

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.4809/2021

Majid Ali s/o Muhammad Anwar, Constable No.351, District Police Haripur, presently  
posted in District Police Abbottabad

.....(Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar, and others.

.....(Respondents)

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Deponent

26-09/23

Abbottabad.

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**Reply/comments by respondents No.1,2,3 & 4.**

Respectfully Sheweth.

**PRELIMINARY OBJECTIONS:-**

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct.
3. That the appellant has not come to the Honorable Tribunal with clean hands.
4. That the appellant has suppressed the material facts from the Honorable Tribunal.
5. That the instant Service Appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
6. That the instant Service Appeal is badly barred by law and limitation.
7. That the appellant has filed the instant service appeal just to pressurize the respondents.
8. That the order passed by the authorities are based on facts & rules, after fulfilling all the codal formalities, hence, the appeal is liable to be dismissed without any further proceeding.

**REPLY ON FACTS:-**

1. Correct to the extent that the appellant was enrolled in police department as constable on 21.08.2009, in District Haripur.
2. Incorrect, the appellant constable Majid Ali No. 179 while posted at Police Post, TIP Haripur. ASP Circle Saddar Haripur, Mr. Qais Khan, conducted a preliminary enquiry in which the appellant was found involved in maintaining relations with drug peddlers, corrupt practices and taking bribe and illegal gratification from criminal, vide ASP Saddar office letter No.248 dated 18.06.2019. (Copy of preliminary inquiry is attached as annexure "A"). Therefore, the appellant was issued charge sheet with statement of

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 7368  
Dated 26/09/23

allegations by District Police Officer, Haripur vide this office Endst No.853-55/PA dated 19.06.2019. ASP Circle Ghazi, Mr. Nasir Mehmood was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office memo No. 236 dated: 30.07.2019. (Copy of Inquiry findings is attached as annexure "B"). In which the enquiry officer held the charges proved and recommended the appellant for major punishment. Consequently the appellant was issued final show cause notice, vide this office Endst: No. 494-95 dated: 01.08.2019. (Copy of final show cause notice is attached as annexure "C"). The appellant could not give satisfactory reply of the final show cause notice. So, the appellant was called in orderly room and he was heard in person, the appellant could not give defense against the proved allegations. Hence, being found guilty of misconduct, the appellant was awarded major punishment of dismissal from service, vide OB No., 601 dated: 18.09.2019, by District Police Officer, Haripur. (Copy of order is attached as annexure "D"). The appellant filed departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad who converted the major punishment of dismissal from service into major punishment of time scale constable vide order Endst: No.3554-55/PA dated 31.01.2020. (Copy of order is attached as annexure "E").

3. Incorrect, the appellant could not give satisfactory reply of the final show cause notice, rather the allegations were fully proved in the departmental enquiry. Therefore, the appellant was issued final show cause notice as per law/rules.
4. In reply to this para, it is submitted that the matter was thoroughly probed in the preliminary as well as departmental enquiry, in which the appellant was found involved in mal practices. The appellant deviated from his duties and protected the criminals. The appellant used to take illegal gratification for extending shelter to the criminals. The charges were proved in the departmental enquiry. All facts, circumstances and evidence were taken into consideration while awarding major punishment to the appellant.
5. Incorrect, the appellant was held guilty of gross misconduct for which departmental action was taken and he was awarded appropriate punishment.
6. Incorrect, the appellant is adducing lame excuses to absolve himself from liability. His conduct was probed and he was found guilty. It is worth mentioning here that the appellant did not mend his way and committed gross misconduct at District Abbottabad and he was also dismissed from

service there by the District Police Officer, Abbottabad vide OB.No.184 dated 16.06.2021. (Copy of order is attached as annexure "F").

7. Incorrect, the appellant was held guilty of gross misconduct on strong evidence against him. His conduct was against the norms of police force, as he was supporting the criminals for illegal gratification. The allegations were proved in the departmental inquiry. Hence, the punishment is quite legal and maintainable.
8. Incorrect, the appellant was held guilty of misconduct. He was dismissed from service from District Haripur as well as from District Abbottabad also which proves that he is habitual criminal minded person. The appellant was awarded punishment on strong evidence. Since, he committed gross misconduct, therefore, departmental proceedings were initiated against him as per law/rules.
9. Incorrect, proper departmental inquiry was conducted. All legal requirements were fulfilled while passing punishment to the appellant. He was given right of personal hearing and self defense also, hence, principles of natural justice were also observed. Therefore, the punishment is quite legal and maintainable.
10. Correct to the extent that the appellant filed departmental appeal against the order of punishment before the Regional Police Officer, Hazara Region, Abbottabad who took lenient view and converted major punishment of dismissal of service of appellant into time scale.
11. In reply to this para, it is submitted that the appellant file revision petition before the Provincial Police Officer Khyber Pakhtunkhwa, Peshawar against the converted punishment i.e. time scale constable awarded by the Regional Police Officer, Hazara Region, Abbottabad. The revision petition was considered by the appellant board and was rejected on lawful grounds vide order No.S931/21 dated 04.03.2021, by the Additional Inspector General of Police Headquarters, CPO Peshawar. (Copy of order is attached as annexure "G").


**REPLY ON GROUNDS:-**

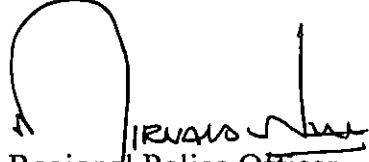
- A) Incorrect, the order of respondents dated 18.09.2019 and 31.01.2020 and 04.03.2021, are quite legal, based on facts, evidence and principles of natural justice, hence, the orders are lawful and maintainable.
- B) Incorrect, proper departmental inquiry was conducted. The appellant was given right of personal hearing and self defense. He was awarded lawful punishment on proved misconduct.

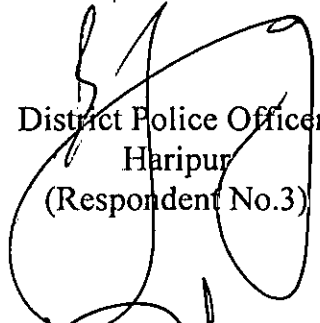
- C) Incorrect, the appellant committed gross misconduct. Therefore, departmental action was taken and the appellant was awarded appropriate punishment which is maintainable under the law/rules.
- D) Incorrect, the appellant was held guilty of misconduct through strong evidence. His conduct was against the norms of police force and earned bad name for department. He deserved the lawful punishment awarded to him.
- E) Incorrect, the appellate authority abode by the law and took into consideration all facts, circumstances and relevant evidence while passing/maintaining the punishment. Therefore, the order of punishment are lawful and maintainable.
- F) Incorrect, the instant service appeal is badly time barred and not maintainable under the law.

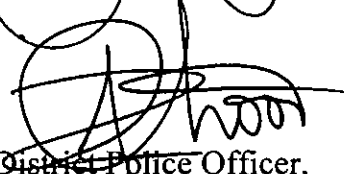
**PRAYER:-**

In view of above stated facts it is most humbly prayed that the instant service appeal does not hold any legal force, may kindly be dismissed with costs, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.1)

  
Regional Police Officer,  
Hazara Region,  
Abbottabad  
(Respondent No.2)

  
District Police Officer,  
Haripur  
(Respondent No.3)

  
District Police Officer,  
Abbottabad  
(Respondent No.4)

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..... (Appellant)

**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar, and others.

..... (Respondents)

**REPLY TO APPLICATION FOR CONDONATION OF DELAY IN SERVICE  
APPEAL BY RESPONDENTS.**


Respectfully Sheweth:-


The reply to application for condonation of delay of service appeal on behalf of respondents No. 1,2 & 3, is submitted as under:-

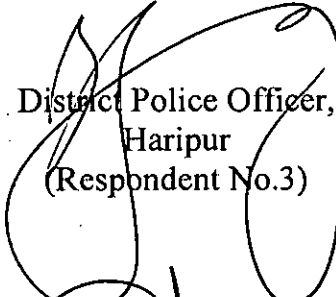
1. Incorrect, the appellant/applicant constable Majid Ali No. 179 while posted at Police Post, TIP Haripur. ASP Circle Saddar Haripur, Mr. Qais Khan, conducted a preliminary enquiry in which the appellant/applicant was found involved in maintaining relations with drug peddlers, corrupt practices and taking bribe and illegal gratification form criminal, vide ASP Saddar office letter No.248 dated 18.06.2019. Therefore, the appellant/ applicant was issued charge sheet and statement of allegations by the then District Police Officer, Haripur vide this office Endst No.853-55/PA dated 19.06.2019. ASP Circle Ghazi, Mr. Nasir Mehmood was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his findings vide his office memo No. 236 dated: 30.07.2019. In which the enquiry officer held the charges proved and recommended the appellant/ applicant for major punishment. Consequently the appellant/ applicant was issued final show cause notice, vide this office Endst: No. 494-95 dated: 01.08.2019. The appellant could not give satisfactory reply of the final show cause notice. So, the appellant/ applicant was called in orderly room and he was heard in person, the appellant/ applicant could not give defense against the proved allegations. Hence, being found guilty of misconduct, the appellant/ applicant was awarded major punishment of dismissal from service, vide OB No. 601 dated: 18.09.2019, by the then District Police Officer, Haripur. The appellant filed departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad who converted the major punishment of dismissal from service into major punishment of time scale constable vide order Endst: No.3554-55/PA dated 31.01.2020.
2. Incorrect, the respondents dealt the applicant/appellant in accordance with law/rules. The orders of punishment passed by the respondents are quite legal, based on evidence and facts, hence, maintainable under the law/rules. Moreover, the applicant has no cause of action to file the instant service appeal, as it is time barred.

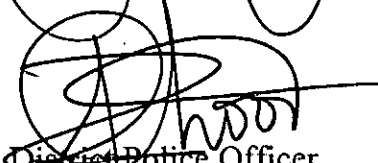
3. Incorrect, the respondents departmental authorities proceeded as per law/rules, the order of punishments have attained finality. The appellant/applicant was dealt with in accordance with law, moreover, his departmental appeal/revision was dismissed on lawful grounds, justification and evidence. Similarly, the instant service appeal is badly time barred. The applicant/appellant did not file the service appeal within statutory time period; hence, it is not maintainable under the law of limitation. Moreover, the applicant has no solid justification for condonation of delay rather statutory rights have accrued to the respondent department.
4. Incorrect, the application for condonation of delay does not hold any legal force, so, the service appeal and the instant application are liable to be dismissed.

In view of above, it is most humbly prayed that the instant service appeal as well as application for condonation of delay do not hold any legal force, which may kindly be dismissed with cost, please.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No.1)

  
Regional Police Officer,  
Hazara Region,  
Abbottabad  
(Respondent No.2)

  
District Police Officer,  
Haripur  
(Respondent No.3)

  
District Police Officer,  
Abbottabad  
(Respondent No.4)

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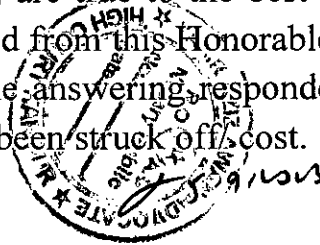
**VERSUS**


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..... (Respondents)

**COUNTER AFFIDAVIT**

I, do hereby solemnly affirm and declare, that the contents of comments / reply, are true to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal. 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/cost.



  
District Police Officer,  
Haripur  
(Respondent No.3)



**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO.4809/2021

Majid Ali s/o Muhammad Anwar, Constable No.351, District Police Haripur, presently posted in District Police, Abbottabad.

.....(Appellant)


**VERSUS**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar, and others.

.....(Respondents)

**AUTHORITY LETTER**

I, the undersigned do hereby authorize Mr. Israr Shah, ASI Legal Haripur, to submit reply in the above cited Service Appeal on behalf of answering respondents and legally do whatever is needed in the court regarding the above titled Service Appeal.

  
District Police Officer,  
Haripur  
(Respondent No. 3)

اسٹنٹ سپرنٹنڈنٹ آف پولیس سرکل صدر ہری پور

ضلعی پولیس آفیسر صاحب ہری پور

نمبر: 248 مورخہ 18/06/2019

محکمہ کارروائی برخلاف ASI سعید شاہ، LHC اسد سعید، کنشیلان ماجد، صدیق

منجانب

بجانب

عنوان

جناب عالی!

بحوالہ مقدمہ علت نمبر 474 مورخہ 15.06.2019 جرم 381-A تپ تھانہ کھلا بٹ میں ملزمان

۱۔ رضوان شاہ ولد صاحب شاہ سکند بابو چوک کھلا بٹ حال سکند پور ۲۔ اسد اقبال ولد عبدالملک سکند محلہ سواتیاں سکندر پور گرفتار ہوئے دوران انٹارگیشن ملزم رضوان شاہ نے انکشاف کیا کہ بابو چوک کھلا بٹ میں حکیم خان افغانی کا ریت بگری کاٹھیہ ہے وہاں پر میں اکثر بیٹھا کرتا تھا حکیم خان نے ریت بگری کے ٹھیہ پر کام کاج کے لئے اپنا ٹریکٹر لائی بھی رکھا ہوا تھا جو رات کو وہاں پر کھڑا کرتا تھا جہاں پر رات کے وقت چوکیدار نہیں ہوتا تھا جس کا ذکر میں نے اپنے دوستوں اسد اقبال، شفیق سے کیا اور ہم تینوں نے صلاح مشورہ کر کے بروز وقوعہ موقع پاکر ٹریکٹر نمبر DGB-5903 سے لائی کیساتھ کھڑا پا کر ٹریکٹر سے لائی علیحدہ کر کے ٹریکٹر کو چوری کیا تھا جو کالا ڈھا کہ پلوسہ میں مسمی امداد الرحمن پر مبلغ تین لاکھ روپے میں فروخت کر کے نقد رقم ایک لاکھ ساٹھ ہزار روپے وصول کئے بقایا رقم ٹریکٹر کے کاغذات ایک سال کے اندر دینے پر وصول کرنے کا معاہدہ ہوا۔ جسکے بعد ہم پلوسہ سے ہری پور واپس آ گئے۔

ملزم رضوان شاہ نے مزید انکشاف کیا کہ مومن سابقہ پولیس ملازم سکند بیٹ گلی اماڑی جو میرا رشتہ دار بھی ہے کیساتھ اسد سعید پولیس ملازم سکند میر پور کے بھائی کی شادی پر میں اور میرا مومن زاد بھائی احسان گئے تھے۔ جس کے بعد اسد سعید کے ساتھ میری دوستی ہو گئی۔ اسد سعید سڈگا تھانہ، کالا ڈھا کہ سے چرس منگو کر اپنے گاؤں میں اپنے ڈیرہ پر جو ویران جگہ پر ہے جہاں پر اس کا والد ہوتا ہے وہاں پر اسد سعید نے 3/4 اشخاص جنکے نام مجھے نہیں آتے بھی رکھے ہوئے ہیں جو کہ چرس، پستول فروخت کرتے ہیں اسد سعید کے اپنے پڑوس میں ایک گھر ہے جسکے ساتھ اسکی مخالفت تھی اسد سعید نے جس کا ذکر ہمارے ساتھ کیا اور کہا کہ انکے گھر میں داخل ہو کر مار پیٹ کرنی ہے۔ اسد سعید کے کہنے پر میں، مومن اور احسان کے ساتھ مغرب ویلے اسد سعید کے گھر میر پور چلے گئے جہاں پر اسد سعید نے ہمیں اپنی بیٹھک میں بیٹھا کر کھانا وغیرہ کھلایا اور رات ہونے کا انتظار کرنے لگے اسد سعید کے گھر میں تین کلاشنکوفیں 75 کارٹوس والی بھی ہیں جو اسد سعید نے اپنے گھر سے بیٹھک میں لائیں جن میں سے ایک کلاشنکوف میں نے، ایک مومن نے اور ایک احسان نے اپنے ساتھ ہمراہ رکھیں اسد سعید کے پاس پستول تھارات ہونے پر ہم سب نے اسد سعید کے کہنے پر اسکے گھر کے پڑوس والے گھر میں نقاب پہن کر دیوار پھلانگ کر رات قریب 12 بجے داخل ہوئے چونکہ سردیوں کا موسم تھا متعلقہ گھر والے کمرہ کے اندر دروازہ بند کر کے سوئے ہوئے تھے اسد سعید نے دروازے کو لائیں مار کر زبردستی کمرے کا دروازہ کھلوا یا۔ جہاں پر ایک مرد اور ایک عورت تھے جنکو ہم سب نے لات مکوں مارنا شروع کر دیں اسی دوران اسد سعید نے اپنے پستول سے فائر کر کے عورت کو زخمی کر دیا شور شرابہ ہونے پر ہم سب موقع سے بھاگ گئے تھے صبح ہونے پر پولیس کے آنے پر اسد سعید نے پولیس کی آمد کا بتلایا اور کہا کہ میں خود موقع پر موجود ہوں آپ اوگ بے فکر ہو۔ اسد سعید چرس اپنی موٹر کار پر لاتے وقت سرکاری لائیٹ کا استعمال بھی کرتا تھا اور اپنی موٹر کار میں اس نے خفیہ خانے بھی بنا رکھے تھے جسکے ہمراہ میں اور مومن آتے جاتے تھے۔ صدیق نامی


Almasood  
سید

Almasood  
سید

پولیس ملازم جو بھی کاہل میر پور کارہائشی ہے۔ جو حطار تھانہ میں ڈیوٹی کرتا ہے اسد سعید نیکیسلا سے چرس خرید کر لاتا تھا اور صدائق کو بھی دیتا تھا جو بھی اسد سعید کی چرس فروخت کرتا تھا۔

ماجد نامی پولیس ملازم جو کہ سیکٹر نمبر 02 کھلا بٹ ٹاؤن شپ کارہائشی ہے پولیس چوکی TIP میں نوکری کرتا ہے جسکے ساتھ بھی میری دوہٹی تھی ماجد کے ساتھ میں نے ملکر قیوم نامی شخص سکنہ سنگا تھانہ سے بدھوڑا ہوٹل در بند اڈا میں 4 کلو چرس 6/7 رمضان المبارک کو منگوائی اور ماجد نے اسے پکڑا اور سعید شاہ ASI چوکی TIP والے کو بر موقع بلا کر مجھے اور قیوم کو موٹر کار میں بٹھا کر چوکی TIP لے گئے اور جہاں پر ماجد اور سعید شاہ نے قیوم سے رقم لیکر اور چرس بھی قبضہ میں کر کے ہم دونوں کو پولیس چوکی سے چھوڑ دیا۔ جسکے بعد ماجد نے میرے بارے میں چرس پکڑوانے کا قیوم کو بتلا کر میری فون ریکارڈنگ کے 3 ہزار روپے لیکر اسے سنائی اور قیوم کو مزید بتلایا کہ تمہیں رضوان شاہ نے پکڑوایا ہے جسکا میں نے ماجد سے گلہ شکوہ کیا جو اس بات پر ہماری آپس میں مخالفت شروع ہو گئی۔ ہماری ٹریکٹر چوری والی واردات کا ماجد کو پتہ چلا جو مجھے اور اسدا اقبال کو پکڑ کر چوکی TIP لے گیا جہاں پر میں نے اپنی والدہ کو ٹیلی فون کر کے رقم 80 ہزار روپے منگوائی اور اسدا اقبال کے گھر سے بھی 80 ہزار روپے منگوا کر ہم دونوں سے مبلغ 1 لاکھ 60 ہزار روپے سعید شاہ ASI نے ٹریکٹر نمبر DGB-5903 جو ہم نے بابو چوک KTS ریت بگری کے ٹھہیے سے چوری کیا تھا کے بدلے میں لیکر ہم دونوں کو چھوڑ دیا تھا انٹار وگیشن رپورٹ ہمراہ لف ہے۔

تفتیشی افسر کی انٹار وگیشن کے بعد زبردستی نے دونوں ملزمان کو علیحدہ علیحدہ طلب کر کے جناب SP صاحب انوسٹی گیشن کی موجودگی میں سنا۔ جو دونوں ملزمان کے بیانات میں وقوع کی نسبت مطابقت پائی گئی۔ اندریں بالا حالات سے اس نتیجے پر پہنچا ہوں کہ متذکرہ بالا ملازمان پولیس محکمہ میں رہتے ہوئے جرائم کی روک تھام کے بجائے جرائم پیشہ اشخاص سے ملکر محکمہ پولیس کی سخت بدنامی کا سبب بنے ہیں۔ استدعا ہے کہ متذکرہ بالا پولیس ملازمان کے خلاف سخت حکمانہ کاروائی کی سفارش کی جاتی ہے۔

  
اسسٹنٹ سپرنٹنڈنٹ آف پولیس  
سرکل صدر ہری پور

Suspend all the officers  
involved.

As P. Ghazi to conduct  
proper departmental  
enquiry.

Arrested  
Indice

19.6.19

Asst. Commr.  
@

OFFICE OF THE ASSISTANT SUPERINTENDENT OF POLICE  
CIRCLE GHAZI, HARIPUR

Annex 'B'

Ph. # 0995-660265

E-Mail: sdpoghazi@gmail.com

No: 236 Dated 30/07/2019



To: The District police Officer,  
Haripur,

Subject: DISCIPLINARY ACTION AGAINST FC MAJID ALI NO.179

Memo:

Kindly refer to Charge Sheet No. 356-56 Dated 19.06.2019 FC Majid Ali No 179.

2. Please find attached Inquiry Report, Statement of allegations, charge sheet, statements and documents on the subject inquiry in original duly signed.

Masir Mahmood

Assistant Superintendent of Police/Inquiry Officer  
Circle Ghazi

Enclosed 11 Pages)

Attested  
hkh

Subject: **INQUIRY REPORT**

Reference Charge sheet No.356-58 Dated 19.06.2019 by worthy District Police officer Haripur served on FC Majid Ali 179.

**BRIEF FACTS OF THE CASE**

FC Majid Ali while posted at Police Post TIP Police Station City Haripur was found involved in corruption collusions with Criminals. These facts came to light during the interrogation of Rizwan Shah s/o Sahib Shah. The official was charge sheet, hence the instant enquiry.

**INQUIRY PROCEEDING**

**Statement of Majid Ali No.179**

He denied the allegations and stated that he was dutiful and honest during his tenure.

**Personal Hearing.**

He was given opportunity of personal hearing to present evidence for his defense. During the hearing following Questions were asked from *FC Majid Ali*:

S/No	Question	Answer by HC
01	Where you are involved such activities as mention in interrogation report.	No
02	What was your relationship with Rizwan Shah.	He was our informer.
03	Did you remain in contact with Rizwan Shah?	Yes
04	Why would your informer turn against you	It is a preplanned conspiracy against me

**Statement of Complainant Rizwan Shah**

He stated that he was informer of HC Saeed Shah and FC Majid. He would work with them and provide intelligence on narcotics. He stated that he would sell

*Saeed Shah*  
*Rizwan Shah*

narcotics that were recovered during the raids. He also stated that he turned against them when they disclosed his name to person who was arrest on his information and later kept him in illegal confinement.

S/No	Question	Answer by HC
01	What was your relationship with majid Ali.	I was there informer
02	What kind of activities do you do for them?	I would provide intelligence on narcotics, sell the narcotics for them and provide them their share after taking mine.
03	Why would they keep you in illegal confinement?	I have audio proof of their dealing with me as surety. They took them away after after picking me up and keeping in TIP I also paid them 80000 through my mother
04	Why would you turn against them?	They have done injustice to me.

## FINDINGS

Statement of accused, Persual record and personal hearing, I, Inquiry officer, found following.

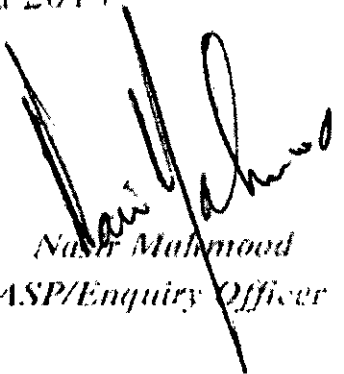
1. The FC Majid Ali and Rizwan Shah were in contact with each other are well known to one another.
2. During interrogation at PS KTS, these facts were admitted by Rizwan Shah and also admitted by FC Majid Ali. Annex-A
3. The stolen tractor which was allowed to pass after getting bribe has been recovered by the KTS PS and an FIR was registered against the accused.
4. Rizwan Shah also admitted that he would sell narcotics of behalf of HC Saeed Shah and FC Majid Ali and provide them with their share.
5. The Rizwan Shah after the incident has alleged that the HC Saeed Shah and FC Majid has harassed him in kept him illegal confinement to recover proof of their involvement in the criminal activities. **Annex-B**
6. Clandestine inquiry has proved that the statement of Rizwan Shah is correct and also revealed that the FC Majid worked with HC Saeed in all matters

*Attested  
m/h*

that he was involved in including collusion with narcotics dealer, drug peddlers of and prostitution dens.

Conclusion

"From the finding of preliminary inquiry, statement of accused, Personal hearing, cross questioning and perusal of record, I find FC Majid Ali guilty of being inefficient and involved in corrupt practices and recommend him for Major Punishment as provided under the E&D Rules 1975 amended 2014"

  
Nasir Mahmood  
ASP/Enquiry Officer

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*Accepted*  
*MD*

~~Amir C~~  
Amir C

**FINAL SHOW CAUSE NOTICE**

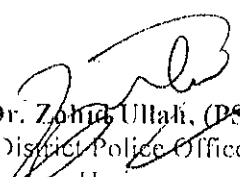
I, Dr. Zahid Ullah, (PSP), District Police Officer, Haripur as Competent Authority under Police Rules 1975, do hereby serve Final Show Cause Notice upon you FC Majid Ali No. 179 on the following grounds: -

(1) "That while you were posted at PP TIP, it has come to the notice of the undersigned that preliminary enquiry No. 248 Dated 18.06.2019, conducted by ASP Saddar Haripur that you and along with HC Saeed Shah I/C PP TIP, LHC Asad Saeed No. 297 Moharrar PP Pind Muneem and Constable Saddique No. 669 PS Hattar, intentionally involved in Corruption, helping drug peddlers, took bribe/illegal gratification from the accused involved in different criminal activities and facilitated them. Your act is severe violation of Rule 14-32 of Police Rules 1934 and also gross misconduct on your part in terms of Police E&D Rules 1975"

(2) For the purpose of scrutinizing the conduct on your part with reference to the above allegation, you was serve with Charge Sheet/Statement of allegation and Assistant Superintendent of Police, Ghazi, Haripur was appointed as enquiry officer against you for the conduct of proper departmental enquiry vide this office Memo No. 356-58, dated 19.06.2019.


(3) The enquiry officer after conducting proper departmental enquiry submitted his finding vide his office letter No. 236 dated 30.07.2019, in which he had the charges of misconduct proved and recommended for major punishment under section-4 of the KPK Police E&D Rules 1975.

(4) Keeping in view of above allegation on your part, you are hereby called upon. To Show Cause within (07) days of the removed of this Final Show Cause notice as to why you should not be awarded punishment under the Police Rule 1975, if your written reply is not received with in stipulated period. It shall be presumed, that you have no defense to affirm, you are also allowed to appear before the undersigned, if you so desired.


  
Dr. Zahid Ullah, (PSP)  
District Police Officer,  
Haripur


No. 196-95 / dated Haripur the 1/8/2019


Copy of above is submitted to the Regional Police Officer, Hazara Region Abbottabad for favor of information please

  
Dr. Zahid Ullah, (PSP)  
District Police Officer,  
Haripur

24

  
District Police Officer,  
Haripur







**ORDER**

Constable Majid Ali No.179, while posted at PP TIP, Haripur, it came in the notice of undersigned through preliminary enquiry conducted by Mr. Muhammad Qais Khan, ASP Saddar, Haripur. That Constable Majid Ali along with HC Saeed Shah, LHC Assad Saeed No.297, Muharrar PP Pind Munim, and Constable Saddique No.669, PS Hattar, intentionally involved in corruption and corrupt practices, helping drug peddlers, took bribe/illegal gratification from the accused involved in different criminal activities and facilitated them. The acts and omissions of defaulter police official were misconduct under Khyber Pakhtunkhwa, police efficiency and discipline rules 1975. Therefore, He was served with charge sheet and statements of allegations, vide this office Endst No.356-58/PA dated 19.06.2019.

To probe the allegations, Mr. Nasir Mahmood, ASP/Ghazi, District Haripur, was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his finding, vide his office Memo No.236 dated 30.07.2019. In which, he mentioned that the charges of misconduct proved against defaulter police official and found involved in corrupt activities. Therefore, enquiry officer recommended him for major punishment. Therefore, the defaulter police official was served with final show cause notice vide this office Endst: No.494-95/PA dated 01.9.2019, in which he could not give satisfactory reply.

Constable Majid Ali No.179, was heard in orderly room on 18.09.2019, during personal hearing, he was given opportunity to clarify his position with respect to the allegations levelled against him and subsequent enquiry. But he could not give any evidence in his defense.

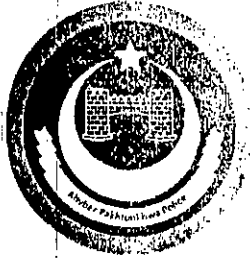
Keeping in view, the finding of enquiry officer, I am fully satisfied that Constable Majid Ali No.179 committed gross misconduct. Therefore, I, Dr. Zahid Ullah District Police Officer, Haripur being competent authority under Khyber Pakhtunkhwa police efficiency and discipline rules 1975, awarded major punishment of "Dismissal from service" with immediate effect.

Order announced in his presence.  
OB No. - 621 - dated 18.09.2019

*A. J. Khan*

*Attested  
Insh*

*Zahid Ullah*  
District Police Officer  
Haripur



OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0922-9310023

r.rpohazara@gmail.com

0345-9560687

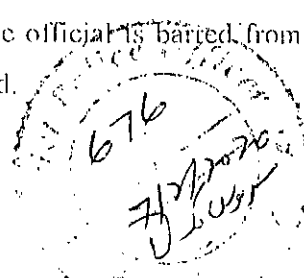
NO: 3553 /PA DATE 31 / 1 / 2020

ORDER

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Constable Majid No. 179 of district Haripur against the order of punishment i.e. *Dismissal from service* awarded by the District Police Officer, Haripur vide OB No. 601 dated 18-09-2019.

Facts leading to the punishment are that he while posted at PP TIP Haripur, it came in the notice of DPO Haripur during preliminary enquiry conducted by ASP Saddar, Haripur that Constable Majid Ali No.179, HC Saeed Shah alongwith, LHC Asad Saeed No.297, Muharrar PP Pind Munim PP TIP and Constable Saddique No.669 PS Hattar intentionally involved in corruption helping drug peddlers, took bribe/illegal gratification from the accused involved in different criminal activities and facilitated them.

After receiving his appeal, comments of DPO Haripur were obtained and examined/ perused. The undersigned called the appellant in OR, heard him in person. Keeping in view his explanation and financial position, I take lenient view and the punishment awarded by DPO Haripur i.e. "*Dismissal from service is hereby converted into time scale constable*" with immediate effect. Moreover the official is barred from Haripur district for rest of carrier and transferred to district Abbottabad.



Sd/-

Dr. Mazhar-ulhaq Kalkakhel  
(PSP/PPM/S.St)

No. 3554 -55/PA, dated Abbottabad the 31 / 1 / 2020

CC.

1. District Police Officer, Haripur for necessary action with reference to his office Memo No.8170 dated 27-11-2019. Service Roll alongwith Fauji Missal containing enquiry file of the official are returned herewith for record.
2. District Police Officer, Abbottabad for information and necessary action.
3. Establishment Branch.

SRC/OHC  
JSC/PPM/S.St  
DPO-HR

OB No. 103  
11-02-2020

Sardar Muhammad Irshad  
Office Superintendent  
For REGIONAL POLICE OFFICER

Attest  
@

Attest  
MHR

Amir - F

**ORDER**

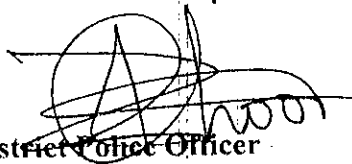
This office order will dispose off the departmental enquiry against **FC Majid No. 351**. As per preliminary enquiry conducted by Addl: SP Abbottabad vide his office memo: No. 1317/PA dated 01-04-2021, he while posted at PS Nawansher, on 07-03-2021 at 19:35 hrs a fake/ bogus case vide FIR No. 139 dated 07-03-2021 u/s 15AA was registered at PS Nawansher while on the same day at 17:15 hrs the same accused namely Hazrat Gul s/o Bahadar Gul r/o Kotkah Sokari Bannu was also charged in murder case vide FIR No. 178 dated 07-03-2021 u/s 302/324/34 PPC PS Cantt district Bannu, how is it possible that the accused is charged in two FIRs at the same time and date in two very faraway districts. During cross examination it came to the surface that he alongwith IHC Shahzad Shah reached at Khokhar Maira Interchange to receive the accused in protocol under the direction of SHO while the interchange is out of the jurisdiction of PS Nawansher. Furthermore, the allegations of preplanning in registering bogus case and obtaining of illegal gratification/ bribe has been proved against him. All this shows his malafide intention, sever violation, a senior professional dishonesty and gross misconduct in term of police E&D Rules- 1975.

He was issued with Charge Sheet along with statement of allegations. **SP Investigation Abbottabad** was appointed as Enquiry Officer. He conducted proper departmental enquiry against the delinquent official and recorded statements of all concerned. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein he reported that the allegations level against delinquent official are proved correct. He was issued with Final Show Notice. He was summoned to appear in Orderly Room on 09-06-2021. He was given a patient hearing but he had nothing plausible to state in his defence.

Therefore, in exercise of the powers vested in the undersigned Police Disciplinary Rules-1975 (Amended 2014), I, Zahoor Babar Afridi, PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of **Dismissal form Service** with immediate effect.

**Order announced.**

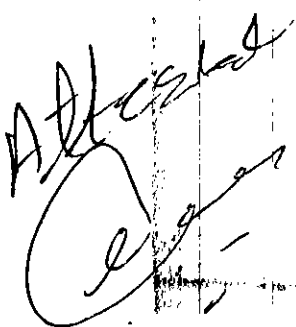
OB No. 186  
Dated 10/6/21

  
District Police Officer  
Abbottabad

CC.

1. Pay Officer DPO Office.
2. SRC DPO Office.
3. OHC DPO Office alongwith Enquiry containing (41) pages for completion of record.

\*\*\*\*\*







OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. SI 931 /21, dated Peshawar the 04/10/2021 10/3/2021

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 Majid No. 179. The petitioner was dismissed from service by District Police Officer, Haripur vide OB No. 601, dated 18.09.2019 on the allegations that he while posted at PP TIP Haripur, it came in the notice of District Police Officer, Haripur during preliminary enquiry conducted by ASP/Saddar, Haripur that Constable Majid No. 179, HC Saeed Shah alongwith LHC Asad Saeed No. 297, Muharrar PP Pind Munim PP TIP and Constable Saddique No. 669 PS Hattar intentionally involved in corruption helping drug peddlers, took bribe/illegal gratification from the accused involved in different criminal activities and facilitated them. The Appellate Authority i.e. Regional Police Officer, Hazara converted his dismissal from service into time scale Constable vide order Endst: No. 3553-55/PA, dated 31.01.2020.

Meeting of Appellate Board was held on 21.01.2021 wherein petitioner was heard in person. Petitioner denied the allegations leveled against him.

Petitioner failed to advance any plausible explanation in rebuttal of the charges. Since he has already been granted relief by Regional Police Officer, Hazara. His revision petition is also time barred. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

**KASHIF ALAM, PSP**

Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI 932-40/21

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal (containing enquiry file) of the above named FC received vide your office Memo: No. 21991, dated 07.09.2020 is returned herewith for your office record.
2. District Police Officer, Haripur.
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.

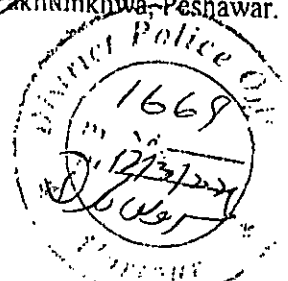
*SRC/OHC*  
*For information*  
*& further info*

*No. 593-94/PA*  
*Dated 10-3-2021*

*DPO Haripur*  
*DPO Mabal*

*For info & n/a pl.*

(**IRFAN ULLAH KHAN**) PSP  
AIO Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.



*Atk...*

*1669*  
*12/3/2021*  
*10/3/2021*