BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No.

7318 /2021

Arif Mehmood ASI (1181) Police Station Provar/o Basti Ustarana Shumali DIKhan.

...(Appellant)

Khyber PakhtiMhwa Service Tribunal

Diam No 3249

30 / 000

<u>Versus</u>

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

2. The Regional Police Officer, D.I.Khan.

3. The District Police Officer, D.I.Khan

...(Respondents)

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DEPONENT

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...(Respondents)

WRITTEN REPLY ON BEHALF OF RESPONDENTS

PRELIMINARY OBJECTIONS

- 1. That the appellant has got no cause of action.
- 2. That the appeal is bad for misjoinder/non-joinder of necessary parties.
- 3. That the appeal is badly barred by law & limitation.
- 4. That the appellant has not come to the Honourable Tribunal with clean hands.
- 5. That the appellant is estopped due to his own conduct.
- 6. That the appellant has concealed the material facts from the Honourable Tribunal.
- 7. That the instant appeal is badly time barred.
- 8. That the instant appeal is not maintainable in its present form.

REPLY ON FACTS

1. Correct to the extent that the appellant while posted as Incharge for security of BISP Centre established at GHSS Ramakm during the distribution of BISP amount, he alongwith FC Muhammad Rafiq No. 142 were getting illegal gratification from the following persons for the entry in the centre.

S#.	Dated	Persons	Amount	Cause of amount received
1.	09.04.2020	Munir	1000	Spare 01 person to enter in the center
2.	10.04.2020	Jahangir	2000	Spare 04 person to enter in the center
3. 🚁	11.04.2020	Qamar	1500	Spare 02 person to enter in the center
4.	12.04.2020	Qamar	2500	Spare 05 person to enter in the center

In this regard a charge sheet alongwith statement of allegation was served upon him.

 Correct to the extent that proper departmental enquiry was conducted against him by SDPO Prova DIKhan. The enquiry officer found him guilty and recommended for major punishment. The allegation of misconduct was proved against him, hence awarded him major punishment of dismissal from service vide OB No. 948, dated 16.14.2020.
 Moreover, the service record of appellant reveals following bad entries on the account of misconduct.

S#.	Allegations	Period of absent	Punishment Awarded	ОВ	Dated
1	Involved in malpractice & corruption	-	punishment of stoppage of two year approved service	738	1.03.2020
2	Illegal gratification	-	Major punishment of dismissal from service	948	16.04.2020
3	Illegal gratification	-	stoppage of two years increments with cumulative effect	1610	22.07.2020

- 3. Correct to the extent that the departmental appeal of appellant was accepted by the appellate authority (Respondent No. 3 RPO DIKhan), who set aside the punishment of dismissal from service and converted into stoppage of two year increment with cumulative effect. The intervening period is treated as leave without pay.
- 4. Correct to the extent that the revision petition of appellant rejected by the appellate board held on 01.07.2021 after observing all the codal formalities including personal hearing, but the appellant failed to advance any plausible explanation in rebuttal of the charges. The board decide that the appellant has already been granted relief, hence rejected.
- That being a part of disciplinary force, he has tarnished the image of police by virtue of 5. his illegal act, hence the instant appeal is merit less and not maintainable on the following grounds.

REPLY ON GROUNDS

- Incorrect. The orders passed by the Respondents are in accordance with law/rules. Ample opportunities of defence were provided to the appellant but he failed to prove him innocent.
- Incorrect. During the course of inquiry the allegation of illegal gratification were b. establish against him and the Enquiry Officer recommended him for major punishment.
- Incorrect. The service record of appellant reveals that prior to present punishment he c. was involved in malpractice & corruption and awarded him punishment of stoppage of two year approved service vide OB No. 738, dated 19.03.2020 and now he has been awarded Major punishment of dismissal from service vide OB No. 948, dated 16.04.2020 which was converted in to stoppage of two years increments with cumulative effect vide OB No.1610, dated 22.07.2020 on the allegations of illegal gratification established against the appellant. Hence, the orders were passed in accordance with law/rules.
- The Respondents also seek permission to produce additional documents/grounds at the d. time of arguments.

PRAYER

In view of above, it is prayed that on acceptance of these Parawise Comments the instant appeal may kindly be dismissed being meritless and time barred, please.

> Provincial Poli Khyber Pakhtunkhwai Peshawar

(Respondent N

Regional Police Officer, Dera Ismail Khan

(Respondent No.2)

District Police Officer, Dera Ismail Khan (Respondent No.4)

BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

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...(Respondents)

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS

We, the respondents do hereby solemnly affirm and declare on oath that the contents of comments-written reply to Appeal are true & correct to the best of our knowledge and nothing has been concealed from this Honourable Tribunal.

Provincial Police Office, Khyber Pakhtunkhwa, Reshawar (Respondent No.1&2) Regional Police Officer, Dera Ismail Khan (Respondent No.3)

District Police Officer, Dera Ismail Khan (Respondent No.4)

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BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

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...(Respondents)

AUTHORITY

We, the respondents do hereby authorised Inspector/Legal, DIKhan to appear before the Service Tribunal Khyber Pakhtunkhwa, Peshawar, on our behalf, He is also authorised to produce/ withdraw any application or documents in the interest of Respondents and the Police Department.

Provincial Police Officer, Khyber Pakhtunkhwa Peshawar (Respondent Nor1&2) Regional Police Officer, Dera Ismail Khan

(Respondent No.3)

District Police Officer, Dera Ismail Khan (Respondent No.4) No. /382 /EC
Dated 03/03/2020

105-5A

OFFICE OF THE DISTRICT POLICE OFFICER DIKHAN SHOW CAUSE NOTICE

(Under Rule 5(3) KPK Police Rules, 1975)

- 1. That You ASI Arif Mehmood, 1181 have rendered yourself liable to be proceeded under Rule 5 (2) of the Khyber Pakhtunkhwa, Police Rules 1975 (Amendment 2014) for following misconduct;
 - It has been notice through reliable source / secret information that you while posted as ASI PS Dera Town, involved in mal-practices & Corruption from different sources. Your behavior is also not good with public. You tarnished the image of Police by virtue of your illegal activities. Your this act shows inefficiency and professional gross misconduct on your part.
 - ii) That by reason of above, as sufficient material is placed before the undersigned, therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer:
 - iii) That the misconduct on your part is prejudicial to good order of discipline in the Police force.
 - iv) That your retention in the Police force will amount to encourage in efficient and unbecoming of good Police officers.
 - v) That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
 - vi) You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) for the misconduct referred to above.
 - vii) You should submit reply to this show cause notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.
 - viii) You are further directed to inform the undersigned that you wish to be heard in person or not.
 - ix) Grounds of action are also enclosed with this notice

DISTRICT POLICE OFFICER,
9 DIKHAN
1/5/2010

(102)

OFFICE OF THE DISTRICT POLICE OFFICER DIKHAN

GROUNDS OF ACTION

That You ASI Arif Mehmood No.1181 committed following misconducts:-

It has been notice through reliable source / secret information that you while posted as ASI PS Dera Town, involved in mal-practices & Corruption from different sources. Your behavior is also not good with public. You tarnished the image of Police by virtue of your illegal activities. Your this act shows inefficiency and professional gross misconduct on your part.

By reasons of above you have rendered yourself liable to be proceeded under Rule 5 (2) of the Khyber Pakhtunkhwa Police Rules 1975 (Amendment 2014), hence these ground of action.

DISTRICT POLICE OFFICER,

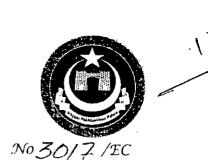
203

9. DIKHAN

(133)

مَوْرِان كَرَالِقَ مِن مَا كَا يَعْمَ عَارِفَ جَوِر كُمُ 181 مِسْعِينَا مَوْرِان كُرَالِقَ مِن مَا كَا يَعْمَ عَارِفَ جَوْرِكُمْ 181 مِسْعِينَا (2)5 Jen 03.03.200 En 1382/Ec & Was 5 5 5 05 173 265 وسى ما كل موالله ــ تحرير الله الله والله مرس معالية 6 2 -13 (hai) - was Emple 3 5 6 5 3 6 6 , 3 3 16 AS - 5 سر مرك و الدوم الدوم الله وعدا مرارس مي ملوى سي -- رواي الدين وي موتا : ولم عليون بركام أمان بالدامسات روح (أسالي) وهي اسلولي الدراجي سه كاروار - بي كر إمن سائل عبلاف خركاد فوشى دمنا بي الرامات خركرده درست على كردة كرما كل عرض الله المعرف المع 5-, 6-18 super 3 is le ASI OFL Even ex control Plashin وراي مرينون دوري در انظامي در الهي ما روي سي در اخلاق وارج The lie town white of the top of したころとりことうこうないからなっているのでして Ahre de ling by be it out of the is and 3) jen oil lo oil & Colo Mille & 2 Carpides 1603 Consideration is in min (25 E) 1 En 20, 13 Epitem 12 = 50 - [62 1 1 1 1 1 5]

الم المعنى من من على المالي عن منطق دائے سيائی دورارہ کھوا۔ المعالی اور وہ المبیر شرکا ۔ 62 2 (E 12) (E 12) قال المراب المرا (8/8/2018/10/00) (3/60) 6,000 لمراه ف ساك و مساح و المستوا ما المستوا المس الحمام المراق المالية المالية المالية المراق 18 1 3 2 in 5 (25 to me on 2) eliptimin co 3 6 5 -6-10, has Per 10/323 - 35 cm 12 Get 05.03.2020 jobis 18hen Pulson Sind 181 181 ASI UM. Airl 151.7.0



Office of the District Police Officer, DIKhan

Dated/3 / 04/2020

DISCIPLINARY ACTION

I, CAPT ® WAHID MEHMOOD, DISTRICT POLICE OFFICER, DIKHAN as competent authority, am of the opinion that you ASI Arif Mahmood, 1181 have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

That you while posted at GHSS Ramak as Incharge for the protection of beneficiaries of BISP amount holders. During distribution of said amount you involved your self with FC Muhammad Rafiq No.142 to getting illegal gratification from the following persons for entrance into the center.

S#	Dated	Persons Name	Amount received	Cause of amount received
5.	09.04.2020	Munir	1000	Spare 1 person to enter in the center
6.	10.04.2020	Jahangir	2000	Spare 04-persons to enter in the center
7.	11.04.2020	Qamar	1500	Spare 02-persons to enter in the center
8.	12.04.2020	Qamar	2500	Spare 05-persons to enter in the center

This act on your parts amounts to gross misconduct and lack of interest in official duty on your part, which is punishable under the rules.

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations the Mr. Iftikhar Ali Shah DSP/Paroa: DIKhan is appointed as enquiry officer. The enquiry officer shall in accordance with provision of the Police Rule-1975, provide reasonable opportunity of hearing to the accused official, record his findings and make, within twenty five days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.

DISTRICT POLICE OFFICER,

DIKHAN

No. 30/8-19/EC, dated 13/4/2020.

Copy of above to:

DSP/Paroa:, The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.

The **Accused officer:** with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

/1. 2.

Officer, of proceeding

13 4 20



Office of the District Police Officer, DI Khan

Dated 13/04/2020

CHARGE SHEET.

I, <u>CAPT ® WAHID MEHMOOD</u>, <u>DISTRICT POLICE OFFICER</u>, <u>DIKHAN</u>, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you **ASI Arif Mahmood**, **1181** have rendered yourselves liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

That you while posted at GHSS Ramak as Incharge for the protection of beneficiaries of BISP amount holders. During distribution of said amount you involved your self with FC Muhammad Rafiq No.142 to getting illegal gratification from the following persons for entrance into the center.

S#	Dated	Persons Name	Amount received	Cause of amount received
1.	09.04.2020	Munir	1000	Spare 1 person to enter in the center
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4.	12.04.2020	Qamar	2500	Spare 05-persons to enter in the

This act on your parts amounts to gross misconduct and lack of interest in official duty on your part, which is punishable under the rules.

- 2. By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Rules ibid and have rendered yourself liable to all or any of the penalties specified in the Rule 4 of the Rules ibid.
- 3. You are, therefore, required to submit your written statement within 07days of the receipt of this Charge Sheet to the enquiry officer.

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

4. A statement of allegation is enclosed.

DISTRICT POLICE OFFICER, ADIKHAN

73/4



ASI عارف محمود پرالزام ہے کہ بدوران ڈیوٹی اس نے گورنمنٹ ہائیرسیکنڈری سکول رمک پر BISP کے تحت رقم نکلوانے والے لوگوں کو پیسے لے کراندرسنٹر میں داخل کرایا اور کنسٹبل محدر فیق 142 ہے مبلغ/3900روپے اپنا حصہ وصول کیا جس پر جناب DPO صاحب ڈیرہ نے جارج شیٹ نمبر 19/EC -3017 جاری کرتے ہوئے من DSP کوائکوائری آفیسر مقرر کیا۔ کنسٹبل محدر فیق نمبر 142 کوطلب کیا جا کر بیانی ہوا کہ میں GHSS رمک میں BISP کے پیپیوں کی تقییم کے دوران مندرجہ ذیل لوگوں سے پیسے لئے ہیں مندرجہ ذیل ہیسوں میں سے /3500 میں نے خود رکھے اور /3900 روپے میں نے ASI

عارف کودیے۔

پیے لینے کی وجہ	جتنے پیے لئے	نام جس سے پیسے لئے	تاريخ	نمبرشار
۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔	1000/-	منير	09.04.2020	1
 جیار بندوں کو گیٹ سے اندر داخل کیا۔	2000/-	جہانگیر	10.04.2020	2
۔ ثوبت+ دوبندوں کو گیٹ سے اندر داخل کیا۔	1500/-	قمر	11.04.2020	3
پارنچ بندول کو گیٹ کے اندر داخل کیا۔	2500/-	تر	12.04.2020	4

عارف محمود کوطلب کیا جا کربیان قلمبند کیا جس نے رقم لینے کے حوالے سے صاف اٹکار کیا جسکا بیان لف انگوائری ہے۔ _2

مزید حقائق جاننے کے لئے ISHO پروآ انعام اللہ خان کا بیان لیا جا کرلف انکوائری کیا گیا۔ _3

فتح اللّٰدخان عرف قمر ولدرحمت اله خان قوم اس کانی بلوچ سکنه ر مک کے بیانات لئے جا کرلف انکوائری قابل ملاحظہ ہے۔ _4 عاليجاه!

كى گئى انكوائرى اور بيان ازال كنستبل بحواليه مدنمبر 20 مورخه 13.04.2020 تھاننە بروآ ASI عارف محمود 1181 متعینہ تھانہ پروآ گناہ گاریایا گیا کیونکہ مورخہ 12.04.2020 کوفتح اللہ عرف قمرنے رقم دینے کے بعد با قاعدہ طویر ASI عارف محمود بتعلیا جس نے کہا کہ ہم آپ کورقم واپس کرتے ہیں۔لیکن نہ تو قم واپس کی اور ینہ ہی کنسٹبل رفیق کے خلاف کسی قتم کی کاروائی کی اور نہ میں دیا جس سے بیرواضح ہے کہ مذکورہ ASIعارف محمود بھی کس میں ملوث ہے اور رقم لی ہے۔ ASI نہ کور کے اس فعل سے نہ صرف محکمہ الدیس کر دنا می ہوئی بلکہ عوام میں پولیس کا مورال بھی شامکان ہوا۔

Dik ex 19 d c 18 2, 2 (5,00) س خات ملی دیا وال محدوق 148 ج من المع المن المركز و المركز ا رها مه این تایت بر اور ایس های کول وقع بر میما جوسرس کا مکواری سے تھات درست یا گی تی جو کالی (85) ASI 0166/67/61/18/5 2 20 10 000) دينا بون حيّا مل سرد لين م فيل خدف ما فاعره انکوائری کا مفارش کھا تی ہے رورے دوے روزاج کرے ا فسرن بالدما ما ن كولو في فاسب حلم إرال درست 95Ho/Prova

13-04-20

ou, Formation

Ponco Para Horaco.
During

. Date

Show word

میں سیا بخر 143 کونسٹی رفیق اس تا تا افرار کرنا ہیں آئے میں نے ۱۲۵۶ رمک میں 150 کے ۔ سیوں کی نشیع کے دوران میں نے ۱۲۵۶ رمک میں ما 150 کے ۔ سیوں کی نشیع کے دوران مدر ح زبل گورں سے بسے لیے۔

سربابر تاریخ منیر تق بست کی است کو تیت عامر نرم کیا اسر بی منیر منیر منیر اصلا است کو تیت عامر نرم کیا اسربی جہامم می مدہ من اللہ اسربی جہامم می الاقتام میں الاق

اس رقم س سے معدد میں عودرتی اور معدد اے اب ای آرف ے ہ

2020 J. B ELL

714

محکمانه انگوائری برخلاف عارف محمود متعینه تھانہ پروآ بابت احساس پروگرام میں لوگوں سے رقم وصول کرنے بارے

تعداداوراق اسرور على مرائكوائرى مرص مداكم ما در محروص روا الومي ما روي وجول عرف في المع مرف المع مرف المع - 4 W/ 32 (10/3/26) m boin 2 July Ist in willist الكراها والكرانس 01 0) 1 / 6 m ind 6 m 6 1 42 6 1 3 01 ownite Girb Charge 1 of Sto 013 (03 ا گواه مخاله کا کاف فحر کارس کا میان می کارف 0) (ع) انگوائری می فاتیل داور - دست برکز گزارسی 14/04/020

The John Day I The

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19/10/20 Asi> De (1/1/ U/2) Bis 3 (bro /36) ide en 20 20 20 il in in in. or well of the cine of the ill low of the The who with the contract the state of the contract of the state of th Did Jack Dor Asi con letie con costo will USD921 12142 COM 12 2010 CO 1335 CS John Ch (3) Pidiz N/U/2) 2000 word by Cirnel Oxford Color Edy Chinis CHELINOPPELLE CONTRACTION OF CHILIPSE OF CONTRACTION OF CHILIPSE O Constitution of the Consti orwing Chining Chining and 33 23 (2) Mes 2111, 0/2/20 Prof 1 3 2 Calles ch 3 2 2 isologico (interpres) in the service of the service verby by consider of 142 Files pebling (St? 2000 03479310492. Aftstps Prova

مِلْ الْوَانِ الْحُولُ اللَّهُ مَانَ عُوفَ فَحُرُ ولر رحمة اللَّهُ خَالَ مَرْمِ لَكَالَى لَوْ } كم روك لعر 32 ملل العربي المربي ا قرى شِرَ دان كوسكر رفح لكالنفية حماس رودًاع كورفدت حالي مول مردانه روائح عَلَا تَوْصَالَ مِ فَيْحَ لَكُ لُكُ مِنْ عَمِي بِالْحِرِكُ مِينًا كَارِمُ مِنْ يَعِلَى عَلَيْ مُولِي حبے ساعد موا قبل ازی مع لولی سے کانبل بذکرہ مالاکو میں نے کیا کرموے دو قريما برئت داريوريتن آفي مول يول عن مرماني كرك أنكو مكل كالفر دافل كرده قوكا فيثل مدُورو بالان كما كم حجال بنا الحاج أيا خوب اس مات كرلو . توسل ف أ كوكها كرجنوس عاب فحود في المع يتركزا بورو توس في عارف فحود (الله كياس دوائية اوا كوكيا. كدسرة دوقري رئة دارورس آفي بول. انعد سکول کے اسر داخل کروہ ٹوآئی کیاکرماہ کھر تھے۔ کی ایک اسکا اسکے لعبرہیں كَانْ لَيْ الْمُورِينَ عِلِمًا كِياسَ عِلاَثِيا الدا كورا 1500 رج رس وينو ار قریفتر) شعرے دونوں رئت داروں کو سکول کے اسر داخل کردیا ۔ محفر معدم 44/21 كورس دوباره 5 عور تول حركه ميرسم كحوفري رسم وارعيل اناو سكر سكول أكبا. اوروهان مركانم الحروش 142 كو : 10020 ديكر أس ما نكور كول كالمردافل كرديا الرسي كجور سراف رعير وججاعاف جردكياس طالبا ادراك وكيا كريوس كانبل في معال 1500/ ع اوراج کھورٹور کو کول دافل کرے کے . 2560 سرچ لے کی ا تونارف کیورے کیا کریلو میں اکو کہا توں وہ رم آ فروانس كرك ما سكن أس مع محرم والمس سنول والمرك ومنت وَرَقِي مُن مِن مُن الْمُرْمِ مِن الْمُرْمِ مُن الرَّمْ مُن الرَّمْ مُن الْمُرْمُ مُن اللَّهُ مُن اللَّالِمُ مُن اللَّهُ مُنْ اللَّهُ مُن اللَّ اللَّهُ مُن موزنام مت لينا مرح فقو في بي أيل مين أب كورفع وال كوول الم بان - ولا ولائت بايد ال عليه Allesteel

قمرملک پیسوں کاپتہ چل گیاھے آپکےکسی مخالف نےبتایا ھےمیرانام مت لیناآپکی مهربانی هوگی میری نوکری کامسلابنےگامیرےچ ھوٹے جھوٹے بچے ھے اب آپ سکول کےنزدیک نذر ناآو mi والےآیکویکڑےگے

May had a common of the common

سال اوان السيكوانعام الله على مواه . - سان کیا. که کار مسرم ۱۵/۱۹ کو من SHO سرمعول لیزے و مساس برندام جنگ و دل ترمود دیا . که شکاست موصول خوک مُرَكُورِيْسُ فَانَى كُولُ مِردَامْ رَمِكُ بِرَدُلُولُ بِرَمُودِ يَكُمُ عَارِفَ تَوْدِ ركادي المرافع عدد المراهلكاران توكل معرفتم مل عول ميل داخل كريمين، وإس كانت بردونمن ومان ا كول موك سيا تروجال برکانشل فحریش ۱۹۶ ر زوجه عارف فحود کونوام الماس کے بحوم عنجره رئے موصول متدو شکایت کے بارے۔ ليكى جوهر دنمفذوين مالا نعام طوربرلا على كا مظاهره كيا. عرقع لين ادر كول مين داخل كية عد انسكارى بُوك، لَعِيْره من ١١٦٥ وليم رمك من كشت رحياتها. كرا طريع ملى كرمى ومادب مردگرون اهلکاران گورنشف جائی کول مردام رمک آئے ہیں ، جرمن ملا مقع رسخها نووهان بر فيجره سيكا نؤكاري فمرونو عيا مورمايا مركا مجرمادسية سان تحرير كالور فيري مرجورگ ميں كارف ل فيرونون ١٤١٤ نے أس بيان بر النِّرُونْ فَلَا سُمِتَ كُرُّ، وَكُرْهُ فَعْقَدَ



OFFICE OF THE DISTRICT POLICE OFFICER. **DERA ISMAIL KHAN**

Tel: (0966) 9280062 Fax (0966) 9280293

Dated. (5,04 /2020

ORDER

This order will dispose of departmental proceedings conducted against ASI Arif Mahmood No.1181 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

That he while posted at GHSS Ramak as Incharge for the protection of beneficiaries of BISP amount holders. During distribution of said amount he involved himself with FC Muhammad Rafiq No.142 to getting illegal gratification from the following persons for entrance into the center:

S#	Dated	Persons Name	Amount received	Cause of amount received
1.	09.04.2020	Munir	1000	Spare 01-person to enter in the center
2.	10.04.2020	Jahangir	2000	Spare 04-persons to enter in the center
3.	11.04.2020	Qamar	1500	Spare 02-persons to enter in the center
4.	12.04.2020	Qamar	2500	Spare 05-persons to enter in the center

He was served with charge sheet/statement of allegations. An enquiry was conducted into the matter through Mr. Iftikhar Ali Shah DSP/Paroa: DiKhan, under Police Rules-1975 ammended-2014. The Enquiry Officer submitted his finding report in which stated that defaulter ASI Arif Mahmood, 1181 is found guilty of the charges levelled against him. Enquiry Officer further recommended that he may kindly be awarded Major Punishment.

Keeping in view of finding and recommendations of the Enquiry Officer, the undersigned came to the conclusion that the charge levelled against the accused official has been established beyond any shadow of doubt.

Therefore, in exercise of powers conferred upon me under the ibid rules I, Capt. ® Wahid Mehmood, District Police Officer, DI Khan, award him Major Punishment of Dismissal from Police Service, with immediate effect.

OB No. 9481

Dated: 16-14-2080

Capt: ® WAHID MEHMOOD, PSP

う District Police Officer. IM/u Dera Ismail, Khan

No. 3/30 /EC,

For information:

Copy of above is submitted to Worthy Regional Police Officer DIKhan.

> Capt: ® WAHID MEHMOOD, PSP District Police Officer, Dera Ismail Khan



OFFICE OF THE

REGIONAL POLICE OFFICER

Office of the DPO/D Likhan

DERA ISMAIL KHAN REGION

Dated DI Khan

the

17/07/2020

ORDER

order is aimed to dispose of the departmental Ex-ASI Mohammad Arif No. 1181 of District Police DIKhan against the major punishment order i.e. dismissal from service by DPO DIKhan vide OB No. 948 dated 16.04.2020.

Facts of the case are that, he while posted at GHSS Ramak D.I.Khan as incharge for the protection of beneficiaries of BISP amount holders, he alongwith constable Rafiq No. 142 was involved in getting illegal gratification by permitting them entrance into the center.

He was served with charge sheet and enquiry into the matter was conducted by Mr. Hikhar Ali Shah, DSP Parova, D.I.Khan who submitted his findings report and stated that the defaulter ASI is found guilty of taking illegal gratification and recommended him for major punishment. DPO D.I.Khan in light of recommendation of Enquiry Officer, passed the order

He preferred an appeal to the undersigned on 08.05.2020 against the order of OPO DIKhan passed on 16.04.2020. His appeal was sent to DPO DIKhan for comments and to provide his service record vide this office memo: No. 2159/ES dated 07.05.2020. DPO DIKhan vide his office memo: No. 3532/EC dated 08.05.2020 has provided his service record and turnished the comments on the subject appeal.

I, YASEEN FAROOQ, Regional Police Officer, Dera Ismail Khan perused the file of the appellant thoroughly as well as heard him in person in Orderly Room dated 15.07.2020. The alliagations upon him that he while posted as Incharge GHSS Ramak, D.I.Khan, it was his duty to regulate and protect the ladies who came from far flung areas being beneficiaries of BISP to receive their money from the government. ASI Mohammad Arif No. 1181, deputed constable Rafiq on the entry gate who took illegal gratification to the amount of 7000 rupees on four occasions and allowed 12 ladies to enter the premises out of turn. Although, the charge of caking illegal gratification deserves the most stringent punishment but keeping in view the small amount of Rs.7000/- the awarding of the punishment of dismissal from service seems to be a on harsh. Keeping in view the length of his service and seniority, the punishment of awarding dismissal from service is set aside and converted into stoppage of TWO YEARS INCREMENT with cumulative effect. The intervening period is treated as leave without pay.

GROER ANNOUNCED

(YASEEN FARO

REGIONAL POLICE OFFICER DERA ISMAIL KHAN

Copy of above is sent to the DPO DIKhan with reference to his office

/EC dated 08.05.2020.

0B= 1610_ DT= 22-07-2020

REGIONAL POLICE OFFICER

Dera Ismaii, Khan

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