

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO. 831/2024.

Sania Bibi Ex-Lady Constable No.835, District Police, Haripur r/o Village Namli Maira,
Tehsil & District Abbottabad

..... (Appellant)

VERSUS

Regional Police Officer, Hazara Region Abbottabad and other.

..... (Respondents)

INDEX

S. No	Description of Documents	Annexure	Page
1.	Comments/reply alongwith application for condonation of delay, counter affidavit and authority letter.		1-7
2.	Copy of letter No.2791/Trg: dated 05.05.2023	"A"	8
3.	Copy of daily dairies dated 19.05.2023 & 14.12.2023	"B"	9-10
4.	Copy of daily dairy dated 18.12.2023	"C"	11
5.	Copy of Charge Sheet and Statement of Allegations	"D"	12-13
6.	Copy of Show Cause Notice	"E"	14
7.	Copy of enquiry findings	"F"	15
8.	Copy of order vide OB No.1105 dated 29.12.2023	"G"	16
9.	Copy of Order No.2778/PA, dated 25.05.2024	"H"	17-8
10.	Copy of order No. 6520/E dated 27.03.2023.	"I"	19

Deponent

Alishah
3-9-2024

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

Diary No. 15362

Dated 03.09.24

SERVICE APPEAL NO. 831/2024

Sania Bibi Ex-Lady Constable No.835, District Police, Haripur r/o Village Namli Maira,
Tehsil & District Abbottabad

..... (Appellant)

VERSUS

Regional Police Officer, Hazara Region, Abbottabad and other.

..... (Respondents)

Subject: Parawise comments on behalf of respondents No.1& 2.

Respectfully Sheweth.

The respondents submit as under:-

PRELIMINARY OBJECTIONS:-

1. That the instant Service Appeal is not maintainable in the present form.
2. That the appellant is estopped by his own conduct to file instant appeal.
3. That the appellant has not come to the Honorable Tribunal with clean hands.
4. That the appellant has suppressed material facts from the Honorable Tribunal.
5. That the instant Service Appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
6. That the instant Service Appeal is badly barred by law and limitation.
7. That the appellant has filed the instant service appeal just to pressurize the respondents.
8. That the orders passed by the authorities are based on facts & rules, after fulfilling all codal formalities, hence, the appeal is liable to be dismissed without any further proceedings.

OBJECTIONS ON FACTS:-

1. In reply to this para, it is submitted that the Appellant Ex-LFC Sania No. 835, while undergoing recruit course at PTC Hangu, it was reported vide Daily Diary No.17 dated 19.05.2023 (Police Lines Haripur) that she was dropped from the Basic Recruit Course according to DIG Training office letter No.2791/Trg 05.05.2023. *(Copy of letter is attached as annexure "A")*. However, she has been found absent from legitimate official duties w.e.f. from 19.05.2023 to 14.12.2023 (209 days) without obtaining any leave or permission from the competent authority, which showed lack of interest in the discharge of official duties. *(Copy of daily dairies dated 19.05.2023 & 14.12.2023 are attached as annexure "B")*. Furthermore, it has also reported vide Daily Diary No.25 dated 18.12.2023 (Police Lines Haripur) that the lady's barrack was inspected by RI Police Lines Haripur, during the inspection lady constables complained that the she was recording their

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videos without their permission or consent, she was directed not to indulge in such activities tarnishing the soft image of police and unrest among the female police officials. *(Copy of daily dairy dated 18.12.2023 is attached as annexure "C")*. The acts and omissions of the appellant were gross misconduct in terms of Khyber Pakhtunkhwa, Police Efficiency and Discipline Rules 1975 (amended 2014). Therefore, the appellant was issued Charge Sheet and Statement of Allegations vide this office Endst: No. 719-20/PS dated 06.12.2023, *(Copy of Charge Sheet and Statement of Allegations are attached as annexure "D")* and she was also served with Show Cause Notice vide this office Memo No.739/PS dated 18.12.2023. *(Copy of Show Cause Notice is attached as annexure "E")*. Mr. Muhammad Iftikhar Ahmed, SDPO/Saddar Haripur, was appointed as Enquiry Officer, who conducted proper departmental enquiry and submitted his findings vide his office Memo: No. 483 dated 19.12.2022, in which E.O. held the charges proved against the appellant and recommended him for major punishment. *(Copy of enquiry findings is attached as annexure "F")*. Therefore, the appellant was awarded major punishment of "Dismissal from Service" vide OB. No. 1105 dated 29.12.2023 by the then District Police Officer Haripur. *(Copy of order is attached as annexure "G")*. The appellant preferred departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad, who filed/rejected departmental appeal of appellant, vide his office order No. 2778/PA dated 25.05.2024. *(Copy of order is attached as annexure "H")*.

2. Incorrect, the appellant absented from duty. She is adducing false plea. She did not follow the law, and absented from lawful duties. She neither applied for any leave nor was granted by the competent authority.
3. Incorrect, the appellant is leveling false allegations against senior officers. The fact is that she was dismissed before as she remained absent from legitimate official duties for a period of 26 days without any leave or permission from the competent authority as well as she refused to performed Polio Duty vide DD No.34 dated 20.01.2023 Police Lines Haripur. Therefore, she was awarded punishment of Dismissal from service vide OB No.38 dated 20.01.2023 by the then District police Officer Haripur. Therefore, she preferred departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad, who set aside the departmental punishment by reinstating her in service and converted major punishment into minor punishment of Censure vide his office order No. 6520/E dated 27.03.2023. *(Copies of orders are attached as annexure "I")*.
4. Incorrect, the appellant is generating false stories for gaining sympathy. While undergoing recruit course at PTC Hangu, she was dropped from the Basic Recruit Course vide DIG Training office letter No.2791/Trg: dated 05.05.2023. She did not followed the instructions/directions of senior officers.
5. Incorrect, the appellant committed gross misconduct. Therefore, she was served with charged sheet and Statement of Allegations. She could not give satisfactory reply of charge sheet and statement of allegations and guilt of the appellant was proved by the strong evidence.
6. Incorrect, the appellant committed gross misconduct thus she was awarded punishment as per law. Moreover, the appellant was also awarded punishment on charges of absence from duty during his past service.

Ad. Asst. Insp.
3-9-2024

7. Incorrect, proper departmental enquiry was conducted, the appellant was held guilty of misconduct by the E.O. in the departmental enquiry and charges were proved. Therefore, on basis of strong evidence and recommendations of E.O. the appellant was awarded major punishment of "Dismissal from Service". The punishment is lawful and maintainable.
8. Incorrect, the appellant could not prove herself to be innocent, rather the charges were proved beyond any doubt. Therefore, she was awarded punishment as warranted under the law/ rules.
9. Incorrect, the appellant filed departmental appeal against the punishment order to the Regional Police Officer, Hazara Region, Abbottabad, who filed/rejected departmental appeal of appellant on lawful grounds, vide his office order No. 2778/PA dated 25.05.2024.
10. Incorrect, proper departmental enquiry was conducted. The appellant was given right of personal hearing and self-defense. Having fulfilled all legal requirements the appellant was awarded major punishment of dismissal from service. The instant service appeal is not maintainable under the law/rules.

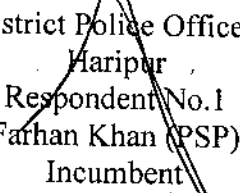
GROUNDS:-


- A) Incorrect, the orders of respondents dated 29.12.2023 & 25.05.2024 are quite legal, based on facts and justice, hence, the orders of departmental authorities are lawful, in accordance with principles of natural justice, facts and evidence. Hence, the orders of punishment are lawful and maintainable.
- B) Incorrect, proper departmental enquiry was conducted. The appellant was given right of personal hearing and self-defense. Having fulfilled all legal requirements, the appellant was awarded major punishment of "Dismissal from Service" by the then District Police Officer Haripur.
- C) Incorrect, the appellant was dealt in accordance with law/rules. She committed misconduct, and charges were thoroughly probed in the departmental enquiry, hence, the order of punishment is quite legal and maintainable under the law/rules.
- D) Incorrect, the appellate departmental authority abided by the law and rules and she filed/rejected departmental appeal of appellant on lawful grounds and evidence. The instant service appeal is not maintainable under the law/rules. So, the order of punishment is lawful and maintainable.
- E) Incorrect, the appellant committed gross misconduct. The allegations were thoroughly probed and appellant was found guilty of misconduct. Hence, the appellant is not entitled for the relief claimed by him.
- F) Incorrect, the appellant is leveling false allegations against senior officers, the charges of misconduct were probed in the departmental enquiry and appellant was held guilty of misconduct. She absented from duties on his own will and she rendered herself for departmental action. The allegations were established in the departmental enquiry and she was awarded punishment on cogent evidence.
- G) Incorrect, the service appeal is badly barred by law and limitation and not maintainable under the law/rules and the instant service appeal is liable to be dismissed.

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PRAYER:-

In view of above stated facts it is most humbly prayed that the instant service appeal does not hold any legal force, may kindly be dismissed alongwith prayers with costs, please.


District Police Officer,
Haripur
Respondent No.1
Farhan Khan (PSP)
Incumbent


Regional Police Officer,
Hazara Region,
Respondent No.2
Tahir Ayub Khan (PSP),
Incumbent

**Regional Police Officer
Hazara Abbottabad**

Abbas Khan
39.2.21

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO. 831/2024

Sania Bibi Ex-Lady Constable No.835, District Police, Haripur r/o Village Namli Maira,
Tehsil & District Abbottabad

..... (Appellant)

VERSUS

Regional Police Officer, Hazara Region Abbottabad and other.

..... (Respondents)

**REPLY TO APPLICATION FOR CONDONATION OF DELAY IN SERVICE APPEAL
BY RESPONDENTS.**

Respectfully Sheweth:-

The reply to application for condonation of delay of service appeal on behalf of respondents No. 1 & 2, is submitted as under:-

1. In reply to this para, it is submitted that the instant service appeal is badly time barred and not maintainable under the law, as the appellant lodged this service appeal beyond the period of limitation prescribed under the law.
2. Incorrect, the orders dated 29.12.2023 and 25.05.2024 of the departmental authorities are lawful, in accordance with the principle of natural justice, rules, regulations and policy, hence, these are quite legal and maintainable. The appellant/applicant has no locus-standi to file the instant service appeal.
3. Incorrect, the appellant was informed and in knowledge of orders passed by the departmental authority on his representation/departmental appeal. Therefore, the appellant/ applicant waived his right of appeal within statutory period of limitation.
4. Incorrect, the instant service appeal is badly time barred and not maintainable, which is liable to be dismissed.

In view of above, it is most humbly prayed that the instant service appeal as well as application for condonation of delay does not hold any legal force, which may kindly be dismissed with cost, please.

District Police Officer,
Haripur
Respondent No.1
Farhan Khan (PSP)
Incumbent

Regional Police Officer,
Hazara Region,
Respondent No.2
Tahir Ayub Khan (PSP),
Incumbent

**Regional Police Officer
Hazara Abbottabad**

Handwritten signature and date:
3-9-24

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD**

SERVICE APPEAL NO. 831/2024

Sania Bibi Ex-Lady Constable No.835, District Police, Haripur r/o Village Namli Maira,
Tehsil & District Abbottabad

..... (Appellant)

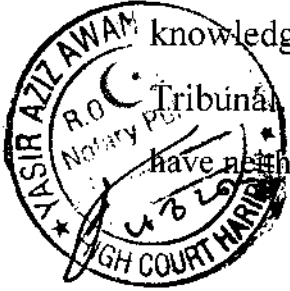
VERSUS

Regional Police Officer, Hazara Region Abbottabad and other.

..... (Respondents)

COUNTER AFFIDAVIT

We, the undersigned do hereby solemnly affirm and declare, that the contents of comments/reply, are true to the best of our knowledge & belief and nothing has been concealed from this Honorable Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been place ex-parte nor their defense has been struck off/ costs.



District Police Officer,
Haripur
Respondent No.1
Farhan Khan (PSP)
Incumbent

Regional Police Officer,
Hazara Region,
Respondent No.2
Tahir Ayub Khan (PSP),
Incumbent

Regional Police Officer
Hazara Abbottabad

39.2.24

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT ABBOTTABAD

SERVICE APPEAL NO. 831/2024

Sania Bibi Ex-Lady Constable No.835, District Police, Haripur r/o Village Namli Maira,
Tehsil & District Abbottabad

..... (Appellant)

VERSUS

Regional Police Officer, Hazara Region Abbottabad and other.

.... (Respondents)

AUTHORITY LETTER

We, the undersigned do hereby authorize Mr. Muhammad Gulzar, DSP Legal, Haripur, to submit reply in the above cited Service Appeal on behalf of answering respondents and legally do whatever is needed in the court regarding the above titled Service Appeal.

District Police Officer,
Haripur
Respondent No.1
Fahran Khan (PSP)
Incumbent



Regional Police Officer,
Hazara Region,
Respondent No.2
Tahir Ayub Khan (PSP),
Incumbent

Regional Police Officer
Hazara Abbottabad

Abbas Khan
3.9.2024

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3.9.22

for notes
Completed
3.9.22

Copy
of above is forwarded for information and record.

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15/3/22

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Copy of above is forwarded for information and record.
District Police Officer, District Police Office, Peshawar.
P.S.O. P.T.C. Manshera.

Now, she is hereby dropped from the said training with immediate effect.
was stated for the subject training with this office letter No. 2636/40/JG dated 03-05-2023 from P.T.S. Manshera to P.T.C. Hangu.
As approved by the Competent Authority, Lady Recruit Constable Sara Bitt No. 835 of District Police Hangu.

Subject: 06-MONTHS BASIC RECRUIT COURSE
Memo: P.T.S. Manshera
The Director,
P.T.C. Hangu
The Commandant,

To: The Commandant,
P.T.C. Hangu
The Director,
P.T.S. Manshera

No. 2791 Dte. dated 05/05/2023 Phone No. 021-2210241 Fax No. 2211268

DIRECTORATE OF TRAINING
CENTRAL POLICE OFFICE
KHYBER PAKHTUNKHWA, PESHAWAR
Email: gajp@paf.gov.pk



Final H

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19/5/57

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U.S.P. Headquarters
Harrisburg
18/09/2023

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3.9.22

ملک پر قبضہ کرو

تقدیر برائے 29 مارچ 19/23


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O.S.P./Headquarters
 Haripur
 18/04/2023

MIC Police Line
18-12-2023

Mr

Mr

23

Police Line

18-12-2023

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18/12/2023

25/12/2023

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Amir Q

Annex 'D'

CHARGE SHEET

I, **Muhammad Omer Khan, (PSP)** District Police Officer, Haripur as the competent authority, hereby charge you **LFC Sania No.835** as enclosed statement of allegations.

- (1) You appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014) and have rendered yourself liable to all or any of the penalties specified in the said Rules.
- (2) 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 Enquiry Officer as the case may be.
- (3) Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which it will be presumed that you have no defense to put in and, in that case, ex-parte action will follow against you.
- (4) Intimate whether you desire to be heard in person or otherwise.
- (5) A statement of allegations is enclosed.


Muhammad Omer Khan, (PSP)
District Police Officer,
Haripur


39.2.22

DISCIPLINARY ACTION

I, Muhammad Omer Khan, (PSP), District Police Officer, Haripur as the competent authority is of the opinion that you LFC Sania No.835 while undergoing recruit course at (PTC Hangu) have rendered yourself liable to be proceeded against you as you have committed the following acts/omissions within the meanings of Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014).

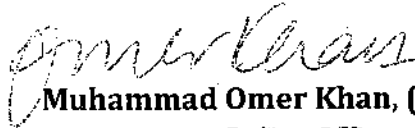
STATEMENT OF ALLEGATION

"It has been reported vide DD No.17 dated 19.05.2023 (Police Lines, Haripur) that you were dropped from the basic recruit course according to DIG Training office letter No.2791/Trg: dated 05.05.2023. However, you have been found absent from legitimate official duties w.e.f. from 19.05.2023 to date without any leave or permission from the competent authority. Your willful absence demonstrates a lack of interest in discharge of official duties. This constitutes to gross misconduct on your part in terms of the KPK Police Efficiency & Disciplinary Rules 1975 (amended 2014), hence charge sheet."

- (2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, the following Enquiry officer is appointed to probe the charges.

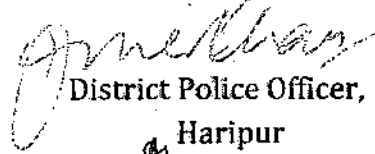
Mr. Iftikhar Ahmed (DSP/Saddar)

- (3) The Enquiry Officer shall in accordance with the provisions of these Rules provide a reasonable opportunity of hearing to the accused, record findings, and make within 15 days of the receipt of this order, a recommendation as to punishment or the appropriate action against the accused.
- (4) The accused and a well-conversant representative of the department shall attend the proceedings on the date, time and place fixed by the Enquiry Officer.


Muhammad Omer Khan, (PSP)
District Police Officer,
Haripur

No: 11-5 /PS dated Haripur the 12 /12/2023.
Copy of above is submitted to: -

- 1) Enquiry Officer for initiating proceedings against the said accused under Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014).
- 2) LFC Sania No.835 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


3.9.2024



DISTRICT POLICE OFFICER
HARIPUR

☎ 0995-920100/01, 📠:-0995614714, ✉:-dpoharipur1@gmail.com

No. 739 /PS


dated Haripur the 18/12/2023

SHOW CAUSE NOTICE

That you LFC Sania No.835 while posted at Police Lines, Haripur have rendered yourself liable to be proceeded under Rules 5 (3) of the Khyber Pakhtunkhwa, Police Efficiency & Discipline Rules 1975 (Amended 2014) for the following misconduct: -


"It has been observed with great concern that after absence of 209 days you made your arrival on 14.12.2023 in Police lines, Haripur. You were charge sheeted vide this office memo No.719-20/PS dated 06.12.2023, allegations are being inquired and once again you have absented yourself from official duties w.e.f. 15.12.2023 to date without obtaining prior permission or leave from the competent authority. Previously, you were awarded major punishment of dismissal from service vide OB No.38 dated 20.01.2023 on account of wilful absence from official duties for 26 days. However, you did not bother to mend your ways and committing repeated misconduct. Your willful absence from official duties show your lack of interest in discharge of official duties. This tantamounts to gross misconduct on your part in terms of KPK Police E and D Rules 1975" (amended 2014)."

1. That by reason of above, sufficient material is placed before the undersigned; therefore, it is decided to proceed against you in general Police proceedings without aid of enquiry officer.
2. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
3. That your retention in the Police force will amount to encourage inefficient and unbecoming of good Police Officers;
4. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
5. You, therefore called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa, Police Efficiency & Discipline Rules 1975 (Amended 2014) for the misconduct referred above.
6. You should submit a reply to this show cause notice within 07 days of the receipt of this notice, failing which an ex-parte action shall be taken against you.
7. You are further directed to inform the undersigned whether you wish to be heard in person or not.


District Police Officer,
Haripur

Received by _____

Dated: /12/2023


3.9.2023

سید محمد علی شاہ
3-12-2023
سب ڈویژن پولیس ایف ڈی

علی

سب ڈویژن پولیس ایف ڈی صاحب صاحب سرگرمی
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انوائیڈ ریفریکٹری سب ڈویژن پولیس ایف ڈی
جناب: جناب: 483: نمبر: 19/12/2023: مورخہ: 835
انوائیڈ ریفریکٹری سب ڈویژن پولیس ایف ڈی

سب ڈویژن پولیس ایف ڈی صاحب صاحب سرگرمی
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DISTRICT POLICE OFFICER
HARIPUR

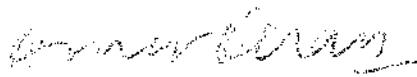
ORDER


LFC Sania No.835, while undergoing recruit course at PTC Hangu, it was reported vide DD No.17 dated 19.05.2023 (Police Lines, Haripur) that she was dropped from the "Basic Recruit Course" according to DIG Training office letter No.2791/Trg: dated 05.05.2023. However, she has been found absent from legitimate official duties w.e.f. from 19.05.2023 to 14.12.2023 (209 days) without obtaining any leave or permission from the competent authority. The willful absence demonstrated her lack of interests in discharge of official duties. Furthermore, it has also reported vide DD No. 25 dated 18.12.2023 (Police Lines, Haripur) that the lady's barrack was inspected by RI Police Lines, during the inspection, lady constables complained that she was recording their videos without their permission or consent, she was directed not to indulge in such activities tarnishing the soft image of police and unrest among the females police officials. The acts & omissions of the lady constable Sania No.835 were gross misconduct on her part in terms of the KPK Police Efficiency & Disciplinary Rules 1975 (amended 2014)".

To probe the allegations of misconduct Mr. Iftikhar Ahmed (SDPO/Saddar, Haripur) was appointed as Enquiry Officer vide this office memo: No.719-20/PS dated 06.12.2023. In the meanwhile, delinquent made her arrival at Police Lines, Haripur vide DD No.23 dated 14.12.2023 and absented herself again from official duties vide DD No.30 dated 15.12.2023. Consequently, she was served with a SCN vide issue No.739/PS dated 18.12.2023. The inquiry officer conducted proper departmental inquiry and submitted his findings, vide his office Memo No.483 dated 19.12.2022, wherein, the charges of misconduct against the accused official were proved. It is worth mentioning that delinquent LFC was previously awarded major penalty of dismissal from service vide DD No.38 dated 20.01.2023 but she did not bother to mind her ways and committing repeated misconduct. The Inquiry Officer recommended her for "Major Punishment".

Having perused the relevant record and evidence the charges of misconduct against LFC Sania No.835 stands proved. Therefore, I, Muhammad Omer Khan, (PSP), District Police Officer, Haripur being competent authority under the Khyber Pakhtunkhwa, Police Efficiency & Discipline Rule 1975 (amended 2014), am fully satisfied that LFC Sania No.835, has committed gross misconduct. Therefore, she is awarded Major Punishment of "Dismissal from Service" with immediate effect.

OB No: 1105
Dated 29-12-2023


Muhammad Omer Khan, PSP
District Police Officer,
Haripur


29.12.23



OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

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✉ r.rpohazara@gmail.com

NO: 2778 /PA DATED: 25/3/2024

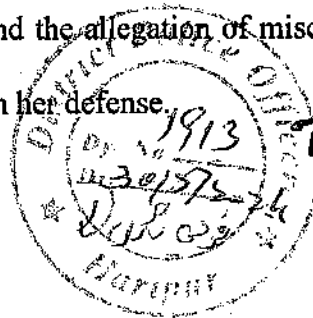
ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex-LFC Sania Bibi No. 835 of District Haripur against the order of punishment i.e. dismissal from service awarded by DPO, Haripur vide OB No.1105 dated 29-12-2023.

“Brief facts leading to the punishment are that the appellant while undergoing recruit course at PTC Hangu, it was reported vide DD No. 17 dated 19-05-2023 Police Lines, Haripur that she was dropped from basic recruit course vide DIG Training’s letter No. 2791/Trg dated 05-05-2023, however she has been found absent official duty from 19-05-2023 to 14-12-2023 (209 days) without any leave or permission.”

The appellant was issued charge sheet along with summary of allegations and DSP, Saddar was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct and recommend for major punishment. He was called in OR, heard in person by the competent authority, however he failed to advance any cogent reason in her defense. Consequently, DPO Haripur awarded her major punishment of dismissal from service. Hence, the appellant submitted this present appeal. The appellant appeared before RPO Hazara on 27-03-2024 and contended that she is innocent and was awarded punishment unjustly. Consequently, in order to give her another opportunity of defense his case was sent to ASP Cantt, Abbottabad for denovo enquiry. The EO held that her previous punishment of i.e. dismissal from service may be sustained.

After receiving the enquiry report of ASP Cantt, the appellant was again called in OR and provided with reasonable opportunity to defend the allegation of misconduct. However, she failed to advance any reasonable justification in her defense.



SRC / OHC
For my act as per law
DPO Haripur
29.05.24

Altaf Hussain
3-9-2024

Foregoing in view, the punishment awarded by DPO Haripur seems reasonable.
Hence, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of
Khyber Pakhtunkawa Police Rules, 1975 instant appeal is hereby *rejected/*filed with
immediate effect.



TAHIR AYUB KHAN (PSP)
Regional Police Officer
Hazara Region, Abbottabad

No. **2779** /PA, dated Abbottabad the **25.5.** /2024.

Cc.

District Police Officer, Haripur for information and necessary action with reference to
his office Memo No. 1084 dated 12-03-2024. Service Roll and Fuji Missal containing
inquiry file and denovo enquiry file of (07 pages) is returned herewith for record.


3.9.24



OFFICE OF THE REGIONAL POLICE OFFICER
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NO: 6520 / E DATED 27/03/2023

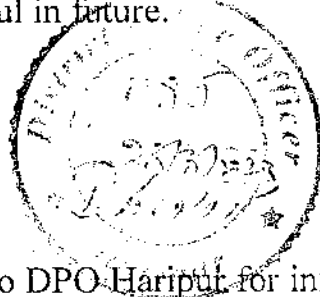
ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex-Lady Constable Sania Bibi No. 835 of District Haripur against the order of punishment i.e. Dismissal from service awarded by District Police Officer Haripur vide Order Book No.38, dated 20-01-2023.

Brief facts leading to the punishment are that the appellant she while posted at Police Lines, Haripur remained absent from legitimate official duties many times vide DD No. 13 and 21 for a period 26 days without any leave or permission from the competent authority as well as she refused to perform polio duty vide DD No. 34 dated 20-01-2023 which shows her lack of interest in the disposal of official duties.

The appellant was issued charge sheet with statement of allegations by DPO Haripur and Addl: SP Haripur was deputed to conduct departmental enquiry. The Enquiry Officer in his findings held the appellant responsible of misconduct. Consequently, DPO Haripur awarded him major punishment of Dismissal from service. Hence, the appellant submitted this present appeal.

After receiving her appeal, comments of DPO Haripur were sought and examined/perused. The undersigned called the appellant in OR on 21-03-2023 and heard him in person where she could not give plausible reason in his defense. The undersigned takes lenient view and punish awarded to her is too harsh and not parallel to the gravity of offense, therefore in exercise of the powers conferred upon the undersigned under Rule 11-4 (c) of Khyber Pakhtunkawa Police Rules, 1975 (amended 2014) major punishment of Dismissal from service by DPO Haripur is hereby set-aside. She is hereby re-instated in service and her punishment is converted into minor punishment of "Censure". Her absence period be treated as leave without pay and the period during which she remained out of service is also treated as leave without pay. She is reprimanded to be careful in future.



TAHIR AYUB KHAN (PSP)
Regional Police Officer,
Hazara Region, Abbottabad.

Copy forwarded to DPO Haripur for information and necessary action w.r to his office Memo: No. 891, dated 27-02-2023. Service Roll and Fujl Missal containing enquiry file of the appellant is returned herewith for record.

RC/OK
for a/c.
Atk
27/3/23



**DISTRICT POLICE OFFICER
HARIPUR**

Ph: 0995-920100/01, Fax-0995614714, Email:- dpoharipur1@gmail.com

ORDER

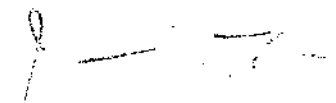
LFC Sania No.835, while posted at Police Lines, Haripur, remained absent from legitimate official duties many times vide DD No.13 and 21 for a period of 26 days, without any permission or leave from the competent authority as well as she refused to perform polio duty vide DD No.34 dated 20.01.2023 Police lines, which shows her lack of interest in the disposal of official duties. This tantamounts to gross misconduct and inefficiency on her part in terms of KPK Police E and D Rules 1975 (amended 2014)."

To probe the allegations of misconduct Muhammad Ayaz (Addl: SP/Haripur); was appointed as Enquiry Officer vide this office memo: No. 420-21/HC dated 07.10.2022. The inquiry officer conducted a proper departmental inquiry and submitted his findings, vide his office Memo No.275 dated 19.12.2022. The charges of misconduct were proved against the accused official. Therefore, the inquiry officer recommended her for "Appropriate Punishment".

Having perused the relevant record and reply of the defaulter official the charges of misconduct against LFC Sania No.835 have been proved. Therefore, I, Imran Shahid, (PSP), District Police Officer, Haripur being competent authority under the Khyber Pakhtunkhwa, Police Efficiency and Discipline Rule 1975 (amended 2014), am fully satisfied that LFC Sania No.835 has committed gross misconduct. Therefore, she is awarded Major Punishment of "Dismissal from Service" with immediate effect.

OB No. 38

Dated 20/01/2023


Imran Shahid, PSP
District Police Officer,
Haripur


39.2.23