

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**AT CAMP COURT ABBOTTABAD**

**SERVICE APPEAL NO. 713/2018**

Date of institution ... 25.05.2018

Date of judgment ... 11.07.2019

Mohammad Yousuf S/o Allah Dad Constable No. 598 District Police Haripur,  
R/O Village Barilla Khanpur, Haripur.

... (Appellant)

**VERSUS**

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer, Haripur.

... (Respondents)

SERVICE APPEAL UNDER SECTION-4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE  
ORDER OB NO. 182 DATED 16.03.2018 OF THE DISTRICT POLICE  
OFFICER HARIPUR WHEREBY THE APPELLANT HAS BEEN  
AWARDED WITH MAJOR PENALTY OF REVERSION IN RANK  
FROM HEAD CONSTABLE TO CONSTABLE AND ORDER DATED  
14.05.2018 WHEREBY APPELLANT'S DEPARTMENTAL APPEAL  
HAS BEEN REJECTED.

Mr. Muhammad Aslam Tanoli, Advocate.

.. For appellant.

Mr. Muhammad Bilal Khan, Deputy District Attorney

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. HUSSAIN SHAH

.. MEMBER (EXECUTIVE)

**JUDGMENT**

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the  
appellant and Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith  
Mr. Misal Khan, ASI for the respondents present. Arguments heard and record  
perused.

2. Brief facts of the case as per present service-appeal are that the appellant  
was serving in Police Department as Lower Head Constable (LHC). He was  
imposed major penalty of reduction in rank from LHC to Constable vide order

dated 16.03.2018 on the allegation that he uploaded a baseless objectionable post leveling false and frivolous complaints against senior officer, he also uploaded objectionable picture on face book account with views, wearing police uniform. The appellant filed departmental appeal on 02.04.2018 which was rejected on 14.05.2018 hence, the present service appeal on 25.05.2018.

3. Respondents were summoned who contested the appeal by filing of written reply/comments.

4. Learned counsel for the appellant contended that the appellant was imposed major penalty of reduction in rank from Lower Head Constable to Constable with immediate effect vide order dated 16.03.2018 without mentioning of specific period of the said reduction. It was further contended that the competent authority was bound to mention any specific period of reduction in rank from Lower Head Constable to Constable under Fundamental Rule 29 but the competent authority has violated the mandatory provision of Fundamental Rule 29. It was further contended that after inquiry, the respondent-department was bound to issue show-cause notice alongwith copy of inquiry report to the appellant but the respondent-department has not issued any show-cause notice alongwith the copy of inquiry and has been deprived the appellant from the right of defence. It was further contended that the appellant had also raised objection on the appointment of inquiry officer and in this respect application was also submitted to the competent authority and in reply to the charge sheet, the appellant also mentioned that he had objected vide application on appointment of Ejaz Ahmad DSP as inquiry officer but neither the competent authority has considered the said application nor the inquiry officer had taken into consideration the said application therefore, it was vehemently contended that the inquiry report is bias and partial therefore, it was contended that the major penalty of reduction in rank on the basis of said inquiry is illegal and liable to be set-aside and prayed for acceptance of appeal.

*M. Amin*  
11.7.2019

5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving in Police Department. It was further contended that proper charge sheet, statement of allegation was served upon the appellant and the inquiry officer has also recorded the statement of witnesses. It was further contended that proper opportunity of cross examination on the said witnesses was also provided to the appellant. It was further contended that the inquiry officer has also found the appellant guilty and on the basis of inquiry report, the appellant was rightly imposed the major penalty of reduction in rank and prayed for dismissal of appeal.

6. Perusal of the record reveals that the appellant was serving in Police Department. The departmental proceeding was initiated against the appellant on the aforesaid allegation. Record further reveals that after serving of statement of allegations on the appellant, the appellant submitted application to the competent authority that he has objection on the appointment of Ijaz Ahmad DSP as inquiry officer and also mentioned the said fact in reply to the charge sheet submitted to inquiry officer but neither the competent authority has taken into consideration the said objection of the appellant nor the inquiry officer has taken into consideration the said application. Meaning thereby, that fair and proper inquiry was not conducted by the respondent-department, as when the appellant raised objection on the appointment of inquiry officer, the competent authority was required to appoint other inquiry officer. Moreover, the appellant has been imposed major penalty of reduction in rank vide order dated 16.03.2018 without mentioning of any specific period of reduction in rank from Lower Head Constable to Constable. Although the competent authority was bound to mention specific period in reduction in rank from Lower Head Constable to Constable under Fundamental Rule 29. Moreover, there are numerous judgment of this Tribunal that under Police Rules 1975 after inquiry

*M. Amin*  
11.7.2019

the competent authority is bound to issue show-cause notice alongwith copy of inquiry to the appellant and after replying to the said show-cause notice and providing opportunity of personal hearing, the competent authority may pass an appropriate order but in the present case the competent authority has not issued any show-cause notice alongwith copy of inquiry report. Meaning thereby that the appellant has also been deprived from right of defence by not providing copy of show-cause notice alongwith copy of inquiry report therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside. As such, we partially accept the appeal, set-aside the impugned order. However, the respondent-department is at liberty to conduct de-novo inquiry in the mode and manner prescribed under the Police Rules 1975 within a period of 90 days from the date of receipt of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
11.07.2019



(HUSSAIN SHAH)  
MEMBER  
CAMP COURT ABBOTTABAD

*Muhammad Amin*  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER  
CAMP COURT ABBOTTABAD

11.07.2019

Counsel for the appellant and Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith Mr. Misal Khan, ASI for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of four pages placed on file, we partially accept the appeal, set-aside the impugned order. However, the respondent-department is at liberty to conduct de-novo inquiry in the mode and manner prescribed under the Police Rules 1975 within a period of 90 days from the date of receipt of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

11.07.2019

  
(Hussain Shah)

Member

Camp Court Abbottabad

  
(Muhammad Amin Khan Kundi)

Member


Camp Court Abbottabad



Service Appeal No. 853/2018


19.02.2019

Counsel for the appellant present. Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith Mr. Misal Khan, Head Constable for the respondents present. Written reply on behalf of respondents not submitted. Learned Deputy District Attorney for the respondents requested for further adjournment. Adjourned. To come up for written reply/comments on 17.04.2019 before S.B at Camp Court Abbottabad.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

17.04.2019

Counsel for the appellant present. Mr. Muhammad Bilal, DDA alongwith Mr. Misal Khan, ASI for respondents present. Written reply/comments submitted which ~~are~~ placed on file. Case to come up for rejoinder and arguments on 18.06.2019 before D.B at camp court Abbottabad.


  
(Ahmad Hassan)  
Member  
Camp Court A/Abad

18.06.2019

Appellant alongwith counsel and Mr. Muhammad Bilal, DDA alongwith Misal Khan, ASI for the respondents present.

Due to paucity of time the matter is adjourned to 11.07.2019 for arguments before the D.B at camp court, Abbottabad.

  
Member

  
Chairman  
Camp court, A/Abad

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

In the matter of  
Appeal No. 713/2018

Mohammad Yousuf.....V/S.....PPO/IGP KPK & Others  
(Appellant) (Respondents)

**REJOINDER ON BEHALF OF THE APPELLANT**

Respectfully Sheweth:

The appellant submits his rejoinder as under:-

**Preliminary Objections:**

1. Contents incorrect and misleading; the appellant has filed instant appeal according to procedure prescribed by law and rules governing the terms and conditions of appellant's service thus maintainable.
2. Contents incorrect and misleading, no rule of estoppel is applicable in the instant case.
3. Contents incorrect and misleading; the appellant has been awarded the penalty in violation of rules and regulations, thus instant appeal has been filed in according to law with clean hands.
4. Contents incorrect and misleading, all necessary material facts have been brought on the instant appeal for having just and proper decision on merits of this Honourable Tribunal.
5. Contents incorrect and misleading, all necessary parties required for just and proper decision of the case have been arrayed in the instant appeal.
6. Contents incorrect and misleading; the appellant has filed instant appeal according period prescribed by law and department rules is therefore well within time.
7. Contents incorrect and misleading; the appellant has been awarded the penalty by respondents against the rules and regulations. Thus instant appeal has been filed. The question of pressurizing the respondents does not arise.
8. Contents incorrect and misleading; bother the orders i.e. original as well as appellate are illegal and against the

departmental rules and regulations for which the instant appeal has been filed so that grievance could be settled from this Honourable Tribunal.

**ON FACTS:**

Contents of para No.1 to 09 of the appeal are correct and the reply submitted to these paras by respondents in para-1 to 09 is incorrect and misleading hence denied.

**GROUNDS:**

All the grounds "A" to "H" taken in the memo of appeal are legal and will be substantiated at the time of hearing of appeal and reply submitted to these paras by respondents from "A" to "H" is incorrect and misleading hence vehemently denied.

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

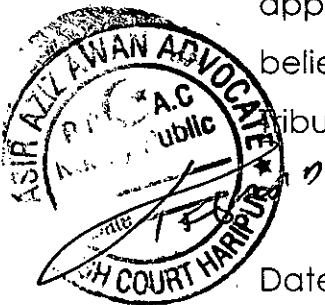
THROUGH

*M. Yousaf*  
APPELLANT  
*M. Aslam*  
(MOHAMMAD ASLAM TANOLI)  
ADVOCATE HIGH COURT  
AT HARIPUR

Dated: 18-06-2019

**AFFIDAVIT:**

I, Mohammad Yousuf S/O Allah Dad appellant do hereby solemnly declare that contents of this rejoinder as well as that of titled appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



Dated: 18-06-2019

*M. Yousaf*  
Deponent/Appellant



جناب عاز

تذراش ہے کہ سائل نے اید مگر ہری درخواست ایسی جس کی وجہ سے ہری  
جلسے میں پر موجود تصویروں کو بے بنیاد سمجھا گیا اور انکو اٹری امر  
انجاز احمد خان D.K.D. خانیو رطرا گیا

جناب عالی

تذراش ہے کہ سائل کو انکو اٹری امر پر اعتماد نہ ہو جو کہ خود عرصہ 3/4  
سال سے ہری پور ڈسٹرکٹ میں ہے اور ان کی ہی سیلنٹ پٹیوں کو ایسے لہذا کوئی ٹر  
جانب سے امر مگر کیا جاسا جو نام شاملے کا غیر جانب دار انکو اٹری کی  
جائیں مہا پریس لائن میں سینٹر میں

الصلح

محمد یوسف 598/144  
مہر پریس لائن  
M. Yusuf



جناب عالی

تذراش ہے کہ سائل نے ایک ٹکڑی درخواست بھی جس کی وجہ سے میری  
جینس ٹیٹ پر موجود تصویروں کو پسینا بنا کر سینٹڑ کیا گیا اور انٹو اٹری انفر  
ایجاز احمد خان D50 خانپور ملکر کیا گیا

جناب عالی  
تذراش ہے کہ سائل کو انٹو اٹری انفر پر اعتماد نہ ہو جو کہ خود عمر 3/4  
سال سے ہیں پور ڈسٹریکٹ میں ہے اور ان کی بھی سینٹڑ کیو ریو سٹیگ ایس ایس ایس کی طرف  
جانب سے امر مکر کیا جاتا ہے جو تمام معاملے کا غیر جانف دار انٹو اٹری کی  
جائیں ہیں ایس ایس لائن میں سینٹڑ ہیں

السلامت

محمد کونست 598/44  
مفتی رولیس لائن  
M. A. S.

19.10.2018

Appellant Muhammad Yousaf alongwith his counsel Mr. Muhammad Aslam Tanoli, Advocate present and heard in limine.

Contends that neither proper enquiry was conducted nor show cause notice was given to the appellant and even then major punishment of reversion in rank was imposed upon him.

The points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections, if raised by the respondents. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 15.01.2019 before S.B at Camp Court Abbottabad.

Appellant Deposited  
Security & Process Fee

  
Chairman

Camp court, A/Abad

15.01.2019

Learned counsel for the appellant and Mr. Muhammad Bilal learned Deputy District Attorney alongwith Danish Reader present. Written reply not submitted. Representative of the respondent department seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 19.02.2019 before S.B at camp court Abbottabad.



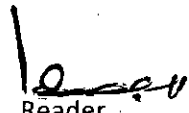
  
Member

Camp Court Abbottabad

**Form-A**  
**FORM OF ORDERSHEET**

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

Case No. 713/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/05/2018	<p>The appeal of Mr. Muhammad Yousaf presented today by Mr. Muhammad Aslam Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	31-5-2018	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>31-08-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
31.08.2018		<p>Due to summer vacations, the case is adjourned. To come up for the same on 19.10.2018 at camp court Abbottabad.</p> <p style="text-align: right;"> Reader</p>

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

Appeal No. 713/2018

Mohammad Yousuf S/O Allah Dad Constable No.598 District Police Haripur R/O village Barilla Khanpur, Haripur

**Appellant**

**VERSUS**

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer Haripur.

**Respondents**

**SERVICE APPEAL**

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THROUGH

*M. Housaf Tanoli*  
APPELLANT

*M. Aslam Tanoli*  
(MOHAMMAD ASLAM TANOLI)  
ADVOCATE HIGH COURT  
AT HARIPUR

Dated: 25-05-2018

1

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

*Appeal No. 713/2018*

Mohammad Yousuf S/O Allah Dad Constable NO.598 District  
Police Haripur R/O Village Barilla Khanpur, Haripur.

**Khyber Pakhtunkhwa Service Tribunal** **Appellant**

**VERSUS**

Diary No. *967*

Dated *25-5-2018*

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer, Haripur.

**Respondents**

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL  
ACT 1974 AGAINST ORDER OB NO. 182 DATED 16-03-2018 OF THE  
DISTRICT POLICE OFFICER HARIPUR WHEREBY THE APPELLANT HAS  
BEEN AWARDED WITH MAJOR PENALTY OF REVERSION IN RANK  
FROM HEAD CONSTABLE TO CONSTABLE AND ORDER DATED 14-  
05-2018 WHEREBY APPELLANT'S DEPARTMENTAL APPEAL HAS BEEN  
REJECTED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH  
THE AFOREMENTIONED IMPUGNED ORDERS DATED 16-03-2018  
AND 14-05-2018 MAY GRACIOUSLY BE SET ASIDE AND APPELLANT  
BE RESTORED HIS RANK OF HEAD CONSTABLE FROM 16-03-2018  
WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully sheweth,

Filed today  
*[Signature]*  
Registrar  
25/5/18

1. That appellant while performing his duties as Incharge Guard, Lower Courts Haripur, was served upon with a Charge Sheet alongwith statement of allegations issued under No. 28-30/PA dated 21-02-2018 by the District Police Officer Haripur with the following allegations:

- \* *That you while posted as I/C Guard Lower Court Haripur uploaded a baseless post leveling false and frivolous complaints against senior police officers.*
- \* *You also uploaded objectionable picture on your face book account with view, wearing police uniform.*

- \* *You also moved an application to the undersigned with some allegations which could not be proved or substantiated.*
- \* *Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.*

**(Copy of the Charge Sheet dated 21-02-2018 is attached as Annex- "A").**

2. That on 26-02-2018 aforementioned Charge Sheet was duly replied by the appellant explaining all facts and circumstances of the matter in detail and straightaway denying the allegations as recorded against him in the Charge Sheet being incorrect and baseless. **(Copy of reply dated 26-02-2018 to the Charge Sheet is attached herewith as Annex-"B").**
3. That the District Police Officer Haripur instead of taking into consideration the detailed reply to the Charge Sheet submitted by the appellant explaining all facts and circumstances of the matter awarded him with Major Penalty of "Reversion in rand from Head Constable to Constable" vide impugned order dated 16-03-2018 and that too without any proof or reason. **(Copy of the order dated 16-03-2018 is attached as Annex-"C").**
4. That aforementioned order dated 16-03-2018 of the District Police Officer Haripur was appealed against by the appellant before the Regional Police Officer, Hazara Region, Abbottabad through departmental appeal dated 02-04-2018 giving all facts of the circumstances of the matter. **(Copy of departmental appeal dated 02-04-2018 is attached as Annex-"D").**



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5. That aforementioned appellant's departmental appeal was given no head by the Regional Police Officer, Hazara Region, Abbottabad (Appellate Authority) and rejected it vide his order dated 14-05-2018. **(Copy of the order dated 14-05-2018 of RPO is attached as Annex-"E")**.
6. That so far as the allegations incorporated in the Charge Sheet as well as in impugned orders dated 16-03-2018 and 14-05-2018 are totally incorrect and baseless.

\* *It is incorrect that baseless complaints against senior police officer were ever uploaded by appellant. It was simply a request for transfer of one Mohammad Iqbal cdi FROM Police Lines Haripur as he had been victimizing appellant for quite some time due to his personal grudge and vendetta against the appellant.*

\* *It is also incorrect that appellant had uploaded any picture on face book. Rather someone has uploaded it on his ID. Appellant had no knowledge about it before. When he saw the same, it was just a half Passport size photo. However, what-so-ever it may, appellant did not upload it.*

\* *Appellant had stated in his application that a C-II Head Constable Mohammad Iqbal had been posted as CDI (Lines Officer) Police Lines Haripur since 2002. He had some personal grudge and animosity against appellant. For the reason CDI Mohamad Iqbal had been victimizing appellant, interfered in his official duties and always used to misguide officers against him. When once appellant was posted as Lines Moharrir he was got transferred by CDI with in 28 days. In the year 2017 the appellant was transferred for 09 times from one station to another. Appellant when made complaint about his victimization at the hands of Mohammad Iqbal CDI then his application was thrown away by the District Police Officer Haripur and appellant was abused. Having no alternative, the appellant was constrained to make a request to his High-ups for redressal of his grievance.*

**(Copy of application dated 04-01-2018 is attached as Annex-"F").**

7. That the District Police Officer Haripur without conducting proper departmental inquiry awarded the appellant with major penalty of "Reversion in rank" vide order dated 16-

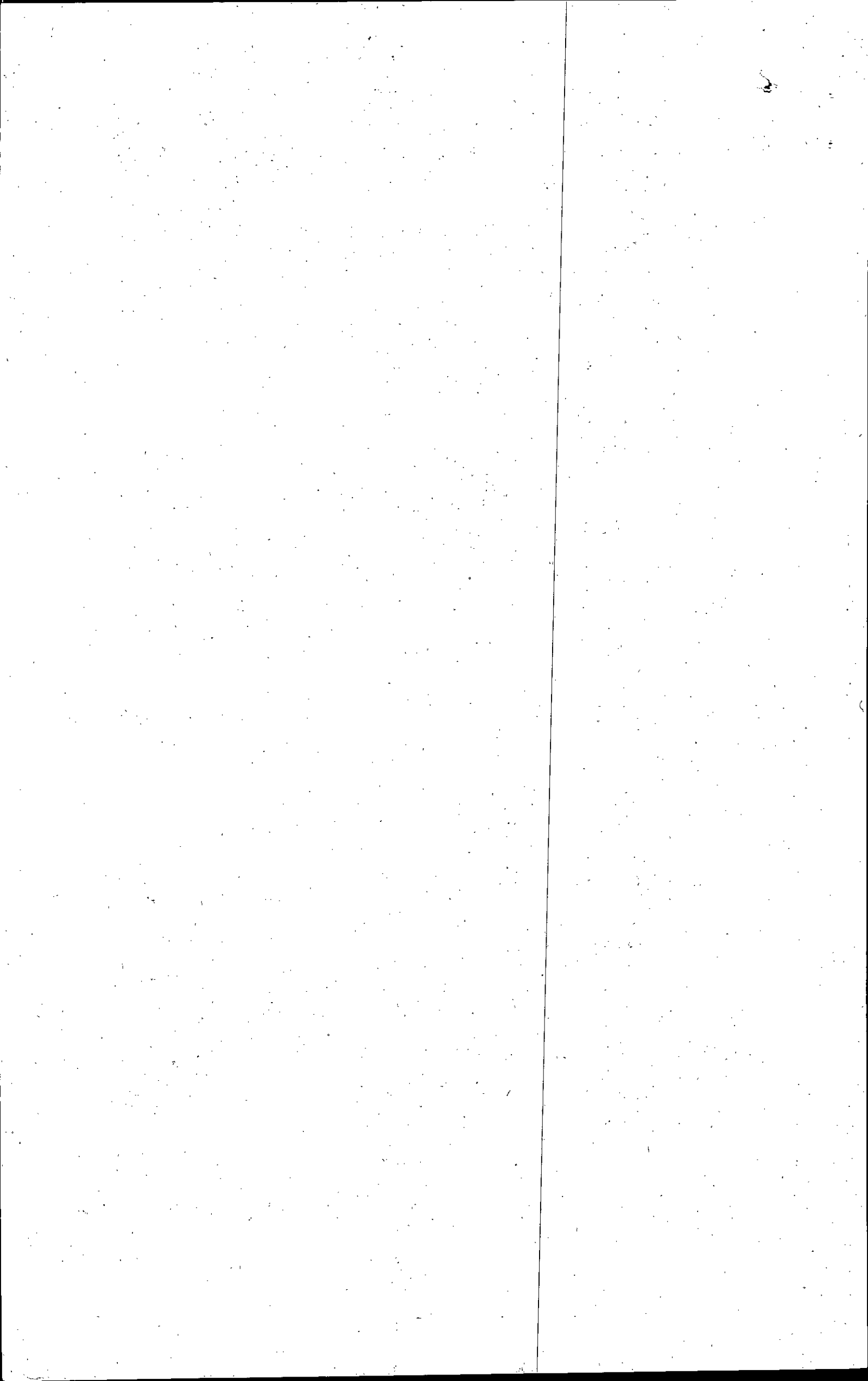
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03-2018. Neither Show Cause Notice was issued to the appellant nor was he provided with the opportunity of personal hearing before awarding major penalty of reversion in rank. Similarly the Regional Police Officer, Hazara Region, Abbottabad (Appellate Authority) did not pay any heed to the departmental appeal of appellant and rejected it vide order dated 14-05-2018.

8. That above referred both the impugned orders are illegal, against the law & facts and passed without adhering to the inquiry procedure set forth by the law for the dispensation of justice at preliminary stages during the course of departmental inquiries. The departmental rules & regulations as well as principle of natural justice have been violated in the case of appellant.
9. That the Appellant has been awarded with major punishment of "Reversion in rank from LHC to Constable" illegally, unlawfully against the facts and circumstances without any reason and rhyme, hence this service appeal, inter alia, on the following:

**GROUND:**

- a. That impugned orders dated 16-03-2018 as well as 14-05-2018 passed by departmental authorities are void, illegal, unlawful, without lawful authority passed in a slipshod, arbitrary and whimsical manner, without adhering to the law, departmental rules and regulations and principles of natural justice, thus are liable to be set aside.



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- b. That the Inquiry Officer has acted in a flimsy and superficial manner while conducting the so-called inquiry in utter violation and negation of the procedure set forth by the law for the dispensation of justice at the preliminary stages during the course of departmental inquiries; hence the orders impugned here in are liable to be turned down on this score alone.
- c. That none of the allegations as leveled in Charge Sheet as well as in impugned orders could be proved against the appellant through any independent witness and credible evidence.
- d. That even appellant was never confronted with documentary evidence, if any, produced against him.
- e. That the appellant was never provided with a chance to cross-examine the witnesses, if any, produced against the appellant.
- f. That reply of the Charge Sheet, including all facts and circumstances, as submitted by the appellant was never considered and the appellant is innocent.
- g. That appellant was neither provided copy of inquiry findings nor served with SHOW CAUSE NOTICE before awarding penalty which is mandatory under the law.
- h. That the appellant was also not provided with an opportunity of personal hearing before awarding the

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penalty which is also mandatory thus has been condemned unheard.

**PRAYER:**

It is therefore, humbly prayed that on acceptance of instant appeal the impugned orders dated 16-03-2018 of the District Police Officer Haripur as well as order dated 14-05-2018 of the Regional Police Officer Hazara Range Abbottabad, may graciously be set aside and the appellant may kindly be restored his rank of Head Constable from the date of his reversion with all consequential service back benefits on rendition of account.

*M. Yousaf  
Nawaz*

APPELLANT

THROUGH

*M. Aslam*

(MOHAMMAD ASLAM TANOLI)  
ADVOCATE HIGH COURT  
HARIPUR.

Dated: 25-05-2018

**VERIFICATION:**

It is verified that the contents of instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

*M. Yousaf  
Nawaz*

Dated: 25-05-2018

APPELLANT

(7)

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Mohammad Yousuf S/O Allah Dad Constable No.598 District  
Police Haripur R/O village Barilla, Khanpur, Haripur

**Appellant**

**VERSUS**

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer Haripur.

**Respondents**

**SERVICE APPEAL**

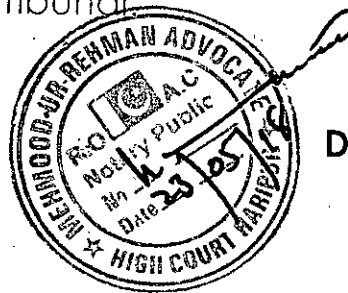
**AFFIDAVIT:**

I, Mohammad Yousuf S/O Allah Dad appellant do hereby  
solemnly declare and affirm on oath that the contents of the  
instant Service Appeal are true and correct to the best of my  
knowledge and belief and nothing has been suppressed from  
this Honourable Service Tribunal.

Dated: 25-05-2018

Identified By:

*M. Aslam*  
Mohammad Aslam Tanoli  
Advocate High Court  
At Haripur,



*M. Yousuf*  
*swat*  
Deponent/Appellant

*M. Yousuf*  
*swat*  
Appellant

8

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Mohammad Yousuf S/O Allah Dad Constable No.598 District  
Police Haripur R/O village Barilla, Khanpur, Haripur

**Appellant**

**VERSUS**

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer Haripur.

**Respondents**

**SERVICE APPEAL**

**CERTIFICATE**

It is certified that no such Appeal on the subject has ever been  
filed in this or any other court prior to the instant one.

*M. Yousuf*  
*awar*  
**APPELLANT**

Dated: 25-05-2018

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

CHARGE SHEET

1. I Syed Khalid Mehmood Hamdani, District Police Officer, Haripur as competent authority hereby charge to LHC Muhammad Yousaf No.598 for the following:

1. That you while posted as I/C Guard Lower Court, Haripur, uploaded a baseless post leveling false and frivolous complaints against senior police officers.
2. You also uploaded objectionable picture on your face book account with views, wearing police uniform.
3. You also moved an application to the undersigned with some allegations, which could not be proved or substantiated.
4. Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.

which is gross misconduct on your part. Hence you are charge sheeted.

2. By reasons of the above, you appear to be guilty of misconduct Urdu police Disciplinary Rules 1975, and have rendered yourself liable to all or any of the penalties specified in the relevant rules.

3. You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the committee/enquiry officer as the case may be.

4. Your written defense, if any, should reach the enquiry officer/committee within the specified period, failing which it shall be presumed that you have nothing to offer in your defense and ex-parte action shall follow against you.

5. Intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

*[Signature]*  
District Police Officer,  
Haripur

*Attested*  
*M-Yousaf*  
*awan*



DISCIPLINARY ACTION

1. I Syed Khalid Mehmood Hamdan, District Police Officer, Haripur as competent authority am of the opinion that you LHC Muhammad Yousaf No.598 has rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of misconduct under police disciplinary rules 1975.

**STATEMENT OF ALLEGATION:**

1. That you while posted as I/C Guard Lower Court, Haripur, uploaded a baseless post leveling false and frivolous complaints against senior police officers.
2. You also uploaded objectionable picture on your face book account with views, wearing police uniform.
3. You also moved an application to the undersigned with some allegations, which could not be proved or substantiated.
4. Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.

which is gross misconduct on your part. Hence you are charge sheeted.

2. For the purpose of scrutinizing the behavior/conduct of said accused with reference to the above allegations a enquiry committee consisting of the following is constituted.

**MR. IJAZ AHMED DSP/KHANPUR**

3. The enquiry officer shall in accordance with the provision of the ordinance provide reasonable opportunity of hearing to the accused, record its findings and make within 25 days on receipt of this order, recommendation as to punishment or the appropriate action against the accused.

4. The accused a well conversant representative of departmental shall join the proceeding on the date, time and place fixed by the enquiry officer/committee.

*(Signature)*  
District Police Officer,  
Haripur

No: 28-30/PA

21/02/2018.

Copy of above is sent for necessary action to:-

1. Enquiry Officer, for initiation of proceeding against the said accused under the police Disciplinary Rules 1975.
2. LHC Muhammad Yousaf No.598 with the direction to submit his defense within 07 days of the receipt of his statement of allegation and also appear before the enquiry officer on the date, time and place fix for purpose of departmental proceedings.

*Attested*  
*M - Yousaf*  
*awan*

(11)

Annex - 'B'

To

Mr. Ijaz Ahmed,  
DSP, Khanpur.  
(Inquiry Officer)

Subject:- **REPLY TO THE CHARGE SHEET 21-02-2018.**

R/Sir.

With respect it is stated that I am in receipt of above cited Charge Sheet. Though I have objected vide my application (Copy attached) appointment of Mr. Ijaz Ahmed, DSP as my Inquiry Officer yet reply to the Charge Sheet is as under:-

1. That so far as the allegation at S/No. 1 of the Charge Sheet is concerned; it is incorrect that baseless complaints against senior police officers were ever uploaded by me. It was simply a request for transfer of Mohammad Iqbal CDI from Police Lines Haripur as he has been victimizing me for quit some time just on the basis of his personal grudge and vendetta against me.
2. That it is totally incorrect that I have uploaded any picture on face book. Rather some<sup>one</sup> has uploaded it on my ID. I had no knowledge about it before. When I saw, It was just a half size my photo in uniform. What-so-ever it may be, I did not upload it.
3. That it is alleged that allegations in the application could not be proved and substantiated. What mentioned in the application was not allegations rather facts and without consulting record or conducting inquiry as to how it is said that same were not proved or substantiated. I have averred in my application that a C-II HC Mohammad Iqbal is posted as CDI in Police Lines Haripur since 2002. He has some personal grudge and animosity against me. For the reason he always misguides my officers against me just to satisfy his vendetta. Even when I was once posted as Moharrir in Police Lines Haripur he got me transferred within 28 days from there. He never spares me whenever he finds an opportunity. Allegations are denied being incorrect. (Copy of the application is attached).
4. That I have rendered more than 16 years service and always performed my duties with devotion and honesty having extraordinary qualifications of departmental courses and have served as Instructor for about 04 years at PTC Hungu.
5. That if I am provided with an opportunity of personal hearing I shall bring all the facts to the surface to prove myself innocent.

It is requested that in view of the above facts instant charge sheet may kindly be withdrawn for which I shall be very thankful to your kindness.

Your obedient servant

(Mohammad Yousuf) *M. Yousuf*  
LHC No.598 Police Line Haripur *AWAN*

Dated: 26-02-2018

*Attested*  
*M. Yousuf*  
*AWAN*

-12-

Annex - C

**ORDER**

LHC Muhammad Yousaf No.598, while posted as Incharge, Guard Lower Court, Haripur, it came in the notice of undersigned, that he following indiscipline activities has been conducted by him.

1. He uploaded a baseless objectionable post leveling false and frivolous complaints against senior officer.
2. He also uploaded objectionable picture on face book account with views, wearing police uniform.
3. He also moved an application to the undersigned with some allegations which could not be proved and sustainable.

Therefore, he was served charge sheet and statement of allegations under police rules 1975.

To probe the matter Mr. Sabir Khan Deputy Superintendent of Police, Headquarter, Haripur, was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office Memo No.15/RI, dated 05.03.2018, in which he held the defaulter official guilty, found the charges of misconduct proved, and recommended him for major punishment.

Having perused the enquiry papers LHC Muhammad Yousaf was called in Orderly Room and heard in person in which he could not give cogent reason. Therefore, I Syed Khalid Mehmood Hamdani, District Police Officer, Haripur, being competent authority under Khyber Pakthunkhwa Police Efficiency & Discipline Rules 1975, am satisfied that the charges of misconduct are fully proved, Hence LHC Muhammad Yousaf is awarded the punishment of "reversion in rank from LHC to Constable" with immediate effect.

Order announced.

OB No. 182, dated 16/03/2018.

Attested  
M. Yousaf  
/ rwan

District Police Officer,  
Haripur

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(13)

Annex D

**BEFORE HONOURABLE REGIONAL POLICE OFFICER,**  
**HAZARA RANGE, ABBOTTABAD.**

(Departmental Appeal by Mohammad Yousuf Constable No. 598 District Police Haripur)

Through Proper Channel:

**DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 182 DATED 16-03-2018 OF THE DISTRICT POLICE OFFICER, HARIPUR DELIVERED ON 27-03-2018 WHEREBY APPELLANT HAS BEEN AWARDED WITH MAJOR PENALTY OF REVERSION IN RANK FROM LHC TO CONSTABLE WITH IMMEDIATE EFFECT.**

**PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL IMPUGNED ORDER DATED 16-03-2018 MAY KINDLY BE SET ASIDE AND THE APPELLANT BE RE-INSTATED IN HIS RANK OF LHC FROM THE DATE OF HIS REVERSION WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respected Sir,

Appellant submits as under:-

**FACTS:**

1. That the appellant has rendered more than 16 years service in the Police Department. The appellant right from the very first day of his enlistment in the Police Department always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his superiors and he never provided a chance of reprimand. Appellant through out his service earned Good and Very Good ACRs and has meritorious service record at his credit.
2. That the appellant is qualified in the most of the departmental Trainings/Courses like Anti-Terrorist Squad Course, Drill Instructor Course, Bomb Disposal Course, and Fingers Print Course. Appellant has also served as an Instructor at PTC Hangu for 04 years. He has passed A-1,

Attested  
M. Yousuf  
Constable

(12)

B-1 Examination and successfully undergone Lower Class Course at PTC Hangu. Appellant has got sufficient knowledge and experience in Cr.P.C and Police Rules. He is well built and has extra ordinary qualification. Due to his qualifications, experience and seniority the appellant was elevated from the rank of Constable to Lance Head Constable. Not only that even on occasions because of his tremendous services the appellant was awarded with the Commendation Certificates alongwith Cash Rewards by Police High-Ups.

3. That appellant while performing his duties as I/C Guard Lower Courts Haripur was served upon with a Charge Sheet alongwith statement of allegations issued under No. 28-30/PA dated 21-02-2018 by the District Police Office Officer Haripur with the allegations that:

- \* *That you while posted as I/C Guard Lower Court Haripur uploaded a baseless post leveling false and frivolous complaints against senior police officers.*
- \* *You also uploaded objectionable picture on your face book account with view, wearing police uniform.*
- \* *You also moved an application to the undersigned with some allegations which could not be proved or substantiated.*
- \* *Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.*

**(Copy of the Charge Sheet is attached as "A").**

4. That on 26-02-2018 aforementioned Charge Sheet was duly replied by the appellant explaining all facts and circumstances of the matter in detail straightaway denying the allegations as recorded against him in the Charge Sheet being incorrect and baseless. **(Copy of reply dated 26-02-2018 to the Charge Sheet is attached herewith as "B").**

Accepted  
M. Jousaf  
Rwan

(15)

5. That the worthy District Police Officer Haripur without taking into consideration the detailed reply to the Charge Sheet submitted by the appellant explaining all facts and circumstances of the matter awarded him with Major Penalty of "Reversion in rank from LHC to Constable" vide impugned order dated 16-03-2018 and that too without any proof or reason. **(Copy of the order dated 16-03-2018 is attached as "C")**.
  
6. That so far as the allegation incorporated in the Charge Sheet are totally incorrect and baseless. In fact one C-II H/C Mohammad Iqbal is posted as LO/CDI Police Lines Haripur for the last about 15/16 years. The appellant being senior to Mohammad Iqbal made a request for his posting as LO/CDI in his place. His very request infuriated Mohammad Iqbal and he started nurturing enmity against the appellant. Mohammad Iqbal is fully backed by DSP Samina posted in Haripur for the last 14/15 years despite the fact she belongs to Elite Force and the Elite Force's Office is situated in Police Lines. She is posted in Complaint Cell for years together. DSP Samina is the permanent inhabitant/domiciled of District Haripur. Arshad S/O Abdur Rahim the husband of DSP Samina is a criminal person but she backs him. DSP Samina never permits police machinery to come in action to lodge an FIR against him. Therefore the innocent losers have to approach the Honourable Justice of Peace for the registration an FIR against her husband **(as a token of proof FIR No.634 of 2012 U/S PPC-489-F and FIR No. 381/17 U/S PPC-419/420/468/471 registered with PS City Haripur are attached "D&E")**. There are numerous other similar FIRs available against Arshad the husband of DSP

Alleged  
M. Fousaf  
nwan

(16)

Samina in different Police Stations. Appellant has no concern with this matter whether DSP Samina's husband is a criminal or she by using her official position defending him at every stage of his crime. But the matter is that she is defending & supporting Mohammad Iqbal CDI Police lines Haripur to remain posted at Police Line Haripur for the years together and ultimately Appellant is badly suffering at the hands of CDI who interferes in the official duties and causes service loss to the appellant. For example, some time back, appellant was posted as Moharrir Police Lines Haripur but only within 28 days he was got transferred from there and posted as I/C Guard at Lower Courts Haripur. Here at the Gate of Courts one Miss. Sobia Gul Lady Constable has been deployed since long by Mohammad Iqbal CDI, who all the times during her duties plays with her Mobile Phone and does not care official duties, when she was advised for her such acts as Courts' gate being a sensitive place, then Mohammad Iqbal became infuriated and accelerated misguiding appellant's officers against him which ultimately resulted in awarding the appellant with present major punishment of "reversion in rank". Appellant's one son is disabled by birth for which appellant is already under pressure and agonies. When appellant approached his DPO Haripur with a written request that there are some problems with him at the hands of Mohammad Iqbal CDI and DSP Samina then DPO without hearing rebuked the appellant and his request was thrown away by DPO as he had already been misguided. In these circumstances finding no alternative the appellant had to request the Honourable PPO for redressal of his grievance as reaction and

Attested  
M. Yousaf  
Nwan

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repercussion was but natural. Nothing was false and incorrect passed to Honourable PPO by appellant that was correct and facts as in this appeal. **(Copies of the applications submitted to the Honourable PPO Peshawar and DPO Haripur are attached "F&G")**. It is totally incorrect that I have uploaded any picture on face book. Rather some one has uploaded it on my ID. I had no knowledge about it before. When I saw, It was just a half size my photo in uniform. But there is nothing objectionable as has been alleged in the Charge Sheet. What-so-ever it may be, I did not upload it.

7. That Inquiry Officer without conducting inquiry in the prescribed manner submitted his report to the District Police Officer, Haripur who on his turn without issuing any Show Cause Notice or providing the opportunity of personal hearing decided the matter by awarding the appellant with major penalty of "reversion in rank from LHC to Constable" through impugned order OB. No. 182 dated 16-03-2018 without any reason and rhyme.
8. That above referred impugned order is illegal, against the law & facts and passed without adhering to the inquiry procedure set forth by the law for the dispensation of justice at preliminary stages during the course of departmental inquiries. The departmental rules & regulations as well as principle of natural justice have been violated in the case of appellant.

That in view of the facts and circumstance explained here above, by stretch of no imagination the appellant

Attested  
M. Yousof  
AWAN 9.



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inquiries, hence the order impugned is liable to be turned down on this score alone. *Despite objection Inquiry Officer was not changed. (copy attached) as 'H'.*

- c. That none of the allegations as leveled in Charge Sheet could be proved against the appellant through any independent witness and credible evidence.
- d. That even appellant was never confronted with documentary evidence, if any, produced against the appellant.
- e. That the appellant was never served with any explanation before appointment of Inquiry Officer and conducting so-called inquiry. Even no preliminary inquiry was made to probe into the guilt or innocence of appellant.
- f. That the appellant was never provided with a chance to cross-examine the witnesses, if any, produced against the appellant.
- g. That reply of the Charge Sheet, including all facts and circumstances, as submitted by the appellant was never considered and the appellant is innocent.
- h. That appellant was neither provided copy of inquiry findings nor served with FINAL SHOW CAUSE NOTICE before awarding penalty which is mandatory under prevailing law.

That the appellant was also not provided with an opportunity of personal hearing before awarding the

*Attested  
M. Yousofi  
awan*

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penalty which is also necessary and mandatory thus has been condemned unheard.

- j. That the appellant is a young man with sound physique, stout, energetic, literate Police Officer, well equipped with the departmental courses and trainings.

**PRAYER:**

Sir, in view of the facts and circumstances narrated here above, it is earnestly requested that impugned order dated 16-03-2018 whereby the appellant has been awarded with major penalty of "Reversion in rank from LHC to Constable" may kindly be set aside and appellant be re-instated in his rank of LHC from the date of reversion with all consequential service back benefits.

Thanking you sir in anticipation.

Your obedient Servant

*M-Yousaf*  
*awan*  
**(MOHAMMAD YOUSUF)**  
Constable No. 598  
District Police Haripur

Dated: 02-04-2018

*Appellant*  
*M-Yousaf*  
*awan*

(21)

**ORDER**

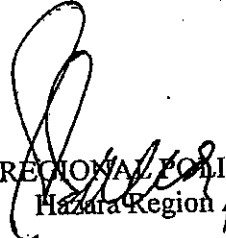
Annex-E

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 submitted by **Constable Muhammad Yousaf No: 598** Haripur District against the order of punishment i.e. **Reversion in rank from LHC(C-I) to Constable** awarded to him by the DPO Hariur vide OB No: 182, dated 16.03.2018.

Facts leading to punishment awarded to him are that he while posted as I/C Guard Lower Court, the DPO Haripur noticed the following indisciplined activities which has been conducted by him:-

1. He uploaded a baseless objectionable post leveling false and frivolous complaints against senior officer.
2. He also uploaded objectionable picture on Facebook account with views, wearing police uniform.
3. He also moved an application to the DPO with some allegations which could not be proved and substantiated.

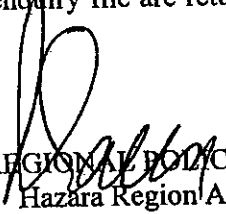
After receiving his appeal, comments of DPO were obtained, which were perused. The undersigned called appellant in O.R on 09.05.2018 and heard in person where he failed to explain any plausible reason in his defence. Therefore the punishment awarded to him by DPO Haripur i.e **Reversion in rank from LHC (C-I) to Constable** seems to be genuine, hence his appeal is **filed**.

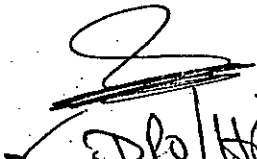
  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

No. 9147 /PA Dated Abbottabad the 14/5 /2018.

Copy of above is forwarded to the District Police Officer, Haripur vide his office Memo: No: 2789/ dated 27.04.2018 for information and necessary action. Service Roll & Fauji Missal containing enquiry file are returned herewith for your office record.

SRE/OHC  
For n. action

  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

  
DPO/Haripur  
16/05/18



Attested  
M-Yousaf  
Nwan

SRO

جناب عالی!

گزارش تھریڈ مسائل حکمہ پولیس میں بطور LHC ڈیوٹی سرانجام دس رہا ہے۔  
حکمہ پولیس سے AT-5، ٹنگر ہرنس، ڈیال انفر لٹ اورین، ہم ریک انفر لٹ اورین پاس ہے افڈور  
انفر لٹ اورین PTC ٹنگر میں لگی ڈیوٹی سرانجام دس چکا ہے۔

جناب عالی اسٹائل حکمہ پولیس میں اپنی ڈیوٹی بطور احسن طریقے سے سرانجام  
دس رہا ہے مگر اس دوران میں سے محمد اقبال CDIA حکمہ پولیس لائن میں جون 2002 سے تعینات  
ہے اسٹائل کو سب سے ٹنگ کر رہا ہے۔ اسٹائل کا بیٹا پورا ٹنگ زہنی مضد ہے۔ اسٹائل زیادہ تر لائن میں  
گادرات ڈیوٹی سرانجام دس رہا ہے۔ آج سے پہلے لگی اسٹائل سہ ماہی بار CDIA کے دروازوں کی مگر  
اسٹائل کا مگر انفر لٹ نہ ہو سکا جسکی وجہ سے اسٹائل کے مخالف ہو گیا اسکی دوران میں اسٹائل انفر لٹ اورین اور لٹ  
جہاں اسٹائل کی کوئی شکایت نہ لگی مگر اسٹائل نے انفر لٹ اورین کے مسائل سے بار بار میں میں کہا تھا کہ اسٹائل اور  
28 دن بعد اسٹائل کا مگر انفر لٹ اورین بات سے صرف لٹری کا انسپل نوٹنگ کی ڈیوٹی لگانا چکی جو کہ  
مگر اور صرف دفعہ شہادت کا مگر انفر لٹ اورین ڈیوٹی لگائی ہے جو کہ زیادہ تر جو کہ کیا جاسکتا ہے کہ مگر اور لٹری  
کا انسپل سے آج تک پولیس میں ڈیوٹی لگائی ہے انفر لٹ اورین کے خلاف اور انفر لٹ اورین کے خلاف چھ ماہات پر  
انفر لٹ اورین کی ڈیوٹی وہ CDIA صاحب کی منظور نظر ہے۔

جناب عالی اسٹائل صاحبہ DPD کے صاحبہ ہیں جو اسٹائل اور انفر لٹ اورین کے خلاف اسٹائل نے جناب  
PIGF صاحبہ کے ذریعہ لگائی اپنی شکایت کی ہے۔ اسٹائل کو ایف ایف ایف اور انفر لٹ اورین کے خلاف اسٹائل نے جناب  
پھر دوبارہ DR میں لگوانے اپنے بیمار بیٹے کی پیش کی ہے۔ انفر لٹ اورین صاحبہ DPD کے صاحبہ کے ساتھ کی حالت دیکھ کر  
مبلغ 5000 دینے کا حکم انفر لٹ اورین میں حاضر کر سکا حکم بہادر فرمایا۔ مورخہ 05/12/07 کو اسٹائل اپنے صاحبہ DPD  
صاحبہ پر پیش ہوا اور اپنے گھڑ کو مجبوری بنا یا اور جناب نے رحم کرنے ہوئے اسٹائل کو انفر لٹ اورین سے لٹری  
انفر لٹ اورین تعینات کر دیا۔ اسٹائل نے گھڑ پر ٹنگ رہا کہ پچھ ماہ سے تعینات لٹری کا انسپل نوٹنگ کو دوران  
ڈیوٹی موٹائل فون استعمال کرنے سے روکا اور یہاں تک کہ اسٹائل کی حالت گھٹ گئی ڈیوٹی انفر لٹ اورین

Alles  
M-tousaf  
nwar

آپ خط لکھ کر ہوئی ہے لہذا موٹائل پر وید پوز انڈیکسنگ کے لئے اس معاملہ ایک صاحب پر پوسٹ  
لاٹری کے نوٹس میں بھی لایا گیا۔ جنہوں نے مذکورہ ایڈورٹائزنگ کمپنی کو نوٹس کی کہ وہ ان ڈیٹا کی ایسا موٹائل استعمال  
نہ کر سکتے ہیں۔ نوٹس کی کاپی بھی لائے ہوئے ہیں کہ یہ آرڈر ڈیٹا کیسٹ میں ہے اور یہ ایڈورٹائزنگ صاحب کی ہے۔  
اس کے بعد CDI سٹائل کو ہیٹ پر نشان لکھ کر اس کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
HHC

ہو گیا ہے جس میں کاپیڈ سٹائل کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
جناب عالی! اسٹائل ایڈورٹائزنگ کی سہاری ہے جس سے سمیت پر نشان لکھ کر اس کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
سمیت پر نشان لکھا گیا ہے۔ ایڈورٹائزنگ CDI کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
ہے اور یہ ایڈورٹائزنگ میں ایڈورٹائزنگ کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
C II میں ڈال

گیا ہے۔ ایک انتہائی اہم انداز میں اس کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
جناب عالی! اس کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
پولیس میں سے بائزر کے طور پر سے فارغ (جبری رہنا پڑا) کیا گیا ہے۔  
سٹائل تاحیات دعا کر رہا ہے۔

عین ذرا نہیں ہوگی  
محمد یوسف LHC متعینہ ایچ اچ اچ ڈیٹا کیسٹ کے ساتھ ساتھ ایک بار سے اس میں ایڈورٹائزنگ  
598

312

Forwarded



all SCJHR court  
4-1-18

Attested  
M. Mansaf  
awan

Amended 24

S.No: 21183

24



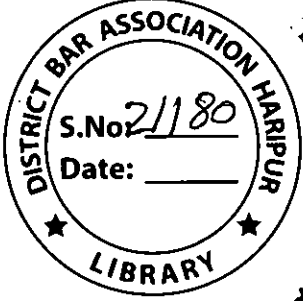
ڈی۔ پی۔ اے

DDA No: 206

BC No: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

Name of Advocate: محمد اسلم جنوی

# وکالت نامہ



بعد ازاں: محمد اسلم جنوی صاحب

عنوان: محمد اسلم جنوی

منجانب: محمد اسلم جنوی

بنام: محمد اسلم جنوی

نوعیت مقدمہ: [ ]

باعث تحریر آنکہ:

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیقہ مقدمہ بمقام [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

محمد اسلم جنوی صاحب

کو حسب ذیل شرائط پروکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا بختانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس کے ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا تقزنی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ مختانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

Acceptance by M. Aslam Janvi


لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: 2018 / 05 / دن

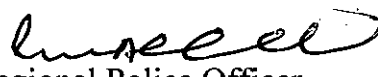
M. Yousof  
Nawan

- d. Incorrect, the appellant associated the enquiry proceedings and the relevant evidence was recorded is in his presence.
- e. Incorrect, as stated in the proceedings paras.
- f. Incorrect, all the evidence, enquiry papers, the reply of appellant were taken into consideration, then appellant was awarded lawful punishment.
- g. Incorrect, the appellant was served with charge sheet and statement of allegations, he was given right of personal hearing by the enquiry officer and the then District Police Officer, Haripur, hence, all legal requirements were fulfilled.
- h. As stated above.

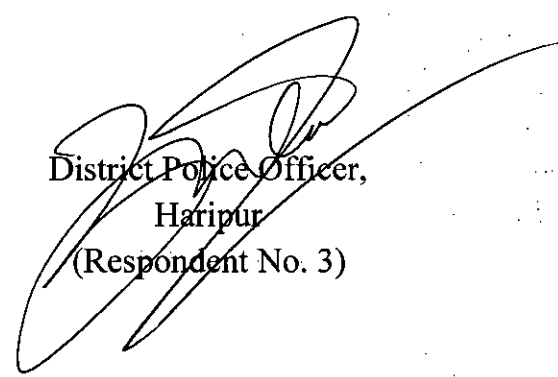
In view of above, it is most humbly prayed that the instant service appeal does not hold any legal force which may graciously be dismissed.



Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)



Regional Police Officer,  
Hazara Region, Abbottabad,  
(Respondent No. 2)



District Police Officer,  
Haripur  
(Respondent No. 3)

**BEFORE THE HONORABLE KYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.713/2018

Muhammad Yousuf S/o Allah Dad Constable No. 598 District Police Haripur r/o village

Barilla Khanpur, Haripur.

.....(Appellant)

**VERSUS**

The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.  
.....(Respondents)

**COUNTER AFFIDAVIT**

I do hereby solemnly affirm and declare that the contents of comments are true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

District Police Officer,  
Haripur  
(Respondent No. 3)



Annexure

## ORDER

LHC Muhammad Yousaf No.598, while posted as Incharge, Guard Lower Court, Haripur, it came in the notice of undersigned, that he following indiscipline activities has been conducted by him.

1. He uploaded a baseless objectionable post leveling false and frivolous complaints against senior officer.
2. He also uploaded objectionable picture on face book account with views, wearing police uniform.
3. He also moved an application to the undersigned with some allegations which could not be proved and sustainable.

Therefore, he was served charge sheet and statement of allegations under police rules 1975.

To probe the matter Mr. Sabir Khan Deputy Superintendent of Police, Headquarter, Haripur, was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office Memo No.15/RI, dated 05.03.2018, in which he held the defaulter official guilty, found the charges of misconduct proved, and recommended him for major punishment.

Having perused the enquiry papers LHC Muhammad Yousaf was called in Orderly Room and heard in person in which he could not give cogent reason. Therefore, I Syed Khalid Mehmood Hamdani, District Police Officer, Haripur, being competent authority under Khyber Pakthunkhwa Police Efficiency & Discipline Rules 1975, am satisfied that the charges of misconduct are fully proved. Hence LHC Muhammad Yousaf is awarded the punishment of "reversion in rank from LHC to Constable" with immediate effect.

Order announced.  
OB No. 182, dated 16/03/2018.

*Entry made in  
his service cell*

District Police Officer,  
Haripur

2

Annexure (4A)

مخانب:

ڈپٹی سپرنٹنڈنٹ آف پولیس سرکل خانپور

مخانب:

جناب ڈسٹرکٹ پولیس آفیسر صاحب ہریپور

نمبر:

15/R1 مورخہ 05/03/2018

مضمون:

مخالفین کے رپورٹ اٹھانے انکواری

برخلاف:

محمد یوسف نمبر 598/LHC متعینہ پولیس لائن ہریپور

OB No 182

16-3-2018

جناب عالی!

بحوالہ چارج شیٹ نمبری PA/30-28 مورخہ 21.02.2018 مجاریہ دفتر جناب DPO صاحب

ہریپور معروض ہوں کہ محمد یوسف نمبر 598/LHC متعینہ پولیس لائن ہریپور کی انکواری کی گئی۔ مذکورہ کا بیان لیا گیا۔ دوران انکواری مذکورہ سے دریافت کیا کہ اُس نے اپنی فیس بک ID پر پوسٹ ہائے کیوں آپ لوڈ کی ہیں۔ جس کا وہ کوئی معقول جواب نہ دے سکا۔ اسی طرح مذکورہ سے یہ بھی پوچھا گیا کہ اگر اُسے کوئی شکایت تھی تو اس نے حسب رولز بالادست افسران پر پیش ہو کر بیان کیوں نہ کی۔ جس کا بھی مذکورہ کوئی معقول جواب نہ دے سکا۔

علاوہ ازیں الزام علیہ مذکور کے خلاف محمد اقبال CDI/HC متعینہ پولیس لائن، لیڈی کنسٹیبلان ٹوبہ گل نمبر 691 اور شمینہ صادق نمبر 535 نے بھی تحریری بیانات دیے۔ اس کے علاوہ SI جنید ارشاد ریڈر جناب DPO صاحب اور کنسٹیبل شاہد نواز PRO جناب DPO صاحب کے بیانات بھی لیے گئے۔ الزام علیہ کو جرح کا موقع دیا گیا جو بدوران جرح الزامات کی تردید کرنے میں ناکام رہا۔

دوران انکواری پایا گیا ہے کہ الزام علیہ مذکور نے اپنی فیس بک ID پر ایک لڑکی کے ساتھ اپنی باوردی تصویر لگا کر محکمہ کی بدنامی کا باعث بنا اور اسی طرح انٹرنیٹ پر سینٹر افسران کے خلاف من گھڑت پوسٹ لگا کر انضباط ڈسپلن کو توڑتے ہوئے پولیس رولز کے باب 14 فقرہ 7، 8 کی خلاف ورزی کی۔ مذکورہ کو Major Punishment دینے کی سفارش کی جاتی ہے۔

ڈپٹی سپرنٹنڈنٹ آف پولیس،

سرکل خانپور

OHC

JOR

DPO, HR

مافی و صول  
Mansaf

Sub Divisional Police Officer  
Khanpur 05-03-18

*Handwritten signature*

S No	تاریخ کاروائی	تاریخ کاروائی
(1)	21-02-2018	21-02-2018
(2)	22-02-18	22-02-18
(3)	23-02-18	23-02-18
(4)	27-02-18	27-02-18
(5)	28-02-18	28-02-18
(6)	02-03-18	02-03-18
(7)	05-03-18	05-03-18

5981446 کھانپور کے پولیس سٹیشن پر

آئی ڈی

Sub Divisional Police Officer

To

Mr. Ijaz Ahmed,  
DSP, Khanpur.  
(Inquiry Officer)

Subject:- **REPLY TO THE CHARGE SHEET 21-02-2018.**

R/Sir.

With respect it is stated that I am in receipt of above cited Charge Sheet. Though I have objected vide my application (Copy attached) appointment of Mr. Ijaz Ahmed, DSP as my Inquiry Officer yet reply to the Charge Sheet is as under:-

1. That so far as the allegation at S/No. 1 of the Charge Sheet is concerned; it is incorrect that baseless complaints against senior police officers were ever uploaded by me. It was simply a request for transfer of Mohammad Iqbal CDI from Police Lines Haripur as he has been victimizing me for quit some time just on the basis of his personal grudge and vendetta against me.
2. That it is totally incorrect that I have uploaded any picture on face book. Rather some<sup>one</sup> has uploaded it on my ID. I had no knowledge about it before. When I saw, it was just a half size my photo in uniform. What-so-ever it may be, I did not upload it.
3. That it is alleged that allegations in the application could not be proved and substantiated. What mentioned in the application was not allegations rather facts and without consulting record or conducting inquiry as to how it is said that same were not proved or substantiated. I have averred in my application that a C-II HC Mohammad Iqbal is posted as CDI in Police Lines Haripur since 2002. He has some personal grudge and animosity against me. For the reason he always misguides my officers against me just to satisfy his vendetta. Even when I was once posted as Moharrir in Police Lines Haripur he got me transferred within 28 days from there. He never spares me whenever he finds an opportunity. Allegations are denied being incorrect. (Copy of the application is attached).
4. That I have rendered more than 16 years service and always performed my duties with devotion and honesty having extraordinary qualifications of departmental courses and have served as Instructor for about 04 years at PTC Hungu.
5. That if I am provided with an opportunity of personal hearing I shall bring all the facts to the surface to prove myself innocent.

It is requested that in view of the above facts instant charge sheet may kindly be withdrawn for which I shall be very thankful to your kindness.

Your obedient servant

(Mohammad Yousuf) *M. Yousuf*  
LHC No.598 Police Line Haripur *AWAN*

Dated: 26-02-2018

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

CHARGE SHEET

1. I Syed Khalid Mehmood Hamdani, District Police Officer, Haripur as competent authority hereby charge to LHC Muhammad Yousaf No.598 for the following:

1. That you while posted as I/C Guard Lower Court, Haripur, uploaded a baseless post leveling false and frivolous complaints against senior police officers.
2. You also uploaded objectionable picture on your face book account with views, wearing police uniform.
3. You also moved an application to the undersigned with some allegations, which could not be proved or substantiated.
4. Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.

which is gross misconduct on your part. Hence you are charge sheeted.

2. By reasons of the above, you appear to be guilty of misconduct Urdu police Disciplinary Rules 1975, and have rendered yourself liable to all or any of the penalties specified in the relevant rules.

3. You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the committee/enquiry officer as the case may be.

4. Your written defense, if any, should reach the enquiry officer/committee within the specified period, failing which it shall be presumed that you have nothing to offer in your defense and ex-parte action shall follow against you.

5. Intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

  
District Police Officer,  
Haripur

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

DISCIPLINARY ACTION

1. I Syed Khalid Mehmood Hamdani, District Police Officer, Haripur as competent authority am of the opinion that you LHC Muhammad Yousaf No.598 has rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of misconduct under police disciplinary rules 1975.

STATEMENT OF ALLEGATION:

1. That you while posted as I/C Guard Lower Court, Haripur, uploaded a baseless post leveling false and frivolous complaints against senior police officers.
  2. You also uploaded objectionable picture on your face book account with views, wearing police uniform.
  3. You also moved an application to the undersigned with some allegations, which could not be proved or substantiated.
  4. Your above mentioned acts/omissions have rendered yourself as not a gentleman police officer.
- which is gross misconduct on your part. Hence you are charge sheeted.

2. For the purpose of scrutinizing the behavior/conduct of said accused with reference to the above allegations an enquiry committee consisting of the following is constituted.

**MR. IJAZ AHMED DSP/KHANPUR**

3. The enquiry officer shall in accordance with the provision of the ordinance provide reasonable opportunity of hearing to the accused, record its findings and make within 25 days on receipt of this order, recommendation as to punishment or the appropriate action against the accused.
4. The accused a well conversant representative of departmental shall join the proceeding on the date, time and place fixed by the enquiry officer/committee.

District Police Officer,  
Haripur

No: 28-30/PA

21/02/2018.

Copy of above is sent for necessary action to:-

1. Enquiry Officer, for initiation of proceeding against the said accused under the police Disciplinary Rules 1975.
2. LHC Muhammad Yousaf No.598 with the direction to submit his defense within 07 days of the receipt of his statement of allegation and also appear before the enquiry officer on the date, time and place fix for purpose of departmental proceedings.

بیان ازاں محمد یوسف بکر 598/LHC صفحہ ۱۰۱ لائسنس نمبر ۱۰۱

بیانیوں کو خارج شدہ میں جو پر (i) الزام لگایا گیا ہے کہ میں نے دوران  
تعمیراتی اجابج کو برکورڈ گارڈ اپنے سینئر احقران کے خلاف ایک بے بنیاد پوسٹ  
اپنی فیس بک ID پر لگائی۔ جسکی کپیٹت حضور میں نے مہریم مہمند  
DSP ایڈٹ فورس کا سروس ریکارڈ خلافت کیا جا سکتا ہے اور حکام کے پاس  
میں مذکورہ کے طابعد کئی لاکھ 2/3 FIRs درج ہیں جو 22-11-2014 پر درج  
رہیں گی ہیں۔ اور فی الحال CDI جو کہ 01-07-2008 کو بطور CDI لکھی گئی ہے  
جو اسوقت ایک کاپی تھا۔ اور جو کہ 08-01-2014 کو CI میں  
پہلے کاپی پر نوٹ لگا تھا اور جو کہ 02-06-2015 سے CDI اور اسکی  
دونوں میں پر کام کر رہا ہے۔ مذکورہ کا اعمال نامہ خلافت کیا جا سکتا  
ہے۔ جو بنا۔ DPO نے مجھے سب سے لیکر اپنے دفتر سے  
تکال دیا۔ جو کہ سنہ 2015 تک رہا ہے۔

(ii) دوسرا جو پر الزام ہے کہ میں نے اپنی فیس بک ID پر باوردی قابل اعتراض  
کھتری اب لوڈ کی ہے۔ جسکی کپیٹت حضور میں نے مہریم مہمند  
سے فیس بک چھوٹی کھالی نے فیس بک اپنی سالانہ کپی کھتری اب لوڈ کی ہے۔  
جو فیس بک فیسلی تصاویر ہیں۔ اس پر مذکورہ جسکی کھتری اب لوڈ  
کوئی اعتراض نہیں ہے دیگر کہہ کو بھی اعتراض نہیں ہونا چاہیے۔

(iii) تیسرا جو پر الزام ہے کہ میں نے بنا۔ DPO نے ایک درخواست دی  
میں جس کے لئے الزامات ثابت نہیں ہوئے۔ مذکورہ الزام  
کی کپیٹت حضور میں نے درخواست پر ابھی تک کوئی ادکوار نہیں  
ہے میں سوچی۔ CDI اور ٹو نہیں نقل لکھی گئی ہیں کا تعلق دونوں  
کے جو حاصل کی گئی ہے واقع ہو گا۔ اور کہہ رہا ہے اس میں کہا  
جا سکتا ہے کہ مذکورہ لکھی گئی ہیں کہنے کے لئے سے مراد لکھی اور  
(P.10)

استغاثہ  
DSP  
District Police Officer  
Kawalpur  
02-2018

دفتر گنڈ پر کیفیت ہے۔ اور کئی کھانوں کا پتہ بھی دیا ہے  
 ہاں گنڈ ہے۔ اس طرح ہمارا دل بچاؤ ہیک کیا جاسکتا ہے کہ  
 گزشتہ سال میرے کئی بہادر اہلکار ہوئے ہیں۔ درخواست فتنزہ  
 حقیقت پر مبنی ہے اگر درخواست پر مختصر جائیداد انکوائری کی جائے  
 تو تمام باتیں واضح ہو جائے گی۔

m.ousaf  
 598  
 28/02/2018

سوالات صحائف انکوائری اخیر

سوال نمبر 1 آپ نے اپنی پیشینگی 15 ہر پوسٹ پائے عزیزم خارج سبب درخواستوں اب  
 لوڈ کی ہیں۔

جواب 1۔ میں خیاب DPO پر پیش ہوا چھوٹوں نے میری بات سننے کے بجائے  
 مجھے برا بھلا کہنے اور دفتر سے نکال دیا۔ اور میری درخواست پر بھی کوئی  
 انکوائری نہیں ہوئی اس وجہ سے دلیرانہ سوچ کر میں نے پوسٹ کی جائے  
 فتنزہ اب لوڈ کی ہیں۔

سوال نمبر 2 آپ حق پر ہمارے جیتل اپنی سہولیات کی کیفیت احقران بالا پر میں نہیں  
 سہولت ہوئے۔

جواب 1۔ میں متعدد دفعہ احقران بالا کو بھی درخواست ہائے دی ہیں لیکن کوئی کارروائی  
 نہیں کی گئی۔

سوال نمبر 3 آپ کے پاس فتنزہ درخواست ہائے کا کوئی ریکارڈ، فوٹو یا ہاں وغیرہ موجود  
 ہیں؟

جواب 1۔ جی ہاں موجود ہیں۔ کیونکہ ضرورت میں کر سکتا ہوں۔



بیان لپیڈی کیل عدینہ صدارت 335 صنف پولیس لائن پر کارپور

بیان میں کہ میں پولیس لائن پر کارپور میں تصنیفات میں - تقریباً ڈیڑھ دو ماہ  
قبل میں عدالت پر کارپور لوہے گڈ پر ڈیوٹی کر رہی تھی کہ محمد یوسف 244 نوم  
میں پر احتجاج تھا۔ محمد یوسف فریڈرہ مجھے بلاوجہ تنگ کرنا تھا۔ مذکورہ نے  
ایک دفعہ مجھے کہا کہ بیکہ ساتھ میں لانا۔ جو میں بیکہ ڈیوٹی سے پہلے گوجھوڑ کر آئی  
تھیوں۔ دوسری دفعہ مجھ سے کہا کہ میں پر تو بیہ گل کی ڈیوٹی لگی ہوئی ہے  
وہ ڈیوٹی کرے گی۔ تم ڈیوٹی وقت کرو جسکو حد سے جواتا کہ پولیس لائن  
سے رالہ کرو ڈیوٹی میں لائن والے لگائے ہیں۔ مذکورہ کی این باتوں  
سے میں تنگ ہوا کرتی تھی۔ میرا یہی بیان ہے۔

سوالات صحابہ الزام علیہ

Allahabad  
Amal  
28.02.2020

سوال نمبر 1 آپ نے لوہے کورٹ میں کتنی دفعہ ڈیوٹی کی ہے ؟

جواب۔ 3 دفعہ

سوال نمبر 2 عدالت ڈیوٹی پر ہم پر کس کی ڈیوٹی لگی ہوئی تھی ؟

جواب۔ 1۔ مجھے لائن فریڈرہ نے ڈیوٹی کا سنا یا تھا اس کے میں ڈیوٹی پر آئی تھی۔ مجھے ہم  
علم میں ہے کہ ڈیوٹی پر ہم پر کس کی ڈیوٹی لگی ہوئی تھی۔

بیان ازاں نو بیہ گل لہڑی کرل نمبر 691 حنیفہ پولس لائین ہولہ

بیانی چون کہ میں کوئٹہ ہاؤس پر ڈیوٹی سرانجام دے رہی تھی میری ایک سال کی بچی  
تھی جس کی دیکھ بھال سیکے گھر میں کوئی موجود نہیں ہے۔ جسکے وجہ سے میں کوئٹہ  
عدالت ہاؤس پر ڈیوٹی کر رہی تھی۔ محمد یوسف انچارج آف اڈا آئے ہی اُس نے

میرے ساتھ بد اخلاقی شروع کر دی۔ میرے پاسا حنیفہ روم جس 2 کمریاں  
تو خود بچیس جن میں سے آئے ہی اُس نے ایک کمرے اٹھا کر ساتھ لے کر

میں وکریا۔ جہاں پر میرے سے کمریاں تھیں۔ میں نے کہا کہ انچارج ہاؤس  
ادھر میں کرسی پر کھانا رکھ کر کھاتی ہوں یا کوئی حنیفہ العمر عورت آجائے تو

وہ بچھڑ جائی ہے۔ میں یونیفارم میں زمین پر بیٹھ کر کھانا نہیں کھا سکتی  
مجھے کہتا ہے کہ اس کا فرقہ دار میں نہیں ہوں۔ حنیفہ کے دوران میں نے

20 ماہ کو پہلا ماہ انچارج ہاؤس میں میرے ساتھ بد اخلاقی کی ہے۔ جس پر  
20 ماہ نے مذکورہ کو کہا کہ لہڑی کے ساتھ اخلاقی سے پیش آنا کرو۔ اس بات

پر اُس نے غلط الزامات لگانے شروع کر دیئے اور کہا کہ میرا اُس کی مہارتیں  
کرتا ہے۔ ہم اگر کسی پریشانی یا مسئلہ کا شکار ہیں تو اُس کا

20 ماہ یا R1 ماہ کو بیان نہیں کریں گے تو کہ کو بتائیں گے۔ لہڑی کو  
حنیفہ روم میں بٹھاتا ہے اور فلاں فلاں کی باتیں کہتا ہے اور بیٹھی ہے

ادھر سے اُن سے اسٹارٹ لکھواتا ہے۔ منع کرنے پر کہتا ہے کہ لائین واپس  
روز ہر ماہ تبدیل کر کے کیوں نہیں چھتے۔ روز آج ہی کیوں آتی ہے۔

اس کو ڈیوٹی سے طلبا کرنا چاہیے تھا لہڑی نے میں سے انچارج سے  
لو چھا جائے کہ میری ڈیوٹی کسی بھی دوران جبراً میں نے کب بار پینل نکال

کر دیا ہے۔ میں نے کبھی بلاوہ جو پینل استعمال نہیں کیا بلاوہ جس اڈا میں  
دیکھا تھا نام سیم ذینہ دیاو میں میں یہاں بیان ہے

لہڑی کیل نو بیہ گل نمبر 691 پولس لائین ہولہ

25-02-18

Attest  
Sub Divisional Officer

سوالات فحاشی الزام علیہ مع جوابات لہذا کیسے تو یہ سب

میں نے آپ کے ساتھ کیا بد اخلاقی کی ہے؟

مذکورہ جملہ لوگوں نے دوران ڈیوٹی آتے ہی مجھے سخت لہجے میں کہا کہ یہاں ہم  
جو کر ساری سب کو رکھی ہوئی ہیں۔ یہاں کا ایچارج میں نہیں۔ میں نے کہا کہ میں  
یونیفارم میں زمین پر کھاتا رکھ کر نہیں کھا سکتا اس لیے دوڑ کر لڑھا رکھی ہوئی  
ہے۔ مذکورہ نے جواباً کہا کہ اس مارتھ دار میں نہیں ہوں۔

آپ نے یہ بات اس وقت کسی سٹریڈ لائٹر RI یا 20 کا ٹوکس میں  
لگائی تھی۔

جی میں نے سیکورٹی حکمت کے دوران یہ بات 2.0 کا ٹوکس میں لگائی تھی  
میں نے گواہ عدالت ٹریٹ پر کئی بات پولیس ملازمان میں میں آپ مشتاق ہے  
دیگر کے نام میں آئے جو جوڑ ہیں۔ اور دن کو جانا۔ RI میں ٹوکس میں  
کہی یہ بات لگائی تھی۔ انکو نے بھی ایچارج میں۔ تو کہا کہ لہذا زمین سے لگاؤ  
نیا کرو۔

لہذا زمین میں ہر فائدہ کر رہا ہے دیگر بچے جیسے حکم نہیں ہے۔ کچھ میں یہاں  
ہر کھڑوں کو بچھانا تھا اور اسٹامپ تحریر کرنا کر دینا تھا۔

3rd مرتبہ میرے پاس لہذا زمین آئیں جس کے متعلق مذکورہ نے کہا کہ یہ قوانین لہذا  
ملازمان کی وٹنہ دار ہیں ان کو یہاں رکھنے کی اجازت دی۔ ان میں سے  
کچھ کے اسٹامپ پر یہاں پر بھی انکو ٹکے وکڑے کھا لگائے گئے۔  
میں نے آپ کو کہا کہ پولیس لائین والے پر اور لہذا زمین کیس لہذا زمین لہذا زمین  
میں کئے؟

جی میں نے لہذا زمین سے لوگوں کو رکھنے پر ڈیوٹی پر آئی تو مذکورہ نے کہا کہ  
لہذا زمین آؤں تک نہیں ہے۔ یہ اور کچھ نہیں ڈیوٹی پر آئی ہے۔ 2.0

تمام بچوں والی ایڈیٹری کیلئے پرائیویٹ ڈیولپمنٹ کمپنی کے ذریعے  
بچوں کے اعتراف کیا گیا۔

سوال نمبر ۱۔ کتنا عمر ہے آ۔ لوہے کی کڑی ہر ڈیولپمنٹ کمپنی ہے۔  
جواب۔ تقریباً ۲/۳ ماہ کے بچے چھوٹی سیٹ اور گود بکر کوئی بھی دیکھ  
دیکھ لھال سکتے ہیں۔

دستیاب  
۶۹۱  
۲۸-۰۲-۱۸

m. tauseef  
۵۹۸  
۲۸-۰۲-۱۸

بیان اذان محمد اجنبال  $\frac{HC}{CDI}$  حقیقتہً پولیس لائن کے لیے

بیانیوں کہ میں سال 2007ء سے اجنبال بلاا نے مکہ سے پولیس لائن کے لیے  
میں بطور CDI کھینٹا ہو کر ڈیوٹی سرانجام دے رہا ہوں۔ محمد یوسف  
نے میرے خلاف جو درخواست دی ہے وہ سراسر بے بنیاد اور جھوٹ پر مبنی ہے  
میں کسی سفارش کی وجہ سے بطور CDI نہیں لگایا ہوں بلکہ میری کارکردگی  
اور اہلیت پر کفر سے اپنی ڈیوٹی سرانجام دینے کی وجہ سے اجنبال بلاا نے  
مجھے CDI کھینٹا کر رکھا ہے۔ جس کے متعلق میرا سروس ریکارڈ چیک  
کیا جا سکتا ہے۔ حیرت ہی بیان ہے۔

محمد یوسف  
CDI

اجنبال CDI پولیس لائن  
01-03-2018

Attested  
Zahid  
DSP/Fat  
Sub Divisional Police Officer  
01-03-18 FATA/SP/11

سوالات صحابہ الزام علیہ

سوال نمبر 1 - مارچ 2017ء میں میرا بیمار بطور لائن حرر ہوا۔ میں میں لائن میں حاضر ہی  
کرنے کی بجائے گیا تو آپ نے مجھے حاضر کرنے سے کیوں منع کیا تھا۔ آپ نے کیا تھا  
کہ ہم 2HC یا سہا بطور لائن حرر بیمار کر اسکا گئے۔

جواب 1 - میں نے آپ کو منع نہیں کیا اور نہ ہی یا سہا کے بیمار ہونا منع کیا تھا۔

سوال نمبر 12 - آپ Asi کب پہنچوٹ ہوئے تھے

جواب 3 - میں سال 2009ء میں جب چھ مہینے کے دوران پہنچوٹ پہنچا تھا۔

سوال نمبر 3 - آپ نے کوئی اثر کیا ہے یا نہیں

جواب 2 - میں ڈیل کو رس کو الیفا ہیرڈ ہوں اور CDI کی پوسٹ پر پہنچنے کے لیے ڈیل کو الیفا ہیرڈ کی  
CDI کھینٹا ہوں ہے۔

Attested

Sub Divisional Officer  
Khanpur

سوال نمبر 4 - کیا کسی سند میں آپ ایسا کر سکتے ہیں؟

جواب - 1 - نہیں۔ از خود کیا کر سکتے ہیں؟  
2 - 2 - میں نہیں جانتا۔

بیان حنیہ ارشاد سی رنڈر خبا - DPO

بیانی ہے کہ محمد یوسف LHC نے خبا - DPO کو درخواست بر خلاف محمد امین ازی  
دی جو DPO نے مجھے مارک کی کہ جس سرسری انکوائری کی جائے  
جس میں نے سرسری انکوائری کی اسی دوران LHC محمد یوسف نے سوال  
میں ڈیپارٹمنٹ کو ٹیگ کیا جو خبا - DPO نے مجھے وائل ایب کیے جو میں  
نے شاہد کو وائل ایب کیے جن کے سرٹ اس نے نکال کر مجھے دئے  
جو میں نے انکوائری کے ساتھ لگا کر انکوائری خبا - DPO کو  
بٹ اڈ کی جس میں خبا - DPO نے فزید انکوائری لکھے انکوائری  
آ - DSP کوٹ کوٹ کوٹوالی لکھا یہی بیان ہے

Attested

Sub-Divisional Police Officer  
02-03-18

بیان کنٹریل شاہد نواز 541 فرجنہ سید یا سیدیل DPD آفس

نے بیان دیا کہ ریڈر رضا - DPD ای جنیہ ارشاد نے مجھے لکھنؤ اور اوسف کے  
خوٹوں کا وائس ایب کیے کہ ان کا سرنٹ مجھے نکال کر دیں جو میں نے سرنٹ  
نکال کر دیں بس میرا ہی بیان ہے۔

Attested

Md

DSD / KAF  
Sub Divisional Police Officer  
ANPDR  
02-03-2018



Annexure "B"


**ORDER**

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 submitted by *Constable Muhammad Yousaf No: 598* Haripur District against the order of punishment i.e. *Reversion in rank from LHC(C-I) to Constable* awarded to him by the DPO Hariur vide OB No: 182, dated 16.03.2018.

Facts leading to punishment awarded to him are that he while posted as I/C Guard Lower Court, the DPO Haripur noticed the following indisciplined activities which has been conducted by him:-

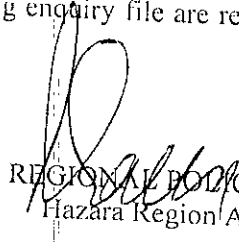
1. He uploaded a baseless objectionable post leveling false and frivolous complaints against senior officer.
2. He also uploaded objectionable picture on Facebook account with views, wearing police uniform.
3. He also moved an application to the DPO with some allegations which could not be proved and substantiated.

After receiving his appeal, comments of DPO were obtained, which were perused. The undersigned called appellant in O.R on 09.05.2018 and heard in person where he failed to explain any plausible reason in his defence. Therefore the punishment awarded to him by DPO Haripur i.e. *Reversion in rank from LHC (C-I) to Constable* seems to be genuine, hence his appeal is *filed*.

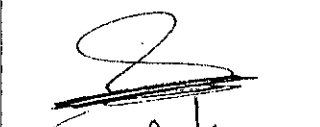
  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

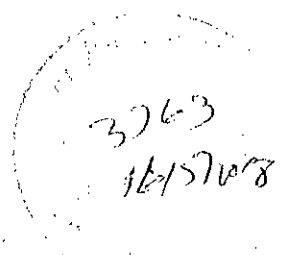
No. *9147* /PA Dated Abbottabad the *14/5* /2018.

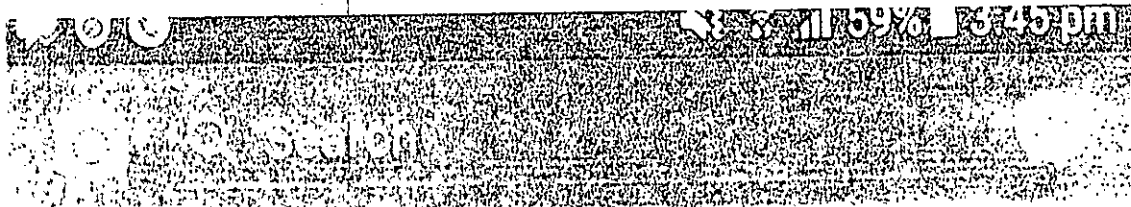
Copy of above is forwarded to the District Police Officer, Haripur vide his office Memo: No: 2789/ dated 27.04.2018 for information and necessary action. Service Roll & Fauji Missal containing enquiry file are returned herewith for your office record.

  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

SRC/OHC  
for n.action

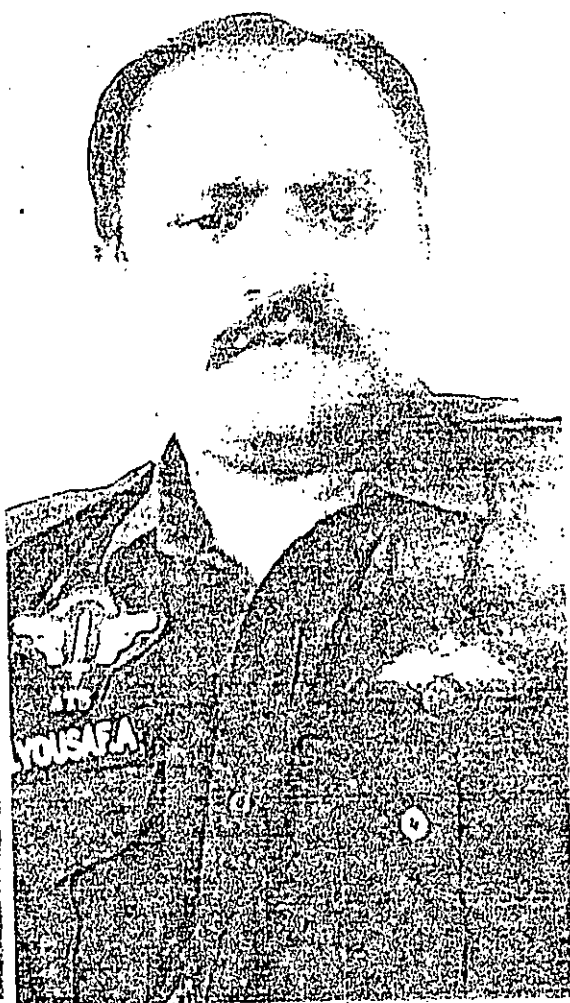
  
DPO/Haripur  
16/05/18

  
3263  
16/5/18



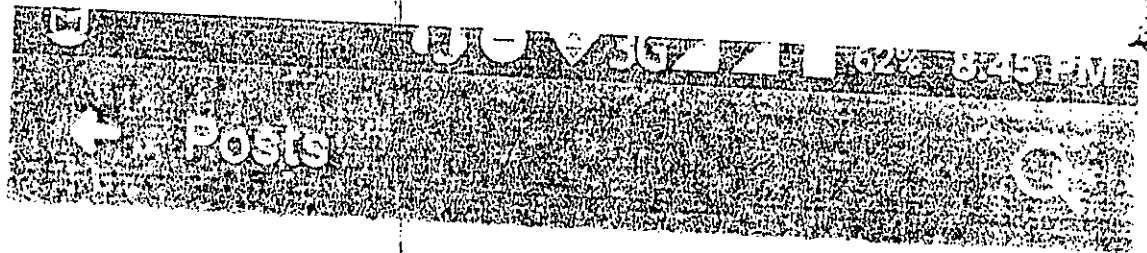
M Yousaf Awan added 2 new photos.

Husband and wife inshahallah



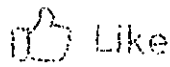
Imran Nawaz and 51 others

50 comments



M Yousaf Awan

جو فریاد کرے وہ ہی سزا پائے ایک درخواست بر خلاف hc  
Cii/Lo\_CDI 09/01/2018 دی جس کی انکوائری 40 دن  
سے ہو رہی ہے جو ایک سب انسپکٹر کر رہا ہے جو ابھی  
مکمل ہی نہیں ہو اور اب پمینہ میڈم DSP Elite فورس  
جو ہری پور میں hc آئی اور اب DSP Elite فورس تعینات  
ہیں اور LO/cdi کو مکمل سپورٹ کرتی ہے اور کمپلین سیل  
میں تعینات بھی نہیں مگر کمپلین سیل میں اپنی سفارش  
اور تعلق کی وجہ سے بیٹی ہے اور تمام ڈسٹرک کو اپنے  
کنٹرول کیا ہوا ہے جس کا خاوند کے خلاف متحد مقدمہ tip  
چوکی میں چل رہے ہیں جس نے جناب DPO کو پھر مس  
گائیڈ کر کے میرا ٹراسفر کروا دیا۔ میری کیا غلطی ہے صرف  
اور صرف کہ cdi جو ایک cii کا ہیڈ کانسٹیبل ہے اور ضلع  
ہری پور میں عرصہ 15/16 سال سے cdi/Lo تعینات ہے کے  
خلاف درخواست دینا ہے۔ تو میں جناب IGP صاحب سے  
رحم کی اپیل کرتا ہوں کہ یا تو تمام معاملے کی کسی DSP  
لیول کے آفیسر سے انکوائری کروائی جائے یا مج کو محکمہ  
پولیس سے جبری ریٹائرڈ کر دیا جائے میں آئے روز کے  
ٹراسفر سے ذہنی مریض بن چکا ہوں LHC محمد یوسف ضلع  
ہری پور



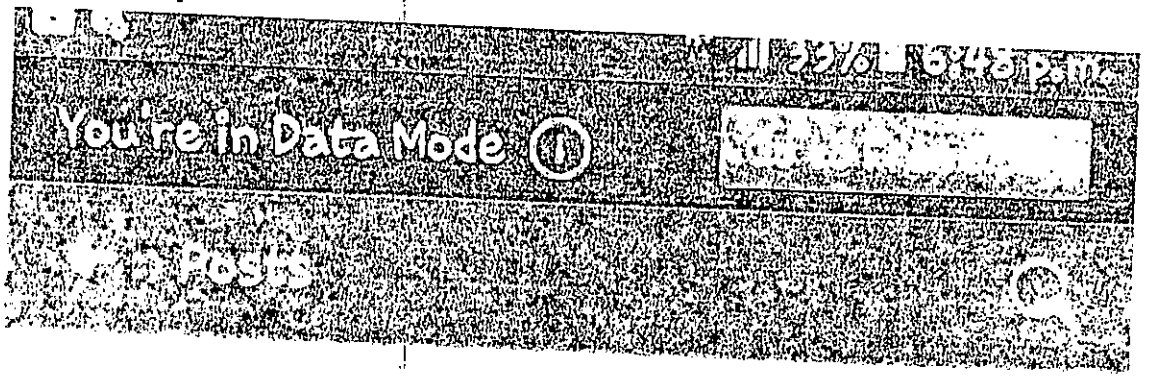
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M Yousaf Awan

جیو کے پی کے پولیس درخواست دینے والے کو ہی  
سस्पینڈ اور 15/16 سال سے تعینات اقبال cdi جو  
cii کا ہیڈ کانسٹیبل ہے اور ASI کے رینک لگائے  
ہوئے ہیں کو بچانے کی خاطر DSP Elite اور بدنام  
زمانہ سب انسپکٹڈ جنید خان کی سڈ ڈر کی بازی خو  
ا پہلے بھی محکمہ سے ان وجوہات کی بنیاد پر  
ڈسمس ہو چکا ہے

SUSPENSION UNDER

111/11/2016  
Govt. of Punjab, Punjab & West Punjab  
Government of Punjab, Punjab & West Punjab  
111/11/2016  
111/11/2016

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1257 /ST

Dated 23 - 7 - / 2019

To

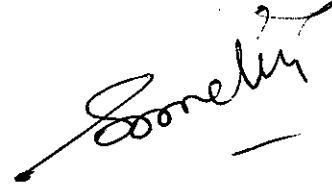
The Regional Police Officer,  
Hazara Region, Abbottabad.

Subject: -

JUDGEMENT IN APPEAL NO. 713/2018, MUHAMMAD YOUSAF VS GOVT.

I am directed to forward herewith a certified copy of Judgement dated 11.07.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above



REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.