## FORM OF ORDER SHEET

Court of

أتيلج

## Appeal No. 1220/2023

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1 2   1. 29/05/2023   The appeal of Mr. Najeeb Ullah resubmitted tedar by Syed Noman Ali Bukhari Advocate. It is fixed fo preliminary hearing before Single Bench at Peshawar of By the order of Chairman   By the order of Chairman   A	S.No.	Date of order proceedings	Order or other proceedings with signature of judge
by Syed Noman Ali Bukhari Advocate. It is fixed fo preliminary hearing before Single Bench at Peshawar of By the order of Chairman AGGISTIRAR REGISTIRAR	1	2	3
preliminary hearing before Single Bench at Peshawar of By the order of Chairman AREGISTRAR REGISTRAR	1-	29/05/2023	
By the order of Chairman A. REGISTRAR			
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REGISTIRAR			
			By the order of Chairman
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The appeal of Mr. Majeeb Ullah Ex-Constable No.1862 DSP Rural-II Bannu received today by registered post on 12.05.2023 is incomplete on the following score which in informed to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of departmental appeal is not attached with the appeal.
- 2- Annexures A, B, C & D of the appeal are illegible which may be replaced by legible/better one.
- 3. Four more copies/sets of the appeal along with annexures i.e. complete in all t respect may also be submitted with the appeal.

No. ) ( // /S.T,

Dt. <u>15 / 5</u> /2023.

REGISTRAR SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Syed Noman Ali Bukhari Adv. High Court Peshawar.

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## BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

# APPEAL NO. 1220 /2023

Najeeb Ullah

## V/S

Police Deptt:

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APPELLANT Najeeb Ullah

**THROUGH:** 

(SYED NOMAN ALI BUKHARI) ADVOCATE, HIGH COURT.

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للكري UZMA SYED ADVOCATE, HIGH COURT **BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR** 

.....(Appellant)

## APPEAL NO. 1220 12023

Najeeb Ullah Ex-Constable No.1862 DSP/Rural-II, Bannu.

#### VERSUS

- 1. The Inspector General of Police, KP, Peshawar.
- 2. The Regional Police Officer Bannu Region Bannu.
- 3. The District Police Officer Bannu.

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE KP SERVICES TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 26-01-2023 WHEREBY THE APPELLANT WAS **REMOVED FROM SERVICE ILLEGALLY WITHOUT** LAWFUL AUTHORITY AND WITHOUT JURISDICTION AND AGAINST THE REJECTION ORDER DATED 13-04-**2023 WHEREBY THE DEPARTMENTAL APPEAL OF REJ<u>ECTED</u>** THE APPELLANT WAS WITHOUT SHOWING ANY COGENT REASON.

#### **PRAYER:**

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 26/01/2023 AND 13-04-2023 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED IN TO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOR OF APPELLANT.

#### **RESPECTFULLY SHEWETH:**

and zest.



- 1. That the appellant has joined the police department as constable in the year 2007 and since appointment appellant work with full zeal
- 2. That During the entire service, the appellant has not given an iota of chance of complaint to his high-ups but unfortunately, the appellant was served with charge sheet vide DPO Office Endst; No. 445/SRC, dated 09.12.2022, wherein, the so-called charges of contacts erroneous information to I/C net. The appellant properly replied to charge sheet and rebutted the allegation with cogent proof. Copy of charge sheet and reply are attached as annexure- A & B.
- 3. That during the inquiry proceeding, the appellant rebutted each and every charges on plausible grounds further it is added that no chance of cross examination was provided to the appellant which means that the inquiry officer made his mind to remove the appellant. Copy of the inquiry report is attached as annexure-C.
- 4. That on the basis of that findings, without issuing final show cause notice and also not providing of inquiry report to the appellant the competent authority (DPO Bannu) awarded the impugned punishment vide order dated 14-02-2023 without using independent mind, without personal hearing and show cause notice which means that the competent authority made his mind to remove the appellant which is discriminatory, against the law and justice. Copy of impugned order is attached as annexure-D.
- 5. That the appellant feeling aggrieved filed departmental appeal against the impugned order which was rejected without showing any cogent reason vide order dated 13.04.2023. Hence the present appeal on the following grounds amongst other. Copy of departmental appeal and rejection order is attached as annexure-E & F.

#### **GROUNDS:**

A. That the appellant the impugned order dated 26/01/2023 and 13/04/2023 is against the law, norms of justices and without lawful authority. Hence liable to be set-aside.

3.

B. That the inquiry report and show cause was also not provided to the appellant, which is clear violation of Superior Court judgment. That principal is also held in the appeal of the Waleed Mehmood vs Police Deptt and Zeeshan vs police, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as <u>1981 PLD SC 176 and 1987 SCMR 1562</u>, without which all the proceedings is nullity in the eyes of law. Reliance was placed on 2018 PLC (CS) 997 and 2019 SCMR 640.

C. That no proper and regular inquiry was conducted. Neither any documents or report was provided to appellant for examination nor any statement of witnesses recorded in the presence of appellant. Even a chance of cross examination was also not provided to the appellant which is violation of norms of justice.

- D. That vide impugned order dated 26-01-2023, the penalty of removal from service was imposed on the appellant under Police Rules 1975 without using independent mind. The appellant feeling aggrieved filed departmental appeal, which was also rejected on dated 13/4/2023 for no good ground and without applying independent mind. which practice is quite incorrect and turned down by the apex court in a latest judgment contained in 2020 PLC (CS) 1291.
- E. That the attitude and conduct of the Department shows that they were bent upon to remove the appellant at any cost.
- F. That there is no chance of self-defense was provide to the appellant and according to Supreme Court judgment mere on the basis of allegation no one should be punished.
- G. That it is the maxim of the law (audi alteram peltrum) that no one should be unheard, and the impugned order is also passed in violation of article of 10-A OF the constitution of Pakistan which told us about the fair trial which was the fundamental right of the appellant but denied to the appellant. So the impugned order is not tenable in the eye of law.

H. That the appellant was deprived of his inalienable right of personal hearing and opportunity to cross examine witnesses. The opportunity of offering proper defense was snatched from the appellant. The Hon'able Service Tribunal has been consistently following this yardstick almost in all cases, so departure from the set pattern and that too without any cogent reason in the present case would cause irreparable damage to the appellant at the cost of substantial justice. Such inquiry proceeding could not be termed as fair, just and reasonable, as the respondents badly failed to prove that the appellant has leaked certain official information to the criminals. such practice has already been disapproved by the apex court contained in its judgments PLD 1989 SC 335, 1996 SCMR 802, 2018 PLC (CS)997 and 2019 SCMR 640.

Y

I. That the impugned order is against the articles 2A, 4, and 25, of the constitution of Pakistan 1973.

J. That the appellant has remained DSB and the job of intelligent officer is to collect information from whatever source may be, deemed appropriate to protect the interest of state as well as department. The appellant has explained this fact in his reply to the charge sheet too duly testified by officials in his statement, recorded by Enquiry Officer. The appellant only provide information to I/C Net. The appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as <u>1997 PLC cs 564.</u>

K. That the appellant was required to give an opportunity of showing cause of the proposed action which was to be taken by the competent authority but this opportunity was not afforded to the appellant which is mandatory under police rules and other laid down rules. Thus, the appellant was condemned as unheard by violating the due process of law at every stage of the inquiry proceedings.

L. That according to Federal Shariyat court Judgment cited as *PLD* 1989 FSC 39 the show cause notice is must before taking any adverse action, non-issuance of show cause notice is against the injunction of Islam. Hence the impugned order is liable to be setaside.

M. That the show cause is the demand of natural justice and also necessary for fair trial and also necessary in light of injunction of Quran and Sunnah but show cause was not given to the appellant. So, fair trail denied to the appellant which is also violation of Article 10-A of the constitution. Further it is added that according to reported judgment cited as **1997 PLD page 617** stated that every action against natural justice treated to be void and unlawful. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel of every statute according to superior court judgment cited as <u>2017 PLD</u> <u>173 and 1990 PLC cs 727.</u>

N. That the person namely Ahmad Javed doing his business of narcotics through Facebook messenger by the ID Ahmad Tanha. The proved is already provided to the inquiry officer but no action was taken on the same.

O. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT Najeeb Ullah

THROUGH:

(SYED NOMAN ALI BUKHARI) ADVOCATE, HIGH COURT. **BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.** 

SERVICE APPEAL NO. \_\_\_/2023

Najeeb Ullah

V/S

Police Deptt:

#### **CERTIFICATE:**

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.

DEPONENT

#### LIT OF BOOKS:

- 1. Constitution of the Islamic Republic of Pakistan, 1973.
- 2. The Police rules 1975.
- 3. Any other case law as per need.

APPELLANT

Najeeb Ullah

THROUGH:

(SYED NOMAN ALI BUKHARI) ADVOCATE, HIGH COURT PESHAWAR **BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.** 

S.A NO. \_\_\_\_/2023

Najeeb Ullah

<u>AFFIDAVIT</u>

V/S

I, Najeeb Ullah (Appellant), do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honorable Tribunal.

DEPONENT

Police Deptt:

Najeeb Ullah

#### CHARGE SHEET:

I, Dr. MUHAMMAD TOBAL, District Police Official decement competent authority hereby charge, you, Constable Najesh United to 1862 for the purpose of departmental enquiry proceedings as follows:-

That you passed erroneous information to MC Netion 05.12.2021 Upon your information it has been found that you have considence with your source and framed the recovery against innotest citing

Such an act on your part is against service discipline and a construction discipline and a

By reason of the above you appear to be guilty more a solution of the above you appear to be guilty more as the Polico Relos 1975 (As amended vide Khybor Palch) but we want to be solution of August 2014) and have rendered yourself. Packet is a solution of a solution of the said rules.

2 You are therefore, directed to submit your determine the remains of this Charge Sheet to the enquiry officer.

3. Your written defense, if any, should reach to the Enclosed Hour without the specified period, failing which, it shall be presumed that the specified part in that case ex-parts follow shall be as a set of the specified period.

(Tr. MJYA) Ostrict

You are directed to intimate whether you desire of a directed to intimate whether you desire of a

A restement of allegation is endoused a

Better Copy

#### **CHARGE SHEET**

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21

I, Dr. Muhammad Iqbal, District Police Officer Bannu, as competent authority, hereby charge you, Constable Najeeb Ullah No. 1862 for the purpose of departmental enquiry proceedings as follows:-

A 8

That you passed erroneous information to I/C net on 05.12.2022. Upon your information it has been found that you have conscience with your source and framed the recovery against innocent citizen.

Such an act on your part is against service discipline and amounts to gross misconduct in official duty.

1. By reason of the above you appear to be guilty of misconduct Police Rules 1975, (As amended vide Khyber Pakhtunkwa Gazatte No. 27<sup>th</sup> of August 2014) and have rendered yourself liable to be any penalties specified in the said rules.

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

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

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

5. A statement of allegation is enclosure.

(DR. MUHAMMAD IQBAL) District Police officer Bannu

### STATEMENT OF ALLEGATIONS:



I, Dr. MUHAMMAD IQBAL, District Police Officer. Bannulus competent authority, am of the opinion that Constable Najeeb Ullan No. 1862 have rendered themselves liable to be proceeded against as they have committed the following misconduct within the meaning of Police Rules (As amended vide Khyber Pakhtunkhwa Gazette Notification, Mo.2.2, at August 2014).

#### SUMMARY OF ALLEGATIONS:

That he passed erroneous information to I/C Net on 05.12.2022. Upon his information it has been found that he has conscience with his source and framed the recovery against innocent citizen.

Such an act on your part is against service discipline and amounts to gross misconduct in official duty.

1. For the purpose of scrutinizing the conduct of the said accuser with reference to the above allegations  $\underline{Psp}$  Ruman M is consisted as Enquiry Officer.

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

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

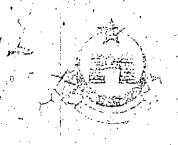
(Dr. AURIVIE Frank (1945)) District Police (1965) Banne

No. 1/5 9/SRC dated 997 48 / 2022 Copies to :-The Enquiry Officer

2. The Accused Officer/Official.

1062 - 22 13.12 - 22 13.12 - 222

ر ما این انس بر العد عدا مقین مرط السب الی بون ما الله . مرض برم مرب کردن کا ت کر مرف عادر الع کر مرب رى ج مىن كو غلطالى وسيس كالج اللا مالا مالى وسوح مى مى ا ت تر مارى ور شيم الزرم حذرائد متعلق مرضم صفائي سي ما يون ، كر رس رضارى س من لا تس تس عنه الم منبع الم معربية من الم الحر المن الل المن الل المرم محربة يسل طائبًا مون المو تم عمرى والى كو فى شاريات يس - ملا من نے رہی دی الی راجس طبیح سے سال کر دمین کر انگریں الی در ب الفارسين بي فرايش الحد على في الجون المار المحرمين مسار وجود في وس المفا رسيس كو على مير منه المج الح العر في منه في المعدم من الموا على حداث مرس لعد محرار فانس المروي الفار مس هر فر فوت فرب ک او محسر من قانین و روست اور انها ج میں تو الحلیج حرال الماح مان مع من من فر من فر مو دار من تحريم حس ما بل تحقايم ( تا بار فی لی لی مرور ن مراسمی مذمور م من مراح کی می می ان مراسی جراب مرسی جراب میں سف میں مثر اس میں اور فق ارتا - یہ کرس تا ہے ایک کرلوں استای سینداری میں سالی ہے میں طرولانی اینی ولی سی تحدیق الم Tures and show of the start of the show of نی کاروانی ن کی تحوی ، العراض سے کی قسی درائے من کی تحق میں ۱۰۰۰ لان في في في والكر من الله عنه الله عنه الله عنه الم هي المراحين الم سر مزیر محدولان در ال حفر ارتفاع احفاظ مون در من حاصر ران مرص هوزی فر ای م نشر بر الله محل معند معل بولس مان بزن 0336.9733519



(N) OFFICE OFTHE DEPUTY SUPERINTENDENT OF POLICE Rural-II, Circle BANNU

No. 6 " R-11 Dated 12/ 01 /2023

Phone No. 0928-61087

ي أن نان!

بحدمت جاب ذستركت يوليس الفيسر بنول

مزدان: - تنكماندائواتري برخلاف كانشيس نجيب التد نمبر 1862 حال معطل لائن

داره موارد بارز شید نور 453 سور تعدیر 09.12،2022 کار به جناب DPO سالحب از ایران موان کانشیل نجیب ارتمد 862 ایران از از ارد بالیه رکوزین انزامات کی روشن میں جارج شیت ایشو بوچکا ہے۔

### SUMMARY OF ALLIGATIONS

- 1 : That you shuged proneous information to I/O Net on 05 32-1032
- -2: Upon your information it has been found that you have considence with your
- source and tramed the recovery aginst innocent citizen.
- 3: Such an act on your Part is against service discipline and amounts to gross misconduct another duty

4 - تنمر ويد الدعر أن العدين سنته م يشق ومين. 4- النمر ويد العدين سنته م يشق ووجريه

مان الذائر 2011 الله فارس NET بوليس ملائي وسيال الذائر 2011 من عند 2012 في من عليه الله تتراجل كراند من من جوار المسلم المسلم من المسلم من بالمسلم من ال المسلم الذائر الذي من عراب في سمر سجاد الديال بسران قالم خان الاستفاد على منا تراوي من المسلم من المسلم من المس المسلم الذي الذي من من الذي من من المسلم في معاد كرون من منا تراوي من منا المواد المسلم من المسلم من المسلم من الذي الذي الذي الذي من من الذي تراوي المواد الذي المواد المسلم في معاد كرون من منا تراوي من المسلم من المسلم من الذي الذي الذي الذي المسلم من من الذي من من معاد كرون من من منا تراوي من من المسلم من المسلم من المسلم من المسلم الذي الذي الذي الذي من من الذي تراوي المواد الذي المسلم من المسلم من المسلم من المسلم من المسلم من المسلم من ال

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بالما الماتين في المالية المحاصية **الحريقة على وتدمير في كونو المحاصة بالمحاصة بالمراجع المحاصة المحاص يستشب المحاصي** 

### Better Copy (11)

OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE Rural-II, Circle BANNU

R-II dated 12/01/2023

Phone No. 0928-610875

بخدمت جناب ڈسٹر کٹ یولیس آفیسر بنوں عنوان: محكمان دانكوائري برخلاف كنستيبل نجيب الله نمبر 1862 جال معطل لائن جناب عالى: بحواله مشموله چارج شیٹ نمبر 453مور خه 12.2022 .09 مجاربیہ DPOصاحب بنوں بر خلاف الله 1862 تحریر ہے کہ مذکورہ پولیس اہلکار کو ذیل الزامات کی روشنی میں چارج شیٹ ایشو چکا ہے۔ SUMMARY OF ALLIGATIONS 1. That you passed erroneous information to I/C Net on 05.12.2022. 2. Upon your information it has been found that you have conscience with your source and framed the recovery against innocent citizen. 3. Such an act on your Part service discipline amounts to gross misconduct in official duty. ائلوائری کے سلسلے میں ذیل یولیس آفیسر ان کوطلب کر کے جن کے بیانات قلمبند کر کے لف انگوائڑ کی لف ہے۔ I. SI خانه جان انچارج NET يوليس لائن \_ 2. ASI انعام متعينه يوليس لائن-3. كنسٹيبل نجب اللَّد نمبر 1862 معطلَ لائن بنوں 4. محمد جاوید ولد معراج الدین سکنه کم چشی دو میل بیان ازاں SI امان اللہ خان انجارجNET یولیس لائن مور خد 05.12.2022 کو کنسٹیبل نجیب اللہ 1862 کی انفار میشن پر بحوالہ نمبر 72 نفری یولیس نے حسب ضابطہ چھایہ زنی کی گئی۔ بدوران چھایہ زنی احمد سجاداور بلال پسر ان قاسم خان کو مشکوک جان کر انٹارو گیش کے لیے گر فتار کیا متذکر ہ بالاکسان کے گھرے نجیب اللہ 1862 نے چرس مقدار یوڑیاں بر آمد کرلی۔ احد جاد کوبذریعہ کنٹر ول روم تھانہ صدرے کلئیر کروایا گیااور ASI سفید خان نے بھی ان کی کلئیرنس کے بارے میں بتایا بعد میں ایس ایچ اوتھانہ منڈان ظہیر خان نے بھی ان لوگوں کو معصومیت کے بارے میں بتایا کیونکہ بند لوگ ہمایاگان اور گاوں کے رہنے والے ہیں معاملہ مشکوک جان کر DPOصاحب کے نوٹس میں لایا گیا اور DPO صاحب کے ساتھ کلمل تفصیلات شئیر کی گئی ہو۔ میں تینوں کسان کوایس ایچ او تھانہ منڈان ظہیر خان

اوران کے ساتھ <del>آئے ہوئے چند مشران کے نجیب اللہ 1862 نے یہ چھایہ زنی جادید نامکٰ وزنی کی انغار</del>

ترتيب دياگيا۔

. بيان اذان انعام الله خان PASI بيد فيم يوليس لائن :

بدریافت بیانی وائه وربه 2022-12-05 وکانیلیل نجیب الله 1862 کی انفار میشن بمراه سید نیم میذی کانشیس حدود قداند سد دیم سیمیان کر اتمد، سجاد جال پسر ان قام خان سکتان کالانیل مستی خان سک گھر پڑ حسب ضابطہ چھا پرزنی کی گئی۔ بادران سرق خاند مسمیان سے کانسیلی نجیب الله 1862 نے 42 پوڑیان چری چتر الی براید کرلی سیمیان احمد ، سجاد ، حکار کو گرفتار کر سک بمراه پولیس است انجارت نیت ال 1862 نے 42 پوڑیان چری چتر الی براید کرلی سیمیان احمد ، سجاد ، حکار کو گرفتار کر سک بمراه پولیس است انجارت میں ال از رس نے بذریعہ کنٹر ول و مقاند صدرت مذکورین یالا کاریکار کا چیک کر سکطنیز کمیا مسمیان کو محکان میں الا میں ان مذہبت مرحوالہ کیا۔

کراس سوالات مایین انگواتری **آ فیسر، اPASانعام الله خان** س: آپ ASI نے س کی انغار میشن پر چھاپر ڈنی کی ہے؟ رج: بچسے امان ان ان رخان انچار ن NET نے تحکم دیا کہ نجیب انلہ کے ساتھ جا کر چھاپر ڈنی کریں نے کیونکہ نجیب انلہ انچار ن نیٹ امان انلہ کے ساتھ انفار میشن شیئر کرتا تھا۔ م: دوران چھاپہ ڈنی کا نشیبل نجیب انلہ نے منشیات برامد کی ہے۔

بيان اذان كانشيس تجيب التدنمبر 1862 حال معطن لاتن:

ب EXXX: "وأب أو م ب أو احمد الم فقص جاديد وزير الو من الركاره وكاب-؟

x×E-O بعد در ميد : ب آب كوانغار ميشن دى تو آب في من م فيسمر ي نوش مل الايا - اور س كو تيما بدر في مين شال سيم ؟ الجواب الاستين تجيب البتات ثلق في جمله الفار ميشن المجارج ميد الالمان التله خان ت وش مل لاكر بالاستين المد في تل الال يوالي الوالي ا ایت این ایکا خان نے IHC مرقبار کو جمراہ کر کے گھر کی معلومات شہوٹ پرافغار مرجا ویدوز ال ساتھ کیکر سمی احمد کے گھر کی انشا ندائی کی ا x×x/E-O بالا احم، سجاد، جلال کے گھر سے نشیات آپ نے برار کی اکس دومرے الجیس آ فیسر نے؟ جواب کا السیس تجریب اللہ، جن میں نے بدا**ت خود منشیات مرام کی ہے۔** 

<u>رائے انکوائر کی آفسی :</u>

7

اید اجام ن شیت ته به لکات کے النہ امات مرحلاف کا شعبل تجب الله درست تابیت موکر معتول مراد یے جاری میں ولد خراج من جاوید ولد خراج من جامع میں تاریخ تمانیہ وجیل کے خاصہ تا فرق کاروانی کی سفارش کی جاتی ہے۔ انحوالا میں رپورٹ مرتب ہوکر **گذارش ہے**۔

the one of the prove

وى يى بوللل مر من ١١ موں

مين زون رفع رند PASI مي تركي . سان تو کم مرد بر <del>22</del> قد و Fe کور 1862 کی المطار س مراه میں ج لردى الكن فرود قدام صررس سان احمد - محاد حال ب تاع ماں کاان سی مان تے گھر ہر نسب خداد کا جراب کی مروران سر ۲۶ خابر معان سے کالی در 1863 نے 42 لوری جرس حبرای بر آ در کری - حسین احر - حاد - طل ک الرفيل فر مران لاش لائ الخارج مد أمان الاع في فرنس س در حسن مرد شرول روم تعام مر س در اور ما و من روم روم ( الله علم من . معال الو 1/2 كام مرال) مرا م علاقد مسران کے عینے بر حوالا کا ۔ Attestinger Nor wind Construction 22-12-022 PASI مردس في مست زيد الم كار مسرة س. آج is A ف ك ك ان ارسن الم/ من مراجا برا عاب زا لا ب ج محصرمان الدرمان الخصر مار الجسر التر مان حار عاب زن ارم. معند من الند أ مان النزم من في مساح رف من مرزمات س، رعمد محار، حارب فالرب دورا بن جحاب من ما سال اردار ب منت مرز مربی سے جن دورون في زن نا شبل تحسب المر بح سنا - از سان ج F2-12-022 F2-12-022 0334-8818002

المان الأخاق الكرانجارج من مر ماقت بال دما خر قوره في الم كو تحب اللي معرك الغارمة من جواله مد مر 27 تبط لغرى حسب مالط، چھا ہرزی کی <sup>ر</sup>ی - مذوران چھا ہر ری اچر برجا بر اور ملال اور قائم خان كومشكر جان مراشاروكون سط گرفتاري - متزكره بالاك تركوم محمد الشعيم في جسراني جرك معدار (1) لور بان مى بامرى - اجر بحاد دور مال تو مدر تعرفول دو كا حدر سے مرکز کرور مال کور احدم تھا صدر مندقان نے کھی ان کی كالرب بر من شامار لورس و بر ا متران طبر ان ا بعى أن لركول فى مصوفيت مار مسى شراريا كمونكر بهرلوك في مس ك نيما بركال لوركادل رسي لي تق معاول سكور جان فورًا مرك حماد في فوض من لاما ماد ور مرك حماد مسالق ممل تصل معلا مشرق فی - لخد من تبنون کمان کو مطلا منزان طري لور الم سائع ال يو جند مترن حوالم لما - لقول محمد الله معمر ومع مرجع بر واويد ما في وزمر وروب كالارمار فخومهل بازرمس دلم ب في الفارميس بر تربيد ديا دفيا - مرابعي بمان ه Attesting ( HIC NET 22 22

بولى رائى روا بلی · سط 1973 à Lie 05 22 - PASI UN PASI (1) فحط مرربي الل وهي من عمر توريما در مارز علا عرضار ١٢٠ الفام 286، 20 من 1321 محاد 281 كمان 1727 396 /13 . 1862 cub . 65 W 200 c 657 mel عسل سمية و حلت منه و لا محمد الله محمد الم ظر عار المراج عامل 3 ماري (راسر دارم من عر عن <sup>3</sup> م ری عرب جاردان برن اس می ای ری و برن Attested مجنب آلار -1862 - 2 المطارحتين في لاري Mm (1) 11/11/20 03)10 (20 00) - 21/20 000 - 2 00) مع مراسان والاسر 25 مالا تعرار فراني علاق تعال عمر سے والی آن سیمان آرجیم سیحاد اللہ کال خال سیران حاسرت سناء عدم سرون جرم مسور عدي و سمرده لاركوم من مبري فان منزن طسرحان - معانة عليم مع مسران ( 2 رور رابو ليل فان اجواله مل رونه معناعة مسلور الراحا عا رعدران باج نونس مى لار حار رو رو ولارى درج رور را مى بيان ج در " نفل من الى زمل بى Ja

#### PUNISHMENT ORDER

This order of the undersigned will dispose of the departmental proceedings against accused **Constable Najeeb Ullah No. 1862,** under Police Rule 1975 (As amended vide Govt: of Khyber). Pakhumkhiva Gazette Notification of even No: dated 27<sup>th</sup> of August 2014) by issuing charge sheet and statement of allegations to him for committing the following commissions/omissions:-

That reportedly Constable Najeeb Ullah No. 1862 passed erroneous information to 1 C NET on 05.12.2022.

That upon his information it has been found that he have conscience with your source and tramed the recovery against innocent citizen.

Charge sheet and statement of allegation were issued to him and DSP/Rural-II, Bannu was appointed as Enquiry Official to hold a regular departmental enquiry under Police Rule 1975 (As amonded vide Govt: of Khyber Pakhtunkhwa Gazette Notification of even No: dated 27<sup>th</sup> of August 2014). The Enquiry Officer submitted findings reports vide letters No. 06/R-II, dated 12.01.2023 and reported that the allegations leveled against the accused official have been proved. Therefore, he is recommended for suitable punishment please, placed at file,

He was heard in orderly room dated 25.01.2023 but he failed to prove himself innocence.

Keeping in view of the above, the undersigned meticulously perused all the relevant record, enquiry report and other circumstances of the case come to the conclusion that allegations leveled against the said official have been proved. His act not only reflects to extreme violation of rules and regulation of this Discipline Force but also tantamount to breach of trust. His further retention in service would be detrimental for the Department. Hence: J. Dr. Muhammad Iqbal, District Police Officer, Bannu. in exercise of the power vested in me under Police Rule 1975(As amended vide Govt: of Khyber Pakhtunkhwa Gazette Notification of even No: dated 27<sup>th</sup> of August 2014) hereby awarded him Major Punishment of "Removal from Service" with immediate effect.

110 26 1.C.1 12023 OB No. \* 1 Dated :

(Dr. MUHAMMAD IQBAL)PSP District Police Officer, Bunnu. Tel: 0928-9270038 Fax :0928-9270045 Email: <u>dpobannu2@email.com</u>

284-86 SRC / No:

. . . . .

dated Bannu, the

Copy of above for necessary action to: Pay Officer, SRC, OHC 2 6/ 1 /2023

#### PUNISHMENT ORDER

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that upon his information it has been found that he have conscience with your source and framed the recovery against innocent citizen.

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O.B No. 110 Dated 26.01.20223

> (DR. MUHAMMAD IQBAL) PSP District Police officer Bannu Tel 0928-9270038 Email:dpobannu2@gmail.com Dated 26.01.2023

No. 284-86/SRC Bannu the

Copy of above for information 1...Pay Officer, SRC, OHC 17

F فالمعت طالب ر مبرك يول ف أف يطوب ون عب) بوب مناب. ايسل رفدن أردر بالم 110 و ارج 12 3 د ارجل الما العال. مناری بخورالز می جار مرا با مرا می با من از اردر مب مداجس مارو الاس ما با ب من اسرا در مرد روی می باست مكاملي ، جودم المرار المان اور عدم من ب ، الدين مود في ال ی مجد سال عن ۲۰۰ مردان مرد به اوراند به ای سال سروس بابت دماد دار ما مس مالدمسرونا) وماب 6 بركر سال Telv بلم مر الطروان ومر ذو فاسرواج د م والف اور برب ج وا كويميكي كم من سوكل مرج خد في كرولوالا الما رمين وكمر مع منا وشيري المصرب ولو · c. 65 6. 5. יית שינ אשרי איש בינ ש B E או אי יין יות ושא ושיי 6 بر معلى المس المربى على من المسل كالم من من من مراج الراد الراب. بر مسال مروش احر رسانه كالوفان معادان مدر والم مدر كادلها وش الله ج تبت تا تحاير موالا. الم مرد الارت العلاك ويد الجارج مد اور فرر مدا كالان مراد با حار تعراد الم س مدن الما : - ومول ول و مركدتان مرما مديد ماند مربع الم من جام ولار مدام اوم و محد مناركر مجرم مرام مركاني جرر من كاد د بالازن أراف أساده مولاي . PIFO



بر الرمان الماد الدرار المراماد در دور ما ما ما ما الم المرام الم مرا. تركمان زن المارج ؛ فررشا كان ما ما الم م مرمن، معدة تسارض حدودا فران شار در مراع مدر فان مرا ما بالذي ي وحد ساماد مد والى فرال مراد منزو نبي ب ، بركون مالى فالم فركور الكود في جون كا هما يد كارون بمال ب · بر دستار فروشون ار در بون د شنار ان تا مرمنا رو ما ۵؛ ن مور اد د با ب · a Baw (16 in Recommendation Configicales . - كر من سنى كدر Room بالمعالم من عدي من من من من ما . بر مر سائل مالزد من مود من لمن خرد ال مراج سا ب كمونا سال 63 زا ما المورم بن جاب وموت و في ام ما تر ما الل . كالاستر ما الم المرد الم الم المعاد الم الم الم الم الم الم الم الم الم كريا كاعم مدرر فروا كرو قد من مير درجا الموت دس مت واللرلال، بماج ماج وعرخفر ارز فات مزرع المرابر 06 025. P) مى أكرى كبيل بخرب المنربر 1863 مى « تى تر خرار خرار خرار كار كار كار مارى متسب



#### ORDER:

This order will dispose of departmental appeal, preferred by Ex-FC Najeeb Ullah No.1862 of District Bannu, wherein he has prayed for setting aside the order of major punishment of "Removal from service", imposed upon him by DPO Bannu vide OB No.110 dated 26.01.2023 for committing the following misconduct:-

TOLULY

- That reportedly constable Najeeb Ullah No.1862 passed erroneous information to I/C NET on 05.12.2022.
  - That upon this information it has been found that he has conscience with source and framed the recovery against innocent citizen.

Enquiry File, service record and punishment order were received and perused in detail. As per enquiry file, the appellant was charge sheeted based upon statement of allegations and SDPO Rucel-II Bannu was appointed as Enquiry Officer vide DPO-Bannu No.453 dated 09.12.2022 . The E.O conducted inquiry into the allegations and submitted his findings, wherein the E.O concluded that the allegations leveled against the appellant have been proved in toto. During course of inquiry, it came to light that the innocent citizens viz Ahmed Sajad and Jalal sons of Qasim r/o Kala Khel Masti Khel had discontinued their friendship with the so called source Javaid Mahammad Wazir s/o Meran ud-Din r/o Kam Chashmai, who with the connivance of delinquent orticial managed to conduct Police raid upon their house for ulterior motive(s). Astonishing to note that only the delinquent official had recovered all 42 packets of "Chitrali Charas, while the rest police officials present on the spot did not find any contraband. Moreover, antecedents of the above named persons were also verified through local police and notables of the area who reported them to be law abiding. Therefore, the appellar t was recommended by the E.O for award of major punishment. The competent authority (DPO Bannu) with the recommendation of the E.O and through inquiry awarded the appellant major punishment of "Removal from Service" vide OB No.110, dated 26.01.2023.

The appellant was heard in person in orderly room held in RPO Office Bainu on 06.04.2023. His service record, enquiry file and other relevant papers were perused which revealed that the appellant had deep relations with Javaid Wazir (Furniture dealer/so called source) and have misused his official power evident from the statements of other police officials present on the spot to implicate innocent citizens in false narcotics cases. This act is not only against the purpose of police but also ignoble.

Therefore, I, Syed Ashfaq Anwar, PSP, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014) hereby reject his appeal and endorse the punishment awarded to him by DPO Bannu vide OB No. 110 dated 26.01.2023.

ORDER ANNOHNCED OB No.

Dated: 17/1/1/2023.

Regional Police Officer, Bannu Region, Bannu

# No. 1146 BC, dated Bannu the 13104/2023

DPO-Bannu for necessary action w/r to his office letter No. cited above. Complete Service Roll and enquiry file of Ex-FC Najeeb Ullah No.1862 of District Bannu are sent herewith for record in your office which may be acknowledged, please.

Regional Police Officer, Bannu Region, Bannu

بعذالت KP Beboice Midure Pester 29 مورخه Najeeb Ullah مقدمه دعولى Police Depte جرم باعث تحريراً نكبه مقدمه مندرجة عنوان بالاميں اپنی طرف سے واسطے پیر دی وجواب دہی وکل کار دائی متعلقہ آن مقام بشرامر کیلئے مسیر نیمان ولی خارک مخط سس مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کوراضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارغرضی دعویٰ اور درخواست ہر قشم کی تصدیق زرای پر دستخط کرانے کا اختیار ہو گا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپل کی برا مدگ اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کامختاج ہو گا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاردائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا ۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیار ات حاصل ہو ں گے ادراس کا ساختہ پر داختہ منظور وقبول ہو گا دوران مقدمہ میں جوخرچہ ہر جانہ التوائے مقدمہ ہوں گے کروں سبب سے دہوگا ۔کوئی تاریخ پیشی مقام دورہ پر ہویا حد سے باہر ہوتو وکیل صاحب پابند ہوں گے۔ پیپر 🖌 کہ پیروی مذکورکریں۔لہذاوکالت نامہ کھدیا کہ سندر ہے۔ ٥٢ المرقوم *،*20

العبـــــد گــــــواه العبـــــد