

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT, ABBOTTABAD.

Service appeal No. 396/2016

Date of institution ... 28.03.2016
Date of decision 24.05.2018

Muhammad Jamshid son of Aziz ur Rehman, resident of Boi, presently LHC No. 1176, Police Department, District Abbottabad. ... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Peshawar and 5 others: ... (Respondents)

Mr. Khalid Rabbani,
Advocate

For appellant.

Mr. Muhammad Jan,
Deputy District Attorney

For respondents.

MR. SUBHAN SHER,
MR. MUHAMMAD HAMID MUGHAL,


CHAIRMAN
MEMBER.

JUDGMENT

SUBHAN SHER, CHAIRMAN:-

The appellant Muhammad Shahid has preferred the instant service appeal against the impugned orders dated 20.10.2015 passed by respondent No. 4 whereby two increments of the appellant were attached with cumulative effect and other order dated 29.02.2016 of respondent No. 3 whereby his departmental appeal was filed.

2. As per version of the appellant, he was initially appointed as constable in the Police Department. He further alleged that on the night between 18/19 August, 2015 when he was performing his duty, he was told by the people that 4 persons entered in to the house of one Itaf Hussain R/O House No. 45 Alamgir Colony, Garga, Bilal Town Abbottabad and were present on the roof of the house. That he alongwith some some people including owner of the house tactically approached the roof and on search, no dacoit/culprit was found. Lateron, owner of the house made a complaint against the appellant alongwith

24.5.2018
 EW


other police officials alleging therein that the appellant had facilitated the culprits in fleeing the spot. On this application, proper enquiry was conducted by the enquiry officer and as per the report of the enquiry officer, no such negligence or slackness on the part of the appellant was found, so he recommended to exonerate him from the charges. On the last page of this enquiry report, respondent No. 4 (District Police Officer Abbottabad) ordered the attachment of two increments of the appellant with cumulative effect vide order dated 20.10.2015. The appellant challenged this order before the respondent No. 3 (the appellate forum), which filed his appeal on 29.02.2018. Now the appellant approached this Tribunal through the present appeal for relief.

3. Mr. Khalid Rabbani, Advocate/counsel for the appellant contended that the appellant never committed slackness or negligence in his duty particularly in the above mentioned incident and this fact has been admitted by the officials/private witnesses in the statements recorded during the enquiry. He further stated that respondent No. 4 without any documents, reasons or proof while going through the enquiry report imposed the penalty of attachment of two increments of the appellant, which was also upheld by the respondent No. 3 vide his order dated 29.02.2016. He further alleged that the respondent No. 3 did not bother to go through the enquiry report and based his opinion absolutely on wrong assumptions. At the end, he requested that on acceptance of the appeal, the impugned orders be set aside.

4. Mr. Muhammad Jan, learned Deputy District Attorney opposed the contentions of the learned counsel for the appellant stated that due to the negligence/slackness on the part of the appellant, culprits succeeded in running away from the spot. He requested that the appeal may be dismissed.

5. One would astonish to see the conduct of the respondents and particularly of respondents No. 3 and 4 as they did not take any pain to go through the enquiry report but passed orders on orders without any justification, as is evident from the discussion made below.

6. As stated earlier, on the receipt of complaint, departmental proceedings were initiated and Amjad Hussain, DSP respondent No. 5 was appointed as

Q. No. 24.5.2018

enquiry officer who recorded statements of officials as well as private witnesses and then on the strength of evidence produced before him he did not notice any laxity on the part of the appellant, so he recommended the appellant to be absolved from the charge leveled against him. During the enquiry against the appellant, four police officials and two private persons namely Muhammad Zamin and Waseem Rasheed present at the time of occurrence throughout were examined who all categorically stated that they had neither seen the culprits in the house of complainant nor escape of any culprit from the said house. Similarly, the complainant though claimed that the culprits had injured his mother and brother but no injuries was found on their bodies. Again the alleged culprits were shown present on the roof of the house and there was no way of escape, then in the presence of such crowded gathering including owner of the house, it was impossible for the culprits to flee from the spot.

7. As discussed above, stated respondent No. 4, on the last page of enquiry report, imposed punishment of attachment of two increments but without showing any reason or justification as the enquiry officer recommended exoneration of the appellant from the charges but he i.e. even then respondent No. 4 imposed the above mentioned punishment. A serious blunder was committed by the respondent No. 3 i.e. Regional Police Officer, (the appellate authority) when he in his order passed the following remarks:-

"Proper departmental enquiry was conducted by Mr. Amjid Hussain DSP Mirpur. After conducting a detailed enquiry, the E.O Proved him guilty. On the recommendation of E.O, the District Police Officer Abbottabad awarded him minor penalty of stoppage of two years increments with cumulative effect."

From this conduct of respondent No. 3, this Tribunal feels no hesitation to observe that though respondent No. 3 did mention the name of the enquiry officer and quoted his findings but even then, in his remarks he stated that the enquiry officer had proved the appellant guilty which is totally against the record as well as findings of the enquiry officer as already discussed in detail.

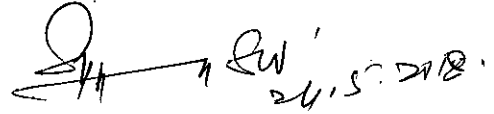
8. In short, the impugned orders passed by respondents No. 3 and 4 are neither based on the record nor speaking one rather both the orders are badly

Q. No. 4
24.5.2018

defective in the eyes of law and warrant interference by this Tribunal under its appellate jurisdiction. As such, on acceptance of this appeal, both the impugned orders dated 20.10.2015 of respondent No. 4 and 29.02.2016 of respondent No. 3 are set aside. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.



(MUHAMMAD HAMID MUGHAL)
Member



(SUBHAN SHER)
Chairman
Camp Court, Abbottabad.

ANNOUNCED
24.05.2018

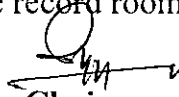
24.05.2018

Appellant Muhammad Jamshaid in person alongwith his counsel Mr. Khalid Rabbani, Advocate present. Mr. Shamraiz Khan, ASI/Reader alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents resent.

Arguments heard and file perused.

Vide our detailed judgment of today placed on file, appeal is accepted, both the impugned orders dated 20.10.2015 of respondent No. 4 and 29.02.2016 of respondent No. 3 are set aside. In the circumstances of the case, parties are left to bear their own costs. File be consigned to the record room.

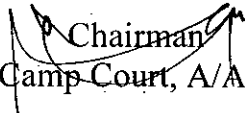

Member


Chairman
24.5.2018
Camp court, A/Abad

ANNOUNCED
24.05.2018


25.08.2017

Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney alongwith Shamraiz Khan, H.C for the respondents present and written reply submitted. The appeal is assigned to D.B for rejoinder, if any, and arguments for 21.12.2017 at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

21.12.2017

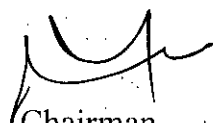
Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Mr. Shamraiz Khan, Reader for the respondents present. Arguments could not be heard due to incomplete bench. To come up arguments on 21.03.2018 before D.B at Camp Court, Abbottabad.


(Gul Zeb Khan)
Member (Executive)
Camp Court, Abbottabad.

21.03.2018

Clerk to counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 24.05.2018 before the D.B at camp court, Abbottabad.



Member


Chairman
Camp court, A/Abad

396/16

23.12.2016

Appellant in person and M/S. Shamraiz Khan, Reader and Malak Haroon, AAO alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Requested for adjournment. To come up for written reply before S.B on 16.03.2017 at camp court, Abbottabad.


Chairman
Camp court, A/Abad

17.03.2017

Appellant present in person and Mr. Shamraiz Khan, Reader alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 18.05.2017 at camp court, Abbottabad.


Chairman
Camp Court, A/Abad


25.05.2017

Since tour programme to camp court, Abbottabad for the month of May, 2017 has been cancelled by the Worthy Chairman, therefore, case to come up for the same on 25.08.2017 at camp court, Abbottabad. Notices be issued to the parties for the date fixed accordingly


Registrar

20.07.2016

Agent of counsel for the appellant present
Counsel for the appellant is not in attendance. Seeks
adjournment. To come up for preliminary hearing at camp
court, Abbottabad on 22.09.2016.

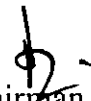

Chairman
Camp court, A/Abad,

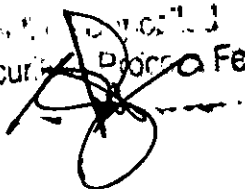
22.09.2016

Counsel for the appellant present. Learned counsel
for appellant argued that the appellant was serving as
constable when subjected to enquiry on the allegations of
professional misconduct and vide order dated 20.10.2015
enquiry officer recommended him for exoneration from the
charges but vide impugned order dated 29.02.2016
departmental appeal of the appellant was rejected and
punishment in the shape of stoppage of 2 years increments
with cumulative effect passed by Regional Police Officer
and hence the instant service appeal on 28.3.2016.

That the enquiry was not conducted in the prescribed
manners and moreover the appellant was exonerated from
the charges by the enquiry officer despite the same the said
penalty was illegally awarded.

Points urged need consideration. Admit. Subject to
deposit of security and process fee within 10 days, notices
be issued to the respondents for written reply/comments for
23.12.2016 before S.B at camp court, Abbottabad.




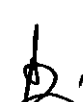

Chairman
Camp court, A/Abad

Appellate Division
Security Process Fee


Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 396/2016


| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge or Magistrate |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1 | 13.04.2016 | <p>The appeal of Mr. Muhammad Shahid resubmitted today by Post through Mr. Khaled Rabbani Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> |
| 2 | 16.4.16 | <p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up thereon <u>20.4.16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> |
| | 20.04.2016 | <p>None is present for the appellant. Adjourned for preliminary hearing to 18.05.2016 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p> |
| | 18.5.2016 | <p>None present for the petitioner. Notice be issued to appellant and his counsel. To come up for preliminary hearing on 20.07.2016 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p> |

The appeal of Mr. Muhammad Shahid son of Aziz-ur-Rehman LHC NO. 1176 Police Department A. Abad received to-day by post on 28.03.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned order of stoppage of two increments passed by respondent No.4 is not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 500 /S.T,

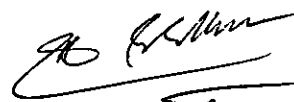
Dt. 29/3 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Khalid Rabbani Adv. A. Abad.

Sir, titled appeal is received back through officer clerk. It is submitted in reply of objection no 1 that respondent No4 has not issued his separate/isolated order but he has written/passed order on the page of finding of the inquiry at the bottom of the page No21 which is annexed as annexure "D". As far as objection No2 is concerned, it is stated that applicant applied through written application for the attested copies but authorities have failed to provide the same reason unknown. The application which was filed for the documents is hereby annexed with the appeal.

In the light of the facts mentioned above the appeal in hand is re-submitted after removal of objection. Please.


Khalid Rabbani

Dated 11/04/2016.

Khalid Rabbani
MA, LLB
Advocate High Court
Peshawar

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1176
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BEFORE THE SERVICE TRIBUNAL KHYBPER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 396 /2016

Muhammad Shahid son of Aziz ur Rehman, resident of Boi, presently LHC No. 1176, District Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL


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| 4. | Copy of reply | 14 - 19 | "B" |
| 5. | Copy of finding of inquiry report | 20 - 21 | "C" |
| 6. | Copy of order dated 20/10/2015 | 21 | "D" |
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...APPELLANT

Dated: 24/03 /2016

Through



(Khalid Rabbani)

Advocate High Court Abbottabad

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 396 /2016

Muhammad Shahid son of Aziz ur Rehman, resident of Boi, presently LHC No. 1176, Police Department, District Abbottabad.

...APPELLANT

A.W.P Province
Service Tribunal
Diary No. 2168
Date 28-03-2016

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. Regional Police Officer, Hazara Region, Abbottabad.
4. District Police Officer, Abbottabad.
5. Amjad Hussain/ Inquiry Officer, DSP, Mirpur, Abbottabad.
6. District Accounts Officer, District Abbottabad.

...RESPONDENTS

Handwritten notes:
28/3/16

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, AGAINST THE ORDER NO. 1229/ PA DATED 29/02/2016 ISSUED BY RESPONDENT NO. 3, WHEREBY the RESPONDENT NO. 3 UPHELD THE

Re-submitted to-
and filed.
Registrar
13/4/16

ORDER OF RESPONDENT NO. 4 AND DISMISSED THE DEPARTMENTAL APPEAL OF APPELLANT/ PETITIONER. BOTH THE ORDERS ARE ILLEGAL, VOID, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND SAME ARE NOT TENABLE IN THE EYES OF LAW AND ARE LIABLE TO BE SET ASIDE.

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED ORDERS DATED 20/10/2015 AND 29/02/2016 MAY GRACIOUSLY BE SET ASIDE AND KEEPING IN VIEW THE FINDINGS OF THE INQUIRY OFFICER/ RESPONDENT NO. 5 PETITIONER/ APPELLANT MAY KINDLY BE EXONERATED FROM THE CHARGES. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE.

Respectfully Sheweth: -

Brief facts giving rise to the instant appeal are as under:-

1. That the appellant was appointed in Police Department after test and interview and joined his duty, presently serving in the department at District Abbottabad.
2. That the appellant after receiving charge of the post continuously performed the duties with entire satisfaction of his superior.
3. That the respondents department having of qualification according to the law, rules and merit appellant was posted at Police Station Nawanshehr, Abbottabad as LHC.
4. That on 18-19/08/2015 while appellant was performing his duty some people gathered in Mohallah Garga Near Bilal Town, Abbottabad appellant/ petitioner reached at spot, and inquired about the matter where people said that there are some thieves in the house but nothing found in the said house. Thereafter said owner of house made a complaint against police officials including appellant.

5. That receiving the complaint appellant/ petitioner department issue a charge sheet. Copy of charge sheet is appended as Annexure "A".
6. That after receiving charge sheet appellant/ petitioner submitted a reply to inquiry officer. Copy of reply is annexed as Annexure "B".
7. That after receipt of reply Inquiry Officer gave his finding recorded as no slackness on the part of officials has been proved, therefore, he may be exonerated from the charges. Copy of finding of inquiry report is attached as Annexure "C".
8. That after receipt of inquiry finding. Respondent No. 4 ordered for attachment of two increments of each constable on 20/10/2015. Copy of said order is attached as Annexure "D".
9. That feeling aggrieved of the order of respondent No. 4 appellant/ petitioner filed departmental appeal before Regional Police Officer, Hazara Range.

10. That respondent No. 3 on 29/03/2016 upheld the order of respondent No. 4 and declined the departmental appeal/ representation of appellant/ petitioner. Copy of impugned order is attached as Annexure "E".
11. That feeling aggrieved, the appellant seeks indulgence of this Honourable Tribunal for setting aside the impugned orders dated 20/10/2015 and 29/02/2016 issued by respondents No. 4 & 3, inter-alia, on the following amongst many others;-

GROUND:-

- a. That both the orders passed by respondent No. 3 & 4 are illegal, unlawful, without lawful authority, having no legal effects on the right of appellant are liable to be set aside.
- b. That both the orders passed by respondents No. 3 & 4 are against the law, facts and circumstances of the case, thus not tenable in the eye of law.

- c. That, the orders of both the learned respondents No. 3 & 4 are based on flimsy, arbitrary, unlawful, fanciful, without considering the ground reality narrated by the appellant/ petitioner, hence untenable in the eyes of law.
- d. That the act of respondents is illegal, unlawful, without jurisdiction and against the law and liable to be set aside.
- e. That the act of the respondents against the Article 4 and 25 of the Constitution, thus not sustainable under the law.
- f. That the respondent No. 5 (Inquiry Officer) exonerated the officials from the charges in his findings whereas respondent No. 4 by disagreeing with the inquiry report of respondent No. 5, awarded punishment to appellant/ petitioner without issuance of show cause notice for which respondent No. 4 was legally bound to do so. Hence, the order passed by respondent No. 4 is

untenable in the eye of law and liable to be set aside on the sole ground.

- g. That further points will be submitted at the time of arguments

It is, therefore, respectfully prayed that on acceptance of instant appeal, the impugned orders dated 20/10/2015 and 29/02/2016 may graciously be set aside and keeping in view the findings of the inquiry officer/ respondent No. 5 petitioner/ appellant may kindly be exonerated from the charges. Any other relief which this Honourable Tribunal deems fit and proper in the circumstances of the case.

...APPELLANT

Through

Dated: 24/03 /2016




(Khalid Rabbani)

Advocate High Court Abbottabad

VERIFICATION: -

Verified on oath that the contents of appeal are true and correct as per information furnished by my client nothing has been concealed therein from this Honourable Court

Dated: 24/03 /2016



(Khalid Rabbani)

Advocate High Court Abbottabad

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2016

Muhammad Shahid son of Aziz ur Rehman, resident of Boi, presently LHC
No. 1176, District Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs
Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Khalid Rabbani, Advocate counsel for appellant, do hereby affirm and
declare that the contents of foregoing appeal are true and correct as per
information furnished by my client and nothing has been concealed from this
Honourable Court.


DEPONENT

BEFORE THE SERVICE TRIBUNAL KHYBPER
PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2016

Muhammad Shahid son of Aziz ur Rehman, resident of Boi, presently LHC
No. 1176, District Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs
Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

APPLICATION FOR SUSPENSION OF OPERATION
OF IMPUGNED ORDER DATED 29/02/2016 TILL
FINAL DISPOSAL OF TITLED APPEAL.

Respectfully Sheweth: -

1. That the titled appeal is being filed before this Honourable Court and contents of this application may please be read as an integral part of the same.
2. That the appellant has brought good prima facie case and balance of convenience also tilts in his favour.


3. That if the solicited injunction is not granted and operation of impugned order dated 29/02/2016 is not suspended, the petitioner would suffer irreparable loss and purpose of filing of titled appeal will become infructuous.

It is, therefore, humbly prayed that the operation of impugned order dated 29/02/2016, may kindly be suspended and till final disposal of titled appeal.

...APPELLANT

Dated: _____/2016

Through



(Khalid Rabbani)

Advocate High Court Abbottabad

AFFIDAVIT:-

I, Khalid Rabbani, Advocate counsel for appellant, do hereby affirm and declare that the contents of foregoing application are true and correct as per information furnished by my client and nothing has been concealed from this Honourable Court.



DEPONENT

-12-

CHARGE SHEET

ANNEXURE
"A"

I, Sher Akbar PSP, S.St, District Police Officer Abbottabad, as competent authority, hereby charge you FC Shahid No 1176, as explained in the attached statement of allegations.

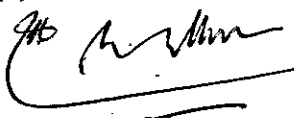
You appear to be guilty of misconduct under Police disciplinary rules 1975, and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.

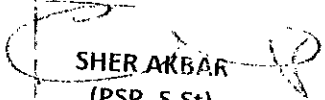
You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet in the Enquiry Officer.

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

Intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

Arrested
JHS 


SHER AKBAR
(PSP, S.St)
District Police Office
Abbottabad.

I, Sher Akbar PSP, S.St, District Police Officer Abbottabad, as Competent Authority of the opinion that you FC Shahid No 1176,, have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

-13-


STATEMENT OF THE ALLEGATION

According to the complaint of one Iltaf Hussain S/O Maqsood-ur-Rehman R/O House No 45 Alamghir Colony, Garga, Bilal Town Abbottabad, which he submitted before worthy RPO/Hazara, on the night between 18/19 August 2015 at 02:15 hrs, 04 persons intruded into his house. The culprits subjected the inmates to physical violence and took away some cash and other valuable households. Upon hue and cry of the inmates, the neighbourers of complainant rushed to his house. Out of four culprits two managed their escape while two ascended the roof of the house. In the meanwhile you alongwith Constable Jamshid No 276 reached there. The complainant informed you about the presence of two culprits on the roof top of the house. You both shown cowardice and unprofessionalism due to which the hidden culprits succeeded to make their escape good.

This act of yours earned bad name for the department before the general public.

For the purpose of scrutinizing your conduct with reference to the above, Mr. DSP/Maqsood is deputed to conduct formal Departmental Enquiry against you FC Shahid No 1176. The Enquiry Officer shall in accordance with the provision of the rules, provide reasonable opportunity of hearing to you, record finding and make with thirty days of the receipt of this order, recommendation as to punishment or other appropriate action against you.

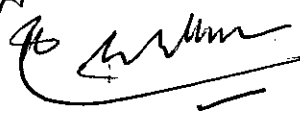
You should attend the proceedings on the date, time and place fixed by the Enquiry Officer.


SHER AKBAR
(PSP, S.St)
District Police Office
Abbottabad.

No: 642 /PA, Dated Abbottabad the 01-09/2015.

Copy of above is forwarded to:-

1. DSP/Maqsood (Enquiry Officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.

Quested


Attest
7/10/2011

مشورہ چار بڑ ٹیٹ، ڈسپنری لیکشن ٹیٹ نمبر 442 مورخہ

1176/15 معروضی خدمت ہوں کہ شب درمیان 15/19 کو من شاہد 1176/15
 مع ڈرائیور جمشید 276 کہ بغرض جوابی آگشت قہانہ نواں شیرجانب
 ٹاؤن شب دروڈ، ایسا ہی، چونکہ کاری، ٹھنڈا چوآ، بھول ٹاؤن جاری رہتی
 ہوئے نزد گڑگا پینا بروت قریب 2:30 بجے رات عالمگیر کالونی گڑگا
 شور شرابہ کی آوازیں آ رہی تھیں جس پر شور شرابہ کی آوازوں کا
 تعین کیا اور اسپیشل آگشت رائیڈ راجو کہ بدل ٹاؤن میں گشت تک
 تھا حوالہ بڑا کی نسبت آگاہ کر کے اپنی طرف بلایا اور خود موقع کی طرف
 روانہ ہو گیا تو مکان نمبر 45 آزان الطاف حسین ولد محمود الرحمن
 عالمگیر کالونی گڑگا کے دروازے کے باہر متعدد مرد و زن کھڑے تھے
 جوٹ بھٹ 30% کو موجود دیکھ کر معلومات کی تو من کو رات کی زبانی
 کہ ہم لوگ شور شرابہ کیوجہ سے آگے ہوئے ہیں اور جھگڑا مسئلہ ہے
 جو ہم اس بھیٹر سے اندر مکان میں داخل ہوئے تو مکان کے صحن اور
 برآمدہ میں بھی 15/20 عدد مرد و زن کھڑے تھے اور ان میں الطاف ہی
 موجود تھا جس نے نیائے بیمار گھر کے اوپر والے کمرے میں دو افراد
 کو ڈاکوؤں نے یرغمال بنایا ہے اور منورہ ڈاکوؤں کے پاس
 جدید اسلحہ ہے جو وقوعہ بڑا کی بابت غلطو قہانہ میں بذریعہ موبائل
 اطلاع دی اور مکان کے اندر گھن اور برآمدہ میں موجود مرد و زن
 کو مکان سے فوراً باہر نکلنے کی ہدایت کی جو اسی اثناء میں رائیڈ
 واصف خان نمبر 1332 مع 2000 روپے میں دلور 229/11 ہی آ گیا جنکو ہمراہ
 دھند مکان کی بالائی منزل کی طرف لے کر ہمارے ساتھ متعدد
 مرد و الطاف ہی اوپر آئے جو نہایت حکمت عملی سے آئے اور

سریج میا جہاں پرنہ کوئی ڈاکو تھا اور نہ ہی کوئی یرغمال تھا اور نہ ہی اس جگہ سے ادھر ادھر نکلنے کا کوئی راستہ تھا جو اس دوران موبائل I کا انسر اپنا 7 آصف شاہ Asi صاحب نل معہ گنر ناھدر 159 کے آٹیا جس نے مدعی الطاف سے وقوعہ بذاتی نسبت دریافت کی اور میراں رکھنے کے لیے مکان کی طرف آئے اور تمام ملحقہ مکانات میں ملزمان کی تلاش کی مگر کوئی نہ ملا جو آصف شاہ Asi میں نے مدعی کی رپورٹ لکھی جس میں مذکورہ الطاف نے ملزمان کے یرغمالیوں کی تہمتیں بہنوئی اشن، والہہ اور اعجاز احمد برادر مدعی کو پستول کے بیٹوں سے مارنا بیان کیا جو زویہ صاحب کے استفسار پر کہ انکو یہاں کیا زخات آئے ہیں تاکہ انکا بذریعہ نقشہ خنجر علاج معالجہ ہسپتالی سے کرایا جائے تو مذکورہ نے انکو کسی قسم کا کوئی زخات خراشات نہ آنے کا تہہ نہ ہسپتال نہ جانیکل کی آمادگی کی اور نہ ان یرغمالیوں جو کہ گھر کے پیچھے والے گھر میں موجود تھے کسی نے نہ تو زخمی ہو نیٹا کیا اور نہ ہی کسی ملا غلط ڈاکوئی کیلئے آمادگی کی جو زویہ صاحب نے الطاف کی رپورٹ لکھی اور ڈاکو اہل علم کو اپنے اپنے گھروں کو جانینا کیا اور ہم موبائل کے والاں اور رائیڈر کو اپنی نشت جاری رکھنے کا حکم دیا اور بھیج دیا۔

حضور والا، مدعی کے الزامات سراسر غلط اور جھوٹ کا پلندہ ہیں بہار موقع پر پہنچنے پر متعدد افراد کا گھر کے اندر اور باہر موجودگی میں کسی ڈاکو کا موجود رہنا اور موقع پر بھیج دینا بعینہ از قیاس اور ناممکن ہے اور نہ ہی مدعی کی والہہ بہنوئی

یا بھائی نے اپنے یرغمال بنائے جا نہیں کوئی بات کی

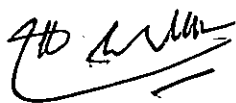
نہ کسی اہل عملہ سے کوئی ایسی بات کسی نامیاد یرغمال
نے کی۔ اور مدعی متعمد جو کہ قمر سے اقرار نہ ہو مولا حق ہوا۔
اطفاق

استدعا عینہ اس واقعہ کی باریک بینی سے جھان بین
کرنے اور حقائق معلوم کرنے اور یرغلاف پولیس الزامات
جو جھوٹے ہیں کو مسترد کیے جانے کا ابتداء کیا فرمایا جا کر
چار چھٹی داخل دفتر فرمائی جا رہے اور معطلی سے بحال
فرمایا جا رہا۔ سائس نے اپنی ڈیوٹی نبھاتے رہنے طریقہ سے
سرانجام دی ہے جناب کی عین مانتہ پروردی ہوگی۔

مہر شاہد 1176 / 24C قہانہ نواز شہد علی پولیس لائن ایٹ آباد

المہرقوم

Attest



بیان ازان و سیم رشید ولد عبدالرشید حال
بلال ٹاؤن ٹرگا

بدوران انٹرویو بیان کیا کہ میں بروز و مؤثر
رہے کفر واقع بلال ٹاؤن میں سویا سویا تھا
کہ مجھے شور شرابے کی آواز آئی تو میں باہر
نکل آیا۔ باہر دیکھا کہ مقام محلے کے لوگ
الطاف جو بہارا بڑوسی ہے، اسے کفر میں
جمع ہیں۔ میں بھی ویاں چلا گیا اور معلومات
کرنے پر پتہ چلا چار چور الطاف کے کفر
میں گھسی آئے ہیں تقریباً 15/15 منٹ بعد
پولیس ملا باٹل پہنچ آئی۔ گھنوں گھٹنے
مکان میں جمع شدہ لوگوں باہر نکالا اسی
دوران موٹر سائیکل پر دو پولیس واے اور آڈ
اور وہ بھی اندر مکان میں چلے گئے۔ میں نے
پولیس ایٹار ان چھپت پر جاتے اور کفرے
دیکھا۔ محلے کے لوگوں کے شور شرابے سے
مہینہ چور بھاگ گئے جبکہ پولیس بعد میں
دیاں پہنچی۔ میں نے مسی الطاف سے
بھی واقع کے مطلق دریافت کیا جس نے

محمد رشید
The Punjab News Agency
Lahore

- ۱۰ -
سنلابا کہ ۵۶ عدد آری اندر داخل ہوئے
ہمیں برعناں بنایا اور ہم سے رعم و سامان
ے کر فرار ہوئے۔ لیکن میں نے نہ تو کوئی
چورا اندر داخل ہوئے دیکھا نہ ہی فرار ہوئے
دیکھا۔

میرا یہی بیان ہے۔

Qadri
دعیم رشید ولد عبد الرشید
ساکنہ حال ترقی بلال ٹاؤن

۹-۴۹۱۵۱۱-۱۳۱۰۱۶

۵۳۳۴۸۵۲۵۴۱۹

بیان ازاں محمد زرین ولد محمد فرید ساکنہ ٹرگا
بلال ٹاڈن

بدریافت بیان کیا مورخہ 18/19 کی درمیانی
شب میں ایسے گھر واقع ٹرگا میں سویا ہوا تھا
کہ اجانک شور شرابے کی آواز سنی . میں باہر
نکلا تو مہمی اللطاف حسین جو کہ میرا درڑسی
یہ کے گھر کے باہر متعدد تعداد میں مردوزن
جمع تھے . جو اس جھیڑ میں بھی گیا تو پہنہ چلا

کہ ادھر مکان میں کوئی واقعہ ہوا ہے . معلومات
ٹرگا پر پہنہ چلا کہ یہاں کوئی چور وغیرہ ہرے
ہیں . جو اسی اثناء میں پولیس کی ڈائٹن آئی
جو ملازمان نے واقعہ کی نسبت معلومات کیں
اور مکان کے برآمدہ صحن میں مردوزن تھے

انہیں باہر نکلنے کا کہا اور دو پولیس واسے اور
رائیڈر بھی ادھر آئے مکان کی تلاشی کی
جہاں پر کوئی چور وغیرہ نہ تھا اور نہ ہی کسی
نے ادھر سے کسی کو کھائے دیکھا . ٹھوڑی دیر
بعد ایک موبائل اور آئی جو ASI صاحب نے
ادھر مکانات میں تلاشی کیں تو کسی

ان
رہنما نہ ہوا۔ ASI صاحب نے جمع شدہ
دوڑوں کو واپس گھر جانے مانگیا اور میں بھی
گھر واپس آ گیا

میرا بی بی سے

گھڑریں ولد گھڑریں

13101-0817241-7

بیان از ان واقف غیر 1332 در سید شریف خان و ان سید

در بیان بیان ملکات میں جو 1819 کو سید کاون میں پیدا ہوئے ہیں جو
 تمام شاہد ملکات و سبیل آئے سے سال کی کم از کم سید کاون عالمگیر کاونی میں
 سید شریف سیدی از ان واقف سے آپا اصر آجائیں جو خورائیں عالمگیر کاونی
 سید کاون سید باصر آمد اندھیر جو خورائے سید کاونی و ان شاہد ملکات اور عیش کاونی
 نا توئی بیگانگی تھا اور نہ ہی کوئی خورائے کاونی و ان شاہد ملکات اور عیش کاونی
 کمرہ میں جو خورائے میں سے کوئی خورائے نہ تھا جو لدا از ان کو سبیل آئے واقف
 آبی کھا تو خورائے میں کھنوں سے بھی خورائے کھنوں سے کھنوں سے کھنوں سے
 کھنوں سے کھنوں سے کھنوں سے کھنوں سے کھنوں سے کھنوں سے کھنوں سے
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واقف 1332 در سید شریف خان

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 For Further Details Contact
 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

FINDINGS OF DEPARTMENTAL ENQUIRY AGAINST FC SHAHID NO.1176

BACKGROUND:-

FC Shaid No. 1176 was charge sheeted by the Worthy District Police Officer Abbottabad vide Office End: No. 462/PA dated 01-09-15 and undersigned had been deputed to conduct formal enquiry for purpose of scrutinizing the conduct of the said official as per following statement of allegations.

BRIEF OF ALLEGATIONS:-

"According to the complaint of Altaf Hussain s/o Maqsood ur Rehman r/o House No. 45 Alamgir Colony Bilal Town Abbottabad, which he submitted before worthy RPO Hazara Region, on the night between 18/19 August 2015 at 02:15 hrs, 04 persons intruded into his house. The culprits subjected the inmates to physical violence and took away some cash and other valuable household. Upon hue and cry of the inmates, the neighbors of complainant rushed to his house. Out of four culprits two managed their escape while two ascended the roof of the house. In the meanwhile you along with constable Jamsheed No. 276 reached there. The complainant informed you about the presence of two culprits on the roof top of the house. You both shown cowardice and unprofessionalism due to which the hidden culprits succeeded to make their escaped good. This act of yours earned bad name for department before general public."

ENQUIRY PROCEEDINGS:-

Subsequently on the receipt of enquiry papers, undersigned conducted proper enquiry proceeding and recorded the statements of following officials and also pursued the record.

1. FC Shaid No. 1176
2. FC Jamshid 276
3. FC Nasir No. 159
4. FC Wasif No. 1332
5. Muhammad Zareen s/o Muhammad Fareed r/o Bilal Town
6. Waseem Rasheed s/o Abdul Rasheed r/o Bilal Town


For District Police Officer
Abbottabad

Brief of Official's Statement:-

In his statement official urged that during patrolling in Bilal Town area they heard voices and rushed to Alamghir Colony Bilal Town and also informed rider on duty in the area. When they reached the colony, they saw 50/40 persons gathered in and outside the house of complainant Altaf Hussain. They were told by the complainant that two persons of his house were kept hostages by the culprits on the second floor. Subsequently they removed the people and official informed Police Station about the situation. At that moment rider Wasif No. 1332 and Gunner Dilawar also reached the spot. The officials searched the upper floor of the house however neither there were any hostages nor any culprit. Moreover there was no escape route from the upper story of the house. During this ASI Asif Shah (Officer Mobile T) also reached the spot and they all searched the neighboring houses however no culprit has been found. ASI Asif Shah drafted the report of complainant and also recorded the statements. Complainant in his

statement mentioned about the injuries of his family members however neither there were any wounds nor the complainant assented for Medical checkup. Official in his statement denied the allegations leveled by the complainant and further stated that in such rush in the house the hiding of culprits in the house was impossible

CONCLUSION:-

In order to record the statement of complainant, he has been called to the office of undersigned however as per statement of his brother complainant is not present in the country and presently is in Dubai. Likewise brother of the complainant has been called however he failed to appear.

Complainant in his application urged that culprits injured his mother and brother however no injuries has been found on their bodies. Similarly complainant also did not agree for medical checkup. Similarly it seems impossible that culprits remained present on the upper storey during bedlam for such a long time and where is no way of escape. Statements of two PWs has also been recorded which supports the version of the officials.

FINDINGS:-

Keeping in view the above mentioned circumstances and available record no slackness on the part of official has been proved, therefore he may be exonerated from the charges.

Submitted please.

ANNEXURE "D"

AMIAD HUSSAIN,
Deputy Superintendent of Police,
Mirpur Abbottabad.

OB - NO - 253
20 - 10 - 15

Submitted please
In witness
with
and
and

District Police Officer,
Abbottabad

District Police Officer,
Abbottabad

ANNEXURE
"E"

ORDER

Assent
[Signature]

[Signature]

This is an order on the representation of *LHC Shahid No.1176* of Abbottabad District against the order of minor punishment i.e. *stoppage of two years increment with cumulative effect* awarded by the District Police Officer, Abbottabad vide his OB No.253 dated 20-10-2015.

Facts leading to his punishment are that according to the compliant of Altaf Hussain s/o Maqsood-ur-Rehman r/o House No.45 Alamgir Colony Bilal Town Abbottabad, which he submitted before Worthy RPO Hazara Region, on the night between 18/19 August 2015 at 2:15 hrs, 4 persons intruded into his house. The culprits subjected the inmates to physical violence & took away some cash and other valuable household. Upon hue and cry of the inmates, the neighbors of complainant rushed to his house. Out of four culprits two managed their escape while two ascended the roof of the house. In the meanwhile he along-with FC Jarnsheed No.276 reached there. The complainant informed him about the presence of two culprits on the roof top of the house. He both shown cowardice and unprofessionalism due to which the hidden culprits succeeded to make their escaped good.

Proper departmental enquiry was conducted by *Mr. Amjid Hussain DSP Mirpur*. After conducting a detailed enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Abbottabad awarded him minor of *stoppage of two years increment with cumulative effect*.

He preferred an appeal to the undersigned upon which the comments of the DPO Abbottabad were obtained. He was heard in OR where he offered no cogent reason in his defence to prove his innocence. After thorough probe into the enquiry report and the comments of the DPO Abbottabad, it came to light that the punishment awarded to him by the DPO Abbottabad i.e. *stoppage of two years increment with cumulative effect* is genuine, hence his appeal is *filed*.

[Handwritten notes]

Necessary

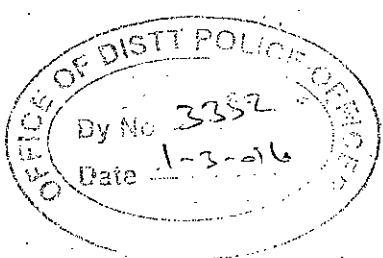
TECH

DPO ATIS

29/12

[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad

No. 1229 /PA Dated Abbottabad the 29. 2. /2016.
Copy of above is forwarded to the District Police Officer, Abbottabad for information and necessary action with reference to his Memo: No.440 dated 11-1-2016. The Service Record containing enquiry file of the appellant are returned herewith.



[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad

| | |
|------------------|------------|
| DBA No. | 497 |
| BC No. | 10 - 2039 |
| Name of Advocate | خالد ربانی |

S.No. _____



Head Clerk
District Bar Association
Abbottabad

وکالت نامہ

بعدالت: خدایا - نیکو معاشرے میں سربسوزی کی بنا پر
عنوان: حکمران شاہد بیام حکومت صدر ٹوٹوخواہ
منجانب: جسٹس نوعیت مقدمہ اسٹیبل ڈولائی
باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے دوسری درخواستی برائے پیشگی یا تصفیہ مقدمہ بہ مقام جسٹس فیاض الرحمن نے کی ہے۔
خالد ربانی ریسٹورنٹ پارٹی کوٹلی اسٹیبل ڈولائی

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشگی پر خود یا بذریعہ مختار خاص روز بعدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشگی پر منظر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ کرنے کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرواختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و رضامندی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ مختار بیرونی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشگی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 24/05/2016
سال _____ ماہ _____ دن _____

لہذا وکالت نامہ لکھ دیا ہے کہ سند ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Attested & occupied by

13151 - 6761050 - 3
MBA


BEFORE THE HONORABLE SERVICE TRIBUNAL K.P.K, PESHAWAR.

Service Appeal No. 396/2016.

Muhammad Shahid son of Aziz-ur-Rehman Resident of Boi, Presently
LHC No. 1176 District Abbottabad.

.....(Appellant)

VERSUS

- 
1. Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs Department, Peshawar.
 2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
 3. Regional Police Officer, Hazara Region, Abbottabad.
 4. The District Police Officer, District Abbottabad.
 5. Amjid Hussain /Inquiry Officer, DSP Mirpur, Abbottabad.
 6. District Account Officer, District Abbottabad.

.....(Respondents)

Para wise comments on behalf of Respondents No. 1 to 5.

Respectfully Sheweth

Preliminary objections.

1. That the appellant has no cause of action.
2. That the appellant has not come to this Tribunal with clean hands.
3. That the appeal is bad for misjoinder and non joinder of necessary parties.
4. That the appellant is estopped by his own conduct.
5. That the appeal is barred by law.
6. That the appellant has suppressed the material facts from this honourable Tribunal, hence not entitled for any relief.
7. That the authorities passed the orders after fulfillments all the requisite formalities hence appeal is liable to be dismissed on this score alone.

ON FACTS

- | | |
|-------------|---------------------|
| Para No.1 | Pertains to record. |
| Para No.2. | Pertains to record. |
| Para No. 3. | Pertains to record. |

Para No. 4. Brief facts leading to punishment to the appellant are that as per complaint of one Altaf S/O Masood-ur-Rehman R/O House No. 45, Alimgir Colony, Girga, Bilal Town, Abbottabad between the night 18-19 August, 2015 at 02:15 hours, 04 persons entered into his house and subjected the inmates to torture and took away some cash and other valuable house holds. On their hue and cry the neighbours rushed there. Out of 04 culprits 02 managed their escape while the other 02 were ascended to the roof of the house. Meanwhile, the appellant alongwith his companion reached there and was also informed by the residents but the appellant showed cowardice instead taking action against the culprits. The culprits succeeded to make their escape good. Therefore, he was charge sheeted and after enquiry was awarded with the penalty of stoppage of 02 increments with cumulative effect by the then District Police Officer, Abbottabad, vide OB No. 253 dated 20.10.2015.

Para No.5. As explained above.

Para No.6. As explained above.

Para No.7. As explained above.

Para No.8. As explained above.

Para No.9. Correct.

Para No.10. The appellant was heard in the Orderly Room by the worthy Regional Police Officer, Hazara Region, Abbottabad but he could not offer cogent reasons in his defence nor he proved himself innocent. Therefore, his representation was rejected.

Para No.11. The orders dated 20.10.2015 of the then District Police Officer, Abbottabad and dated 29.02.2016 of worthy Regional Police Officer, Hazara Region, Abbottabad were fully justified, in accordance with law and are liable to be maintained.

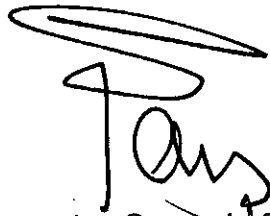
GROUND.

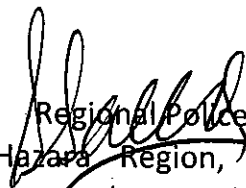
A. Incorrect, both the orders of the then District Police Officer, Abbottabad and worthy Regional Police Officer, Hazara Region, Abbottabad have been passed in accordance with law/ rules and are liable to be maintained.

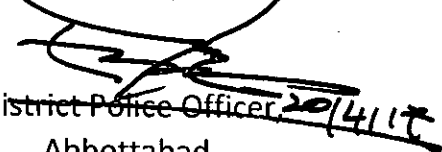
B. Incorrect, as explained above.


- C. Incorrect, the order of punishment as well as rejection of representation were based on facts, lawful, hence tenable in the eyes of law.
- D. Incorrect, as explained above.
- E. Incorrect, both the orders were passed under the Khyber Pakhtunkhwa Police Rules 1975 with amendments 2014.
- F. Incorrect, the appellant was heard in Orderly Room while giving ample opportunity of personal hearing but he could not advance cogent reasons in his defence. Therefore, under the law/rules the authority was constrained to award the punishment to the appellant, which is fully justified.
- G. That the respondents seeks permission for further point at the time of hearing.

It is therefore, humbly prayed that on acceptance of parawise comments the service appeal of the petitioner may graciously be ordered to be dismissed.


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No.1&2)


Regional Police Officer,
Hazara Region, Abbottabad.
(Respondent No.3)


District Police Officer, 20/4/17
Abbottabad.
(Respondent No.4)


Amjid Hussain/Inquiry Officer,
DSP Mirpur, Abbottabad.
(Respondent No. 5)

BEFORE THE HONORABLE SERVICE TRIBUNAL K.P.K, PESHAWAR.

Service Appeal No. 396/2016.

Muhammad Shahid son of Aziz-ur-Rehman Resident of Boi, Presently LHC No. 1176,
District Abbottabad.

.....(Appellant)

VERSUS


1. Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs
Department, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. Regional Police Officer, Hazara Region, Abbottabad.
4. The District Police Officer, District Abbottabad.
5. Amjid Hussain /Inquiry Officer, DSP Mirpur, Abbottabad.
6. District Account Officer, District Abbottabad.

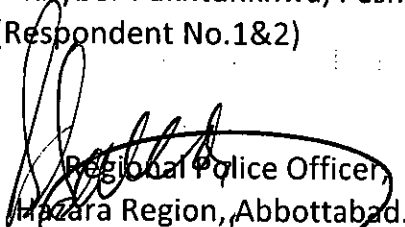
..... (Respondents)

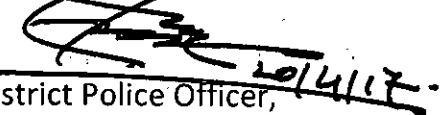
AFFIDAVIT.


We, do hereby affirm on oath that the contents of written reply are true to the
best of our knowledge & belief and nothing has been concealed from the honorable
Service Tribunal.

Submitted please.


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.1&2)


Regional Police Officer,
Hazara Region, Abbottabad.
(Respondent No.3)


District Police Officer,
Abbottabad.
(Respondent No.4)


Amjid Hussain/Inquiry Officer,
DSP Mirpur, Abbottabad.
(Respondent No. 5)



Office of the:

**REGIONAL POLICE OFFICER,
HAZARA REGION, ABBOTTABAD**

Ph. #: 0992-9310516, 9310021-22, Fax. #: 0992-9310023

Dated: 21/8 /2015

Ref: 827 /C.Cell

To: The District Police Officer,
Abbottabad.

Subject: APPLICATION.

Memorandum:

Mr. Altaf Hussain S/o Maqsood-ur-Rehman R/o House No. 45, Alamgir Colony Garga, Bilal Town, Abbottabad appeared before the undersigned and submitted an application vide this office Endst: No. 1844/C dated 21/08/2015.

After having gone through the application/version of the petitioner, the undersigned is satisfied that constable Shahid No. 1176 and Jamshed No. 276 had approached the house of petitioner soon after the crime. If they had acted in professional and timely manner, it was possibility that the culprits would have been apprehended red handed.

Please place them under suspension, close to police lines and initiate proper departmental action for their act of cowardice, inefficiency and lack of professionalism. The application is forwarded for further necessary/legal action in the matter.

647/IC
27-8-15

Regional Police Officer,
Hazara Region, Abbottabad

