

BEFORE THE HON'BLE PESHAWAR SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 282-P/2024

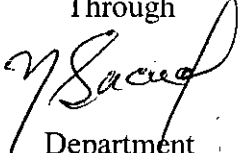
Muhammad Ilyas (Appellant)

VERSUS

Govt of KP & Others(Respondents)

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Respondents
Through

Department
Representative

04-04-24

D

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBERPAKHTUNKHWA PESHAWAR

Service Appeal No. 282-P/2024

Muhammad Ilyas..... (Appellant)

VERSUS

Inspector General of Police etc.....(Respondents)

PARA WISE COMMENTS ON BEHALF OF NO. 1, 2, & 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12105

Dated 04-04-2024

- a) The appeal is not based on facts.
- b) The appeal is not maintainable in the present form.
- c) The appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) The appellant has got no cause of action and locus standi.
- e) The appeal is bad in law, hence not maintainable.
- f) The appellant has not come to this Honorable Tribunal with clean hands.
- g) That, the Service appeal in hands is not maintainable in the present form and liable to be dismissed

FACTS

1. Pertains to record.
2. Incorrect, a FIR No.786 u/s 302 PPC dated 12.08.2022 at Police Station Havelian District Abbottabad was registered against the appellant after which the appellant absconded and absent himself from his lawful duty. (Copy attached at Annexure-A)
3. Incorrect: That on 15.07.2023 in the absence of record the appellant was granted only pre-arrest bail, which was later on confirmed on the basis of compromises with the opponent on 19.07.2023(Copy attached at Annexure-B)
4. Incorrect: The appellant after registration of FIR No.786 u/s 302 PPC dated 12.08.2022 at Police Station Havelian District Abbottabad absconded and absent himself from his lawful duty. In this regard proper departmental enquiry was initiated against the official. Charge Sheet with statement of Allegation was served upon official concerned. The said Charge Sheet was received by the accused father namely

Muhammad Arif as the Muhammad Ilyas was not available at his home(Copy of Charge Sheet & Statement of appellant father Muhammad Arif attached at Annexure-C). The accused neither submit his written reply nor resume his duty. After that the enquiry officer submits enquiry report alongwith recommendation of Major punishment to appellant. After that Final Show Cause Notice was served upon official concerned, this was FSCN was received by his by his brother Muhammad Tariq as the official was abscond after involvement in criminal case. (Copy E.O. report & FSCN attached at Annexure-D)

After that Notice of absence regarding Constable Muhammad Ilyas No.1150 was also published in News papers daily Mashriq on 3rd March 2023 and daily Nai Baat on 3rd March 2023 In which the official was directed to resume the duty within fifteen days of the publication of this Notice, but he failed to resume the duty remained absent at large. After fulfilling all codal formalities official was removed from service (Copy attached at Annexure-E).


- 5. Correct to the extent that departmental appeal of appellant was rejected(Copy attached at Annexure-F)
- 6. Correct to the extent that in appellate board meeting held on 12.12.2023 the Board accepted the revision petition of appellant, reinstate him into service and his punishment was modified into stoppage of three increments with cumulative effect.(Copy attached at Annexure-G)


7. Incorrect:

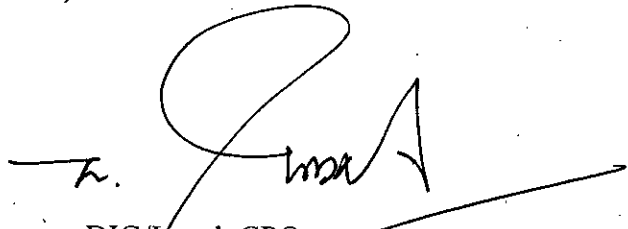
GROUND

- A. Incorrect: The appellant removal order from service was modified into stoppage of three increments with cumulative effect service as per law/rules.
- B. That the appellant admitted himself the he was involved in criminal case.
- C. Incorrect: The Charge Sheet with Statement of allegation was served upon official concerned which was received by his father namely Muhammad Arif. After that Final Show Cause Notice was served upon official who was received by his brother Muhammad Tariq and as per statement his brother Muhammad Ilyas absconded after involvement in criminal case.

- D. Incorrect: Proper regular departmental enquiry was initiated against the official and was given chance of personal hearing, but the appellant remained absconded after involvement in criminal case and absent himself.
- E. Incorrect: As already explained proper departmental enquiry was initiated and Charge Sheet & Final Show Cause Notice was properly served upon official concerned.
- F. Incorrect: The appellant was given chance of his defense, but the appellant after involvement in criminal case absconded and after the compromise with opponent presented departmental appeal and revision petition before the worthy Inspector General of Police.
- G. Incorrect: Department only modified his punishment.
- H. Incorrect: The court proceeding and department proceeding are parallel going side by side and not effect each others.
- I. It humbly prayed that the instant appeal is being meritless may be dismissed with cost.


Superintendent of Police,
Telecomm:&Transport
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No. 3)
(NISAR MUHAMMAD KHAN)
Incumbent


Deputy Inspector General of Police,
Telecomm: & Transport,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 2)
(ABBAS MAJEED KHAN MARWAT)^{PSP}
Incumbent


DIG/Legal, CPO
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 1)
(DR. MUHAMMAD AKHTAR ABBAS)^{PSP}
Incumbent

BEFORE THE HON'BLE PESHAWAR SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 282-P/2024

Muhammad Ilyas (Appellant)

VERSUS

Govt of KP & Others (Respondents)

AFFIDAVIT

I, Abbas Majeed Khan Marwat, Deputy Inspector General of Police, Telecommunication & Transport Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents Department are correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal. It is further stated on oath that in Para-wise comments, the answering respondents have neither been placed ex-parte nor their defense is struck off.

my
(ABBAS MAJEED KHAN MARWAT) ^{PSP}
Deputy Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar

ATTESTED



04-04-2024

BEFORE THE HON'BLE PESHAWAR SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 282-P/2024


Muhammad Ilyas (Appellant)

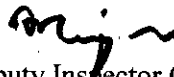
VERSUS

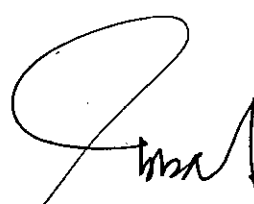
Govt of KP & Others(Respondents)

AUTHORITY LETTER

Mr. Saeed Khan DSP Telecomm & Transport of Police Telecommunication Unit Peshawar is nominated/authorized to submit Para-wise comments/ reply in the instant Service Appeal in the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar and also to defend instant Service Appeal on behalf of respondent's No. 1, 2 & 3.


 Superintendent of Police,
 Telecomm:&Transport
 Khyber Pakhtunkhwa,
 Peshawar.
 (Respondent No. 3)
(NISAR MUHAMMAD KHAN)
 Incumbent


 Deputy Inspector General of Police,
 Telecomm: & Transport,
 Khyber Pakhtunkhwa, Peshawar.
 (Respondent No. 2)
(ABBAS MAJEED KHAN MARWAT)^{PSP}
 Incumbent


 DIG/Legal, CPO
 For Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar.
 (Respondent No. 1)
(DR. MUHAMMAD AKHTAR ABBAS)^{PSP}
 Incumbent

روایتی روایں صد گنتہ سائل رپورٹ اور جی جی وی آر کے ذریعہ
 نائی سمعیالی گئی ہیں۔ درست سٹاک کے ذریعہ سٹاک انٹرا
 محنت ریکارڈنگ کی بنیاد پر سٹاک کے لئے رپورٹ اور جی جی وی آر کے ذریعہ
 عمر علی کے لئے رپورٹ اور جی جی وی آر کے ذریعہ سٹاک انٹرا
 بر حفاظت کیلئے 280 ڈرام کا ڈرامہ سٹاک انٹرا
 جو حکم خدا کی اطلاع یا سٹاک انٹرا روم TDH اور جی جی وی آر کے ذریعہ
 برآمد سٹاک کے ذریعہ سٹاک انٹرا روم کے ذریعہ سٹاک انٹرا
 لاک نائی ہاؤس سٹاک انٹرا کے ذریعہ سٹاک انٹرا
 بر سٹاک انٹرا کے ذریعہ سٹاک انٹرا کے ذریعہ سٹاک انٹرا
 نوائے DTV سٹاک انٹرا کے ذریعہ سٹاک انٹرا کے ذریعہ SASHO
 نوویلیاں 12/8/2022 کا روایتی سٹاک انٹرا کے ذریعہ سٹاک انٹرا
 سٹاک انٹرا کے ذریعہ سٹاک انٹرا کے ذریعہ سٹاک انٹرا
 سٹاک انٹرا کے ذریعہ سٹاک انٹرا کے ذریعہ سٹاک انٹرا

MHC PSHVN
 12.8.22

دستخط

عہدہ

اطلاع کے نیچے اطلاع دہندہ کا دستخط ہوگا یا اس کی مہر یا نشان لگایا جائے گا۔ اور اسے تحریر کنندہ ابتدائی اطلاع کا دستخط اور تصدیق ہوگا۔ حرف الف، یا ب سرخ روشنائی سے بالقابل نام
 ایک ملزم یا شہر علی الترتیب واسطے باشندگان علاقہ غیر یا وسط ایشیاء یا افغانستان جہاں موزوں ہوں، لکھنا چاہئے۔

لکھی ہوئی ہے

Annexure-B

7



IN THE COURT OF RAJA MUHAMMAD SHOAIB KHAN
ADDITIONAL SESSIONS JUDGE, ABBOTTABAD AT
HAVELIAN

Order # 01
15.07.2023

The instant B.B.A petition submitted by Mr. Abdur Raheem Khan Jadoon Advocate. It be checked and registered.

Accused/petitioner namely Muhammad Ilyas s/o Muhammad Arif, ^{KARLAL} Caste Pathan r/o Mohalla Sher Khan Havelian, Tehsil Havelian & District Abbottabad present. Contends malafide and ulterior motive on part of the prosecution and apprehends arrest in case FIR No. 786 dated 13-08-2022 under sections 302 PPC registered at Police station Havelian, Abbottabad. Presently, there is no other record before this court except an application supported by an affidavit and a copy of FIR, therefore, in absence of record, accused/petitioner is allowed pre-arrest ad-interim bail on furnishing bail bonds in the sum of Rs. 80,000/- (Rupees Eighty thousand) each with two local, reliable and solvent sureties each in the like amount to the satisfaction

of this court.
Announced
15.07.2023

(Raja Muhammad Shoaib Khan)
Additional Sessions Judge
Abbottabad at Havelian.

Order # 02
15.07.2023

Accused/petitioner submitted requisite bail bonds which are attested accordingly and placed on file. Notice and record for 19/7/23. Accused/petitioner is directed to join the investigation and are further directed to attend the court regularly till further orders. Copy of this order be sent to the IO concerned through Whatsapp and also dispatcher to PS concerned.

(Raja Muhammad Shoaib Khan)
Additional Sessions Judge
Abbottabad at Havelian.

Allestaf
of Saaf

Handwritten notes and signatures on the right margin, including a signature and the date 13/08/2022.

(8)

IN THE COURT OF RAJA MUHAMMAD SHOAB KHAN
ADDITIONAL SESSIONS JUDGE, ABBOTTABAD AT
HAVELIAN.

BBA Petition No. 329/4-B of 2023
Muhammad Ilyas Vs State

Order - 03

19.07.2023

Sr.PP Muhammad Bilal Qureshi for State present.
Accused/petitioner on ad-interim pre-arrest bail alongwith
counsel Mr. Abdur Raheem Khan Jadsan Advocate present.
Complainant Umer Bashir and LRs of deceased (Muhammad
Bashir) in person present. Record received.

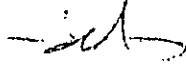
Today at the very outset complainant and LRs of
deceased stated at the bar that they have effected compromise
with the accused/petitioner. In this respect their joint statement
was recorded, wherein they had charged the accused/petitioner
for the commission of offence. Now through the intervention of
elders of locality, they have patched up the matter with the
accused/petitioner and had pardoned them in the name of
Almighty ALLAH and waived off their rights of Qisas and
Diyat. In this respect they endorsed no objection on
confirmation of BBA of the accused/petitioner as well as on his
acquittal at the time, when the trial commence. To this effect
proforma under Qisas and Diyat is Ex. PA and copies of their
CNICs are Ex. PB to Ex. PJ. (original seen and return)

Keeping in view the statement of complainant, the
offence with which the accused/petitioner is charged are
compoundable in nature, hence, the BBA petition of the
accused/petitioner Muhammad Ilyas s/o Muhammad Arif is
accepted and ad-interim pre-arrest bail already granted to the
accused/petitioner is confirmed on the existing bail bonds.

Requisitioned record be returned along with copy of this
order. Consign.

Announced

19.07.2023


(Raja Muhammad Shoaib Khan)
ASJ Abbottabad at Havelian

*All set
on hand*

I, Sher Wazir Superintendent of Police Telecommunication, Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) hereby charge you Constable Muhammad Ilyas No.1150 involved in Case FIR No. 786 dated 12.08.2022 u/s 302 PPC PS Havelian Abbottabad.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules 1975 (Amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Rules.

You are therefore, directed to submit your written defence within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer/Committee.

Your written defence, if any, should reaches the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action will be taken against you.

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

(SHER WAZIR)
Superintendent of Police,
Telecommunication, Khyber Pakhtunkhwa,
Peshawar. 29/8

No. 1155-56 /Tele/OHC. dated Peshawar the 29 / 8 /2022.

Copy of the above is forwarded to the:-

- OI/C Control Abbottabad. (to delivered the said Charge Sheet upon Constable concerned & return one spare copy duly signed by him)
Home Address: Muhammad Ilyas S/O Muhammad Arif R/O Mohalla Sher Khan Tehsil Havelian District Abbottabad
- Constable Muhammad Ilyas No.1150.

Attested
ms

ms

(10)

DISCIPLINARY ACTION

I, Sher Wazir Superintendent of Police Telecommunication, Khyber Pakhtunkhwa, Peshawar as Competent Authority, am of the opinion that Constable Muhammad Ilyas No. 1150 has rendered himself liable to be proceeded against, as he has committed the following act of omission/commissions within the meaning of Khyber Pakhtunkhwa Police Rules 1975 (Amended 2014).

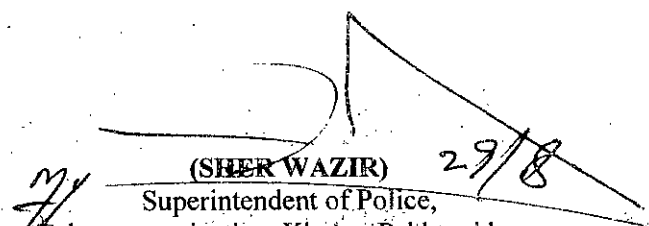
STATEMENT OF ALLEGATIONS

That you while posted at Control Abbottabad has involved in Case FIR No. 786 dated 12.08.2022 u/s 302 PPC PS Havelian Abbottabad.

The said act of depicts his inefficiency, disobedience and in-disciplined attitude and lack of professionalism which amounts to grave misconduct on your part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, I Mr. Sher Wazir Superintendent of Police Telecommunication, Khyber Pakhtunkhwa, Peshawar is hereby nominated as Enquiry Officer under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014).

The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused Constable, record and submit its finding within 15 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused constable.


(SHER WAZIR) 29/8
Superintendent of Police,
Telecommunication, Khyber Pakhtunkhwa,
Peshawar.

*Alleged
misconduct*

امروز میں محمد عارف ولد دادا خان کو کراچی پولیس سٹیشن پر شہداء کے
چار سٹیٹ کی گاڑی میں سباز خان کے پاس سے وصول کر لی ہے جس پر
صیغہ دستخط سے تحریر لکھ کر دینا ہوا ہے تاہم دستخط دیے۔

محمد عارف ولد دادا خان قوم کراچی پولیس سٹیشن پر شہداء کے چار سٹیٹ کی گاڑی

13101-0940345-3

0992-813399

جناب عالی! حکم دیا گیا ہے کہ شہداء کے چار سٹیٹ کی گاڑی
میں سے والد حقیقی محمد عارف ولد دادا خان قوم کراچی پولیس سٹیشن پر شہداء کے چار سٹیٹ کی

کی گاڑی میں سے شہداء کے چار سٹیٹ کی گاڑی میں سے شہداء کے چار سٹیٹ کی گاڑی
GHC-B-1111
19/09/2022

جناب عالی!

رپورٹ بالا کے تحت حاصل کیا گیا ہے

15/09/22
GHC-B-1111
20-09-22

Attest
مستند

19/09/2022

ENQUIRY AGAINST CONSTABLE MUHAMMAD ILYAS NO.1150 POSTED AT CONTROL ABBOTTABAD INVOLVED IN CASE FIR NO.786 u/s 302 PPC DATED 12.08.2022 AT PS HAVELIAN

Respected Sir,

I, DSP T&T Muhammad Saeed assigned the task to enquire into the matter on the subject cited above.

1. FACTS

That Incharge Control Abbottabad vide Signal No.1/229/HA dated 12.08.2022 intimated that Constable Muhammad Ilyas No.1150 (RM) absented himself from his lawful duty with any permission of superior. District Police Officer Abbottabad intimated vide letter No.1786/PA dated 16.08.2022 that Constable Muhammad Ilyas(RM) No.1150 posted at Control Abbottabad is nominated in case FIR No.786 u/s 302 PPC dated 12.08.2022 at Police Station Havelian district Abbottabad, and requested for proper departmental action against the official concerned(Copies attached at F/A+B+C)

In view of quoted letter, proper Departmental Enquiry initiated against the official Muhammad Ilyas No.1150, placed under suspension vide this office order No.10609-13/Tele/OASI, dated 16.08.2022 from the date of occurrence and closed to Tele Line Hqrs (Copy attached at F/D).The salary of the official concerned has already been stopped vide this office order No.11094-96/Tele/OHC dated 26.08.2022 (Copy attached at F/E).

SP investigation Abbottabad vides Letter No.3437/inv, dated 24.08.2022 requested to hand over the accused constable Muhammad Ilyas to local Police Havelian for further investigation. (Copy attached at F/F)which is duly replied by the department vide Letter No.12011/Tele/OHC dated 14.09.2022 that the accused Muhammad Ilyas is still absent and will be handed over to local Police Havelian district Abbottabad as and when he resumes the duty(Copy attached at F/G).

Charge Sheet with the Statement of Allegation was served upon official concerned vide this order No.11155-56/Tele/OHC dated 29.08.2022 through Incharge Control Abbottabad (Copy attached at F/H).

The said Charge Sheet was received by the accused father namely Muhammad Arif as the Muhammad Ilyas was not available at his home.(Copy attached at F/I).The accused neither submit his written reply nor appeared before the enquiry officer.

Final Show Cause Notice vide this office order No.17778-80/Tele/OASI dated 21.12.2022 was served upon official concerned which was duly received by his brother Muhammad Tariq, but till dated the official nor submitted his written reply nor resume his duty. (Copy attached at F/J).

Notice of absence regarding Constable Muhammad Ilyas No.1150 was also published in News papers daily Mashriq on 3rd March 2023 and daily Nai-Baat on 3rd March 2023 in which the official was directed to resume the duty within fifteen days of the publication of this Notice, but he failed to resume the duty and still absent to till date (Copy attached at F/K).

RECOMMENDATION:

Keeping in view of above facts and circumstances of the case it is being recommended that the Major punishment may be awarded to the accused Constable Muhammad Ilyas No.1150 as per Police Rules 1975(Amended -2014)

M/Saeed
(MUHAMMAD SAEED)

DSP T&T

Enquiry officer.

27/4/23

SP TELF/MI agree
Attested
27/4/23

27-4-23

FINAL SHOW CAUSE NOTICE

I, Sher Wazir Superintendent of Police Telecommunication, Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) hereby charge you Constable Muhammad Ilyas No.1150 as follow;

That while posted at Control Abbottabad involved in Case FIR No. 786 dated 12.08.2022 u/s 302 PPC PS Havelian Abbottabad.

In this regard proper departmental enquiry initiated and Charge Sheet along with statement of Allegations was served upon you vide this office order No.1115-56/Tele/OHC dated 29.08.2022, but up to date you did submit your written defense in your support.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules 1975 (Amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Rules.

On going through the findings and recommendation of the enquiry officer, the material on record and other connected papers before the Enquiry officer;

I am satisfied that you have committed the above acts/omissions specified in the rules 03 of Khyber Pakhtunkhwa Police Rules 1975 (Amended 2014)

As a result therefore, **I, Mr. Sher Wazir** Superintendent of Police Telecommunication, Khyber Pakhtunkhwa Peshawar as competent authority, have tentatively decided to impose upon you the penalty of minor/major punishment under Police Rules 1975.

You are thereof, required to show cause as to why the aforesaid penalties should not be imposed upon you and also intimate **whether you desire to be heard in person.**

If no reply to this notice is received within seven (07) days of its delivery, it shall be presumed that you have no defense to put up, and in that case an ex-parte action shall be taken against you.


(SHER WAZIR)

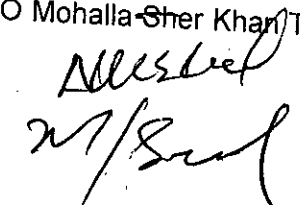
Superintendent of Police,
Telecomm: Khyber Pakhtunkhwa,
Peshawar.

No. 17778-80

/Tele/OASI, Dated Peshawar the 21 / 12 /2022.

Copy forwarded to the:-

1. O/C Control Abbottabad. (to delivered the said Charge Sheet upon Constable concerned & return one spare copy duly signed by him)
Home Address: Muhammad Ilyas S/O Muhammad Arif R/O Mohalla Sher Khan Tehsil Havaillian District Abbottabad.
2. LO Tele:
3. Constable Muhammad Ilyas No.1150.



14

57
05-01-23

7778080
سہیل انیس اے ایم ایچ کے شوکار ٹولے
کی طرف سے 18 1/2 22

تاریخ 3
طریقہ کار و کاروبار سے متعلقہ کارکنوں کو مطلع کرنے
کیلئے

312-5306229
13101-1386037

تذکرہ

گزارش حسب ذیل شوکار ٹولے کے
لہذا Ps ہو گیا اور پھر ایسا کیا۔
Ps ہو گیا ہے ڈی سی کے بجائے کو نمونہ
کروایا اور دوبارہ نمونہ جمع کیا۔
ان کے نمونے کو برقرار رکھ کر
کنٹرول روم کے بجائے محمد طارق ولد محمد عارف
نے نمونہ دوبارہ بنایا کہ محمد عباس سے کہا
دقیقہ کے بعد ان کو سے مایوس ہے۔
رپورٹ کے متن سے

محمد عباس

Oil / Tele + PSTO
OFFICER IN CHARGE
POLICE TELECOMMUNICATION
ABBOTTABAD
2/02-01-2023

No 4/HA 2/02-01-2023

اللہ اعلم
محمد عباس

SR/Tele
F...
.../Tele
...
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Annexure - E

PH: No.091-9210381
Fax No.091-9210638

(15)

From : The Deputy Insepctor General of Police,
Telecomm: & Transport
Khyber Pakhtunkhwa, Peshawar.

To : The Director Information,
Khyber Pakhtunkhwa Peshawar.


No. 1397 /Tele/OASI, dated Peshawar the 30/01 2023.

Subject: PUBLICATION OF ADVERTISEMENT OF SHOW CUASE NOTICE.

Memorandum:

Seven (07) copies of the Show Cause Notice of Constable Muhamamd Ilyas No.1150 of Police Telecomm: unit (about his absence from duty) are sent herewith for publication in two leading Newspapers i.e. (Daily AAJ & MASHRIQ) in single column.

The clipping of such newspapers may please be sent to this office for payment.


Deputy Insepctor General of Police,
Telecomm: & Transport
Khyber Pakhtunkhwa, Peshawar.

No. 1398 /Tele/OASI, Dated Peshawar the 30/01 /2023.
Copy of the above forwarded to Accountant Tele Peshawar.

Attested
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http://www.dailymashriq.com.pk

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سیدنا محمد میر شاہ

مذہب

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نوٹس غیر حاضری

آپ کو نمائندگی کے لیے 1150 نمبر پر بلائی گئی ہے۔

12.08.2022 کو ایف آئی آر نمبر 786/جیم 302 پی پی سی صدر مولیٰ۔

12.03.2022 کو بذریعہ سٹیٹس نمبر 1/229/HA اطلاع دی کہ آپ کو سٹیٹس نمبر 1150 اپنی جائے تہناتی کنٹرول روم ایف آئی آر سے تعلق رکھنے والے افراد کے فیصلے کے تحت فراہم کیا گیا ہے۔

29.08.2022 کو چارج شیٹ نمبر 1155-36/Tele/OHC گھر کے پتے پر جبری کر کے ارسال کیا گیا جس کا آپ نے جواب نہیں دیا۔

17778-80/Tele/OASI کو آپ کے گھر کے پتے پر ارسال کیا گیا جو کہ آپ کے والد محمد عارف خان اور آپ کے بھائی محمد طارق نے وصول کیے ہیں اس کے باوجود آپ نے ابھی تک اپنے مفاد میں نہ کوئی جواب جمع کیا اور نہ ہی حاضری کی رپورٹ کی ہے اور اب تک سلسلہ فیصلے حاضری میں آپ کو بذریعہ اشتہار پبلش کیا جاتا ہے کہ آپ اس نوٹس کی اشاعت کے بعد دو دن کے اندر حاضری کی رپورٹ کریں ورنہ آپ کے خلاف پولیس رولر (Amended-2014) 1975 کے تحت کیلٹرز نمٹانے کا روٹا عمل میں لائی جائے گی جس میں آپ کی جگہ پڑانے سے روٹا بھی ہو سکتی ہے۔

شیروزی (سپرینٹنڈنٹ آف پولیس)

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Our Faith: Corruption Free Pakistan

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Annexure - F

(17)

ORDER

This order is hereby passed to dispose off Departmental Appeal under Rule-11 of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-Constable Muhammad Ilyas No. 1150. The appealant was removed from service by Superintendent of Police Telecommunication & Transport Unit Khyber Pakhtunkhwa Peshawar vide Order No. 7992-8000/Tele/OASI dated 14.06.2023.

The appealant was called in Orderly Room in the office of the Undersigned on 21.09.2023; heard in person, during the hearing, the appealant failed to prove himself innocent on the allegation levelled against him in the FIR No. 786 dated 12.08.2022 u/s 302 PPC Police Station Havelian Abbottabad. Therefore, the Departmental Appeal of Ex-Constable Muhammad Ilyas No. 1150 is hereby rejected.

Abbas Majeed Khan Marwat
(ABBAS MAJEED KHAN MARWAT)^{PSP}
Deputy Inspector General of Police,
Telecommunication & Transport,
Khyber Pakhtunkhwa, Peshawar.

NO. 11422-25 /Tele/OASI, dated Peshawar the 22 / 9 /2023.

1. SP/Telccomm: & Transport Peshawar.
2. DSP/ Telccomm: & Transport Peshawar.
3. SRC Tele Peshawar.
4. Appealant concerned. (Ex-Constable Muhammad Ilyas No. 1150 s/o Muhammad Arif r/o Sher Khan Havelian Abbottabad.)

*Attested
Majeed*



Annexure - G (17)
"E"

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

18

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Muhammad Ilyas No. 1150. The Appellant was removed from service by SP Telecommunication & Transport Peshawar vide Order Endst: No. 7992-8000/Tele/OASI, dated 14.06.2023 on the allegations that he while posted at control Abbottabad FIR No. 786 w/s 302 PPC, dated 12.08.2022 was lodged against him at PS Havelian District Abbottabad & he absented himself from his lawful duty. The Appellate Authority i.e. DIG Telecommunication & Transport KP, Peshawar rejected his appeal vide order Endst: No. 11422-25/Tele/OASI, dated 22.09.2023.

Meeting of Appellate Board was held on 12.12.2023 wherein petitioner was heard in person. The petitioner contended that he went into hiding to protect his family from the threat of death until the situation cooled down.

The petitioner has served for 12 years, 4 months. In view of the long service of the petitioner & by taking lenient view, the Board decided that his revision petition is hereby accepted. He is reinstated into service with immediate effect. His punishment is modified into stoppage of three increments with cumulative effect. His absence period and out of service period is treated as leave without pay.

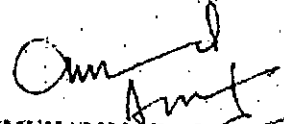
Sd/-

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

No. S/3041-46/23, dated Peshawar, the 22-12-2023.

Copy of the above is forwarded to the:

1. Deputy Inspector General of Police Telecommunication & Transport, Khyber Pakhtunkhwa, Peshawar.
2. SP Telecommunication & Transport, Khyber Pakhtunkhwa, Peshawar.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IG/IIQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/IIQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-IV CPO Peshawar.


(MUHAMMAD AZHAR) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Allesed
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