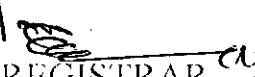


FORM OF ORDER SHEET

Court of _____

Case No. - _____

623/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/03/2023	<p style="text-align: center;">The appeal of Mr. Haq Nawaz presented today by Mr. Muhammad Aslam Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abd on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;">  REGISTRAR </p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Haq Nawaz vs/13 PPK & Oth

S#	CONTENTS	YES	NO
1	This Appeal has been presented by <u>M. Ahsan Tariq Advocate</u>	✓	
2	Whether counsel / appellant/ respondent/ deponent have signed the requisite document?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?		
7	Whether affidavit is duly attested by competent oath commissioner?	✓	
8	Whether Appeal / Annexures are properly paged?	✓	
9	Whether Certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/ clear?	✓	
13	Whether copy of appeal is delivered to AG/ DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by Petitioner/ Appellant / Respondents?	✓	
15	Whether number of referred cases given are correct?	✓	
16	Whether appeal contains cutting / overwriting?		✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this Court?	✓	
19	Whether requisite number of spare copies are attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether security and process fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, Notice along with copy of Appeal and annexures has been sent to Respondents? On _____	✓	✓
26	Whether copies of comments / reply / rejoinder submitted? On _____	✓	
27	Whether copies of comments/ reply/ rejoinder provided to opposite party? On _____		

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

Name:- Mohammad Ahsan Tariq Advocate

Signature:- M. Ahsan

Dated:- 21-03-2023

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Haq Nawaz, Ex-Constable No. 852 District Police Haripur, R/O
Village Bhaira, Tehsil & District Haripur.

Appeal No 623/2023
(Appellant)

VERSUS

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

(Respondents)

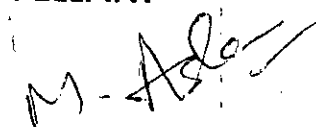
SERVICE APPEAL

INDEX

S/No.	Description of documents.	Annexure	Page No.
1.	Memo of appeal & suspension application.		01-06
2.	Medical Treatment Documents.	"A"	07-19
3.	Charge Sheet & its reply.	"B&C"	20-22
4.	Dismissal Order Orders dated 01-09-2022.	"D"	23
5.	Departmental Appeal 10-10-2022	"E"	24-26
6.	Appeal Rejection Order dated 23-02-2023	"F"	27
7.	Wakalatnama		


APPELLANT

THROUGH


(MUHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
ABBOTTABAD

Dated: 15-03-2023

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No..... 623 2023

Haq Nawaz, Ex-Constable No. 852 District Police Haripur, R/O
Village Bhaira, Tehsil & District Haripur.

(Appellant)

VERSUS

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

(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT
1974 AGAINST ORDER DATED 01-09-2022 OF THE DISTRICT POLICE
OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN DISMISSED FROM
SERVICE AND ORDER DATED 23-02-2023 OF THE REGIONAL POLICE
OFFICER HAZARA REGION ABBOTTABAD WHEREBY APPELLANT'S
DEPARTMENTAL APPEAL HAS BEEN FILED/REJECTED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH
ORDERS DATED 01-09-2022 AND 23-02-2023 OF THE RESPONDENTS
MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE REINSTATED IN
HIS SERVICE FROM THE DATE OF DISMISSAL WITH ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully Sheweth:

1. That appellant has rendered about 28 years service in the police department. Appellant while posted at Police Lines Haripur suffered with serious illness. Appellant applied for medical leave through written request and submitted all medical treatment documents to his office. Appellant remained confined to bed from 02-07-2022 to 28-07-2022. **(Record of medical treatment 13 pages is attached as annexure-"A").**

2

2. That appellant was served upon with a charge sheet by the District Police Officer Haripur which was replied in detail and allegations were denied straightaway. **(Copies of charge sheet & its reply are as Annexure "B & C")**.
3. That finally the District Police Officer Haripur dismissed the appellant from service vide order dated 01-09-2022. **(Copy of dismissal order is attached as Annexure- "D")**.
4. That no proper departmental inquiry was conducted. Neither a Final Show Cause Notice was issued nor inquiry report, if any, was given to appellant. Even opportunity of personal hearing was not provided and he was condemned unheard against the law, departmental rules and regulations.
5. That petitioner aggrieved of the dismissal order preferred a departmental appeal before the Regional Police Officer, Hazara Region, Abbottabad which was filed/rejected vide order dated 23-02-2023 **(Copies of departmental appeal and order dated 23-02-2023 are attached as "E & F")**. Hence instant service appeal inter alia on the following as well other:

GROUND:-

- A) That both the impugned orders dated 01-09-2022 and 23-02-2023 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence are liable to be set aside.

- B) That no proper departmental inquiry was conducted. Neither Final Show Cause Notice nor inquiry report, if any, were issued to appellant. Even the appellant was not provided with the opportunity of personal hearing and he was awarded major punishment of dismissal from service in serious violation of law, departmental rules & regulations, facts and principle of natural justice.
- C) That respondents have not treated the appellant in accordance with law, departmental rules, regulation and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders which are unjust, unfair hence not sustainable in the eyes of law.
- D) That appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken in the memo of appeal and has rejected the departmental appeal. Thus act of respondent is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clauses Act 1897 and Article-10 of the Constitution of Islamic Republic of Pakistan 1973.
- E) That the allegations leveled against appellant in the charge sheet are incorrect, false and fabricated. Appellant never absented himself rather he was seriously ill and confined to bed from 02-07-2022 to 28-07-2022 and submitted medical treatment documents to his officer for grant of medical leave. Nothing adverse could be brought on record against the appellant to prove the allegation against him.

4


F) That instant service appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudicate upon the lis.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant service appeal both the orders dated 01-09-2022 and dated 23-02-2023 of the respondents may graciously be set aside and appellant be re-instated in service from the date of dismissal with all consequential service back benefits. Any other relief which in the circumstances of the case this honorable Tribunal deems fit may also be granted.

Through


Appellant


(Muhammad Aslam Tanoli)
Advocate High Court
At Abbottabad

Dated: 15-03-2023

VERIFICATION

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

Dated: 15-03-2023


Appellant

5

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Haq Nawaz, Ex-Constable No. 852 District Police Haripur, R/O
Village Bhaira, Tehsil & District Haripur.

(Appellant)

VERSUS

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

(Respondents)

SERVICE APPEAL

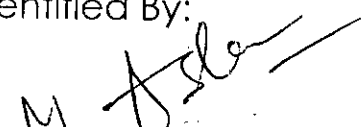
AFFIDAVIT

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

Dated: 14-03-2023

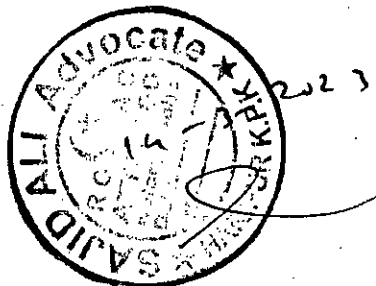

Deponent/Appellant

Identified By:


(Muhammad Aslam Tanoli)
Advocate High Court
ABBOTTABAD

Dated: 14-03-2023


Appellant



6

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Haq Nawaz, Ex-Constable No. 852 District Police Haripur, R/O
Village Bhaira, Tehsil & District Haripur.

(Appellant)

VERSUS

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

(Respondents)

SERVICE APPEAL

CERTIFICATE

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

Dated: 15-03-2023


Appellant

7

Annex - 'A'

EMERGENCY Rs. 10/-
DHQ HOSPITAL HARIPUR
(OUTPATIENTS DEPARTMENT)

FACE VALUE RUPEES RS. 10/-

NAME _____
YEARLY NO _____ 782
DATE _____ 02-07-22
DISEASE _____

✓
✓
CBC
LFT
TYPED

pass. w. canthex
up. praxis
9 - Ketumim
9 - canthex
9 - left hand

Td. defense son
Td. parandul
Sp. Swastika
2 + 2
Td. wadul. fut

Ado bed rest for 07 days

Dr. Suresh Kumar
Medical Officer
DHQ Hospital
Haripur

Attested

(Signature)



Dr. Ejaz Masood

MBBS, FCPS
Medical Specialist

BASIL CLINIC

The Healing Touch



Basil Clinic, Sadiq Plaza, Adla Darband, Haripur 22620 KPK. 0995-629176/0332-5098022
Reg. # 01865 / Haripur

ULTRASOUND REPORT

Name: Robeen Date: 16 Feb

Liver: Size, contour and parenchymal texture are normal. There is no focal defect or sign of interhepatic cholelithiasis.

Gall Bladder: Size and wall thickness are normal. There is no calculus, sludge or mass. Ultrasound guided murphy's sign is not present. Common bile duct is not dilated.

Pancreas: Size and texture are normal. No focal defect or calcification seen, No peri-pancreatic fluid seen.

Spleen: Size, Texture and hilum are normal No focal defect seen.

Right Kidney: _____ **and Left Kidney:** _____ Normal size contour, Position and parenchyma No sign of hydronephrosis, pelvi-calyceal congestion, calculus, cyst or mass. No hydroureter seen.

Urinary Bladder: Normal wall thickness and volume. No stone, diverticulum or mass seen.

Pelvis: Normal Genital Viscerae. There is no free or encysted fluid in pleural, peritoneal or Pericardial cavity. Para aortic and portahepatic lymph nodes are not enlarged. No abnormal gut wall thickness seen in any quadrant. Gut motility, gaseous distention intraluminal fluid are normal. Normal peri-gut fatty tissue.

Inferior vena cava, portal vein and abdominal aorta are normal.

Opinion: Normal Echo Study

Attested
[Signature]

At times single ultrasound study may be inconclusive and re-scanning the patient becomes necessary to elucidate an abnormality. The inference is based solely on echographic features and does not imply the final diagnosis for which clinical data and other diagnostic test are mandatory.

10

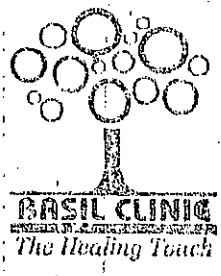
BASIL CLINIC

The Healing Touch

Dr. Ejaz Masood

MBBS, FCPS
Medical Specialist
Member American Association of Clinical Endocrinologists
Member American College of Physicians
Professional Member American Diabetes Association

R-1443
R-3981

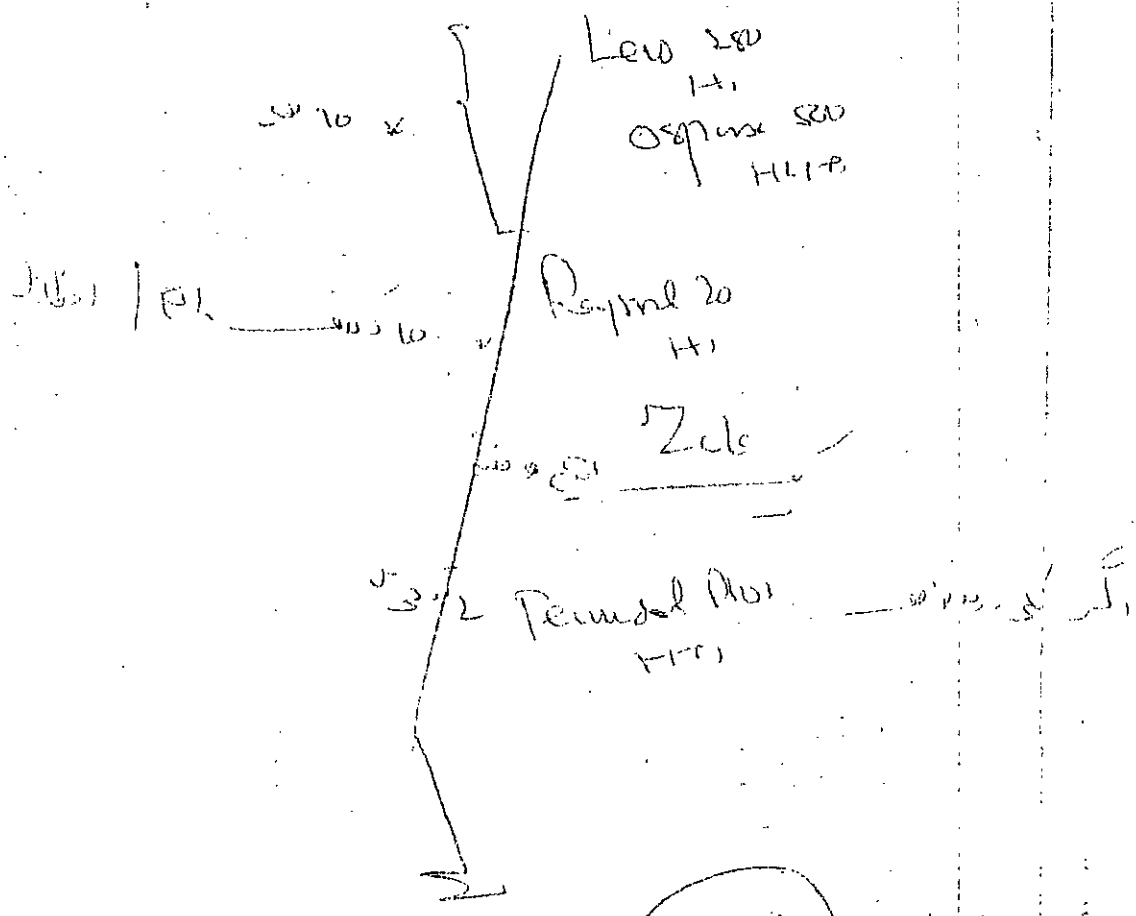


16 Feb

Diabetes

(2)

14
Acute sup 2000 NS
Sew 16 AM
(15.20 2.30 AM)
Toller



(12/2/24)

Basil Clinic: Dhendahi Road, (Chohar Morr) Haripur 22620, KPK Pakistan. 0995-629136. 0332-5098022
Reg. # 01865 / Haripur

Attested
[Signature]

BASIL CLINIC



Center for HYPERTENSION and DIABETES



II. PYLORI SEROLOGY

Name RUBEENA

Date: 16/07/2022

Reference DR: EJAZ MASOOD

RESULT

Serum H. Pylori IgG Antibodies ***** POSITIVE *****

Supervised by
Dr. Ejaz Masood
MBBS, FCPS
Medical Specialist

Basil Clinic: Dhendali Road, (Chohar Morr) Haripur 22620, KPK Pakistan. 0995-629176. 0332-5098022
basilclinic@gmail.com

Attested

Center for HYPERTENSION and DIABETES

HAEMATOLOGY REPORTS

NAME: RUBEENA BIBI

DATE: 16/07/2022

Reference: DR: EJAZ MASOOD

Sex: F/M

Exam Req: BLOOD CP

BLOOD COMPLETE PICTURE & ABSOLU		VALUE
TEST	RESULT	NORMAL RANGE
HAEMOGLOBIN	G/dl	Male 13-18 Female 11.5-16.5
TOTAL RBC'S	X10 ¹² /Lit	Male 4.5 - 6.5 Female 3.8 - 5.8
TOTAL WBC'S	X10 ⁹ /Lit	Male 4.0 - 11.0 Female 4.0 - 11.0
PLATELETS	X10 ⁹ /Lit	Male 150 - 400 Female 150 - 400
PCV (HCT)	%	Male .40 - .54 Female .38 - .47
MCV	fL	76 - 97 fl
MCH	Pg	27 - 32
MCHC	G/dl	30 - 35
ESR		Male 0 - 9 Female 0 - 15
NEUTROPHILS		50 - 70
EOSINOPHILS	%	1 - 5
BASOPHILS	%	0.5 - 1
LYMPHOCYTES	%	20 - 40
MONOCYTES	%	2 - 6
BLAST CELLS	%	
NUCLEATED RBC	100 RBC'S	NIL
RETICULOCYTES	%	Adult 0.5-2.5 Full term Infant 2-5%

The results of tests can be influenced by various clinical factors. Clinical co-ration and

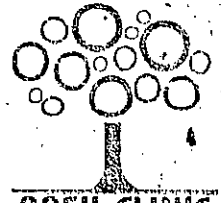
Supervised by

Dr. Ejaz Masood
MBBS, FCPS
Medical Specialist

Basil Clinic, Dhendah Road, (Chohar Morr) Haripur 22620, KPK Pakistan. 0995-629176, 0332-5098022
basilclinic@gmail.com

Attested

13
12358



17 / 7 / 2012

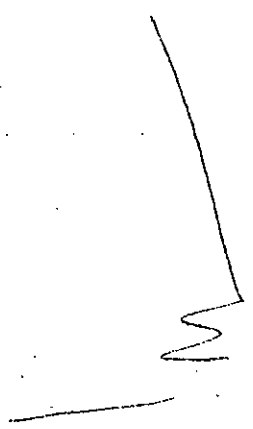
Dr. Ejaz Masood

MBBS, FCPS
Medical Specialist
Member American Association of Clinical Endocrinologists
Member American College of Physicians
Professional Member American Diabetes Association

Referred

Q

60
Solinate
MBW 10 ATO
5
Progresso
30
Rajmal 20



Attested

[Signature]

BASIL CLINIC

The Healing Touch



Center for HYPERTENSION and DIABETES

Patient Name : RUBEENA BIBI
Sex : M/F
Specimen : BLOOD
Ref : Dr. EJAZ MASOOD
Date : 17/7/2022

TEST	RESULT	REFERENCE RANGE
BLOOD GLUCOSE	92mg/dl	Normal Fasting blood glucose level 70---99 mg/dl Impaired fasting blood glucose 100---120 mg/dl Normal 2 hour PP blood glucose <140 mg/dl Impaired 2 hour PP blood glucose >140---180 mg/dl Abnormal/poor control DM>180 mg/dl
SERUM UREA	***mg/dl	15 - 40 mg/dl
Serum Creatinine	***mg/dl	0.7 - 1.4 mg/dl

The results of test can be influenced by various clinical factors.
Clinical co-relation and further investigation are required.

Supervised by
Dr. Ejaz Masood
MBBS, FCPS
Medical Specialist

Basil Clinic: Dhendah Road, (Chohar Morr) Haripur 22620, KPK Pakistan. 0995-629176, 0332-5098022
basilclinic@gmail.com

Attested



District Head Quarter (DHQ) Teaching Hospital, Haripur

Pathology Investigation Receipt Dept: Copy

16

Lab S.No :- 178909
Patient Name :- Umar Nawaz
Gender :- Male Age :- 15 Years
Guardian :- Nil
Address :- Haripur [K.P.K.]

Patient ID :- 222070810109
Date & Time :- 25-Jul-2022 10:04:28
Patients Status :- Charge
Bed / Room # :-
Enter by :- Awais Khan Opd04

CBC By Analyser 60.00

Software By :- Majeed ul Rehman, Cell # :- 0333 912 7071

Gross Total :- 60.00

Attested

17

No. 77
Date 07/25/2022
Time 10:35



District Head Quarter (DHQ) Teaching
Pathology Investigation

WBC WL* $6.9 \times 10^9 / \mu L$
RBC $4.00 \times 10^6 / \mu L$
HGB $11.3 g / dL$
HCT 36.3%
MCV 90.8 fL
MCH 28.3 pg
MCHC $31.1 g / dL$
PLT $179 \times 10^3 / \mu L$

ur
y

Lab S No :- 175999 417783570
Patient Name :- Umer Nawaz
Gender :- Male Age :- 15 Years
Guardian :- Nil
Address :- Haripur [K.P.K.]
CBC By Analyser 60.00

Patient ID #
Date & Time
Patients Status
Bed / Room #
Enter by
LYM% WL* 19.7%
MXD% WL* 3.0%
NEUT% WL* 77.3%
LYM# WL* $1.4 \times 10^9 / \mu L$
MXD# WL* $0.2 \times 10^9 / \mu L$
NEUT# WL* $5.3 \times 10^9 / \mu L$
RDW-SD 51.9 fL
RDW-CV 15.3%
MPV 11.7 fL

Software By :- Muzoon ul Rehman, Cell # :- 0333 912 7071

Gross

Attested
[Signature]



District Head Quarter (DHQ) Teaching Hospital, Haripur
 Out Door Patients Department (O.P.D)

18

O.P.D No. : 029848
 Name : Uqer Nawaz
 Gender : Male Age : 15 Years
 Address : Haripur [K.P.K]
 Patient ID : 122070610129
 CRIC :
 Date & Time : 25-Jul-2022 09:22:06
 District : Haripur, KPK
 Patient Status : Routine
 Cell :-

Rs. - Ten Only

Rx:-

Emergency

Ku
22

Blue CP

M

- 2/4 Hb 5000%
- 2/4 Hgm 40% in 4/4
- 2/4 Oxidat Hgm% in 4/4
- 2/4 Provas acc 7m 808.

-
- Tab. Lofex 200mg 4/4
 - Tab. Nulax 400
 - Tab. Grammat 4/4
 - Tab. Rilex 2/4

Enter By : Nazia Khatk

Dr. Waheed Ur Rehman (MBBS)
 Chief Medical Officer
 Hospital Haripur

Attested

BASIL CLINIC

The Healing Touch

112

Dr. Ejaz Masood

MBBS, FCPS

Medical Specialist

Member American Association of Clinical Endocrinologists

Member American College of Physicians

Professional Member American Diabetes Association

19



BASIL CLINIC
The Healing Touch

Rosen

28.7.2022

R

Saline

Repeat 20

درد و تپش قلب

Femoral Artery

آرtery

Teller

درد در ناحیه

Attested
[Signature]

Imran Shahid, (PSP) District Police Officer, Haripur as competent authority, hereby charge you FC Hamawaz No.262 as enclosed statement of allegations.

- (1) You appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Rules.
- (2) You are therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Enquiry Officer as the case may be.
- (3) Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which it will be presumed that you have no defense to put in and in that case, ex-parte action will follow against you.
- (4) Intimate whether you desire to be heard in person or otherwise.
- (5) A statement of allegations is enclosed.

Imran Shahid, (PSP)
District Police Officer
Haripur

Attested
P.O.

DISCIPLINARY ACTION

21

I, Imran Shahid, (PSP), District Police Officer, Haripur as competent authority is of the opinion that you FC Haqnawaz No.262 have rendered yourself liable to be proceeded against you as you have committed the following acts/omissions within the meanings of Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014).

STATEMENT OF ALLEGATION

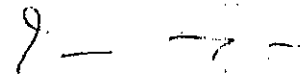
"It has been reported vide DD No.35 dated 02.07.2022, (PS Ghazi), that you while transferred/posted from Police Lines to PS Ghazi, absented yourself from official duties w.e.f. 01.07.2022 to till date, without obtaining any permission/leave from the competent authority, which is against the discipline and rules. This tantamounts to gross misconduct and indiscipline on your part in terms of KPK Police E and D Rules 1975" (amended 2014).

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, following Enquiry officer is appointed to probe the charges.

Mr. Iftikhar Ahmed (DSP Saddar)

(3) The Enquiry Officer shall in accordance with the provisions of these Rules provide reasonable opportunity of hearing to the accused, record findings and make within 14 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 department shall attend the proceedings on the date, time and place fixed by the Enquiry Officer.

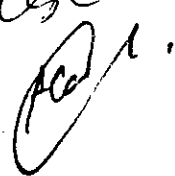

Imran Shahid, (PSP)
District Police Officer,
Haripur


No: 232-33/11C dated Haripur the 21/07/2022.

Copy of above is submitted to:-

- 1) Enquiry Officer for initiating proceedings against the said accused under Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014).
- 2) FC Haqnawaz No.262 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



District Police Officer,
Haripur

جناب عالی

FC حق کو امر مقصدی کا غازی الخیات کے نام سے 262
 انہیں جسٹس قذافی نے 2022ء میں دہرائی گئی تھی اور ان سے قیام غازی اور رضیٰ کو بھی
 اہم و غیر اہم کے طور پر دیکھا گیا ہے۔ جناب عالی نے قذافی کو اس سے قیام غازی اور رضیٰ کو بھی
 قذافی نے جناب عالی کو رضیٰ اور غیر طبیعت سے قیام غازی اور رضیٰ کو بھی
 جس وقت میں 2022ء میں دہرائی گیا اور ایسا علاج حاصل کرنے کے لیے جناب عالی
 تقریباً دو ہفتے میں علاج حاصل کرنے اور طبیعت قذافی اور رضیٰ کو بھی
 انہیں دیکھنا چاہی تو اس دوران میں ایسا بھی دونوں بیماریاں سے اور میں نے
 دیکھا کہ میں مبتلا ہو گیا ہے۔ قذافی کا علاج حاصل کرنے اور رضیٰ کو بھی
 میں نے دیکھا کہ جناب عالی نے 25/2022ء میں قذافی کو مبتلا کرنا کفر میں
 علاوہ کوئی بڑا نہیں جو کفر کو سفیالے اور دیکھو بحال کرنے کے لیے ایسا کرتے ہیں وہ جب
 سے بہت پریشانی کا سامنا کرنا پڑتا ہے تو کفر کو مسائل کی وجہ سے میں نے پریشانی
 اور اپنے کفر کا شہرہ بہرہ میں کفر کوئی اور کمانے والا بھی نہیں واحد کفیل میں
 جان لو کہ کفر حاضر نہیں خواجوں اور کفر کوئی کا عادی نہیں میں اپنی قذافی
 بنائے ایسا فدا کی اور قذافی سے اور کفر کوئی

جناب عالی درج ذیل ذرا اب حد استقامت میں غازی اور رضیٰ کو طاق میں
 میں نے کفر کوئی اور رضیٰ کو بھی دیکھا ہے اور کفر کوئی اور رضیٰ کو بھی
 کارسہ کا ایسا ہے اور قذافی کو بھی دیکھا ہے اور رضیٰ کو بھی
 میں نے کفر کوئی اور رضیٰ کو بھی دیکھا ہے اور کفر کوئی اور رضیٰ کو بھی
 میں نے کفر کوئی اور رضیٰ کو بھی دیکھا ہے اور کفر کوئی اور رضیٰ کو بھی
 میں نے کفر کوئی اور رضیٰ کو بھی دیکھا ہے اور کفر کوئی اور رضیٰ کو بھی

FC حق کو امر مقصدی کا غازی الخیات کے نام سے 262

Attested
 [Signature]

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Annex-D

DISTRICT POLICE OFFICER
HARIPUR

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

ORDER

FC Haqnawaz No.262, while transferred/posted from Police Lines to PS Ghazi, absented himself from official duties w.e.f. 01.07.2022 to 28.07.2022 (28 Days) vide DD No.35 dated 02.07.2022 (PS Ghazi), without obtaining any permission/leave from the competent authority, which is against the discipline and rules. This tantamounts to gross misconduct on his part in terms of Khyber Pakhtunkhwa, police efficiency and discipline rules 1975 (amended 2014).

To probe the allegations of misconduct Mr. Iftikhar Ahmed, DSP/Saddar, was appointed as Enquiry Officer vide this office memo No.232-33/HC dated 21.07.2022. The inquiry officer conducted departmental enquiry in which the accused official participated and disclosed that he was suffering from high temperature. Therefore, he proceeded to the DHQ Hospital for treatment. As soon as he improved his son and daughter also fell in illness. He also presented medical record regarding illness. As per provided medical record his son was ill on 25.07.2022, while he got treatment on 09.07.2022. The medical record does not support the stance of delinquent official as his service record was also checked and he was found habitual absentee. The enquiry officer submitted his findings vide his office Memo No.321 dated 15.08.2022, in which he recommended him for "Major Punishment".

Having perused the relevant record and clarification of the defaulter official the charges of misconduct against FC Haqnawaz No.262 stood proved. Therefore, I, Imran Shahid, (PSP), District Police Officer, Haripur being a competent authority under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rule 1975 (amended 2014), am fully satisfied that FC Haqnawaz No.262, committed gross misconduct. Therefore, he is awarded Major Punishment of "Dismissal from Service", with immediate effect.

OB No. 587

Dated 01-09-2022

Attested

Imran Shahid, PSP
District Police Officer,
Haripur

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Annex 'E'

BEFORE THE REGIONAL POLICE OFFICER HAZARA REGION
ABBOTTABAD

(Departmental Appeal by Haq Nawaz FC No.262 District Police Haripur) dated 10-10-2022

DEPARTMENTAL APPEAL AGAINST ORDER OB NO.587 DATED 01-09-2022 (DELIVERED ON 15-09-2022) OF THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED PUNISHMENT OF "DISMISSAL FROM SERVICE".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL ORDER DATED 01-09-2022 MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSAL WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,


With most respect and reverence the following few lines are submitted for your kind consideration and favorable orders:-

1. That appellant has served the police department for about 28 years. Appellant always performed his assigned duties with zeal, zest, devotion, dedication and honesty to the entire satisfaction of his officers and never provided a chance of reprimand. Appellant has meritorious service record at his credit.
2. That appellant while posted as constable Police Lines Haripur was served upon with a Charge Sheet by the District Police Officer Haripur which the appellant replied in detail and denied the allegations as incorporated therein being incorrect and baseless. (Copies of charge sheet & its reply are attached).
3. That allegations leveled against the appellant in the Charge Sheet were incorrect, against the facts and

Attested


based on surmises, conjectures and malafide contention having no nexus with any truth.

4. That while appellant posted at Police Lines Haripur not only he rather his wife and almost all the members of his house fell ill with fever like Malaria etc. Appellant applied for leave through application and submitted medical certificates to his office. He was never informed about sanction or otherwise of said leave. Appellant remained confined to bed from 01-07-2022 to 28-07-2022. During enquiry appellant also produced medical certificates to the enquiry officer that he alongwith his family members remained ill. **(Record of medical treatment is as "A")**
5. That on receiving report from Inquiry Officer, the District Police Officer Haripur vide his order dated 01-09-2022 dismissed the appellant from service. **(Copy of dismissal order dated 01-09-2022 copy of which was issued on 15-09-2022 attached as "B")**.
6. That no proper departmental inquiry was conducted. Neither Final Show Cause Notice was issued nor inquiry report, if any, was given to him. Even the appellant was not provided the opportunity of personal hearing and he was awarded major punishment of dismissal from service in serious violation of law, departmental rules & regulations, facts and principle of natural justice.

Attested


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7. That appellant is totally innocent and had discharged his official duties with dedication and honesty. Appellant never absented himself from duty rather he alongwith his family members was ill. He submitted application with medical record of illness for grant of leave but he was never informed about sanction or otherwise of leave.
8. Appellant has rendered more than 28 years service in the police department and there is sufficient leave balance at his credit and deserves to be granted covering sanction of availed leave of 28 days.
9. That if the appellant is provided with a chance of personal hearing, he will really prove himself as innocent by explaining all the facts and circumstances of the matter.

In view of the aforementioned facts it is earnestly requested that order dated 01-09-2022 of the District Police Officer, Haripur may kindly be set aside and appellant be re-instated in service from the date of dismissal with all consequential service back benefits with grant of covering sanction of avail leave. Appellant shall pray for your good health and long life. Thanking you sir in anticipation.

Yours Obedient Servant


(Haq Nawaz)

Constable No.262, District Police Haripur

Address: Village: Bhaira,
Tehsil & District Haripur
Mobile No. 0300-83343

Dated: 10-10-2022

Attested




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Amma - F

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22
0992-9310023

r.rpohazara@gmail.com

NO: 4265 / E DATED 23/02/2023

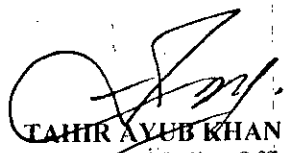
ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by EX-Constable Haqnawaz No.262 of District Haripur against the order of punishment i.e. *Dismissal from Service* awarded by District Police Officer Haripur vide Order Book No. 587, dated 01-09-2022.

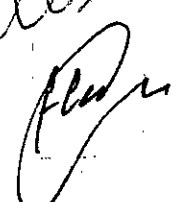
Brief facts leading to the punishment are that the appellant while transferred/posted from Police Lines to PS Ghazi, absented himself from official duties w.e.f 01.07.2022 to 28.07.2022 (28 days) vide DD No. 35 dated 02.07.2022 (PS Ghazi), without obtaining any permission/leave from the competent authority.

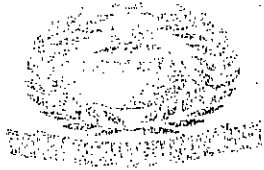
The appellant was issued charge sheet with statement of allegations by District Police Officer, Haripur and SDPO Saddar Haripur was deputed to conduct departmental enquiry. The Enquiry Officer in his findings held the appellant responsible of misconduct. Consequently, District Police Officer, Haripur awarded him major punishment of *Dismissal from Service*. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of District Police Officer, Haripur were sought and examined/perused. The undersigned called the appellant in OR on 21-02-2023 and heard him in person. The appellant has been given reasonable opportunity to defend himself against the charges, however he failed to advance any justification in his defense. From the perusal of his service record it transpired that he was dismissed third time from service due to absence. Thus, the disciplinary action taken by the competent authority seems genuine and the appeal is liable to be dismissed. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *filed/rejected* with immediate effect.


TAHIR AYUB KHAN (PSP)
Regional Police Officer,
Hazara Region, Abbottabad.

Copy forwarded to District Police Officer, Haripur for information and necessary action w/r to his office Memo: No.378, dated 31-01-2023. Service Roll and Fauji Missal containing enquiry file of the appellant is returned herewith for record.

Attested




وکالت نامہ

بعدالت جناب **حکیم منیر حسین فاضل دیوبند** کے لیے **مختار نامہ** کی توثیق اور
مخانب **اصیلاٹ (حق نواز)**

دعویٰ یا جرم **سرسریں ایبل** باعث تحریر آگے **دستاویز کا نمبر PPO/198/198**
حق نواز

مندرجہ بالا عنوان میں اپنی طرف سے بیروی و خواہد ہی مقام **مشاہد ایبل آباد**
محمد اسلم تنولی ایڈووکیٹ و وکیل بدین شرط وکیل مقرر کیا کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص
رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی
پیشی پر مظہر حاضر نہ ہوا اور حاضر کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو وہ جب موصوف اس کے کسی طرف ذمہ دار نہ
ہوئے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ یا پکھری کے مقرر اوقات سے پہلے یا بروز
تعطیل بیروی کرنے کے مجاز نہ ہوئے۔ اگر مقدمہ مقام پکھری کے کسی اور جگہ باعث ہونے یا بروز پکھری کے اوقات
کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے ذمہ دار کسی معاوضہ ادا کرنے مختار نامہ واجب کرنے کے
بھی صاحب موصوف ذمہ دار نہ ہوئے۔ مجھے کل ساختہ پرواخذ صاحب مشی کردہ ذابن خود منظور و قبول ہوگا اور صاحب
موصوف کو عرضی دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی ایبل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق
کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کاروبار و وصول کرنے اور رسید دینے اور داخل کرنے
کا ہر قسم کا بیان دینے اور سپرد نثانی و راضی نامہ و فیصلہ برخلاف کرنے اقبال دعوے کا اختیار ہوگا۔ اور یہ صورت ایبل و
برآمدگی مقدمہ یا منسوخی ڈگری یا ہر طرفہ درخواست حکم اختتامی یا ڈگری قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو
بشرط ادائیگی علیحدہ بیروی مختار نامہ کرینکا مجاز ہوگا۔ اور یہ صورت ضرورت ایبل یا ایبل کے واسطے کسی دوسرے وکیل یا پیرسٹر
کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوئے جیسے صاحب
موصوف کو۔ پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ
کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند سے مضمون
مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

Accepted by
M. Akhla

تاریخ: 15-03-2023

(حق نواز مشی)