

**BEFORE THE HONORABLE,
SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR**

Service Appeal No. 6742/2021

Ihsan Ullah IHC No. 412 District Hangu

.....Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & other

.....Respondents

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Deponent
SI Legal, Hangu

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

Service Appeal No.6742/2021
Ihsan Ullah IHC No.412
District Hangu

.....Appellant

Versus

**Inspector General of Police,
KPK Peshawar and Other**

Deer Pakhtunkhwa
Service Tribunal
Entry No. 6429
Dated 13/7/2023
.....Respondent

PARAWISE REPLY/COMMENTS ON BEHALF OF RESPONDENTS

Respected Sheweth,

Reply to Preliminary Objection:-

1. That the appellant has got no cause of action locus standi.
2. That the instant Service appeal is badly time barred.
3. That the appellant has concealed material facts from the Hon'able Tribunal in the instant service appeal.
4. That the instant service appeal is against the relevant provisions of law.
5. That the appellant has not come to this Hon'able tribunal with clean hands.
6. That the instant appeal is liable to be dismissed for-joinder & non-joinder of the necessary parties to the present appeal.
7. That the appellant is estopped by his own conduct to file the instant appeal.
8. That the instant service appeal is not maintainable in the present form & circumstances of the case.

Facts Reply:-

1. That Para No: 1 of the fact is based on record.
2. That Para No: 2 of the fact based on record.
3. That Para No: 3 of the fact is incorrect the appellant was informed with in due date and time.
4. That Para No: 4 of the fact is incorrect, the appellant had not tender any good service as well as from the different reliable sources reveal that the appellant indulged in subversive actives and work for their own benefits rest of the Para pertains to record.
5. That Para No: 5 of the fact based on record but it is pertinent to mention here that while appellant had tender good service the respondent department blessed him with certificates but when the services of the appellant is not satisfactory the department could take any legal action so proposed.
6. That Para No: 6 of the fact is incorrect all the codal formalities observed and keeping in view all the service record then the respondent department issued appropriate adverse remarks.
7. That Para No: 7 of the fact is legal have no concern hence no comments.


Grounds:-


- A. That Para No: A of the ground is irreverent hence needs no comments.

- B. That Para No: B of the ground is incorrect as each and every charge has been communicated to the appellant with in due time but the appellant still no improve his performance.
- C. That Para No: C of the ground is incorrect already discussed above in the leading Para of the fact.
- D. That Para No: D of the ground pertains to the record but the respondent department in accordance with the law awarded adverse remarks to appellant.
- E. Para E: of the ground pertains to record but awarding of the adverse remarks deals with the performances of the services.
- F. That Para No: F of the ground in not based on the sound reason and the respondent department came to the conclusion as gave him adverse remark. It is worth mentioning here that the appellant along with the other officials were also communicated with the adverse remarks as C.
- G. That Para G of the ground is just and legal on the basis of available material on record, the respondent department blessed with adverse remarks.
- H. That Para H of the ground is incorrect. After providing him proper opportunity of hearing the appellant was given with adverse remarks with is as in accordance with the law.
- I. That Para I of the ground is incorrect. The reason for awarding adverse remarks is just and legal.
- J. Needs no comments.
- K. That Para K of the ground pertains to the record and rest of the para already explained in leading pars above.
- L. That Para of the ground is incorrect and irrelevant. Adverse remarks are given as per law.
- M. That Paras M of the ground is incorrect, as the respondent department is not satisfied from the services the appellant, hence, issued adverse remarks.
- N. That Para N of the ground pertains to the record.
- O. That Para O of the ground is incorrect. All the orders issued in accordance with the law.
- P. That Para P of the ground is incorrect. All the orders of the respondent department are just and legal is accordance with the relevant provision of service rules.
- Q. That Para Q of the ground is incorrect, as already discussed above. Hence needs no comments.
- R. That Para R of the ground has no concern with the subject matter.
- S. That Para S of the ground is legal; hence needs no comments.
- T. That Para T of the ground is also legal; hence needs no comments.

PARAYER

In the light of the above stating material fact and record the appeal in hand is meritless, not maintainable and infructuous one and liable to be dismissed with cost on the score of concealing the material facts before the Hon'able tribunal.


Dy Inspector General of Police
Kohat Region, Kohat
(Respondent No: No: 2)


Inspector General of Police
Khyber Pakhtunkhwa
(Respondent No: No: 1)

BEFORE THE HONORABLE,
SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

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... Appellant


VERSUS


Inspector General of Police,
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... Respondents

COUNTER AFFIDAVIT.

We the below mentioned respondents do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal


Dy Inspector General of Police,
Kohat Region, Kohat
(Respondent No. 2)


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

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off.



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OFFICE OF THE
REGIONAL POLICE OFFICER
KOHAT REGION

No. 138/CC

Dated 18/02/2021

To:- The District Police Officer, Hangu.

Subject:- ANNUAL CONFIDENTIAL REPORTS

MEMO:

Please refer to your letter No.105/PA, dated 24.01.2020 on the subject cited above.

In the Annual Confidential Report on the working of the following IHC for the period as noted against each their names is as under:-

S.No.	Rank & Name	From	To	Class of the Report	Remarks of Reporting Officer	Remarks by the countersigning officer
1.	IHC Muhammad Tahir No.314	22.05.2019	28.11.2019	A	An Average type police officer	Downgraded to "B"
2.	IHC Umer Farooq No.16	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "B"
3.	IHC Mustafa Ali No. 101	10.07.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
4.	IHC Ijaz Ahmad No.92	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
5.	IHC Habib Ur Rehman No.331	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
6.	IHC Ihsan Ullah No.412	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
7.	IHC Inam Badsha No.355	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
8.	IHC Waqar Alam No.39	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"
9.	IHC Manoor No.125	01.04.2019	28.11.2019	B	An Average type police officer	Downgraded to "C"

The above remarks may please be conveyed to the officer concerned in order to remedy the defects. Representation if made should be sent no later than one month from the date of receipt of this communication.

An acknowledgement as token of the receipt of the memorandum may also be obtained from his on the attached duplicate copy of this communication and sent to this office for record on his character Roll Dossier.

Regional Police Officer
Kohat Region

No.	Rank & Name	Period	Signature	ACR Receiving Date
01	IHC Mustafa Ali No 10	10.07.2019 to 28.11.2019		24-02-2021
02	IHC Ijaz Ahmed No.92	01.04.2019 to 28.11.2019		24-02-2021
03	IHC Habib-ur-Rehman No. 331	01.04.2019 to 28.11.2019		25-02-2021
04	IHC Ihsanullah No. 412	01.04.2019 to 28.11.2019		24-2-2021
05	IHC Inam Badshah No.355	01.04.2019 to 28.11.2019		24-2-2021
06	IHC Waqar Alam No. 39	01.04.2019 to 28.11.2019		24-02-2021
07	IHC Eid Manorr No. 125	01.04.2019 to 28.11.2019		24.02.2021

DISTRICT POLICE OFFICER
 HANGU
 Date: 22/2/21

Handwritten note: (Gangwan...)

MR. SHAHID AHMAD
 DISTRICT POLICE OFFICER,
 HANGU

No.	Rank & Name	Period	Signature	ACR Receiving Date
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DISTRICT POLICE OFFICER
 HANGU

Date: 22/2/2021

MR. SHAHID AHMAD
 DISTRICT POLICE OFFICER
 HANGU

OFFICE OF THE
REGIONAL POLICE OFFICER
KOHAT REGION

No. 138 /CC

Dated 18/12 /2021

To:- The District Police Officer, Hangu.

Subject:- ANNUAL CONFIDENTIAL REPORTS


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6.	IHC Insanullah No.412	01.04.2019	28.11.2019	B	An average type Police Officer.	Downgraded to "C"
7.	IHC Inam Bad Shah No.355	01.04.2019	28.11.2019	B	An average type Police Officer.	Downgraded to "C"
8.	IHC Waqar Alam No.30	01.04.2019	28.11.2019	B	An average type Police Officer.	Downgraded to "C"
9.	IHC Eto Manom No.125	01.04.2019	28.11.2019	B	An average type Police Officer.	Downgraded to "C"

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Regional Police Officer,
Kohat Region

Attended

18/12

si-legal

**Before The Honb'le
Service Tribunal Khyber Pakhtunkhwa
Peshawar**

Service Appeal No. 6742/2021

Ihsan Ullah IHC No. 412 District Hangu

.....Appellant

V E R S U S

**Inspector General of Police,
Khyber Pakhtunkhwa & Other**

.....Respondent

AUTHORITY LETTER

Sub Inspector Noor Muhammad of district Police Hangu is hereby authorized to submit para-wise comments on the behalf of the respondents before the Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar.


**Regional Police Officer,
Kohat Region**