


05/09/2023

FORM OF ORDER SHEET

Court of resubmitted today by Mr. Gohar Ali Khesligi Advocate

Appeal No. for preliminary 1780/2023 before Single Bench at

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3 By the order of Chairman
1	05/09/2023	<p>The appeal of Mr. Ihtesham Ul Haq resubmitted today by Mr. Gohar Ali Khesligi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

The appeal submitted by Mr. Gohar Ali Kheshgi 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.18, 19, 20, 21 & 25 of the appeal are illegible which may be replaced with legible/better one.

No. 3154 /S.T.

Dt. 4/9 /2023



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Gohar Ali Kheshgi Adv.
High Court Peshawar.

R/Sherwath

Re-Submitted after completion please.

GA
Gohar Ali Kheshgi
advocate psh.

5/9/2023.

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

In S.A No. 1780 /2023

Ihtesham Ul Haq

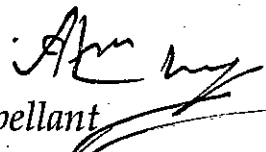
VERSUS

District Police Officer North Waziristan and others

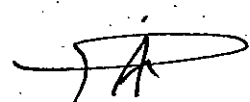
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Dated: 28/08/2023


Appellant

Through


Gohar Ali Kheshgi
Advocate High Court
Peshawar.

1

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In S.A No. 1780 /2023

Ihtesham Ul Haq S/o Mohammad Farooq R/o Ward Tappi
Tehsil Miran Shah District North Waziristan. Ex-Police
Constable Medical Section, License Branch NWTD OB No.97.

----- (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 98 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 years of unblemished Record of Service.

- 2
2. That appellant was efficient, hard worker and dutiful person who got best. Performance Certificate from high ups as Annex "A"
 3. That appellant was deputed in license Branch in Medical sec in Miran Shah 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 to collect Form C nothing else as Annex "B".
 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 unfortunately the appellant was suspended but duty was taken from him and that appellant was also sent to training during suspension as give the impugned order of dismissal other person was performing duty on appellant place as Annex "C".
 6. That appellant was dismissed from Service without cogent reason and without Codal

formalities as Annex "D", dated 03-02-2023 order impugned.

7. That an illegal and incomplete inquiry was conducted against the appellant as ex-Parte proceeded as Annex "E". Vide 10 self-admitted and written in conclusion that the alleged were untrained and no knowledge of rules & regulations being newly absorbed Khasadar to regular Police.
8. That appellant was Charge sheeted as Annex "F" which was replied by the appellant but IO didn't considered as Annex "G".
9. That no show cause notice is given to appellant.
10. That appellant filed departmental appeal which was dismissed as Annex "H & I".
11. That appellant may also be allowed to reply on additional grounds at the time of arguments please.
12. That appellant submits inter alia on the following grounds:-

- 4
- 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 NWTD filed.
 - G.** That prior to police training the appellant was posted in police post boys and after completion basic police training NWTD 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

5
complain is regarding to Medical & Physical Sec of
this branch.

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

PRAYED:

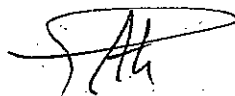
*Therefore, upon acceptance of this Appeal the
impugned order of dismissal by respondents No 1 & 2 be
set aside and the appellant be re-instated in Service with
all back benefits.*

*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.


Appellant

Through


Gohar Ali Khesghi
Advocate High Court
Peshawar.

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.


Advocate.

6

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

In S.A No. _____/2023

Ihtesham Ul Haq

VERSUS

District Police Officer North Waziristan and others


AFFIDAVIT

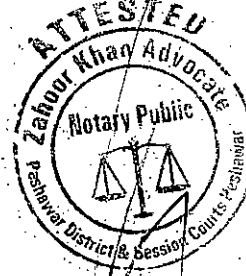
I, Ihtesham Ul Haq S/o Mohammad Farooq R/o Ward Tappi Tehsil Miran Shah District North Waziristan. Ex-Police Constable Medical Section, License Branch NWTD OB No.97, do hereby solemnly affirm and declare that all the contents of the accompanied appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.


DEPONENT

CNIC:

Identified By:


Gohar Ali Khashgi
Advocate High Court
Peshawar.



29/AUG 2023

7

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

In S.A No. _____/2023

Ihtesham Ul Haq

VERSUS

District Police Officer North Waziristan and others

ADDRESSES OF PARTIES

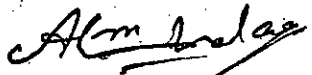
APPELLANT.

Ihtesham Ul Haq S/o Mohammad Farooq R/o Ward Tappi Tehsil
Miran Shah District North Waziristan. Ex-Police Constable Medical
Section, License Branch NWTD OB No.97.

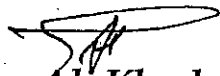
RESPONDENTS:

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


Appellant

Through


Gohar Ali Khashgi
Advocate High Court
Peshawar.

P A
POLICE DEPARTMENT DISTRICT NORTH WAZIRISTAN

OFFICE OF THE DISTRICT POLICE OFFICER



**NORTH WAZIRISTAN
COMMENDATION CERTIFICATE CLASS-III**

With Cash Reward Of Rs. _____

Granted to Mr.

Mr. Ikhishan-ul-Haq

District North Waziristan In Recognition Of Good Performance Of Duties

Best Performance

OB No

93

Dated: *17/02/2020*

[Signature]
District Police Officer
North Waziristan

[Stamp]
GOVERNMENT OF NORTH WAZIRISTAN
ADMINISTRATIVE DEPARTMENT
PESHAWAR

P A
1-8

P-9 B

GS & F

10/01/1985

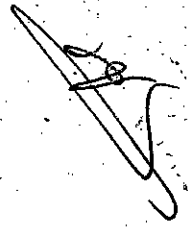
FORM "C"

[Section 7 (#) and Section 12]

Form for medical certificate in respect of an applicant for a license to drive a transport Vehicle or to drive any Vehicle paid employee.

To be filled by a Registered Medical Practitioner.

1. What is the applicant's age? 35 years
2. Is the applicant, to the best of your judgment Subject to epilepsy, vertigo to any mental ailment Likely to effect his efficiency? no
3. Does the applicant suffer from any heart or lung disorder which might interfere with the performance of his duties as a driver? no
4. (a) Is there any defect of vision? If so, has it been corrected by suitable spectacles? no
- (b) Does the applicant suffer from night Blindness or color blindness? no
- (c) Does the applicant suffer from a degree of Deafness which would prevent his hearing before Ordinary sound signals? no
5. Does the applicant any deformity or loss of member which would interfere with the efficient Performance of his duties as a driver? no
6. Does he show evidence of being addicted to the Excessive use of alcohol, tobacco or drugs? no
7. Is he, in your opinion, generally fit as regards,
 - (a) Bodily Health yes
 - (b) Eye Sight no
8. Marks of Identification. no



I certify that to the best of my knowledge and belief the applicant [Signature] is the person herein above described and at the attached photograph is reasonably correct likeness.

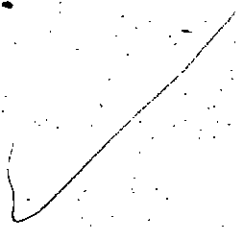
Signature

Name

Designation

[Handwritten signature and illegible text in the signature field]

B
10



FORM "C"

Section 7 (#) and Section 12]

Form for medical certificate in respect of an applicant for a license to drive transport Vehicle or to drive any Vehicle paid employee.

To be filled by a Registered Medical Practitioner.

1. What is the applicant's age?
2. Is the applicant, to the best of your judgment Subject to epilepsy, vertigo to any mental ailment Likely to effect his efficiency?
3. Does the applicant suffer from any heart or lung disorder which might interfere with the performance of his duties as a driver?
4. (a) Is there any defect of vision? If so, has it been corrected by suitable spectacles?
(b) Does the applicant suffer from night Blindness or color blindness?
(c) Does the applicant suffer from a degree of Deafness which would prevent his hearing before Ordinary sound signals?
5. Has the applicant any deformity or loss of Member which would interfere with the efficient Performance of his duties as a driver?
6. Does he show evidence of being addicted to the Excessive use of alcohol, tobacco or drugs?
7. Is he, in your opinion, generally fit as regards,
 - (a). Bodily Health
 - (b). Eye Sight
8. Marks of Identification.

36 year

no

no

no

no

no

yes

no

no

[Handwritten signature]

I certify that to the best of my knowledge and belief the applicant is the person who above described and at the attached photograph is reasonably correct likeness.

Signature *[Signature]*

Name _____

Designation _____

FORM "C"
[Section 7 (#) and Section 12]

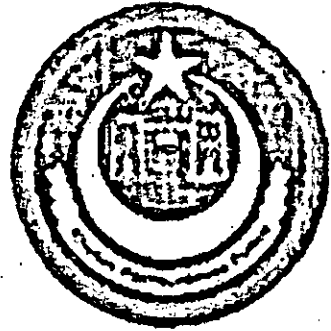
Form for medical certificate in respect of an applicant for a license to drive any transport Vehicle or to drive any Vehicle paid employee.

To be filled by a Registered Medical Practitioner.

- 1. What is the applicant's age? years
- 2. Is the applicant, to the best of your judgment Subject to epilepsy, vertigo to any mental ailment Likely to effect his efficiency? Null
- 3. Does the applicant suffer from any heart or lung disorder which might interfere with the performance of his duties as a driver? "
- 4. (a) Is there any defect of vision? If so, has it been corrected by suitable spectacles? "
- (b) Does the applicant suffer from night Blindness or color blindness? "
- (c) Does the applicant suffer from a degree of Deafness which would prevent his hearing before Ordinary sound signals? "
- 5. Has the applicant any deformity or loss of Member which would interfere with the efficient Performance of his duties as a driver? "
- 6. Does he show evidence of being addicted to the Excessive use of alcohol, tobacco or drugs? yes
- 7. Is he, in your opinion, generally fit as regards,
 - (a). Bodily Health Normal
 - (b). Eye Sight Normal
- 8. Marks of Identification. Normal

I certify that to the best of my knowledge and belief the applicant CTO is the person hereabove described and at the attached photograph is reasonably correct likeness.

Signature [Signature]
 Name _____
 Designation _____



Police Training Center Miranshah

Headquarter Tochi Scouts



Certificate for Successful Completion Of Police Training

(W.e.f 18.01.2021 To 12.04.2021 at Tochi Scouts Miranshah)

Awarded to

Constable Ikhtesham Ul Haq s/o Muhammad Farooq

[Signature]
Gunnar Farooq
Adhoc Training Officer
Peshawar

12

280

Dated: 12 Apr 2021

[Signature]
Major
Training Officer
(Awais Rashid)

D
P-13
ORDER


This order of the undersigned will dispose of departmental proceeding against **Constable Ihtesham-ul-Haq No.2289 (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 deputed to traffic license branch, but he didn't perform his duties with sincerity.
2. 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 blocked from CPO Peshawar.
3. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975.
4. 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. 97
Dated: 03/02/2023.


District Police Officer,
North Waziristan

Copy to:

1. The Regional Police Officer, Bannu Region, Bannu w/r to his office Endst: No.1965/EC dated 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-14
E

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 and scribble)

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

16/5/22

(Handwritten signature)
GOVERNMENT OF PUNJAB
ADVISED TO CHIEF
16/5/22

P-15
E-11

OFFICE OF THE
SUPERINTENDENT OF POLICE
INVESTIGATION, NORTH WAZIRISTAN

22 /INV/NWTD
Dated: 29/04/2022.

Phone: 0928-313101
Email: spinvnwtd@gmail.com

To: The District Police Officer,
North Waziristan.

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

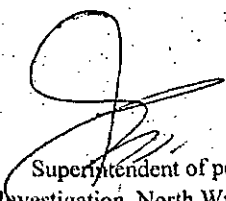
Memo:

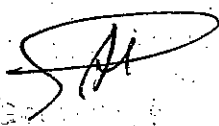
Kindly refer to your office letter No.1209/SRC dated 31.01.2022, and letter No. 2069/SRC dated 18.2.2022 on the subject noted above.

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



P.R FORM 16-22 (iii)

Internal Enquiry against the following police officials: District North

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

S #	Contents*	Pages
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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P-E 17

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 Kuzir 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 jeep+ 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 hake 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.

JAL

P-18


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 negligence towards keeping of govt: duties is ignored. Therefore, the allegations due to negligence of the accused officials proved.

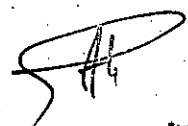
The undersigned thread barely studied the whole enquiry file as well as recorded statements of the defaulter police officials (Annexure II) and the statement of license holders (Annexure III) and obtained the complete RTS driving data to thresh out the actual facts. The undersigned recorded the statement 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.

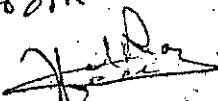
Conclusions.

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



Dismissed
from service

02/2/23

BETTER COPY NO 18

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.

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.

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Submitted please.

(Muhammad Zaman)

Superintendent of Police,

Investigation, North Waziristan

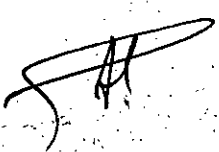
Enquiry Officer

F
P-19
A-5

CHARGE SHEET:

10
380
Aqeeq Hussain, District Police Officer, North Waziristan, as competent authority hereby charge you, FC-Ihtisham No.2289 for the purpose of departmental enquiry as follows:-

- 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

CHARGE SHEET:

I, Aqeeq Hussain, District Police Officer, North Waziristan, as competent hereby charge you, FC Ihtisham No.2289 for the purpose of departmental enquiry things as follows:-

- 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.
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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

P-20

SUMMARY OF ALLEGATIONS:

I, Aqeeq Hussain, District Police Officer, North Waziristan as competent authority am of the opinion that FC Jhtisham No.2289, 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.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.

SUMMARY OF ALLEGATIONS:

- 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 M. 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. 3-5 /SRC dated 27 /01/2022.

Copies to:

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

JA

SUMMARY OF ALLEGATIONS:

I, Aqeeq Hussain, District Police Officer, North Waziristan as competent am of the opinion that FC Ihtisham No.2289, has rendered himself liable to be Needed against as he has committed the following misconduct within the meaning of Police rullies (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.

SUMMARY OF ALLEGATIONS:

- 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.
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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. 3-S/SRC dated 27/01/2022.

Copies 10:

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

G
P-2

جناب عالی! ۱۴۷

16/02/22

کوالہ جارج ٹیٹ ٹیبلٹ کے بارے میں SRC 3-5 بتا رہے ہیں۔
جناب DPD صاحبان سے یہ سب کچھ سنا لیا گیا ہے۔

کمزوریاں لگائے گئے ہیں۔ حقیقت کے برعکس ہیں۔
ٹیبلٹ میڈیکل اینڈ فزیکیل فزیشن ڈرائیو ٹیک ڈرائیو
بمبارج میں DPD صاحبان کے حکم پر 3/3/2020 ڈرائیو نمبر 48
پر تعینات ہوئے ہیں۔ اور دوران تعیناتی کسی قسم میں ڈرائیو کو
نہیں کہا ہے۔ اور نہ کسی سے کسی سے ڈرائیو لگائے ہیں۔

(2) ڈرائیو کوئی User ID نہیں ہے۔ طبیعت میڈیکل فزیشن ڈرائیو
User ID کے ساتھ کوئی تعلق نہیں ہے۔

(3) آج تک سب کچھ کے خلاف کسی کوئی قسم کی کیسنگ یا شہادت
درج نہیں ہوئی ہے۔ سب کچھ ایسی ڈرائیو کی شہادت انداز میں لیا گیا
ہو گیا ہے۔ لیکن جارج ٹیٹ ٹیبلٹ پالا میں جملہ لگائے گئے تمام الزامات حقیقت
کے برعکس ہیں۔ جارج ٹیٹ ٹیبلٹ پالا کو فزیکیل ڈرائیو نہ کرنے کا حکم
صدا در ذمہ نہیں ہے۔

تعمیرات کو لاؤنچ ہوئی
16/02/22
الغافل عنہم
FC انسٹیشن ڈرائیو
بیلڈ نمبر 2289

AC

مورخہ: 16.02.2022

جناب عالی IFC صاحب

بحوالہ چارج شیٹ نمبری SRC/5-3 تاریخ۔ 01.2022 جناب DPO صاحب معروض ہوں کہ سائل احتشام الحق پر الزامات لگائے گئے ہیں جو کہ حقیقت کے برعکس ہیں بحیثیت میڈیکل اینڈ فیزیکل فنریشن ڈرائیونگ لائسنس برانچ میں DPO صاحب جت حکم پر تاریخ 04.03.2020 ڈائری نمبر 48 پر تعینات ہو اہوں اور دوران تعیناتی کسی قسم غیر قانونی کا نہیں کہا ہے اور نہ کسی سے پیسے وغیرہ لئے ہیں۔

میرا کوئی USER ID نہیں ہے بحیثیت میڈیکل فنریشن میرا USER ID کے ساتھ کوئی تعلق نہیں ہیں۔ آج تک سائل کے خلاف کسی بھی قسم کی کسپلینٹ یا شکایت درج نہیں ہو ا ہے سائل نے ہمیشہ اپنی ڈیوٹی مخلصانہ انداز سے سرانجام دی ہے۔ لہذا چارج شیٹ بالا میں جملہ لگائے گئے تمام الزامات حقیقت کے برعکس ہیں۔ چارج شیٹ بالا کو مزید کاروائی نہ کرنے کا حکم صادر فرمائیں۔

عین نوازش ہوگی

العارض

FC احتشام الحق بیلٹ نمبر 2289

P-62

س۔ آپ ڈرائیگ میں کون سے ڈیویڈنڈس ملے گی؟

ج۔ ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن۔

س۔ کیا آپ خود ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ نہیں، میں نے خود جانچ کر لیا ہے۔

س۔ آپ ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے کتنے دنوں سے جانچ کر رہے ہیں؟

ج۔ 50 روپے اسٹیڈی رہی ہیں، وہ لیتے تھے۔

س۔ کیا آپ کا 15-16 سال لگا؟

ج۔ نہیں، ہمارا کوئی 10 سال نہیں ہے اور ہمارا اس سے کوئی تعلق نہیں تھا۔

س۔ آپ ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ ہاں، ٹوکلیم 1150 جانچ کر رہے ہیں، وہ لیتے تھے، وہ ہر ہفتہ لیتے تھے۔

س۔ آپ نے ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ ہاں، میں نے جانچ کر لیا ہے۔

س۔ آپ نے ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ ہاں، میں نے جانچ کر لیا ہے۔

س۔ آپ نے ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ ہاں، میں نے جانچ کر لیا ہے۔

س۔ آپ نے ڈیویڈنڈ اینڈ فریڈل ٹیکنیشن کے لئے جانچ کر رہے ہیں؟

ج۔ ہاں، میں نے جانچ کر لیا ہے۔

FAI

P-H
-23

To,

The worthy Regional Police Officer Danna Region, Danna

(Appellate Authority)

Subject: Appeal Against Dismissal Order From Service Of Appellant OB No.97 Dated 03-02-2023 By The DPO North Waziristan.

Prayer:

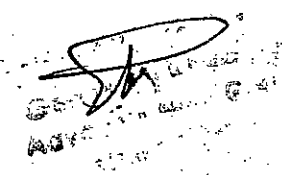
On acceptance of instant appeal to set aside the impugned dismissal order OB No.97 dated 03-02-2023 by the District Police Officer, District North Waziristan and directed to re-instate the petitioner/appellant on service with all back benefit.

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 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 explained his position regarding non-involvement in such like activities leveled against the appellant mentioned in the charge sheet.
5. That the inquiry officer submitted inquiry report on 29-04-2022.
6. The inquiry officer has ignored the stance of appellant and ex-parte report submitted and suggested major punishment of dismissal from service of the appellant.
7. That the DPO North Waziristan dismissed from service the appellant vide OB No.97 Dated 03-02-2023.

Therefore the appellant impugned the dismissal order on the following grounds.



P-H 24

b. That the impugned order is against facts.

c. That the appellant was in basic police training from 15-01-2021 to 15-04-2021 up to that date there is no complaint regarding Computer I.D of license branch NWTD.

d. That after completion of basic training of police the appellant was posted as Constable of Traffic License Branch NWTD and departed his services on medical section for which the appellant was untrained.

e. That the appellant only collect the Form C already signed by someone else.

f. That most of the licenses were issued to the Pak Army personnel, all the official of license branch traffic police NWTD directed by the high ups "There should be no hindrance in issuing licenses to Pak Army personnel.

g. That there is no complaint against the appellant from public.


h. That Hamid Constable has performed duty in my place during the training.

Therefore it is humbly prayed that on acceptance of instant appeal the dismissal order of DPO NWTD OB No.97 dated 03-02-2023 vide which the appellant was awarded major punishment of dismissal from service may kindly be set aside and the petitioner may please be re-instate on service along with all back benefits.

Appellant

Constable Ihtesham-Ul-Haq No.2289

NWTD



OFFICE

P-I
off
25.

My this order will dispose departmental appeal referred to Ex. Constable

the date of His No. 2289 of District Police North Waziristan vide memo no. 1996 SRC dated 03/04/2023 and the order of major punishment of Dismissal from service imposed upon him by DPO North Waziristan vide OB No. 97 dated 03/02/2023 for committing the following offence:-

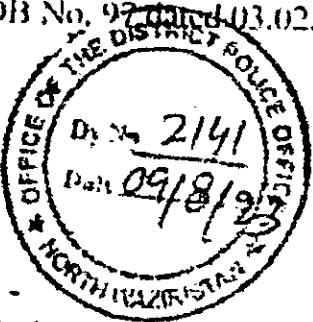
- That he was deputed to traffic license branch, but he didn't perform his duties with sincerity.
- That there are charges of mass corruption against him from Director H. S. P. P. as well as general public; therefore, the ID of driving license was been blocked from F.P. Peshawar.
- This all speaks a 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 misfeasance 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. NW 111 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. 97 dated 03.02.2023, being one, in consonance with law.

AA
Ghous Ali Khattak
Advocate High Court
Peshawar



Regional Police Officer
Bannu Region.

No. 2462/AEC, dated Bannu the 01/08/2023

Bannu
31/7/23.

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

ORDER:

My this order will Dispose off / departmental appeal preferred by Fr. Constable Ihtesham-UI-Haq No. 2289 of District Police North Waziristan, wherein, he has prayed for setting aside the order of major punishment of "Disamissal from service imposed upon him 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. 97 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, North Waziristan, with reference to his Memo: No. referred above.

50	6949	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈویٹ: گورنمنٹ ہوشنگ انٹرنل	PESHAWAR BAR ASSOCIATION	
بار کونسل ایسوسی ایشن نمبر: 15-7446		
رابطہ نمبر: 03369055345		

بعدالت جناب: سرسینٹرینوئل شہر چٹوٹ خواہ لین در

مخانب: امپلرنٹ	دعویٰ: سرسینٹرینوئل
احتشام الحسن امپلرنٹ	علت نمبر:
بنام	مورخہ:
انجی لوئیس عمرہ سہیلہ	جرم:
	تھانہ:

باعت تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دہی کاروائی متعلقہ آن مقام لکھنے کیلئے گورنمنٹ ہوشنگ انٹرنل 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 یا یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرانے 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 ان کے ساتھ درخواست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا وکالی تازہ 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: 27/108/2023

العبد العبد
مقام لکھنے
Alshahid