

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 7825/2021  
Roman Ullah  
Sub Inspector, District Kohat

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1845

Dated 31/11/22

..... Appellant

**VERSUS**

Inspector General of Police,  
Khyber Pakhtunkhwa & others

..... Respondents

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Deponent

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

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**Service Appeal No. 7825/2021**  
**Roman Ullah**  
Sub Inspector, District Kohat

..... Appellant

**VERSUS**

Inspector General of Police,  
Khyber Pakhtunkhwa & others

..... Respondents

**PARAWISE COMMENTS BY RESPONDENTS NO 1, 2 & 3**

**Respectfully Sheweth:-**  
**Preliminary Objections:-**

- i. That the appellant has got no cause of action to file the instant appeal.
- ii. The appellant has got no locus standi to file the instant appeal.
- iii. That the appeal is bad for misjoinder and nonjoinder of necessary parties.
- iv. That the 1<sup>st</sup> impugned order was passed by DPO Karak, who is not placed as respondent and respondent No. 3 has wrongly been placed as respondent.
- v. That the appellant is estopped to file the instant appeal for his own act.
- vi. That the appeal is bad in eyes of law and not maintainable.
- vii. That the appellant has not approached the honorable Tribunal with clean hands.
- viii. That the appeal is badly barred law and limitation.

**Facts:-**

1. Incorrect, one lady constable Bibi Kalsoom of district Karak (respondent No.4) had lodged a complaint against the appellant, leveled allegations of her harassment. Thus the appellant had indulged himself in illegal / immoral activities.
2. The complainant, lady constable named above had lodged a self-explanatory compliant against the appellant. The appellant being member of a disciplined department and senior rank officer had committed a grave professional misconduct. Thus on the basis of compliant a regular departmental inquiry was initiated against the appellant by the competent authority i.e **District Police Officer, Karak (who is not placed as respondent)**. Copy of compliant is **annexure-A**.

3. Incorrect, as replied in the above para, a regular departmental inquiry was conducted against the appellant under the Khyber Pakhtunkhwa, Police Rules 1975 (amended-2014) by District Police Officer, Karak. The allegations / charged leveled against the appellant were established. Hence, The competent authority, District Police Officer, Karak had imposed a punishment reversion from the rank of offig: Sub Inspector to his substantive rank of ASI. Copy of impugned order is **annexure B**.
4. Though the charges leveled against the appellant was established and District Police Officer, Karak had passed a legal order. The respondent No. 2 while disposing of departmental appeal of the appellant has taken a lenient view and the impugned punishment order was converted into punishment of time scale for the period of 02 years vide order dated 21.11.2019. Copy is **Annexure C**.
5. The appellant is estopped to file the instant appeal for his own conduct. Furthermore, grievance of the appellant has been resolved by respondent No. 2, as reversion order of appellant passed by DPO Karak has been converted. Therefore, the appellant has got no cause of action.

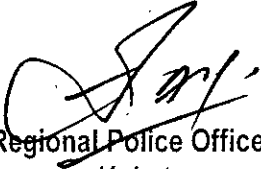
#### **Grounds:-**

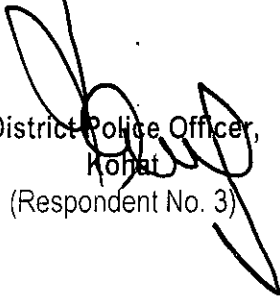
1. Para No. 1, of the appeal is irrelevant, hence no comments.
2. Para No. 2 of the appeal is also irrelevant, hence no comments.
3. Para No. 3 of the appeal is irrelevant too. However, it is added that the family of martyred constable (brother of appellant) has been facilitated with Shuhada Package as notified by the Khyber Pakhtunkhwa, government. The appellant has been appointed as PASI under the said package.
4. Incorrect, the appellant indulged himself in illegal activity as complained by respondent No. 4
5. Incorrect / irrelevant, if there was anything wrong / illegal, the appellant being a senior Police officer was at liberty to lodge compliant or report against the respondent No. 4 (lady constable) or her husband.
6. Necessary evidence, material as deem appropriate has been collected and brought on record by the inquiry officer, which fully connected him with the commission of his misconduct.
7. Incorrect, the respondent No. 4 (lady constable) had lodged a complaint against the appellant which is **annexure A**.
8. Incorrect, the respondent No. 2, had taken a lenient view while disposing of his departmental appeal as punishment of reversion from the rank of offig: Sub Inspector was converted into punishment of time scale for the period of two years.

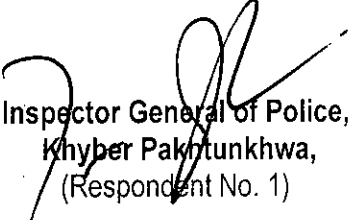
9. Incorrect, the complainant lady constable respondent no. 4 and enquiry report fully connected the appellant with the commission of his misconduct.
10. Incorrect, the inquiry officer has conducted the proceedings in accordance with the rules and all codal formalities have been full filled.
- In addition, the Respondents No. 1 to 3 may be allowed to advance other grounds during the course of hearing.

**Prayer:-**

In view of the above, it is prayed that the appeal contrary to facts, law & rules, devoid of merits and not maintainable may graciously be dismissed with costs.

  
Regional Police Officer,  
Kohat  
(Respondent No. 2)

  
District Police Officer,  
Kohat  
(Respondent No. 3)

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

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

**Service Appeal No. 7825/2021**  
**Roman Ullah**  
Sub Inspector, District Kohat

..... Appellant

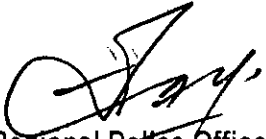
**VERSUS**

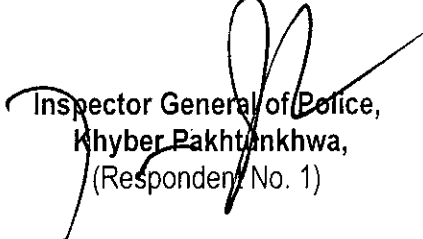
Inspector General of Police,  
Khyber Pakhtunkhwa & others


..... Respondents

**COUNTER AFFIDAVIT**

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.

  
Regional Police Officer  
Kohat  
(Respondent No. 2)

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

  
District Police Officer,  
Kohat  
(Respondent No. 3)



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مستقیم مزاج ڈی ایس لی تحت لکھنوی

صاحب عالی

لکھنوی عالی سٹیبل منقون کا اضافہ اور لاؤسٹرکف و لدا امیر حال  
 سکہ شی عوانہ پر عمارت حال کا بیٹا ہے۔ لاؤسٹرکف کے مجھے  
 دھوکہ دیا اور فراڈ میں ایک لاکھ تیس ہزار روپے لے گئے ہیں جس میں  
 ڈی پی اے اور ڈی آئی جی کوٹھاک اور آئی جی پی کے ساتھ ساتھ  
 ڈی پی اے کے ساتھ ساتھ ڈی پی اے اور ڈی پی اے کے ساتھ ساتھ  
 دوسرے کمرے اور میں منکر ہو جاتا ہے۔

صاحب ڈی پی اے صاحب ڈی پی اے

مجھے اپنے دفتر میں بلانا تھا۔ ایسی ہی لاؤسٹرکف کے لکھنوی عالی سٹیبل  
 منقون جو خودی میں ملے ہیں۔ میں نے ان کا بار بار فریڈ اور فراڈ  
 صاحب سبک کے ساتھ لکھنوی عالی سٹیبل منقون کی لاؤسٹرکف میں  
 اور لاؤسٹرکف کے ساتھ ساتھ صاحب کے ساتھ ساتھ

(2) نور شریف نے استغوث لیدی کالج میں مقیم ہو کر تعلیم حاصل کی اور اس کے بعد  
 کئی توہین کے ساتھ کراچی میں رپورٹ کرنے کے لئے گئے۔ تو نور شریف نے  
 بیوی لیدی کالج میں مقیم ہو کر تعلیم حاصل کی اور اس کے بعد تعلیم حاصل کیا  
 اور جیل جوں میں نور علی خان میرے ساتھ تازہ ترین الفاظ اور الفاظ  
 کا مطالعہ کر رہے تھے۔ چونکہ یہ بالکل جھوٹ پر مبنی بات تھی۔ تو اس کے  
 کے ساتھ ریاض صاحب نے یہ فیصلہ کیا کہ آپ رپورٹ لکھیں۔ تو لیدی  
 کالج میں جا کر نور شریف نے اپنی رپورٹ 25 مئی 1952ء کو لکھی۔ لیکن یہ جان  
 چھوڑا کہ لوز میں جتنے ہو جاتا ہے۔ جو میرے ساتھ یہ سارا ریکارڈ موجود  
 ہے

جہانگیر صاحب ، اس کے علاوہ لیدی کالج میں مقیم

کا خاوند نور شریف نے اسے شمار لگوں سے دھوکہ دیا اور فراڈ میں اہم  
 حصہ لیا۔ جو والین میں نہیں کرتا اور یہ دعوائے میر کرتا ہے۔ نور شریف کا  
 کا وہاں سے ہے۔ اس لگوں کے زمینوں پر ناخاندانہ تصرف کرتا ہے۔ دھوکہ دہی  
 اور فراڈ میں لگوں سے اہم حصہ لگتا ہے اور اس کے بارے میں حفر روں کو  
 اپنے گھر میں بیان دینا اس کے علاوہ چوری کے عرصہ میں کرتا ہے

25) حساب DSP صاحب : عدت ذات آیت مقدس شہتہ ہے۔ جو

نور شریف وہی بیوی گیزی خانہ شہیل منگھم کو استعمال کر کے باحال ہو گیا ہے۔  
یہ گیزی خانہ شہیل منگھم کے ساتھ ہے۔ اور میں وقت کا کھانا مانگو  
میں کھلا سکتا اور گیزی خانہ شہیل کو آ کر گزی خانہ شریف کو اور اپنے بچوں کو کھلا  
دے ہے۔ اور نور شریف کو وہی کو بند کر کے اپنی بیوی گیزی خانہ شہیل  
منگھم کو استعمال کر کے رقم پڑ کر بنا جاتا ہے۔ اس کے علاوہ انکا دوسرا کوئی  
ذریعہ معاش نہیں ہے۔

حساب DSP صاحب : یہ جو کچھ میں نے لکھا ہے۔ حقیقت پر مبنی

دیکھی ہے  
دعا گو : نورول خانہ طرفت عادل گل سکھ سنگھ علی محل تحصیل گلبرگ

شناختی کارڈ نمبر 3-1350379-14202

موبائل نمبر 9050915-0333



D-8  
ANEX-B

ORDER

My this Order will dispose off the departmental enquiry against SI Roman Ullah (suspended) of this district Police.

9

Facts are that as per complaint submitted by Lady Constable Kalsoom Bibi No. 557 that SI Roman Ullah Investigation Staff PS Sabir Abad made messages and calls to her for his ulterior motives.

Furthermore, a preliminary enquiry was also conducted on her complaint dated 01.04.2020 by SDPO B.D.Shah wherein SI Roman Ullah were found guilty of the charges.

This state of affair is quite adverse on his part and shows his negligence, malafide intention and non professionalism in the discharge of his official obligations. This act on his part is against service discipline and amounts to gross misconduct.

He was issued with Charge Sheet and Statement of allegations. Mr. Zahir Shah SDPO Takhte Nasrati was appointed as an Enquiry Officer to conduct proper departmental enquiry against him and to submit his findings within the stipulated time.

The Enquiry Officer reported that both the officials i.e. SI Roman Ullah and Lady Constable Kalsoom Bibi No. 557 were found guilty of the charges. In such cases, if accused is not awarded with punishment, then its effect falls on others. Therefore, the E.O recommended both the officials for award of suitable punishment.

Keeping in view of the available record and facts on file, perusal of enquiry papers and the recommendations of the Enquiry Officer, he is found guilty of the charges, his this act with his colleagues i.e. lady officials is not tolerable. He is stigma on the Police department. His this act being posted at responsible post of Incharge Investigation is against the service and norms of discipline. The relations between responsible officer and his subordinates staff is like parent but the defaulter official misuse his official power. Therefore, he is reverted in rank from Sub Inspector to the substantive rank of Assistant Sub Inspector with immediate effect. He is also reinstated in service from the date of suspension.

OB No. 174  
Dated 29/04/2020

OFFICE OF THE DISTRICT POLICE OFFICER KARAK

No. 1932 IEC, dated Karak the 29/04/2020

*S. Khan*  
District Police Officer, Karak

Copy of above is submitted to the Dy: Inspector General of Police, Kohat Region Kohat for favour of information, please.

دیسٹرک پولیس آفیسر

*S. Khan*  
District Police Officer, Karak

*Atkhetel*  
*Asif Akhtar*  
Advocate  
Court & District Court  
hc-10-4825



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Ancex - C

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14

7360

19-8-21

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Offg: SI Roman Ullah No. 112/K. The petitioner was awarded punishment of reduction from the rank of Offg. SI to substantive rank of ASI by District Police Officer, Karak vide OB No. 174, dated 29.04.2020 on the allegations that as per complaint submitted by Lady Constable Kalsoom Bibi No. 557 that the appellant made messages and calls to her for his ulterior motives. The Appellate Authority i.e. Regional Police Officer, Kohat converted his punishment of reduction from the rank of Offg. SI to substantive rank of ASI into time scale for the period of two (02) years vide order Endst: No: 11681-82/EC, dated 25.09.2020.

Meeting of the Appellate Board was held on 01.07.2021, wherein the petitioner was present and heard in detail. Petitioner failed to advance any plausible explanation in rebuttal of the charges.

Therefore, his petition is hereby rejected.

Sd/-

**KASHIF ALAM, PSP**  
Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI/ 3432-40 /21, dated Peshawar, the 16/8 /2021.

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. One Service Roll, Two Service Books and one Fauji Missal of the above named SI received vide your office Memo: No. 5932/EC, dated 17.05.2021 and No. 1361/EC, dated 23.02.2021 is returned herewith for your office record.
2. District Police Officer, Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdr: E-III, CPO Peshawar.
8. Officer concerned.

Attended

**ASIF ALI TALAT**  
Advocate  
High Court & District Court  
Kohat bc-10-4825

**(RAI BABAR SAEED) PSP**  
Deputy Inspector General of Police, HQrs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

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ORDER

14-A

This order is hereby passed to dispose of Revision petition under Rule of Khyber Pakhtunkhwa Police Rule-1975(amended 2014) submitted by offg: SI Roman Ullah No. 112/K. The petitioner was awarded punishment of reduction from the rank of offg: SI substantive rank of ASI by District police officer. Karak vide OB No 174. Dated 29/04/2020 on the allegations that as per complaint submitted by lady constable Kalsoom Bibi No 577 that the appellat made messages and calls to her for his ulterior motives. The appellate authority i.e. Regional Police Officer, Kohat converted his punishment of reduction from the rank of Offg: SI to substantive rank of ASI into time scale for the period of two (02) years vide order Endst: No 11681-82/EC, dated 25.09.2020.

Meeting of the appellate Board was held on 01.07.2021, wherein the petitioner was present and heard in detail. Petitioner failed to advance any plausible explanation in rebuttals of the charges.

There fore his petition is hereby rejected.

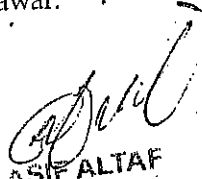
Sd/-

**KASHIF ALAM, PSP**  
Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ \_\_\_\_\_ /21, dated Peshawar, the \_\_\_\_\_ /2021

**Copy of the above is forward to the:**

1. Regional Police Officer, Kohat. One Service Roll, Two Service Books and one Fauji Missal of the above named SI received vide your office Merno: No. 5932/EC, dated 17.05.2021 and No. 1361/EC, dated 23.02.2021 is returned herewith for your office record.
2. District Police Officer Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG /HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-III, CPO Peshawar.
8. Officer concerned.

  
**ASIF ALTAF**  
Advocate  
High Court & District Court  
Kohat DC-10-4825

R-11

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

---

**Service Appeal No. 7825/2021**  
**Roman Ullah**  
Sub Inspector, District Kohat

..... Appellant

**VERSUS**

Inspector General of Police,  
Khyber Pakhtunkhwa & others

..... Respondents

**AUTHORITY LETTER**

Mr. Arif Saleem steno (Focal Person) of this office is hereby authorized to file the parawise comments and any other registered documents in the Honorable Tribunal on behalf of respondents / defendant and pursue the appeal as well.

  
District Police Officer,  
Kohat  
(Respondent No. 3)