

ORDER

This order will dispose off the denovo departmental enquiry initiated against **Constable Rafi Ullah No. 847/709** of this district Police: -

"Facts are that in compliance of the KP Service Tribunal Peshawar judgment dated 27.09.2023 in Service Appeal No. 752/Neem/2012 Titled Mr. Rafi Ullah Ex-Police Constable No. 847 and approved by the AIG Legal Peshawar letter No. 6376/Legal dated 26.10.2023 and W/DIG internal Accountability Branch, KP Peshawar vide letter No. 1744-48/CPO/IAB dated 15.11.2023 wherein Ex-FC Rafi Ullah No. 847/709 was reinstated into service for the purpose of conducting denovo enquiry vide this office Order Book No. 460 dated 01.11.2023 on the allegations that Constable Rafi Ullah No. 847/709 while posted as Gunner to the then DSP HQrs Karak had left the station without his permission. He had also taken official Kalashnikov No. 31336-14604241(04241). He had placed the said Kalashnikov alongwith magazine unattended at a Charpai outside the shop of Amin Gul T.V Workshop Karak. He had abandoned the official weapon. The said Kalashnikov was recovered by SI Fazal Hanif, Incharge DSB Karak. Later on, during the course of enquiry, it came to light that the said Kalashnikov was abandoned by Constable Rafi Ullah No. 847/709. This is quite adverse on his part and shows his carelessness, negligence and non-professionalism in the discharge of his official obligations. Such act on his part is against service discipline and also amounts to gross misconduct."

He was served with charge sheet and statement of allegations under Police Disciplinary Rules 1975 (as amended 2014) vide this office No. 160/Enq: dated 21.11.2023. Mr. Asad Zubair, the then SP Investigation Wing, Karak and Mr. Darwish Khan, SDPO Takht-e-Nasrati were appointed as Enquiry Officers to conduct denovo enquiry into the matter.

The Enquiry Officers submitted findings report vide No. 3174/Inv dated 05.12.2023. The Enquiry Officers reported that the defaulter constable after dismissal from service on 10.09.2011, he moved an appeal before the Regional Police Officer for set-aside the dismissal order issued by the then DPO Karak. In the meanwhile, he was booked in a criminal case at his home town under FIR No: 453 dated 28.10.2011 u/s 324 PPC PS YKS and remained absconded and did not pursue his appeal before the Regional Police Officer Kohat due to which his appeal was rejected by the Regional Police Officer Kohat. Similarly, during absconding period in the above mentioned case, he was booked under another FIR vide Case FIR No. 371 dated 04.10.2013 u/s 302, 324, 34 PPC PS YKS and FIR No. 11 dated 14.01.2015 u/s 324, 34 PPC

PS YKS. Thereafter, he was arrested by the local Police and sent to the Judicial lockup. The trial court completed trial whereas accused Rafillah was acquitted in case FIR No. 371, dated 04.10.2013 u/s 302, 324, 34 PPC PS YKS judgment dated 22.09.2022 and FIR No. 11 dated 14.01.2015 u/s 324, 34 PPC PS YKS judgment dated 16.09.2023 by the court of law.

From the available record and circumstances, the allegations leveled against the defaulter Constable Rafi Ullah No. 847/709 has not been proved as legal formalities for proper departmental proceeding were not initiated/fulfilled against him so that the intervening period was recommended to be treated as leave without pay. Recommendations of the Enquiry Panel have been approved by the W/IGP Khyber Pakhtunkhwa, Peshawar vide letter No. 21-23/CPO/IAB dated 01.01.2024.

Keeping in view of above and having gone through available record and recommendations of the Enquiry Panel and from the approval of the competent authority, therefore, Constable Rafi Ullah No. 847/709 is hereby reinstated into service permanently and his intervening period is treated as leave without pay.

OB No. 10
Dated 09-01 /2024


District Police Officer,
Karak

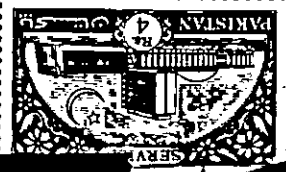
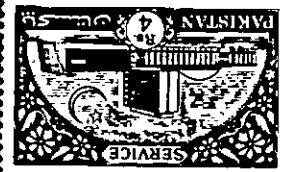
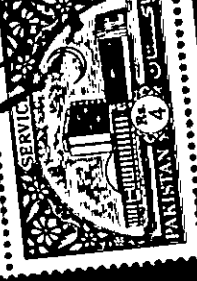
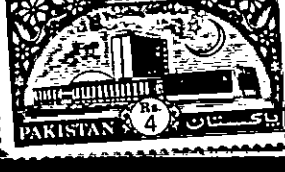
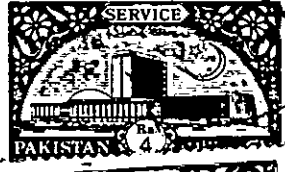
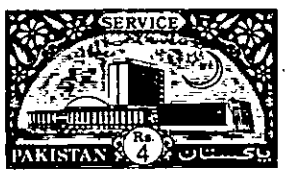
OFFICE OF THE DISTRICT POLICE OFFICER, KARAK

No. 53-55 /Enq: dated Karak the 09.01 /2024

Copy of above is submitted for favour of information to :-

1. The Deputy Inspector General of Police, Internal Accountability Branch Khyber Pakhtunkhwa Peshawar w/r to his office letter No. 21-23/CPO/IAB, dated 01.01.2024.
2. The AIG/Legal w/r to his office letter No. 6376/Legal dated 26.10.2023.
3. The Registrar Khyber Pakhtunkhwa, Service Tribunal Peshawar w/r Court order dated 27.09.2023 in Service Appeal No. 752/Ncem/2012 Titled Mr. Rafi Ullah Ex-Police Constable No. 847


District Police Officer,
Karak



NO. 53-55/ERN

Reg.

TO

The Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



Police Office, Karak
Diary..... R/X
Dated:.....