

BEFORE THE HON'BLE, KHYBER PAKHTUNKHWA,
SERVICE TRIBUNAL PESHAWAR

Service appeal No.633/2024

Majid Ali Shah No.306

.... Appellant

VERSUS


Inspector General of Police KPK and others

.... Respondents

INDEX

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXTURE	PAGE
1.	Reply of appeal		01-04
2.	Authority letter		05
3.	Affidavit		06
4.	Charge sheet and statement of the appellant	A, B	07-09
5.	Statement of Armory (KOT Incharge), Statement of ASHO PS Shahpur	C,D	10-11
6.	Daily Dairy (DD) report, finding report.	E,F	12-14
7.	Final show cause notice, reply of final show cause notice	G,H	15-16
8.	Copy of Dismissal order dated 24.10.2023	I	17-18
9.	Rejection order dated 15.11.2023	J	19

Through Respondent


(KHYAL ROZ KHAN)
DSP/Legal SSU (CPEC),
Peshawar.
17301-2507764-1
0315-9867946

23-07-24
Peshawar
S.B.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.633 /2024

Majid Ali Shah

..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa etc

..... (Respondents)

PRELIMINARY OBJECTIONS: -

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 13999

Dated 05-07-2024

- a) That the appeal is not based on facts.
- b) That the appeal is barred by law and limitation.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- e) That the appellant is estopped by his own conduct to file the instant appeal.
- f) That the appellant has not come to this Honorable Tribunal with clean hands.
- g) That the appellant has got no cause of action and locus standi to file the instant Service Appeal.

Facts

- 1) Pertains to service record.
- 2) Correct, to the extent that the appellant was apprehended by local Police for aerial firing with the government Weapon (SMG) issued to him for official duties but illegally taken by him to his home.
- 3) Incorrect brief facts of the case are that the Additional SHO, Police Station Shahpur, submitted report vide DD report No.13 dated 19.09.2023 that the appellant took government issued weapon SMG No.22274 to his home and apprehended by the local police of PS Shahpur on the charges of aerial firing.

In this regard, the appellant was suspended and he was issued Charge Sheet & Summary of Allegations on 20.09.2023 vide office Endst No. 4569/ EC. Similarly, proper departmental enquiry was initiated against the appellant and Mr. Hassan Khan DSP Minority Wing Peshawar was nominated as enquiry officer. During proceedings Charge Sheet was served upon the appellant and the statements of the appellant and Armory (Kot incharge) were recorded accordingly. The Kot incharge stated in his written statement that SMG No. 37022274 along with 04 magazines (120 rounds) was issued to the appellant for government duties. The same were taken into possession by the local police of PS Shahpur. It was observed that the SMG had been fired, and one round was missing. Furthermore, the additional SHO of PS Shahpur stated in his statement that he had gone alongwith bailiff to Wadpaga for compliance of court order. Meanwhile, he heard gunshots and apprehended a person with a rifle and

brought him to the PS Shahpur. The individual identified himself as a police constable and explained that he had come out of his house after receiving an information that his property has been taken into possession illegally by his maternal uncle Mr. Syed Riaz Ali Shah. In an attempt to scare his uncle, the appellant opened fire into the air. DD report has been attached with enquiry file and the appellant confessed in his written statement to the charges leveled against him. After completion of the enquiry, the EO submitted his finding report wherein he recommended the appellant for major punishment.

Later on the appellant was issued/served with Final Show Cause Notice vide office No. 4866/EC, dated 11.10.2023 to which his reply was not found satisfactory. He was also heard in person in orderly room held on 11.10.2023 and given ample opportunity to prove himself innocent of the charge leveled against him but he failed to satisfy the competent authority i.e, respondent No.03.

Keeping in view all the above facts and recommendations of the EO as well as material available on record, the above appellant was found guilty of gross misconduct. On perusal his service record, he was twice awarded major punishment of dismissal from service, during his 03 years and 10 months' service which shows that there is no hope from him to become a good police officer. Therefore, respondent No.03, being the competent authority, in the exercise of power vested to him under section 5(4) of Khyber Pakhtunkhwa, police Rules 1975 (amended in 2014) awarded the appellant major punishment of "Dismissal from service". (Copies of charge sheet and statement of the appellant, statement of Armory (Kot Incharge), statement of Additional SHO PS Shahpur, Daily Dairy (DD) report, finding report, final show cause notice, reply of show cause notice dismissal order and rejection order are attached as annexures A, B, C, D, E, F, G, H, I, J).

- 4) Incorrect, after completion of proper departmental enquiry, the dismissal order was issued to the appellant accordingly as per law.
- 5) Incorrect, the departmental appeal was rejected by the appellate authority as per law after hearing in person.
- 6) Incorrect, the appellant has got no cause of action and the orders of respondents are quite legal and in accordance with law/ rules. Hence, the instant appeal, being barred by law & devoid of merits, is liable to be dismissed, on the following grounds.

Grounds

- A. Incorrect, both orders have been issued in accordance with law & rules.
- B. Incorrect, after proper departmental enquiry the appellant was found guilty and thus proceeded as per law.

- C. Incorrect, the appellant was summoned for personal hearing in orderly room held on 11.10.2023 and given ample opportunity to prove himself innocent of the charges leveled against him but the appellant failed to extent any cogent explanation in his defense.
- D. Incorrect, the appellant was twice awarded major punishment of dismissal from service, during his short service tenure of 03 years and 10 months' which shows that there is no hope from the appellant to become a good police officer.
- E. Incorrect, during departmental enquiry all proceedings have been made by the enquiry officer and the appellant joined such proceedings. Furthermore, before issuing the dismissal order, the appellant was served with Final Show Cause Notice and summoned for personal hearing in orderly room but the appellant failed to satisfy the respondents. Similarly, the appellant was informed about all proceedings and codal formalities which have been done during the enquiry.
- F. Incorrect, the appellant had already been given due opportunity when after dismissal from service on 22.09.2022 for absence, he was reinstated by the respondents. So, the department is unable to give opportunity time and again to an official with irresponsible behavior and unwillingness to mend his ways.
- G. Incorrect, DD report No.13 dated 19.09.2023 has been filed by the responsible police officer (Additional SHO PS Shahpur) and was forwarded to the officers (high ups) for departmental proceedings against the appellant accordingly.
- H. Incorrect, after conducting proper departmental enquiry and upon recommendations of EO, the appellant was dismissed from service.
- I. Incorrect, Mr. Hassan Khan DSP Minority wing Peshawar was nominated as enquiry officer against the appellant. After completion of all codal formalities, he was recommended for major punishment. Then respondent No.03 being competent authority in the exercise of power vested to him under section 5(4) of Khyber Pakhtunkhwa, Police Rules 1975 (amended in 2014) awarded the appellant major punishment of **"Dismissal from service"**.
- J. Incorrect, the appellant opened fire into the air to scare his maternal uncle namely Syed Raiz Shah and was apprehended by the local police.
- K. That the respondents may also be allowed to adduce additional grounds at the time of arguments before this Hon'ble Tribunal.

Prayers

In view of above, it is humbly prayed that the instant appeal may kindly be dismissed being barred by law & devoid of merits, please.


(4)



**SP Admin & Minority
SSU (CPEC)
Khyber Pakhtunkhwa, Police
Peshawar
(Respondent No.03)
(FAZAL HANIF)
Incumbent**



**Dy: COMMANDANT
SSU (CPEC)
Khyber Pakhtunkhwa, Police
Peshawar
(Respondent No.02)
(TARIQ IQBAL)^{PSP}
Incumbent**



**DIG LEGAL, CPO
For Inspector General of police Khyber
Pakhtunkhwa, Peshawar
(Respondent No.01)
(DR. MUHAMMAD AKHTAR ABBAS)^{PSP}
Incumbent**



5

BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 633/2024


Majid Ali Shah No:306..... (Appellant)

Versus

Inspector General of Police, Khyber Pakhtunkhwa etc..... (Respondents)

AUTHORITY LETTER

Mr. Khyal Roz DSP/Legal, SSU (CPEC), Khyber Pakhtunkhwa, Peshawar is authorized to submit Para-wise Comments/reply in above captioned Service Appeal on behalf of respondents in Hon'ble Service Tribunal Khyber Pakhtunkhwa, Peshawar.


SP Admin & Minority
SSU (CPEC)

Khyber Pakhtunkhwa, Police
Peshawar

(Respondent No.03)
(FAZAL HANIF)
Incumbent


Dy: COMMANDANT
SSU (CPEC)

Khyber Pakhtunkhwa, Police
Peshawar

(Respondent No.02)
(TARIQ IQBAL)^{PSP}
Incumbent


DIG LEGAL, CPO

For Inspector General of police Khyber
Pakhtunkhwa, Peshawar

(Respondent No.01)
(DR. MUHAMMAD AKHTAR ABBAS)^{PSP}
Incumbent

6

BEFORE THE HONORABLE KHYBER
PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 633/2024

Majid Ali Shah No: 306------(Appellant)

VERSUS



Provincial Police Officer KPK/ Peshawar and others------(Respondents)

AFFIDAVIT

I, Fazal Hanif SP/Admin SSU (CPEC) do hereby solemnly affirm on oath that the content of service appeal on behalf of Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and others are correct to the best of my knowledge and belief. Nothing has been concealed from this Honorable court. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.

ATTESTED




FAZAL HANIF
SP/Admin SSU (CPEC)
Khyber Pakhtunkhwa, Peshawar
(Respondent No.3) 

CHARGE SHEET

7

I, Superintendent of Police, Admin & Minority Wing, Special Security Unit (CPEC), Peshawar, as competent authority, hereby charge that Constable Syed Majid Ali Shah No. 306 of SSU (CPEC), with the following irregularities.

"As reported by Additional SHO Police Station Shahpur vide DD report No. 13, dated 19.09.2023 that you Constable Syed Majid Ali Shah No. 306 took government-issued SMG No. 22274 to your home & apprehended by the local Police of PS Shahpur in the charge of aerial firing. Being part of the Disciplined Force, this act of yours is against the Police Rules & shows gross misconduct on your part".

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach 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 shall follow against you.

Intimate whether you desire to be heard in person.
A statement of allegation is enclosed.



(FAZAL HANIF)

SP Admin & Minority SSU (CPEC),
Khyber Pakhtunkhwa Peshawar.

Allested
M
DSP / L.SSU.CPEC

306 کنستبل سید مجید علی شاہ

25 09
023

0348-9064714

17301-9246562-1

219
- 306
- NIC

Disciplinary Action

8

I, Superintendent of Police, Admin & Minority, Special Security Unit (CPEC) Peshawar as a competent authority, am of the opinion that Constable Syed Majid Ali Shah No. 306 of SSU (CPEC), has rendered him-self liable to be proceeded against under the provision of Police Disciplinary Rules-1975.

STATEMENT OF ALLEGATION

"As reported by Additional SHO Police Station Shahpur vide DD report No. 13. dated 19.09.2023 that Constable Syed Majid Ali Shah No. 306 took government-issued SMG No. 22274 to his home & apprehended by the local Police of PS Shahpur in the charge of aerial firing. Being part of the Disciplined Force, this act of his is against the Police Rules & shows gross misconduct on his part".

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and Mr. Hassan Khan DSP Minority Peshawar Region is appointed as enquiry officer.

1. The Enquiry Officer shall, in accordance with the provisions of the Ordinance, provide reasonable opportunity of hearing to the accused officer, record his finding within 15 days of the receipt to this order, make recommendations as to punishment or other appropriate action against the accused.
2. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.

(FAZAL HANIF)

SP Admin & Minority SSU (CPEC),
Khyber Pakhtunkhwa Peshawar.

No. 4569 /EC, dated Peshawar the 20/09/2023.

1. Enquiry Officer.
2. Official Concerned.

Attested
M
DSP/L-SSU-CPEC

میں نے

تم سے ملنے کے لئے آج صبح اٹھا۔

ابھی تو صبح ہی ہے کہ تم نے

میرے پاس آ کر بیٹھ کر کہا

کہ میں تم سے ملنے کے لئے آج صبح

اٹھا تھا۔ ابھی تو صبح ہی ہے کہ

تم نے میرے پاس آ کر بیٹھ کر

کہا کہ میں تم سے ملنے کے لئے

آج صبح اٹھا تھا۔ ابھی تو صبح

ہی ہے کہ تم نے میرے پاس آ کر

بیٹھ کر کہا کہ میں تم سے

ملنے کے لئے آج صبح اٹھا تھا۔

ابھی تو صبح ہی ہے کہ تم نے

میرے پاس آ کر بیٹھ کر کہا

کہ میں تم سے ملنے کے لئے آج

صبح اٹھا تھا۔ ابھی تو صبح

ہی ہے کہ تم نے میرے پاس آ کر

بیٹھ کر کہا کہ میں تم سے

9/9/23
9/9/23
9/9/23

9/9/23

9/9/23

4

5

508

Attested
M
Dsl/L-SSU CPD

بیان از ان اجارہ کوٹ SSU سی سی

حرف و حق صرف ہوں کہ فرم 20 ستمبر 2023 کو صحت آباد پولیس
 سے قریب ASI اسیٹنٹ ظانیہ بزرگ پور کی ٹیلی فون اطلاع دی کہ کنسٹبل
 صاحبہ امی شاہ 306 بلڈنگ نمبر 4 گارڈ بنیٹھ ٹھکانہ SSU، آئی ٹی گارڈوں
 پر تعینات تھا جس کا تبادلہ حرج سیان آباد ہوا ہے جسے مذکورہ کنسٹبل کے
 پاس سرکاری رائفیل نمبری 37022274 سے 4 عدد میگزین 20 عدد کارٹریج
 7.62x39 اور بلٹ پروف ویلٹ ریسٹریکٹ سسٹم وارنٹر 92 پر تعین کیا گیا تھا جس
 پر باقاعدہ انگوٹھا ثبت کیا گیا ہے جو ہمراہ لفافے سرکاری اسلحہ مع ساقان گھرے گیا تھا
 وہاں پر فقہانہ شاہ پور کے ASI کا وید خانہ دوران گشت مذکورہ کنسٹبل صاحبہ امی شاہ کو فائر
 کرانے سرکاری رائفیل کیسٹریکٹ اور جٹو افسران بالا کے نوٹس میں براہر مذکورہ کنسٹبل
 کو پڑھ کر روک کر اسے حکم کو اڑا کر گارڈ بند کرایا اور اسلحہ فقہانہ شاہ پور سے جمع کیا وہاں سے
 من 20.09.2023 قرار اضافی عام MAS سے رائفیل سرکاری SMG نمبری بالا سے 29 عدد
 کارٹریج اور ایک عدد میگزین درست طور پر واپس کیا گیا جسے بنایا 90 عدد کارٹریج
 7.62x39 سے 3 عدد میگزین اور اسے بلٹ پروف ویلٹ مذکورہ کنسٹبل صاحبہ امی شاہ 306
 کوٹ SSU جمع کیا گیا SMG نمبری بالا پر واقعی ایک عدد فائر کیا گیا ہے جو بعد مذکورہ کنسٹبل نے
 خود ہی اقرار کیا یہی بیان ہے جو درست ہے جسے مذکورہ کنسٹبل 20 عدد کارٹریج SMG
 7.62x39 لے گیا ہے

ASI قریب ظانیہ کوٹ ای. جی. SSU سی سی

Josar Khan Dsl/m

0315 9038941

ASMA J.S.K. 2002

14/05/2002

Attestada
D.P.L. 550 C.P.E.C.

Handwritten text in Spanish, appearing to be a legal document or affidavit. The text is written in a cursive script and is oriented vertically on the page. It contains several lines of text, including what appears to be a date and a signature area at the top right of the main body.

Attestada

Attestada

Attestada

12-A

Better copy

21

ضلع پشاور

نقلمند 13 روزنامہ 19.09.2023

تھانہ شاہ پور

مد 13 / واپسی / جاوید خان ASHO بوقت 01:00 بجے مورخہ 19.09.2023 اس وقت میں معہ ہمراہیان بعد از فراغت گشت علاقہ سے واپس آیا۔ دوران گشت عدالتی سبف امجد حسب الحکم ناصر خان ASJ پشاور کیساتھ 491 ض ف کاروائی کرتے ہوئے برہمقام وڈپگہ موجود تھے۔ کہ اس دوران فائیرنگ کا آواز سن کر جو نہی نجوئی ٹرانسفارمر چوک اگر دیکھا تو ایک لڑکا جس نے دریافت پر اپنا نام ماجد ولد احمد شاہ ساکن وڈپگہ بتلایا۔ جس کے ساتھ کلاشکوف تھا۔ غیر مسلح کر کے بتلایا کہ میرا ریاض علیشاہ کیساتھ گھر کا تنازعہ ہے۔ میں گھر میں موجود تھا۔ کہ کسی نے بتلایا نہ کورہ ریاض علیشاہ آیا ہوا ہے۔ لہذا چونکہ میں پولیس کنسٹیبل ہوں۔ اور میرے ساتھ سرکاری رائلٹی ہے۔ اس پر ایک عدد فائر کیا نہ کورہ کنسٹیبل ماجد 306 کے رائلٹی نمبری 22274 لیکر جملہ حالات واقیات افسران بالا کے نوٹس میں لا کر نہ کورہ کنسٹیبل کو بندہ کو اثر گارڈ کیا گیا۔ نقلمند درج روزنامہ کے بغرض محکمانہ کاروائی افسران بالا کو ارسال کی جاتی ہے نقلمند ذیل ہے۔

جناب عالی نقلمند بمطابق اصل ہے۔

Attested
M
DSP/L.S.S.U. CPBC

[Handwritten Signature]

50 1A

18844 FSN

EC

Attended
05/12/2023
CPEC

02/10/2023
Light SSU
CPEC
Khan DSP

Major Punishment

7.69 (7.69) 7.69

306 306

306 306

7.69 (7.69) 7.69

(8)

(14)

15 16

FINAL SHOW CAUSE NOTICE

I Superintendent of Police, Admin & Minority, Special Security Unit (CPEC), Peshawar, as competent authority, under the provision of police Disciplinary Rules 1975 do hereby serve upon you, Constable Syed Majid Ali Shah No. 306 final show cause notice.

The Enquiry Officer, Mr. Hassan Khan DSP Minority Peshawar Region after completion of departmental proceedings, has found you Constable Syed Majid Ali Shah No. 306 guilty of the charges leveled against you in the charge sheet/statement of allegations & recommended for you major punishment.

And whereas, the undersigned is satisfied that you Constable Syed Majid Ali Shah No. 306 deserve the punishment in the light of the above said enquiry papers.

I, competent authority, have decided to impose upon you the penalty of minor/major punishment under police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the minor/major penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

2. If no reply to this notice is received within 07 days of its receipt, in normal course of circumstances, it shall, be presumed that you have no defense to put in and in that case as ex-parte action shall be taken against you.

Attested
[Signature]
DSP/L-SSU

[Signature]

(FAZAL HANIF)
SP Admin & Minority SSU (CPEC),
Khyber Pakhtunkhwa Peshawar.

[Signature]

No. 4866 /EC dated Peshawar the 11 / 10 /2023.

11-10-2023

Copy to official Concerned.

Majid ali Shah
17301 - 92465621
0348 9386906



[Signature]

0348-93869062 / 11/15/00

306 + 11/15/00

11/15/00

Attest
M
D/S/L 5511 C/PC

Handwritten notes in cursive script, including the word "Attest" and various illegible phrases.

306 + 11/15/00
16



OFFICE OF THE COMMANDANT
SPECIAL SECURITY UNIT (SSU)
KHYBER PAKHTUNKHWA POLICE

CENTRAL POLICE OFFICES, S.A.Q ROAD, PESHAWAR CANTT (PH: 091-9214056)



No. SC47-60 EC/SSU,

dated Peshawar the 24/10/2023.

ORDER

This order will dispose-off the departmental inquiry against Constable Syed Majid Ali Shah No. 306 of Special Security Unit (CPEC), District Peshawar.

Brief facts of the case are that as reported by Additional SHO Police Station Shahpur vide DD report No. 13, dated 19.09.2023 that Constable Syed Majid Ali Shah No. 306 took government-issued SMG No. 22274 to his home & apprehended by the local police of PS Shahpur in the charge of aerial firing.

In this regard, he was suspended, closed to SSU Lines at Hayatabad, Peshawar and proper departmental proceeding was initiated against him. He was issued charge sheet & summary of allegations vide this office Endst: No. 4569/EC, dated 20.09.2023 and Mr. Hassan Khan DSP Minority Peshawar Region was nominated as enquiry officer to conduct inquiry into the matter and submit his findings report. After completion of all codal formalities, EO submitted his findings report, wherein he reported that the charge sheet was served upon the delinquent constable, and his written statement was recorded, in which he confessed to the charges leveled against him. The inquiry officer also recorded the statement of the In-Charge of the KOT (Armory), who stated that SMG No. 37022274, along with four magazines and 120 rounds, was issued to the accused constable for government duties. The same were later possessed by the local police of PS Shahpur and subsequently handed over to him. After examining the SMG, magazines, and rounds, it was observed that the SMG had been fired, and one round was missing. Furthermore, the statement of the Additional SHO of PS Shahpur was also recorded. He mentioned that he along with bailiff had gone to Wadpaga in compliance with court order, when he suddenly heard gunshots. Upon investigation, he apprehended a person with a rifle and brought him to the Police station Shahpur. The individual identified himself as a police constable and explained that he had come out of his house because he had received information that his maternal uncle, Mr. Syed Riaz Ali Shah, was illegally in possession of his property. In an attempt to scare off his uncle, he discharged his firearm by firing into the air. Thus, the enquiry officer found him guilty of the charges leveled against him and recommended him for major punishment.

13/10/23
24/10/2023

Attested
M
DSP/2-SSU-CPEC

18

Later on he was issued/served with final show cause notice vide this office No. 4866/EC, dated 11.10.2023 to which he replied same as above. He was also heard in person in orderly room held on 11.10.2023 and given ample opportunity to prove himself innocent of the charges leveled against him but he failed to satisfy the undersigned.


Keeping in view all the above facts and recommendation of enquiry officer as well as material available on record, the above named constable was found guilty of gross misconduct. Also from perusal of his service record, he was twice awarded major punishment of dismissal from service, during his 03 years and 10 months service which shows that there is no hope for him to become a good police officer. Therefore, I, Superintendent of Police, Admin & Minority Wing SSU (CPEC), being the competent authority in the exercise of powers vested to me under section 5(4) of Khyber Pakhtunkhwa, Police Rules 1975 (amended in 2014) hereby awarded him major punishment of "Dismissal from Service" with immediate effect.

1353
26 10 23

(FAZAL HANIF)
SP Admin & Minority SSU (CPEC),
Khyber Pakhtunkhwa, Peshawar.

Copy of the above is forwarded for information to the:

1. Accountant General, Khyber Pakhtunkhwa.
2. Capital City Police Officer, Peshawar.
3. DSP HQrs: SSU (CPEC), Khyber Pakhtunkhwa.
4. PA to Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
5. PA to Dy: Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
6. Accountant, SRC, RI, OASI, I/C HRMS, I/C KOT and Clothing Godown SSU (CPEC).
7. Official Concerned.

Attested

DSP/L-SSU CPEC

(15)

(15)

11/11/23

(10)

Attn:

Subject:

Kindly refer to the subject cited above.

1. It is noted that Ex-1 consular Syed Khalid Ali Shah No. 22274 to his home & apprehended by the local police of PS Shalpur on the charge issued SMC No. 22274.

2. Resultantly, proper departmental proceedings were initiated against him. He was issued charge sheet & summary of allegations vide this office Order No. 45694-F dated 20/09/2023 and Mr. Hassam Khan DSP Minority Peshawar Region was nominated as enquiry officer to conduct inquiry into the matter and submit his findings report.

3. The enquiry officer reported that the charge sheet was served upon the Ex-1 consular, and his written statement was recorded, in which he confessed to the charges leveled against him.

4. The inquiry officer also recorded the statement of the In-Charge of the KRI (Armory), who stated that SMC No. 37022274, along with four magazines and 120 rounds, was issued to the accused consular for government duties. The same were later possessed by the local police of PS Shalpur and subsequently handed over to him. After examining the SMC, magazines, and rounds, it was observed that the SMC had been fired, and one round was missing.

5. The inquiry officer also recorded statement of the Additional SHO of PS Shalpur in his statement, he stated that he alongwith bailiff had gone to Wadpaga in compliance with court order, when he suddenly heard gunshots. Upon investigation, he apprehended a person with a rifle and brought him to the Police station Shalpur. The individual identified himself as a police constable and explained that he had come out of his house because he had received information that his maternal uncle, Mr. Syed Riaz Ali Shah, was illegally in possession of his property. In an attempt to scare off his uncle, he discharged his firearm by firing into the air. Thus, the enquiry officer found him guilty of the charges leveled against him and recommended him for major punishment.

6. Later on he was issued-served with final show cause notice vide this office No. 4866/F, dated 11/10/2023 to which he replied same as above. He was also heard in person in orderly room held on 11/10/2023 and given ample opportunity to prove himself innocent of the charges leveled against him but he failed to satisfy the undersigned.

7. In light of the above enquiry report, he was awarded major punishment of "Dismissal from Service" by the undersigned.

Submitted for your kind perusal & appropriate order, please.

SP Admin & Minority SST (CPFC)
Khyber Pakhtunkhwa, Peshawar

Attest

8. Deputy Commandant SST (CPFC):

The applicant was heard in person. His previous record shows that he was dismissed twice. His appeal is

in his total service of 3 years and 10 months was dismissed twice. His appeal is Not accepted. Please refer to the file.

05/11/23

Redacted order 15/11/23