

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR.**

**Service Appeal No. 7360/2021**

Javed Iqbal s/o Ghulam Qasim Ex-Head Constable,  
r/o Kalapani, Tehsil Paharpur, Dera Ismail Khan,

...(Appellant)

**Versus**

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)

**WRITTEN REPLY ON BEHALF OF RESPONDENTS No. 1 to 3**

**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**

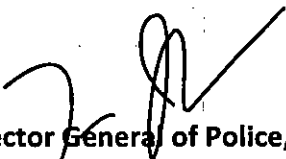
1. Correct to the extent that appellant was enlisted in police departmental as Constable on 16.02.2002 and subsequently promoted the rank of Head Constable.
2. Correct to the extent that the appellant while posted at Hathala Check post PS/Kulachi it has been proved through secret, that he taking illegal gratification and passing smuggling good/vehicles in his jurisdiction, in this regard charge sheet alongwith statement of allegation served.
3. That on the above allegation departmental enquiry was conducted by DSP Kulachi DIKhan and the enquiry officer found him guilty. An opportunity of personal hearing was given to the appellant but did not proved his innocence. In the light of Finding report as well as personal hearing the allegation of taking illegal gratification established against the appellant, hence he was awarded major punishment of reduction in rank from Head Constable to Constable vide OB No. 2214, dated 16.10.2020 in accordance with law/rules.
4. Correct to the extent that the departmental appeal of appellant was rejected by the appellate authorities Respondent No. 1 & 2, after observing all codal formalities.
5. That in view of above, the instant appeal is not maintainable on the following grounds.


**REPLY ON GROUNDS**


- A. Incorrect. The orders passed by departmental authorities are legal, lawful, based on facts and in accordance with law/rules.
- B. Incorrect. All the codal formalities have been observed by Respondent No.3 and allegation of illegal gratification was proved against appellant during the course of inquiry.
- C. Incorrect. Ample opportunities of personal hearing was given to appellant by the Respondents but did not proved his innocence.
- D. Incorrect. All the codal formalities i.e. charge sheet, show cause notices & personal hearing have been observed, but the appellant failed to prove his innocence.
- E. The Respondents also seek permission to produce additional documents/grounds at the time of arguments.

**PRAYER**

It is, therefore, humbly prayed that in the light of parawise comments, the Appeal of the Appellant which is devoid of legal footings and merits may graciously be dismissed.

  
**Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)**

  
**Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.2)**

  
**District Police Officer,  
Dera Ismail Khan  
(Respondent No.3)**

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR.**

**Service Appeal No. 7360/2021**

Javed Iqbal s/o Ghulam Qasim Ex-Head Constable,  
r/o Kalapani, Tehsil Paharpur, Dera Ismail Khan,

...(Appellant)

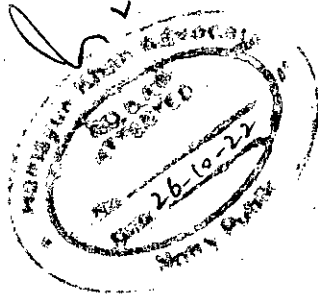
**Versus**

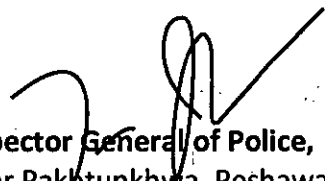
1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, D.I.Khan.
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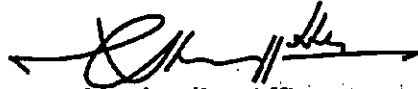
...(Respondents)

**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.



  
Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)

  
Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.2)

  
District Police Officer,  
Dera Ismail Khan  
(Respondent No.3)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
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**Service Appeal No. 7360/2021**

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...(Appellant)

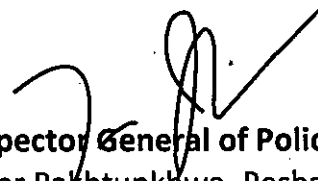
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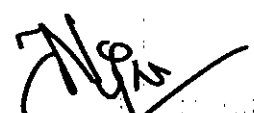
...(Respondents)

**A U T H O R I T Y**

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.

  
**Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)**

  
**Regional Police Officer,  
Dera Ismail Khan  
(Respondent No.2)**

  
**District Police Officer,  
Dera Ismail Khan  
(Respondent No.3)**



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
DERA ISMAIL KHAN

Tel: (0966) 9280062

Fax (0966) 9280293

No.5415/EC

dated 24/08/2020

### ORDER

This order will dispose of Show Cause Notice against Head Constable Javed No.1084 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014) on the following allegations:-

As reported by Moharrir PS/Kulachi, DIKhan, vide DD No.113 dated 21.05.2020, It has been noticed through reliable source/secret information that he while posted at CP Hathala, PS Kulachi, He involved himself in getting illegal gratification from general public. His this act being corrupt officer shows negligence and professional gross misconduct on your part.

He was served with Show Cause Notice, reply of the Show Cause Notice was received and found unsatisfactory.

He was summoned in Orderly Room to provide lawful opportunity of hearing. The official was heard in person in Orderly Room and afforded opportunity of defence.

From the perusal of the relevant record shows, the accused official is found guilty of the charges levelled against him and with no genuine explanation from the hearing of the defaulter, I am satisfied that the charges of misconduct stand proved against him

Therefore, in exercise of powers conferred upon me under the ibid rules I, Capt. @ Wahid Mehmood, District Police Officer, DI Khan, award him Minor Punishment of 15-days quarter guard with immediate effect.

O.B No. 1828

Dated 01/09/2020

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

No.5402/EC

Dated 22/08/2020

**OFFICE OF THE DISTRICT POLICE OFFICER DIKHAN****SHOW CAUSE NOTICE****(Under Rule 5(3) KPK Police Rules, 1975)**

1. That You **Head Constable Javed No.1084** have rendered yourself liable to be proceeded under Rule 5 (2) of the Khyber Pakhtunkhwa, Police Rules 1975 (Amendment 2014) for following misconduct;

*As reported by Moharrir PS/Kulachi, DIKhan, vide DD No.11 dated: 21.05.2020, it has been noticed through reliable source/secret information that you while posted at CP Hathala, PS Kulachi, you involved yourself in getting illegal gratification from general public. You're this act being corrupt officer shows negligence and professional gross misconduct on your part.*

2. 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:
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the Police force will amount to encourage in efficient and unbecoming of good Police officers.
5. 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.
6. 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.
7. 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.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

**DISTRICT POLICE OFFICER,  
DIKHAN**

**OFFICE OF THE DISTRICT POLICE OFFICER DIKHAN****GROUND OF ACTION**

That You Head Constable Javed No.1084 committed following misconducts:-

(39)  
*As reported by Moharrir PS/Kulachi, DIKhan, vide DD No.11 dated: 21.05.2020, it has been noticed through reliable source/secret information that you while posted at CP Hathala, PS Kulachi, you involved yourself in getting illegal gratification from general public. You're this act being corrupt officer shows negligence 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,  
DIKHAN  
22/5

سرنام DIK

گھنٹہ گھر اور ناپ

22

درتبر 11 اطلاع رپورٹ سٹیشنر سپرنٹنڈنٹ عبدالرشید خان SHO مورخہ 20/7/2021 وقت  
 4:40 بجے درج ذیل کے وقت DSP صاحب سرکل دلائی نے اطلاع دی  
 کہ ایس ایچ او اطلاع ملی کہ مالہ قابل ایکسچج بمقابلہ عالی مال کا بیج شروع  
 ہے، جس میں گھرام کی ایک کثیر تعداد موجود ہے، جو اس اطلاع  
 پر جوہر سیم بیجا گھرام کو مشتربا یا بیڈ مزاجی (معلوم ہوا کہ بیج  
 جسکی قیمت 10 روپے وارہوٹ الرین عطا تاج پزیرئی سند بمقابلہ نے  
 منعقد کیا تھا، جسکے بارش کرنے پر معلوم کیا تو بیانی ہوا کہ بیج منعقد  
 کرنے کی مجھے بمقابلہ حیدر لوہٹ اختیار 7 جاولہ 1084 نے  
 اجازت دی تھی اور جاولہ 1084 نے کہا کہ بیج تعلیم حصر  
 مع رقم دینا HC عدل گورہ کا یہ فعل انتہائی غیر ذمہ دار ہے  
 جسکے خلاف رپورٹ سٹیشنر سپرنٹنڈنٹ درج ذیل مورخہ کی جاوے  
 جس آئندہ اطلاع رپورٹ سٹیشنر سپرنٹنڈنٹ درخلاف HC مزاج  
 درج ذیل مورخہ کی ہو کر فیکلڈ علیہ مرتب کر کے اعتران بالانکو  
 ارسال کی جائے گی

Handwritten signature or initials at the top right.

Handwritten notes: 157, QTV, and a circle with '1' inside.

Large handwritten circle containing the number '52'.

(40)

قبائلی  
فصل عملاتی 2021

AP  
mm-pnk  
21-7-2020

Attested  
Lahid  
210-H  
22-7-2020

Deputy Superintendent  
Police Khasi Circle  
2-7-2020

1862  
SCN



### تعلیمی خدمات

ذکر

بدر ۱۳: الملک اور پورٹ غیر حاضر ہوا بخار اللہ خان ۱۱:۵۰ سے ۱۴:۰۰ تک ۵۴/۲۵ وقت ۱۴:۰۰ تک  
 اس وقت ضابطہ ۱۰۵۵ میں سرکاری کے پندرہ سو پانچ نرسز الملک کے پاس تھیں تاہم پانچ لپٹا  
 پیک کیسٹ سے عالم احسان اللہ ۹۳۵/۱۱۷ سے پوسٹ سے پندرہ سو پانچ لپٹا کی انبار کی پوسٹ تھیں  
 جاوید اقبال ۱۰۸۴/۱۱۷ بیان ۳ تو معلوم ہوا کہ ۱۱:۰۰ تک وہ ٹور فور جیلڈ ٹور ۲ جو کہ ۱۱:۰۰  
 تک وہ کو عدم سرور یا غیر حاضر ہوا اور منڈانہ کی جا رہا جو آئندہ الملک کے  
 ضابطہ ۱۰۵۵ صاحب خالد ٹور خان صرف بسفنت والا پٹر جاوید اقبال ۱۱:۰۰  
 کی غیر حاضر ہوا اور منڈانہ کی جان سے تعلیم علیہ سرور کے  
 انڈین ہاؤس کو اس وقت سے ہے

بدر ۱۲: حاضر ہوا جاوید اقبال ۱۰۸۴/۱۱۷ سے ۱۵:۰۵ تک ۱۵:۰۵-۱۶:۰۵ تک درج جیلڈ اس وقت میں  
 ۱۱:۰۰ جو کہ رفقہ جو الہیہ بدر ۱۳ سے ۱۴:۰۰ تک ۵۴/۲۵ سے غیر حاضر تھا اب حاضر آ رہا ہے اور  
 بدووان پٹی انڈین ہاؤس والا کو خود بیان دوں سچا اب حاضر آ رہا ہے اور پٹی انڈین ہاؤس

ضابطہ عالی

تعلیمی خدمات

۱۱-۱۱-۱۱

۱۱-۱۱-۱۱

۰۵-۰۵-۲۰

۱۱

۱۱-۱۱-۱۱

دردی

کھلمہ روزنامہ

ضلع ڈیرہ اسماعیل خان

مدد نمبر 16 رپورٹ منیر خاں سید سلیم اکبر خان ASI مورخہ 19/7/20 وقت 19:30 بجے  
 اس وقت SHO صاحب نے بندہ کو پھانسی فون اعلیٰ دی کہ پتھار چیدہ پوسٹ  
 کو چھینک گیا گیا اخبار پتھار چیدہ پوسٹ جاوید اقبال 1084/HC کو روز  
 جمعہ المبارک شام 7 بجے پتھار چیدہ پوسٹ گیا تھا۔ جبکہ مذکورہ کو پتھار چیدہ پوسٹ  
 کہ فرور التوار کو روک لیں آئے لیکن مذکورہ ناچال و الیس پتھار چیدہ پوسٹ  
 رپورٹ منیر خاں سید سلیم اکبر خان روزنامہ کی جالی ہے۔

(5)

مدد نمبر 7 خاں جاوید اقبال 1084/HC مورخہ 20/7/20 وقت 9:00 بجے اس وقت میں  
 مدد نمبر 16 روزنامہ سے منیر خاں سید سلیم اکبر خان کو پتھار چیدہ پوسٹ  
 اغیران مالہ کو خود جواب دینا کہ وہ پتھار چیدہ پوسٹ میں روکا اپنی جائے  
 نتیجائی پتھار چیدہ پوسٹ کا ہے

جناب عالی

نقل علی بن ابی طالب

Atuse Prof  
 mm-PS-k  
 20-7-2020

بارہ

ضلع ڈیرہ اسماعیل خان

تھلمہ روزنامہ

تاریخ

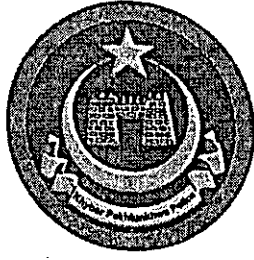
مدینہ 16 اگست (ریپورٹ) عنبر حاضری عبدالرشید خان SHO مورخہ 20/7/10ء وقت 10:05 بجے  
 درج شدہ اس وقت جناب DSP صاحب سرکل صلائی نے بذریعہ حویلی  
 فون اطلاع دی کہ پتھار جینڈ کیونٹ کو جینڈ کیا گیا جو کہ اخراج پتھار  
 حاوید اقبال 1084 HC کو عدالت ہو جو دریا یا بیتہ دراز کی درج ہو گیا ہے اور کہ HC مذکورہ  
 تفسیر نقش دیئے فقہر خود جلا گیا اسی اطلاع پر HC مذکورہ کی رپورٹ  
 عنبر حاضری درج روزنامہ کی جاتی ہے۔ تھلمہ گلیڈہ جڑ تپ کر کے اصران  
 بالہ کو ارسال کی جائے گی۔

(۱۶)

مدینہ 12 حاضری حاوید اقبال 1084 HC مورخہ 20/7/13ء وقت 11:40 بجے اس وقت میں  
 مدینہ 16 روزنامہ 10/7 سے عنبر حاضری شدہ سے حاضری آباہوں حسب حکم SHO  
 صاحب روٹن کی شناسائی فقہر خود گیا تھا مزید مددوران پستی بیانی  
 یوں ایک دستہ 16/8/10

خدا باری  
 تھلمہ گلیڈہ جڑ تپ کر کے  
 A. R. Khan  
 20-7-2020

16/8



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
DERA ISMAIL KHAN

Tel: (0966) 9280062  
Fax (0966) 9280293

Dated. 16/10/2020

No. 6409/EC,

## ORDER

This order will dispose of departmental proceedings conducted against Head Constable Javed No.1084, of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

It has been probed through secret, that while he posted at CP Hathala PS Kulachi he involved himself with links of smugglers and passes smuggling goods/vehicles by taking illegal gratifications. This act on his part amounts to gross misconduct and lack of interest in his official duties which is punishable under the rules.

He was served with charge sheet/statement of allegations. An enquiry was conducted into the matter through Mr. Khalid Mehmood Khan SDPO/Kulachi Circle DIKhan, under Police Rules-1975 ammended-2014. The Enquiry Officer submitted his finding report in which he stated that the above named Head Constable is found guilty of the charges levelled against him.

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 reduction in rank from Head Constable to the rank of Constable with immediate effect.

OB No. 2214 1  
Dated. 16/10/2020.

Capt: @ WAHID MEHMOOD, PSP  
District Police Officer,  
16/10 Dera Ismail Khan

ضلع ڈیرہ اسماعیل خان

محکمہ پولیس۔

ڈپٹی سپرنٹنڈنٹ پولیس آفیسر سرکل کلاچی

منجانب:

جناب ڈسٹرکٹ پولیس آفیسر ڈیرہ اسماعیل خان

بخدمت:

نمبر: 1084/HC مورخہ: 20-10-2020

نمبر:

عنوان: فائل رپورٹ محکمانہ انکوائری برخلاف جاوید نمبر 1084/HC متعینہ چیک پوسٹ ہتھالہ تھانہ کلاچی ضلع ڈیرہ اسماعیل خان۔

جناب عالی!

معروض ہوں کہ چارج شیٹ، سری آف ایلیکشن نمبر 5399-5400/EC مورخہ 22-08-2020 بغرض کاروائی موصول

ہوئی۔ جس میں من DSP کلاچی کو انکوائری افسر مقرر کیا گیا۔ ملاحظہ ہو کر پایا گیا کہ جاوید نمبر 1084/HC پلازام ہے۔ کہ تم ہتھالہ چیک پوسٹ پر تعینات ہو اور آپکا سنگٹروں کیساتھ رابطہ ہے اس وجہ سے چارج شیٹ اور سری آف ایلیکشن جاری کی گئی، کہ اس کا یہ فعل سخت خلاف ڈسپلن ہے اور قواعد کی رو سے قابل سزا ہے۔

اندریں سلسلہ باقاعدہ انکوائری عمل میں لائی گئی الزام علیہ کو بذریعہ میسج طلب کیا گیا جس کا تحری جواب چارج شیٹ پیش کیا۔ جو لف انکوائری ہے۔ جس میں یہ منکوف ظاہر کیا کہ عرصہ چار ماہ سے بطور انچارج چیک پوسٹ ہتھالہ تعینات ہوں میرا کسی کیساتھ کوئی تعلق واسطہ نہیں ہے۔ احسن طریقے سے ڈیوٹی سرانجام دے رہا ہوں میں بے قصور ہوں آئندہ بھی محتاط رہوں گا۔

عاجزہ۔

الزام علیہ چیک پوسٹ ہتھالہ پر جب سے لگایا گیا ہے۔ افسران کو دھوکہ دے رہا ہے۔ جو وقتاً فوقتاً سنگٹروں سے ملکر رات کو گاڑیاں

گزارتا رہا ہے۔ جو میں نے افسران بالا کے نوٹس میں لاکر انفارمر (مخبر) مقرر کیا جو اطلاع دیتا اور گاڑیاں آگے پکڑی جاتی تھیں۔ اسکے علاوہ بیاز

آلو، سیب اور لکڑی والی گاڑیوں سے بھی نمبر لیتا ہے۔ متعدد بار چیک پوسٹ ہتھالہ پر جا کر ہاتھ باندھ کر منت کی گئی۔ افسران کو تمہاری ہر چوری گاڑی

گزارنے کا علم ہو جاتا ہے۔ لیکن منع نہیں ہوا۔ ایک بار جناب DPO صاحب بہادر نے والی بال میسج چیک پوسٹ ہتھالہ کیساتھ لگانے پر کوارٹر گاڑی میں

بھی ڈالا واپس آکر محتاط ہو گیا لیکن اعتمادی نہیں ہے۔ ابھی کافی دنوں سے کوئی معلومات گاڑی چھوڑنے کی نہیں ملی ہے۔ اس کے علاوہ انفارمر (مخبر) بھی

یہ بتلا رہا ہے کہ یہ ابھی سنگٹروں سے ملتا بھی نہیں ہے۔ اور نہ ہی کوئی گاڑی چھوڑ رہا ہے۔ بہر کیف کیگنی انکوائری سے قصور وار پایا گیا ہے۔ رپورٹ عرض

ہے۔

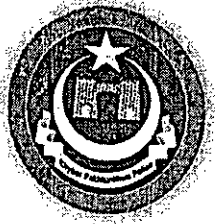
(خالد محمود خان)

ایس ڈی پولیس اوکلاچی سرکل

ڈیرہ اسماعیل خان

11-10-2020

46



Office of the  
District Police Officer,  
DIKhan

1795-K  
25-08-2020

No. 5398/EC

Dated 22/08/2020

(2)

**DISCIPLINARY ACTION**

I, **CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, DIKHAN** as competent authority, am of the opinion that **HC Javed No.1084** 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**

*It has been probed through secret, that while you posted at CP Hathala PS Kulachi you involved yourself with links of smugglers and passes smuggling goods/vehicles by taking illegal gratifications. This act on their part amounts to gross misconduct and lack of interest in their official duties which is punishable under the rules.*

2. For the purpose of scrutinizing the conduct of said accused with reference to the above allegations **DSP Kulachi** 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. 5399-5400/EC, dated 22/08/2020.

Copy of above to:-

1. **DSP Kulachi**- The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.
2. 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.



Office of The  
District Police Officer,  
DI Khan

No. 5398/EC

Dated 22/08/2020

(WB)

**CHARGE SHEET.**

I, **CAPT @ WAHID MEHMOOD, DISTRICT POLICE OFFICER, DIKHAN,** as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you **HC Javed No.1084** rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975.

***It has been probed through secret, that while you posted at CP Hathala PS Kulachi you involved yourself with links of smugglers and passes smuggling goods/vehicles by taking illegal gratifications. This act on their part amounts to gross misconduct and lack of interest in their official duties 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 07 days 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,  
DIKHAN

22/8

Ht. P.P. Hatthada  
26-08-2020

*[Handwritten signature]*

انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں

- ⑤ انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں
- ④ انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں
- ③ انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں

انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں

انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں  
انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں

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انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں  
انہی کی وجہ سے وہاں کے لوگ بھی نہیں آتے ہیں۔ میں نے انہیں  
اپنی کوششوں سے وہاں کے لوگوں کو بھی نہیں آتے ہیں۔ میں نے انہیں



A	B	IMEI	Date	Time	Call Type	SECS	Location of A
3467845919	3427994782	35558410572343	8/1/2020 0:00	1:30:17 AM	INCOMING	31	HATHALA TANK ROAD KULACHI
3467845919	3465679462	35558410572343	8/1/2020 0:00	6:02:42 AM	OUTGOING	67	Khan market Pakistan, Kulachi,
3467845919	3449005192	35558410572343	8/1/2020 0:00	8:45:23 AM	OUTGOING	19	Khan market Pakistan, Kulachi,
3467845919	3418750295	35558410572343	8/1/2020 0:00	8:46:31 AM	OUTGOING	63	Khan market Pakistan, Kulachi,
3467845919	3452737329	35558410572343	8/1/2020 0:00	8:48:09 AM	OUTGOING	84	Muhallah Shelkhi Gate, Kulachi
3467845919	3449509692	35558410572343	8/1/2020 0:00	8:50:51 AM	OUTGOING	73	Khan market Pakistan, Kulachi,
3467845919	3469490936	35558410572343	8/1/2020 0:00	8:52:27 AM	OUTGOING	55	Khan market Pakistan, Kulachi,
3467845919	3452737329	35558410572343	8/1/2020 0:00	8:53:42 AM	OUTGOING	32	Muhallah Shelkhi Gate, Kulachi
3467845919	3419395366	35558410572343	8/1/2020 0:00	9:10:09 AM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
3467845919	3419228606	35558410572343	8/1/2020 0:00	9:11:39 AM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
3467845919	3419228606	35558410572343	8/1/2020 0:00	9:11:42 AM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
3467845919	3419228606	35558410572343	8/1/2020 0:00	9:11:49 AM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
3467845919	3419228606	35558410572343	8/1/2020 0:00	9:11:50 AM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
3467845919	3449509692	35558410572343	8/1/2020 0:00	9:35:14 AM	INCOMING	94	Khan market Pakistan, Kulachi,
3467845919	3449005192	35558410572343	8/1/2020 0:00	10:21:51 AM	INCOMING	95	Khan market Pakistan, Kulachi,
3467845919	3452737329	35558410572343	8/1/2020 0:00	10:52:42 AM	OUTGOING	94	Khan market Pakistan, Kulachi,
3467845919	3465559020	35558410572343	8/1/2020 0:00	11:30:14 AM	INCOMING	104	Khan market Pakistan, Kulachi,
3467845919	3459875007	35558410572343	8/1/2020 0:00	1:33:36 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3459875007	35558410572343	8/1/2020 0:00	1:33:38 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3459875007	35558410572343	8/1/2020 0:00	1:33:40 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3327710734	35558410572343	8/1/2020 0:00	2:09:24 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3427985849	35558410572343	8/1/2020 0:00	3:49:07 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3427985849	35558410572343	8/1/2020 0:00	3:49:10 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3427985849	35558410572343	8/1/2020 0:00	3:49:12 PM	INCOMING SMS	0	Khan market Pakistan, Kulachi,
3467845919	3459872515	35558410572343	8/1/2020 0:00	4:46:45 PM	INCOMING	96	Khan market Pakistan, Kulachi,
3467845919	3443673597	35558410572343	8/1/2020 0:00	4:52:39 PM	INCOMING	93	Khan market Pakistan, Kulachi,
3467845919	3443673597	35558410572343	8/1/2020 0:00	4:56:07 PM	INCOMING	746	Khan market Pakistan, Kulachi,
3467845919	3449490730	35558410572343	8/1/2020 0:00	5:15:27 PM	INCOMING	73	Muhallah Sheikhhi Gate, Kulachi
3467845919	3459870080	35558410572343	8/1/2020 0:00	5:16:30 PM	INCOMING SMS	0	Muhallah Sheikhhi Gate, Kulachi
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3467845919	3452737329	35558410572343	8/1/2020 0:00	6:18:43 PM	INCOMING	48	Muhallah Shelkhi Gate, Kulachi



1084

OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

Office of the DPO D.I.Khan  
Dy. 196 /EC.  
Dt. 14-01 /2021

No. 244 /ES, Dated DI Khan the 13/01/2021

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**ORDER**

This order is aimed to dispose of the departmental appeal of **Head Constable Javed No.1084 (Now Constable)** of District Police D.I.Khan against the Major Punishment order i.e. Reduction in rank from HC to Constable by DPO D.I.Khan vide OB No.2214 dated 16.10.2020, on the score of following allegations:

Facts of the case are that it has been probed through secret, he while posted at Check post Hathala PS Kulachi, he involved himself with links of smugglers and passes smuggling goods/vehicles by taking illegal gratifications.

He was issued charge sheet and proper departmental proceedings were initiated against him. Enquiry into the matter was conducted by Mr. Khalid Mehmood, DSP Kulachi Circle DI Khan who submitted his findings report that in which he stated that the above named Head Constable is found guilty of the charges leveled against him. Hence, DPO DIKhan has passed the order dated 16.10.2020.

He preferred an appeal to the undersigned on 12.11.2020 against the order of DPO DIKhan. His appeal was sent to DPO DIKhan for comments and to provide his service record vide this office Endst: No. 9733/ES dated 16.11.2020. DPO DIKhan vide his office memo: No. 6991/EC dated 25.11.2020 has furnished the comments on the subject appeal.

The undersigned perused the file of the appellant thoroughly as well as heard him in person in Orderly Room dated 06.01.2021. As per findings report of Inquiry Officer and also confirmed from E.O for his involvement by taking illegal gratification from smugglers.

Therefore, I, **YASEEN FAROOQ**, Regional Police Officer, Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11(4)(a) of Police Rules 1975 amended 2014, uphold the Major punishment of reduction in rank from Head Constable to Constable awarded by DPO D.I.Khan and his appeal is hereby rejected being meritless.

*[Signature]*  
(YASEEN FAROOQ) PSP  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

No. 245 /ES *PPs attached 13/01*  
Copy of above is sent to the DPO D.I.Khan alongwith service records  
w.r.t his office memo: No. 6991/EC dated 25.11.2020.

EC/OHC/OB/PO

OB 94  
15-01-21

*[Signature]*  
(YASEEN FAROOQ) PSP  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

87



2590  
26/7/21

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. S/

/21, dated Peshawar the 19/07/2021.

**ORDER**

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Constable Javed Iqbal No. 1084 (the then Head Constable). The petitioner was awarded penalty of reduction in rank from Head Constable to the rank of Constable by District Police Officer, D.I.Khan vide OB No. 2214, dated 16.10.2020 on the allegations that he while posted at check post Hathala Police Station Kulachi, was involved himself with links of smugglers and passes smuggling goods/vehicles by taking illegal gratification. His appeal was rejected by Regional Police Officer, D.I.Khan vide order No. 244-45/ES, dated 13.01.2021.

Meeting of Appellate Board was held on 22.06.2021 wherein petitioner was heard in person. During hearing petitioner contended that he is innocent and the allegations against him are baseless.

The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

Office of the DPO/D.I.Khan  
Dy. 1287 /EC  
Dt. 28/07/2021

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

No. S/ 3053-59/21,

Copy of the above is forwarded to the:

1. Regional Police Officer, D.I.Khan. One Service Roll and one Fauji Missal alongwith copy of complete enquiry file of the above named FC received vide your office Memo: No. 1399/ES, dated 02.04.2021 is returned herewith for your office record.
2. District Police Officer, D.I.Khan.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

EC/OB/DHC  
27/7

No. 3165 JES D.P.O. D.I.Khan  
Dt: 27/7/21. Please inform the  
petitioner accordingly.

Moreover, one Service Roll &  
one Fauji Missal alongwith copy of  
complete enquiry file are returned  
herewith for your office record.

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

DPO/D.I.Khan  
27/07/21

OB 1284  
DT 30-07-2021

REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
26/7

**KHYBER PAKHTUNKWA**  
**SERVICE TRIBUNAL, PESHAWAR**

No. 1598 /ST Dated 07/06 /2023

All communications should  
be addressed to the Registrar  
KPK Service Tribunal and  
not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

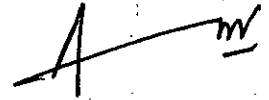
To

The District Police Officer, D.I Khan.

**SUBJECT JUDGMENT IN SERVICE APPEAL NO. 7360/2021 TITLE**  
**JAVID IQBAL VERSUS INSPECTOR GENERAL OF**  
**POLICE AND OTHERS.**

I am directed to forward herewith a certified copy of judgment dated  
16.05.2023, passed by this Tribunal in the above mentioned appeal for compliance.

Encl. As above.



(AAMIR FAROOQ)  
ASSISTANT REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL,  
PESHAWAR.