


FORM OF ORDER SHEET

Court of _____

Appeal No. 1779/2023

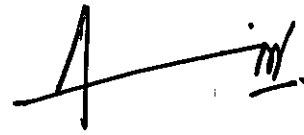
| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 05/09/2023 | <p>The appeal of Mr. Nasir Aziz resubmitted today by Mr. Gohar Ali Khesghi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p> |

The appeal submitted by Mr. Gohar Ali Khesghi i.e. on 31.08.2023 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. Pages no. 8, 13 & 20 of the appeal are illegible which may be replaced with legible/better one.

No. 3153 /S.T.

DI. 4/9 /2023

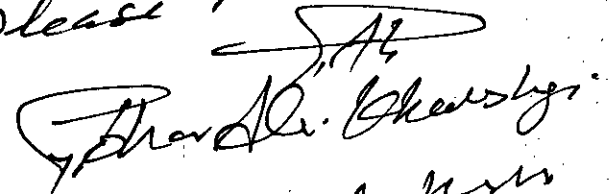


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Gohar Ali Khesghi Adv.
High Court Peshawar.

R/ Ghawetha

the the pages objected are
rectified and re-submitted
please



advised per

5/9/2023

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In S.A No. 1779 /2023

Nasir Aziz

VERSUS

District Police Officer North Waziristan and others

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Dated: 28/08/2023

Nasir
Appellant

Through

GA
Gohar Ali Khesghi
Advocate High Court
Peshawar.
Cell# 0336-9055345

/

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In S.A No. 1779 /2023

Nasir Aziz S/o Mohammad Mashal Khan R/o Miran Shah
Tehsil Miran Shah District North Waziristan. Ex-Police
Constable OB No.96 NWTD.

----- (Appellant)

VERSUS

1. District Police Officer North Waziristan.
2. Regional Police Officer Bannu Region Bannu.
3. The Inspector General of Police KPK at Peshawar.

----- (Respondents).

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL ACT -1974 FOR REINSTATEMENT
OF THE APPELLANT IN SERVICE ALONGWITH ALL
BACK BENEFITS AND SETTING ASIDE THE
IMPUGNED ORDER OF DISMISSAL OF THE
APPELLANT FROM SERVICE OB NO 96 DATED
03.02.2023.

Respectfully Sheweth;

1. That the appellant was appointed in Levi
Khasadar force in North Waziristan and the
absorbed in regular police for 5-1/2 years of
unblemished Record of Service.

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2. That appellant was efficient, hard worker and dutiful person his number training was not fixed.

3. That appellant was deputed in license Branch in Medical sec in Miran Shah as runner / order lis No CERN with ID who performed his duty emasculatory, honestly and most obediently to his high ups and gave no chance of complain to his seniors and appellant was only collect Form - C nothing else.

4. That some allegation of corruption were leveled against some other staff who were declared innocent by the respondents and penalty of dismissal was given to the appellant due to pick and chose manner of the respondents and penalty of dismissal was given to the appellant.

5. That appellant was dismissed from Service without cogent reason and without Codal formalities as Annex "A", dated 03-02-2023 order impugned.

6. That an illegal and incomplete inquiry was conducted against the appellant as ex-Partee proceeded as Annex "B". Vide 10 self-admitted and written in conclusion that the alleged were untrained and no knowledge of rules &

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regulations being newly absorbed Khasadar to regular Police and also not proved the allegation in Charge Sheet.

7. That appellant was Charge sheeted as Annex "C" which was replied by the appellant but IO didn't considered as Annex "D".
8. That no show cause notice is given to appellant.
9. That appellant filed departmental appeal which was dismissed as Annex "E & F".
10. That appellant may also be allowed to reply on additional grounds at the time of arguments please.
11. That appellant submits inter alia on the following grounds:-

Grounds:

- A. That the impugned order of dismissal is illegal, unlawful, not accepted in the eyes of law.
- B. That impugned order of dismissal is not based on facts but with malafide intention of the respondents.

- C. That no show cause notice is given and no Denove inquiry was conducted by respondent which was ex-Partee/ proceed against the appellant.
- D. That dismissal order is against the law & rules and regulations.
- E. That the impugned order is against the facts, not accepted in the eyes of law.
- F. That the appellant was in basic Police training w.e.f 01-06-2021 up to 31-08-2021, up to that date No. Complaint, regarding computer ID of license branch NWT D filed.
- G. That prior to police training the appellant was posted in police post boys and after completion basic police training NWT D on 15-04-2021 so the service of the appellant was deputed as reader to SDPO Traffic operator in license branch of traffic police.
- H. That there is no complaint against the appellant from public.
- I. That the appellant was deputed to enter the data of documents which was signed by high ups and complain is regarding to Medical & Physical Sec of this branch.

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J. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

PRAYED:

Therefore, upon acceptance of this Appeal the impugned order of dismissal by respondents No 1 & 2 be set aside and the appellant be re-instated in Service with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.

Dated: 28/08/2023.

Nasir
Appellant

Through

GAH
Gohar Ali Khashgi
Advocate High Court
Peshawar.
Cell# 0336-9055345

NOTE:-

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

GAH
Advocate.

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In S.A No. _____/2023

Nasir Aziz

VERSUS

District Police Officer North Waziristan and others

AFFIDAVIT

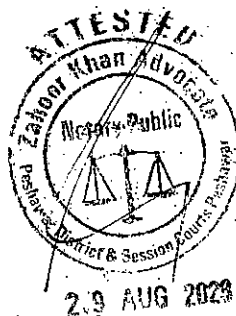
I, Nasir Aziz S/o Mohammad Mashal Khan R/o Miran Shah Tehsil Miran Shah District North Waziristan. Ex-Police Constable OB No.96 NWTD, do hereby solemnly affirm and declare that all the contents of the accompanied appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

Nasir
DEPONENT

CNIC: 2150647803089

Identified By:

SAH
Gohar Ali Khashgi
Advocate High Court
Peshawar.
Cell# 0336-9055345



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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR.**

In S.A No. _____/2023

Nasir Aziz

VERSUS

District Police Officer North Waziristan and others

ADDRESSES OF PARTIES

APPELLANT.

Nasir Aziz S/o Mohammad Mashal Khan R/o Miran Shah Tehsil
Miran Shah District North Waziristan. Ex-Police Constable OB No.96
NWTD.

RESPONDENTS:

1. District Police Officer North Waziristan.
2. Regional Police Officer Bannu region Bannu.
3. The Inspector General of Police KPK at Peshawar.

Dated: 28/08/2023

Nasir
Appellant

Through

GA
Gohar Ali Khesghi
Advocate High Court
Peshawar.
Cell# 0336-9055345

ORDER

P-A 8

This order of the undersigned will dispose of departmental proceeding against Constable Nasir Aziz s/o Muhammad Mashal (Suspend) under Police Rules 1975 (as amended) vide Khyber Pakhtunkhwa Gazette Notification, No 27th of August 2014 by issuing charge sheet and statement of allegation to him for committing the following commissions/omissions:

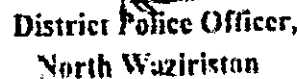
1. That he was suspended vide OB No.675 dated 16.12.2021, but didn't follow the order of the competent authority and continue to remain in traffic license branch.
2. That he was deputed to traffic license branch, but he didn't perform his duties with sincerity.
3. That there are charges of mass corruption against him from Director II, CPO Peshawar as well as general public; therefore, the ID of driving license was been blocked from CPO Peshawar.
4. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975.
5. Such act on his part is against the Services Rules Discipline and amounts to misconduct and negligence.

Charge sheet and statement of allegations were issued and served upon him. SP Investigation North Waziristan was nominated as enquiry officer to probe the matter and report. Enquiry officer submitted his finding report on 29.04.2022, wherein he stated that the allegations leveled against the accused official are proved. Hence he has been recommended for major punishment.

Keeping in view the position explained above. I Mr. Saleem Riaz (PSP) District Police Officer, North Waziristan, in exercise of the power vested in me, under Khyber Pakhtunkhwa Police Rules 1975 (amended in 2014) hereby awarded him Major Punishment of Dismissal from Service with immediate effect.

OB No. 96
Dated: 03/02/2023.


Advocate Ali Kheshgi
Advocate High Court
Peshawar


District Police Officer,
North Waziristan

Copy to:

1. The Regional Police Officer, Bannu Region, Bannu w/r to his office Endst: No.1965/FC dated 16.05.2022.
2. PO/SRC/OASI/Reader for necessary action.
3. In-charge Kot/In-charge General Godown/In-charge Wardi Godown with the directions to deposit all the government items issued to him, if any.

ORDER:

This order of undersigned will dispose of departmental proceeding against Constable Nasir Aziz-S/o Muhammad Mashal (Suspend) under police rules 1975 (as amended vide Khyber Pakhtunkhwa Gazette Notification No. 27th of August 2014) by issuing charge sheet and statement of allegation to him for committing the following commissions / omissions

1. That he was suspended vide OB No. 675 dated 16.12.2021, but didn't follow the order of the competent authority and continue to remain in traffic license branch.
2. That he was deputed to traffic license branch, but he didn't perform his duties with sincerity.
3. That there are charges of mass corruption against him from Director IT, CPO Peshawar as well as general public; therefore, the ID of driving license was been blocked from CPO Peshawar.
4. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975.
5. Such act on his part is against the Services Rules/ Discipline and amounts to misconduct and negligence.

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Keeping in view the position explained above. I Mr. Saleem Riaz (PSP) District Police officer North Waziristan, in exercise of the power vested in me, under Khyber Pakhtunkhwa Police Rules 1975 (amended in 2014) hereby awarded him Major Punishment of Dismissal from Service with Immediate effect.

OB No. 96

Dated 03/02/2023

**District Police Officer
North Waziristan**

Copy to:

1. The Regional Police Officer, Bannu Region, Bannu W/r to his officer Endst: No. 1965/EC dard 16.05.2022.
2. PO/SRC/OASI Reader for necessary action.
3. LO/In-charge Kot/In-charge General Godown/ In-charge Wardi Godown with the directions to deposit all the government items issued to him, if any.

P-B
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From: The Regional Police Officer,
Bannu Region, Bannu

To: The District Police Officer, North Waziristan

No. 1965 /EC, dated Bannu, the 16 /05/2022

Subject: INQUIRY OF DRIVING LICENSE BRANCH DISTRICT NORTH
WAZIRISTAN POLICE

Memo: Reference your office letter No.3612/PA/F-21 dated 09.05.2022.

The inquiry file received with your above quoted reference without taking
decision, is returned herewith in original for disposal at your end under intimation to this office.

Encl: Complete inquiry file

[Handwritten signature]
16/5/22

Regional Police Officer
Bannu Region,
Bannu
Ph: No.0928-9270076
Fax No:0928-9070075
Email: rpobannu2@gmail.com

[Handwritten signature]
Colonel A. A. Khatib
Advocate High Court
Peshawar

P-10
OFFICE OF THE
SUPERINTENDENT OF POLICE
INVESTIGATION, NORTH WAZIRISTAN

Phone: 0928-313101

Email: spinvntd@gmail.com

22 /INV/NWTD
dated: 14/04/2022.

To: The District Police Officer,
North Waziristan.

Subject: INQUIRY OF DRIVING LICENSE BRANCH DISTRICT NORTH
WAZIRISTAN POLICE.

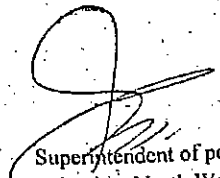
Memo:

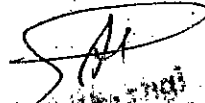
Kindly refer to your office letter No.1209/SRC dated 31.01.2022, and letter No.
2069/SRC dated 18.2.2022 on the subject noted above.

It is submitted that the complete inquiry file of the following Police official are sent
herewith for your office it may be acknowledge, please:

- 1. FC Ihtesham Ul Haq No. 2289 (Medical & Physical Physician Driving License
Branch)
- 2. FC Musa Billah No. 1725 (Reader To SDPO Traffic)
- 3. FC Zahid Ullah No. 3706 (Computer operator Driving License branch)
- 4. FC Sher Ayaz No.3773 (Computer Operator driving License branch)
- 5. FC Nasir Aziz (DSP Traffic Office Ordly)
- 6. FC Kazir Ullah No.1724 (Traffic License Branch Ordly)
- 7. FC Imran No.303 (Computer operator Traffic License Branch)

Enclosed: (53 Pages)


Superintendent of police,
Investigation, North Waziristan


GOVT. JUDGE
JUDICIAL HIGH COURT
Peshawar

P.R FORM 16-22 (iii)

Internal Enquiry against the following police officials District North
an.

1. Ihtesham Ul Haq No.2289 2. FC Musa Billah No.1725 3. FC Zahid Ullah No.3706
4. FC Sher Ayaz No.3773 5. FC nasir Aziz 6. FC Kazir Ullah No.1724 7. FC Imran
No.303

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|-----|---|----------|
| 1. | Findings Report | 02 Pages |
| 2. | Statement of Accused officials | 13 page |
| 3. | Statement of License holders | 05 page |
| 3. | Charge Sheet and summary of allegations | 12 Pages |
| 4. | Report of National Bank Miranshah | 01 Pages |
| 5. | Photocopy of out of Province/District driving License | 11 Pages |

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General Manager
District Court
Miranshah

P-B
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Findings Reports of Departmental Enquiries against the following Police officials of Distt: MWTB.

1. FC Ihtesham Ul Haq No. 2289 (Medical & Physical Physician Driving License Branch)
 2. FC Musa Billah No. 1725 (Reader To SDPO Traffic)
 3. FC Zahid Ullah No. 3706 (Computer operator Driving License branch)
 4. FC Sher Ayaz No. 3773 (Computer Operator driving License branch)
 5. FC Nasir Aziz. (DSP Traffic Office Ordly)
 6. FC Kazir Ullah No. 1724 (Traffic License Branch Ordly)
 7. FC Imran No. 303 (Computer operator Traffic License Branch)
- Charge Sheets No. 3-5/SRC dated 27.01.2022, No. 6-8/SRC dated 27.01.2022, No. 12, 14/SRC dated 27.01.2022, No. 15-17/SRC dated 27.01.2022, No. 9-11/SRC dated 27.01.2022 and charge sheet No. 180-81 dated 18.02.2022 issued by the DPO North Waziristan to the following Police officials.

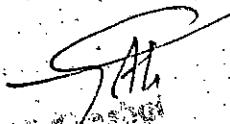
Reference.

Allegations.

- That in the light of charge sheets and summary of allegations the above Police officials while posted as SDPO Traffic driving license branch have been found the charges of Mass Corruption, and make a lot of numbers Motor Car + Motorcycle, LTV driving license and conversion of HTV driving license out of Province and District peoples received from Director IT CPO Peshawar as well as general public which shows their inefficiency and his this act carry bad name to the Police department.

The delinquent Police officials heard in person and recorded his statements regarding the allegations leveled him. They have issued approximately 16000 driving license during his posting period and received per driving license charges Rs. 1700 but as per the driving license rules the charges of driving license is Rs. 1100. The extra charges Rs. 600 he received on the ground of Medical and Physical fitness certificate. A part from this, complete inquiry file of preliminary inquiry conducted by the undersigned thoroughly studied wherein the following flaws/ faults found on the part of accused officials.

1. That the accused official miserably failed in keeping the matter of driving license on record and issue approximately 6000 LTV driving license, and conversion of HTV driving license his this act out of driving license rules, but at that time no other driving license branch established in District North Waziristan.
2. That they are issued the LTV driving license to people abroad, but there is no concrete evidence of this and no witness is ready to testify.
3. That the direction of Director IT CPO Peshawar the User ID of driving license branch used in other district and issue fake driving license, but the statement of the delinquent officials are recorded they are denied the allegations.
4. That he has issue a huge numbers of LTV and Motor Car + Motorcycle driving license to out of province and district peoples and conversion of HTV driving license due to his negligence, but the driving license are issued to everyone in any province/ district.
5. That the defaulter officials narrated in his statement that the User ID of license branch was fake the someone and make a fake driving license.
6. That after getting information from the license holders they have received Rs. 1700 charges per driving license but the Govt. policy rules per license charges Rs. 1100/- the extra charges Rs. 600 they are received on Medical fitness certificate for driving license.


Gohar Ali
Advocate High Court
Peshawar


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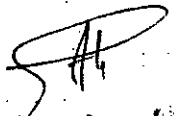
Although the defaulter police officials was posted a mention above posts and (Motor Car jeep + motorcycle driving license to other Province / District peoples any, FC who performed their duty in North Waziristan and private peoples but the are issued to everyone in any Province/ district and conversion of HTV driving the negligence towards keeping of govt. duties is ignored. Therefore, the allegations due to negligence of the accused officials proved.

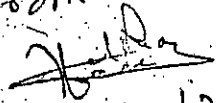
The undersigned thread barely studied the whole enquiry file as well as recorded statements of the defaulter police officials (Annexure II) and the statement of license holders (Annexure III) and obtained the complete RTS driving data to thresh out the actual facts. The undersigned recorded the statement of National Bank of Pakistan North Waziristan Miranshah Branch reports and check the license challans (Annexure VI) and check the record of driving license who issued out of province/ district peoples (Annexure V) to reach the conclusion and finalize the departmental enquiry on merit.

Conclusions.

Keeping in view the above, perusal of complete enquiry file, statements of the accused officials, perusal of National bank miranshah branch challan report, and Statements of license holders the undersigned reached to the conclusion that the allegations against the defaulter officials framed in the summary of allegations have been proved. Therefore, the defaulter officials are recently absorbed from Khasadar force to District Police North Waziristan and not a well experience in official correspondence, uneducated, untrained and unfamiliar with the police rules and driving license rules. Submitted please.


(Muhammad Zaman)
Superintendent of Police
Investigation, North Waziristan
Enquiry Officer


Asghar Ali Khan
Assistant Commissioner
Miranshah

Dismissed
from service

02/2/23

D-13
BETTER COPY NO 13

Through the defaulter police officials was posted a mention above posts and Motor Car jeep + motorcycle driving license to other Province / District peoples economy FC who performed their duty in North Waziristan and private peoples but they are issued to everyone in any Province/ district and conversion of HTV driving negligence towards keeping of Govt: duties is ignored. Therefore, the allegations due to the accused officials proved.

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Submitted please.

(Muhammad Zaman)

Superintendent of Police

Investigation, North Waziristan

Enquiry Officer

P ⊙ C
ET 14

CHARGE SHEET:

I, Aqeeq Hussain, District Police Officer, North Waziristan, as competent authority, hereby charge you, FC Nasir Aziz s/o Muhammad Maslul for the purpose of departmental enquiry proceedings as follows:-

- That you were suspended vide OB No. 675 dated 16.12.2021 but you did not follow the order of the competent authority and continue to remain in traffic license branch.
- That you were deputed to traffic License Branch but you did not perform your duties with sincerity.
- There are charges of mass corruption against you from Director IT CPO as well as general public, therefore the ID of Driving License has been blocked from CPO Peshawar.
- This all speaks gross misconduct on your part and you are liable to be punished under Police Rules-1975.
- Such act on your part is against the service rules/discipline and amounts to misconduct and negligence.

1. By reason of the above you appear to be guilty of misconduct under the Police Rules 1975 (As amended vide Khyber Pakhtunkhwa Gazette Notification No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules, and under section 77 of the Khyber Pakhtunkhwa Act, 2017.

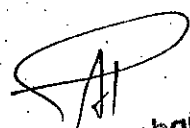
2. You are therefore, directed to submit your defense/reply within 07 days of the receipt of this Charge Sheet to the enquiry officer.

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

4. You are directed to intimate whether you desire to be heard in person or otherwise?

5. A statement of allegation is enclosed.

(Aqeeq Hussain)
District Police officer,
North Waziristan


Gohar Ali Khesghi
Advocate High Court
Peshawar

C
P-15

SUMMARY OF ALLEGATIONS:

I, Aqeeq Hussain, District Police Officer, North Waziristan as competent authority, am of the opinion that FC Nasir Aziz s/o Muhammad Mashal, has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (As amended vide Khyber Pakhtunkhwa Gazette-Notification, No.27 of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules, and under section 77 of the Khyber Pakhtunkhwa Act, 2017.

SUMMARY OF ALLEGATIONS:

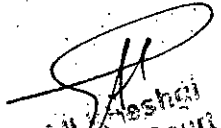
- That you were suspended vide OB No. 675 dated 16.12.2021 but you did not follow the order of the competent authority and continue to remain in traffic license branch.
- That you were deputed to traffic License Branch but you did not perform your duties with sincerity.
- There are charges of mass corruption against you from Director IT CPO as well as general public, therefore the ID of Driving License has been blocked from CPO Peshawar.
- This all speaks gross misconduct on your part and you are liable to be punished under Police Rules-1975.
- Such act on your part is against the service rules/discipline and amounts to misconduct and negligence.

1. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations A. Zaman SP/Inv is appointed as Enquiry Officer.
2. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within the targeted days after the receipt of this order.
3. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(Aqeeq Hussain)
District Police officer
North Waziristan

No. 15-17 /SRC dated 27 /01/2022.
Copies to:

1. The Enquiry Officer
2. The Accused Officer/Official.

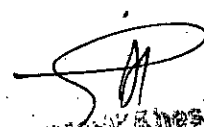

Ghaffar Ali Aishai
Advocate High Court
Peshawar

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حرفہ 16/02/2022 ع-1 جنت عالی! بیان ازمن تا امر تشریح

کوالہ بھارج شیٹ DPP صاف منبری SRC/15-17 تاریخ 27/1/2022
 سائل ہم کو انہوں نے کوالہ بھارج شیٹ اٹارے کے بارے میں 09 تصدیقات
 کے برعکس ہیں۔ کیونکہ سائل کو کوالہ آرڈر نمبر 675 تاریخ 16/02/2022
 کو Suspend کیا تھا۔ اور چونکہ سائل کو نہ کسی نے ابھی تک کال
 کیا ہے اور نہ کسی قسم کی اطلاع ملی ہے کہ آپ Suspend ہو گئے ہیں
 میں نے اپنی ڈیوٹی کو نیا ہیٹ ایگنڈا کیس کو سہارا دی ہے۔
 اور چونکہ سائل نے ابھی تک Basic Training حاصل نہیں کی ہے
 سائل ٹریفک DPP کیس کو ڈیوٹی پر بھیج رہے ہیں۔ اور سائل
 کی کوئی اپنی UserID میں سے سائل نے ہمیشہ اپنی ڈیوٹی
 ایگنڈا اور اخراجات کے ساتھ سہارا دی ہے۔ سائل ہم ابھی
 تک کسی بھی قسم کی کمپلیٹ یا شفایت درج نہیں ہوئے ہیں۔
 سائل کے سب سے پہلے کسی بھی آفسران ہال کو شفایت کا موقع
 نہیں دیا گیا۔ سائل کو مزید کارروائی کے لیے ہم نے ایک حکم صادر فرمایا ہے

عین لاء عرض ہوئی
 المعارض
 LHC
 موب = 0332-9659668 16-2-22


 Gopalji Alreshai
 Advocate High Court
 Dastgeer

حجے صرف DSP/Frame کیس کے لئے ڈیوٹی کو لایا تھا آئی 05

ناصر عزیز

بیان از ان LAFAC نامہ سرگزشت پر پبلٹ بر لاء
فرق 17

س: آپ ٹریڈ مارک میں کتنے عرصے سے تعینات ہے؟
ج: تقریباً 2 سال سے۔

س: کوئی Post پر تعینات تھے؟

ج: DSP/Trfc کے ساتھ اردنی تھا

س: آپ Suspend تھے تو لا آرڈر نمبر 675/566 جرم 16 کو اور آپ اپنی ڈیوٹی
پر بطور طلبہ ٹریڈ مارک DSP/Trfc کیسے کرتے تھے کیوں؟

ج: بالکل DSP/Trfc کیسے ڈیوٹی کرتا تھا کیونکہ نہ سسپنڈ
میں تھی اور نہ ہی نے بتایا ہے۔

س: آپ کو کب اطلاع ملی کہ آپ Suspend ہے؟

ج: جیسا چارج سسپنڈ والا 27 کو

س: کیا آپ نے ٹریڈ مارک کی ہے؟

ج: نہیں

س: کیا آپ کی User ID تھی؟

ج: نہیں کیونکہ میں DSP/Trfc کیسے اور ہی تھا

س: آپ صرف DSP/Trfc کیسے ڈیوٹی کر رہے تھے یا لائسنس
ج: صرف DSP/Trfc کیسے جنرل ڈیوٹی کر رہا تھا

س: لائسنس
ج: لائسنس

Signature
S. H. Khosravi
Investigation Officer
C.I.D.

To,

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The worthy Regional Police Officer Bannu Region, Bannu

(Appellate Authority)

Subject: Appeal Against Dismissal Order From Service Of Appellant OB No.96 Dated 03-02-2023 By The DPO North Waziristan.

Prayer:

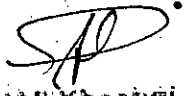
On acceptance of instant appeal to set aside the impugned dismissal order OB No.96 dated 03-02-2023 by the District Police Officer, District North Waziristan and directed to re-instate the petitioner/appellant on service with all back benefit.

Brief Facts:

The appellant submits as under.

1. That the appellant was a part of Ex Khasadar Force and after absorption the Khasadar and levies Force absorbed into police force under 22 points agenda, arrived at between the khasadar and levies force and the then IGP Khyber Pakhtoonkhwa Peshawar, the appellant was absorbed into police department and was subjected to serve under K.P Khasadar and Levies Force act 2019 with amendment 2020 and since then was serving his obligatory duty dedicatedly and with great Zeal and Zest.
In this respect the Ex district police officer awarded the appellant with appreciation certificate (Copy of Certificate)
2. That the service of appellant was deputed to traffic section license branch North Waziristan, Miranshah.
3. That unfortunately appellant was suspended by issuing charge sheet as mentioned in the impugned order, (Copy Annexed).
4. That the appellant appear before the inquiry officer and recorded statement in this regard, whereby all the charges were rebutted on cogent evidence and explain my position regarding noninvolvement in such like activities leveled against the appellant in charge sheet.
5. That the inquiry officer submitted inquiry report on 29-04-2022.
6. The inquiry officer ignored the stance of appellant and ex parte report submitted and suggested major punishment of dismissal from service.
7. That the DPO North Waziristan OB No.96 Dated 03-02-2023.

Therefore the appellant impugned the above stated order on the following grounds.


Advocate High Court
Peshawar

GROUND:

- a. That the appellant vide OB No.675 dated 16-12-2021 suspended for which neither any notice given and served upon the appellant nor salary attached.
The appellant was again suspend and was charge sheet as a result of later charge sheet OB No.96 dated 03-02-2023 awarded major punishment of dismissal from service is against law, rules and regulations.

E
P-19

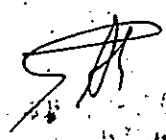
- b. That the impugned order is against facts.
- c. That the appellant have no concern with the official work, the charges leveled in the charge sheet baseless and against the law.
- d. That the appellant posted as Runner/Orderly with in charge Traffic NWTB License branch and have no concern with Computer I.D.
- e. That there is no complaint against the appellant from public.

Therefore it is humbly prayed that on acceptance of instant appeal the dismissal order of DPO NWTB OB No.96 dated 03-02-2023 vide which the appellant was awarded major punishment of dismissal from service, the petitioner re Instate on service along with all back benefits.

Appellant

Constable Nasir Aziz

NWTB



Date

P- F 20

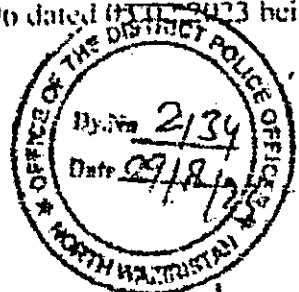
ORDER

My duty order with deposit of departmental inquiry report dated 14.11.2023 was received from District Police, South Waziristan, which in the presence of the appellant was read out. The appellant was not punished. I was not satisfied with the report and directed the appellant to be deputed to traffic license branch but he did not perform his duty with diligence. That there are charges of misbehavior against him from Director II SPO Peshawar as well as general public, therefore, the ID of driving license was been blocked from CPD Peshawar. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rule, 1975. Such act on his part is against the Services Rules Discipline and in amount to misconduct and negligence.

Comments, service record and departmental inquiry file received from DPO North Waziristan vide Memo No. 1997 SRC dated 03/04/2023 were perused. As per enquiry file the appellant was charge sheeted based upon statement of allegations, and SP Inv. NWID was appointed as enquiry officer. The Enquiry Officer submitted findings, wherein the allegations leveled against the appellant had been proved. Thus, the appellant was awarded the aforementioned punishment by DPO North Waziristan.

The appellant was appeared in Orderly Room held in this Office on 27.07.2023 and was heard. The undersigned was not convinced by the appellant with regard to his innocence.

Therefore, I, Qasim Ali Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (with amendments 2014) hereby file the instant appeal and support the order passed by DPO North Waziristan vide OB No. 96 dated 03/04/2023 being one in consonance with law.



(Signature)
 Genl Advocate High Court Peshawar
 Regional Police Officer Peshawar
 Bannu Region,
 Bannu
 31/7/23

No. 2464 A.C. dated Bannu the 01/08/2023

Copy for information and necessary action to District Police officer, North Waziristan, with reference to his Memo; No. referred above.

Enclosed: 1 Service Roll

ORDER:

My this order will Dispose off / departmental appeal preferred by Ex. Constable Nazir Aziz S/o Mashal Khan of District Police North Warinstan, wherein, he has prayed for setting aside the order of major punishment of "Disamissal from service imposed upon ham by DPO North Waziristan vide OB No 97 dated 03.02.2023 for committing the following omissions:

- That he was deputed to traffic license branch, but he didn't perform his duties with sincerity
- That there are charges of mass corruption against him from Director II. SPO Peshawar as well as general public, therefore, the ID of driving license was been blocked from CPO Peshawar.
- This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975. Such act on his part is against the Services Rules Discipline and amounts to misconduct and negligence.

Comments, service record and departmental inquiry file received from DPO North Waziristan vide Memo: No. 1996/SRC dated 03.04.2023 were perused. As per enquiry file, the appellant was charge sheeted based upon statement of allegations, and SP Inv: NWTD was appointed as enquiry officer. The Enquiry Officer submitted findings, wherein the allegations leveled against the appellant had been proved. Thus, the appellant was awarded the aforementioned punishment by DPO North Waziristan.

The appellant was appeared in Orderly Room held in this Office on 27.07.2023 and was heard. The undersigned was not convinced by the appellant with regard to his innocence.

Therefore, I. Qasim Ali Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (with amendments 2014) hereby file the instant appeal and support the order passed by DPO North Waziristan vide OB No. 96 dated 03.02.2023, being one, in consonance with law.

Regional Police Officer

Bannu Region,

Bannu

31/7/23

No.2462-EC, dated Bannu the 01/08/2023

Copy for information and necessary action to District Police officer, Nom Waziristan, with reference to his Memo: No. referred above.

ایڈویکٹ: گوہر علی عورتی

بار کونسل ایسوسی ایشن نمبر: 10-7448

رابطہ نمبر: 03369655345

PESHAWAR
BAR ASSOCIATION

بعدالت جناب: سر سید سید علی میر گزنی راہ لی اور

| | |
|-------------------|-------------|
| مخاطب: امید زنگ | دعویٰ: اپیل |
| ناصر عزیز | علت نمبر: |
| بنام | مورخہ: |
| آئی جی پولیس عمرہ | جرم: |
| | تھانہ: |

باعت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام کے لیے گوہر علی عورتی ایڈویکٹ کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو

راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق

زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز

دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی

کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب

مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساتھ پر داختم منظور و قبول ہوگا

دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تازگی پیشی مقام دورہ یا حد سے

باہر ہو تو وکیل صاحب باہر نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 29/08/2023
PESHAWAR BAR ASSOCIATION
KHYBER PAKHTOONKHWA

العبد واہد العبد

مقام کے لیے منظور ہے۔

A. A.