


17.03.2016


Counsel for the appellant and Mr. Sher Afzal, HC alongwith Mr. Muhammad Saddique, Sr. GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 18.10.2016 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

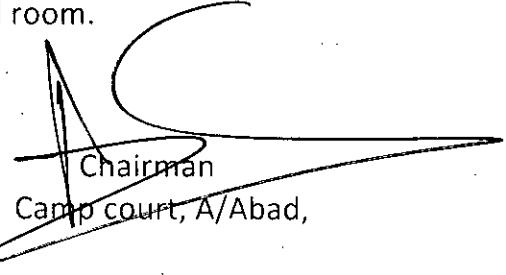
18.10.2016

Counsel for the appellant and Mr. Muhammad Siddique, Senior Government Pleader alongwith Mr. Muhammad Zahoor Inspector (Legal) for respondents present. Rejoinder Submitted. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in connected service appeal No. 900/2015, titled "Ahmad Ali Shah Versus Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and 2 others", we accept the instant appeal also as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.


Member




Chairman
Camp court, A/Abad,

ANNOUNCED
18.10.2016

15.9.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Constable at P.S KTS, Haripur when subjected to inquiry on the allegations of supporting the narcotics sellers and vide impugned order dated 2.12.2014 appellant was awarded minor punishment in the shape of time scale Constable for two years regarding which he preferred departmental appeal on 10.12.2014 which was filed vide order dated 28.7.2015 where-after the instant service appeal was preferred on 21.8.2015.


Appellant Deposited
Security or Process Fee



12 - P - 71

That the appellant was given no show cause notice nor full-fledged inquiry was conducted and that the findings of the inquiry officer were not provided to the appellant for defence.

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 15.12. 2015 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad

15.12.2015



Counsel for the appellant and Mr.Zahoor Khan, Inspector (legal) alongwith Mr.Muhammad Siddique, Sr.G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 17.3.2016 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 944/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	21.08.2015	<p>The appeal of Mr. Naseer Shah presented today by Mr. Muhammad Aslam Tanoli Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	24-8-15	<p>This case is entrusted to Touring Bench for A.Abad preliminary hearing to be put up thereon <u>15-9-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal no. 944/2015

Naseer Shah S/O Sikandar Shah Constable No. 719 District Police Haripur (R/O Village Gudwalian , Tehsil & District Haripur).

Appellant

VERSUS

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer, Haripur

Respondents

SERVICE APPEAL

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Through

M. Aslam
Appellant

M. Aslam
(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated: *20*-08-2015

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. 944/2015

**P.W.F. Province
Service Tribunal**

Diary No. 981
dated 21-8-2015

Naseer Shah S/O Sikandar Shah Constable No. 719 District Police Haripur (R/O Village Gudwalian, Tehsil & District Haripur).

Appellant

VERSUS

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer, Haripur

Respondents

**APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 28-07-2015 PASSED
BY THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD
WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN
REJECTED AND AGAINST ORDER DATED 02-12-2014 OF DISTRICT
POLICE OFFICER HARIPUR WHEREBY APPELLANT WAS AWARDED THE
PENALTY OF TIME SCALE CONSTABLE FOR 02 YEARS.**

18.10.2016

Counsel for the appellant and Mr. Muhammad Siddique, Senior Government Pleader alongwith Mr. Muhammad Zahoor Inspector (Legal) for respondents present. Rejoinder Submitted. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in connected service appeal No. 900/2015, titled "Ahmad Ali Shah Versus Provincial Police Officer, Khyber Pakhtunkhwa Peshawar and 2 others", we accept the instant appeal also as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

Appeal No. 944/2015

**N.W.F. Province
Service Tribunal**

**Diary No. 981
21-8-2015**

Naseer Shah S/O Sikandar Shah Constable No. 719 District Police Haripur (R/O Village Gudwalian , Tehsil & District Haripur).

Appellant

VERSUS

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
3. The District Police Officer, Haripur

Respondents

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 28-07-2015 PASSED BY THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED AND AGAINST ORDER DATED 02-12-2014 OF DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT WAS AWARDED THE PENALTY OF TIME SCALE CONSTABLE FOR 02 YEARS.

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL ORDER DATED 28-07-2015 OF REGIONAL POLICE OFFICER, HAZARA RANGE, ABBOTTABAD AS WELL AS ORDER DATED 02-12-2014 OF THE DISTRICT POLICE OFFICER HARIPUR MAY GRACIOUSLY BE SET ASIDE AND APPELLANT MAY BE RESTORED IN HIS POSITION IN SERVICE AS HE WAS ON 01-12-2014 BEFORE AWRDING PENALTY WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS INCLUDING SENIORITY.

Respectfully sheweth,

FACTS:

1. That appellant while posted as Constable at Police Station, KTS, Haripur was served upon with a Charge Sheet dated 13-10-2014 along-with statement of allegations by the District Police Officer Haripur alleging therein that "while posted at Police Station K.T.S, it came to his notice through letter No. No.15869-72/PPO dated 03-10-2014 of the Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar that appellant was supporting the narcotics sellers/paddlers and taking 'monthly' from them". Mr. Bilal

Handwritten signature and date
21/8/15.

②

Zafar Shekh, ASP H/Qs was appointed as Enquiry Officer.

(Copy of Charge Sheet is attached as annex "A").

2. That the above mentioned Charge Sheet was duly responded by the appellant vide his reply dated 17-10-2014 explaining all facts and circumstance denying the allegation leveled against him therein.

(Copy of the reply is attached as annex "B").

3. That according to the report of Police Special Branch Haripur, "the persons (fathers & sons) were selling narcotics from the times of their forefathers. Sometimes the local police took action on receipt of complaint. On release from Jail, they again resumed their activities. Inspector Raja Mehboob SHO, Sub. Inspector Zari Khan ASHO, HC Ahmed Ali Shah and Constable Naseer Shah No.719 (Appellant) were supporting the narcotics sellers & getting "monthly". It is flabbergasted one that appellant was posted at PS KTS only about a year ago but criminals had been selling narcotics from the time of their forefathers. In such a situation as to why the Police Special branch did not report the matter to the High-Up to have had rooted narcotics sellers out earlier. To show their efficiency, a baseless report was submitted by the Special Branch and on the basis of said baseless report the appellant were charge-sheeted and ultimately awarded with the penalty i.e. time scale constable for 02 years by the DPO Haripur. Hence the impugned orders deserve to be turned down straightway being illegal, unlawful, against the facts and circumstance and without proof. **(Copy of report of Special Branch dated 30-09-14 is attached as annex "C").**

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4. That during his posting at PS KTS, the appellant remained attached with his officers who launched crack-downs against the narcotics sellers/peddlers, arrested them and recovered huge quantity of narcotics material and numerous FIRs registered against them. It is incorrect that appellant had been supporting such criminals and taking monthly. The appellant is a Constable, a low rank Govt. Servant and has no say or influence that he would be paid monthly by the narcotics sellers/peddlers. However, the charge is mere allegation based on the false and baseless report communicated by the Police Special Branch just to show their efficiency & activeness and to complete the formalities as the report was required by the Provincial Police Officer.

(Copies of FIRs are attached herewith as annexure D/1-3).

5. That on account of best performance, the appellant, while posted at Police Station KTS, was awarded with commendation certificate alongwith Cash Reward of Rs.1000/- by Honorable Deputy Inspector General of Police Hazara Range, Abbottabad vide No.9415-24/A dated 03-06-2014.

(Copy of the certificate is attached herewith as annex "E").

6. That no so-called inquiry as alleged was ever conducted to prove the allegation against the appellant. Even no one from the staff of Special Branch, who made the report that appellant alongwith other police officers was supporting the narcotics sellers/peddlers, was ever called for to appear before the Inquiry Officer and record his statement to corroborate report they had submitted to the Provincial Police Officer against the appellant and others.

However, while awarding the appellant with the penalty of time scale constable for 02 years, the District Police Officer Haripur asserted in his order dated 02-12-2014 that "Enquiry Officer conducted departmental proceedings and submitted his findings, vide Memo No.149 dated 27-10-2014 and held the charges of misconduct as proved". The findings of Inquiry Officer are incorrect, against the facts and circumstances and based on surmises and conjectures without proof and that too without conducting any inquiry. The penalty awarded on the basis such inquiry findings is illegal and against the law, disciplinary rules 1975 and natural justice. Hence the impugned orders need to be set aside.

(Copy of impugned order dated 02-12-2014 of District Police Officer, Haripur is attached as annexure-"F").

7. That if there had been any such thing on the part of appellant as reported by the Special Branch and mentioned in the Charge Sheet then as to why the Special Branch did not manage & plan to have caught him red-handed the moment he was supporting and taking monthly from narcotics sellers. The act of receiving monthly from narcotics sellers/peddlers is a recurring one and occurring every month and the same could easily be trapped by the Special Branch if they had tried but as there was nothing to be true in their report then they failed to appear and record their statement before the Inquiry Officer. Had they appeared and cross-examined by the appellant the situation would have been totally different. Therefore, the report submitted by the Special Branch is false, baseless, concocted and based on malafide just to show their efficiency and performance to the High-ups

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and the penalty awarded on the basis of such false report and so-called inquiry is liable to be turned down straightway.

8. That appellant's reply to the charge sheet has not been considered. Even the appellant has been condemned and penalized unheard against the facts, circumstances and in serious violation of departmental disciplinary rules, regulations as well as natural justice.
9. That neither any witness was called to appear and record his statement before the inquiry officer with regard to charge leveled against the appellant nor was appellant allowed to cross-examine such witness.
10. That no one from the Special Branch was summoned to appear and record his statement in corroboration of the allegation made by them in their report maligning the appellant and his other colleague police officers posted at PS KTS.
11. That neither any documentary evidence was produced against the appellant nor was he confronted with such documentary evidence, if any, as a token of proof of allegation as leveled in the charge sheet issued to the appellant.
12. That appellant has carried out his job with dexterity and a sense of responsibility. He has discharged his duties with care and caution and fulfilled necessary requirements of police rules as well as that of discipline. No stone has been left unturned by the appellant in pulling on his job.

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Appellant is innocent and never indulged himself in such activity as was alleged in the Charge Sheet.

13. That appellant throughout entire service always performed his assigned duties with devotion, dedication and honesty. Appellant had qualified departmental examination A-1 and was due to appear in B-1 exam scheduled to be held next month (March 2014). The appellant has been deprived of his legitimate right of appearing in B-1 exam on the basis of illegal penalty causing irreparable loss in his service career.

14. That against the order impugned dated 02-12-2014 of the District Police Officer Haripur, the appellant preferred a departmental appeal before the Regional Police Officer Hazara Region Abbottabad for the redress of his grievance.

(Copy of departmental appeal is attached herewith as annexure- "G").

15. That the said departmental appeal of the appellant was dismissed by the Regional Police Officer Hazara Region Abbottabad through a non-speaking order dated 28-07-2015 against the law, rules & regulations and natural justice. Hence the instant service appeal, inter alia, on the following grounds:

(Copy of order dated 28-07-2015 of Regional Police Officer is attached herewith a annexure "H").

GROUND:

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GROUND:

- a) That the impugned orders dated 02-12-2014 and 28-07-2015 are illegal and unlawful thus liable to be set aside.
- b) That the appellant was never served with any explanation or show cause notice before appointment of Inquiry Officer and conducting so-called inquiry. Even no preliminary inquiry was made to probe into the guilt or innocence of appellant.
- c) That the Inquiry Officer has acted in a flimsy and whimsical manner without conducting the so-called alleged inquiry in utter violation and negation of the procedure set forth by the law for the dispensation of justice at preliminary stages during the course of departmental inquiries, hence the orders impugned are liable to be turned down on this score alone.
- d) That no one from the Special Branch was summoned to appear and record his statement in corroboration of the allegations made by them in their report maligning the appellant.
- e) That no witness was produced before the inquiry officer to prove the allegation made against the appellant in the charge sheet nor was he provided with the chance of cross-examining such witness.
- f) That the appellant was never confronted with documentary evidence, if any, produced against the appellant.

- g) That the reply to the Charge Sheet, including all facts and circumstances, as submitted by the appellant was never considered and as the appellant was awarded the penalty against the law, rules & regulations.
- h) That the appellant was never provided with the findings/inquiry report of the so-called inquiry, if any, which provision is mandatory under the departmental inquiry procedure.
- i) That the appellant was never served with FINAL SHOW CAUSE NOTICE before awarding penalty which is mandatory under prevailing law.
- j) That the appellant was also not provided with an opportunity of personal hearing before awarding the penalty which is also necessary and mandatory thus has been condemned unheard.
- k) That while dismissing departmental appeal of the appellant, the appellate authority has also not followed the rules of consistency while converting the major penalty of reduction in rank into reduction in pay for 02 stages (2 years) of his officers who were proceeded against alongwith appellant for the same allegation. **(Copies of the orders of Regional Police Officer, Hazara Range, Abbottabad dated 28-07-2015 are attached as Annexure-"I & I/1")**.
- l) That the appellant is a young man with sound physique, stout, energetic, literate Police Officer, well equipped

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with the departmental training of police force and knowing police rules to a great extent. The appellant has qualified departmental Exam-A1 and was due to appear in Exam-B1 scheduled to be held during the next month (March 2015). Appellant will suffer irreparable in his service career even being innocent if the impugned orders are not set aside.

PRAYER:

It, therefore, humbly prayed that on acceptance of instant service appeal order dated 02-12-2014 of District Police Officer Haripur as well as order dated 28-07-2015 of the Regional Police Officer Hazara Region Abbottabad may graciously be set aside and the appellant may be restored in his service position as he was on 01-12-2014 before awarding penalty with all consequential service back benefits including his seniority:


Appellant

Through:


(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 21-08-2015

VERIFICATION

It is verified that the contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.


Appellant

Dated: 21-08-2015

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Naseer Shah S/O Sikandar Shah Constable No. 719 District Police Haripur (R/O Village Gudwalian , Tehsil & District Haripur).

Appellant

VERSUS

1. The Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. The Regional Police Officer, Hazara Region, Abbottabad.
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Respondents

SERVICE APPEAL


AFFIDAVIT:

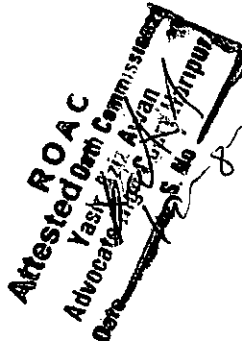
I, Naseer Shah S/O Sikandar Shah do hereby solemnly declare and affirm on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Service Tribunal.


Deponent/Appellant

Dated: 2/08-2015.

Identified By:


Mohammad Aslam Tanoli
Advocate High Court
At Haripur,


ROAC
Attested Oath Commissioner
Yasir Aziz Awan
Advocate High Court
Date: 2/08/2015
S. No. 719 Haripur


Appellant

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Naseer Shah S/O Sikandar Shah Constable No. 719 District Police Haripur (R/O Village Gudwalian , Tehsil & District Haripur).

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Respondents

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been filed in this or any other court prior to the instant one.


APPELLANT

Dated: 21-08-2015

CHARGE SHEET

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Annex-A

(1) I, Muhammad Khurram Rashid (PSP), District Police Officer, Haripur as competent authority, hereby charge you FC Naseer Shah No: 719 as enclosed statement of allegations.

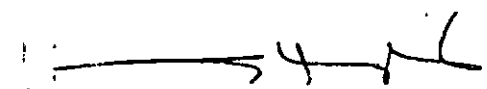
(2) You appear to be guilty of misconduct under Police Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

(3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.

(4) Your written defense, if any, should reach the Enquiry Officer/Committee 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.

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

(6) A statement of allegations is enclosed.


(Muhammad Khurram Rashid) PSP
District Police Officer
Haripur



(13)

A/I

DISCIPLINARY ACTION

I, **Muhammad Khurram Rashid (PSP)**, District Police Officer, Haripur as competent authority of the opinion that you **FC Naseer Shah No: 719** have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATION

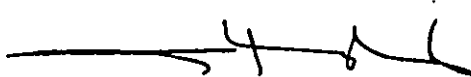
"That while you posted at PS KTS it has come to the notice of the undersigned vide letter No: 15869-72/PPO dated 03.10.2014 by PPO Office, Khyber Pakhtunkhwa, Peshawar that you are supporting the narcotics sellers/paddler and taking "monthly" from them which shows malafidy and dishonesty in discharge of your official duties/responsibilities and is gross misconduct on your part in terms of Police Rules 1975"

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Committee consisting of the following is constituted.

ASP HQ Bilal

(3) The Enquiry Officer/Committee shall in accordance with the provision of this Ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against the accused.

(4) The accused and a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Committee.


(Muhammad Khurram Rashid) PSP
District Police Officer
Haripur

No: 142-44/PA, dated Haripur the 13/10/2014.

Copy of above is submitted to the:-

- 1) Regional Police Officer, Hazara Region, Abbottabad please.
- 2) Enquiry Officer for initiating proceedings against the said accused under Police Rules 1975.
- 3) **FC Naseer Shah No: 719** with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.


District Police Officer
Haripur

صبا علی

42-44/PA
DPO
13/10/14

اسٹریٹجی

معرض فرغت ہوں

(۱) میں وفاق بیان کرتا ہوں کہ خارجہ اسٹریٹجی میں لگایا گیا خارجہ
خلاف حقائق خلاف واقعات بنیاد غلط اور بلا اثوت
۹ . خارجہ اسٹریٹجی سے متعلقہ حقائق اور حقائق کی طرف سے من
گھڑ - غلط - بنیاد - بلا اثوت اور غلطی پر مبنی اور
حقائق کا رد کی گئی ہے۔ حقائق کی روایت کا نتیجہ ۹
کامیابی سے دور رکھنا اور اسٹریٹجی ۹ .

(۲) اس عطا کی سہارا پر ہم حقیقت کو روٹھانے کی کوششیں
فروری ۱۹۷۴ اور اڑھ فروری ۱۹۷۴ سے جاری ہیں
اور غلطیاں فروری ۱۹۷۴ سے جاری ہیں
دوبارہ غلطیاں فروری ۱۹۷۴ سے جاری ہیں
جمہوریہ کی تصنیف کا آغاز فروری ۱۹۷۴ سے
ہوئی ۹ . اس تصنیف کو سہارا پر ہم حقیقت کو روٹھانے کی کوششیں
فروری ۱۹۷۴ سے جاری ہیں اور اسٹریٹجی ۹ .
کی خاطر ہم حقیقت کو روٹھانے کی کوششیں
کے بھیجی ۹ .

(۳) اس عطا کی ان حرف ۱۹۷۴ سے علم تصنیف کے دوران ان
افسران کے فوجی فوجی، دیگر غلطیاں فروری ۱۹۷۴ سے جاری ہیں
کا جوابی کی انہیں گرفتار کیا اور ان سے براہ کرم
قانون کے حوالہ سے سزا دی گئی۔ اس کے لیے اسٹیٹس
کی سہارا پر اور حقائق کے حوالہ سے سزا دی گئی۔
(۴) اس حقیقت کو روٹھانے کی کوششیں
۹ .

Handwritten signature

فیکٹ فروشوں کی سپورٹ کرنا ہوں جو جھوٹ کا پلندہ ہے
اگر اسی کوئی وجہ تھی تو مجھے سپورٹ کرنا سوتے تو ہوتے
تھا، کسی سکنے دیکھا ہے۔ اور ثبوت کیوں نہیں کیا
گیا ہے۔ دیکھا ہوا (منٹھلی) کا الزام خود سٹیل پر
کا ایک گھنٹہ تاہم ہے اگر اس کا قیاس قانون تھے تو وہ
سٹیل پر زخم والوں کی لٹروانا تھا۔ یہی ملزم کو شخص غلط
پورٹ کرنا کرنا اور انہی کا کردہ دیکھنا خود ایک
گناہ ہے۔ اور حکمانہ رول کے مطابق (miscoundit)
کے مرتبہ میں آتا ہے۔ یہ شخص الزام تراشی ہے کیلی
میں واٹس کر دیا کرتا ہوں۔

دیکھئے کہ صرف ملزم کی جانب سے اس کے سٹیل پر
اس دوران کسی (Explanation) یعنی وضاحت کی ہے
تھی۔ لکن اور حقیقت جاننے والی اور اہل ذریعہ سے
صرفی سرچام کے ہیں۔ اور آؤ ان کو کئی شہادت
کا موقع مل گیا۔ جو اس سے بے گناہی ہے۔

دیکھئے کہ اعلیٰ کارکردگی کے ساتھ ساتھ
نے صرف بار بار سے اسی طرح کے جہات (DOD) کے بارہ رینج (ATD)
آئی ہے۔ اس کا کیا ہے۔ اس کا یہی ہے جو جھوٹ اور سٹیل
بے بنیاد الزام تراشی کرتا ہے۔ لہذا میں نے اس کے
سٹیل اہل ذریعہ سے سرچام دیا ہے۔

تو اسے تصدیقی اسناد تک صرف قابل عدول ہے
دیکھئے کہ صرف سرچام ملزم کے بارہ رینج (ATD) کے
کئی بھی کسی شخص سے نہیں مل سکتی۔ اس کی
اور یہ بھی ہے کہ اس کے سٹیل پر
سٹیل پر زخم کے کوئی شہادت ہے۔

جو فری بہرین سوسے کاغذ بولنا ہوتی ہے

(8) ایک سالہ لڑکے کے وجود اور ان کی طرف سے جو کچھ لڑکے
در انسانی در انکلی ہے کے بلا انہوں رپورٹیشن کرنے میں
انہوں نے کوئی قانونی اظہار عیا، مذہبی عا رخصتوں نہری
ہر حال میں اظہار عیا کے گناہ تو نیکی و حسن سے عمل
ظور میں کوئی ہوں

(9) میں عدلیہ میں ایک طرف اور صغیر جوان سے نکلنے رضاعی
شکل کا قانونی رویے اور انکو شفیق میں چھارٹ رضاعی ہوں
شہادتوں کا جو ان عدلیہ میں ہوں

(10) میں عدلیہ میں کو اگر طلبہ کے منہ طانہ کا موقع فریہ
کے ساتھ انشاء اللہ انہی کو لڑکے کو واغیر لڑکے ہونے انہی
کے گناہی ثابت کرتے حضور شاف و الد کو ضرور وطن اور

دوسرے مذکورہ خارجہ لڑکے کو دراصل فخر بالا کاروانی
کے ساتھ ہم صادر فرمایا جائے اور فی الزام سے ہری
اور یہ گناہ قرار دیا جائے تا جات دلائل ہوں رکھوں گا

المسرح 10 17
17 14
کے لئے شہادہ 718 درجہ سالہ اسٹڈنٹ رضا کے لئے
کے لئے شہادہ 718 درجہ سالہ اسٹڈنٹ رضا کے لئے
کے لئے شہادہ 718 درجہ سالہ اسٹڈنٹ رضا کے لئے

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16:25

0092-91-9223480

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16

FEDERAL POLICE PESHAWAR

Annex-e

PAGE 02

CR# 2675/250

From: - The Addl: Inspector General of Police,
Special Branch, Khyber Pakhtunkhwa,
Peshawar.

Phone: 9218173
Fax : 9218073

To: - The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.

No. 646 /PA/SB, dated Peshawar the 30 | 9 /2014.

Subject: - COMPLAINT AGAINST LOCAL ADDAS & P.S KHALABAT DISTRICT HARIPUR.

Memo: - Kindly refer to your office memo NO. 14705-06/PPO dated 15.09.2014.

The matter was enquired into through G.O Special Branch Haripur, which revealed as under:-

Reportedly the following persons are running narcotics dens at Sector No. 4 Khalabat Town Ship Haripur:-

Adda No. 1

- i. Bashir Khan s/o Abdul Ghaffar Khan r/o Mohallah Khabal
- ii. Shah Zeb Khan s/o Bashir Khan r/o -do-
- iii. Tariq Khan s/o Bashir Khan r/o -do-

Adda No. 2

- i. Jehanzeb s/o Hamesh Gul r/o Mohallah Civil Hospital
- ii. Babar Zeb s/o Jehanzeb r/o -do-
- iii. Faisal Zeb s/o Jehanzeb r/o -do-

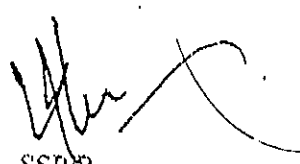
1. During 2013, two cases u/s 74 PEHO and 9-CNSA have been registered at P.S/K Khalabat Township against Bashir Khan and Tariq Khan of Adda No. 1, while one case u/s 9-C has been registered against Shah Zeb of Adda No. 1 during 2014.
2. Similarly during 2013 three cases u/s 74 EHO and 9-C have been registered at P.S/Khalabat Township against Babar Zeb and Faisal Zeb sons of Jehanzeb, while one case u/s 9-C has been registered against Babar Zeb in 2014.

17

~~18~~

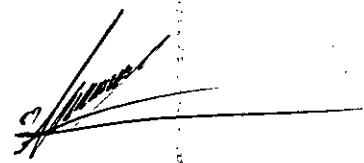
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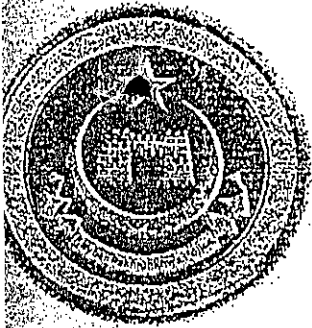
3. The persons (fathers and sons) at the above Addas are running narcotics dens from the times of their forefathers. Sometimes the local Police take action on receipt of complaint. On release from Jail, they again resume their activities.
4. Inspector Raja Mehboob SHO, S.I Zari Khan ASHO, H.C Ahmed Ali Shah and Constable Naem Shah Rider are supporting the narcotics sellers and get "monthly".
5. Notables and elders of the area demand action against the criminals.



SSP,

FOR ADDL; INSPECTOR GENERAL OF POLICE,
SPECIAL BRANCH, KHYBER PAKHTUNKHWA,
PESHAWAR.





19

c/2

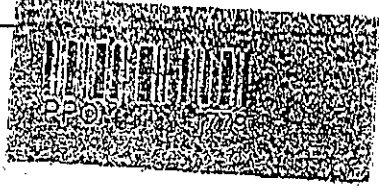
OFFICE OF THE INSPECTOR GENERAL OF POLICE, (PPO) KHYBER PAKHTUNKHWA, PESHAWAR

No. 15864-72/PPO

Ph # 091-9213261

Dated: 03/10/2014

Fax# 091-9223480



To: The District Police Officer, Haripur

Subject: Complaint against Local Addas & PS Kalabat District Haripur

Dear Sir,

Enclosed please find herewith a letter received from Addl: IGP Special Branch Khyber Pakhtunkhwa vide No. 646/PA/SB, dated: 30.09.2014 on the subject cited above. The Police Chief Khyber Pakhtunkhwa has desired for you to take strict legal action, ensure conviction of identified drug peddlers and also probe into the allegation against police officials and report by 25.10.2014.

45/C
09.10.14

[Signature]
(Principal Staff Officer)
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

SHO PS RTIS
for n/actia
Arrest culprits
SDPO - SADAN
HARIPUR

- i. The W/IGP Khyber Pakhtunkhwa for favour of information.
- ii. The Addl: IGP/Special Branch Khyber Pakhtunkhwa w/r to his letter quoted above.
- iii. The RPO Hazara Region, Abbottabad

Dept. Departmental proceedings
no. 375-76/2-cell
9.10.2014

DSP Saldar
Ensure arrest of culprits & deposit

[Signature]

ابتدائی اطلاعی رپورٹ

نمبر

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 152 مجموعہ ضابطہ فوجداری

صفحہ	5	تاریخ	28/04/2011
وقت	3:30	مقام	کوئٹہ
پہنچ وقت رپورٹ	3:30	وقت	22:00 بجے
نام و کونٹا اطلاع دہندہ	داغ محمد خان راکر 540 قلعہ سیالکوٹ		
مقرر کیفیت جرم (مختصر) حال اگر کچھ لایا گیا ہو	99/MSA (برائے) 28/04/2011		
ہائے ذمہ صاف جاننے اور دست	خاص منظر ملنے پر جرم کتبہ لکھنا جاننے شمال لہا ص 1/2 ملو ڈیزائن		
نام و کونٹا مقرر	حکیم محمد جمیل		
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع دہن کرنے میں توقف آیا ہو وجوہ بیان کر	روشنی کھان		
قائد سے مددگی کی تاریخ و وقت			

ابتدائی اطلاع نچے درج کردہ بوقت صدر دفتر کو ملنے پر...
 28/04/2011 کو...
 3:30 بجے...
 540...

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ضلع میرٹھ ۱۹۰۵

نقل اسٹ 34 اورنگ 3 5/14

حصہ 34

34 اورنگ اسٹ راج میر با خان انگریز SH 5 3 5/14 وٹس 21100 اورنگ پیکر پتھر خاں نے
 اورنگ اسٹ اسٹریٹ ایس پیکر مشیر منشیات فریڈاں فیصل ولہ جیٹا زریب جیٹا زریب عالم
 پتھر مغل ساکن نا لکڑی بوز 4 کھانے گھر میں بیٹا ایس لکڑی میں منشیات اورنگ
 چوٹ سرہ دارنگ 4 عقول ٹک منشیات کے دس دسوں کو کافر ہے چوٹ
 کالو ایس اورنگ منشیات پتھر ایس چوٹ اورنگ 2 کے اورنگ کو اورنگ
 رات پتھر ایس خان AS 45 پتھر شہین خان ASI عمر علیہ 144 اورنگ
 14 کھیلان وادہ اللہ 4495 عادل 475 لفریٹا 719 اورنگ لکڑی کھیل اسٹ
 پتھر ایس کے اورنگ چٹا DSP صاحب سرکل صدر باغ اورنگ پتھر ایس
 اورنگ منشیات اورنگ پتھر 4 صدر اورنگ کا پتھر ایس

جانی

نقل عطا اللہ علی

سید

MS 14

14-10-14

22

Annex-E

MINYBER PAKHTUNKHWA POLICE



Commendation Certificate

CLASS II

Granted by

DEPUTY INSPECTOR GENERAL OF POLICE HAZARA RANGE
ABBOTTABAD

To FC Naseem No. 719

Son of Ps K.T.S

District Haripur

In Recognition of

his good performance in case FIR No.

44/14 w/s 365/34 Pp Ps K.T.S, with

cash reward Rs. 1000/-

No. 9415-24/A

Dated 03-06-2014

Deputy Inspector General of Police
Hazara Range Abbottabad
Region II Abbottabad

29

Annex - F

ORDER

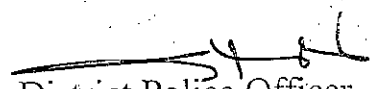
FC Naseer Shah No. 719 while posted at PS KTS was reported by worthy Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No 15869-72/PPO dated 03.10.2014. As receiving monthly from the drug paddlers/smugglers. The accused police official was suspended and was sought with charge sheet and summery of allegation. This act was found gross misconduct on his part.

ASP/HQ Mr. Bilal Zafar Sheikh was deputed as Enquiry Officer, to probe the allegations of misconduct u/ Police Rule 19975. The enquiry Officer conducted departmental proceedings and submitted his findings, vide Memo No. 150, dated 27.10.2014 he held the charges of misconduct are proved and recommended to accused police official for major punishment.

Consequent, upon enquiry Constable Naseer Shah No.719 was called in orderly Room on 02.12.2014 heard in person. Having perused the enquiry papers and personal hearing and recommendation of the enquiry officer, the charges of misconduct are proved beyond any doubt. Therefore I, Khuram Rashid, District Police Officer, Haripur being competent authority under the police Rules 1975, I am satisfy that the charges of misconduct are fully proved, and awarded him minor punishment of time scale constable for 02 years with effect from 02.12.2014.

Order announced.


OB No. 721 dated: 02/12/2014/

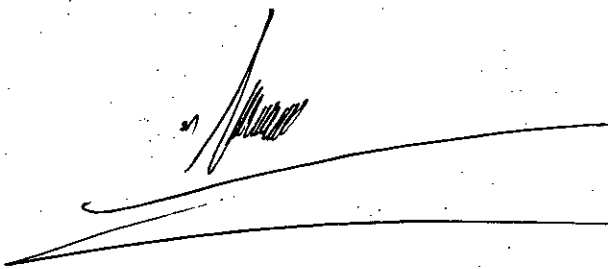

District Police Officer
Haripur

No: 8118

DT 09/12/14

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


District Police Officer,
Haripur



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Annex-5

BEFORE HONOURABLE REGION POLICE OFFICER, HAZARA RANGE,
ABBOTTABAD.

DEPARTMENTAL APPEAL AGAINST ORDER OB NO.721 DATED 02-12-2014 PASSED BY THE DISTRICT POLICE OFFICER, HARIPUR WHEREBY THE APPELLANT HAS BEEN AWARDED WITH THE PENELTY OF TIME SCALE CONSTABLE FOR 02 YEARS WITH EFFECT FROM 02-12-2014.

PRAYER: ON ACCEPTANCE OF THE INSTANT DEPARTMENTAL APPEAL THE IMPUGNED ORDER DATED 02-12-2014 MAY GRACIOUSLY BE SET ASIDE AND PENALTY AWARDED BE WITHDRAWN FROM THE DATE OF ITS AWARDING AND THE APPELLANT BE ALLOWED ALL CONSEQUENTIAL BENEFITS OF SERVICE.

Respected Sir,

1. That the District Police Officer, Haripur vide impugned order OB No.684 dated 02-12-2014 has awarded the appellant with the penalty of **time scale Constable for 02 years** with effect from 24-11-2014. **(Copy of order dated 02-12-2014 is attached herewith as "A")**.
2. That the impugned order of the District Police Officer Haripur is illegal, unlawful, against the facts and in utter violation of mandatory statutory provision of law.
3. That the impugned order has been passed without adhering to the inquiry procedure set forth by law for the dispersion of justice at preliminary stages during the course of departmental inquiries. The Departmental rules and regulations have been violated while passing the impugned order dated 02-12-2014 by awarding the appellant with the penalty of time scale constable for 02 years.
4. The impugned order has been passed by the District Police Officer Haripur (Competent Authority) perfunctorily and in a slipshod manner, against the facts and circumstances of the case, therefore the same is not tenable in the eyes of law rather liable to be set aside.



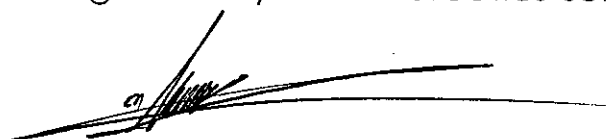
FACTS:

- a) That appellant was charge sheeted under No.142-44/PA dated 13-10-2014, by the DPO Haripur alleging therein that "while posted at PS KTS it has come to the notice of the undersigned vide letter No. No.15869-72/PPO dated 03-20-2014 by PPO Office, Khyber Pakhtunkhwa, Peshawar that you are supporting the narcotics sellers/paddlers and taking "monthly" from them". Mr. Bilal Zafar Shekh, ASP Headquarters was appointed as Enquiry Officer. **(Copy of the Charge Sheet is attached as "B")**.
- b) That the above mentioned Charge Sheet was duly responded by the appellant vide reply dated 17-10-2014 explaining all facts and circumstance and straightway denied the allegation. **(Copy of the reply dated 17-10-2014 is attached as "C")**.
- c) **That according to the report of Police Special Branch Haripur, "the persons (fathers & sons) are selling narcotics from the times of their forefathers. Sometimes the local police took action on receipt of complaint. On release from Jail, they again resume their activities. SHO, SI, HC(appellant) and Constable are supporting & getting "monthly" from them".** It is astonishing one that I was posted at PS KTS only about a year ago but criminals have been selling narcotics from the time of their forefathers. In such a situation why the special branch did not report the matter to the High-Up to have controlled them earlier. This is nothing but to only show performance and a baseless report has been submitted by the Special Branch and on the basis of said baseless report the appellant has been charge-sheeted and ultimately awarded the penalty by the DPO Haripur, hence the impugned order deserves to be turned down straightway.
- d) That during posting at PS KTS, the appellant remained attached with his officers who launched crack-down against the narcotics sellers/peddlers, arrested them and recovered huge quantity of narcotic material and FIRs registered against them. Therefore, it is incorrect that appellant had been supporting such criminals and taking monthly. The appellant is a low



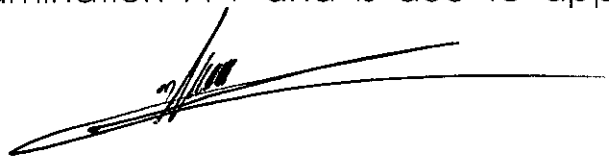
rank servant and has no say and influence that he would be paid monthly by the narcotics sellers/peddlers. However, the charge is mere allegation based on the false and baseless report communicated by the Police Special Branch just to show their performance and complete formalities when required by the Provincial Police Officer to submit their report. **(Copies of FIRs are attached herewith for kind perusal).**

- e) That on account of best performance, the appellant, while posted at Police Station KTS, was awarded with commendation certificate alongwith Cash Reward of Rs.1000/- by Honorable Deputy Inspector General of Police Hazara Range, Abbottabad vide No.9415-24/A dated 03-06-2014. **(Copy of the certificate is attached herewith as "D").**
- f) That no so-called inquiry was ever conducted to prove the allegation against the appellant. Even no one from the staff of Special Branch, who made the report that appellant is supporting the narcotics sellers/peddlers, was ever called to appear and record statement, to corroborate report submitted against the appellant, before the Inquiry Officer. However, while awarding penalty of time scale constable for 02 years to the appellant the District Police Officer Haripur asserted in his order dated 02-12-2014 that "Enquiry Officer conducted departmental proceedings and submitted his findings, vide Memo No.149 dated 27-10-2014 and held the charges of misconduct are proved". The findings of Inquiry Officer are incorrect, against the facts and circumstances and based false information, surmises and conjectures without proof and that too without conducting any inquiry. The penalty awarded on the basis such inquiry findings is illegal and against the law, disciplinary rules 1975 and natural justice. Hence the impugned order needs to be set aside.
- g) That if there was any such thing as reported by the Special Branch and mentioned in the Charge Sheet on the part of appellant then as to why the Special Branch did not manage & plan to have him got arrested red-handed the moment he was supporting and taking monthly from narcotics sellers. The act of



receiving monthly from narcotics sellers/peddlers is a recurring sin/act occurring every month and the same could easily be trapped by the Special Branch if they had tried but as there was nothing to be true in their report then they failed to appear and record their statement before the Inquiry Officer. Therefore, the report submitted by the Special Branch is nothing but a false, baseless, concocted and based on malafide report just to show their performance and the penalty awarded on the basis such report is liable to be turned down straightway.

- h) That appellant's reply to the charge sheet has not been considered. Even the appellant has been condemned and penalized unheard against the facts, circumstances and in serious violation of departmental disciplinary rules, regulations as well as natural justice.
- i) That neither any witness was called to appear and record his statement before the inquiry officer regarding charges against the appellant nor was appellant allowed cross-examining such witness.
- j) That no one from the Special Branch was summoned to appear and record his statement in corroboration of the allegations made by them in their report maligning the appellant and his other colleague police officers posted at PS KTS.
- k) That neither any documentary evidence was produced against the appellant nor he was confronted with any such documentary evidence, if any, advanced as a token of proof of allegations as leveled in the charge sheet issued to the appellant.
- l) That appellant has carried out his job with dexterity and a sense of responsibility. He has discharged his duties with care and caution and fulfilled necessary requirements of police rules as well as that of discipline. No stone has been left unturned by the appellant in pulling on his job.
- m) That appellant always performed his duties with zeal, zest, dexterity, and honesty as well as with a sense of responsibility. Appellant has qualified departmental examination A-1 and is due to appear in the forth



coming examination B-1 scheduled to be held during the next month. If the appellant is not allowed to appear in B-1 Exam he will have to suffer irreparable loss in his service career.

- n) That in view of the facts and circumstance explained here above, by stretch of no imagination appellant could be held responsible for baseless allegation as mentioned in the Charge Sheet.
- o) That appellant shall be very grateful, if he is provided with an opportunity of personal hearing enabling him to bring the real picture of the matter into the knowledge of your Highness and to clear his position as well.
- p) That the Appellant has been awarded the penalty of reversion in rank from Head Constable to the rank of Constable illegally, unlawfully against the facts and circumstances without any reason and rhyme, hence this Departmental Appeal, inter alia, on the following:

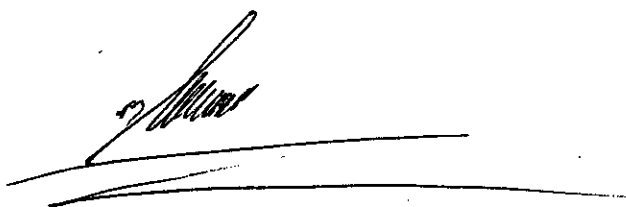
GROUND:

- i. That the impugned order dated 02-12-2014 is illegal and unlawful thus is liable to be set aside.
- ii. That the appellant was never served with any explanation or show cause notice before appointment of Inquiry Officer and conducting so-called inquiry. Even no preliminary inquiry was made to probe into the guilt or innocence of appellant.
- iii. That the Inquiry Officer has acted in a flimsy and whimsical manner without conducting the alleged so-called inquiry in utter violation and negation of the procedure set forth by the law for the dispensation of justice at the preliminary stages during the course of departmental inquiries, hence the order impugned is liable to be turned down on this score alone.
- iv. That no one from the Special Branch was summoned to appear and record his



statement in corroboration of the allegations made by them in their report maligning the appellant.

- v. That the appellant was never confronted with documentary evidence, if any produced against the appellant.
- vi. That the appellant was never provided with a chance to cross-examine the witnesses, if any, produced against the appellant.
- vii. That the reply to the Charge Sheet, including all facts and circumstances, as submitted by the appellant was never considered and as the appellant is innocent.
- viii. That the appellant was never provided with the findings of the so-called inquiry, if any, which provision is mandatory under the departmental inquiry procedure.
- ix. That the appellant was never served with FINAL SHOW CAUSE NOTICE before awarding penalty which is mandatory under prevailing law.
- x. That the appellant was also not provided with an opportunity of personal hearing before awarding the penalty which is also necessary and mandatory thus has been condemned unheard.
- xi. That the appellant is a young man with sound physique, stout, energetic, literate Police Officer, well equipped with the departmental training of police force and knowing police rules to a great extent. The appellant has qualified departmental Exam-A1 and is due to appear in Exam-B1 scheduled to be held during the next month.
- xii. That Sir, the appellant is the only supporter of his large family consisting upon his old parents, younger brothers & sisters having no source of income and they are fully dependent upon him.




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PRAYER:

Sir, in view of the facts and circumstances narrated here above, it is earnestly requested that the impugned order dated 02-12-2014 whereby the appellant has been awarded the penalty of time scale Constable for 02 years may graciously be set aside exonerating the appellant of charge and restore him in his previous position with all consequential service benefits. Thanking you sir in anticipation.

You're obedient Servant


(NASEER SHAH)
Constable No.719
Police Line Haripur

Dated 10-12-2014



31

Annex - H

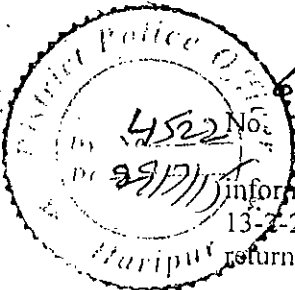
ORDER

This is an order on the representation of *Constable Naseer Shah No.719* of Haripur District against the order of major punishment i.e. time scale constable for 2 years by the District Police Officer, Haripur vide his OB No.721 dated 2-12-2014.

Facts leading to his punishment are that he while posted at PS KTS was reported by Worthy Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No.15869-72/PPO dated 3-10-2014 receiving monthly from the drug paddlers/smugglers.

Proper departmental enquiry was conducted by Mr. Bilal Zafar Sheikh ASP/Hqr. After conducting a detailed enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Haripur awarded him major punishment time scale constable for 2 years.

He preferred an appeal to the undersigned upon which the comments of the DPO Haripur were obtained. He was heard in OR where he offered no plausible explanation in his defence to prove his innocence. After thorough probe into the enquiry report and the comments of the DPO Haripur, it came to light that the punishment awarded to him by the DPO Haripur i.e. time scale constable for 2 years is genuine. Therefore, appeal is *filed*.



6045

[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad

/PA Dated Abbottabad the 28/7 /2015.
Copy of above is forwarded to the District Police Officer, Haripur for information and necessary action with reference to his Memo: No.1000 dated 13-7-2015. The Service Roll & Fauji Missal containing enquiry file of the appellant are returned herewith.

SRC
for information

[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad

DPO/HQR
29/7/15

Reserve 9
[Signature]

[Signature]

(32)

Annex-9

ORDER

This is an order on the representation of *SI Raja Mehboob Khan No.H/17* of Haripur District against the order of major punishment i.e. Reduction in Rank from Inspector to Sub-Inspector by the District Police Officer, Haripur vide his OB No.720 dated 2-12-2014.

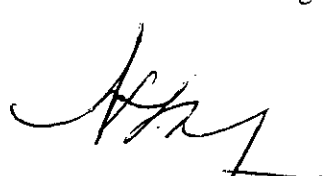
Facts leading to his punishment are that he SHO PS KTS was reported by W/Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No.15869-72/PPO dated 03-10-2014 receiving monthly from the drug paddlers/smugglers.

Proper departmental enquiry was conducted by *Mr. Bilal Zafar Sheikh ASP Hqrs Haripur*. After conducting a detail enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Haripur awarded him minor punishment of reduction in rank from Inspector to Sub-Inspector.

After receiving the appeal, the comments of DPO Haripur were obtained. The enquiry file, appeal & the comments of the DPO were perused. The appellant was also heard in person in the orderly room where he explained no plausible reason.

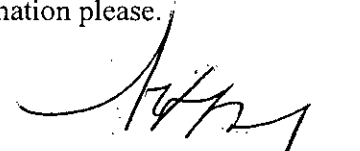
The enquiry is based on Special Branch report and the ASP/Hqrs Haripur did not substantiate it as to with whom he had relation regarding monthlies in drugs etc. The reputation of the officer is not above board.

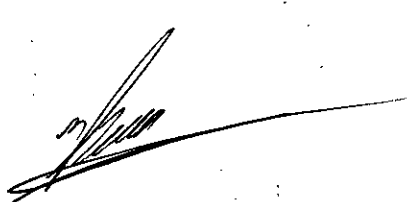
However, keeping in view his previous record of service the punishment of reversion from Inspector to SI awarded by the DPO Haripur is converted to major punishment of "*Reduction in Pay for 2 Stages (2 Years)*". He is also reprimanded with a warning to be careful in future.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

6016-18
No. /PA Dated Abbottabad the 27/7 /2015.

- Copy of above is forwarded to:-
1. The District Police Officer, Haripur for information and necessary action with reference to his Memo: No.8401 dated 29-12-2014. The enquiry file of the appellant are returned herewith.
 2. The District Police Officer, Abbottabad for information and necessary action.
 3. The EA Region Office Abbottabad for information please.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad



33

Annex 9

ORDER


This is an order on the representation of *ASI Zari Khan No.282/H* of Haripur District against the order of major punishment i.e. reduction in rank from officiating SI to the rank of ASI & reduction in pay for 3 stages (3 years) in his present basic pay in the rank of ASI by the District Police Officer, Haripur vide order Endst: No.3124-25/SRC dated 5-6-2015.

Facts leading to his punishment are that he while posted at PS KTS was reported by W/Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No.15869-72/PPO dated 03-10-2014 receiving monthly from the drug paddlers/smugglers.

Proper departmental enquiry was conducted by *Mr. Bilal Zafar Sheikh ASP Hqrs Haripur*. After conducting a detail enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Haripur awarded him major punishment of reduction in rank from officiating SI to the rank of ASI & reduction in pay for 3 stages (3 years) in his present basic pay in the rank of ASI.


After receiving the appeal, the comments of DPO Haripur were obtained. The enquiry file, appeal & the comments of the DPO were perused. The appellant was also heard in person in the orderly room where he explained no plausible reason.

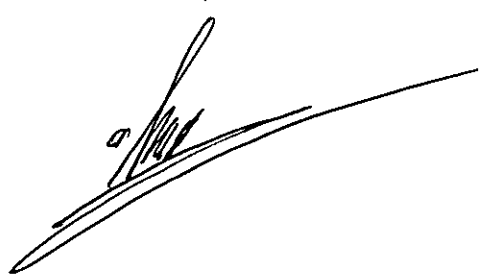
The enquiry is based on Special Branch report and the ASP/Hqrs Haripur did not substantiate it as to with whom he had relation regarding monthlies in drugs etc. The reputation of the officer is not above board. In view of the above the punishment awarded vide DPO Haripur order is modified into "*Reduction in Pay for 2 Stages (2 Years) instead of 3 stages in the rank of ASP*". He is also reprimanded with a warning to be careful in future.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

No. 6037 /PA Dated Abbottabad the 28/7 /2015.

Copy of above is forwarded to the District Police Officer, Haripur for information and necessary action with reference to his Memo: No.147 dated 06-01-2015. The enquiry file of the appellant are returned herewith.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad



وکالت نامہ

بعدالت جناب محترم صاحب پندرہ سو نو سو اسی سیر میں پیشگی اور
منجانب اپلینٹ

تصریحاً نام ۱۹۲ و ۱۹۲

دعویٰ یا جرم سروکل اسٹیل باعث تحریر آنکہ منہدر در اسٹیل آمار
مندرجہ بالا عنوان میں اپنی طرف سے پیروی و جوابدہی مقام

ایڈووکیٹ بدیں شرط وکیل مقرر کیا۔ کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص
رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی
پیشی پر مظہر حاضر نہ ہوا۔ اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ
ہونگے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا بروز
تعطیل پیروی کرنے کے مجاز نہ ہونگے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز کچہری کے اوقات
کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے
بھی صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب
موصوف کو عرضی دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق
کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجرا کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے
کا ہر قسم کا بیان دینے اور سپروٹاشی و راضی نامہ و فیصلہ برخلاف کرنے اقبال دعویٰ کا اختیار ہوگا۔ اور بصورت اپیل و
برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو
بشرط ادائیگی علیحدہ پیروی مختار نامہ کرینکا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر
کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہونگے جیسے صاحب
موصوف کو۔ پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ
کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند ہے مضمون

Accepted
M. Aslam

موز: 21/12/2015

العبد العبد العبد

(تصریحاً رسید)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 944/2015

Naseer Shah s/o Sikandar Shah Constable No. 719, District Police, Haripur r/o village
Gudwalian Tehsil & District Haripur

.....(appellant)

Vs.

The Provincial Police Officer Khyber Pakhtunkhwa, Peshawar and Others

.....(Respondents)

RESPECTFULLY SHEWETH!

The requisite Para-wise comments on the behalf of respondents are as under:-

PRELIMINARY OBJECTIONS:

1. That the instant appeal is badly time barred and not maintainable under the law.
2. That the appellant has not come to the Hon'ble Tribunal with clean hands.
3. That the appellant has no locus standi to file appeal.
4. That the appellant has suppressed material facts from the Hon'ble Tribunal.
5. That the appellant is estopped by his own conduct.
6. That the instant appeal is not maintainable for non-joinder/mis-joinder of necessary parties.

OBJECTIONS ON FACTS:

1. In reply to Para No. 1, It is submitted that the appellant Constable Naseer Shah No. 719 while posted as in PS KTS in District Haripur extended support to the narcotics dealers in consideration of monthlies, the appellant deviated from his primary duties of eliminating the crimes from area of his posting, adversely his role was cooperative to the drug peddlers, the episode continued till he was reported by watch agency of police department i.e. Special Branch, Khyber Pakhtunkhwa, Peshawar vide letter No. 646/PA/SB, dated 30.09.2014, in which it mentioned that the 02 narcotics Addas were being run by the 06 persons mentioned in the report, the letter was forwarded by the Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar to the District Police Officer, Haripur vide No. 15869-72/PPO, dated 03.10.2014, the acts & omission of appellant were illegal, unlawful and misconduct in terms of Police Rules 1975, the appellant was suspended and proper departmental enquiry was conducted, the appellant was served with charge sheet and statement of allegations vide District Police Officer, Haripur Office Endst: No. 142-44/PA, dated 13.10.2014, ASP/Headquarter, Haripur Mr. Bilal Zafar Sheikh was appointed as Enquiry Officer, he probed the allegations and

in his findings report No. 150, dated 27.10.2014 held the charges of misconduct proved and recommended the defaulter police officer for major punishment (Copy of inquiry is attached as Annexure "A"), therefore, the appellant was called in Orderly Room and was heard in person by the District Police Officer, Haripur the appellant could not produce any substantial defense regarding his guilt so he was awarded lawful punishment of time scale constable for 02 years vide OB No. 721, dated 02.12.2014 (copy of ~~order~~ is attached as annexure "B").

2. Incorrect, the appellant could not give satisfactory account of his misconduct during departmental enquiry.
3. Incorrect, the appellant was complained by Special Branch Khyber Pakhtunkhwa, Peshawar vide letter No. 646/PA/SB, dated 30.09.2014 for supporting narcotics addas along with other police officers of PS KTS, specifically mentioned in the report and as reward thereof, they were taking monthlies from narcotics dealers (copy of letter is attached as annexure "C") Khala-Batt Township is famous for narcotics related activities, the police staff of PS KTS gave their protective hands to the outlaws. Therefore, the appellant was issued charge sheet and statement of allegations, on being found guilty of charges he was awarded quite legal punishment.
4. Incorrect, the appellant remained posted as Constable in the PS KTS wherein, he had to perform the duties of patrolling, surveillance and others tasks, adversely he maintained warm relations with the narcotics dealers for giving them patronage of police so that they carried on anti-subversive activities of proliferating addiction in the society, as reward the appellant received monthlies from the Adda holders, the acts and omissions were misconduct which were proved in the departmental enquiry, the Special Branch while performing lawful duties reported the factual situation of PS KTS staff who was supporting the narcotics dens.
5. Pertains to record, moreover, respondent department always upheld and appreciated the good practices of force members, however, a commendation certificate is not a license for mal practices adverse to the lawful duties.
6. Incorrect, proper departmental enquiry was conducted sufficient evidence was taken by the Enquiry Officer, the appellant was given right of personal hearing and self-defense during the departmental enquiry, the appellant was held guilty of charges by the Enquiry Officer and he was recommended for major punishment, therefore, lawful punishment was awarded which is quite legal and maintainable. The enquiry is in accordance with law and the punishment holds legal force.
7. Incorrect, the appellant was specially complained by the spy agency of police force to have relations with narcotics dealers in the jurisdictional area of PS KTS and receiving monthlies from them, in consideration of protection to the outlaws, the facts were probed by the enquiry officer the guilt of the accused police official was proved, Special Branch performed its lawful duties in public interest, the appellant's conduct was stigma on police force, he deviated from his primary duties of eliminating the crimes, rather he had assumed the mischievous character in official capacity. Therefore, the punishment is lawful in accordance with natural justice and maintainable.

8. Incorrect, the appellant could not produce any defense in the enquiry, he was given right of personal hearing and defense, all the principles of natural justice were observed, hence, the punishment is quite legal.
9. Incorrect, the enquiry was conducted in accordance with Police Rules 1975, the enquiry officer collected the necessary evidence which held the appellant guilty of charges.
10. Incorrect, the enquiry officer conducted legal proceedings regarding the enquiry and fulfilled all the requirements, hence the punishment is lawful and maintainable.
11. Incorrect, the necessary evidence was taken and duly evaluated by the Enquiry Officer as well as the punishing authority, hence, the proceedings are quite legal.
12. Incorrect, the appellant indulged in negative activities which were against the norms of police force, his guilt was proved and lawful punishment of time scale constable for 02 years was passed which commensurate with the gravity of charges.
13. Incorrect, the respondent department proceeded strictly in accordance with law, the appellant guilt was proved which warranted lawful punishment, moreover, the departmental exams are taken on acquisition of requisite qualification, if any candidate does not fulfill the required qualification he is dealt with in accordance with law.
14. In reply to this Para, it is submitted that the appellant referred a representation against the order of punishment to the Regional Police Officer, Hazara Region, Abbottabad which was filed and the punishment awarded by the District Police Officer, Haripur was upheld (copy of order is attached as annexure "D").
15. Incorrect, the departmental appeal was dismissed by the Regional Police Officer, Hazara Region, Abbottabad on quite legal and cogent grounds, hence, the punishment is lawful and maintainable.

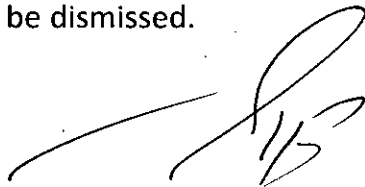
GROUND:

- a. Incorrect, the punishment is quite legal in accordance with law, natural justice and maintainable.
- b. Incorrect, the appellant was served with charge Sheet and statement of allegations, mentioning therein, charges of misconduct and proper departmental enquiry was conducted.
- c. Incorrect, as narrated in the preceding Paras, moreover, the enquiry officer collected the sufficient evidence which proved the charges leveled against the appellant.
- d. Incorrect, the report of Special Branch was probed during enquiry proceedings and it was found correct and the guilt of appellant was established beyond any doubt, moreover, Special Branch is a public functionary which performed its lawful duty and reported the conduct of police officials of police station KTS bonafidely and in public interest.
- e. Incorrect, the enquiry was conducted in accordance with Police Rules 1975 and appellant was given ample opportunity of self-defense but he failed to prove his innocence.

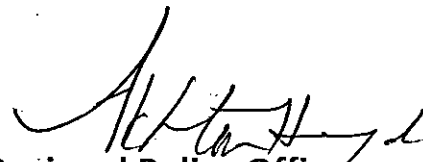
- f. Incorrect, the appellant was given right of personal hearing and evidence was taken in his presence.
- g. Incorrect, the reply of the appellant was taken into consideration by the Enquiry officer as well as he was personally heard by the District Police Officer, Haripur, and the Regional Police Officer, Hazara Region, Abbottabad however, but the appellant could not prove his innocence. Therefore, the punishment is in accordance with law.
- h. Incorrect, as narrated above
- i. Incorrect, as narrated above.
- j. Incorrect, the appellant participated in enquiry proceedings, he was heard in Orderly Room, all the principles of natural justice were observed while passing the punishment.
- k. Incorrect, the appellant was awarded the punishment of time scale constable for 02 years by the District Police Officer, Haripur which was upheld by the Regional Police Officer, Hazara Region, Abbottabad vide order No. 6045/PA, dated 28.07.2015 which is lawful and maintainable (copy of order is attached as annexure "E").
- l. Incorrect, the appellant committed gross misconduct for which lawful punishment was awarded, moreover, the appellant appeared in professional graded courses in year 2015/2016 and he is forwarding fake and false grounds before the Hon'ble for getting undue advantages, the misconduct of appellant is injuries for public at large as in future he may also continue the same lavish practice which destroy the society.

Any other point may be argued on behalf of respondent department by the permission of this Hon'ble Tribunal during the hearing of the case.

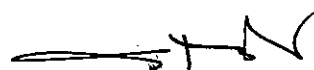
In view of above, it is therefore, requested that instant service appeal does not hold any legal force which may kindly be dismissed.



Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)



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



District Police Officer,
Haripur
(Respondent No. 03)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 944/2015

Naseer Shah s/o Sikandar Shah Constable No. 719, District Police, Haripur r/o village
Gudwalian Tehsil & District Haripur

.....(appellant)


Vs.


The Provincial Police Officer Khyber Pakhtunkhwa, Peshawar and Others


.....(Respondents)

COUNTER AFFIDAVIT

We the following respondents do hereby solemnly affirm and declare that all the contents of reply/comments are true and correct to the best of our knowledge and belief and nothing has been concealed from the Hon'ble Tribunal.


Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
Respondent No. 01


Regional Police Officer,
Hazara Region, Abbottabad
Respondent No. 02


District Police Officer,
Haripur
Respondent No. 03

Annexure A

ضلع ہری پور

اسسٹنٹ پرنسپل آف پولیس، (ہیڈ کوارٹر) ہری پور۔

ڈسٹرکٹ پولیس آفیسر، ہری پور۔

مورخہ: 27-10-2014 150

انکوائری بر خلاف کنسٹیبل نصیر شاہ 719

عنوان:

جناب عالی:-

مشمولہ انکوائری نمبر 142 مورخہ 13.10.2014 بر خلاف کنسٹیبل نصیر شاہ 719 پرا انکوائری ہو کر ذیل معروض ہوں۔

الزام:-

کنسٹیبل نصیر شاہ 719 پر الزام ہے کہ اسکی دوران تعیناتی تھانہ KTS چھٹی نمبری PPO/72/15869-72 مورخہ

03.10.2014 جناب PPO صاحب، خیر پختونخواہ موصول ہوئی جس کے مطابق وہ منشیات فروشوں کو سپورٹ کرتا ہے اور ان سے

Monthly لیتا ہے جو کہ مذکورہ کو قصور وار ٹھہراتا ہے۔

کارروائی:-

(1) الزام علیہ نصیر شاہ 719 کا بیان لیا گیا جس نے چارج شیٹ کے جواب کی تائید کی جس میں مذکورہ نے اپنے خلاف لگائے گئے الزامات کی تردید کی اور اپنی کارکردگی رپورٹ مع FIR پیش کیں۔ مذکورہ کا مفصل بیان لف انکوائری ہے۔

(2) الزام علیہ کے خلاف درج بالا الزام کی نسبت خفیہ معلومات لی گئیں تاکہ حقائق سامنے آسکیں جو کہ دیگر افراد تجزیاتی طور پر لکھ کر دینے سے ڈر رہے ہیں تاہم خفیہ معلومات دینے کو تیار پائے گئے جو کہ ان کو سنا گیا۔

فائنلنگ:-

نصیر شاہ 719 کے خلاف پائے گئے الزامات کی نسبت حقائق معلوم کرنے کیلئے خود الزام علیہ کا بیان لیا گیا اور دیگر ذرائع سے خفیہ طور پر معلومات حاصل کی گئیں تاکہ الزامات کی نسبت حقائق تک رسائی ممکن ہو، اور انکوائری کے تقاضے پورے کیے جاسکیں۔ تمام تر کارروائی سے ایک نو نصیر شاہ 719 کا اپنے الزامات کے حوالے سے دیا گیا بیان اطمینان بخش اور قابل قبول نہیں پایا گیا۔ دوسرا یہ کہ مذکورہ کے خلاف خفیہ طور پر حاصل کردہ معلومات بھی مذکورہ کو نہ صرف قصور وار ٹھہراتی ہیں بلکہ اس امر کی بھی عکاسی کرتی ہیں کہ واقعی نصیر شاہ 719 کے تھانہ KTS میں بطور کنسٹیبل تعیناتی کے دوران منشیات فروشوں سے گہرے روابط برپے ہیں۔

درج بالا صورت میں نصیر شاہ 719 کے خلاف چارج شیٹ میں لگائے گئے الزامات درست ثابت ہوتے ہیں لہذا مذکورہ کو Major

Punishment کی عکاسی جانا جاتا ہے۔ انکوائری رپورٹ ارسال خدمت ہے۔

اسسٹنٹ پرنسپل آف پولیس

(ہیڈ کوارٹر) ہری پور۔

Time scale constant for 02 years

OB NO. 721

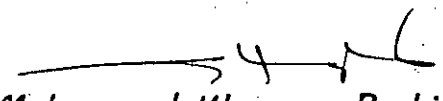
02-12-2014

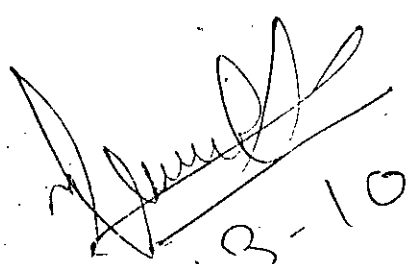
DP 6/11/14

Amended "A"

CHARGE SHEET

- (1) I, Muhammad Khurram Rashid (PSP), District Police Officer, Haripur as competent authority, hereby charge you FC Naseer Shah No: 719 as enclosed statement of allegations.
- (2) You appear to be guilty of misconduct under Police Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.
- (3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.
- (4) Your written defense, if any, should reach the Enquiry Officer/Committee 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.
- (5) Intimate whether you desire to be heard in person or otherwise.
- (6) A statement of allegations is enclosed.


(Muhammad Khurram Rashid) PSP
District Police Officer
Haripur


13-10-14

Annex 6e A

DISCIPLINARY ACTION

I, **Muhammad Khurram Rashid (PSP)**, District Police Officer, Haripur as competent authority of the opinion that you **FC Naseer Shah No: 719** have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATION

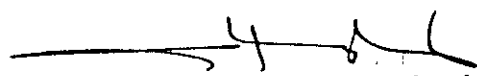
"That while you posted at PS KTS it has come to the notice of the undersigned vide letter No: 15869-72/PPO dated 03.10.2014 by PPO Office, Khyber Pakhtunkhwa, Peshawar that you are supporting the narcotics sellers/paddler and taking "monthly" from them which shows malafidy and dishonesty in discharge of your official duties/responsibilities and is gross misconduct on your part in terms of Police Rules 1975"

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Committee consisting of the following is constituted.

ASP HQR Bilal

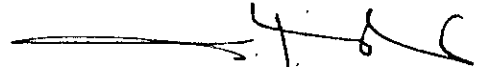
(3) The Enquiry Officer/Committee shall in accordance with the provision of this Ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against the accused.

(4) The accused and a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Committee.


(Muhammad Khurram Rashid) PSP
District Police Officer
Haripur

No: 142-44/PA, dated Haripur the 13/10 /~~09~~/2014.
Copy of above is submitted to the: -

- 1) Regional Police Officer, Hazara Region, Abbottabad please.
- 2) Enquiry Officer for initiating proceedings against the said accused under Police Rules 1975.
- 3) **FC Naseer Shah No: 719** with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.

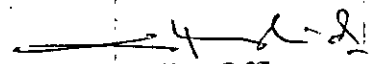

District Police Officer
Haripur

Amir Ali

ORDER

Due to severity of charges of corruption according to special report, Inspector Raja Mehboob SHO PS KTS, HC Ahmed Ali Shah No: 79 and Constable Naseer Shah No: 719 are hereby suspended and close to Police Lines, Haripur with immediate effect.

(SI Zari Khan ASHO is already suspended and closed to Police Lines, Haripur vide RPO, Order No: 8341/PA dated 24.09.2014)

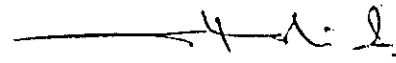

District Police Officer,
Haripur

No: 7096-951

10-10-2014

Copy of the above is submitted to:-

- (I) The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No: 15869-72/PPO dated 03.10.2014 please.
- (II) The Regional Police Officer, Hazara Region, Abbottabad for favor of information please.


District Police Officer,
Haripur

44/PA-42/10/13
DPO

اسٹریٹجی

صدا علی

موضوع فریٹ ہونے پر
۱) میں ملحق بیان کرتا ہوں کہ خارجہ سٹریٹجی میں لگایا گیا خارجہ
خلاف تعلق خلاف واقعات سے بنیاد غلط اور بالائے
۲) خارجہ سٹریٹجی میں لگایا گیا خارجہ سٹریٹجی سے من
گھٹ - غلط ہے بنیاد - بالائے اور منی برہمنی اور
۳) کا تعلق سے دور تک کا واسطہ نہیں ہے۔

۴) اس عطا کی سہل پرچم علم حوی کو اور اور ط حکم منشیات
فروشی اڈہ غر اور اڈہ غر ۱۱ یا ۱۲ اور سے جلا رہے ہیں
اور منشیات فروشی کر رہے ہیں جو کہ منشیات فروشی
دوبارہ منشیات فروشی کا رشتہ شروع کر دے کہ نہیں
جس حوی تصنیاتی نظام کھلنے میں عدم تفریقاً ۱۴ ماہ سے
۵) اور ان کے لیے کون سے اور اور ط کہا کہ حوی کو میں تصنیات
کی خاطر من گھڑ اور اور ط کہا کہ حوی کو میں تصنیات
کے بھی گئی ہے۔

۶) اس میں ان کے ۱۴ ماہ علم تصنیاتی کے دوران ان
افران کے حاجت مذکورہ، دیگر منشیات فروشیوں کے خلاف
کا عوامی کی رہیں گرفتار کیا اور ان سے براہ گیری کی
قانون کے حوالہ سے سزا سن دلو اس میں اس کے ایسے اثباتوں
کی سپورٹ کرنا اور کچھ کے لیے جو اس کے بھی پیر میں ہونا ہے۔
۷) اس حوض اور اور ط میں سہل پرچم کا یہ دینا میں ملزم
۱۲۷۰

صیاب فرشتوں کی سپورٹ کرنا بیوں کو چھوٹا پلندہ ہے
اگر اسی کوئی وجہ تھی تو تھے سپورٹ کرنا بیوں کو تھوڑا
کس طرح، کسی سبب دیکھا ہے۔ اور ثبوت بیوں میں میں
گناہ ہے۔ دیکھا ہوا (منٹو) کا الزام خود سٹیل پر لگنا
کا ایک گناہ تھا کہ اگر اس کا قیاس تو قانون تھے تو وہ
سٹیل پر لگنا والوں کی طرح و ناقصا بیوں کا لہذا کوئی خاص غلط
دورٹ کرنا کرنا اور انہی کا کرنا دیکھنا خود
گناہ ہے۔ اور حکیمانہ رویے کے مطابق (miscorundit)
میں وہم کرنا بیوں کے خلاف الزام تراشی ہے بلکہ

ذہنی کھینچ و لہذا کہا گیا کہ قابل سٹیل پر لگنا
اس دوران کسی (Explation) یعنی فی سس ری گئی ہے
جسٹے لگن اور چند حاضری اور اہل ہزاروں سے فی
صرفی سرایام کے ہیں۔ اور آؤ ان کو کئی شہادت
کا موقع پیدا کیا جو اسروس ریکارڈ وٹالی ہے

دیکھا، اعلیٰ کارکردگی تھے ضابطہ ہزاروں ہر بارہ رینج
نے صرف 4 ماہ قبل اسی قیاس کی اٹھا کر لگائی تھی صرف
آئیے، طری لگا لگا ہے۔ اس کے لیے یہی ہے جو چھوٹا لہذا
بے شمار الزام تراشی کرنا غلط ہے۔ لیکن میں نے ذرا
سٹیل اہل ہزاروں سے سرایام دیکھا ہے۔ لیکن میں نے ذرا
تھوڑے تھوڑے اسناد صرف صرف قابل دید ہے

دیکھا، صرف سرایام و لہذا ہزاروں لہذا قابل
کئی کئی تھوڑے تھوڑے ہی حکم کی کوئی شہادت میں کی ہے
اور یہ بھی ہے انہی آؤ ان کے دیکھنے سے اچھی شہادت
سٹیل پر لگنے کوئی شہادت ہے۔

عزیز بہترین کروں گا نہ بولنا ہوں

میں نے اس مسئلے پر غور کیا جو موجودہ افریقہ کی طرف سے چھوٹی اور طویل
درستی کے ساتھ ہے۔ یہ بالائے نوبت رپورٹ پیش کرنے میں
میں نے کوئی قانونی اختلاف نہیں کیا، فیصلہ ہی طرز و طریقوں پر ہے
یہاں سے اس طرف سے خارجہ کابینہ کو گناہ نہیں ہے وہ اس سے پہلے
طریقہ پر کوئی نہیں۔

اس میں عدلیہ کے رٹ اور فیصلوں کے ساتھ ساتھ
میں نے قانونی رویوں اور رٹوں کے ساتھ ساتھ
میں نے قانونی رویوں اور رٹوں کے ساتھ ساتھ

۱۵) میں عدلیہ کو اس طلب کے تحت جانے کا موقع فراہم
کے ساتھ ساتھ اس کے لئے کوئی اور طریقہ نہیں ہے
میں نے اس کے لئے کوئی اور طریقہ نہیں ہے

میں نے اس کے لئے کوئی اور طریقہ نہیں ہے
میں نے اس کے لئے کوئی اور طریقہ نہیں ہے
میں نے اس کے لئے کوئی اور طریقہ نہیں ہے

۱۷/۱۰
۱۷/۱۰
۱۷/۱۰
۱۷/۱۰

Annexure A
بیل لکھنؤ شاہ 719 صفحہ 145

لکھنؤ شاہ 719 صفحہ 145
جواب صفحہ 145
کرتا ہوں۔ صبراً اور بیان ہے۔



بیل لکھنؤ شاہ 719 صفحہ 145

0344-8633837

Annex-B


ORDER

FC Naseer Shah No. 719 while posted at PS KTS was reported by worthy Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No 15869-72/PPO dated 03.10.2014. As receiving monthly from the drug paddlers/smugglers. The accused police official was suspended and was sought with charge sheet and summery of allegation. This act was found gross misconduct on his part.

ASP/HQ Mr. Bilal Zafar Sheikh was deputed as Enquiry Officer, to probe the allegations of misconduct u/ Police Rule 19975. The enquiry Officer conducted departmental proceedings and submitted his findings, vide Memo No. 150, dated 27.10.2014 he held the charges of misconduct are proved and recommended to accused police official for major punishment.

Consequent, upon enquiry Constable Naseer Shah No.719 was called in orderly Room on 02.12.2014 heard in person. Having perused the enquiry papers and personal hearing and recommendation of the enquiry officer, the charges of misconduct are proved beyond any doubt. Therefore I, Khuram Rashid, District Police Officer, Haripur being competent authority under the police Rules 1975, I am satisfy that the charges of misconduct are fully proved, and awarded him minor punishment of time scale constable for 02 years with effect from 02.12.2014.


Order announced.
OB No. 721 dated: 02/12/2014


District Police Officer
Haripur

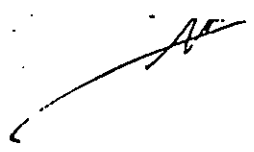
No: 8118

DT: 09/12/14

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


District Police Officer,
Haripur





1254

CR# 2675/PSO

11/11

From: - The Addl: Inspector General of Police,
Special Branch, Khyber Pakhtunkhwa,
Peshawar.

Phone: 9218173
Fax : 9218073

To: - The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.

No. 646 /PA/SB, dated Peshawar the 30/9/2014.

Subject: COMPLAINT AGAINST LOCAL ADDAS & P.S KHALABAT DISTRICT HARIPUR.

Memo: - Kindly refer to your office memo NO. 14705-06/PPO dated 15.09 2014.

The matter was enquired into through G.O Special Branch Haripur, which revealed as under:-

Reportedly the following persons are running narcotics dens at Sector No. 4 Khalabat Town Ship Haripur:-

Adda No. 1

- i. Bashir Khan s/o Abdul Ghaffar Khan r/o Mohallah Khabal
- ii. Shah Zeb Khan s/o Bashir Khan r/o -do-
- iii. Tariq Khan s/o Bashir Khan r/o -do-

Adda No. 2

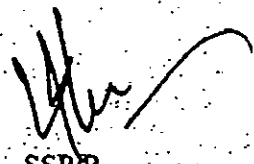
- i. Jehanzeb s/o Hamesh Gul r/o Mohallah Civil Hospital
- ii. Babar Zeb s/o Jehanzeb r/o -do-
- iii. Faisal Zeb s/o Jehanzeb r/o -do-

1. During 2013, two cases u/s 3A PEHO and 9-CNSA have been registered at P.S/Khalabat Township against Bashir Khan and Tariq Khan of Adda No. 1, while one case u/s 9-C has been registered against Shah Zeb of Adda No. 1 during 2014.
2. Similarly during 2013 three cases u/s 3A EHO and 9-C have been registered at P.S/Khalabat Township against Babar Zeb and Faisal Zeb sons of Jehanzeb, while one case u/s 9-C has been registered against Babar Zeb in 2014.

PSO

Annexure C

3. The persons (fathers and sons) at the above Addas are running narcotics dens from the times of their forefathers. Sometimes the local Police take action on receipt of complaint. On release from Jail, they again resume their activities.
4. Inspector Raja Mehboob SHO, S.I Zari Khan ASHO, H.C Ahmed Ali Shah and Constable Naeem Shah ^{Secy} ^{No: 769} Rider are supporting the narcotics sellers and get "mort'ity".
5. Notables and elders of the area demand action against the criminals.



SSPP,
FOR ADDL; INSPECTOR GENERAL OF POLICE,
SPECIAL BRANCH, KHYBER PAKHTUNKHWA,
PESHAWAR.

Annexure D


ORDER

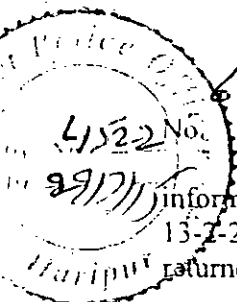
This is an order on the representation of *Constable Naseer Shah No.719* of Haripur District against the order of major punishment i.e. time scale constable for 2 years by the District Police Officer, Haripur vide his OB No.721 dated 2-12-2014.

Facts leading to his punishment are that he while posted at PS KTS was reported by Worthy Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar vide letter No.15869-72/PPO dated 3-10-2014 receiving monthly from the drug paddlers/smugglers.

Proper departmental enquiry was conducted by Mr. Bilal Zafar Sheikh ASP/Hqr. After conducting a detailed enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Haripur awarded him major punishment time scale constable for 2 years.

He preferred an appeal to the undersigned upon which the comments of the DPO Haripur were obtained. He was heard in OR where he offered no plausible explanation in his defence to prove his innocence. After thorough probe into the enquiry report and the comments of the DPO Haripur, it came to light that the punishment awarded to him by the DPO Haripur i.e. time scale constable for 2 years is genuine. Therefore, appeal is *filed*.


REGIONAL POLICE OFFICER
Hazara Region Abbottabad



6045


/PA Dated Abbottabad the

28/7

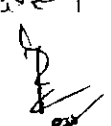
/2015.

Copy of above is forwarded to the District Police Officer, Haripur for information and necessary action with reference to his Memo: No.1000 dated 13-7-2015. The Service Roll & Fauji Missal containing enquiry file of the appellant are returned herewith.

SRC
for instructions


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

DPD/HZR
29/7/15

Resave 9


Amended

ORDER

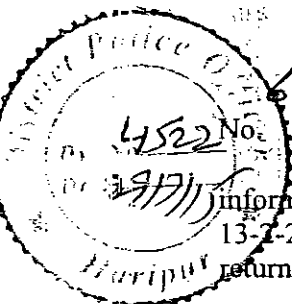
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[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad



6045
/PA Dated Abbottabad the *28/7* /2015.
Copy of above is forwarded to the District Police Officer, Haripur for information and necessary action with reference to his Memo: No.1000 dated 13-7-2015. The Service Roll & Fauji Missal containing enquiry file of the appellant are returned herewith.

SRC
for intaction pl

[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad

DPO/HZ
29/7/15

Reserve 9
[Signature]

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