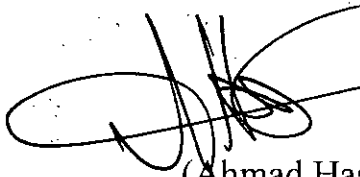



09.07.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney present. Vide common/separate judgment of today of this Tribunal placed on file of service appeal bearing No.1187/2018 filed by Atlas Khan, the present service appeal is accepted and the impugned orders are set aside. Parties are left to bear their own costs. File be consigned to the record room.

  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member

ANNOUNCED  
09.07.2019

04.2.2019

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requests for adjournment as he has not been contacted by the representative of respondents regarding preparation of requisite reply. Adjourned to 27.03.2019 before the S.B.

  
Chairman


27.03.2019


Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Ghareb Khan ASI present. Representative of the respondent department submitted written reply/comments. Adjourn. To come up for rejoinder/arguments on 16.05.2019 before D.B

  
Member

16.05.2019

Counsel for the appellant and Addl:AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned to 09.07.2019 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

12.12.2018

Counsel for the appellant Nadir Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Constable, he was imposed minor penalty of forfeiture of one increment with immediate effect vide order dated 06.06.2018 on the allegation of misconduct. It was further contended that the appellant filed departmental appeal on 25.06.2018 which was rejected on 02.08.2018 hence, the present service appeal on 01.09.2018. Learned counsel for the appellant further contended that the minor penalty of forfeiture of one increment was passed by the competent authority without any specified period which is against the FR-29. It was further contended that neither any inquiry was conducted nor charge sheet and statement of allegation was served upon the appellant. It was further contended that only show-cause notice was issued to the appellant therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 04.02.2019 before S.B.

Appellant Deposited  
Security & Process Fee

Muhammad Amin Khan Kundi  
Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 1189/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/09/2018	<p>The appeal of Mr. Nadir Khan resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p>
2-	27-9-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-10-2018</u>.</p> <p style="text-align: right;">REGISTRAR 26/9/18</p> <p style="text-align: center;">CHAIRMAN</p>
	25.10.2018	<p>Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 12.12.2018.</p> <p style="text-align: right;">Reader</p>

The appeal of Mr. Nadir Khan no. 626 Constable Police Line Lakki Marwat received today i.e. on 01.09.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Copy of show cause notice and rejection order of departmental appeal mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 5- Copy of departmental appeal having no date be dated.
- 6- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1780 /S.T.

Dt. 3-9 /2018.

  
REGISTRAR 3/9/18  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Saadullah Khan Marwat Adv. Pesh.

Sir,

Re-Submitted after Completion-



43

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 1189/2018

Nadir Khan

versus

D.P.O & Others

**I N D E X**

S. No	Documents	Annex	P. No.
1.	Memo of Appeal		1-3
2.	Show Cause Notice	"A"	4 <sup>5</sup>
3.	Reply to Show Cause Notice	"B"	5 <sup>6</sup>
4.	Impugned order dated 28-05-2018	"C"	6 <sup>7</sup>
5.	Representation dated 25-06-2018	"D"	7 <sup>8</sup>
6.	Rejection order dated 02-08-2018	"E"	8 <sup>9</sup>

Appellant

Through



Saadullah Khan Marwat  
Advocate.

21-A Nasir Mansion,  
Shoba Bazaar, Peshawar.

Ph: 0300-5872676

0311-9266609

Dated.01-09-2018

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S/A No. 1189 /2018

Nadir Khan, No. 626,  
Constable, Police Line,  
Lakki Marwat . . . . . Appellant

Khyber Pakhtunkhwa  
Service Tribunal

VERSUS

Diary No. 1369

Dated 01-09-2018

1. District Police Officer,  
Lakki Marwat.
2. Regional Police Officer,  
Bannu Region Bannu.
3. Provincial Police Officer,  
KP, Peshawar . . . . . Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974**  
**AGAINST OB. NO. 300, DATED 28-05-2018 OF R. NO.**  
**01 WHEREBY PENALTY OF FORE-FEITURE OF ONE**  
**INCREMENT WAS IMPOSED UPON APPELLANT OR**  
**OFFICE ORDER NO. 2035 / EC DATED 02-08-2018 OF**  
**R. NO. 02 WHEREBY REPRESENTATION OF**  
**APPELLANT WAS REJECTED FOR NO LEGAL REASON:**

Filed to-day

*[Signature]*  
Registrar

11/9/18

**Respectfully Sheweth:**

1. That appellant was appointed as constable on 28-11-1993. At present he was posted / deputed to Wanda Banochi Check Post, Police Station Pezu, Lakki Marwat.

Re-submitted to -  
and filed.

*[Signature]*  
Registrar

26/9/18

2. That appellant was served with Show Cause Notice regarding of performance below average / poor and not up to the required standard. The said Show Cause Notice was replied on 16-05-2018 by denying the allegations that performance of appellant was up to the standard as is evident from the said reply. (Copies as annex "A" & "B")
3. That R. No. 01 imposed punishment of fore-feiture of one increment imposed upon him vide order dated 28-05-2018. (Copy as annex "C")
4. That on 25-06-2018, appellant submitted departmental appeal before R. No. 02 for setting aside of the said punishment which was rejected on 02-08-2018 for no legal reason. (Copies as annex "D" & "E")

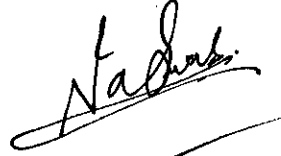
Hence this appeal, inter alia, on the following grounds:

**GROUND S:**

- a. That at the said post, no complaint was ever made either by the public or by the department against appellant.
- b. That performance of appellant was up to the standard as is evident from the reply of the Show Cause Notice.
- c. That appellant remained at the said post for short time and his performance could not be assessed below average.
- d. That before issuing of Show Cause Notice it was the prime duty of the respondents to warn / counsel him regarding the allegations.
- e. That appellant never made any misconduct within the ambit of performance of his official duty as no such allegation was ever made prior to the allegation in hand.



It is, therefore, most humbly prayed that on acceptance of appeal, the impugned office order dated 28-05-2018 and 02-08-2018 of the respondents be set aside and the fore-feiture increment be restored without any encumbrance, with such other relief as may be deemed proper and just in circumstances of the case.



Appellant

Through



Saadullah Khan Marwat



Amjad Nawaz  
Advocates.

Dated. 01-09-2018



کے جواب میں عرض کرنا چاہتا ہوں۔

(1) یہ انجمن کے دوران تین ماہی وادہ ہو چکی ہوگی۔ وہ رائل سٹیشن میں نہیں ہے۔ بہت موموش ہو گیا۔ جس کے اپنے ٹکڑے  
کے دوران ہوا کہ مقدمہ نمبر 126 مورخہ 19-04-2018 قلمی ڈیٹ میں شہید ہو گیا وہ ایک شہر ہفتوں 30 ہوا۔ وہ بھی مٹا دیا گیا۔  
9 عدد کارڈس پر 50 پورٹریٹس (پورٹریٹس) کے دوران سٹیشن میں تیار ہوئے۔ یہ تمام روز وقت پر تھے۔ یہ اور اسی طرح۔ عوام کے  
نمبر 283 مورخہ 20-08-2018 IAA کے دوران میں شہید ہوئے۔ ان کے دوران میں SHO کے ہر ایک کے ہاں سٹیشن IHC  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
FIR کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں

ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں  
ان کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں 30 کے دوران میں

ملیت اور آگے چلے گی۔  
مورخہ 18-04-2018

الغرض  
رکن کونسل، راجن پور، نمبر 626 مسیٹر اٹھارہ پور، راجن پور۔

Handwritten signature and scribbles at the bottom of the page.

## ORDER.

My this order will dispose off the departmental enquiry initiated against Constable Nader Khan No.626 while posted at NB Wanda Banochi was found to indulge in the following allegations:-

1. That he while posted at NB Wanda Banochi, his performance is below average/poor and not up to the required standard.
2. That this all show gross misconduct on his part and make him liable to be punished under Police Rules-1975.

He was served with Show Cause Notice to this effect. His reply to the Show Cause Notice was perused and was found unsatisfactory and failed to rebut the allegations leveled against him.

Therefore, I Arif Shahbaz Khan PSP, District Police Officer, Lakki Marwat exercise of the power vested in me under Police Rules-1975, is hereby impose upon him minor punishment of "forfeiture of (1) one increment " with immediate effect.

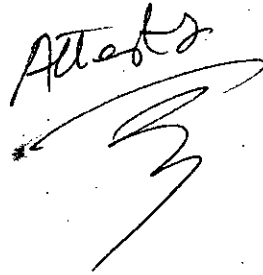
ORB-10 - 300  
28-05-2018

District Police Officer,  
Lakki Marwat.

No. 4078-82 Dated Lakki Marwat the 06-06-2018.

Copy of above is submitted for favour of information to:-

1. The Regional Police Officer, Barnu Region, Barnu for favour of information.
2. HC, EC, PO, Reader and OASI for information & necessary action.

Attends  


D 2 1

## بخدمت جناب R.P.O صاحب بنوں ریجن بنوں

عنوان :- درخواست نظر ثانی بحوالہ پولیس رولز باب نمبر 16 فقرہ نمبر 36 نگرانی بحوالہ پولیس رولز 1975 متعلق احکام بحوالہ D.P.O لکی مروت

جناب عالی! سائل ذیل گزارشات بطور استدعا بشکل درخواست نظر ثانی / نگرانی پولیس رولز 1975 کی روشنی میں بحوالہ احکام O.B-300 مورخہ 28-05-2018 مجاریہ DPO لکی مروت عرض کرنا چاہتا ہوں۔

- 1- یہ کہ قانونی تقاضوں کی رو سے مجاز اتھارٹی کو چاہئے تھا۔ کہ وہ مجھے پیشی کے لیے بلائے۔ اور میری فریاد سننے کے بعد میرے متعلق احکام صادر کرے۔ لیکن DPO صاحب لکی مروت نے مجھے پیشی کا موقع نہ دیا اور نہ ہی میرا بیان / فریاد سنا ہے۔ جو اس طرح اس سطح پر میری حق تلفی ہوئی ہے۔ روئے زمین کا کوئی بھی قانون کسی کا بیان / فریاد سے بغیر سزا دینے کی اجازت نہیں دیتا ہے۔ اور نہ ہی انسانی بنیاد حقوق، انصاف کے تقاضے کیس کا بیان / فریاد سے بغیر سزا دینے کی اجازت دیتا ہے۔
- 2- یہ کہ میں نے قبل از بحوالہ شوکا ز نوٹس کا جواب دیا۔ فوٹو کاپی جواب لف قابل منسلک ہے۔ جس سے میری کارروائی آشکارہ ہے۔ اپنے ذمہ داری کی حد تک میں نے اپنی ذمہ داری پوری کی ہے۔
- 3- یہ کہ بطور ادنیٰ ماتحت بحیثیت کنسٹیبل اپنے انچارج کی ہدایات کی روشنی میں ڈیوٹی سرانجام دی ہے۔
- 4- جناب عالی! میری درخواست نظر ثانی / نگرانی پر غور فرمایا جائے اور میری بے قصوری کو مد نظر رکھ کر احکام DPO صاحب لکی مروت جو قانونی معیار کے مطابق پیشی کو کالعدم قرار دیکر میرے سناپ شدہ اینٹکر میٹ کو بحال کر کے معاف فرمائیں۔ یہ کہ خداوند قدوس نے روئے زمین کے کسی بھی حصے میں معافی / صلہ رحمی پر پابندی عائد نہیں کی ہے۔ جبکہ حق پیشی محفوظ رکھتا ہوں۔

مورخہ: 25-06-2018

عنایت ماتحت پروری ہوگی۔

سائل کنسٹیبل نادر خان 626 چیک پوسٹ وانڈہ ہنویچی لکی مروت

Aueh

## ORDER

My this order will dispose of appeals, preferred by the following police officers of Lakki District Police, wherein, they have prayed for setting aside the punishment of forfeiture of one increment imposed upon them by DPO Lakki Marwat vide OB No.296, 297, 300, 301 and 302 dated 28.05.2018 after found their performance as below average/poor and not to the required standard during nakabandi at Wanda Banochi PS Pezu:-

1. HC Ghulam Qadar No.193
2. Constable Atlas Khan No.25
3. Constable Iqbal No.264
4. Constable Ali Muhammad No.674
5. Constable Nader No.626

Their service records, inquiry papers and comments, received from DPO Lakki Marwat, were perused and it was found that the appellants were proceeded departmentally (without aid of inquiry) by services upon them show cause notices on the grounds of above misconduct. Their replies to show cause notices were found implausible by competent authority. Thereafter, they were awarded the aforesaid punishments.

Aggrieved from the impugned orders, the appellants submitted the instant appeals to the undersigned that were sent to DPO Lakki Marwat for comments as well as obtaining their service record. DPO Lakki Marwat vide his letter No.8874-78/EC dated 13.07.2018 submitted para wise comments.

Their service records and inquiry papers were perused and it was found that their performance for the period of posting at nakabani Wanda Banochi remained below average. They were heard in orderly room today on 01.08.2018 held in the office of undersigned and provided them opportunity to defend their appeals but they failed to produce any plausible reasons with regards to their poor performance. Thus, the undersigned has reached to the conclusion that the punishments awarded to them by the competent authority are fully justifiable and there is no need to interfere in the orders passed by DPO Lakki Marwat.

Therefore, I, Muhammad Karim Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Rule, 11(4) (a) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) hereby reject their appeals and endorse the punishments awarded to them by DPO Lakki Marwat.

Order announced

No. 2035 /EC, dated Bannu the 02 /08/2018

(MUHAMMAD KARIM KHAN) PSP  
Regional Police Officer,  
Bannu Region, Bannu

Copy to the District Police Officer, Lakki Marwat for information and n/action w/r to his office Memo: No. quoted above along with the service record containing the inquiry papers of the appellant for record in your office which may be acknowledged please.

(MUHAMMAD KARIM KHAN) PSP  
Regional Police Officer,  
Bannu Region, Bannu

Atlas  
3

بعد الت بنجاب سرحدی ٹریڈنگ کمپنی کی طرف

مورف

محکمہ گورنمنٹ

بنام

تامر خان

دعویٰ

## باعت کی طرف اشارہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام کشمیر کے اے سعید اللہ خان مروت ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل صاحب کو کرنے راضی نامہ و تقریر ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست پر قسم کی تصدیق اور اس پر دستخط کرانے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظرتانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مشاور قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر واختر منظور قبول ہوگا و دوران مقدمہ میں جو خرچہ و ہرجانہ التواء مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موصوف ہوں گے نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب یا بند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم

العبد العبد العبد

سعید اللہ خان مروت  
ایڈووکیٹ  
امجد خان  
ایڈووکیٹ

Nadeem

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR**

Service Appeal No.1189/2018

Nadir Khan No.626 Constable, Police Lines Lakki Marwat

(Petitioner)

Versus

DPO Lakki Marwat & others

(Respondents)

**INDEX**

S.No		Annexure	Page
1.	Para wise Reply with, Affidavit		1-3
2.	Authority Letter		4
3.	Acknowledgment receipt		5
6.	Order OB No.300 dated 28-05-2018		6
7.	Order No.2035 dated 02-08-2018		7

*Deponent*  
Deponent



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**  
**Appeal No. 1189/2018.**

Nadir Khan No.626 Constable,  
Police Line, Lakki Marwat.

(Appellant)

**VERSUS**

- 1) District Police Officer Lakki Marwat
- 2) Regional Police Officer Bannu Region, Bannu
- 3) Provincial Police Officer KPK Peshawar.

(Respondents)

**REPLY BY RESPONDENT NO. 1,2 & 3**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS**

- 1) That the appeal of applicant is not maintainable under the law and rules.
- 2) That the appellant has concealed the actual facts from the Honorable Tribunal.
- 3) That the appellant has approached the Honorable Tribunal with unclean hands.
- 4) That the appellant is estopped to file the appeal due to his own conduct.

**OBJECTIONS ON FACTS**

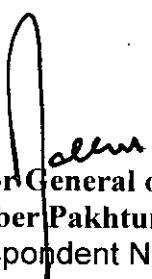
1. Pertains to record.
2. In-correct: in fact the petitioner when posted at Nakabandi Wanda Banochi showed neglectful performance in line of duty, which was considered poor and not up to the required standard of the Police Department, as a result a show cause notice vide No.2639/SRC dated 10-05-2018 was issued and served upon the petitioner. The reply of the petitioner was perused and found unsatisfactory and failed to rebut the allegations leveled against him.
3. Correct pertains to record, hence need no comments.
4. Correct to the extent that appellant submitted appeal for releasing of annual increment, which was examined and perused by Respondent No.2, however petitioner appeal was rejected vide Order No.2035/EC dated 02-08-2018.

**OBJECTION ON GROUNDS**

- a) Incorrect: The petitioner showed high inattentive performance in line of duty, which resulted in imposition of minor punishment i.e. forfeiture of one increment vide this office OB No.300 dated 28-05-2018.
- b) Incorrect: During the posting at Nakabandi Wanda Banochi the petitioner performance was below average / poor and not up to the required standard, hence minor penalty was awarded.
- c) Incorrect: The petitioner remained posted at NB Wanda Banochi for the sufficient usual period, but his (petitioner) performance was unsatisfactory and poor.
- d) In-correct: The petitioner was informed through 'Show Cause Notice regarding the allegations leveled against him issued by Respondent No.1, but reply of the petitioner was neither convincible nor justifiable.
- e) In-correct: as already explained in above Para "B".

**Prayer:**

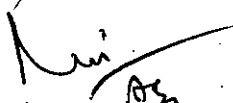
Keeping in view of the above facts and circumstances, it is humbly prayed that appeal of appellatant, being not maintainable, may kindly be dismissed with costs.


  
Inspector General of Police  
Khyber Pakhtunkhwa  
(Respondent No. 3)

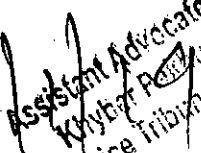
  
Regional Police Officer  
Bannu Region, Bannu  
(Respondent No. 2)

Dear Sir,

The instant reply is similar nature and identical as with S-119/18 already vetted

Approved:   
P. A. 29/1/18

  
District Police Officer  
Lakki Marwat  
(Respondent No. 1)

  
Assistant Advocate General  
Khyber Pakhtunkhwa  
Service Tribunal Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

Service Appeal No. 1189/2018.

Nadir Khan No.626 Constable,

**VERSUS**

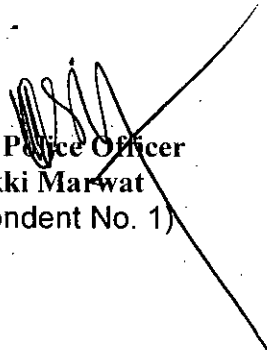
District Police Officer Lakki Marwat & others

**AFFIDAVIT**

We, the Respondents do hereby solemnly affirm and declare that the contents of the attached Para-wise comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

**Inspector General of Police  
Khyber Pakhtunkhwa  
(Respondent No. 3)**

**Regional Police Officer  
Bannu Region, Bannu  
(Respondent No. 2)**

  
**District Police Officer  
Lakki Marwat  
(Respondent No. 1)**

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No.1189/2018

Nadir Khan No.626 Constable  
Police Line Lakki Marwat

..... (Petitioner)

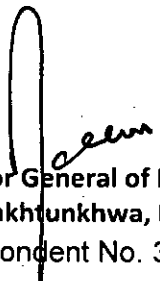
**VERSUS**


- 1) District Police Officer Lakki Marwat.
- 2) Regional Police Officer Bannu Region, Bannu.
- 3) Inspector General of Police Khyber Pakhtunkhwa Peshawar.

..... (Respondents)

**AUTHORITY LETTER**

We the respondents No. 2 & 3 do hereby solemnly authorize Respondent No.1 to attend the Honorable Court and submit written reply statement and affidavit required for the defence of above Service Appeals on our behalf.

  
Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No. 3)

  
Regional Police Officer  
Bannu Region, Bannu  
(Respondent No. 2)

  
District Police Officer  
Lakki Marwat  
(Respondent No. 1)

C 6

ORDER.

My this order will dispose off the departmental enquiry initiated against Constable Nader Khan No.626 while posted at NB Wanda Banochi was found to indulge in the following allegations:-

1. That he while posted at NB Wanda Banochi, his performance is below average/poor and not up to the required standard.
2. That this all show gross misconduct on his part and make him liable to be punished under Police Rules-1975.

He was served with Show Cause Notice to this effect. His reply to the Show Cause Notice was perused and was found unsatisfactory and failed to rebut the allegations leveled against him.

Therefore, I Arif Shahbaz Khan PSP, District Police Officer, Lakki Marwat exercise of the power vested in me under Police Rules-1975, is hereby impose upon him minor punishment of "forfeiture of (1) one increment " with immediate effect.

OB No - 300  
28-05-2018

District Police Officer,  
Lakki Marwat.

No. 4078-82 Dated Lakki Marwat the 06-06-2018.

Copy of above is submitted for favour of information to:-

- The Regional Police Officer, Bannu Region, Bannu for favour of information.
- HC, EC, PO, Reader and OASI for information & necessary action.

Attested  
Jalil  
FNS/LG

10

Handwritten notes in Arabic script, possibly including the word "الله" (Allah) and other religious or philosophical terms.

## ORDER

This order will dispose of appeals, preferred by the following police officers of Lakki District Police, wherein, they have prayed for setting aside the punishment of forfeiture of one increment imposed upon them by DPO Lakki Marwat vide OB No.296, 297, 300, 301 and 302 dated 28.05.2018 after found their performance as below average/poor and not to the required standard during nakabandi at Wanda Banochi PS Pezu:-

1. HC Ghulam Qadar No.193
2. Constable Atlas Khan No.25
3. Constable Iqbal No.264
4. Constable Ali Muhammad No.674
5. Constable Nader No.626

Their service records, inquiry papers and comments, received from DPO Lakki Marwat, were perused and it was found that the appellants were proceeded departmentally (without aid of inquiry) by services upon them show cause notices on the grounds of above misconduct. Their replies to show cause notices were found implausible by competent authority. Thereafter, they were awarded the aforesaid punishments.

Aggrieved from the impugned orders, the appellants submitted the instant appeals to the undersigned that were sent to DPO Lakki Marwat for comments as well as obtaining their service record. DPO Lakki Marwat, vide his letter No.8874-78/EC dated 13.07.2018 submitted para wise comments.

Their service records and inquiry papers were perused and it was found that their performance for the period of posting at nakabani Wanda Banochi remained below average. They were heard in orderly room today on 01.08.2018 held in the office of undersigned and provided them opportunity to defend their appeals but they failed to produce any plausible reasons with regards to their poor performance. Thus, the undersigned has reached to the conclusion that the punishments awarded to them by the competent authority are fully justifiable and there is no need to interfere in the orders passed by DPO Lakki Marwat.

Therefore, I, Muhammad Karim Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Rule, 11(4) (a) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) hereby reject their appeals and endorse the punishments awarded to them by DPO Lakki Marwat.

Order announced

No. 2035 /EC, dated Bannu the 02 /08/2018

(MUHAMMAD KARIM KHAN) PSP  
Regional Police Officer,  
Bannu Region, Bannu

Copy to the District Police Officer, Lakki Marwat for information and n/action w/r to his office Memo: No. quoted above along with the service record containing the inquiry papers of the appellant for record in your office which may be acknowledged please.

(MUHAMMAD KARIM KHAN) PSP  
Regional Police Officer,  
Bannu Region, Bannu

Attested  
Muhammad  
P.N.S/LG