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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**  
(Camp Court, Abbottabad)

Service Appeal No. 6044/2020

Date of Institution ..... 22.06.2020  
Date of Decision ..... 14.10.2021

Mudassar Hussain Abbasi S/O Fida Hussain Abbasi, Ex-Junior Clerk office of the District Police Officer Haripur R/O Haryala UC Barkot, Tehsil and District Haripur. ....(Appellant)

VERSUS

The Provincial Police Officer, Khyber Pakhtunkhwa and others.

...(Respondents)

Muhammad Aslam Khan Tanoli,  
Advocate

... For appellant

Usman Ghani,  
District Attorney

... For respondents

MR. AHMAD SULTAN TAREEN  
MR. SALAH-UD-DIN KHAN

... CHAIRMAN  
... MEMBER (J)

**JUDGMENT**

**AHMAD SULTAN TAREEN, CHAIRMAN:-** The appellant, through the instant appeal, seeks setting aside the order dated 12.02.2020 issued by Respondent No. 3 whereby, he i.e appellant has been dismissed from service and prayed for his reinstatement into service with all consequential back benefits.

2. Factual account as offered in Memo of appeal with supporting annexures precisely tells that the Appellant, while posted as License Clerk, CLD Branch at Hripur, purportedly prepared bogus/fake license for one Farman Ali S/O Arshad Ali resident of District Attock; and owing to his said act, he was issued a charge sheet coupled with a statement describing the allegation as follows: "

*That while you posted as Licenses Clerk CLD Branch, it has come to the notice of the undersigned vide preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur that you are involved in preparation of bogus/fake driving licence of*



***Farman Ali s/o Arshad Ali r/o Demand District Attock (Cantt), who was abroad i.e. Hong Kong, without his personal appearance and driving test in licence branch. You took illegal gratification for the same and got issued license to him. Your act shows dishonesty and malafide on your part. Your action is also gross misconduct in terms of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. Hence, charge sheeted."***

Mr. Ifitikhar Ahmed, SDPO Headquarters, Haripur was appointed as Inquiry Officer. As directed in the Charge Sheet, the Appellant submitted his written defense to the Inquiry Officer. The inquiry report was submitted to the competent authority and was followed by a final show cause notice, which too was replied by the appellant. The competent authority, however, decided to impose penalty upon the Appellant. Consequently, major penalty of dismissal from service under the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 was imposed upon him. Feeling aggrieved, the appellant filed a departmental appeal before the Higher Authority, which did not raise any response and after expiry of statutory waiting period of 90 days; the present service appeal was preferred.

3. After admission of appeal for regular hearing, notice was given to respondents. They after joining the proceedings filed their para-wise reply wherein, they raised several legal and factual objections and asserted for the dismissal of the appeal with cost.

4. We have heard arguments as advanced on behalf of the parties and perused the record.

5. The arguments on behalf appellant by and large were aimed at making a case that charge of taking illegal gratification was not proved against the Appellant. The issuing of disputed license was not a job of single hand and even if there was any role attributable to the Appellant, it was not so grave so as to warrant the punishment of dismissal from his service. While concluding his arguments, he submitted that due to triviality of the appellant's role in the

collective fault, the case is fit for setting aside of the impugned penalty by his exoneration from the charge.

6. On the other hand, learned District Attorney argued that the appellant has rightly been dismissed from service as he was involved in preparing fake driving licenses. Further that proper inquiry was conducted in pursuance to the charge sheet coupled with the statement of allegation duly served upon appellant. He concluded his arguments with the submission that the impugned order having been passed after fulfillment of all codal formalities does not suffer from any illegality or irregularity and asserted for dismissal of the appeal with cost.

7. It is evident from the statement of allegation copied above that the competent authority decided to proceed against the appellant on account of the information deduced from the report of preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur. The copy of said inquiry report is annexed with the written reply of respondents as reliance document. The findings in the said report are significant for determination about role of the appellant in the fateful episode; as accordingly, the process of the disputed license was not a one man doing. The findings in preliminary inquiry maintain that the constable Ali Ajlan handed over photograph and other papers pertaining to Farman Ali (disputed licensee) to Computer Operator Atif for issuing of learning chit. The latter after completing the process of learning chit and test page handed over the papers to Appellant, who deceitfully got the test of disputed licensee passed by intermixing his papers with papers of other successfully tested candidates. It was further observed in pursuance to said description of role of afore-named individuals that they all three were enlightened about the fact that disputed licensee was abroad and his learning chit was prepared from an image; and they without caring about the respect of higher officers managed the issuing of disputed driving



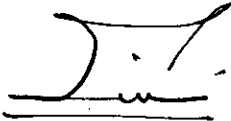
license deceptively, which after its printing was received by constable Ali Ajlan. The validity of the disciplinary proceedings have neither been adequately questioned before us on behalf of the Appellant nor do we find any illegality or material irregularity in such proceedings conducted against him. However, it is an irrefutable position that the inquiry report relied upon by the competent authority does not support the allegation of taking any gratification by the Appellant in lieu of his contributory role in issuing of the disputed license. Obviously, this part of allegation went unsubstantiated because of there being no evidence of such allegation during the formal inquiry. This fact is proved itself by findings of the enquiry officer who conducted enquiry against him on the charge including allegation of illegal gratification purportedly taken in lieu of issuance of disputed license. The enquiry officer fortified his findings simply by admissions of the appellant and co-accused and himself was not able to collect any evidence to substantiate the charge against appellant in totality of allegations. In view of the admissions of appellant and co-accused as discussed in the enquiry report, we hold that they collectively contributed in doings having resulted into issuance of a wrong license and as such, they are not entitled to a clean chit. Simultaneously, we having no cavil to the powers of competent authority to impose the penalty in the appellant's case on satisfaction about proof of his wrong, are of the considered opinion that the punishment imposed upon the appellant is extremely harsh and not commensurate to his guilt. The allegations were not of such a nature that it would have entailed major penalty of dismissal from service inconsiderately when there was a long unblemished service at credit of the appellant.

8. For what has been discussed above, we partially allow the appeal at hand and the impugned major penalty of appellant's dismissal from service is substituted with the minor penalty of withholding of increment for three years without cumulative effect. Consequently, the impugned order of appellant's dismissal from service is set aside with direction to the respondent No. 3 to re-

instate him into service with all back benefits. It is further directed that the respondent No. 3 shall give effect to above mentioned substituted penalty under due course. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

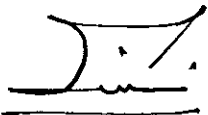

14.10.2021



(SALAH-UD-DIN KHAN)  
MEMBER (J)  
(Camp Court, A/Abad)




(AHMAD SULTAN TAREEN)  
CHAIRMAN  
(Camp Court, A/Abad)

S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	14.10.2021	<p style="text-align: center;"><u>Present</u></p> <p>Mr. Muhammad Aslam Tanoli, Advocate ... For appellant</p> <p>Mr. Usman Ghani, District Attorney ... For respondents</p> <p>Vide our detailed judgment of today, we partially allow the appeal at hand and the impugned major penalty of appellant's dismissal from service is substituted with the minor penalty of withholding of increment for three years without cumulative effect. Consequently, the impugned order of appellant's dismissal from service is set aside with direction to the respondent No. 3 to reinstate him into service with all back benefits. It is further directed that the respondent No. 3 shall give effect to above mentioned substituted penalty under due course. Parties are left to bear their own costs. File be consigned to the record room.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">             (Salah-ud-Din)            Member(J)            Camp Court, A/Abad         </div> <div style="text-align: center;">             Chairman            Camp Court, A/Abad         </div> </div> <p style="text-align: center;"><u>ANNOUNCED</u> 14.10.2021</p>

15.02.2021


Learned counsel for the appellant and Mr. Riaz Khan Paindakhel learned Asst. AG Alongwith Israr Shah Reader for respondents present.

Representative of respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 20.04.2021 before S.B at Camp Court, A/Abad.

  
(Atiq-Ur-Rehman Wazir)  
Member (E)  
Camp Court, A/Abad


20-4-21

Due to covid-19, case is  
adjourned to 21-9-2021 for the same.

  
Reader.

21.09.2021

Learned counsel for the appellant present. Mr. Mujahid Shah, Head Constable alongwith Mr. Usman Ghani, District Attorney for the respondents present and submitted comments/reply, copy of which handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments before the D.B on 20.12.2021 at Camp Court Abbottabad.

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

20.11.2020

Mr. Mohammad Aslam Tanoli, Advocate, for appellant is present. While being posted as License Clerk, CDL Branch, at Haripur certain allegations for preparation of Driving License of Farman Ali son of Arshed Ali hailing from a Village in District Attock was leveled, infact one constable Muhammad Ali handed him over the test page of the individual, on clearance the aforesaid official issued driving license by submitting bank challan. It was not in the knowledge of appellant that entry was issued without personal appearance, on inquiring about the matter it was unfolded that the driving license was handed over to him by one telephone operator. He was departmentally proceeded sans observance of the legal requirements. His dismissal from service in consequence thereof is a penalty not commensurate with the guilt. The impugned order did not delineate the reasons. Since he was not invested with any authority to conduct driving test, passing test and signing of driving license, therefore, he did not partake in the issuance of the driving license. His appeal moved to the higher authority did not yield positive hence, the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 15.02.2021 before S.B at Camp Court, Abbottabad.

(MUHAMMAD JAMAL KHAN)  
MEMBER  
CAMP COURT ABBOTTABAD

Appellant Deposited  
Security & Process Fee

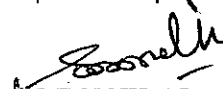



Form- A

FORM OF ORDER SHEET

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

Case No.- 60244 /2020

1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/06/2020	<p>The appeal of Mr. Mudassir Hussain presented today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>20/11/20</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No. ....

**6044**

Mudassar Hussain Abbasi S/O Fida Hussain Abbasi, Ex-Junior Clerk, Office of the District Police Officer Haripur, R/O Haryala; UC Barkot, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

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3.	Final Show Cause Notice dated <b>31-01-2020</b> and its Reply	"C&D"	13-14
4.	Dismissal Order dated <b>12-02-2020</b> of DPO	"E"	15
5.	Departmental Appeal dated <b>26-02-2020</b>	"F"	16-18.
6.	Wakalatnama		

Through

**Appellant**

(Mohammad Aslam Tanoli)  
Advocate High Court  
at Haripur

Dated: **22**-06-2020

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No. **6044**.....

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. **5315**  
Dated **22/6/2020**

Mudassar Hussain Abbasi S/O Fida Hussain Abbasi, Ex-Junior Clerk, Office of the District Police Officer Haripur, R/O Haryala, UC Barkot, Tehsil and District Haripur.

**Appellant**

**VERSUS**

1. Provincial Police Officer, Khyber Paktunkhwa, 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 THE ORDER DATED 12-02-2020 OF THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN "DISMISSED FROM SERVICE".**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH THE ORDER DATED 12-02-2020 OF RESPONDENT MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE REINSTATED IN SERVICE FROM THE DATE OF DISMISSAL WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Filed to ~~Registrar~~ Respectfully Sheweth:

**Registrar**  
22/6/2020

1. That appellant has rendered about 05 years service in the police department. Appellant always performed his duties with devotion, dedication and honesty and never provided a chance of reprimand. Appellant has a good service record at his credit.

②

2. That while appellant posted as License Clerk, CDL Branch, at Haripur was served upon with a Charge Sheet alongwith statement of allegations dated 16-01-2020. **(Copy of Charge Sheet dated 16-01-2020 is attached as annexure-"A")**.
3. That the aforementioned Charge Sheet was duly replied on 22-01-2020 explaining all facts and circumstances of the matter in detail and denying the allegations incorporated therein against the appellant being incorrect and baseless. **(Copy of reply dated 22-01-2020 is attached as annexure- "B")**.
4. That thereafter the appellant was served with a Final Show Cause Notice dated 31-01-2020. **(Copy of Final Show Cause Notice dated 31-01-2020 is attached annex-"C")**.
5. That above cited Final Show Cause Notice was also duly replied on 10-02-2020 explaining all facts and circumstances of the matter in detail and the allegations were flatly refuted being incorrect and baseless. **Copy of reply dated 10-02-2020 is attached as annexure-"D")**.
6. That ultimately the appellant was awarded with the penalty of "Dismissal from service" vide order dated 12-02-2020 by the District Police Officer, Haripur without any reason and proof. **(Copy of order dated 12-02-2020 is attached as annexure-"E")**.
7. That so far as the allegation of preparation of Driving License of Farman Ali S/O Arshad Ali of Deman District

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Attock is concerned, in this respect it is submitted that test page of the individual was handed to appellant by Constable Mohammad Atif (Computer Operator). On clearance of the case, Mohammad Asif received it and issued Driving License by submitting Bank Challan. The said Challan was neither filled-in nor signed by appellant. Even said Bank Challan was not stamped by appellant.

8. That appellant did know that LP was issued without personal appearance. When on filling of the complaint, appellant enquired from Mohammad Atif, then he disclosed that the said Driving License case was handed over to him by one Telephone Operator. The appellant had no knowledge about the matter.
9. That no proper departmental inquiry was conducted to prove the allegations against the appellant even then the Enquiry Officer was fully satisfied that appellant was innocent and was wrongly involved. Enquiry Officer recommended only suitable penalty to the appellant. But the competent authority awarded the appellant with EXTREME PENALTY OF "DISMISSAL FROM SERVICE" without giving any reason.
10. That during the so-called inquiry nothing could be brought against the appellant with regard to his involvement in the matter. Even the allegation of receiving gratification from anybody could not be proved against appellant. No malafiedi intention or dishonesty on the part of appellant was found during the course of inquiry.

11. That appellant knows nothing as to how the entire proceeding of preparation and passing of license was completed and by whom. Appellant had nothing to do with the driving test, passing test and signing driving license. It was the duties of higher authorities.
12. That the authorities conducting driving test and signing driving license are different and the appellant is the only License Clerk thus not responsible for its passing, signing and issuing.
13. That appellant aggrieved of the order dated 12-02-2020 of the District Police Officer Haripur preferred a departmental appeal dated 26-02-2020 before the Regional Police Officer, Hazara Region, Abbottabad but the same was not responded within statutory period of 90 days. **(Copy of departmental appeal dated 26-02-2020 is attached as Annexure "F")**. Hence instant service appeal, inter alia, on the following amongst others:-

**GROUND:**

- a) That impugned orders dated 12-02-2020 of the District Police Officer Haripur is illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence is liable to be set aside.
- b) That no proper departmental inquiry was conducted. Appellant was never confronted with documentary evidence, if any, produced against him. The appellant was also not provided copy of findings if any. Even

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opportunity of personal hearing was not afforded to him and the principle of natural justice was seriously violated in the matter of appellant. That the appellant is constantly without job since his dismissal from service and have no source of his livelihood.

- c) That respondents have not treated the appellant in accordance with law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned order, which is unjust, unfair hence not sustainable in the eyes of law.
- d) That the 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 did not responded 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 Clause Act 1897 and Article 10A of the Constitution of Islamic Republic of Pakistan 1973.
- e) That appellant had discharged his duties and responsibilities with care, caution, dedication and honesty and had left no stone unturned in performing his duties. However, the appellant has wrongly been awarded the extreme punishment of dismissal from service.
- f) That nothing could be proved perverse against the appellant during so-called inquiry with regard to his involvement in the instant case and the appellant has

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been awarded punishment without any reason, cause, justification and proof.

- g) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudication upon the same.

**PRAYER:**

It is, therefore, humbly prayed that on acceptance of instant Service Appeal order dated 12-02-2020 of the District Police Officer Haripur may graciously be set aside and appellant be re-instated in his service from the date of dismissal with all consequential service back benefits. Any other relief which this Honourable Service Tribunal deems fit and proper in circumstances of the case may also be granted.

Through:

  
Appellant ✓

M. Aslam  
(Mohammad Aslam Tanoli)  
Advocate High Court  
At Haripur

Dated ~~22~~-06-2020

**VERIFICATION**

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

Dated ~~22~~-06-2020

  
Appellant ✓



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**BEFORE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Mudassar Hussain Abbasi S/O Fida Hussain Abbasi, Ex-Junior Clerk, Office of the District Police Officer Haripur, R/O Haryala, UC Barkot, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

**CERTIFICATE**

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

**APPELLANT** ✓

Dated: ~~22~~ 06-2020

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**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Mudassar Hussain Abbasi S/O Fida Hussain Abbasi, Ex-Junior Clerk, Office of the District Police Officer Haripur, R/O Haryala, UC Barkot, Tehsil and District Haripur.

**Appellant**

**VERSUS**

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

**Respondents**

**SERVICE APPEAL**

**AFFIDAVIT:**

I, Mudassar Hussain Abbasi S/O. Fida Hussain Abbasi, appellant do hereby solemnly declare and affirm on oath that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Service Tribunal.



**Deponent/Appellant** ✓

Dated: 22-06-2020

Identified By:

*M. Aslam*

Mohammad Aslam Tanoli  
Advocate High Court  
At Haripur

**Appellant** ✓

CHARGE SHEET

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Annex. 'A'

(1) I, Dr. Zahid Ullah, (PSP) District Police Officer, Haripur as competent authority, hereby charge you Junior Clerk Mudassir Hussan Abbasi as enclosed statement of allegations.

(2) You appear to be guilty of misconduct under Government Servant, Efficiency & Discipline Rules 2011 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

(3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.

(4) Your written defense, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

(5) Intimate whether you desire to be heard in person or otherwise.

(6) A statement of allegations is enclosed.

*Dr. Zahid Ullah, (PSP)*  
District Police Officer  
Haripur

Attested

*Mudassir Hussan Abbasi*

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**DISCIPLINARY ACTION**

I, **Dr. Zahid Ullah, (PSP)**, District Police Officer, Haripur as competent authority of the opinion that you **Junior Clerk Mudassir Hussan Abbasi** have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Government Servant, Efficiency & Discipline Rules 2011.

**STATEMENT OF ALLEGATION**

“That while you posted as Licenses Clerk CDL Branch, it has come to the notice of the undersigned vide Preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur that you are involved in preparation of bogus/fake Driving license of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad i.e, Hong Kong, without his personal appearance and driving test in license branch. You took illegal gratification for the same and issued license to him. Your act shows dishonesty and malafide on your part. Your action is also gross misconduct in term of the Khyber Pakhtunkhwa, Government Servant, Efficiency & Discipline Rules 2011. 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. Iftikhar Ahmed, SDPO Headquarters, 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.

  
**Dr. Zahid Ullah, (PSP)**  
District Police Officer  
Haripur

No: 14-16

/PA, dated Haripur the 16/01/2020  
Copy of above is submitted to the: -

- 1) Enquiry Officer for initiating proceedings against the said accused under Government Servant, Efficiency & Discipline Rules 2011.
- 2) **Junior Clerk Mudassir Hussan Abbasi** 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.

**Attested**



  
**Dr. Zahid Ullah, (PSP)**  
District Police Officer  
Haripur

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Annex-B

Respected Sir,

With reference to worthy DPO office Charge Sheet & Summary of allegation No.14-16/PA dated 16/01/2020, I submit my reply here under to Enquiry officer as per rules:-

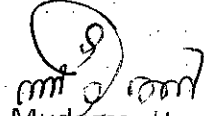
- (1) I remained posted as License Clerk from 13.12.2018 to 15.01.2020, during the whole tenure, I offered my services devotedly and efficiently under the direct supervision of MLA Haripur.
- (2) During my entire service I did not availed any sort of earned leave, absence from duty or any sort of complaint and remained posted as Steno to SDPO HQrs and Ghazi as well for the period of 05 years approximately.
- (3) As far as Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock is concerned, the test page of the individual was handed over to me by constable computer operator Muhammad Atif with the request to get pass the case from MLA which was later on passed.
- (4) On receipt of complaint, I enquired the matter from Atif who stated that mentioned DL case was handed over to him by Ali Ajlan telephone operator.
- (5) After clearance of the case, Atif received back the same case and subsequently, issued DL after submitting Bank Challan which was not filled in by me. Stamp on Bank Challan is off that which is used for DL receipts only and handwriting on it is also not mine.
- (6) It is pertinent to mention here that computer operator did not informed me that LP was issued without his personal appearance and photo of individual was obtained without Web-Camera.
- (7) Charges of taking illegal gratification are baseless & fictitious as I did not demanded or taken any sort of amount from Atif or anyone else.
- (8) No malafide intention or dishonesty is on my part as I offered by services devotedly and efficiently, and not even a single complaint is available against me except this during my whole service career.

Attested

Signature

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In eve of above facts and circumstances, it is most earnestly requested that I may kindly be exonerated from the charges and instant Charge Sheet and Summary of allegation may kindly be treated as filed.



Mudassar Hussain Abbasi  
Junior Clerk, DPO Office

Dated: 22 /01/2020.

Attested



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Annex 'C'

**FINAL SHOW CAUSE NOTICE**

I, Dr. Zahid Ullah, (PSP), District Police Officer, Haripur as Competent Authority under Police Rules 1975, do hereby serve Final Show Cause Notice upon you JC Mudassar Hussain Abbasi on the following grounds: -

"That while you posted as Licenses Clerk CDL Branch, it has come to the notice of the undersigned vide Preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur that you are involved in preparation of bogus/fake Driving license of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad i.e, Hong Kong, without his personal appearance and driving test in license branch. You took illegal gratification for the same and issued license to him. Your act shows dishonesty and malafide on your part. Your action is also gross misconduct in term of the Khyber Pakhtunkhwa, Government Servant, Efficiency & Discipline Rules 2011."

(1) For the purpose of scrutinizing the conduct on your part with reference to the above allegation, you was served with Charge Sheet/Statement of allegation and Additional Superintendent of Police, Haripur was appointed as enquiry officer against you for the conduct of proper departmental enquiry vide this office Memo No. 14-16 dated 16.01.2020.

(2) The enquiry officer after conducting proper departmental enquiry submitted his finding vide his office letter No. 19 dated 30.01.2020, in which he had the charges of misconduct proved and recommended for suitable punishment under section 4 of the KPK Police E&D Rules 1975

(3) Keeping in view of above allegation on your part, you are hereby called upon. To Show Cause within (07) days of the removed of this Final Show Cause notice as to why you should not be awarded punishment under the Police Rule 1975, if your written reply is not received with in stipulated period. It shall be presumed, that you have no defense to affirm, you are also allowed to appear before the undersigned, if you so desired.

Dr. Zahid Ullah, (PSP)  
District Police Officer,  
Haripur

No. 45

/ dated Haripur the 31/ 01 /2020

Attested



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Annex-D

Respected Sir,

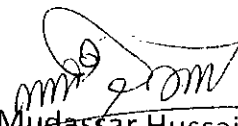
With reference to your worthy office Charge Final Show Case Notice No. 45 dated 31/01/2020, I submit my reply here to your office as per rules:-

- (1) I remained posted as License Clerk from 13.12.2018 to 15.01.2020, during the whole tenure, I offered my services devotedly and efficiently under the direct supervision of MLA Haripur.
- (2) During my entire service I did not availed any sort of earned leave, absence from duty or any sort of complaint and remained posted as Steno to SDPO HQrs and Ghazi as well for the period of 05 years approximately.
- (3) As far as Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock is concerned, the test page of the individual was handed over to me by a computer operator Muhammad Atif with the request to get pass the case from MLA which was later on passed.
- (4) On receipt of complaint, I enquired the matter from Atif who stated that mentioned DL case was handed over to him by Ali Ajlan telephone operator.
- (5) After clearance of the case, Atif received back the same case and subsequently, issued DL after submitting Bank Challan which was not filled in by me. Stamp on Bank Challan is off that which is used for DL receipts only and handwriting on it is also not mine.
- (6) It is pertinent to mention here that computer operator did not informed me that LP was issued without his personal appearance and photo of individual was obtained without Web-Camera.
- (7) Charges of taking illegal gratification are baseless & fictitious as I did not demanded or taken any sort of amount from Atif or anyone else.
- (8) No malafide intention or dishonesty is on my part as I offered by services devotedly and efficiently, and not even a single complaint is available against me except this during my whole service career.

In eve of above facts and circumstances, it is most earnestly requested that I may kindly be exonerated from the charges and instant Charge Sheet and Summary of allegation may kindly be treated as filed.

Dated: 10 /02/2020.

Attested

  
Mudassar Hussain Abbasi  
Junior Clerk, DPO Office



15

Annex-E

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph. # 0995-614712 / 0995-611291

Fax # 0995-614714

E-Mail: dpoharipur1@gmail.com

Dated Haripur the 02.2020

No. /

**ORDER**

Junior Clerk Mudassar Hussain Abbasi, while posted as License Clerk, CDL Branch District, Haripur. It came to the notice of the undersigned vide, preliminary enquiry No.13 dated 14.01.2020, conducted by Mr. Zulfiqar Khan Jadoon Additional Superintendent of Police, Haripur, that he was found involved in preparation of bogus/fake Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad in Hong Kong. JC Mudassar Hussain Abbasi prepared his Driving License without his personal appearance and driving test in license branch. He took illegal gratification for issuance of driving license. The acts and omissions of defaulter official were misconduct under the Government Servants Khyber Pakhtunkhwa, Efficiency and Discipline Rules 2011. Hence, he was charge sheeted, vide this office Endst: No.14-16/PA dated 16.01.2020.

To probe the matter, Deputy Superintendent of Police, Haripur Mr. Iftikhar Ahmed was appointed as Enquiry Officer, who conducted proper departmental enquiry and submitted his findings, vide his office Memo No. 19 dated 30.01.2020. The charges of misconduct were proved against the accused police official. Therefore, enquiry officer recommended him for appropriate punishment. Hence, he was issued final show cause notice vide this office Endst. No.45/ PA dated 31.01.2020. So, he was called in Orderly Room for personal hearing and was heard in detail, but he could not give any plausible ground or justification in his defense.

Having perused the finding of the enquiry officer, relevant record and personal hearing of appellant, the charges of misconduct are proved against the defaulter police official. Therefore, I, **Dr. Zahid Ullah (PSP)**, District Police Officer, Haripur being competent authority under the Government Servants Khyber Pakhtunkhwa, Efficiency and Discipline Rule 2011, am fully satisfied that Junior Clerk Mudassar Hussain Abbasi committed misconduct. Therefore, he is awarded major punishment of "DISMISSAL FROM SERVICE" with immediate effect.

Order announced in his presence.

(Dr. Zahid Ullah) PSP  
District Police Officer,  
Haripur

UB No. 114

12-02-2020

Attested



16

Annex 'F'

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

(Appeal by Mudassar Hussain Abbasi, Junior Clerk, District Police Haripur)

**DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 114 DATED 12-02-2020**  
**OF THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN**  
**AWARDED WITH MAJOR PENALTY OF "DISMISSAL FROM SERVICE".**

**PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL THE**  
**IMPUGNED ORDER DATED 12-02-2020 MAY KINDLY BE SET ASIDE AND**  
**APPELLANT BE RE-INSTATED IN HIS SERVICE FROM THE DATE OF DISMISSAL**  
**WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respected Sir,

With most reverence the following few lines are laid down before your  
Highness for kind consideration and favorable order:-

1. That while appellant posted as License Clerk, CDL Branch, at Haripur was served upon with a Charge Sheet alongwith statement of allegations dated 16-01-2020. **(Copy of Charge Sheet dated 16-01-2020 is attached as "A")**.
2. That the aforementioned Charge Sheet was duly replied on 22-01-2020 explaining all facts and circumstances of the matter in detail and denying the allegations incorporated therein against the appellant being incorrect and baseless. **(Copy of reply dated 22-01-2020 is attached as "B")**.
3. That thereafter the appellant was served with a Final Show Cause Notice dated 31-01-2020. **(Copy of Final Show Cause Notice dated 31-01-2020 is attached herewith as "C")**.
4. That above cited Final Show Cause Notice was duly replied on -02-2020 explaining all facts and circumstances of the matter in detail and the allegations were flatly refused being incorrect and baseless. **Copy of reply dated 10-02-2020 is attached as "D")**.
5. That ultimately the appellant was awarded with the penalty of "Dismissal from service" vide order dated 12-02-2020 by the District

Attested



Police Officer, Haripur without any reason and proof. (Copy of order dated 12-02-2020 is attached as "E").

6. That so far as the allegation of preparation of Driving License of Farman Ali S/O Arshad Ali of Deman District Attock is concerned, in this respect it is submitted that test page of the individual was handed to appellant by Constable Mohammad Atif (Computer Operator) who requested that to get the same passed from MLA which was later on passed. On clearance of the case, Mohammad Atif received it and issued DL by submitting Bank Challan. The said Challan was neither filled-in nor signed by appellant. Even the Bank Challan was not stamped which was affixed for DL receipts only.
7. That appellant was kept in darkness and not informed that LP was issued without personal appearance and photograph was also obtained without Web-Camera. When on filing of the complaint, appellant enquired from Mohammad Atif, he then disclosed that the said DL case was handed over to him by Ali Ajan Telephone Operator. The appellant had no knowledge about the matter.
9. That no proper departmental inquiry was conducted to prove the allegations against the appellant even then the Enquiry Officer was fully satisfied that appellant was innocent and was wrongly involved. Enquiry Officer recommended only suitable penalty to the appellant. But the competent authority awarded the appellant with EXTREME PENALTY OF **"DISMISSAL FROM SERVICE"** without giving any reason if he was not agreed with the recommendation of Enquiry Officer.
10. That during the so-called inquiry nothing could be brought against the appellant with regard to his involvement in the matter. Even the allegation of receiving gratification from anybody could not be proved against appellant. No malafiedi intention or dishonesty on the part of appellant was found during the course of inquiry.
11. That appellant has rendered more than 05 years service in the police department. There has been no complaint from any corner

Attested



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against him. Appellant always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his officers. Appellant has meritorious service record at his credit.

12. That the appellant is well educated and experience official having more than 05 years service at his credit and is the only bread earner of his large family but he has been awarded with extreme penalty of dismissal from service without any fault on his part. He is innocent and has been involvement in this case without any reason & proof.

13. 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 prayed that impugned order dated 12-02-2020 passed by the District Police Officer Haripur may kindly be sat aside and the appellant be re-instated in his service from the date of dismissal with all consequential service back benefits. Thanking you sir in anticipation.

You're obedient Servant

  
(Mudassar Hussain Abbasi)  
S/O Fida Hussain Abbasi  
Ex- Junior Clerk  
DPO office Haripur.

Address: Village: Haryala, UC Barkot  
Tehsil & District Haripur  
Cell No: 0305-2101468

Dated 26-02-2020

Attest





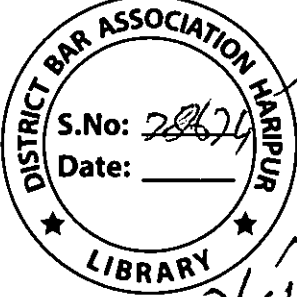
DBA No: 205

S.No: \_\_\_\_\_

BC No: \_\_\_\_\_

Name of Advocate: محمد اسلم تنویری

وکالت نامہ 67



بعدالت: جلیہ حسنہ۔ ایڈووکیٹ جنرل ڈی ایچ ایس ایف اور  
عنوان: صدر لٹر سید عیسیٰ بیگم کک ایرو سٹریٹ اولڈ آفس راولپنڈی  
منجانب: اسلٹ  
نو عیت مقدمہ: سرمن اسلٹ  
باعث تحریر آنکھ: \_\_\_\_\_

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیق مقدمہ بمقام مشاورت ایسٹ ریبارڈ

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

محمد اسلم تنویری

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: 22 دن 06 سال 2020

محمد اسلم تنویری

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

SERVICE APPEAL NO.6044/2020

Mudassar Hussain Abbasi s/o Fida Hussain Abbasi, Ex-Junior Clerk, Office of the District Police Officer Haripur, r/o Haryala UC Barkot, Tehsil and District Haripur.

..... (Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.

..... (Respondents)

**Subject: Reply/comments by respondents No.1, 2 & 3.**

Respectfully Sheweth.

The respondents submit as under:-

**PRELIMINARY OBJECTIONS:-**

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct.
3. That the appellant has not come to the Honorable Tribunal with clean hands.
4. That the appellant has suppressed material facts from the Honorable Tribunal.
5. That the instant Service Appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
6. That the instant Service Appeal is badly barred by law and limitation.
7. That the appellant has filed the instant service appeal just to pressurize the respondents.
8. That the orders passed by the authorities are based on facts & rules, after fulfilling all the codal formalities, hence, the appeal is liable to be dismissed without any further proceeding.

**REPLY ON FACTS:-**

1. Incorrect, appellant Ex-Junior Clerk Mudassir Hussain Abbasi, was posted as License Clerk at CDL, Branch District Haripur, Consulate General of Pakistan in Hong Kong made a complaint at Pakistan Citizen Portal, (PMDU) regarding the issuance a driving license No. (105000037662) to person namely Farman Ali r/o Deman, District Attock who was at Hong Kong and did not travel Pakistan. It was complained that the said license was issued without personal appearance of above mentioned candidate before the license issuing authority. (Copy of complaint is attached as

annexure "A"). The matter was probed in preliminary inquiry through Additional SP Haripur. He conducted inquiry and submitted his findings in which he held the appellant, computer operator constable Muhammad Atif, No.359 and telephone operator Ali Ajlan No.744, responsible for issuance of fake license and recommended them for departmental action. (Copy of preliminary inquiry is attached as annexure "B"). Consequently, the appellant was issued charge sheet and statement of allegations, by the then District Police Officer, Haripur vide office Endst: No.14-16/PA dated 16.01.2020. (Copy of charge sheet with statement of allegations is attached as annexure "C"). Deputy Superintendent of Police, Headquarters Haripur Mr. Iftikhar Ahmad was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office Memo. No.19 dated 30.01.2020, in which he held the charges proved and recommended the appellant for appropriate punishment. (Copy of inquiry finding is attached as annexure "D"). Consequently, the appellant was issued final show cause notice by the then District Police Officer, Haripur, vide this office Endst: No.45 dated 31.01.2020. (Copy of final show cause notice is attached as annexure "E"). The appellant could not give satisfactory reply of final show cause notice and he was called in orderly room for personal hearing. The appellant failed to adduce any defense. Therefore, being found guilty of misconduct the appellant was awarded major punishment of dismissal from service by the then District Police Officer, Haripur vide OB.No 114 dated 12.02.2020. (Copy of dismissal order is attached as annexure "F"). The appellant file departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad, who filed the same vide order No.12828/PA dated 04.06.2020. (Copy of departmental appeal and order is attached as annexure "G").

2. Appellant has indifferent record. During service his performance was not up to the mark.
3. Correct to the extent that the appellant was issued charge sheet as he committed gross misconduct, for which he was proceeded against departmentally.
4. Incorrect, the appellant could not give satisfactory reply of charge sheet. Rather, the charges of misconduct were proved through strong evidence.
5. Correct to the extent that the appellant was held guilty in the departmental inquiry and recommended for appropriate punishment, thus he was served with final show cause notice under the rules.
6. Incorrect, the appellant could not give satisfactory explanation of final show cause notice and he also failed to prove his innocence during his personal hearing in orderly room. The charges of misconduct were proved beyond any doubt.
7. Incorrect, the appellant was held guilty of gross misconduct. Therefore, he was awarded major punishment of dismissal from service on lawful ground, evidence and justification. Moreover, the punishment is quite legal and commensurate with the proved charges.

8. Incorrect, the appellant is generating concocted stories to absolve himself from liability. He was incharge of license branch. The appellant and his accomplices received illegal gratification and issued license to a person, who was in Hong Kong and neither travelled in Pakistan nor appeared before the license authority at Haripur for driving license. The matter was thoroughly probed and appellant and his accomplices were held guilty. Therefore, they were awarded punishment in accordance with law.
9. Incorrect, the appellant earned bad name for the country. He made driving license of Farman Ali without observing the procedural formalities. He in connivance with his staff prepared the driving license. The allegations were probed in preliminary as well as in regular departmental inquires, wherein the appellant and his staff members were held guilty by the inquiry officer.
10. Incorrect, proper departmental inquiry was conducted. The appellant was given right of personal hearing and self defense. He was held guilty of misconduct through strong evidence and charges were proved, hence, he was awarded lawful punishment of dismissal from service.
11. Incorrect, the appellant issued the license for illegal gratification. He misused his lawful authority and committed gross misconduct. His guilt was proved beyond any doubt. He was awarded punishment on quite legal grounds. Moreover, he defamed the department and country. It was his dishonesty and melafide in discharge of official duties that he did not observe the legal requirements while issuing driving license to a person residing abroad.
12. Incorrect, the appellant in coordination with his staff member prepared the driving license. The appellant is adducing false plea. He wants to cheat the authorities. He was held guilty for issuance of driving license to the above mentioned person. He is responsible for issuance of license. He is not innocent; rather, his guilt was proved in the departmental inquiry.
13. Incorrect, the appellant preferred departmental appeal against the order of punishment before the Regional Police Officer, Hazara Region, Abbottabad, who filed departmental appeal vide office order No.12828/PA dated 04.06.2020. Moreover, instant service appeal is time barred and not maintainable under the law of limitation interalia on the following grounds.

**REPLY ON GROUNDS:-**

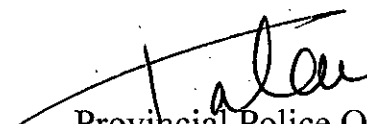
- A) Incorrect, the order of respondents dated 12.02.2020 and 04.06.2020, are quite legal, based on facts and justice, hence, the orders are lawful and maintainable.
- B) Incorrect, the appellant has been dealt in accordance with law. Proper departmental inquiry was conducted, the appellant was given right of personal hearing, self defense. The appellant could not prove his innocence. He was awarded punishment of dismissal from service on lawful grounds and evidence. Hence, all legal requirements were fulfilled while passing order of punishment to the appellant.

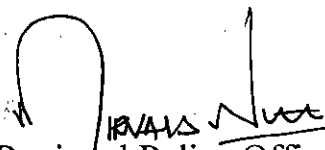


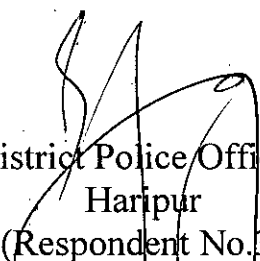
- C) Incorrect, the appellant was dealt in accordance with law/rules. The punishment is lawful and maintainable. Detail reply already given in paras ibid.
- D) Incorrect, the departmental appellate authorities abide by the law/rules while disposing of departmental appeal of the appellant. The appellant was held guilty of misconduct through strong evidence. Therefore, his departmental appeal was filed on lawful grounds and evidence.
- E) Incorrect, the appellant committed gross misconduct. His dishonesty, cheating and melafide in official duties were transpired as he prepared driving license without following the legal requirements. So, he was awarded punishment which commensurate with gravity of charges.
- F) Incorrect, the appellant held guilty of misconduct in the departmental inquiry. There was strong evidence which proved the charges of misconduct against the appellant, hence, he was awarded lawful punishment.
- G) Incorrect, the service appeal is badly barred by law and limitation and not maintainable under the law/rules.

**PRAYER:-**

In view of above stated facts, it is most humbly prayed that the instant service appeal does not hold any legal force, may kindly be dismissed with costs, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.1)

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

  
District Police Officer,  
Haripur  
(Respondent No.3)

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

SERVICE APPEAL NO.6044/2020

Mudassar Hussain Abbasi s/o Fida Hussain Abbasi, Ex-Junior Clerk, Office of the  
District Police Officer Haripur, r/o Haryala UC Barkot, Tehsil and District Haripur.

..... (Appellant)

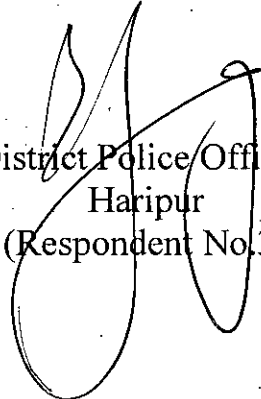
**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others.

..... (Respondents)

**COUNTER AFFIDAVIT**

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

  
District Police Officer,  
Haripur  
(Respondent No.3)



# Prime Minister's Performance Delivery Unit (PMDU)

## Pakistan Citizen's Portal (PCP)

District Police Office, Haripur Khyber Pakhtunkhwa

FC271219-6097383

### A. Complaint Details

DATE OF COMPLAINT	27/12/2019	CURRENT STATUS	In Progress (since 7 Days 0 months, 0 years)
COMPLAINT CATEGORY/ LEVEL 1:	Law & Order	COMPLAINT SUB-CATEGORY/ LEVEL 2:	Police (Corruption)
LOCATION OF COMPLAINT:	Haripur (Khyber Pakhtunkhwa, Pakistan)	COMPLAINT ADDRESS:	Haripur.
GPS ADDRESS:	No Address found!	CITIZEN PROFILE	Hidden by Citizen

### Contents

Issuance of Driving Licenses from Haripur, Khyber Pakhtunkhawa. Dear Sir(s) The Consulate General of Pakistan in Hong Kong is receiving driving licenses(105000037662)Copy attached issued from Khyber Pakhtunkhwa (Haripur) for verification. It is observed and also pointed out by the Transport Department of Hong Kong that the applicant are getting driving license without travelling Pakistan and without personal appearance in the relevant office for driving test. Hong Kong transport department pointed out this after checking the data from Hong Kong immigration Department which show no exit and entry of the people from Hong Kong. It's also observed that many license issued from district Haripur Khyber Pakhtunkhwa Pakistan without travelling to Pakistan. You're requested to kindly look into the matter and stop this malpractice for issuance of driving licenses without personal appearance. Regards: APS TO CG CONSULATE GENERAL OF PAKISTAN, HONG KONG TEL: (852) 2827 1966 FAX: (852) 2827

### B. Complaint Processing History

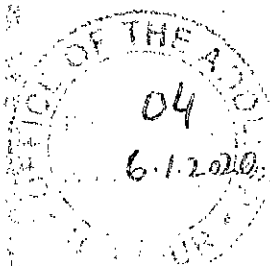
#	DATED	FROM	TO	STATUS	REMARKS
1	30/12/2019	DIG Traffic Khyber Pakhtunkhwa	DPO, Haripur	In-progress	Forwarded for necessary action, please.
2	27/12/2019	IG Police, KP	DIG Traffic Khyber Pakhtunkhwa	In-progress	Forwarded for necessary action please.
3	27/12/2019	Initiated	IG Police, KP	In-progress	Complaint has been assigned to IG Police, KP

D.No:03  
date: 06/01/2020

Add SP

For reaction as per law's report within 05 days.

L.C  
For report within 02 days



DPO - HR  
06/01/2020

LIC  
CDL  
Check 2 report  
L.C, Haripur

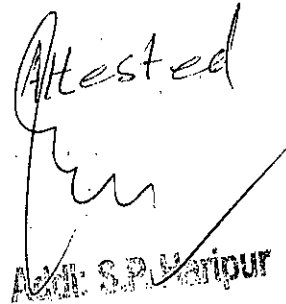
Add SP HR  
07-01-2020



بیان لائنز ملنگ صدر حسین عباسی مدینہ منورہ ضلع منیر پور

۱۔ بر حلف بیان دیا کہ لائنز منیر 37662 صحتی فرمان علی ولد ابرار علی  
کے دیوان ملنگ کنٹ جو کہ بیماری سراج سے الٹو ہوا ہے اس لائن کی  
لرنگ تصویر کے ذریعہ منیر ہے جو کہ میرے مکتوب سردار سردار عارف علی نے بنائی ہے  
اس کا مجھے علم نہ تھا کہ یہ تصویر سے ہی ہے اس کے بعد اس نے ٹیٹ  
سینج نکال کر مجھے دیا اور کہا کہ یہ منیر عزیز منیر ہے اس کا ٹیٹ SP  
صاحب سے پاس کروا دے جو کہ میں نے اس کے اعتبار سے منیر SP  
سے دستخط کروائے۔ مذکورہ مکتوب سردار سردار عارف کے چھوٹے کاغذات  
نے کہ اس پر لائنز کی منیر کا حالان جمع کر کے اس کو لائنز  
نمبر 37662 جاری کر دیا۔ جب پاکستان سٹیشن ٹوٹل کی مہینت آئی  
تو میں نے مکتوب سردار سردار عارف سے پوچھا اس نے مجھے کہا کہ مجھے علی ٹیٹ  
ٹیلی فون سردار سردار منیر جناب ایڈیشنل SP کے ایک فوٹو دیا جس نے مجھے  
کہا کہ یہ منیر عزیز منیر ہے اور پاکستان میں ہے اس کو لائنز الٹو کرنا ہے  
میں اس فوٹو کے ذریعہ یہ تمام کام کیا ہے اس میں ہی بیان ہے  
پڑھ لیا ہے جو کہ درست ہے۔

  
SP

Attested  
  
Attn: S.P. Manipur

بیان نسیل محمد عاطف 359 مدینہ منورہ اسٹریٹ ڈیوٹنٹ انسپشن  
براج محلہ سری نور

ذہر حلف بیان کیا کہ جسی فرحان علی ولد ارشد علی سکندری بیان اٹک  
ٹیسٹ کے تمام کاغذات اور تصویر جج علی محمدان سیلی فون اسٹریٹ صاحب  
ایڈیشن SP صاحب نے لائبریری کے اور کہاں کہ یہ میرا بیان ہے اس کی  
لنڈنٹ ایڈیشن ہے میں نے اس سے پوچھا کہ مذکورہ شخص میں کیا  
ہے اس نے تجھے بتایا کہ یہ پاکستان میں جو ہو رہے اور میرا جاننے والا ہے  
مگر میں نے اس کی تصویر سے لنڈنٹ کہاں اس کے بعد ٹیسٹ بیج بنایا  
جس میں نے تجھے کہا ہے کہ بالو کو میرا لکھا کہ اس لائن کو پاس کروانا ہے  
اس کے بعد علی محمدان والے کاغذ میں نے بالو کو دے دئے اس کے  
بعد علی محمدان نے یہ کاغذات جج لائبریری جو کہ ٹیسٹ میں مل رہے  
ہے تجھے نہیں بتے جلا کہ بالو نے کسی ملکر کروائے ہے اور عام سے قسم  
کروایا۔ چونکہ میرا کام صرف منوسٹر میں ڈیٹا انٹری کرنے کا ہے  
عام PC کے بارے میں بالو ہی بتا سکتا ہے میرا کام صرف ڈیٹا  
انٹری کرنے کا ہے یہ تجھے نہیں بتا کہ PC اور ٹیسٹ بیج ایسے سورت میں  
اس کے متعلق بالو ہی بتا سکتا ہے اس میں ہی بیان ہے جو کہ مراد  
لیا ہے درست ہے۔

Attested  
Addl. S.P. Haripur

بیان کنیل علی بخلان 744 متعینہ سبیلی فون ایمر سر ڈیپارٹمنٹ صاحب ایئر سٹیشن  
صاحب ضلع پریس روم

میں نے ہر حلف بیان کیا کہ صحتی فرمان علی و لہذا شرعی سکتہ دیمان  
اٹک سکتہ کا شناختی کارڈ اور ایک عدد لکھو تھے انداز علی سکتہ  
غازی ریٹائرڈ پولیس ملازم نے دی اور کیا کہ اس کا ڈرائیونگ لائسنس  
بنوانا ہے مگر اس کے ساتھ اچھے لکھنا تھے میں نے اس کے پھر دیکھ کر یہ  
کاغذات عاطف کپوٹر ایمر سر کو دیئے عاطف نے اس کی لکھنا سنا کر  
حالانکہ اور میڈیکل انداز علی کے حوالہ سے جو کہ اس نے میڈیکل کروا کر  
اور میں جمع کروا کر والیں عاطف کو دیئے جو کہ اس نے لائسنس  
بالو صدر عباسی کے حوالہ سے لے کر اس کا لائسنس بنا لیا میں اس  
دیکر کا علم نہ تھا کہ یہ بندہ بیرون ملک سے لے کر اس کا اصل لائسنس  
سے باہر لے کر لائسنس غلط منہی کی بنا پر بن گیا ہے انداز علی  
کے ساتھ میرے اچھے لکھنا تھے اس سے میں نے کوئی سیکہ  
دیکر نہیں لیا اور نہ ہی میں نے لائسنس پراویج والوں کو کوئی سیکہ  
دیئے ہیں مجھ سے غلطی ہوئی ہے معافی کا طلبگار ہوں اس لیے میرا ہی  
بیان ہے جو کہ بڑھ گیا ہے درست ہے۔

نیل

Attested

Add: S.P. Haripur

بیان کتب عباسیہ ۵۵۵ میل خورین مدینہ در ایونک لائنس ہر ایک صدمہ

۵۵۵

نے ہر جگہ بیان کیا کہ صلی فیضان علی و اولادہ علی سہ دیمان اولک کتب  
کا لائن نمبر 37662 ایڈیٹ آباد سے ہر ایک صدمہ لائن آیا تو جو  
علی محمدان کتب بیلی فون ام سترے وصول کیا جکی انٹری میں  
رہے لکھوٹر میں کی ہے دیس میں (اعلم ہوں میری ڈوٹی میرے  
کہ لائن کارڈ ہر ایک ہونے کے بعد ایڈ آباد سے لانا لکھوٹوں  
کو دنیا لدر ان کی انٹری کرنالیں میرا ہی بیان ہے ہر ایک صدمہ  
درست ہے۔

(A)

Attested

Adil S.P. Haripur



NATIONAL BANK OF PAKISTAN HARIPUR

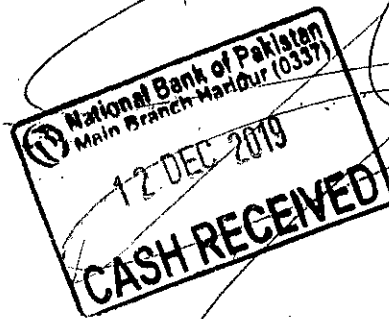
HR-4009

Dated the \_\_\_\_\_ of \_\_\_\_\_ 2019

Received from the bearer the sum of Rs. 812

to be credited to Government account under the head C-02637

on account of Ramman Ali



TRAFFIC CLERCK

POLICE DEPRTEMENT

DRIVING LICENSE RECEIPT - FRESH LICENSE  
DISTRICT HARIPUR



Name **FARMAN ALI**  
Father/Husband Name **ARSHID ALI**  
Gender **Male**  
Present Address **PO KHAS DEMAN ATTOCK CANTT**  
Permanent Address  
CNIC / Passport No. **3710134096569**  
Date of Birth: **16-01-1998**  
License No **105000037662**  
Blood Group **N/A**  
Emergency Contact  
Personal Contact  
Vehicle Description **M.CYCLE + M.CAR/JEEP ONLY**  
Issue Date **11-12-2019**

Sig. of Computer Incharge \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

نوٹ: برائے مہربانی دستخط کرنے سے پہلے اپنے کوائف کی تصدیق کریں

# KHYBER PAKHTUNKHWA TRAFFIC POLICE DRIVING TEST PAGE DISTRICT: HARIPUR

## Personal Information

Applicant's Name: FARMAN ALI  
 CNIC No.: 3710134096569  
 Nationality: Pakistani  
 Date of Birth: 16-01-1998  
 Gender: Male  
 Cell No.:  
 Father/Husband Name: ARSHID ALI  
 Present Address: PO KHAS DEMAN



Permanent Address:

## Medical Information

Medical Result: Fit  
 Eye Sight: 6.6  
 Blood Group: N/A  
 Licence Type: M.CYCLE + M.CAR/JEEP ONLY

Height:  
 Eye Colour: Black  
 Remarks:

Signature of Computer Incharge

Applicant's Signature

## DRIVING TEST SLIP

Permit No: 100510000000043791

Permit Type: M.CYCLE + M.CAR/JEEP ONLY

Test Date: 09-12-2019

Refer To: \_\_\_\_\_ for Test.

MLA Signature

Motor Licencing Authority  
HARIPUR

Test Result  
Traffic Sign: test

Pass

Fail

Signature

Motor Licencing Authority  
HARIPUR

Practical Test

Pass

Fail

Signature

Motor Licencing Authority  
HARIPUR

Test Result

Pass

Fail

MLA Signature

Motor Licencing Authority  
HARIPUR

Test Record No. \_\_\_\_\_

MLA No. \_\_\_\_\_

## FROM "C" MEDICAL DRIVING

Form of medical Certificate in Respect of application for alliance to drive any transport vehicle as paid employee to be filled by a Registered Medical Practitioner.

1. What is the applicant ?
2. Is the applicant to the of your judgment subject toe reply vertiguo of any mental aliment likely to affect his efficiency ?
3. Does the applicant suffer from any hear or lung disorder which might interface with performance of duties as a driver .
  - a. Is there any defect of vision? It so has it been erected by a suitable spectacle?
  - b. Does the application suffer from degree of deftness which would desert his hearting the ordering ground signal?
  - c. Does the application suffer from night blindness or colour blindness?
4. Has the applicant any deformity or loss of members which would an affair with the efficient performance of his duties as a Driver?
5. Does the show may evidence of being addicted to the excessive use of school tobacco or drugs?
6. Is he in your opinion , general fit as regards.
  - a. Badly Health?
  - b. Eyes light?
7. Mark of identification \_\_\_\_\_

I certify that to the best of my knowledge and belief ,the applicant .

Named. \_\_\_\_\_

In the person here in above described ,that the attached photograph is a responsible correct likeness.

NAME. \_\_\_\_\_

DESIGNATION. \_\_\_\_\_

SIGNATURE. \_\_\_\_\_

*Dr. M. Akram Khan*  
M.D.B.S, F.C.P.S  
Medical Officer  
District Hospital Haripur.



**CITY TRAFFIC POLICE PESHAWAR**  
EDUCATE - FACILITATE - REGULATE

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CNIC Number :

CHECK DETAILS

**NIC NUMBER : 3710134096569**

<b>Name:</b>	FARMAN ALI
<b>Father/Husband Name:</b>	ARSHID ALI
<b>License No:</b>	105000037662
<b>Current License Type:</b>	M.CYCLE + M.CAR/JEEP ONLY
<b>Current Issue Date:</b>	11-12-2019
<b>Expiry Date:</b>	10-12-2024
<b>District:</b>	Haripur
<b>Initial License Issue Type/Issue Date:</b>	M.CYCLE + M.CAR/JEEP ONLY / 11-12-2019

License can also be verified by

- Sending SMS ☎ "CDL CNIC-No" to 8583.
- Download our official application RAABTA



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12/09/2019

Learner Report

**KHYBER PAKHTUNKHWA TRAFFIC POLICE  
LEARNING DRIVING PERMIT  
DISTRICT HARIPUR**



FARMAN ALI  
PO KHAS DEMAN ATTOCK CANTT  
CNIC / Passport No.: 3710134096569  
Vehicle Type: M.CYCLE + M.CAR/JEEP  
ONLY

Father/Husband Name: ARSHID ALI  
Age 21 Years 11 Months  
Issue Date 09.12.2019  
Expiry Date 23.01.2020

Permit No. 100510000000043791

\*Is hereby permitted to drive as learner

Subject to provision of Motor

Vehicle Rules, 234 of 1969



MOTOR LICENSING AUTHORITY

## DISCIPLINARY ACTION

I, Dr. Zahid Ullah, (PSP), District Police Officer, Haripur as competent authority of the opinion that you Junior Clerk Mudassir Hussan Abbasi have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Government Servant, Efficiency & Discipline Rules 2011.

### STATEMENT OF ALLEGATION


"That while you posted as Licenses Clerk CDL Branch, it has come to the notice of the undersigned vide Preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur that you are involved in preparation of bogus/fake Driving license of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad i.e, Hong Kong, without his personal appearance and driving test in license branch. You took illegal gratification for the same and issued license to him. Your act shows dishonesty and malafide on your part. Your action is also gross misconduct in terms of the Khyber Pakhtunkhwa, Government Servant, Efficiency & Discipline Rules 2011. Hence, charge sheeted"

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. Iftikhar Ahmed, SDPO Headquarters, Haripur

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

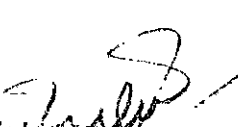
The accused and a well conversant representative of departmental shall in proceedings on the date, time and place fixed by the Enquiry Officer/Committee.

  
Dr. Zahid Ullah, (PSP)  
District Police Officer  
Haripur

14-16  
/PA, dated Haripur the 16/01/2020

Copy of above is submitted to the:-

- 1) Enquiry Officer for initiating proceedings against the said accused under Government Servant, Efficiency & Discipline Rules 2011.
- 2) Junior Clerk Mudassir Hussan Abbasi 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.

  
Dr. Zahid Ullah, (PSP)  
District Police Officer  
Haripur

CHARGE SHEET

(1) I, *Dr. Zahid Ullah, (PSP)* District Police Officer, Haripur as competent authority, hereby charge you Junior Clerk Mudassir Hussan Abbasi as enclosed statement of allegations.

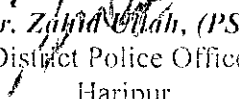
(2) You appear to be guilty of misconduct under Government Servant, Efficiency & Discipline Rules 2011 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

(3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.

(4) Your written defense, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

(5) Intimate whether you desire to be heard in person or otherwise.

(6) A statement of allegations is enclosed.

  
*Dr. Zahid Ullah, (PSP)*  
District Police Officer  
Haripur

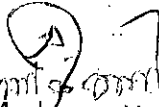


Respected Sir,

With reference to worthy DPO office Charge Sheet & Summary of allegation No.14-16/PA dated 16/01/2020, I submit my reply here under to Enquiry officer as per rules:-

- (1) I remained posted as License Clerk from 13.12.2018 to 15.01.2020, during the whole tenure, I offered my services devotedly and efficiently under the direct supervision of MLA Haripur.
- (2) During my entire service I did not availed any sort of earned leave, absence from duty or any sort of complaint and remained posted as Steno to SDPO HQrs and Ghazi as well for the period of 05 years approximately.
- (3) As far as Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock is concerned, the test page of the individual was handed over to me by constable computer operator Muhammad Atif with the request to get pass the case from MLA which was later on passed.
- (4) On receipt of complaint, I enquired the matter from Atif who stated that mentioned DL case was handed over to him by Ali Ajlan telephone operator.
- (5) After clearance of the case, Atif received back the same case and subsequently, issued DL after submitting Bank Challan which was not filled in by me. Stamp on Bank Challan is off that which is used for DL receipts only and handwriting on it is also not mine.
- (6) It is pertinent to mention here that computer operator did not informed me that LP was issued without his personal appearance and photo of individual was obtained without Web-Camera.
- (7) Charges of taking illegal gratification are baseless & fictitious as I did not demanded or taken any sort of amount from Atif or anyone else.
- (8) No malafide intention or dishonesty is on my part as I offered by services devotedly and efficiently, and not even a single complaint is available against me except this during my whole service career.

In eve of above facts and circumstances, it is most earnestly requested that I may kindly be exonerated from the charges and instant Charge Sheet and Summary of allegation may kindly be treated as filed.

  
Mudassar Hussain Abbasi  
Junior Clerk, DPO Office

Dated: 22 /01/2020.

مذکورہ بالا حقائق و حالات کے پیش نظر، میں نے سزا سے معافی کی درخواست کی ہے۔

  
Mudassar Hussain Abbasi

مذکورہ بالا حقائق و حالات کے پیش نظر، میں نے سزا سے معافی کی درخواست کی ہے۔

فائل انکو انگریزی ازان جو نمبر لکھو اور شرح لکھو

ردیف	مفصل کا عنوان	قطعات	شعبہ	نمبر
1	انڈسٹریز - فائل انکو انگریزی لکھو	2	قلم	
2	حراج شہد - صحیح جواب	4	"	
3	سوال جواب	1	"	
عنوان		7	قطعات	

مخانب: ڈپٹی سپرنٹنڈنٹ آف پولیس، سرکل ہیڈ کوارٹر، ہری پور

بجانب: ضلعی پولیس آفیسر صاحب، ہری پور

نمبر: ۱۹ مورخہ: 30-1-2020

عنوان: انکوآری برخلاف جوئیئر کلرک مدثر عباسی متعینہ لائسنس برانچ، ہری پور

جناب عالی!

بحوالہ مشمولہ چارج شیٹ نمبر 16-14 مورخہ 16.01.2020 مجاریہ جناب ڈسٹرکٹ پولیس آفیسر ہری پور کی نسبت معروض خدمت ہوں کہ انکوآری اذماں جوئیئر ٹریفک کلرک مدثر عباسی کا آغاز کرتے ہوئے چارج شیٹ کی نسبت جواب حاصل کیا گیا جس نے اسے جواب میں بتلایا کہ وہ 13.12.2018 سے 15.01.2020 تک لائسنس کلرک رہا ہے اور اپنی ڈیوٹی احسن طریقے سے سرانجام دی ہے۔ قبل ازیں وہ SDPO غازی کے ساتھ تعینات رہا ہے۔ جہاں تک فرمان ولد ارشد علی سکندہ دیمان انک کے لائسنس کا تعلق ہے۔ اسکا ٹیسٹ بیج کمپیوٹر آپریٹر عطف نے اسے دیا اور کہا کہ یہ اس کے مہربان کا ہے۔ ٹیسٹ پاس کروادو جو اس کے کہنے پر اس نے ٹیسٹ پاس کر دیا ہے۔ ٹیسٹ پاس کروانے کے بعد کمپیوٹر آپریٹر نے چالان جمع کر کے لائسنس نمبر ایشو کروادیا اس نے نہ ہی چالان فارم کو فل کیا اور نہ ہی شیٹ لگوائی بلکہ سب خود کیا۔ کمپیوٹر آپریٹر نے یہ بات بھی نہیں بتلانی کہ درخواست گزار لائسنس اسکی غیر موجودگی میں تصویر سے بنائی گئی ہے۔ لائسنس کی نسبت جب اسے علم ہوا تو کمپیوٹر آپریٹر عطف نے بتلایا کہ یہ لائسنس ایڈیشنل SP صاحب کے ٹیلیفون آپریٹر علی اجلان کے کئے اسنے بنایا ہے اور مزید بتلایا کہ اس نے اس لائسنس بنانے میں کوئی رشوت وصول نہیں کی۔ چونکہ یہ لائسنس اپنے ساتھ تعینات سٹاف کے کئے بنایا تھا۔ انکوآری کو جاری رکھتے ہوئے الزام علیہ مدثر عباسی جوئیئر کلرک پر سوال کئے گئے ہیں۔ پہلے سوال کے جواب میں بتلایا کہ لرننگ چارج پر اسز کمپیوٹر آپریٹر عطف نے جملہ پر اسز کیا۔ دوسرے سوال کے جواب میں بتلایا کہ یہ لائسنس اس نے عطف آپریٹر کے کہنے پر بنایا ہے تیسرے سوال کے جواب میں بتلایا کہ کنسٹیبل علی اجلان لائسنسنگ اتھارٹی کے ساتھ بطور ٹیلیفون آپریٹر تعینات ہے وہ آدمی لائسنس لاتا رہتا چوتھے سوال کے جواب میں بتلایا کہ اس قبل ازیں علم نہ تھا کہ درخواست گزار لائسنس دوسرے صوبہ کارہاشی ہے۔ پانچویں سوال کے جواب میں بتلایا کہ وہ فرمان علی کو نہیں جانتا ہے اسنے اپنے کولیگ کی وجہ سے لائسنس پرافران سے دستخط کرائے ہیں اور اپنے سٹاف کی وجہ سے اس نے پڑتال نہ کی تھی۔ جرح میں اس نے بتلایا ہے کہ وہ کسی پر کسی قسم کا سوال نہیں کرنا چاہتا ہے۔

فائینڈنگ:

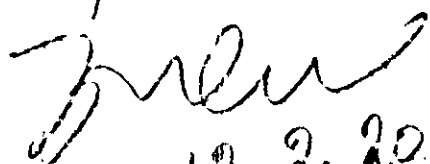
انکوآری سے پایا گیا ہے کہ لائسنس کلرک مدثر عباسی نے اپنے دیگر سٹاف پر اعتماد کر کے یہ لائسنس فرمان علی کا بنایا کوئی تخریب نقد رقم وصول نہ کی البتہ اس کی نالائقی کی وجہ سے یہ لائسنس اس کے سٹاف نے اس سے بنوایا ہے۔ اس کی ملی بھگت نظر نہیں آتی غفلت ضرور جاتی ہے۔ مناسب سزا کی سفارش کی جاتی ہے۔

ڈپٹی سپرنٹنڈنٹ آف پولیس،  
سرکل ہیڈ کوارٹر، ہری پور

30.1.2020

Junior Cell Mudassar Abbasi  
was heard in E.R and  
given opportunity to explain  
his position. But he could  
prove his innocence.

Keeping in view the finding  
of the enquiry officer &  
journal of the <sup>enquiry</sup> papers,  
J/c Mudassar Abbasi is  
dismissed from service.



12.2.2012

سوال جواب از این و در تشریح عباد کی لائسنس

سوال E.O - آپ کو فرمان علی کی لائسنس کیلئے کیا کرنا پڑے گا؟  
جواب =

سوال E.O - آپ کو فرمان علی کی لائسنس کیلئے کیا کرنا پڑے گا؟  
جواب = خود کیا کرنا پڑے گا۔

سوال E.O - کیا دوسرے امور کے پیشکش شخص کی لائسنس کیلئے کیا کرنا پڑے گا؟  
جواب = قبل انکوائری سے اجازت حاصل کی گئی؟

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب = صحیح طریقہ سے عطف کی صورت میں لائسنس بنانے میں سہیلے رکھی جائیں گی۔

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب =

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب = سہیلے کی دفعہ آتا رہا ہے جو توجہ علی اجلان لائسنس انکوائری کے لیے منظور کیا گیا ہے اور اس سے سہیلے کی اجازت ملے گی۔

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب =

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب = جب شہادت موصول ہوئی تو صحیح طریقہ سے لائسنس بنانے میں سہیلے رکھی جائیں گی۔

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب =

سوال E.O - کیا کبیل علی اجلان کیا ہو لائسنس بنانے میں سہیلے رکھی جائیں گی؟  
جواب =

حوالہ E.O. - لائسنس ہائے سے قبل آرٹنگ ٹیٹ پر PC 40

کروا کر لیا گیا

جواب = جی ٹی سی کے ساتھ ساتھ ان کے دیا گیا تھا ان کے لئے نہیں ہے  
کے ساتھ ساتھ ان کے لئے نہیں ہے

اس سے اس لئے ہے

## FINAL SHOW CAUSE NOTICE

I, Dr. Zahid Ullah, (PSP), District Police Officer, Haripur as Competent Authority under Police Rules 1975, do hereby serve Final Show Cause Notice upon you JC Mudassar Hussain Abbasi on the following grounds: -

*"That while you posted as Licenses Clerk CDL Branch, it has come to the notice of the undersigned vide Preliminary enquiry No. 13 dated 14.01.2020 conducted by Additional Superintendent of Police Haripur that you are involved in preparation of bogus/fake Driving license of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad i.e, Hong Kong, without his personal appearance and driving test in license branch. You took illegal gratification for the same and issued license to him. Your act shows dishonesty and malafide on your part. Your action is also gross misconduct in term of the Khyber Pakhtunkhwa, Government Servant, Efficiency & Discipline Rules 2011."*

(1) For the purpose of scrutinizing the conduct on your part with reference to the above allegation, you was serve with Charge Sheet/Statement of allegation and Additional Superintendent of Police, Haripur was appointed as enquiry officer against you for the conduct of proper departmental enquiry vide this office Memo No. 14-16 dated 16.01.2020.

(2) The enquiry officer after conducting proper departmental enquiry submitted his finding vide his office letter No. 19 dated 30.01.2020, in which he had the charges of misconduct proved and recommended for suitable punishment under section-4 of the KPK Police E&D Rules 1975.

(3) Keeping in view of above allegation on your part, you are hereby called upon. To Show Cause within (07) days of the removed of this Final Show Cause notice as to why you should not be awarded punishment under the Police Rule 1975, if your written reply is not received within stipulated period. It shall be presumed, that you have no defense to affirm, you are also allowed to appear before the undersigned, if you so desired.

  
Dr. Zahid Ullah, (PSP)  
District Police Officer,  
Haripur

No. 45

/ dated Haripur the 31 / 01 / 2020



Respected Sir,

With reference to your worthy office Charge Final Show Case Notice No. 45 dated 31/01/2020, I submit my reply here to your office as per rules:-

- (1) I remained posted as License Clerk from 13.12.2018 to 15.01.2020, during the whole tenure, I offered my services devotedly and efficiently under the direct supervision of MLA Haripur.
- (2) During my entire service I did not availed any sort of earned leave, absence from duty or any sort of complaint and remained posted as Steno to SDPO HQrs and Ghazi as well for the period of 05 years approximately.
- (3) As far as Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock is concerned, the test page of the individual was handed over to me by a computer operator Muhammad Atif with the request to get pass the case from MLA which was later on passed.
- (4) On receipt of complaint, I enquired the matter from Atif who stated that mentioned DL case was handed over to him by Ali Ajlan telephone operator.
- (5) After clearance of the case, Atif received back the same case and subsequently, issued DL after submitting Bank Challan which was not filled in by me. Stamp on Bank Challan is off that which is used for DL receipts only and handwriting on it is also not mine.
- (6) It is pertinent to mention here that computer operator did not informed me that LP was issued without his personal appearance and photo of individual was obtained without Web-Camera.
- (7) Charges of taking illegal gratification are baseless & fictitious as I did not demanded or taken any sort of amount from Atif or anyone else.
- (8) No malafide intention or dishonesty is on my part as I offered by services devotedly and efficiently, and not even a single complaint is available against me except this during my whole service career.

In eve of above facts and circumstances, it is most earnestly requested that I may kindly be exonerated from the charges and instant Charge Sheet and Summary of allegation may kindly be treated as filed.

Dated: 07/02/2020.

OR  
SRE  
District Police Officer  
Haripur

Mudassar Hussain Abbasi  
Junior Clerk, DPO Office

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph. # 0995-614712 / 0995-611291

Fax # 0995-614714

E-Mail: dpoharipur1@gmail.com

Dated Haripur the 02.2020


ORDER

Junior Clerk Mudassar Hussain Abbasi, while posted as License Clerk, CDL Branch District, Haripur. It came to the notice of the undersigned vide, preliminary enquiry No.13 dated 14.01.2020, conducted by Mr: Zulfqar Khan Jadoon Additional Superintendent of Police, Haripur, that he was found involved in preparation of bogus/fake Driving License of Farman Ali s/o Arshad Ali r/o Deman District Attock (Cantt), who was abroad in Hong Kong. JC Mudassar Hussain Abbasi prepared his Driving License without his personal appearance and driving test in license branch. He took illegal gratification for issuance of driving license. The acts and omissions of defaulter official were misconduct under the Government Servants Khyber Pakhtunkhwa, Efficiency and Discipline Rules 2011. Hence, he was charge sheeted, vide this office Endst: No.14-16/PA dated 16.01.2020.

To probe the matter, Deputy Superintendent of Police, Haripur Mr. Ifikhar Ahmed was appointed as Enquiry Officer, who conducted proper departmental enquiry and submitted his findings, vide his office Memo No. 19 dated 30.01.2020. The charges of misconduct were proved against the accused police official. Therefore, enquiry officer recommended him for appropriate punishment. Hence, he was issued final show cause notice vide this office Endst. No.45/ PA dated 31.01.2020. So, he was called in Orderly Room for personal hearing and was heard in detail, but he could not give any plausible ground or justification in his defense.

Having perused the finding of the enquiry officer, relevant record and personal hearing of appellant, the charges of misconduct are proved against the defaulter police official. Therefore, I, **Dr. Zahid Ullah (PSP)**, District Police Officer, Haripur being competent authority under the Government Servants Khyber Pakhtunkhwa, Efficiency and Discipline Rule 2011, am fully satisfied that Junior Clerk Mudassar Hussain Abbasi committed misconduct. Therefore, he is awarded major punishment of "DISMISSAL FROM SERVICE" with immediate effect.

Order announced in his presence.

  
(Dr. Zahid Ullah) PSP  
District Police Officer,  
Haripur

OB No. 114  
12-02-2020

Entered in his  
Service  
2020



OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 12828 /PA DATED 04/06/2020

ORDER

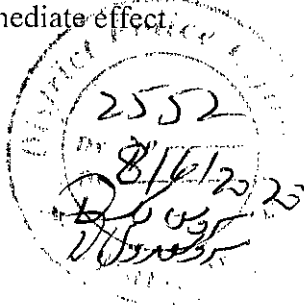
This order will dispose off departmental appeal under Rule 17-1 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 submitted by Ex. Junior Clerk Mudassar Hussain Abbasi of District Haripur against the punishment order i.e. **Dismissal from service** awarded by DPO Haripur vide OB No.114 dated 12.02.2020.

Brief facts leading to the punishment are that it came to the notice of the Competent Authority that the appellant while posted as License Clerk at CDL branch, Haripur involved himself in preparation of bogus/fake driving license of a person namely Farman Ali r/o Deman, district Attock (who was in Hong Kong) without his personal appearance and driving test. The appellant took illegal gratification for issuance of DL.

The appellant was issued charge sheet alongwith summary of allegations and DSP Hqrs was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct. The appellant was issued Final Show Cause Notice and heard in person, however he failed to advance any cogent reason in his defence. Consequently, DPO Haripur awarded him major punishment of dismissal from service.

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. However the appellant failed to advance any plausible justification in his defence. Moreover, the misconduct perpetrated by the appellant is intolerable in a disciplined force as such acts tarnish the image of Police. Therefore in exercise of the powers conferred upon the undersigned under Rule 17-2 (a) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 appeal of the official is hereby **filed** with immediate effect.

RC  
Information  
Action



*J. Jamil*  
Qazi Jamil ur Rehman (PSP)  
Regional Police Officer  
Hazara Region, Abbottabad

12829 /PA, dated Abbottabad the 04-06 /2020.

1. The District Police Officer, ~~Haripur~~ for information and necessary action with reference to his office Memo No.2080/Legal dated 06-04-2020. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

-HR  
-06-2020