بالا کا پا کر حسب ضابطہ گرفتار کر کے بمعہ مراسلہ بغرض مزید کارروائی زیر حراست طلبیدہ موبائل افسران شیر خان ASI تھانہ اضاحیل بھجوا یا جاتا ہے مقدمہ درج رجسٹر کر کے تفتیش کی جائے دستخط انگریزی حق نواز KASI پولیس لائن نوشہرہ مورخہ 13.12.021 کارروائی آمدہ مراسلہ حرف بحرف درج بالا ہو کر پرچہ جرم بالا چاک کیا گیا

فقول FIR بمعہ مراسلہ بغرض تفتیش حوالہ منتظر خان SI کئے جاتے ہیں۔ پرچہ گزارش ہے۔ اسرائیل ASI PS AZK

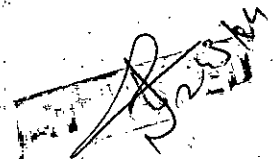
13.12.021

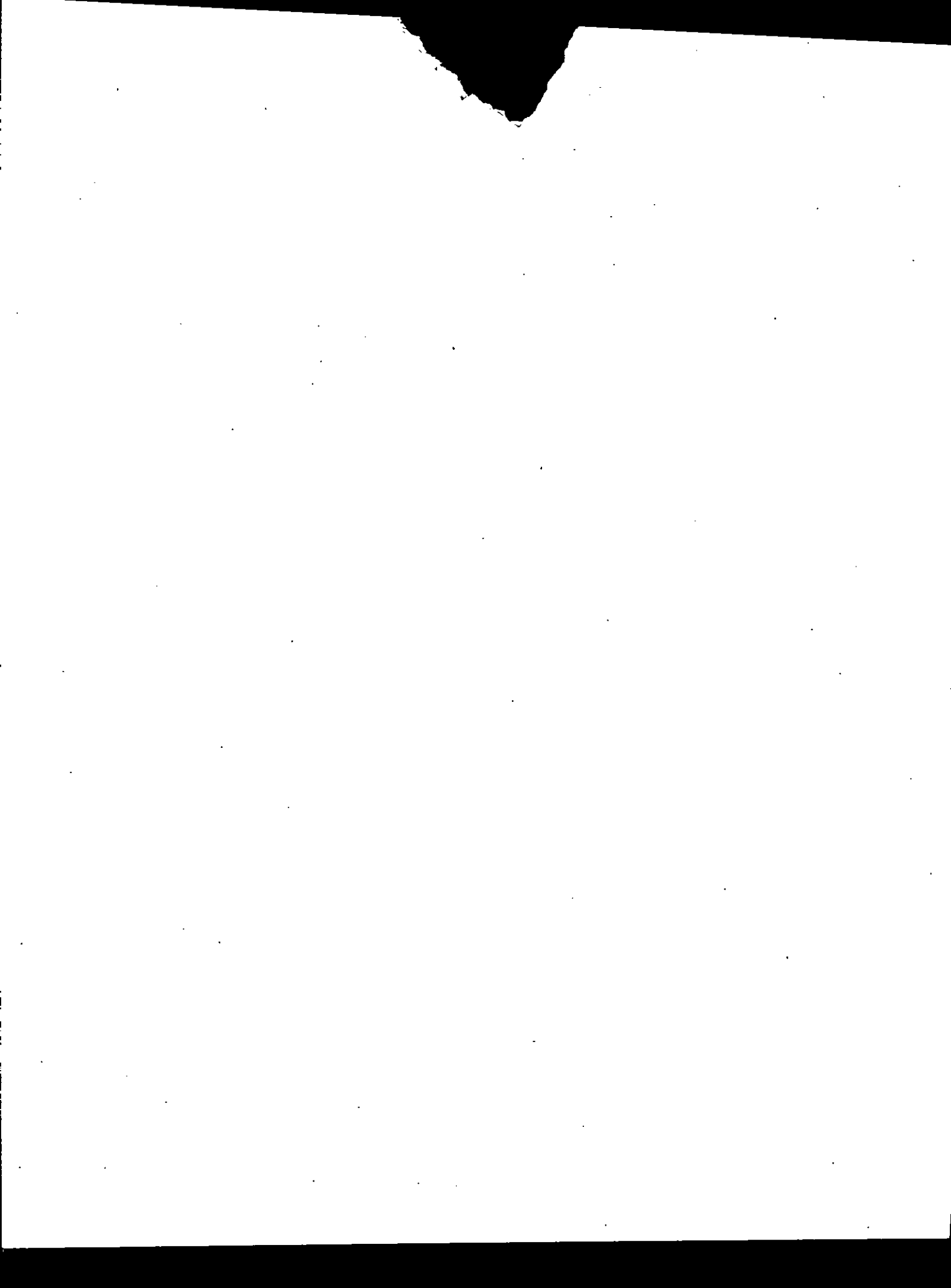
ATTESTED  
 13/12/2021

**CHARGE SHEET**

1. I, Imran Khan, PSP District Police Officer, Nowshera, as competent authority, hereby charge FC Aizaz No. 1961 as per Statement of Allegations enclosed.
2. 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.
3. 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.
4. Your written defense, if any should reach the Enquiry Officer 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.
5. Intimate whether you desire to be heard in person.

  
District Police Officer,  
Nowshera







21 Annam D 12 e

**OFFICE OF THE  
DEPUTY SUPERINTENDENT OF POLICE  
HEADQUARTERS NOWSHERA**



No. 16 /St: dated: 04 / 01 / 2022.

TEL: 0923-9220109, FAX: 0923-9220103

**ENQUIRY REPORT AGAINST CONSTABLE AIZAZ NO.1961**

**SUMMARY OF ALLEGATIONS**

The instant enquiry against Constable Aizaz No.1961 was ordered vide Endst: No.120/PA dated 14.12.2021 with the allegations that he while posted at Police Lines, Nowshera now under suspension, he was allotted government rifle No. 48006280, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No.589 dated 13.12.2021 u/s 409 PPC PA Azakhel. This act amounts to grave misconduct on his part and rendered him liable for punishment under Khyber Pakhtunkhwa Police Rules, 1975.

In this regard, the concerned official was Charge Sheeted and the undersigned was nominated as enquiry officer.

**PROCEEDINGS**

Defaulter official was served with Charge Sheet, to which he submitted his reply, stating therein that on 15.11.2021 he had taken rifle bearing No. 48006280 from Kot Police Lines, Nowshera for special duty which was misplaced somewhere from him and while searching the rifle it was found that the said rifle has recovered but it is astonishing that no action has been taken against that person. He further added that on bonafide intention he did not informed High Ups regarding misplacing of rifle as it would be a cause of embarrass for the High Ups.

Statement of I/C Kot, Police Lines, Nowshera was recorded who stated that the above mentioned rifle was allotted to alleged Constable on 15.11.2021 for Measles Rubella campaign and after culmination of the said campaign he was time and again asked for depositing of rifle and when he failed he entered Daily Diary report and forwarded it to High Ups for legal action.

PA  
FSCN

**ARRESTED**

M  
4/1/22



Statement of SI/OII Muntazer Khan of PS Azakhel was also recorded who stated that after interrogation of alleged Constable revealed that the above mentioned rifle along with ammunition were sold at the cost of 70,000 rupees to Shamshad s/o Ameer Muhammad (Arms dealer) at Pirpai stop and during the course of investigation alleged Constable further revealed that he kept his bullet proof jacket with Abid Ali owner of hotel at front of main gate Police Lines, Nowshera.

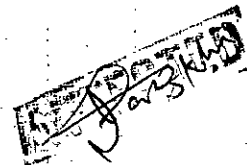
Similarly, statement of Shamshad Arms dealer was also recorded who disclosed that on 07.12.2021 the above mentioned rifle along with ammunition was purchased from alleged Constable at the cost of Rs.70,000/-. When he was suspicious about the rifle he contacted knowing Police personnel and after confirmation handed over to IO of the case.

### CONCLUSION

In view of all above, the undersigned reached to the conclusion that Constable Aizaz No. 1961 showed irresponsibility and lack of discipline to sold a government property and his such kind of act is very dangerous for Police force, his service record was also checked and found that he has been punished twice for his negligence / absentees thus, all the allegations leveled against him have been proved and the undersigned recommends him for major punishment, if agreed, please.

Encl: (10)

  
Deputy Superintendent of Police  
Headquarters Nowshera



(23) (14) 6

**DISCIPLINARY ACTION**

I, Imran Khan, PSP, District Police Officer, Nowshera as competent authority am of the opinion that FC Aizaz No. 1961 has rendered himself liable to be proceeded against as he committed the following acts/omissions within the meaning of Police Rules, 1975.

**STATEMENT OF ALLEGATIONS**

Whereas, FC Aizaz No. 1961 that he while posted at Police Lines, Nowshera now under suspension, he was allotted government Rifle No. 48006280, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel, This act amount to grave misconduct on his part and rendered him liable for minor/major punishment under Khyber Pakhtunkhwa Police Rules, 1975.

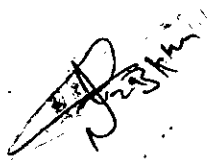
For the purpose of scrutinizing the conduct of the said accused official with reference to above allegations, Dsp. Security is hereby nominated as Enquiry Officer.

The Enquiry Officer shall in accordance with the provision of Police Rules, 1975, provide reasonable opportunity of hearing to the defaulter official, record his findings and make immediate recommendations as to punish or other appropriate action against the defaulter official.

FC Aizaz No. 1961 is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.

  
District Police Officer,  
Nowshera

No. 120 /PA,  
Dated 19/12 2021



(24) @ Amm E (15) 2

FINAL SHOW CAUSE NOTICE

Whereas, you Constable Aizaz No. 1961 while posted at Police Lines, Nowshera, were allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign you were time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that you sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which you were charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel.

On account of which you were suspended, closed to Police Lines and proceeded against departmentally through Mr. Touheed Ullah, DSP Security Nowshera, who after fulfillment of legal formalities submitted his report to undersigned, wherein the allegation leveled against you have been proved, and recommended you for awarding major punishment.

Therefore, it is proposed to impose Major/Minor penalty including dismissal as envisaged under Rules 4(b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Imran Khan, PSP, District Police Officer Nowshera, in exercise of the powers vested in me under Rules 5(3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975, call upon you to Show Cause finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within **07 days** of the receipt of this notice, failing which, it will be presumed that you have no defense to offer.

You are at liberty to appear for personal hearing before the undersigned.

District Police Officer,  
Nowshera.

No. 02 IPA,  
Dated 05/11/2022.

**ARRESTED**  
P-3/F-1

Dismissal from  
Service

17201-2314269-3

03120994083

19-01-022 - 01/10/20

*Qasim Jinnah*

*FA*

*[Signature]*

POLICE DEPARTMENT

NOWSHERA DISTRICT

ORDER

This order will dispose of the departmental enquiry initiated under Khyber Pakhtunkhwa Police Rules, 1975 against Constable Aizaz No. 1961, that he while posted at Police Lines, Nowshera, he was allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but failed and allegedly he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel.

On account of which, he was suspended and proceeded against departmentally through Mr. Touheed Ullah, DSP Security Nowshera, who after fulfillment of legal formalities submitted his report to undersigned vide his office No.16 /St. dated 04.01.2022, wherein he were proved the allegations leveled against him and recommended him for awarding major punishment.

He was served with Final Show Cause Notice on 12.01.2022 through his Father, but failed to submit his reply, which reflects that he is no more interested in police job.

In the light of above, he is hereby awarded major punishment of dismissal from service, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules-1975.

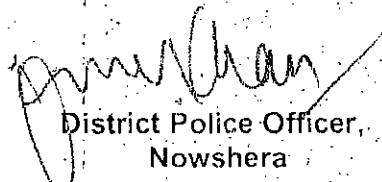
OB No. 78

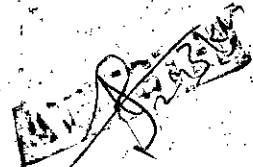
Dated 24/01 /2022

No. 142-48 /PA, dated Nowshera, the 25/01 /2022.

Copy for information and necessary action to the:

1. DSP HQrs: Nowshera.
2. Pay Officer.
3. Establishment Clerk.
4. OHC.
5. FMC with its enclosures (22 sheets).
6. I/C Computer Lab.
7. Official concerned.

  
District Police Officer,  
Nowshera



# بھخور جناب ڈی آئی جی صاحب مردان


**عنوان :** درخواست برائے ڈیپارٹمنٹل اپیل

**جناب عالی:**

گزارش ہے کہ میں محکمہ پولیس سپیشل فورس میں مورخہ 28/11/2013 کو بطور سپاہی تعینات ہوا تھا، اور محکمہ مذکورہ میں احسن طریقے سے ڈیوٹی سرانجام دے رہا تھا کہ میری ٹرانسفر پولیس لائسنس ہو اوہاں پر ڈیوٹی کر رہا تھا مجھے گورنمنٹ رائفل نمبر 60،48006780،02X عدد گولیاں اور ایک عدد بلیٹ پرف جیکٹ ملا تھا تو من اپیلانٹ نے مذکورہ رائفل وغیرہ، اسلحہ کارخانہ پیر پیائی میں رکھا جب کچھ وقت کے بعد آیا تو وہ وہاں پر نہیں تھا میں نے مذکورہ رائفل وغیرہ کی تلاش شروع کی لیکن نہیں ملا، اس بابت من اپیلانٹ پر مقدمہ نمبر 589 مورخہ 13-12-2021 بجرم زیر دفعہ PPC 409 درج کیا اور اس میں مجھے گرفتار کر کے نوشہرہ جوڈیشل لاک اپ بھیج دیا گیا اس دوران ڈیپارٹمنٹل انکوائری ہوئی تمام ڈیپارٹمنٹل کارروائی من اپیلانٹ کی غیر موجودگی میں ہوئی، فائل شوکاز نوٹس بھی من اپیلانٹ کو نہیں ملا بلکہ من اپیلانٹ کے والد سے نوٹس ملا جو کہ قانون کے خلاف ہے مذکورہ رائفل وغیرہ شمشاد جو کہ وہی اسلحہ کارخانے کا مالک ہے اس سے برآمد ہوا اور فوجداری مقدمہ مذکورہ میں اس کو ملزم نہیں بنایا گیا اور اس دنوں مذکورہ رائفل وغیرہ محکمہ پولیس کو شمشاد نے حوالہ کیا ہے اس کے باوجود من اپیلانٹ کو نوکری سے برخاست کیا گیا جو کہ خلاف قانون ہے۔

لہذا استدعا ہے کہ من اپیلانٹ کا اپیل منظور/فرمایا جا کر نوکری پر بحال کیا جائے۔

رض

سائل: 

اعزاز خان ولد فضل امین (Ex بیلٹ نمبر 1961)

ساکن خوش مقام ضلع نوشہرہ

شناختی کارڈ نمبر 7-163-034517202

رابطہ نمبر 03193578478

**ACCEPTED**

(27)

Asst. Commr. G. (58)

ORDER.

This order will dispose off the departmental appeal preferred by Ex-Constable Aizaz Khan No. 1961 of Nowshera District Police against the order of District Police Officer, Nowshera, whereby he was awarded major punishment of dismissal from service vide OB: No. 78 dated 24.01.2022. The appellant was proceeded against departmentally on the allegations that he while posted at Police Lines, Nowshera was allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubelia campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by Incharge Kot to deposit the same, but failed and allegedly he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC Police Station Azakhel.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Deputy Superintendent of Police, Security, Nowshera was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Nowshera, wherein he has recommended the delinquent Officer for major punishment.

He was issued Final Show Cause Notice on 12.01.2022 through his father, but failed to submit his reply which reflects that he was no more interested in Police Job. Hence, he was awarded major punishment of dismissal from service vide OB: No. 78 dated 24.01.2022.

Feeling aggrieved from the order of District Police Officer, Nowshera, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 14.12.2022.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in embezzlement of government property i.e Rifle No. 48006780, 02 x Magazine and 60 rounds is against the norms of disciplined force. As the appellant instead of fighting crime, he has himself indulged in unprofessional activities. Besides, during the course of personal hearing, he could not present any cogent justification to warrant interference in the order passed by the competent authority. Moreover, the appellant approached this forum at a belated stage by filing the instant

ATTC  
ASST. COMM. G.  
14/12/22

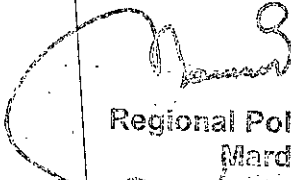
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appeal which is badly time barred for 07 months and 12 days without advancing any cogent reason regarding such delay.

Keeping in view the above, I, Muhammad Ali Khan, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit as well as badly time barred.

Order Announced.



Regional Police Officer,  
Mardan.

No. 9959 /ES, Dated Mardan the 28 /12 /2022.

Copy forwarded to District Police Officer, Nowshera for information and necessary w/r to his office Memo: No 3563/PA dated 29.11.2022. His service record is returned herewith.

(\*\*\*\*\*)

**REGISTERED**

SCANNED  
KPST  
Peshawar

بجدرالت حسین سوئی ٹریڈنگ کمپنی



2023ء بمطابق اسلٹ

اعتراف

اس کی اصل

مورخہ  
مقدمہ  
دعوی  
جرم

### باعث تحریر آنک

ہاں کے لئے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ  
 آن مقام کیلئے کا اعتراف رہے ہے ہاں کے لئے  
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برادگی 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 کارروائی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ  
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے ہوگا۔  
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی  
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Accepted  
 2023  
 2023

المترجم \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

بمقام \_\_\_\_\_ کے لئے منظور ہے۔



36

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

Service Appeal No. 157/2023

Aizaz Khan s/o Fazle Amin,  
Ex-Belt No. 1961, District Police, Nowshera.  
R/O Khush Muqam, District Nowshera.

**SCANNED  
KPST  
Peshawar**

.....Appellant

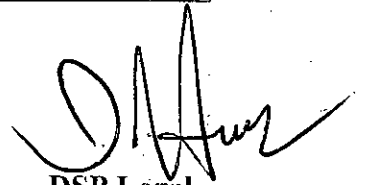
**V E R S U S**

Provincial Plice Officer, Khyber Pakhtunkhwa, Peshawar and others.

.....Respondents

**I N D E X**

S.No.	Description of documents	Annexure	Pages
1.	Parawise comments	-	1-3
2.	Affidavit	-	04
3.	Authority Letter	-	05
4.	Statement of Shamshad Khan	A	06
5.	Copy of charge sheet	B	07-08
6.	Copy of enquiry report	C	09-10
7.	Copy of Final Show Cause Notice	D	11
8.	Copy of dismissal order	E	12
9.	Copy of rejection order	F	13-14
10.	Copy of reply of charge sheet	G	15

  
DSP Legal,  
Nowshera

13/7  
/2023  
(Reply)  
opijue

37 (1)

**BEFORE THE HONOURABLE, KHYBER PAKHTUNKHWA, SERVICE**

**TRIBUNAL PESHAWAR**

Service Appeal No. 157/2023

**SCANNED**  
**KPST**  
**Peshawar**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6403

Dated 12/7/23

Aizaz Khan s/o Fazle Amin,  
Ex-Belt No. 1961, District Police, Nowshera.  
R/O Khush Muqam, District Nowshera.

.....Appellant

**V E R S U S**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General, Mardan.
3. Regional Police Officer, Mardan.
4. District Police Officer, Nowshera.
5. District Accounts Officer, Nowshera.

.....Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No. 1,2/3,4&5**

**Respectfully Sheweth: -**

**PRELIMINARY OBJECTIONS: -**

1. That the appellant has got no cause of action and locus standi to file the instant appeal.
2. That the appeal is badly barred by law and limitation.
3. That the appellant is estopped by his own conduct to file the instant appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to the Honourable Tribunal with clean hands.
6. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.

**Reply on Facts: -**

1. Para pertains to the enlistment of appellant in Police Department.
2. Pertains to record.
3. Correct to the extent that on 15-11-2021, appellant was allotted official/government rifle No. 48006780, 02 magazine, 60 rounds alongwith bulletproof jacket for Measles Rubella Campaign.
4. Incorrect. As per daily diary No. 39 dated 13-12-2021, Police Lines, Nowshera, on 15-11-2021 appellant had been allotted the aforementioned rifle etc and when he was contacted to deposit the same he initially made some excuses for the return of the said article/ammunition, however, later on he stated that he has lost the rifle/ammunition. During the course of enquiry, it was found that he had sold the rifle alongwith ammunition for Rs. 70,000/- to a person namely Shamshad Khan s/o Ameer Muhammad r/o Qamar Khel Pirpiai who has an ammunition manufacturing factory in Azakhel. (Statement of Shamshad Khan is annexure

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“A”). Therefore, a criminal case vide FIR No. 589 dated 13-12-2021 u/s 409 PPC Police Station, Azakhel was registered against the appellant.

5. Mere grant of bail does not mean acquittal from the charges.
6. Para correct to the extent that appellant was issued charge sheet and enquiry was conducted through DSP Security. (who also had the charge of DSP Hqrs: Nowshera). During enquiry the charges against the appellant were proved hence, the enquiry officer recommended the appellant for major punishment. Before awarding punishment, appellant was issued Final Show Cause Notice but he failed to submit reply to the same hence, he was awarded major punishment of dismissal from service vide OB No. 78 dated 24-01-2022. (Copy of charge sheet, enquiry report, Final Show Cause Notice and dismissal order are annexed as annexure “B,C,D & E”).
7. Para already explained above.
8. Para correct to the extent that appellant submitted departmental appeal before the appellate authority which was filed on the grounds that allegations against the appellant had been proved without any shadow of doubt. Besides, departmental appeal of the appellant was badly time barred for 07 months and 12 days without advancing any cogent reason regarding such delay. (Copy of rejection order is annexure “F”). It has been admitted by the appellant that he submitted departmental appeal on 05-09-2022 while he was awarded punishment on 24-01-2022, meaning thereby that he admitted that his appeal was time barred.
9. That appeal of the appellant is liable to be dismissed inter-alia on the following grounds: -

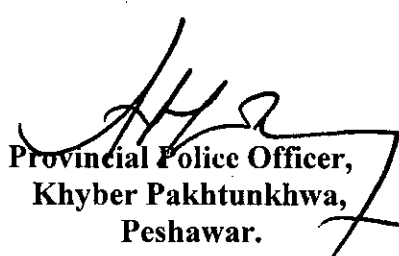
**Reply on Grounds**

- A. Incorrect. Order dated 20-12-2022 is in accordance with law, facts and material available on record, as it has clearly been mentioned in the said order that allegations against the appellant have been proved without any shadow of doubt. Besides, appeal of the appellant was badly time barred.
- B. Incorrect. There was sufficient material available on record to prove the guilt of the appellant. The statement of the person namely Shamshad has been recorded wherein he categorically stated that the appellant had sold the official rifle with ammunition to him for Rs. 70,000/-
- C. It has been admitted by the appellant that Final Show Cause was served upon his father meaning thereby that he was in the knowledge of the same.
- D. Incorrect. Proper departmental proceeding were conducted against the appellant in accordance with law and rules.
- E. Already explained vide above paras.
- F. Para already explained above.
- G. Para already explained above.

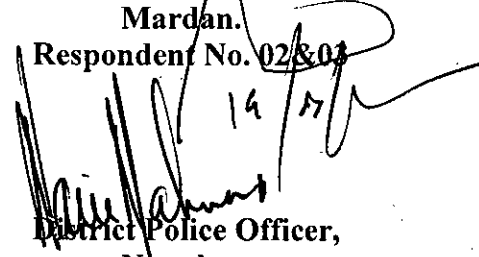
- H. Incorrect. In reply to the charge sheet appellant admitted that he had lost the rifle which had been allotted to him for official duty. He also admitted that he did not bring the same into the notice of the high-ups from which it is evident that he had misappropriated the official rifle by selling it to one Shamshad Khan. (Copy of reply to the charge sheet is annexure "G").
- I. Incorrect. The appellant at para 06 of the appeal admitted that he was charge sheeted and an enquiry was initiated and Final Show Cause Notice was issued on 05-01-2022.
- J. Para already explained above.
- K. Para already explained above.
- L. Para already explained above.
- M. Para is for the appellant to prove that he moved the service appeal within stipulated time.
- N. The respondents may also be allowed to advance additional grounds at the time of arguments.

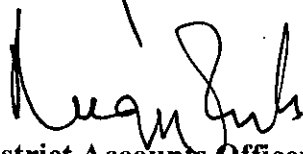
**Prayers**

It is, therefore, most humbly prayed that on acceptance of above submissions, the appeal of the appellant may very kindly be dismissed with costs, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.  
Respondent No. 01

Regional Police Officer,  
Mardan.  
Respondent No. 02 & 03

  
District Police Officer,  
Nowshera.  
Respondent No.04

  
District Accounts Officer,  
Nowshera.  
Respondent No. 05

40 (4)

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

Service Appeal No. 157/2023

Aizaz Khan s/o Fazle Amin,  
Ex-Belt No. 1961, District Police, Nowshera.  
R/O Khush Muqam, District Nowshera.

.....Appellant


**V E R S U S**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General, Mardan.
3. Regional Police Officer, Mardan.
4. District Police Officer, Nowshera.
5. District Accounts Officer, Nowshera.


.....Respondents


**AFFIDAVIT**

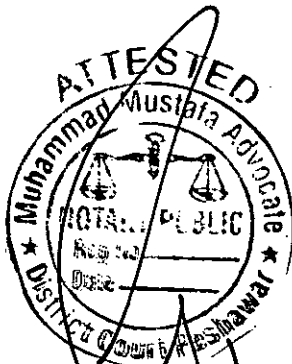
We the respondents No. 1, 2/3,4 & 5 do hereby solemnly affirm and declare on Oath that the contents of reply to the appeal are true and correct to the best of our knowledge and belief and nothing has been concealed from the Honourable tribunal.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar.  
Respondent No. 01

Regional Police Officer,  
Mardan.  
Respondent No. 02 & 03

  
District Police Officer,  
Nowshera.  
Respondent No.04

  
District Accounts Officer,  
Nowshera.  
Respondent No. 05



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

Service Appeal No. 157/2023

Aizaz Khan s/o Fazle Amin,  
Ex-Belt No. 1961, District Police, Nowshera.  
R/O Khush Muqam, District Nowshera.

.....Appellant

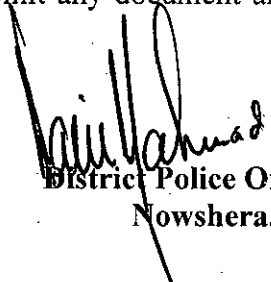
**V E R S U S**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General, Mardan.
3. Regional Police Officer, Mardan.
4. District Police Officer, Nowshera.
5. District Accounts Officer, Nowshera.

.....Respondents

**AUTHORITY LETTER**

Ijaz Hussain DSP Legal Nowshera is hereby authorized to appear and do the needful on behalf of respondents in the Khyber Pakhtunkhwa, Service Tribunal, in the above cited service appeal. He is also authorized to submit any document and record, statement etc required by the Honourable Tribunal.

  
District Police Officer,  
Nowshera.

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Annexure (A)

بہترین کاپی

### بیان ازاں شمشاد خان ولد امیر محمد ساکن قمر خیل پیر پیائی

نے بیان کیا کہ میرا دیہہ پیر پیائی شاپ میں روڈ کے کنارے اسلحہ ایمنونیشن بنانے کا کارخانہ ہے۔ میں کنسٹیبل اعزاز نمبر 1961 ولد فضل امین ساکن خوشمقام تاروجہ کو پہلے سے جانتا ہوں جس نے زیادہ تر تھانہ اضاحیل میں ڈیوٹی کی ہے۔ مورخہ 07-12-2021 کو ملزم اعزاز خان مذکورہ بالا میرے کارخانہ واقع پیر پیائی شاپ آکر جس نے ایک ضرب کلاشکوف نمبر 48006282 بمحہ 02 عدد میگزین اور 60 عدد کارتوس 7.62 بور ہمراہ لا کر برائے فروخت پیش کر کے میں نے اعزاز مذکورہ سے کلاشکوف میگزین اور کارتوس رقم مبلغ 70 ہزار روپے پر خرید کر جملہ رقم اعزاز کو ادا کیا۔ جب میں نے کلاشکوف چیک کیا مجھے کلاشکوف پر شک پڑ گیا یہ کلاشکوف سرکاری نہ ہو جس کی میں نے واقف کاران پولیس کے ساتھ رابطہ کر کے معلوم ہوا کہ متذکرہ کلاشکوف میگزین اور کارتوس سرکاری ہے۔ میں نے حسب طلبی دوران انٹاروگیشن تھانہ اضاحیل لا کر تفتیشی آفیسر کو پیش کی ہے۔ یہی میرا بیان ہے جو کہ درست ہے۔

العبد

شمشاد خان ولد امیر محمد قوم افغان بمر 56/57 سال سکناہ پیر پیائی

CNIC NO. 17201-2306307-5

0300-5933618

ATTESTED  
  
DSP Legal Wowshera

بیان ازان شمساد خان ولد امیر محمد سائن قمر ضیل پیر بھاری

یہ بیان ازان محمد سعید ولد پیر بھاری سائن میں روز کے کتار کے اسکے ابو نعیم سائن نے کیا گیا ہے۔  
 میں کنستبل اعزاز عمر 1961ء ولد فضل امین سائن حضرت قاسم نادر سعید کو پلے سے جانتا ہوں  
 جس نے زیادہ تر کھانا اہل ذلیل میں تقسیم کیا ہے۔ مورخہ 7/12 کو غلام اعزاز خان ولد کورہ  
 والا میرے نکاح خانہ واقع پیر بھاری سائن پر آکر جس نے ایک ہزار کلا شنگوف نمبر - 48506286  
 عمر 25 سالہ عدلیہ میں اور 65 سالہ کورہ (7/12) اور پھر 7/12 کو پلے سے جانتا ہوں۔  
 میرے نے اعزاز خان کورہ سے کلا شنگوف - عدلیہ میں اور کورہ میں رقم مبلغ 70,000/- ہزار  
 روپے پر ضرور کر جس نے جملہ رقم اعزاز کو دیا تھا۔ جس میں نے کلا شنگوف نمبر کیا  
 مجھے کلا شنگوف نمبر 7/12 - کورہ کلا شنگوف سرکاری نمبر ہے۔ جس میں میں نے  
 راتف کیا ازان پوسٹ کیا ہے اور کورہ عدلیہ کورہ کلا شنگوف عدلیہ میں  
 اور کورہ میں سرکاری ہے۔ جو میں نے عدلیہ میں دوران ازان راتف کیا ہے  
 اجازت ضیل لاگت میں امیر کو پیش کر کے ہے۔ میں میرا بیان کیا ہے۔ اور کورہ عدلیہ ہے۔

شہادت ازان

شمسداد خان ولد امیر محمد سائن سائن قمر ضیل پیر بھاری

CNIC - 17251-23063075  
 Mobile - 0300-5933618

ATTESTED  
  
 DSP Legal Nowsheera



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Annexure B

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**DISCIPLINARY ACTION**

I, **Imran Khan, PSP**, District Police Officer, Nowshera as competent authority am of the opinion that **FC Aizaz No. 1961** has rendered himself liable to be proceeded against as he committed the following acts/omissions within the meaning of Police Rules, 1975.

**STATEMENT OF ALLEGATIONS**

Whereas, **FC Aizaz No. 1961** that he while posted at Police Lines, Nowshera now under suspension, he was allotted government Rifle No. 48006280, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel. This act amount to grave misconduct on his part and rendered him liable for minor/major punishment under Khyber Pakhtunkhwa Police Rules, 1975.

For the purpose of scrutinizing the conduct of the said accused official with reference to above allegations, DSP Security is hereby nominated as Enquiry Officer.

The Enquiry Officer shall in accordance with the provision of Police Rules, 1975, provide reasonable opportunity of hearing to the defaulter official, record his findings and make immediate recommendations as to punish or other appropriate action against the defaulter official.

**FC Aizaz No. 1961** is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.

No. 120 /PA,  
Dated 14/12 /2021

  
District Police Officer,  
Nowshera

ATTESTED  
  
DSP Legal Nowshera

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B  
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**CHARGE SHEET**

1. I, **Imran Khan, PSP** District Police Officer, Nowshera, as competent authority, hereby charge **FC Aizaz No. 1961** as per Statement of Allegations enclosed.
2. 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.
3. 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.
4. Your written defense, if any should reach the Enquiry Officer 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.
5. Intimate whether you desire to be heard in person.

  
District Police Officer,  
Nowshera

ATTESTED  
  
DSP Legal Nowshera



(45) (9) Annexure of

**OFFICE OF THE  
DEPUTY SUPERINTENDENT OF POLICE  
HEADQUARTERS NOWSHERA**



No. 16 /St: dated: 09/1/2022  
TEL: 0923-9220109, FAX: 0923-9220103

**ENQUIRY REPORT AGAINST CONSTABLE AIZAZ NO.1961**

**SUMMARY OF ALLEGATIONS**

The instant enquiry against Constable Aizaz No.1961 was ordered vide Endst: No.120/PA dated 14.12.2021 with the allegations that he while posted at Police Lines, Nowshera now under suspension, he was allotted government rifle No. 48006280, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No.589 dated 13.12.2021 u/s 409 PPC PA Azakhel. This act amounts to grave misconduct on his part and rendered him liable for punishment under Khyber Pakhtunkhwa Police Rules, 1975.

In this regard, the concerned official was Charge Sheeted and the undersigned was nominated as enquiry officer.

**PROCEEDINGS**

Defaulter official was served with Charge Sheet, to which he submitted his reply, stating therein that on 15.11.2021 he had taken rifle bearing No. 48006280 from Kot Police Lines, Nowshera for special duty which was misplaced somewhere from him and while searching the rifle it was found that the said rifle has recovered but it is astonishing that no action has been taken against that person. He further added that on bonafide intention he did not informed High Ups regarding misplacing of rifle as it would be a cause of embarrass for the High Ups.

Statement of I/C Kot, Police Lines, Nowshera was recorded who stated that the above mentioned rifle was allotted to alleged Constable on 15.11.2021 for Measles Rubella campaign and after culmination of the said campaign he was time and again asked for depositing of rifle and when he failed he entered Daily Diary report and forwarded it to High Ups for legal action.

PA  
FSC

ATTESTED  
  
DSP Legal Nowshera

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Statement of SI/OII Muntazer Khan of PS Azakhel was also recorded who stated that after interrogation of alleged Constable revealed that the above mentioned rifle along with ammunition were sold at the cost of 70,000 rupees to Shamshad s/o Ameer Muhammad (Arms dealer) at Pirpai stop and during the course of investigation alleged Constable further revealed that he kept his bullet proof jacket with Abid Ali owner of hotel at front of main gate Police Lines, Nowshera.

Similarly, statement of Shamshad Arms dealer was also recorded who disclosed that on 07.12.2021 the above mentioned rifle along with ammunition was purchased from alleged Constable at the cost of Rs.70,000/-. When he was suspicious about the rifle he contacted knowing Police personnel and after confirmation handed over to IO of the case.

**CONCLUSION**

In view of all above, the undersigned reached to the conclusion that Constable Aizaz No. 1961 showed irresponsibility and lack of discipline to sold a government property and his such kind of act is very dangerous for Police force, his service record was also checked and found that he has been punished twice for his negligence / absentees thus, all the allegations leveled against him have been proved and the undersigned recommends him for major punishment, if agreed, please.

Encl: (10)

  
Deputy Superintendent of Police  
Headquarters Nowshera

ATTESTED  
  
DSP Legal Nowshera

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Annexure D

**FINAL SHOW CAUSE NOTICE**

Whereas, you Constable Aizaz No. 1961 while posted at Police Lines, Nowshera, were allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign you were time and again asked by I/C Kot to deposit the same, but allegedly it was come into the notice of the undersigned that you sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which you were charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel.

On account of which you were suspended, closed to Police Lines and proceeded against departmentally through Mr. Touheed Ullah, DSP Security Nowshera, who after fulfillment of legal formalities submitted his report to undersigned, wherein the allegation leveled against you have been proved, and recommended you for awarding major punishment.

Therefore, it is proposed to impose Major/Minor penalty including dismissal as envisaged under Rules 4(b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Imran Khan, PSP, District Police Officer Nowshera, in exercise of the powers vested in me under Rules 5(3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975, call upon you to Show Cause finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within **07 days** of the receipt of this notice, failing which, it will be presumed that you have no defense to offer.

You are at liberty to appear for personal hearing before the undersigned.

*[Signature]*  
District Police Officer,  
Nowshera.

No. 02 /PA.  
Dated 05/11 /2022.

*Dismissal from service*

*[Signature]*

117 201-2314269-3

03120994083

*[Signature]*

12-01-022 - *[Signature]*

ATTESTED  
*[Signature]*  
DSP Legal Nowshera

1961  
48 12 Annexure E

POLICE DEPARTMENT

NOWSHERA DISTRICT

ORDER

This order will dispose of the departmental enquiry initiated under Khyber Pakhtunkhwa Police Rules, 1975 against Constable Aizaz No. 1961, that he while posted at Police Lines, Nowshera, he was allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by I/C Kot to deposit the same, but failed and allegedly he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC PS Azakhel.

On account of which, he was suspended and proceeded against departmentally through Mr. Touheed Ullah, DSP Security Nowshera, who after fulfillment of legal formalities submitted his report to undersigned vide his office No.16 /St: dated 04.01.2022, wherein he were proved the allegations leveled against him and recommended him for awarding major punishment.

He was served with Final Show Cause Notice on 12.01.2022 through his Father, but failed to submit his reply, which reflects that he is no more interested in police job.

In the light of above, he is hereby awarded major punishment of dismissal from service, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules-1975.

OB No. 78

Dated 24/01 /2022

No. 142-48 /PA, dated Nowshera, the 25/01 /2022.  
Copy for information and necessary action to the:

1. DSP HQrs: Nowshera.
2. Pay Officer.
3. Establishment Clerk.
4. OHC.
5. FMC with its enclosures (22 sheets).
6. I/C Computer Lab.
7. Official concerned.

  
District Police Officer,  
Nowshera

ATTESTED  
  
DSP Legal Nowshera

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Annexure

F<sub>2</sub>

ORDER.


This order will dispose-off the departmental appeal preferred by Ex-Constable Aizaz Khan No. 1961 of Nowshera District Police against the order of District Police Officer, Nowshera, whereby he was awarded major punishment of dismissal from service vide OB: No. 78 dated 24.01.2022. The appellant was proceeded against departmentally on the allegations that he while posted at Police Lines, Nowshera was allotted government Rifle No. 48006780, 02 x Magazine, 60 rounds along with bullet proof jacket for Measles Rubella campaign on 15.11.2021, after culmination of the said campaign he was time and again asked by Incharge Kot to deposit the same, but failed and allegedly he sold the aforementioned Rifle and was in the attempt to sell the bullet proof jacket, on account of which he was charged vide case FIR No. 589 dated 13.12.2021 u/s 409 PPC Police Station Azakhel.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Deputy Superintendent of Police, Security, Nowshera was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Nowshera, wherein he has recommended the delinquent Officer for major punishment.

He was issued Final Show Cause Notice on 12.01.2022 through his father, but failed to submit his reply which reflects that he was no more interested in Police Job. Hence, he was awarded major punishment of dismissal from service vide OB: No. 78 dated 24.01.2022.

Feeling aggrieved from the order of District Police Officer, Nowshera, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 14.12.2022.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in embezzlement of government property i.e Rifle No. 48006780, 02 x Magazine and 60 rounds is against the norms of disciplined force. As the appellant instead of fighting crime, he has himself indulged in unprofessional activities. Besides, during the course of personal hearing, he could not present any cogent justification to warrant interference in the order passed by the competent authority. Moreover, the appellant approached this forum at a belated stage by filing the instant

ATTENDED  
  
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appeal which is badly time barred for 07 months and 12 days without advancing any cogent reason regarding such delay.

Keeping in view the above, I, **Muhammad Ali Khan, PSP Regional Police Officer, Mardan**, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit as well as badly time barred.

Order Announced.

*Muhammad Ali Khan*  
Regional Police Officer,  
Mardan.

No. 9959 /ES, Dated Mardan the 20 /12 /2022.

Copy forwarded to District Police Officer, Nowshera for information and necessary w/r to his office Memo: No. 3563/PA dated 29.11.2022. His service record is returned herewith.

(\*\*\*\*\*)

*EC / MC*  
*For in action*

*For*  
*D.P. Nowshera*  
*21/12/2022*

No. 2411/PA  
dt 22/12/2022

ATTESTED  
*[Signature]*  
DSP Legal Nowshera



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Annexure G3  
بہترین کاپی

جناب عالی:-

بحوالہ چارج شیٹ نمبری 120/PA مورخہ 14-12-2021 بجاریہ جناب DPO صاحب نوشہرہ  
معروض خدمت ہوں، کہ میں محکمہ پولیس ضلع نوشہرہ میں بحیثیت کنسٹیبل ڈیوٹی سرانجام دے رہا ہوں۔ تعیناتی سے لیے کر آج تک  
اپنی ڈیوٹی نہایت ایمانداری اور باقاعدگی سے سرانجام دی ہے اور اپنے جملہ سروس میں غفلت یا غلطی کا مرکب نہیں ہوا۔

مزید یہ کہ مورخہ 15-11-2021 کو رائل نمبری 48006280 پولیس لائنز نوشہرہ سے بعرض ڈیوٹی  
حوالہ ہوئی جو کہ مجھ سے کئی پس پیش ہو کر جس کی تلاش پتہ براری کر رہا تھا کہ اس دوران معلوم ہوا کہ متذکرہ رائل کسی دکان سے  
برآمد ہوئی ہے۔ لیکن حیرانگی کی بات ہے کہ اُسکے خلاف کوئی کارروائی نہیں کی گئی اور ڈائریکٹ میرے خلاف بغیر کسی انکوائری وہ تفتیش  
کے میرے خلاف FIR چاق کیا گیا۔

یہ کہ میں نے افسران بالا کے نوٹس میں یہ بات نہیں لائی جو کہ میرے نیک نیتی پر مبنی تھا۔ میں اپنے افسران  
بالا کو شرمندہ نہیں کر سکتا تھا کیونکہ مجھے امید تھی کہ میرے انتھک کوششوں سے یہ رائل ڈھونڈ نکالوگا لیکن مجھے علم نہیں تھا کہ میرا یہ فعل  
افسران بالا کی شرمندگی کا باعث بنے گا۔

اسلیے آپ صاحبان سے ہمدردانہ التماس ہے جیسا کہ میں پہلے یہ وضاحت کر چکا ہوں کہ میرا یہ فعل نیک نیتی  
پر مبنی تھا نہ کہ بد نیتی۔ بدیں وجہ میں بھرپور اُمید رکھتا ہوں کہ میراے بیان پر کھلے دل سے غور فرمایا جائے۔ اس بار معافی دی جائے  
آئندہ مزید محتاط رہوں گا۔

العبد

کنسٹیبل اعزاز 1961 مورخہ 30-12-2021

ATTESTED  
DSP Legal Nowshera

جانب عالی

کوالتھارنگ سٹریٹ نمبر PA-120  
14-12-21  
لوٹنرہ عزیزہ بیویوں کے ساتھ جو کہ  
ہیں عینت کا ٹیکس ڈیوٹی سرانجام دے رہی ہیں اور  
تعمیراتی سے لیکر آج تک اپنے ڈیوٹی بنام ایمانداری اور  
باقاعدگی سے سرانجام دیا ہے اور اپنے سب سے سروس میں  
عزت حاصل کی کا عہدہ ہیں ہوا ہوں۔

48006280  
حزب یہ کہ حرمہ  $15 \frac{11}{21}$  کی داخلہ سٹریٹ  
لوٹنرہ لاکھ لوٹنرہ سے تعمیر ڈیوٹی حوالہ دی ہوگی جو کہ  
جو سے کہیں میں پیش ہو کر جسکی تلاش پتہ میرا دیا کرنا  
تھا کہ اسی دوران معلوم ہوا کہ مذکورہ داخلہ کسی  
دوران سے برآمد ہوئی ہے۔ لیکن حیرانگی کی بات ہے  
کہ ایک خلاف کوئی کارروائی نہیں کیا گیا اور ڈائری  
حیرے خلاف تعمیر کسی انکوائری / تفتیش کے حیرے خلاف  
FIR چاق کیا گیا۔

یہ کہ میں نے افسران بالا کے لوٹنرہ میں یہاں بات نہیں لائی  
جو کہ حیرے ٹیکس پتے پر مبنی تھا۔ میں اپنے افسران بالا  
کو شرمندہ نہیں کر سکتا تھا۔ کیونکہ جو آئندہ تھی۔ حیرے  
ذہن کو شوکان سے یہ داخلہ ڈھونڈ نکالوں گا۔  
لیکن جو علم نہیں تھا کہ حیرا یہ فعل افسران بالا  
کا شرمندگی کا باعث بنے گا۔

اس لیے آج جانان سے حیرانہ انکوائری۔ حیرانہ میں نے  
پارہا تھا کر چکا ہوں کہ حیرا یہ فعل ٹیکس پتے پر  
مبنی تھا۔ نہ کہ بدیشی۔ وہیں وہ میں خبر لوور آئندہ دیکھا  
ہوں کہ حیرے بیان پر عمل دل سے غور فرمایا جائے۔ اس بار  
عاقبت دیا جائے۔ برائے آئندہ وزیر و ناٹا ہوگا۔

الحق  
سائیل انداز 1961  
تعمیر 30-12-21

ATTESTED  
DSP Legal Newsheera

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157/2023

## WAKALATNAMA

BEFORE THE HONBLE KP Service Tribunal Peshawar

Arizaz Khan

VERSUS

Plaintiff(s)  
Petitioner(s)  
Complainant(s)

I.G Police Station

Defendant(s)  
Respondent(s)  
Accused(s)

By this, power-of-attorney I/we the said Appellant in the above case, do hereby constitute and appoint **MUHAMMAD ARIF JAN** Advocate as my attorney for me/us in my/our name and on my/our behalf to appear, plead, give statement, verify, administer oath and do all lawful act and things in connection with the said case on my/our behalf or with the execution of any decree or order passed in the case in my/our favour/ against which I/we shall be entitled or permitted to do myself/ourselves, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my/our success or failure in case, provided that, if the case is heard at anyplace other than the usual place of sitting of the Court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

Signature of Client

[Signature]

Accepted.

[Signature]

Muhammad Arif Jan  
Advocate High Court  
Peshawar

Office No.210, Mumtaz Plaza  
G.T Road, Hashtnagri Stop,  
Peshawar City.  
CNIC No.17201-2275748-7  
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