


FORM OF ORDER SHEET

Court of _____

Case No. - 1720/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/11/2022	<p>The appeal of Mr. Javed Iqbal presented today by Mr. Muhammad Aslam Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

1720/2022

Javed Iqbal Constable No.465, District Police Haripur.

(Appellant)

VERSUS

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur.....**(Respondents)**


SERVICE APPEAL

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APPELLANT

THROUGH


(MUHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
AT PESHAWAR

Dated: 30-11-2022

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No.....1720/2022.....

Javed Iqbal Constable No.465, District Police Haripur.
(Appellant)

VERSUS

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur.....**(Respondents)**

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST ORDER DATED 07-01-2022 OF THE DISTRICT POLICE HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED PENALTY OF DEDUCTION OF TWO YEARS APPROVED SERVICE AND ORDER DATED 14-06-2022 (ISSUED ON 07-11-2022) OF THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY APPELLANT'S DEPARTMENTAL APPEAL HAS BEEN FILED/REJECTED.

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH ORDERS DATED 07-01-2022 AND 14-06-2022 OF THE RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE RESTORED HIS TWO YEAR DEDUCTED APPROVED SERVICE WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respectfully Sheweth:

1. That while appellant posted as Constable at Police Post Panian (District Haipur) was issued with a Charge Sheet by the District Police Officer Haripur which was replied by the appellant explaining all facts in detail and denied allegations straightaway being incorrect and baseless.
(Copies of Charge Sheet and its reply are attached as Annexure-"A & B").
2. That ultimately the appellant was awarded with the penalty of "Deduction of two years of approved service" by the District Police Officer Haripur vide order dated 07-01-2022.

(Copy of impugned order dated 07-01-2022 is attached as Annexure-"E").

3. That in fact on the night between dated 10 & 11-11-2021 at 01:45 hours during patrolling duty appellant found a man sitting hidden in passengers booth having a black colour motor-cycle who was inquired about his availability at that place at a very late hours of night but he could not adduced any satisfying reply and being suspected one he was brought to police post panian. His entry was recorded in Daily Dairy No.13 dated 11-11-2021. In the morning he was asked about his presence in passenger's booth by Saeed Shah I/C PP Pania, he told that he was waiting one Raja Ehtisham who had gone to bring something from the Tower. Therefore, Raja Ehtisham's father was telephonically informed about the situation, who brought his son to the Police Post. Both the suspected were interrogated by I/C Saeed Shah in the presence of their relatives and then they were sent to Police Station Kotnajibullah so that they could be released by making necessary entries in the record of police station. Neither they were tortured nor disgraced by anybody in PP Panian. However, Jehangir Khan father of Ehtisham got registered a false FIR against appellant and other police officials.
4. That the DPP, Haripur made recommendation vide letter No.12/DPP/HR/22 dated 06-01-2022 for discharge of appellant in case FIR No.862 dated 13-11-2021 registered by complainant against him. **(Copy of the letter dated 06-01-2022 is attached as Annex-"D").**

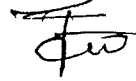
5. That no proper departmental inquiry was conducted. No witness was ever called for to appear before the inquiry office in presence of appellant to record his evidence nor was he ever provided with a chance of cross-examination. Copy of inquiry report, if any, was never provided to appellant. Appellant was also not afforded opportunity of personal hearing and appellant was condemned unheard.
6. That appellant aggrieved of the order of the DPO Haripur preferred a departmental appeal before the RPO, Hazara Region, Abbottabad which was filed/rejected vide order dated 14-06-2022 but copy of the order was issued on 07-11-2022 and that too on the specific written request of the appellant. **(Copies of appeal and order dated 14-06-2022 are attached as Annexure-"E & F ,")**; hence instant service appeal inter alia on the following grounds:-

GROUND:-

- A) That both the impugned orders dated 07-01-2022 and 14-06-2022 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence are liable to be set aside.
- B) That no proper departmental inquiry was conducted. No witness was called for to appear before the inquiry office in presence of the appellant to record evidence nor was appellant provided with a chance to cross-examine such a witness. Copy of inquiry report, if any, was never provided to the appellant. Even opportunity of personal hearing was not afforded to appellant rather he was condemned unheard.

- C) That respondents have not treated the appellant in accordance with law, departmental rules and regulation and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders which are unjust, unfair hence not sustainable in the eyes of law.
- D) That appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken by appellant in the memo of appeal and has filed the appeal. Thus act of respondent is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clauses Act 1897 and Article-10 of the Constitution of Islamic Republic of Pakistan 1973.
- E) That instant service appeal is well within time and this honorable Service Tribunal has got jurisdiction to entertain and adjudicate upon the lis.

It is, therefore, humbly prayed that on acceptance of instant service appeal order dated 07-01-2022 and order dated 14-06-2022 of the respondents may graciously be set aside and the appellant be restored his two years deducted approved service with all consequential service back benefits. Any other relief which this Honorable Service Tribunal deems fit and proper may also be granted.



Appellant

Through



(Muhammad Aslam Tanoli)
Advocate High Court
At Peshawar

Dated: 30-11-2022

VERIFICATION

It is verified that contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

Dated: 30-11-2022



Appellant

-5-

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Javed Iqbal Constable No.465, District Police Haripur.
(Appellant)

VERSUS

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

(Respondents)

SERVICE APPEAL

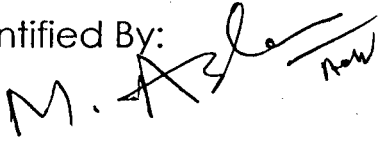
AFFIDAVIT

I, Javed Iqbal, appellant do hereby solemnly declare and affirm on oath that contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

Dated: 30-11-2022


Deponent/Appellant

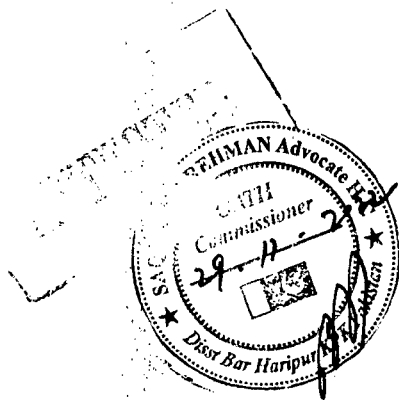
Identified By:


M. Aslam Tanoli

(Muhammad Aslam Tanoli)
Advocate High Court
At Peshawar

Dated: 30-11-2022


Appellant



BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Javed Iqbal Constable No.465, District Police Haripur.
(Appellant)

VERSUS

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
 2. Regional Police Officer, Hazara Region, Abbottabad.
 3. District Police Officer, Haripur
- (Respondents)

SERVICE APPEAL

CERTIFICATE

It is certified that no such appeal prior to this one on the subject has ever been filed in this Honorable Service Tribunal or any other court.

Dated: 30-11-2022


Appellant

- 7 -

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Javed Iqbal Constable No.465, District Police Haripur.(Applicant)

VERSUS

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

**APPLICATION FOR CONDONATION OF DELAY IN FILING INSTANT SERVICE
APPEAL BEFORE THIS HONOURABLE SERVICE TRIBUNAL.**


Respectfully Sheweth:

1. That applicant/appellant has filed today a Service Appeal which may be considered as part and parcel of this application, against order dated 07-01-2022 and 14-06-2022 passed by respondents, whereby appellant has been awarded penalty of "Deduction of two years approved service" and his departmental appeal has been rejected without jurisdiction and abiding by procedure.
2. That as the orders of departmental authorities have been passed in violation and derogation of the statutory provision of law, departmental rules and regulation governing the terms and condition of appellant's service and fact of the case, therefore, causing a recurring cause of action to the applicant/appellant can be challenged and questioned irrespective of a time frame.
3. That though appellant on receipt of order of respondent has filed department appeal well in time but was reject vide order dated 14-06-2022 but copy of the same was issued to him on 07-11-2022 and that too on his specific written request. The appellant has rigorously been pursuing his case. Therefore, the delay if any, in filing instant service appeal is due to the forgoing reasons.
4. That instant application is being filed as an abundant caution for the condonation of delay, if any. The impugned orders are liable to be set aside in the interest of justice.

It is, therefore, respectfully prayed that on acceptance of the instant application the delay, if any, in filing of titled appeal may graciously be condoned.


Applicant/Appellant

Through


(Muhammad Aslam Tanoli)
Advocate High Court
At Abbottabad

Dated: 30-11-2022

VERIFICATION

It is verified that contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Dated: 30-11-2022


Applicant/Appellant

CHARGE SHEET

-8-

Amo-'A'

I, Kashif Zulfiqar, PSP, District Police Officer, Haripur as competent authority, hereby charge you FC Javed Iqbal No.465 as enclosed statement of allegations.

- (1) You appear to be guilty of misconduct under Police Efficiency & Discipline Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.
- (2) 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.
- (3) Your written defense, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
- (4) Intimate whether you desire to be heard in person or otherwise.
- (5) A statement of allegations is enclosed.

Kashif Zulfiqar, PSP
District Police Officer
Haripur

Alleged
Javed

DISCIPLINARY ACTION

I, **Kashif Zulfiqar**, PSP, District Police Officer, Haripur as competent authority of the opinion that you **F.C Javed Iqbal No.465** have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Police Efficiency & Discipline Rules 1975.

STATEMENT OF ALLEGATION

"You while posted as MHC PP Panian, on 10.11.2021 HC Saced Shah I/C PP Panian picked up two innocent citizens namely (1) Noman s/o Raja Khan Afzal r/o Narhtopa (2) Ihtesham s/o Jahangir r/o Narhtopa, locked up at Police Post and interrogate him without any offence. You did not make any entry in daily diary register of PP Panian. An FIR No.862 dated 13.11.2021 u/s 337/L-II/118-D/342/34 PPC PS Kotnajibullah was also registered against you. Your this acts/omissions earned bad name of Police department. Your these act/omission are gross misconduct in terms of KPK Police E&D Rules 1975" hence, charge sheeted".

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Committee consisting of the following is constituted.

Mr. Ibrar Khan SDPO Circle Saddar, Haripur

(3) The Enquiry Officer/Committee shall in accordance with the provision of this Ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against the accused.

(4) The accused and a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Committee.

**Kashif Zulfiqar, PSP
District Police Officer
Haripur**

No. ~~262~~ 63 /PA dated Haripur the 16/11/2021.

Copy of above is submitted to the:-

- 1) Enquiry Officer for initiating proceedings against the said accused under Police Efficiency & Discipline Rules 1975.
- 2) **F.C Javed Iqbal No.465** with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.

**Kashif Zulfiqar, PSP
District Police Officer
Haripur**

Attested
[Signature]

ذیل کے

مجموعہ حازرہ شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

1. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

2. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

3. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

4. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

5. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

6. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

7. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

8. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

9. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

10. شیخ صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

465 (FIR) صاحبہ کی طرف سے جاری کیے گئے ہیں۔ یہ سبھی اہل خانہ کی جانب سے دیئے گئے ہیں اور ان کی شناخت ذیل کے ناموں سے کی گئی ہے۔

11-11-2021

Attested
[Signature]

-11-

Amra-C



DISTRICT POLICE OFFICER
HARIPUR

Ph: 0995-920100/01, Fax-0995614714, Email: - dpoharipur1@gmail.com

ORDER.

FC Javed No.465, while he posted as MHC PP Panian, on 10.11.2021 HC Saeed Shah I/C PP Panian picked up two innocent citizens namely (1) Noman s/o Raja Khan Afzal r/o Narhtopa (2) Ihtesham s/o Jahangir r/o Narhtopa, locked up at Police Post Panian and interrogate them without any offence. He did not make any entry in daily dairy register of Police Post Panian. An FIR No.862 dated 13.11.2021 u/s 337/L-II/118-D/342/34 PPC PS Kotnajibullah was also registered against him. His act is a severe violation of discipline, a professional dishonesty and a gross misconduct in terms Police E&D Rules 1975. Therefore, he was served with charge sheet and statement of allegations vides this office Endst No. 262-63/PA, dated 16-11-2021.

To probe the allegations Deputy Superintendent of Police, Saddar Mr. Ibrar Khan was appointed as Enquiry Officer, who conducted proper enquiry and submitted his findings, vide his office Memo No. 350 dated 22-12-2021. The enquiry officer held the charges of misconduct against the defaulter official proved and recommended him for major punishment under section-4 of KPK Police E&D Rules 1975. Hence, he was served with Final Show Cause Notice, vide this office Endst: No.285/PA dated 24.12.2021. The defaulter police official was called in Orderly Room and was heard in person.

Having perused the finding of the enquiry officer, relevant record, and personal hearing of the above mentioned officer, I, am fully satisfied that the charges of misconduct are proved against the defaulter police official. Therefore, I, **Kashif Zulfiqar (PSP)**, District Police Officer, Haripur being competent authority under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rule 1975, agreed to the extent of punishment. This major punishment is converted into minor punishment, awarded minor punishment of **"DEDUCTION OF TWO YEARS OF APPROVED SERVICE"**, with immediate effect.

Order announced in his presence.

Order Book No. 52
Dated. 07-01-2022

Attested
[Signature]

[Signature]
Kashif Zulfiqar, PSP
District Police Officer,
Haripur

-12-

Answer-D

OFFICE OF THE DISTRICT PUBLIC PROSECUTOR, HARIPUR.

No. 12 /DPP/HIR/22

Dated Haripur the 6-1-2022

In the Court of Judicial Magistrate: _____

Case FIR No. 862 Dated 13/11/2021 U/S 337-1(ii)/342/34 PPC r/w 118 D-Police Act, PS KOT, Haripur.

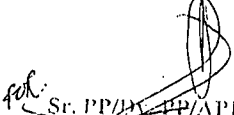
Subject: APPLICATION FOR DISCHARGE OF ACCUSED/CASE U/S 4-c(ii)/5-(b) OF THE KHYBER PAKHTUNKHWA PROSECUTION SERVICES ACT 2005 R/W SECTION 494 CR.PC.


Respectfully Sheweth,

In exercise of powers conferred under section 4-c(ii)/5-b Prosecution Service (Constitution, Functions and Powers)Act, 2005, r/w Section 494 Cr.PC. I being District Public Prosecutor forward the above mentioned case for discharge, as the institution of the case is found to be weak from evidentiary point of view. Brief facts with reasons for the discharge of the case are mentioned below:-

1. As per facts of the case there is delay of 3 days in registration of FIR.
2. FSL report also received in negative.
3. The complainant had patched up the matter with the accused at bail stage and is no more interested in further prosecution and accused have got no objection on the acquittal of the accused and complainant gave statement before learned ASJ-I, Haripur. on 27-11-2021 and again on 09-12-2021 before learned ASJ-I, Haripur.
4. That there is ^{no} possibility of conviction after the conclusion of trial.
5. Complainant was contacted on mobile number provided in the FIR and he affirmed the factum of compromise.
6. The matter had been discussed by the Scrutiny committee which decided to send the case for discharge.

In these circumstances, there is no chance of conviction of the accused. The case is being weak from evidentiary point of view. So without wasting the precious time of the court and to curb unnecessary burden of cases on the already over-burdened criminal courts, the request for the discharge of the accused/case is being made as per the mandate of Section 4-c(ii)/5-(b) of the Khyber Pakhtunkhwa Prosecution Service (Constitution, Functions and Powers) Act, 2005. r/w Section 494 Cr.PC.

for: 
Sr. PP/Asst. PP/APP,
Haripur
06-01-22


District Public Prosecutor,
Haripur.
DISTRICT PUBLIC PROSECUTOR
HARIPUR

*Alleged
Facts*

BEFORE HONOURABLE REGIONAL POLICE OFFICER,
HAZARA REGION, ABBOTTABAD.

(Departmental Appeal by FC Javed Iqbal No. 465 District Police Haripur).

(THROUGH PROPER CHANNEL)

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 32 DATED 07-01-2022 OF THE DISTRICT POLICE OFFICER HARIPUR WHEREBY PENALTY OF DEDUCTION OF TWO YEARS OF APPROVED SERVICE HAS BEEN IMPOSED UPON THE APPELLANT.

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL THE IMPUGNED ORDER DATED 07-01-2022 MAY KINDLY BE SET ASIDE AND TWO YEARS DEDUCTED APPROVED SERVICE BE RESTORED WITH GRANT OF ALL CONSEQUENTIAL SERVICE BACK BENEFITS TO APPELLANT.

Respected Sir,

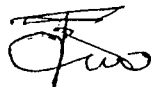
1. That appellant with regard to his duties as Constable Police Post Panian (Haripur) was issued with a Charge Sheet by the District Police Officer Haripur which was duly replied explaining all facts and circumstances of the case in detail denying the allegations leveled against the appellant being incorrect and baseless. **(Copies of charge and its reply are attached as "A&B")**.
2. That thereafter the appellant was served with a Final Show Cause Notice with the same allegations which was also replied. **(Copies of Final Show Cause Notice & its reply are attached as "C&D")**.
3. That ultimately the appellant was awarded with the

Arrested
Jw

penalty of "Deduction of two years of approved service" through impugned order OB No. 32 dated 07-01-2022 by the District Police Officer, Haripur without any reason and proof. **(Copy of impugned order dated 07-01-2022 is attached as "E").**

4. That during his posting at PP Panian the appellant always performed his duties efficiently and honestly to the entire satisfaction of his officers. There has been no complaint, what-so-ever may be, against the appellant from public as well as his officers during the said period.
5. That in fact on the night between dated 10 & 11-11-2021 at 02:00 hours during the patrolling duty appellant found a suspected man sitting hidden in passengers booth having a black colour motor-cycle who was asked about his availability in such a place at a very late hours of the night who could not satisfied him and being suspected one he was brought to Police Post Panian. His entry was recorded in Daily Dairy No.13 dated 11-11-2021. On the morning he was asked about his presence in passenger's booth by Saeed Shah I/C PP, he told that he was waiting one Raja Ehtisham who had gone to bring something from the Tower. Therefore, Raja Ehtisham's father was telephonically informed about the situation, who brought his son to the Police Post. Both the suspected were interrogated by I/C Saeed Shah in the presence of their relatives and then they were sent to Police Satiation Kotnajibullah so that they could be released by making necessary entries in the record of Police Station. They were neither tortured nor disgraced by anybody in PP Panian. However, Jehangir Khan father

Attested



of Ehtisham registered a false FIR against the appellant and other police officials.

6. That appellant never involved himself in any such commission/omission as has been incorporated in the Charge Sheet and Final Show Cause Notice issued to the appellant rather he performed his assigned duties with full care, caution, devotion, dedication and honesty. These allegations were never proved against the appellant through any means. He was awarded "Deduction of two years of approved service" without any reason, justification and proof.
7. That subsequently the complainant submitted Affidavit and got recorded his statement under Section-164 Cr.P.C before the Judicial Magistrate and exonerated the appellant of the allegations being result of mis-understandings whereupon he was acquitted by the court. **(Copies of Affidavit and Court Order are attached as "F&G")**.
8. That even the District Public Prosecutor, Haripur has made recommendation vide letter No.12 /DPP/HR/22 dated 06-01-2022 for discharge of appellant in case FIR No. 862 dated 13-11-2021 registered by complainant against him. **(Copy of the letter dated 06-01-2022 is attached as "H")**.
9. That appellant has rendered more than 22 years service in the police department. He always performed his assigned duties with devotion, dedication and honesty and never provided a chance of reprimand and even

Attested
Jaw

on occasions for his tremendous service he has been awarded with the commendation certificates and cash rewards by his High-Ups:

10. That no proper departmental inquiry was conducted to prove the allegations against the appellant. Not a single witness was ever called for to appear before the inquiry officer in presence of appellant to record his evidence nor was he ever provided with the chance to cross-examine such witness. Copy of inquiry report, if any, was never provided to him. Even opportunity of personal hearing was not afforded to the appellant rather he was condemned unheard.
11. That if the appellant is afforded with the opportunity of personal hearing he will really prove him as innocent by adducing credible facts of the matter.

Sir, in view of the facts and circumstances narrated here above, it is earnestly requested that impugned order dated 07-01-2022 of the District Police Officer Haripur may kindly be sat aside and the appellant be released his stopped one annual with grant of all consequential service back benefits. Thanking you sir in anticipation.

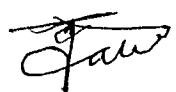
You're obedient Servant



(Javed Iqbal)

Constable No. 465
District Police Haripur

Dated: 02-02-2022

Attested




OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

Amraf

-17-

☎ 0992-9310021-22

☎ 0992-9310023

✉ r.rpohazara@gmail.com

☎ 0345-9560687

NO: 13430 /PA DATED 14 /06 /2022

ORDER

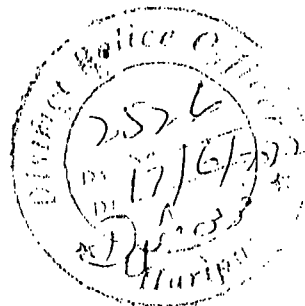
This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by FC Javed No. 465 of Haripur against the order of punishment i.e. *deduction of 02 years approved service* awarded by District Police Officer, Haripur vide OB No.32 dated 07.01.2022.

Brief facts leading to the punishment are that the appellant while posted as MHC PP Panjan, on 10.11.2021 HC Saced Shah I/C PP Panian picked up two innocent citizen namely (1) Noman s/o Raja Khan Afzal r/o Narhtopa (2) Ithesham s/o Jahangir r/o Narhtopa, locked up at Police Post and interrogated them without any offence. He did not make any entry in daily dairy register of Police Post Panian. An FIR No.862 dated 13.11.2021 u/s 337/L-II/118-D/342/34 PPC PS Kotnajibullah was also registered against him.

The appellant was issued charge sheet along with summary of allegations and SDPO Saddar was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct and recommended him for major punishment. Consequently, DPO Haripur awarded him minor punishment of deduction of 02 years approved service. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Haripur were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. The appellant has been given reasonable opportunity to defend himself against the charges, however he failed to advance any justification in his defense. Thus, the disciplinary action taken by the competent authority seems genuine and the appeal is liable to be dismissed. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *filed/rejected* with immediate effect.

2C/OTC
information email



Mirvais Niaz
Mirvais Niaz (PSP)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 13430 /PA, dated Abbottabad the 14-06 /2022.
Cc.

DPO Haripur
10/06/2022
DPO Haripur for information and necessary action with reference to his office Memo No 2202/PA dated 25-04-2022. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

Allexed
Javed
OTC
issued
07-11-2022

وکالت نامہ

کورٹ فیس
قیمتی

بعدالت جناب محترم صاحب کورٹ فیس کریسٹل سٹار
منجانب امیرہ فاطمہ

نام Prof. Pete Peshawar حاجہ نواز

دعویٰ یا جرم سروکار باعث تحریر آنکہ عجیب ریٹ آباد
مندرجہ بالا عنوان میں اپنی طرف سے بیروی و جوابدہی مقام عجیب ریٹ آباد

حکم ایڈووکیٹ بدیں شرط وکیل مقرر کیا۔ کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص روبرو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوں۔ اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ یا پکھری کے مقرر اوقات سے پہلے یا بروز تعطیل بیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام پکھری کے کسی اور جگہ ساعت ہونے یا بروز پکھری کے اوقات کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجرا کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپروٹاشی و راضی نامہ و فیصلہ برخلاف کرنے اقبال دعویٰ کا اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو بشرط ادا نیگی علیحدہ بیروی مختار نامہ کرینکا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو۔ پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سندر ہے مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

مورخہ: 2022ء - 11 - 30

Accepted by
M. Azhar

العبد العبد العبد