

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR.**

Appeal No. 2330/2023

Haji Aman Ullah

(Appellant)

VERSUS

IGP etc.

(Respondents)


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18-03-2024

S.B

Peshawar


DEPONENT

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
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PARA WISE COMMENTS OF RESPONDENTS NO. 1 to 4

Respectfully Sheweth

The respondents respectfully submit as under: -

PRELIMINARY OBJECTIONS.

1. That the Appellant has got no cause of action.
2. That the Appeal is not maintainable under the law.
3. That the Appeal is barred by law & limitation.
4. That the Appellant has not been discriminated in any way.
5. That the Appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the Appellant has approached the Honorable Tribunal with unclean hands.
7. That the Appellant has got no cause of action and locus-standi to file the instant Appeal.
8. That the Appellant has been estopped by his own conduct.

ON FACTS

1. Pertain to record.
2. Incorrect, the appellant has tainted reputation and remained involved in misbehavior, indiscipline attitude, unauthorized activities and anti-social activities. In this regard he was dealt with departmental proceedings and allegations were also proved against the appellant and suitable punishments were awarded several times as per law.
3. Incorrect, during his tenure in CTD, due to his incompetent policing, unauthorized activities and indiscipline attitude he was granted adverse remarks in Annual Confidential Report (ACR).
4. Incorrect to the extent that the appellant had scared service rerecord due to his tainted reputation and remained involvement in misbehavior, indiscipline attitude, unauthorized activities and Anti-social activities. While rest of the para pertain to the essential duties of the appellant as mentioned in Police Rules, Police Act, 2017 and laws.
5. Incorrect, the appellant enlisted on 21.03.1994 as constable in Police department and awarded punishments numeros times due to his negligence, dishonesty and incompetency while performing his official duties. Moreover, he has indulged himself in antisocial activities and found his links with vagabonds.
6. Pertain to record.
7. Pertain to record. However, the previous record of the appellant is described in above Para 5.
8. Pertain to record.
9. Pertain to record.

GROUND:

1. Incorrect, the appellant has tainted reputation and remained involved in misbehavior, indiscipline attitude, unauthorized activities and Anti-social activities. In this regard he was dealt with departmental proceedings and the allegations were also proved against the appellant and suitable punishments were awarded as per law several times.

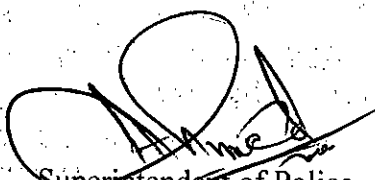
Khyber Pakhtunkhwa
Service Tribunal

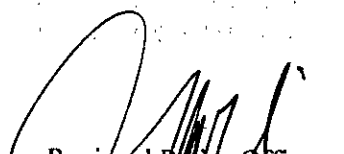
No. 11795
Dated 18-03-2024

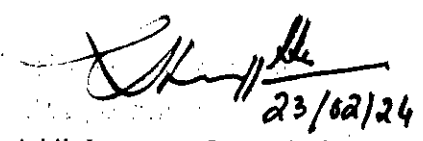
2. Pertain to record.
3. Pertain to record. However, it is the duty of Police under Police Rules, to take action against such crimes prohibited under the law.
4. Pertain to record.
5. Pertain to record,
6. Incorrect, any departmental promotion have a criteria already promulgated by the law has been adopted while the appellant have bad reputation in Police department which shows from his service record already described in above paras.
7. Incorrect, the competent authority treated the appellant according to law.
8. Incorrect, the department acted according to law and rules promulgated under the constitution.
9. Incorrect, reply has already been given in above para 7.
10. The respondents department seeks permission of this Honorable Tribunal for further/ additional grounds at the time of arguments.

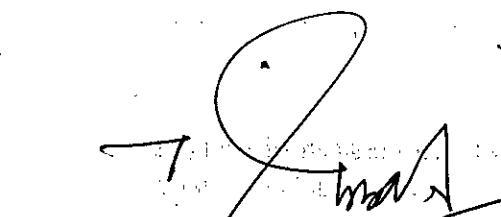
PRAYER:

In view of the above Para wise comments, it is most humbly prayed that the Appeal of the Appellant may kindly be dismissed with cost.


 Superintendent of Police,
 CTD, Bannu-1,
 (Respondent No.4)
 (Waqar Ahmad Khan)
 Incumbent


 Regional Police Officer,
 Bannu, Region, Bannu.
 (Respondent No.3)
 (Qasim Ali Khan) PSP
 Incumbent


 23/02/24
 Addl. Inspector General of Police,
 CTD, Khyber Pakhtunkhwa,
 Peshawar.
 (Respondent No.2)
 (Shukat Abbas) PSP
 Incumbent


 DIG/Legal, CPO,
 For Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar.
 (Respondent No.1)
 (DR. Muhammad Akhtar Abbas) PSP
 Incumbent

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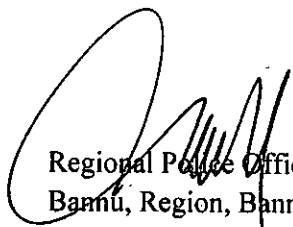
AUTHORITY LETTER.

Mr. Muhammad Farooq Khan DSP Legal Bannu, is hereby authorized to appear before Honorable Tribunal on behalf of the undersigned in the above cited Appeal.

He is authorized to submit and sign all documents pertaining to the present Appeal.



Superintendent of Police,
CTD, Bannu-1.
(Respondent No.4)
(Waqar Ahmad Khan)
Incumbent



Regional Police Officer,
Bannu, Region, Bannu.
(Respondent No.3)
(Qasim Ali Khan) PSP
Incumbent



23/02/24

Addl. Inspector General of Police,
CTD, Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.2)
(Shukat Abbas) PSP
Incumbent



DIG/Legal, CPO,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No.1)
(DR. Muhammad Akhtar Abbas) PSP
Incumbent

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AFFIDAVIT.

I, Mr. Waqar Ahmad Khan Superintendent of Police CTD, Bannu-1, representative for Respondent Nos.1 to 4, do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by us are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex. Parte nor their defense has been struck off.


Deponent

SP CTD, Bannu 1.



18 MAR 2024