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**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. 709/2024.

Sabit Ullah..... (Appellant)

Versus

Government of Khyber Pakhtunkhwa and others.....(Respondents)

**INDEX**

S.NO.	DESCRIPTION OF DOCUMENTS	ANNEXURE	S. NO. OF PAGES
1.	Index	-	1
2.	Para Wise Comments	-	2 to 5
3.	Affidavit	-	6
4.	Authority Letter	-	7
5.	Suspension Order	A	8
6.	Statement of allegations	B	9
7.	Charge Sheet	C	10
8.	Show Cause Notice	D	11
9.	Final Show Cause Notice	E	12
10.	Dismissal Order	F	13
11.	Enquiry report	G	14
12.	Re-inquiry report	H	15
13.	Rejection of Appeal	I	16
14.	Rejection of revision appeal	J	17
#	Total	-	17

DEPONENT



DSP khyber

CNIC No # 21201-83808577

Mobile# 03339262626

2

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.**

Service Appeal No. 700/2024

Sabit ullah ..... (Appellant)

Versus

Government of Khyber Pakhtunkhwa & others..... (Respondents)

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO .01 to 03**

**RESPECTFULLY SHEWETH:**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 16683

Dated 14-10-24

**PRELIMINARY OBJECTION:-**

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

**FACTS:-**

1. Para is pertain to record, need no comments.
2. Correct, to the extent that, SI Azeem Ullah Khan Registered the instant FIR.
3. Incorrect and misleading. In fact, SI Azeem Ullah lodged FIR No. 80 dated 02/04/2023 u/s 9D CNSA PS Bara wherein he stated that an unknown accused was carrying yellow color contraband of charas on his motorcycle who was signaled to stop. The accused instead of stopping, accelerated his bike without number. The contraband fell down due to his speed and the accused managed to escape along with his bike. Later on, reliable sources informed the high ups that the seized charas was 70kg in weight rather than 20kg. Lodging an FIR with false information was taken cognizance and delinquent officials including the appellant was subjected to departmental proceedings by the competent authority. For commission of above mentioned gross misconduct, the competent authority issued charge sheet with statement of allegations to the delinquent official. He was placed under suspension vide order No.2078/PA DPO dated 04/04/2023. Mr. Zia Hassan SP Investigation was nominated as enquiry officer to dig out the real facts of the case. The delinquent official submitted his reply to the charge sheet but was found unsatisfactory. The enquiry officer recorded the statements of

related officials besides collecting evidences. The appellant was also heard in person but failed to prove his innocence. After fulfilment of all codal and legal formalities, the enquiry officer completed his enquiry and submitted his final report wherein he held guilty the appellant and recommended for appropriate punishment. However, the competent authority posted him under observation to Lala Kandow PS Ali Masjid.

The delinquent official there too indulged himself in illegal corrupt activities. As per D.D entry No. 19.

In the wake of fresh gross misconduct by the delinquent official, he was issued final show cause notice in the first enquiry by the competent authority. The delinquent official did not submit reply to the show cause, however, he was also provided an opportunity of personal hearing but he failed to prove himself innocent. Hence, he was awarded major punishment of dismissal vide No. 6461-61/PA Dated 30/08/2023, he submitted departmental appeal which was rejected vide No. 4777-31 dated 22/12/2023 and revision petition rejected vide No. 931-936/24 dated 07/05/2024. (Annexure-A suspension Order)

4. Correct, to the extent departmental proceedings were initiated against the appellant, however, SP Zia Hassan (PSP) was nominated as an inquiry officer to dig out the real facts in the case. Charge Sheet and summary of allegations were issued against the appellate. Appellant submitted his reply against the charge sheet and appeared before the inquiry officer. Appellant was heard in person and his statement was recorded who denied the allegations, but could not provide any cogent reason against the allegations leveled against him (Appellant), however, appellant was provisionally reinstated and sent under observations to LaLa kandow post police station Ali masjid (Anex B Statement of allegations Annex C Charge sheet)
5. Correct, as already explained in para-04.
6. Incorrect and misleading, appellant was already under observations and again he got involved in such type of misconduct concealment of facts and embezzlement of contrabands in the jurisdiction of LaLa kandow post, PS Ali Masjid. In this regard Show Cause Notice was issued vide No. 5778/PA –DPO Khyber dated 16/08/2023. Moreover, appellant was also heard in person but he could not submit any satisfactory replies, however the appellant was found guilty of the said misconduct, hence, due to his involvement in embezzlement of narcotics and corrupt practices. (Annexure-D Show Cause Notice, Annexure E Final Show Cause Notice, Annexure F Dismissal order).

7. Incorrect and misleading, as already explained in the preceding paras, however, being a member of discipline force, involvement in criminal activities, concealment of facts and corrupt practices, he was dismissed from service after fulfillment of all codal formalities.(Annexure-G Enquiry report)
8. Correct, however, SP Investigation Khyber was directed to conduct re-enquiry in the instant case who in his findings, recommended to file the instant appeal vide No. 1079/PA- Inv Khyber dated 18/12/2023 hence, the appeal of appellant for setting aside the punishment awarded to him, was rejected filed. (Annexure-H re-inquiry report, Annexure-I rejection of Appeal )
9. Correct, that revision petition was also dismissed on cogent reason. (Annexure-J rejection of revision petition).
10. Incorrect, appellant has got no cause of the appeal, therefore, the instant appeal may kindly be dismissed on the following grounds.

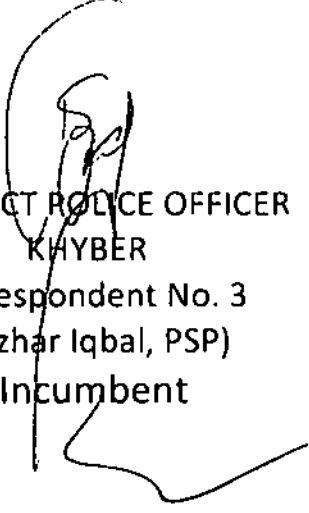
**Grounds:**


- A. Incorrect, as already explained in the preceding paras, respondents (are doing every act in the ambit of law, no injustice, or illegality has been done with the appellant.
- B. Incorrect, the orders of respondents are according to the principles of natural justice.
- C. Incorrect and misleading, as already explained in the preceding paras.
- D. Incorrect and misleading, after fulfillment of all codal formalities, appellant was dismissed from service.
- E. Incorrect and misleading as already explained in para 03, 04,05,06,07 and 08.
- F. Incorrect, appellant has already been dealt according to law, rules and regulations, no justice has been done with the appellant.
- G. Incorrect, as already explained in the preceding paras.
- H. Incorrect, as already explained in the preceding paras.
- I. Need no comments.
- J. Pertain to record.
- K. Incorrect, appellant is not entitled for reinstatement; there is no place for black sheep in police department.
- L. Incorrect, as already explained.
- M. Respondent may allowed raising other grounds at the time of arguments.

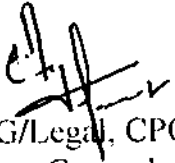
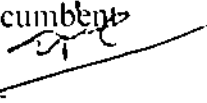
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PRAYER:-

Keeping in view of the above-stated facts, it is humbly prayed that the service appeal may kindly be dismissed with cost.

  
DISTRICT POLICE OFFICER  
KHYBER  
Respondent No. 3  
(Mazhar Iqbal, PSP)  
Incumbent

  
CAPITAL CITY POLICE OFFICER  
PESHAWAR  
Respondent No.2  
(Qasim Ali Khan, PSP)  
Incumbent

  
AIG/Legal, CPO  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 1)  
**(MUHAMMAD ASIF)**  
Incumbent  


**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,**  
**PESHAWAR.**

Service Appeal No. 70 /2024.

Sabit Ullah ..... (Appellant)

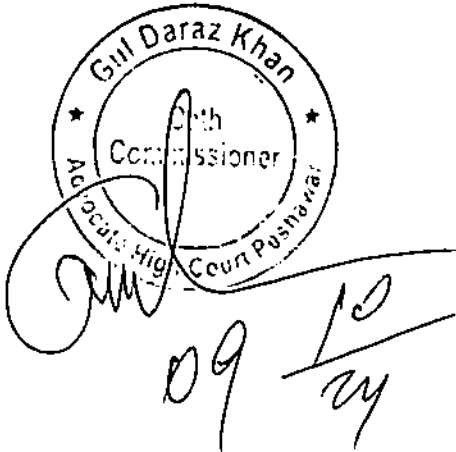
Versus


Government of Khyber Pakhtunkhwa and others..... (Respondents)

**AFFIDAVIT**

I, Mazhar Iqbal, District Police Officer, Khyber (Respondent No. 3) do hereby solemnly affirm on oath that the contents of accompanying Reply to the instant Service Appeal are correct to the best of my knowledge and belief. Nothing has been concealed from this Hon'ble Tribunal.

It is further stated on oath that in this Service Appeal, the answering respondents have neither been placed ex-parte nor their defense is struck off.

  
09/10/24

  
District Police Officer,  
Khyber  
Respondent No. 3  
(Mazhar Iqbal, PSP)  
Incumbent

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,**  
**PESHAWAR.**

Service Appeal No. 70 /2024.

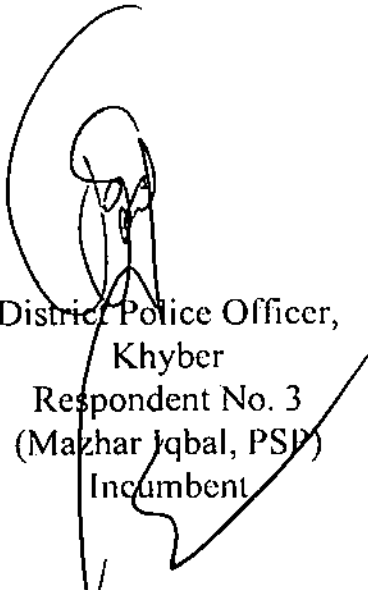
Sabit Ullah ..... (Appellant)

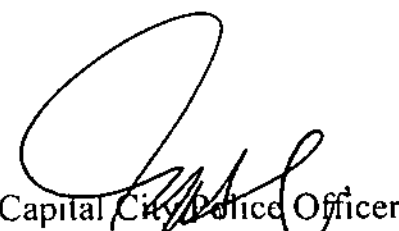
Versus


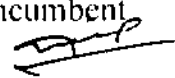
Government of Khyber Pakhtunkhwa and others..... (Respondents)

**AUTHORITY LETTER**

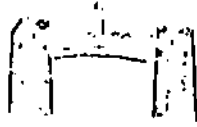
Mr. Mazhar Khan DSP, Khyber is authorized to submit Para-wise comments/ reply in the instant Service Appeal in the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar and also to defend instant Service Appeal on behalf of respondents' No. 1 to 3.

  
District Police Officer,  
Khyber  
Respondent No. 3  
(Mazhar Iqbal, PSP)  
Incumbent

  
Capital City Police Officer,  
Peshawar  
Respondent No. 2  
(QASAM ALI KHAN, PSP)  
Incumbent

  
AIG/Legal, CPO  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 1)  
**(MUHAMMAD ASIF)**  
Incumbent  


Anex(A) (2)



OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER



No. 2073 PA-DPO Khyber

Dated 04/04/2023

ORDER

With reference to Case FIR No. 80 dated 02/04/2023 u/s 9D-CNSA of Police Station Bara, the following officials while deputed at Shalobar Post, PS Bara arrested an accused and released him after extorting bribe money from him.

Thus, they are hereby suspended, with stoppage of pay, and closed to Police Lines Khyber with immediate effect. They are directed to report to Police Lines Khyber forthwith.

Sr.	Rank/Name/No.	Posting
01	FC Sabir Ullah No. 1243	I/C Shalobar Post, PS Bara
02	FC Azeem Ullah No. 2004	Shalobar Post, PS Bara

-- Separate Chargesheet and Statement of Allegations shall follow

Capt. SALEEM ABBAS KHAN (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

OB No. 219 dated 04/04/2023

No. 2073 PA-DPO Khyber

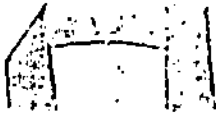
Copies to;

1. DSP HQ/ RI Lines to ensure his presence
2. OHC DPO Office Khyber for Transfer/Posting Record
3. Accountant Khyber for Stoppage of pay
4. Service Record Branch for compilation of Service Record
5. HRMIS Branch, Khyber to update profile's

6. SP 4



Aner(B) 9



OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER  
Tel: 091-5862033



No 2094/PA-DPO Khyber

(Date: 04/04/2023)

**DISCIPLINARY ACTION UNDER SECTION 5(3) OF POLICE RULES  
1975**

I, Capt. @ Saleem Abbas Kulachi (PSP), District Police Officer, Khyber, as a competent authority, believe that the following officials of District Police Khyber have rendered themselves liable to be proceeded against as they committed the mentioned below allegations within the meaning of Police Rules, 1975 (With Amendments – 2014)

**STATEMENT OF ALLEGATIONS UNDER SECTION 6 (i(a)) OF POLICE RULES 1975**

As per learned sources, there are discrepancies in the Case FIR No. 80, dated 02/04/2023 u/s 9D-CNSA of Police Station Bara. That, the accused was arrested with 70 Kg of Charras, but was released along with his motorcar without any legal or criminal proceedings after receiving bribes. Furthermore, only 25 KG was shown in the Case FIR and rest were concealed to hide motorcar which was first conveyed to SHO concerned and senior Officers but later concealed and instead Motorcycle was shown in the Case FIR as case property. These acts come under the meaning of Misconduct as per section 2(iii) and renders them, with reference to these discrepancies, liable for punishment under section 3(c) of Khyber Pakhtunkhwa Police Rules, 1975 (With Amendments – 2014), respectively.

Sr.	Rank/Name/No.	Posting
01	FC Sabit Ullah No. 1243	I/C Shalobar Post, PS Bara
02	FC Azeem Ullah No. 2004	Shalobar Post, PS Bara

To probe into the above-mentioned allegations against the said accused SP Investigation is hereby nominated as the Inquiry Officer under Section 5(4) of the Khyber Pakhtunkhwa Police Rules 1975 (With Amendments – 2014).

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

The above-mentioned officials are directed to appear before the Inquiry Officer on the date, time and place fixed by the Inquiry Officer.

Capt. @ SALEEM ABBAS KULACHI (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

Area (C) 10



OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER  
Tel: 091-5862033



No 2093/PA-DPO Khyber

Dated: 04/04/2023

CHARGE SHEET UNDER SECTION 6(i(a)) OF POLICE RULES 1975

1. I, Capt. @ Saleem Abbas Kulachi (PSP), District Police Officer, Khyber, as a competent authority, hereby charge the officials, mentioned below in table, as per the following allegations:

*"As per learned sources, there are discrepancies in the Case FIR No. 80, dated 02/04/2023 w/s 9D-CNSA of Police Station Bara. That, the accused was arrested with 70 Kg of Charras, but was released along with his motorcar without any legal or criminal proceedings after receiving bribes. Furthermore, only 25 KG was shown in the Case FIR and rest were concealed to hide motorcar which was first conveyed to SHO concerned and senior Officers but later concealed and instead Motorcycle was shown in the Case FIR as case property. Such corrupt activities come under the meaning of gross misconduct"*

Sr.	Rank/Name/No.	Posting
01	FC Sabit Ullah No. 1243	I/C Shalobar Post, PS Bara
02	FC Azeem Ullah No. 2004	Shalobar Post, PS Bara

2. For the above-mentioned reasons, you appear to be guilty of Misconduct as per Police Rules, 1975 and that you have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.

3. Therefore, you are directed to submit your written defense within 07 days of the receipt of this Charge Sheet to the Inquiry Officer, as the case may be.

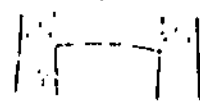
4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing to which it shall be presumed that you have no defense to put in and, in that case, *ex-parte* action shall follow against you.

5. State, whether you desire to be heard in person or not.

Capt. @ SALEEM ABBAS KULACHI (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

Area (D)

11



OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER



No. 5778 JPA/DPD Khyber

Dated 05/08/2023

**SHOW CAUSE NOTICE**  
تعارف اور جواب دہی کی درخواست

Whereas you FC Sabit Khan No. 1243 of District Police Khyber, while posted at Lala Kandaw Post, PS Ali Masjid committed the following gross misconduct on your part

"As per D.D. Entry No. 19, dated 04/08/2023 of Police Station Ali Masjid, you, along with Constable Safer Ullah No. 2493 while posted at Lala Kandaw Post, PS Ali Masjid and a CTD official namely Rabid Ullah, ceased contrabands, 16 Kgs Charras and 09 Kgs of ICE, in the area of Shahgai, PS Ali Masjid. However, instead of further legal and criminal proceedings, you released the convict along with his vehicle, and concealed the ceased contrabands. You stated before the SHO Ali Masjid that you have ceased the 06 Kgs of Charras only and have released the convict. It is pertinent to mention that you are currently under inquiry due to a similar kind of activity and were provisionally reinstated only to mend your ways, which you failed to do so. Further, when you were contacted on your cell number: 0307 - 0527122 on 4<sup>th</sup> August to appear before the undersigned on 5<sup>th</sup> August 2023, you failed to appear the next day and instead powered off your numbers, which is reported vide D.D Entry No. 06, dated 05/08/2023 of Police Lines Khyber. Such kind of involvement in criminal abetment and drug peddling is tantamount to criminal misconduct as per rule."

If you are found guilty of this allegation, Departmental action may result in Dismissal from Service as per Police Rules 1975 (With Amendments - 2014).

Therefore, I, Capt. N Saleem Abbas Kulachi (PSP), District Police Officer Khyber, being the competent authority, call upon you to respond to this Show-Cause Notice within 07 days of the receipt, and to state, why you should not be dealt with departmentally under Police Rules 1975 (With Amendments - 2014)

If you fail to submit any reply, *ex-parte* action shall be taken against you.



Capt. N SALEEM ABBAS KULACHI (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER

Anex (E) 12



No. 6103/PA-DPO Khyber

Dated 16/08/2023

FINAL SHOW CAUSE NOTICE

Whereas you, Constable Sabit Ullah No. 1243 of District Police Khyber, went through departmental proceedings vide order No. 2078/PA-DPO Khyber dated 04/04/2023 due to concealment of facts and contrabands in Case FIR No. 80, dated 02/04/2023 u/s 9D-CNSA of Police Station Bara. The inquiry officer found you guilty of the said misconduct and recommended an award of suitable punishment. Further, as you were provisionally reinstated and sent to Lala Kandaw post, PS Ali Masjid under observation, you again got involved in such misconduct, concealment of facts and contrabands, for which you were issued with Show Cause no. 5778/PA-DPO Khyber dated 05/08/2023, enclosed. You could not submit any satisfactory reply in this also.

Thus, a final show cause notice is hereby issued against you. You are directed to submit any cogent evidence in your defense in both cases within 07 days positively.

If you fail to submit any reply, *ex-parte* action shall be taken against you.

Capt. @ SALEEM ABBAS KULACHI (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

Annex 'B' (B)

OFFICE OF THE  
DISTRICT POLICE OFFICER  
KHYBER



No. 6460 /PA-DPO Khyber

Dated: 30/08/2023

DISMISSAL ORDER

FC Sabit Ullah No. 1243 of District Police, Khyber was suspended and closed to Police Lines Khyber vide Order No. 2078/PA-DPO Khyber dated 04/04/2023 due to involvement in alleged concealment of seized narcotics while he was performing duties as I/C Shalobar Chowk post, at Police Station Bara. The incident was recorded in Case FIR No. 80, dated 02/04/2023 u/s 9D-CNSA of Police Station Bara.

Departmental Proceedings were initiated against him vide No. 2094/PA-DPO Khyber dated 04/04/2023. He submitted his reply against the Charge Sheet and appeared before the Inquiry Officer. He was heard in person and his statement was recorded. He denied the allegations but could not provide any cogent reason against the allegations. He was provisionally reinstated and sent under observation to Lala Kandaw Post, Police Station Ali Masjid vide Order No. 2222/PA-DPO Khyber dated 11/04/2023. However, he got involved again in such type of misconduct, concealment of facts and seized contrabands in the jurisdiction of Lala Kandaw Post, PS Ali Masjid. He was issued with Show Cause notice No. 5778/PA-DPO Khyber dated 05/08/2023 in this regard. He was again issued with Final Show Cause notice vide 6103/PA-DPO Khyber dated 16/08/2023. He was also heard. However, he could not submit any satisfactory replies in this. Thus, he was found guilty of the said misconduct.

Therefore, in pursuance of the recommendation of Inquiry Officer, the undersigned, being the competent authority is satisfied about his involvement in concealment of facts and corrupt practices and in order to maintain discipline in the force, hereby awards the delinquent official with Major Punishment of Dismissal from Service as per Section 4-b(iv) of Police (E&D) Rules 1975 (With Amendments - 2014).

Capt. @ SALEEM ABBAS KULACHI (PSP)  
DISTRICT POLICE OFFICER,  
KHYBER

OB No. 834 /dated 30/08/2023

No. 6461-64 /PA - DPO Khyber

Copies to:

1. DSP HQs, Khyber
2. OIC, DPO Khyber for Record
3. Accountant, DPO Khyber for Stoppage of Pay

Anex (G) 14

**SUPERINTENDENT OF POLICE  
INVESTIGATION DISTRICT  
KHYBER**

Phone No.091-7259003



No. 575 /PA-Inv Khyber

Dated: 21/07/2023

To: The District Police Officer,  
Khyber

Subject: **FINDING OF ENQUIRY AGAINST FC SABIT ULLAH NO.1243**

Respected Sir,

It is submitted that the matter was probed thoroughly and the following steps have been followed during the course of enquiry.

**Allegations in the Order:**

It is alleged in the order issued by DPO Khyber Vide No. 2078/PA-DPO Khyber dated 04-04-2023. As per learned sources, there are discrepancies in the Case FIR No.80, dated 02-04-2023 u/s 9D-CNSA of Police Station Bara. That, the accused was arrested with 70 Kg of Charras, but was released along with his motorcar without any legal or criminal proceedings after receiving bribes, furthermore, only 25Kg was shown in the case FIR and rest were concealed to hide motorcar which was first conveyed to SHO concerned and senior Officer but later concealed and instead Motorcycle was shown in the Case FIR as case property.

**Enquiry proceedings:**

During the course of enquiry, the delinquent official was issued with Charge Sheet. He submitted his reply. Then he was called to appear before the inquiry officer. He was heard in person and his statement was recorded. He could not provide any cogent reason in his defence. Also as per the attached report, FC Sabit ullah seized contraband, 80Kg of Hashish, on dated 02-04-2023. However, he showed only 20Kg and concealed the other 60 Kgs with the car.

**Conclusion:**

FC Sabit Ullah No. 1243 was posted at I/C Shalobar Post, Posted PS Bara and The official did not provide any solid evidence in support of his defense. Thus, he is found guilty of the said misconduct.

**Recommendation:**

FC Sabit Ullah No.1243 Keeping in view of the above circumstances, FC Sabit Ullah No.1243 may kindly be awarded with suitable punishment.

Submitted please

**ZIL HASSAN(PSP)**  
Superintendent of Police Investigation  
District Khyber



**SUPERINTENDENT OF POLICE  
INVESTIGATION DISTRICT  
KHYBER**

Phone No.091-7259003



No. 10747/PA-Inv Khyber

Dated: 18/12/2023

To: The District Police Officer,  
Khyber

Subject: APPEAL/ RE-INQUIRY

Respected Sir,

With reference letter No.4285/PA dated Peshawar 21-11-2023 it is submitted that the following steps have been followed during the course of enquiry.

**Allegations in the Order:**

"As per learned sources, while you were deputed as I/C Shalobar Post, PS Bara, there are discrepancies in the case FIR No.80, Dated 02-04-2023 w/s 9D-CNSA of Police Station Bara. That the accused was arrested with 70 KGs of Charras, but was released along with his motorcar without any legal or criminal proceedings after receiving bribes. Furthermore, only 25Kgs was shown in the Case FIR and rest were concealed to hide motorcar which was first conveyed to SHO Concerned and senior officer but later concealed and instead motorcycle was shown in the case FIR as case property.

And as per D.D Entry No.19 dated 04-08-2023 of Ali Masjid you along with constable Safer Ullah No.2493 while posted Lala Kadow post, PS Ali Masjid and a CTD official namely Rahid Ullah ceased contrabands, 16 KGs Charras and 09 KGs of ICE, in the area of Shagai, PS Ali Masjid. However, instead of further legal and criminal proceedings, you stated before the SHO Ali Masjid that you have ceased the 06 KGs of Charras only and have released the convict. But the time, you were already under inquiry for the above charges, and were provisionally reinstated to perform duties under observation, but again misconducted"

**Enquiry proceedings:**

The delinquent official was called again to submit his reply and appear before the inquiry officer. He appeared before the inquiry officer and submitted his statement. He again failed to submit any cogent evidence in his defense. It is pertinent to mention that he was provided with the chance of hearing for both times and he availed so. Both times he apologized for his acts and submitted that it would never happen next time. However, both times he could not provide anything in his defense which could prove his innocence in above allegations.

**Conclusion:**

The delinquent official failed to provide anything in his defense, and thus his appeal may kindly be filed, please.

Submitted please

*Kamal Hussain*  
KAMAL HUSSAIN  
Superintendent of Police Investigation  
District Khyber

of the  
CCPO

Aneq (I) 16



OFFICE OF THE  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

Phone No. 091-9210989 Fax: No. 091-9212597

ORDER.

This order will dispose of the departmental appeal preferred by Ex-Constable Sabit Ullah No. 1243, who was awarded the major punishment of "dismissal from service" under KP PR-1975 (amended 2014) by DPO Khyber vide order No. 6460/PA, dated 30.08.2023.

2- Brief facts leading to the instant appeal are that the defaulter Constable was proceeded against departmentally on the charges that he was found involved in concealment of seized narcotics while he was performing duties as Incharge Shalobar Chowk, PS Bara, District Khyber.

3- He was issued Charge Sheet and Summary of Allegations by DPO Khyber. SP/Investigation, Khyber was appointed as Enquiry Officer to scrutinize the conduct of the accused official. The Enquiry Officer after conducting departmental enquiry submitted his findings in which the accused official was recommended for suitable punishment. The competent authority in light of the recommendation of the Enquiry Officer awarded him the major punishment of dismissal from service.

4- He was heard in person in Orderly Room. During personal hearing, he was given an opportunity to prove his innocence. However, he failed to submit any plausible explanation in his defense. Afterwards, SP/Investigation, Khyber was directed to conduct re-enquiry in the instant case, who in his findings recommended to file the instant appeal vide No. 1079/PA-Inv Khyber dated 18.12.2023. Therefore, his appeal for setting aside the punishment awarded to him by DPO Khyber vide order No. 6460/PA, dated 30.08.2023 is hereby rejected/filed.

"Order is announced"

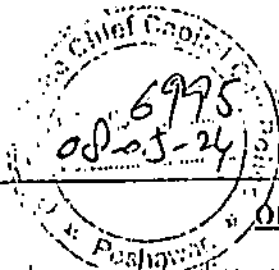
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 4777-21 /PA, dated Peshawar the 27 / 12/2023

Copies for information and necessary action to the:-

1. District Police Officer Khyber, along with complete inquiry file.
2. DSP/HQrs Khyber.
3. Accountant & OASI Khyber.
4. Official concerned.





OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Area (J) 17

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 Sabit Ullah No. 1243. The petitioner was dismissed from service by DPO Khyber vide Order No. 6460/PA, dated 30.08.2023, on the charges that he was found involved in concealment of seized narcotics in two separate cases (instead of 70 KGs Charas only 25 KGs were shown and instead of 16 KGs Charas and 09 KGs of ICE only 06 KGs of Charas were shown as per Re-Inquiry conducted by SP Investigation Khyber) while he was performing duties as incharge Shalobar Chowk, PS Bara, District Khyber.

During OR he failed to submit any plausible explanation in his defense. CCPO/Peshawar directed SP/Investigation, Khyber to conduct re-enquiry in which he concluded that the delinquent official failed to provide anything in his defense, and thus his appeal may kindly be filed with which CCPO Peshawar agreed.

The Appellate Authority i.e. CCPO Peshawar rejected his appeal vide Order Indst: No. 4777-281/PA, dated 22.12.2023.

Meeting of Appellate Board was held on 02.05.2024 wherein petitioner was heard in person. The petitioner contended that he is innocent.

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

Sd/-  
AWAL KHAN, PSP  
Additional Inspector General of Police,  
HQs: Khyber Pakhtunkhwa, Peshawar.

STRICT POLICE OFFICER  
KHYBER.

No. 931-936 /24, dated Peshawar, the 07-05-2024.

Copy of the above is forwarded to the:

- CC-20 \_\_\_\_\_ 1. Capital City Police Officer Peshawar.
- SSP Coord \_\_\_\_\_ 2. District Police Officer, Khyber.
- ISPO \_\_\_\_\_ 3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
- SSP Inv \_\_\_\_\_ 4. PA to Addl: IGP/HQs: Khyber Pakhtunkhwa, Peshawar.
- SPO Crim \_\_\_\_\_ 5. PA to-DIG/HQs: Khyber Pakhtunkhwa, Peshawar.
- SPA \_\_\_\_\_ 6. Office Supdt: I-IV CPO Peshawar.
- SP/Sec \_\_\_\_\_
- SP/AD \_\_\_\_\_
- SSP/Inv \_\_\_\_\_
- IDS/Inv \_\_\_\_\_
- IP/Inv \_\_\_\_\_
- IP/Inv \_\_\_\_\_
- AS/Inv \_\_\_\_\_
- ICA/Inv \_\_\_\_\_



*Sonia Shamroze Khan*  
(SONIA SHAMROZE KHAN) PSP  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

08-05-24

*Abhishek-I*  
*P. M. Action.*

*At 09:05*  
*20/05/2024*  
*S/C/CRC*

1/10/2024