BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.7275/2021

Date of Institution ... 02.08.2021
Date of Decision ... 15.07.2022

Farid Khan S/O Niaz Bacha R/O Kotka Behram Shah P/O Janda Khel District Bannu.

... (Appellant)

VERSUS

Inspector General of Police Khyber Pakhtunkhwa, Peshawar and three others.

... (Respondents)

Miss. Naila Jan
Advocate ... For appellant.

Mr. Muhammad Riaz Khan Paindakhel
Assistant Advocate General ... For respondents.

Mr. Salah Ud Din ... Member (J)
Mrs. Rozina Rehman ... Member (J)

JUDGMENT

ROZINA REHMAN, MEMBER: Appellant has invoked the jurisdiction of this Tribunal through above titled appeal with the prayer as copied below:

> **"On acceptance of the instant service appeal the impugned orders dated 11.11.2020, 17.12.2020 and final rejection order dated 30.06.2021 may kindly be declared illegal void ab-initio and may be set aside and the forfeited service of the appellant may kindly be restored with all back benefits".**

2. Brief facts of the case are that the appellant was serving in the police department. Reportedly he while posted as AMHC PS Domail were

found in close contact/links with car lifters, therefore he was proceeded against departmentally and was awarded punishment for forfeiture of approved service for two years. Feeling aggrieved he filed departmental appeal which was dismissed. He then filed a Revision Petition which was also rejected, hence the present service appeal.

3. We have heard Miss Naila Jan, Advocate learned counsel for the appellant and Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars

4. Miss Naila Jan Advocate, learned counsel for appellant submitted that the impugned orders are against law and facts as appellant was not treated according to law and rules. It was argued that the appellant was declared innocent in both the departmental inquiries but even then, he was punished which order is not in accordance with law and which shows malafide on the part of respondents. She contended that the competent authority without mentioning any reason ordered for denovo inquiry, which act of the authority is illegal and lastly, she submitted that no opportunity of personal hearing was afforded to the appellant and inquiry was conducted in violation of police rules, therefore, she requested for acceptance of appeal.

5. The respondents were given opportunity to submit comments but to no avail, therefore, their right of submission of written reply was struck off. However, during arguments learned AAG submitted that the appellant was in close contacts with car lifters which act was against the norms of disciplined force and carried bad name to the police department, which amounts to gross misconduct. He was, therefore, proceeded against

departmentally and that after completion of codal formalities he was punished according to law.

6 From the record it is evident that the allegations against present appellant were his close contacts/links with car lifters. Charge sheet alongwith statement of allegations was issued and for the purpose of scrutinizing the conduct of the appellant with reference to the above cited allegations, Additional SP was appointed as Inquiry Officer. Reply was submitted by the present appellant which is available on file, wherein he denied all the allegations. The appellant was summoned by the inquiry officer and was heard in person but inquiry officer did not record statements in order to prove his so called links/contacts with car lifters. As per inquiry report, charges levelled against the appellant were not particular and specific rather based on hearsay. As per report, charges could not be proved, whereafter enquiry papers were marked to SP investigation for Denovo inquiry. He recorded statement of the present appellant as well as one ASI Inayat Ali Shah. Both the officials i.e appellant Farid Khan and one Inayat Ullah Shah were declared innocent as allegations could not be proved against them, however, their general reputation was stated to be bad, whereafter final show cause notice was issued by DPO Bannu which was also replied by the appellant and vide order dated 12.11.2020 punishment of forfeited of approved service of two years was imposed upon the appellant. The first inquiry conducted by the Additional SP Bannu clearly shows that the charges leveled against the appellant were not particular and specific being based on hearsay. The competent authority without passing any reasonable order marked the inquiry paper to SP Investigation for denovo inquiry. The main allegation

was in respect of links of the appellant with car lifters but no evidence was adduced in support of these allegations before the inquiry officer with the result that the allegations framed in the summary of allegations could not be proved against the appellant. The investigation officer without any evidence declared the general reputation of the appellant as bad. The allegation in respect of political support pressurizing the senior officers for choice posting was also not proved. In the absence of any cogent and reliable evidence against the appellant, order of forfeiture of approved service for two years is not justified as the authority blatantly violated the set norms and rules and conducted the proceedings in an authoritarian manner.

7. For the facts, circumstances and reasons stated hereinabove, this appeal is allowed as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
15.07.2022

(Rozina Rehman)
Member (J)

(Salah Ud Din)
Member (J)

ORDER
15.07.2022

Appellant present through counsel.

Mr. Muhammad Riaz Khan Paindakhel learned Assistant Advocate General for respondents present. Arguments heard. Record perused.

Vide our detailed judgment of today of this Tribunal place on file, instant service appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
15.07.2022

(Rozina Rehman)
Member (J)

(Salah Ud Din)
Member (J)

(8)

(6)

ضلع بنوں

دفتر ایڈیشنل ایس پی

انڈکس انکوائری

انکوائری بدست ASI وزیر خان 1124 متعینہ AMHC ڈویژن حال معطل رائن

نمبر شمار	تفصیل کاغذات	تعداد قطعات	کیفیت
	انڈکس	1	
	اردو شیٹ	2	
	نائل الورٹ	2	
	بیانات	2	
	چارج شیٹ	05	
	متفرق	09	
	OHC/SRC	02	
	ٹوٹل صفحات	23	

ایڈیشنل ایس پی، بنوں

(33)

دفتر :ایڈیشنل ایس پی

ضلع بنوں

نمبر شمار	تاریخ کاروائی	نوعیت	کیفیت
		اوورز انکوائری برخلاف HC فریدخان تھانہ AMHC حال معطل لائن کا حاضر شدہ اف سمری الگیشن دفتر SP سے درست طور پر موصول ہو کر لہذا حاضر شدہ اف سمری الگیشن مذکورہ بالا کانسٹیبل کو دفتر ہذا طلب کیا گیا۔ Addl SP	
		اوورز انکوائری برخلاف HC فریدخان تھانہ HQrs حال معطل لائن دفتر ہذا آمد حاضر شدہ اف سمری الگیشن درست طور پر موصول ہو کر انڈر سائن نوٹ تحریری جواب طلب کرنے کی ہدایت کی گئی۔ Addl SP Bnu	
		اوورز انکوائری برخلاف HC فریدخان حاضر شدہ اف سمری الگیشن کا تحریری جواب دفتر ہذا آمد کر لف انکوائری کی گئی۔ Addl SP Bnu.	

ضلع بنوں

رانک :ایڈیشنل ایس پی

نمبر شمار	تاریخ کاروائی	نوعیت	کیفیت
		انکوائری ہذا کے سلسلے میں DSB، SB سے آئی کارلفوں کی ساتھ تک کے سلسلے میں رپورٹ طلب کی اور مذکورہ کانسٹیبل کو دوبارہ بیان قلمبند کرنے طلب کیا گیا۔ Addl. SP 13×4	
		دوران انکوائری مدعا خلاف HHC ولی خان نمبر 1124 دفتر ہذا آن کے بیان قلمبند کرکے بعد انکوائری کنگنی سلم DSB، SB سے تحریری جواب دینے دعدرت کی Addl. SP	
		انکوائری مدعا خلاف HHC ولی اللہ 1124 کا فائنل رپورٹ زیر ہوکر گذارش ہے۔ Addl. SP 13×4	

Phone No: 0928-
Fax No: 09

OFFICE OF THE ADDITIONAL SUPERINTENDENT OF POLICE, BANNU

No. 74/ASP Dated 14 /09 /2020.

To: The District Police Officer,
Bannu

Subject: DISCIPLINARY ACTION AGAINST HC FARID ULLAH NO.1124

Memo:

Kindly refer to your office Endst: No.587-88/SRC, dated 19.08.2020, on the subject noted above.

Respected Sir,

In pursuance of your kind order the undersigned completed the enquiry in the above cited case. Its step-wise detail is as under:

ALLEGATIONS

That reportedly IHC Farid Ullah No.1124 while posted as AMHC PS Domel has been found in closed contacts/links with car lifters which is against the rules and norms to the service discipline and his this act carries bad name to the Police Department.

Such act on his part is against service discipline and amounts to gross misconduct.

PROCEEDINGS:

For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations, accused IHC Farid Ullah No.1124 was summoned; charge sheet and summary of allegations were served upon him; he submitted his written reply; he was heard in person; he produced the statements of SHOs under whom he had served. The SHOs had declared him an honest man. The concerned officers of Special Branch and DSB were contacted to give at least verbal information regarding the accused Police Officer whether he had any contacts/links with criminals. But none of the Spy Agency co-operated in this regard.

STATEMENT OF IHC FARID ULLAH NO.1124:

He flatly negated all the allegations leveled against him and termed them baseless. He also challenged to bring a solid proof against him bring, if there was any, so that could defend himself.

PREVIOUS SERVICE RECORD IHC FARID ULLAH NO.1124:

There are 02 good entries and 01 Minor punishment in his service record.

POSTING CHART OF ASI INAYAT ALI SHAH:

His posting chart, provided by SRC is attached for your kind perusal. His total service is 19 years.

FINDINGS:

1. The charges leveled against the accused are not particular and specific. Rather, they are based on here say which is not an admissible evidence.
2. The DSB and Special Branch officers did not co-operate with E.O.
3. His links with criminals have not been established.

CONCLUSION:

The allegations leveled against IHC Farid Ullah No.1124 have not been proved as correct.

SP inv.
Dsp/Hqrs in prin

Additional Superintendent of Police,
Bannu

During an interrogation of car lifters they confessed that farid IHC had closed contacts and informs them

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بیان اذاں ولید خان بز 1124/11HC متعینہ تھانہ ڈویل حال معطل لائن ہوں۔

کہ میں وہی بیان دے رہا ہوں جو میں انکوائری آفیسر کو دیا تھا۔ مورخہ 20-6-23 کو افسر بالا نے پولیس لائن شفٹ کیا جہاں ایک ماہ بعد مجھے Suspend کیا گیا۔ میرا غیر حاضری انکوائری کی جائے۔

Wld 26/6/23

(اس مخاطب E.O

س I: تھانہ ڈویل میں آپ کا کتنا عرصہ ہو چکا ہے؟

ج: تقریباً تین سال

س II: کانسٹیبل سمگلروں کو اپ جانتے ہیں؟

ج: ذاتی طور پر میں ایک بھی نہیں جانتا۔

س III: پہلے بھی آپ نے خلاف کانسٹیبل سمگلروں کی الزامات عائد کیے گئے ہیں؟

ج: نہیں۔

س IV: دوران سروس آپ ڈسپلن کرمات میں suspend یا سزا ہوئے ہیں۔

ج: نہیں۔

CHARGE SHEET:

I, **WASIM RIAZ**, District Police Officer, Bannu, as competent authority, hereby charge you, **IHC Farid Khan No. 1124 (Suspended)** for the purpose of departmental enquiry proceedings as follows:-

- That reportedly you IHC Farid Khan No. 1124 while posted as AMHC PS Domel have been found in close contacts/Links with Car Lifters which is against the rules and norms of the service discipline and your this act carry bad name to the Police Department.
- Such act on your part is against service discipline and amounts to gross misconduct.

1. By reason of the above you appear to be guilty of misconduct under the Police Rules 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.

2. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.

3. Your written defense, if any, should reach to the Enquiry Officer 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 be taken against you.

4. You are directed to intimate whether you desire to be heard in person.

5. A statement of allegation is enclosed.

(WASIM RIAZ)PSP
District Police officer,
Bannu.

SUMMARY OF ALLEGATIONS:

I, **WASIM RIAZ,** District Police Officer, Bannu as competent authority, am of the opinion that **IHC Farid Khan No. 1124 (Suspended),** has rende ed himself l ble to be proce ded aga st as he has om nitted the follo ing miscondu within the meaning of olice Rules A an nded vide Khyber Pakhtunkhw Gazette Notification, N .2, of August 20

SUMMA / OF ALLEGATIONS:

- That reportedly IHC Farid Khan No. 1124 wh e p sted AM IC PS Domel has been found in close contacts/Links with (r L ers v ch against the rules and norms of the service discipline an is t his act rry ad name to the Police Department.
- Such act on his part is against service discipline and amounts to gross misconduct.

1. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations Add SP. is appointed as Enquiry Officer.

2. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within the targeted days after the receipt of this order.

3. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(WASIM RIAZ)PSP
District Police officer,
Bannu.

No. 587-88/SRC dated 19/08/2020

Copies to :-

1. The Enquiry Officer
2. The Accused Officer/Official.

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ORDER:

Having been found in close contacts/Links with Car Lifters, the following Police Officials are hereby suspended and Closed to Police Lines, Bannu with immediate effect.

1. ASI Inayat Ali Shah (I/C PP Highway)
2. IHC Farid Khan No. 1124 (Police Lines)

OB No. 1105.
Dated 17/09/2020.

District Police Officer,
Bannu.

No. 548-71 /dated 18/9 /2020.
Copy for necessary action to:

Reader, SRC, OHC, Lines Officer

(SECRET)

جناب عالی! ذیل انڈر رانکوائری پولیس اہلکاران پر لگائے گئے الزامات اور اُن کے چال چلن کے بارے میں علاقہ میں خفیہ معلومات و پتہ براری کی گئی۔ ہر ایک کے متعلق حاصل شدہ خفیہ معلومات پر مبنی رپورٹ ارسال خدمت ہے۔

۱۔ ASI عنایت علی شاہ:۔ مذکورہ ASI کی پسندیدہ پوسٹنگ چوکی ہائی وے ہے۔ سفارش کی بل بوتے پر زیادہ تر نوکری اسی چوکی پر کی ہے۔ سرکاری نوکری سے زیادہ حلقہ MPAs شیر اعظم وزیر اور فخر اعظم وزیر کی چاپلوسی کرتا ہے۔ عوامی حلقوں میں بداخلاق اور ناپسندیدہ پولیس آفیسر بیان ہوا۔ تاہم چارج شیٹ میں درج کارلفٹرز کے ساتھ تعلقات کے الزام کے بارے میں عوامی رائے عامہ خاموش بیان ہوئی۔

۲۔ ASI نعمت اللہ (انچارج چوکی ہائی وے حال معطل شدہ):۔ ضلع لکی مروت سے تعلق ہونے کی بناء پر تھانہ غوریوالہ پسندید پوسٹنگ ہے۔ عوام الناس کے ساتھ بداخلاقی کے ساتھ پیش آتا ہے۔ تاہم چارج شیٹ میں درج ڈیزل اور پٹرول کے سمگلرز اور ڈرائی فروٹ سمگلر مسمی عادل سے 02 لاکھ رشوت لینے کا الزام خفیہ طریقے سے حاصل شدہ معلومات کے ذریعے ثابت نہ ہوسکا۔

۳۔ IHC فرید اللہ نمبر 1124 (AMHC تھانہ ڈومیل حال معطل شدہ):۔ مذکورہ ٹاون شپ کا رہائشی ہے اور تھانہ ڈومیل میں عرصہ سے تعینات ہے۔ اس وجہ سے علاقہ کے لوگوں سے کافی تعلقات وابستہ ہے۔ تاہم چارج شیٹ میں درج کارلفٹرز کے ساتھ روا الزام کے بارے میں علاقائی رائے عامہ خاموش بیان ہوئی۔

۴۔ HC اسرار نمبر 883 (MHC تھانہ سب ڈویژن وزیر حال معطل شدہ):۔ چارج شیٹ میں درج سمگلروں سے روابط کے بارے میں علاقائی رائے عامہ خاموش بیان ہوئی۔

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۵۔ LHC عالم زیب نمبر 253 (تھانہ سب ڈویژن وزیر حال معطل شدہ):۔

چارج شیٹ میں درج سمگلروں سے روابط کے الزام کے

بارے میں علاقائی رائے عامہ خاموش بیان ہوئی۔

۶۔ FC مومن نمبر 1290 (تھانہ بکاخیل حال معطل شدہ):۔

زیادہ تر نوکری تھانہ بکاخیل میں کی ہے۔لوگوں سے راہ رسم بنا

رکھے ہیں۔تاہم چارج شیٹ میں درج الزامات ثابت نہ ہو سکے۔

۷۔ FC یونس نمبر 1664 (تھانہ بکاخیل حال معطل شدہ):۔

زیادہ تر نوکری تھانہ بکاخیل میں کی ہے۔لوگوں سے راہ رسم بنا

رکھے ہیں۔تاہم چارج شیٹ میں درج الزامات کے بارے میں علاقائی رائے عامہ خاموش بیان ہوئی۔

رپورٹ گزارش ہے۔

27th April, 2022

Appellant in person present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Appellant requested for adjournment on the ground that that his counsel is not available today. Last opportunity is granted to the appellant to ensure the presence of his counsel on the next date, otherwise the case will be decided on the available record. To come up for arguments before the D.B on 15.07.2022 before D.B.

(Fareeha Paul)
Member (E)

Chairman

04.10.2021 Appellant alongwith her counsel namely Ms. Naila Jan, Advocate, present. Preliminary arguments heard.

Points raised need consideration, hence the appeal is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments before the D.B on 11.01.2022.

Appellant Deposited
Security & Process Fee
04/10/21

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

11.01.2022 Appellant in person present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Reply/comments on behalf of respondent are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Last opportunity is granted to respondent to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 27.04.2022.

(Atiq-Ur-Rehman Wazir)
Member (E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/08/2021	The appeal of Mr. Farid Khan resubmitted today by Naila Jan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR
2-		This case is entrusted to S. Bench at Peshawar. Notice be issued to appellant/counsel for preliminary hearing to be put up there on- 04/10/21. CHAIRMAN

The appeal of Mr. Farid Khn Ex-IHC District Bannu received today i.e. on 02.08.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Copies of departmental appeal and revision petition mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
2- Copy of impugned order dated 17.12.2020 mentioned in the heading of the appeal is not attached with the appeal which may be
3- Address of appellant is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 1516 /S.T,

Dt. 03/08 /2021

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Naila Jan Adv. Pesh.

Removed all the objections & Resubmitted by Naila Jan Adv. however the revision petition 16/8/2021 is not available with the appellant the same may kindly be required from the respondents.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: _____

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: Naila Jan adv		
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	—	
3	Whether appeal is within time?	—	
4	Whether the enactment under which the appeal is filed mentioned?	—	
5	Whether the enactment under which the appeal is filed is correct?	—	
6	Whether affidavit is appended?	—	
7	Whether affidavit is duly attested by competent Oath Commissioner?	—	
8	Whether appeal/annexures are properly paged?	—	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	—	
10	Whether annexures are legible?	—	
11	Whether annexures are attested?	—	
12	Whether copies of annexures are readable/clear?	—	
13	Whether copy of appeal is delivered to AG/DAG?	—	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	—	
15	Whether numbers of referred cases given are correct?	—	
16	Whether appeal contains cutting/overwriting?		—
17	Whether list of books has been provided at the end of the appeal?	—	
18	Whether case relate to this court?	—	
19	Whether requisite number of spare copies attached?	—	
20	Whether complete spare copy is filed in separate file cover?	—	
21	Whether addresses of parties given are complete?	—	
22	Whether index filed?	—	
23	Whether index is correct?	—	
24	Whether Security and Process Fee deposited? On _____	—	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Naila Jan

Signature:

Dated: 02/09/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No._____/2021

Farid Khan .....**Appellant**

VERSUS

Inspector General of Police KP, Peshawar & others

.....**Respondents**

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6.	Copy of Denovo inquiry	D	10
7.	Copy of Copies of show cause notice and reply	E & F	11-12
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Appellant

Through

Naila Jan
Advocate, High court
Peshawar

Date: 02-Aug-21

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtukhwa Service Tribunal

APPEAL NO. 1275 /2021

Diary No. 7398

Dated 02/8/2021

Farid Khan (Son of Niaz Bacha R/o. kot Ka. Behram Shah P/O Janda Khel Distvic Bannu. .....Appellant

Vs

1. Inspector General of Police Khyber Pukhtunkhwa Peshawar
2. Additional Inspector General HQrs Khyber Pukhtunkhwa at Peshawar.
3. Regional Police officer Bannu Region Bannu.
4. District Police Officer Bannu.

Appeal under section 4 of the Khyber Pukhtunkhwa Service Tribunal Act 1974 against the impugned order dated 11/11/2020 of respondent No 04 whereby the appellant was awarded Punishment of forfeiture of approved service for two years and order of respondent No 03 filed the departmental Appeal of the appellant vide appellate order dated 17/12/2020 and final order dated 30/06/2021 where by respondent No 02 Rejected Revision petition UNDER 11 A of the KP Police Rules 1975 in utter violation of law, Rules and Principles of Natural justice.

PRAYERS:

On Acceptance of the instant appeal the impugned orders dated 11/11/2020, 17/12/2020 and final rejection order dated 30/06/2021 may kindly be declared illegal void abi natio, and set aside the same and the forfeited Service of the appellant may kindly be restored with all back benefits.

Filedto-day
Registrar
2/8/2021

Respectfully Sheweth;

The appellant submits the following with great Respect;

1. That the appellant was inducted into police department and since his appointment the appellant performed his duties with great zeal, zest, Enthusiasm and to the entire satisfaction of the High ups.
2. That during the entire service the appellant has never been subjected to any departmental proceedings or granted any adverse ACR or any complaint filed against the appellant.
3. That the appellant was surprised to hear that the appellant along with others were issued charge sheet along with statement of allegations containing some basles allegations of general nature without mentioning of any specific incident or complaint and additional SP Bannu was nominated as inquiry officer .the appellant submitted his reply by denying all the allegations (Copies of charge sheet along with statement of allegations and reply are annexure A &B).
4. That the Inquiry officer conducted inquiry and exonerated the appellant however the Respondent No 04 without mentioning reasons disagreed

Re-submitted and fil
Registrar
4/8/21

with the recommendation of the inquiry officer and ordered de-nova inquiry against appellant only and SP Investigation was appointed inquiry officer however no charge sheet was issued this time. (Copy of the inquiry Report is annexure C)

5. That the inquiry officer again conducted inquiry and in his conclusion declared the appellant innocent however very strangely the appellant was recommended for punishment on the basis of some general nature charges even not mentioned in the Previous Charge sheet which shows the mala fide on the part of the respondents. (Copy of the De-Nova inquiry Report is annexure D).
6. That the appellant was issued a Show cause Notice dated 6/11/2020 which were contained the same allegations for which both the inquiry officers declared the appellant innocent however the same was replied.(Copies of the Show cause Notice and reply are annexure E&F)
7. That though the allegations were not proved even the respondent no4 awarded punishment of forfeiture of two year service to the appellant vide order dated 11/11/2020 however the appellant feeling aggrieved from the order of respondent No 4 filled a departmental appeal before respondent no 3 however the same was rejected vide appellate order dated 17/12/2020 in a cursory manner.(Copies of the impugned order and appellate orders are G&H).
8. That thereafter the appellant filed a Revision petition Under Rule 11-A of the KP police rules 1975 however without applying judicial mind the same was rejected vide order dated 30/6/2021 by respondent No 2 in utter violation of law and rules however t6he same was not communicated to the appellant however the appellant on his own efforts got copy of the order. .(Copy of the final order dated 30/06/2021 is annexure I)
9. that the appellant feeling aggrieved from the impugned orders has no other adequate remedy hence filling the instant appeal on the following grounds

GROUNDS

A. That the impugned order is against the law rules Principles of Natural Justice, void abi natio hence liable to be set aside.
B. That the allegations in the charge sheet is general in nature and not specific even then appellant has been awarded the punishment which is clear cut violation of the fundamental rights of the appellant
C. That though the appellant has been declared innocent in both departmental inquires even then the appellant was awarded punishment which proved the malafide of the respondents,
D. That the competent authority without mentioning any reason ordered for denove inquiry hence the whole proceedings are illegal.
E. That no opportunity of personal hearing/defense has been provided to the appellant at any stage of the disciplinary proceedings. Hence the appellant has been condemned unheard.
F. That the inquiry has been conducting in violation of Rule 6(iii) of police Rules 1975 which provide as:

"The Inquiry Officer shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing and where any adjournment is given,
a). It shall not be more than a week; and
b). The reasons therefore shall be reported forthwith to the authority."

However the inquiry was conducted beyond the period mentioned in the ibid rule and no explanation of delay has been mentioned in the enquiry report which proved the mala fide on the part of the inquiry officer.

G. That no regular inquiry has been conducted in accordance with Khyber Pukhtunkhwa Police Rules 1975 and no opportunity of defense has been provided.
H. That no opportunity of personal hearing has been granted before issuing the impugned orders which is evident from the impugned orders.
I. That no statement of any witness has been recorded nor did the appellant have been confronted with anything and the inquiry office failed to bring any iota of evidence against the appellant.
J. That neither the appellant committed the alleged act nor did the appellant have been attributed the commission of the alleged acts however the appellant was made escape goat and was illegally penalized.
K. That even the SHO who was the immediate boss of the appellant who declared the appellant an honest man even the inquiry officers declared the appellant innocent but mala fidely the appellant was awarded the punishment.
L. That right of Fair Trial has not been provided to the appellant as guaranteed by Article 10 A of the Constitution of Pakistan 1973.
M. That the appellant has not been treated in accordance with Art 4 and 25 of the Constitution of Pakistan 1973.
N. That the appellant sought permission of this honorable tribunal to adduce other ground during final hearing of the instant appeal.

It is therefore requested that the appeal may kindly be accepted as prayed for.

Appellant

Through

Nailajan
Advocate High Court

Peshawar.

certified that no earlier service appeal has been filed by the appellant in the instant matter before this honable Service Tribunal.

Advocate

(5) (4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No._____/2021

Farid Khan Belt No. 1124, Bannu .....**Appellant**

VERSUS

Inspector General of Police KP, Peshawar & others
.....**Respondents**

AFFIDAVIT

It is stated that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

ADVOCATE

ATTESTED

NOTARY PUBLIC Abdur Rashid Adv Peshawar KPK. Pak

02 AUG 2021

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No._____/2021

Farid Khan .....**Appellant**

VERSUS

Inspector General of Police KP, Peshawar & others
.....**Respondents**

ADDRESSES OF PARTIES

APPELLANT
Farid Khan Belt No. 1124, Bannu

RESPONDENTS
1. Inspector General of poclie Khyber Pakhtunkhwa Peshawar
2. Additional Inspector General HQrs Khyber Pakhtukhwa at Peshawar
3. Regional Police officer Bannu Region Bannu
4. District police officer Bannu

Appellant

Through

Naila Jan
Advocate, High court
Peshawar

Date: 02-Aug-21

CHARGE SHEET:

I, WASIM RIAZ, District Police Officer, Bannu, as competent authority, hereby charge you, **IHC Farid Khan No. 1124 (Suspended)** for the purpose of departmental enquiry proceedings as follows:-

- That reportedly you IHC Farid Khan No. 1124 while posted as AMHC PS Domel have been found in close contacts/Links with Car Lifters which is against the rules and norms of the service discipline and your this act carry bad name to the Police Department.
- Such act on your part is against service discipline and amounts to gross misconduct.

1. By reason of the above you appear to be guilty of misconduct under the Police Rules 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.

2. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.

3. Your written defense, if any, should reach to the Enquiry Officer 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 be taken against you.

4. You are directed to intimate whether you desire to be heard in person.

5. A statement of allegation is enclosed.

(WASIM RIAZ)PSP
District Police officer,
Bannu.

(33) (42) (7) ✓

SUMMARY OF ALLEGATIONS:

I, WASIM RIAZ, District Police Officer, Bannu as competent authority, am of the opinion that **IHC Farid Khan No. 1124 (Suspended)**, has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (As amended vide Khyber Pakhtunkhwa Gazette Notification, No.27th of August 2014).

SUMMARY OF ALLEGATIONS:

- That reportedly IHC Farid Khan No. 1124 while posted as AMHC PS Domel has been found in close contacts/Links with Car Lifters which is against the rules and norms of the service discipline and his this act carry bad name to the Police Department.
- Such act on his part is against service discipline and amounts to gross misconduct.

1. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations Addl SP. is appointed as Enquiry Officer.

2. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within the targeted days after the receipt of this order.

3. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(WASIM RIAZ)PSP
District Police officer,
Bannu.

No. 557-88/SRC dated 19/08/2020

Copies to :-
1. The Enquiry Officer
2. The Accused Officer/Official.

ATTESTED

(B)

بحوالہ چارج شیٹ سمری آف الیگیشن نمبر 587-88/SRC/19-08/2020 مجاریہ جناب ڈی پی او صاحب بنوں

بنام من IHC فرید اللہ خان نمبر 1124 ایڈیشنل محرر تھانہ ڈومیل حال معطل لائن بنوں

الزام میرے خلاف الزام عائد ہے کہ بدوران تعیناتی بطور ایڈیشنل محرر تھانہ ڈومیل میرے کا رلیفٹروں سے گہرے تعلقات تھے اور ان کے ساتھ رابطے میں رہتا تھا جو میرا کردار پولیس فورس کیلیے بدنامی کا باعث ہے۔

جناب عالی

عائد شدہ الزام کی تردید کرتے ہوئے جواباً معروض ہوں کہ بطور ایڈیشنل محرر میرے اختیارات صرف تھانہ کہ اندر تک محدود تھے فیلڈ ورک سے میرا کوئی تعلق نہیں تھا نہ تو کا رلفٹروں کو جانتا ہوں نہ ہی ان کے ساتھ میرے تعلقات یا رابطہ ہوا ہے میں 2007 سے ufone نمبر 03339765633 استعمال کرتا ہوں عائید الزام کی تائید کیلیے یہ بات کافی ہے کہ بزریعہ CDR معلوم کیا جائے کہ باہر سے کن کن اشخاص نے مجھے رنگ کیا ہے یا میں نے جن نمبرات کو رنگ کی ہے ان کے ساتھ میری کسی قسم کی بات ہوئی ہے میری اواز یہ بات ثابت کر سکے گی۔ یہ امر نہایت ضروری ہے۔ اسکے بغیر میرے خلاف فیصلہ کرنا میرے ساتھ ظلم ہوگا۔ عرصہ 19 سال سے محکمہ پولیس میں رہا ہوں قریباً 8/9 سال تک مختلف D.P.Os صاحبان کے ساتھ ٹیلیفون اپریٹر رہ چکا ہوں اور تا حال بھی IG صاحب یا دوسرے VIP کے ساتھ بنوں امد پر ٹیلیفون اپریٹر کی خدمات انجام دے رہا ہوں تھانہ ڈومیل میں تعیناتی کے دوران بھی عارضی اپریٹر ڈیوٹی کیلیے DPO ہاؤس اور دفتر اتا جاتا رہا اور کبھی بھی افسران بالا کو شکایت کا موقع نہیں دیا ہے نہ غیر حاضری کی ہے اور نہ کوئی غلط کام۔ البتہ اگر کوئی ٹھوس شہادت موجود ہے تو پیش کر کے مجھے کراس سوالات اور جوابات کا موقع دیا جائے بصورت دیگر مجھے ناجائز ذہنی کوفت میں مبتلا نہ کیا جائے زبانی عرض معروض کا بھی موقع دیا جائے میرے بے گناہی کی تائید میں سابقہ SHOs محمد ریاض خان، بن یامین خان، ارشد اللہ خان عبد لمجید خان، ظفر اللہ خان، رحمت اللہ خان، سابقہ تحصیل ناظم فدا محمد خان، ذعفران خان، ناظم سٹی ڈومیل اسد اللہ خان اسسٹنٹ کمشنر ڈومیل ہدایت اللہ خان کے تحریری بیانات اور 2019 اور 2018 کے ACRs ہمراہ لف کیے جاتے ہیں۔ جملہ کسان انکوائری افسر کے سامنے پیش بھی کر سکتا ہوں۔

25-08-2020

IHC فرید اللہ خان نمبر 1124 حال معطل لائن

0333-9765633

Phone No: 09
Fax No: 09

OFFICE OF THE ADDITIONAL SUPERINTENDENT OF POLICE, BANNU

No. 74/ASP

Dated 14/09/2020.

To: The District Police Officer,
Bannu

Subject: DISCIPLINARY ACTION AGAINST HC FARID ULLAH NO.1124

Memo:

Kindly refer to your office Endst: No.587-88/SRC, dated 19.08.2020, on the subject noted above.

Respected Sir,

In pursuance of your kind order the undersigned completed the enquiry in the above cited case. Its step-wise detail is as under:

ALLEGATIONS

That reportedly IHC Farid Ullah No.1124 while posted as AMHC PS Domel has been found in closed contacts/links with car lifters which is against the rules and norms to the service discipline and his this act carries bad name to the Police Department.

Such act on his part is against service discipline and amounts to gross misconduct.

PROCEEDINGS:

For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations, accused IHC Farid Ullah No.1124 was summoned; charge sheet and summary of allegations were served upon him; he submitted his written reply; he was heard in person; he produced the statements of SHOs under whom he had served. The SHOs had declared him an honest man. The concerned officers of Special Branch and DSB were contacted to give at least verbal information regarding the accused Police Officer whether he had any contacts/links with criminals. But none of the Spy Agency co-operated in this regard.

ATTESTED

OFFICE OF THE
SUPERINTENDENT OF POLICE,
INVESTIGATION, BANNU.

10

Findings of De-Novo Departmental Enquiries against the following Police officers of Distt: Bannu.

1. **ASI Inayat Ali Shah (while posted as I/C PP Highway)**
2. **IHC Farid No. 1124 (while posted as AMHC PS Domel)**

Reference.

To the directions passed by the DPO Bannu on the preliminary Departmental proceedings conducted by Addl: SP Bannu for de-novo departmental enquiry against the above mentioned officials number even & dated.

Allegations.

- That reportedly during their previous posting, they were found in close contact/links with Car lifters which is against the rules and norms of the service discipline and their this act carry bad name to the Police department..

The undersigned thread barely studied the whole enquiry file as well as recorded statements of the accused officials. To thresh out the actual facts and involvement of the officials in extra departmental activities, the undersigned obtained Special Branch Bannu reports to reach the final conclusion and finalize the departmental enquiry on merit. They were also heard in person and denied the allegations.

Conclusions.

Keeping in view the above, perusal of complete enquiry file, statements of the accused officials and finally perusal of Special Branch report, the undersigned reached to the conclusion that the allegations against the accused officers framed in the summary of allegations have not been proved. However, both the officers have political support and pressurized senior officers for choice posting. To this effect, ASI Inayat Ali Shah served for a long tenure as I/C PP highway while his general reputation and public relation in the area has been reported bad. Similarly, IHC Farid Ullah No. 1124 is the inhabitant of the area of Township and he served for long tenure at PS Domel. **The general reputation of both the officers is found bad.**

Submitted please.

NO 6086 dt 02/11/2020

(ZIA HASSAN)
Superintendent of Police
Investigation Bannu
Enquiry Officer

FCN

ATTESTED

(29)
(3)

No. 671/SRC
Dated: 06/11/2020

(11)

FINAL SHOW CAUSE NOTICE:

I, WASIM RIAZ, District Police officer, Bannu, as competent authority under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules (As amended vide Khyber Pakhtunkhwa gazette Notification of even No, dated 27th of August 2014) for the following misconduct hereby serve upon you **IHC Farid Khan No. 1124 (Suspended)** this Final Show Cause Notice.

- That reportedly you IHC Farid Khan No. 1124 while posted as AMHC PS Domel have been found in close contacts/Links with Car Lifters which is against the rules and norms of the service discipline and your this act carry bad name to the Police Department.
- Such act on your part is against service discipline and amounts to gross misconduct.

That consequent upon the completion of enquiry conducted through enquiry officer **Addl/SP, Bannu** and dennovo enquiry through **SP/Investigation, Bannu** for which you were given opportunity of hearing and on going through the findings and recommendations of Enquiry officer, the material on record and other connected papers, I am satisfied that you have committed gross misconduct by proving allegations and you have committed the above commission and omission.

As a result, I, as competent authority, have tentatively decided to impose upon you one or more punishments including dismissal as specified in the rules.

You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you.

If no reply to this notice is received within seven days of its delivery, it shall be presumed that you have no defence to put in and in that case an exparte action shall be taken against you.

The copy of the findings of the Enquiry Officer is enclosed.

Received
9/11/2020

(WASIM RIAZ)PSP
District Police Officer,
Bannu. O/C

ATTESTED

(12)

'F'

الہ فائنل شوکاز نوٹس نمبر 671/SRC مورخہ 06.11.2020 مجاریہ انجناب معروض ہوں کہ فائنل شوکاز میں لگائے گئے امات کو انکوائری آفیسر نے بے بنیاد قرار دے کر من IHC کو بے گناہ ٹھہرایا گیا ہے۔ یہ کہ تھانہ ڈومیل میں زیادہ عرصہ تک تعیناتی کا جو ہے وہ یہ کہ من IHC آفسرانِ بالا کی حکم سے تعینات رہا ہوں نہ میرا تعلق سیاسی گھرانے سے ہیں اور نہ ہی کوئی سیاسی سفارش کا سہارا لیا اور نہ ہی 19 سال سروس کے دوران کوئی ایسا کام کیا ہے جو محکمہ پولیس میں بدنامی کا باعث ہو۔ زبانی عرض معروض کا موقع دیا جائے۔

لہذا فائنل شوکاز بلا مزید کارروائی داخل دفتر فرمائی جاویں۔

IHC فرید اللہ خان نمبر 1124
0333-9765633

Forfeiture of 24 yrs Service.

James
10/11

ATTESTED

(13)

PUNISHMENT ORDER

This is to dispose off Charge Sheet No. 587-88/SRC, dated 19.08.2020 issued to IHC Farid Khan No. 1124 (Suspended). Brief of the case is that:-

- That Threportedly IHC Farid Khan No. 1124 while posted as AMHC PS Domel has been found in close contacts/Links with Car Lifters which is against the rules and norms of the service discipline and his this act carry bad name to the Police Department.

The Addl/SP, Bannu was appointed as Enquiry Officer to hold a regular departmental enquiry under Police Rule 1975 (As amended vide Govt: of Khyber Pakhtunkhwa Gazette Notification of even No: dated 27th of August 2014). The Addl/SP, Bannu (E.O) in his enquiry report vide letter No. 74, dated 14.09.2020 submitted that the charges leveled against the accused are not particular and specific. Rather, they are based on here say which is not an admissible evidence. The DSB and Special Branch officers did not co-operate with E.O. His Links with criminals have not been established, therefore, the allegations leveled against IHC Farid Ullah No. 1124 have not been proved as correct, placed at file.

After perusal the Enquiry Papers by the undersigned, the Enquiry Papers were marked to SP/Investigation, Bannu for Denovo Enquiry.

The SP/Investigation, Bannu submitted finding report vide letter No. 6086, dated 02.11.2020 and reported that after perusal of complete enquiry file, statements of the accused official and finally perusal of Special Branch report, the undersigned reached to the conclusion that the allegations against the accused officer framed in the summery of allegations have not been proved. However, he has Political support and pressurized senior officer for choice posting. To this effect, IHC Farid Ullah No. 1124 is the inhabitant of the area of Township and he served for long tenure at PS Domel. His general reputation is found bad, placed at file.

He was issued Final Show Cause Notice vide No. 671/SRC, dated 06.11.2020. In response to the Final Show Cause Notice he submitted his reply which after perusal has been found unsatisfactory.

I have meticulously perused all the relevant record, enquiry report, reply of the Final Show Cause Notice and other circumstances of the case and do not agree with the reply of the Final Show Cause Notice of the accused official. Hence, I, WASIM RIAZ, District Police Officer, Bannu, in exercise of the power vested in me under Police Rule 1975 (As amended vide Govt: of Khyber Pakhtunkhwa Gazette Notification of even No: dated 27th of August 2014), award him Minor Punishment of "Forfeiture of approved service for two years" with immediate effect. He is also Re-Instated from Suspension. Order announced.

OB No. 1491

Dated : 11-11- /2020.

ATTESTED

(WASIM RIAZ)PSP
District Police Officer,
Bannu.

No. 14555-57 /SRC dated Bannu, the 12 / 11 /2020.

Copy of above for necessary action to:

1. Reader, Pay officer, SRC, OHC
2. Fauji Misal Clerk along with enquiry file for placing it in the Fauji Missal of the concerned official.

(14) (A) (62)

BANNU REGION

ORDER

My this order will dispose off departmental appeal, preferred by IHC Farid Ullah No.1124 of District Police Bannu, wherein, he has prayed for setting aside the order of minor punishment of "forfeiture of approved service for two years", imposed upon him by DPO Bannu, vide OB No.1491 dated 11.11.2020 on committing the following omissions:-

- That reportedly the appellant while posted as AMHC PS Domel, has been found in close contacts/links with car lifters which is against the rules and norms of the service discipline and his this act carry bad name to the police department.

Service record, inquiry file of the appellant and comments received from DPO Bannu were perused. The appellant was also heard in person in orderly room on 16.12.2020 but he did not substantiate his innocence.

Therefore, I, Awal Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014) hereby file his departmental appeal and endorse the punishment awarded to him by DPO Bannu, vide OB No.1491 dated 11.11.2020.

ORDER ANNOUNCED

(AWAL KHAN) PSP
Regional Police Officer,
Bannu Region, Bannu

No. 4451 /EC, dated Bannu the 17 /12/2020

Copy to District Police Officer, Bannu for information and n/action w/r to his office letter No.15680 dated 11.12.2020 along with complete service record for record in office which may be acknowledged please.

(AWAL KHAN) PSP
Regional Police Officer,
Bannu Region, Bannu
17/12/20.

SRC
For n/a

District Police Officer
21/12

Attested

1775
17/12/2020

بخدمت جناب انسپکٹر جنرل صاحب خیبر پختون خواہ پشاور

(I) (15)

بوساطت افسران بالاتھروپراپر چینل

عنوان: **اپیل** برخلاف آرڈر بک نمبر 1491 مورخہ 11/11/2020 مجاریہ جناب DPO صاحب ضلع بنوں

جناب عالی!

بحوال مشمولہ آرڈر بک بالا معروض ہوں کہ من سائل کے ساتھ جناب DPO صاحب ضلع بنوں نے انتہائی سخت اقدام اٹھاتے ہوئے نا کردہ گناہوں کی سزا دے کر 2 سال سروس ضبطگی کا حکم کیا گیا ہے۔ جو کہ انصاف کے منافی ہے۔ اندریں بارے معروض ہوں۔

1۔ یہ کہ سائل 2001 کا بھرتی شدہ ہے اور لوئر سکول کورس اور انٹرمیڈیٹ کورس پاس ہے۔

2۔ یہ کہ سائل 19 سال سروس پوری کر چکا ہے۔ جس میں تین سال DPO صاحب بنگلہ گار داور 9 سال تک DPOs صاحبان کے ساتھ بطور ٹیلیفون اپریٹر ڈیوٹی سرانجام دی ہے جو کہ ایک پر اعتماد اور پر بھروسہ پولیس افسر کی ڈیوٹی ہے۔

3۔ یہ کہ مورخہ 23/07/2020 کو سائل تھانہ ڈومیل کے AMHC سے لائن ٹرانسفر کیا گیا۔

4۔ یہ کہ مورخہ 17/08/2020 کو سائل نا کردہ گناہوں کی بنیاد پر معطل کر کے چارج شیٹ کیا گیا۔

5۔ یہ کہ انوائری جناب Addl/SP کو مارک ہوئی جس نے تمام Formalities کو پورے کرتے ہوئے نہایت باریک بینی سے مکمل کر کے سائل کو بے گناہ قرار دیا۔ پھر DPO نے DE-novo انکوائری مقرر کر کے جناب SP انوسٹی گیشن کو مارک کی جس نے بھی سائل کو تمام لگائے گئے الزامات سے بری الذمہ قرار دیا اور تعیناتی کی خاطر سیاسی اثر ورسوخ کا بہانہ بنا کر انکوائری مکمل کی۔

6۔ یہ کہ مورخہ 06/11/2020 جناب DPO صاحب نے سائل کو فائنل شوکاز دے دی جس کا بھی سائل نے معقول جواب دیا

7۔ یہ کہ سائل نے چارج شیٹ اور فائنل شوکاز میں زبانی عرض معروض کی استدعاء کی لیکن موقع نہیں دیا گیا۔

8۔ یہ کہ سائل نے سروس بحال کرنے کی خاطر جناب RPO بنوں کو اپیل کی جو کہ مورخہ 16/12/2020 نا معلوم وجوہات کی بنا پر بحوالہ آرڈر شیٹ نمبر 4451/EC dated17/12/2020 فائل کیا گیا

لہذا سائل، انجناب کی دفتر میں ضبط شدہ سروس کہ بحال کرنے کی التجا کرتا ہوں سائل کی ضبط شدہ سروس بحال کر کے دادرسی فرمائی جاوے

اپکے بلند مرتبہ کیلئے دعا گو رہوں گا۔ **اللہ تعالی آپ کو عمر خضر اور بخت سکندر عطا فرماوے**

مورخہ: 18/12/2020

العارض

فرید اللہ خان نمبر IHC/1124 متعینہ پولیس لائن ضلع بنوں

18-12-2

Attested

SRC

For n/a

District Police Officer
BANNU 21/12

District Police Officer
Order No. 16815
Dated 21/12/2020
BANNU

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

No. S/ 2881 /21, dated Peshawar the 30/06/2021.

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 **IHC Farid Ullah No. 1124.** The petitioner was awarded penalty of forfeiture of approved service for two years by District Police Officer, Bannu vide OB No. 1491, dated 11.11.2020 on the allegations that he while posted as AMHC Police Station Domel has been found in close contacts/links with car lifters which is against the rules and norms of the service discipline and his this act carry bad name to the Police department. His appeal was filed by Regional Police Officer, Bannu vide order Endst: No. 4451/EC, dated 17.12.2020.

Meeting of Appellate Board was held on 03.06.2021 wherein petitioner was heard in person. During hearing, petitioner failed to advance any plausible explanation in rebuttal of the charges. Therefore, the Board decided that his petition is hereby rejected.

Sd/-
KASHIF ALAM, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 2881-90 /21,

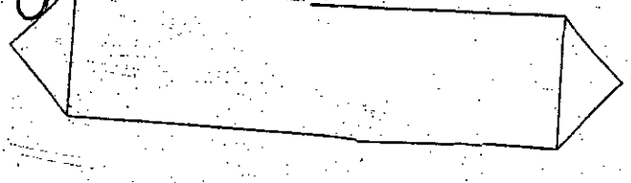
Copy of the above is forwarded to the:

1. Regional Police Officer, Bannu. One Service Roll and one Fauji Missal (62 pages) of the above named IHC received vide your office Memo: No. 1008/EC, dated 25.03.2021 is returned herewith for your office record.
2. District Police Officer, Bannu.
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 Supdt: E-IV CPO Peshawar.

(IRFAN ULLAH KHAN) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

ATTESTED

بعدالت جناب ہائی کورٹ آف بلوچستان بمقام کوئٹہ



سال 2021ء منجانب اپیلانٹ

فہرست بنام پولیس

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی جواب دہی کل کارروائی متعلقہ

آن مقام کوئٹہ کیلئے نائلہ خان ایڈووکیٹ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے وتقرر ثالث وفیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیہ ارعرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برامدگی اور منسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی وپیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بااختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور وقبول ہوگا دوران مقدمہ میں جو خرچہ ہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہٰذا وکالت نامہ لکھدیا کہ سند رہے۔

29/07/2021

المرقوم 29 ماہ جولائی 2021ء

العبد گواہ العبد

کے لئے منظور ہے۔

مقام کوئٹہ

Attested & Accepted by

GS&PD-444/1-RST-12,000 Forms-22.09.21/PHC Jobs/Form A&B Ser. Tribunal/P2

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. D.B

No.

Read

Appeal No. 7275 *of 20*

Farid Khan *Appellant/Petitioner*

Versus

I.G.P. etc Pesh *Respondent*

Respondent No. 3

Notice to: — Regional Police officer Bannu Region, Bannu.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11.1.2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent~~ to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 15.12 **Day of** Dec 2021.

(For Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.