FORM OF ORDER SHEET

Court of _____

•	App	eal No	1076/2024
S.No.	Date of order proceedings	Order or other proceedi	ngs with signature of judge
1	2	· · ·- ·	3
1-	31/07/2024	The an	peal of Mr. Muhammad Saleem received
-		•	d post through Mr. Muhammad Abdullah
			It is fixed for preliminary hearing before
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			ch at D.I.Khan on 17.09.2024. Counsel for sen informed telephonically.
			By the order of Chairman
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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR CAMP AT DERA ISMAIL KHAN.

Appeal No. 1676 of 2024.

Muhammad Salcem

VERSUS

IG Police and others

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Dated; 4/07/2024.

Your humble appellan).

Muhammad Saleem Through Counsel

Muhammad Abdullah Baloch

(Advocate Supreme Court)



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR, CAMP COURT AT DERA ISMAIL KHAN.

Appeal No. 40 76 of 2024.

Muhammad Saleem Son of Lall Khan Cast Baloch Resident of village Dhalla Tehsil Phahrpur District Dera Ismail Khan. presently posted as constable (investigation) No. 216 at Police Station Yarak. Mob No. 0345-9881313

VERSUS

- 1. Inspector General of Police HQrs; KPK Peshawar.
- 2. Regional Police Officer, Dera Ismail Khan.

TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER NO.

4215/ES DATED DIKHAR the 14/06/2023 OF APPELLATE AUTHORITY,

VIDE WHICH THE APPELLATE AUTHORITY CONVERTED THE

MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE INTO MAJOR

PUNISHMENT OF REDUCTION IN RANK FROM HEAD CONSTABLE

TO CONSTABLE WITH IMMEDIATE EFFECT AND APPEAL AGAINST

THE ORDER OF THE COMPETENT AUTHORITY NO. 2354 DATED 14/04/2023

AND APPEAL AGAINST THE IMPUGNED ORDER OF WORTHY INSPECTOR

GENERAL OF POLICE NO. S/1703-07/24 DATED PESHAWAR, THE

05/07/2024, WHEREBY THE APPEAL OF THE APPELLANT WAS REJECTED.



That the brief facts of the case are as under:

1. That the appellant was initially appointed as constable on 26/07/2007 and promoted as Head constable in the year 2021. Before the inflection of punishment by the competent authority (DPO, DIKhan dated 18/04/2023), the appellant had been performing his duties in Police Lines DIKhan under the domain of DPO, DIKhan. Copy of CNIC of the appellant is annexed as **Annexure-A**.

- (2)
- 2. That the appellant was assigned a duty to take seven (7) NOs. of accused from DIKhan Central prison and to produce them before the court at District Tank. But unfortunately, one accused namely Barkat Ullah Son of Asmat Ullah caste Marwat Resident of Pir kach district Tank was succeeded to escape from police custody by taking the advantage of huge populated area, by removing his handcuffs. Disciplinary action was taken against the appellant statement of allegations was issued vide No. 1523/EC dated 06/03/2023. The appellant duly replied the allegations. DSP legal was appointed as inquiry Officer. Copy of the inquiry report was not given to the appellant. Copy of statement of allegation is annexed as Annexure B. Copy is reply annexed as Annexure B/1.
- 3. That the competent authority did not issued final show cause notice. The competent authority vide office order No.2354/EC dated 14/04/2023, (BO No. 914 dated 18/04/2023) awarded Major punishment of "Dismissal from service" to appellant. Copy of order dated 14/04/2023 is Annexure C.
- 4. That appellant filed a departmental appeal/representation to appellate authority on 03/05/2023. The appellate authority/ respondent No. 02 vide order No. 4215/ES dated DIKhan the 14/06/2023, decided the appeal and converted the major punishment of "Dismissal from service" into major punishment of "reduction in rank from Head constable to constable with immediate effect". Copies of Departmental Appeal and impugned order appellate authority are annexed as Annexure D and E.
- 5. That appellant filed an appeal on 01/07/2023 before the Inspector General of Police/ respondent No. 1, which was rejected vide impugned office order No. S/1703-07/24, dated Peshawar the 05/07/2024 by the Worthy IGP, KPK, Peshawar/ respondent No. 01. Copies of appeal to Worthy IGP and impugned order dated 05/07/2024 are annexed as Annexure "F & G".
- 6. That feeling aggrieved from above said impugned order No. 4215/ES dated DIKhan the 14/06/2023, and order of competent authority No. 2354/EC dated 14/04/2023, (BO No. 914 dated 18/04/2023) and subsequently impugned order of the IGP, KPK, Peshawar No. S/1703-07/24, dated Peshawar the 05/07/2024, the appellant being aggrieved person has a right and cause of action to file instant appeal before this Honourable Services Tribunal inter alia on the following grounds:

- 1. That the impugned office Orders No. 4215/ES dated DIKhan the —14/06/2023-of the appellate authority and order of the competent authority No. 2354/EC dated 14/04/2023, (BO No. 914 dated 18/04/2023) and impugned office No. S/1703-07/24, dated Peshawar the 05/07/2024 of Worthy Inspector General of Police, are against law, against service rules, void and are in sheer violation of KP Police rules, 1975 (amended 2014) and KP Government Servant (E&D) rules 2020.
- 2. That the appellant was assigned a duty to take seven (7) NOs. of accused from DIKhan Central prison and to produce them before the court at District Tank. On the same day when the appellant was reached at Central prison for taking the accused, surprised to see that he had to transport the prisoners via open truck instead of special prisoner van. The appellant objected that due to bad law and order situation, transportation via open truck is not safe but even than the appellant was forced to comply the directions. The accused were of 7 numbers while 5 numbers of official including the appellant, left for district Tank. Due to the shortage of space the appellant had to seat at front aerial side of the truck.
- 3. That at District Tank, unfortunately, one accused namely Barkat Ullah Son of Asmat Ullah caste Marwat Resident of Pir kach district Tank was succeeded to escape from police custody by taking the advantage of huge populated area, and protest of PTI during those days, by removing his handcuffs. The appellant took the truck into court premises safely but then and there came to know that one of the prisoners had been escaped. Nevertheless, the appellant along with other constables tried their best to arrest

(4)

the said accused but woefully the said accused because of inhabited area was absconded.

- 4. That the appellant was made scapegoat due to the fault of others (constables) and the appellant was awarded major punishment considering the appellant be vicariously liable. The inquiring officer did not followed the procedure and avoided to dig out true and real facts. Moreover, copy of the inquiry report was not handed over to the appellant. Thus, the appellant remained unable to rebut any false evidence against the appellant during Inquiry proceedings.
- 5. That the appellant was not issued a final show cause notice but the competent authority awarded major punishment. This fact is evident from the original order of the competent authority dated 14/04/2023.
- 6. That, other constables/co-accused were awarded minor punishments while the appellant has not been treated in accordance with law and the actions of the respondents are malafide besides being discriminatory and harsh.
- 7. That the appellant is innocent and has not committed any wrong and has neither committed any criminal negligence or misconduct. The appellant has satisfied the Inquiry Officer and the authority about the true facts but even then the appellant was wrongly punished by the respondents.
- 8. That appellant is being penalized without giving them any opportunity of personal hearing, which is against the principal of natural justice.
- 19. That injustice was done by the appellate authority for not calling the record of the inquiry proceedings and without exercising the powers and duties as envisaged under the rules, 1975, though modified the original order but also awarded major punishment of reduction in rank.

- That appellate order was issued by the appellate authority dated 14/06/2023. The appellant submitted an appeal to the Worthy IGP, KPK, Peshawar. The appellant visited the office of the Worthy Inspector General of Police several times and he was assured by the High-ups that his grievance will be redressed. Thus, the appellant kept waiting for the decision and ultimately the Worthy IGP, KPK, Reshawar decided the fate of the appellant a 05/07/2024. The said office order was received 22/07/2024. Hence, the instant service appeal is well within time.
- 11. That appellant has been vexed twice as on the one hand -appellant was incriminated invascriminal case, while onethe other was in has been awarded a major punishment by the department, for the same cause.
- 12. That the counsel for Appellant may be allowed to argue additional grounds at the time of arguments.

In view of the above, it is, therefore, most respectfully prayed that on acceptance of this appeal, the impugned orders No. 4215/ES dated DIKhan the 14/06/2023 and order of the competent authority dated 14/04/2023 and office order No. S/1703-07/24, dated Peshawar the 05/07/2024 / the punishments may kindly be set aside. Consequently the appellant may please be restored to his original position as head Constable with all back benefits.

Any other relief deemed appropriate in the given circumstances may also be granted in the larger interest of justice.

Dated;29/07/2024.

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YOUR HUMBLE APPELLANT

Muhammad Saleem (presently posted as constable (inv) No. 216 at PS Yarak)

Through Counsel

ihammad Abdullah Baloch (Advocate Supreme Court)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR AT DERA ISMAIL KHAN.

Appeal Noof 20	24.
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Muhammad Saleem

VERSUS

IG Police and others

ERVICE APPEAL

AFFIDAVIT

I, Muhammad Salcem, appellant, do hereby solemnly affirm and declare on OATH that the contents of the instant appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable court.

Deponent 12/03-6582049-5



MINISTER STATE





Muhammad Saleem-Khan

Father Warne Lal Khan

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Identity Appendig 1 100 te de all'on 12103 6582049-5 07-08-1987

Date of Issue 14:09.2015

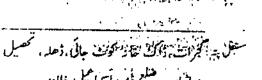
Date of Expery



Holder's Signature

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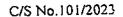
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مُشده كار دُمِن پرقري ليربكس بين دُال دين





OFFICE OF THE DISTRICT POLICE OFFICER DERA ISMAIL KHAN

No. 4523 /EC,

Dated

06 103 12023

DISCIPLINARY ACTION

authority, under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) am of the opinion that you Head Constable Mohammad Saleem No.216 rendered yourself liable to be proceeded against departmentally as you have committed the following acts/cmissions.

STATEMENT OF ALLEGATIONS

You were assigned special duties for the production of accused Barkat Ullah s/o Asmat Ullah cast Marwat r/o Pir Kach District Tank involved in case Fir No. 390 dated 14.08.2020 u/s 506-429-34/PPC & FIR No.262 dated 18.06.2018 u/s 506/-34/PPC of PS SMA Tank in the court at Tank, but due to your criminal negligence, accused managed escape from police custody in the presence of sufficient security cover in the jurisdiction of PS/City District Tank. The above commissions/omissions falls under the purview of misconduct and inefficiency that renders you liable to be punished under Khyber Pakhtunkhwa, Police Rules 1975 amended 2014.

Ž.	For the purpose of	scrutinizing the c	conduct of said accused with reference to the
above allegation	·	Lagrit	is appointed as enquiry officer.
The enquiry office	er shall in accorda	nce with provision	on of the Police Rule-1975, provide reasonable
concertunity of b	earing to the accus	ed official, record	d his findings and make, within twenty rive days
of the receipt of	this order, recomm	nendations as to p	punishment or other appropriate action against
the accused offi		•	

The accused official shall join the proceeding on the date, time and place fixed by

thelefiquity Galicer.

DISTRICT POLICE OFFICER
DERA ISMAIL KHAN

No. 1524-25 /EC,

dated

06 103 /2023.

Copy of above to:-

The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.

The Accused officer, with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings.

Meried Cop,

2,

يجوال مشمول ليتر تمبر £1523 / 1523 مودنى. 2023،03،03ج ابا معربنس بول كد مودى. 2023،03 / 23 كومن 110 بعراد : نست بان با تنسيل تويز 8751 مسلم + MG نعيوى 1061106 نعد 03/90 ابدونيشن بلث يروف جديمت بيلت. برايت الله 16 [1] مسلم * .SMG.سرى 1609571سد 03/90بيونيشل بلك بروف جيكك و ابيليت ، 140 الحيم 531 بمراد 103 وزير يختماريال التم

ن د 1517 عمر و 04 جوزیت بینتکریاں بخوالہ مد خمبر 25 ہوئیس لائن فریرہ سے سرکاری زک خبری ۱۵۱۸ م به جو یل فرائیور اطلق اللہ 1118 بغرض وثي تريف جالان طرمان بعد المت سيشن في مساحب نائك في جاسف كيليد سينزل بيل ذيره تنفي كر 07 نفر طزمان به تنمسيل ذيل :-

ا من تركت الله ولع صبت الله توم مروت سكند چير مح ناتك بحوال مقدمه فمبر 390 مود ند 14.08.2020 يجراثم 94/PPC-34/PPC تماند

٨١٨ وبحوالد مقد مدتمبر 262 مود نند 8.06.2018 انجراثم 34/ PPC-34/ SMA كانك.

2 از فرياد الداليات على تعند ما عيل بحوالد متدمه فمبر20/874 يجراف 34/PPC تعند ما في نائك

- ذ. منور فان ولدانت خان شكند شيخ ا تام يخوالد مقدمد نميز 21/ 17 إيجزام 109/PP 1324-365-365 تعاند SMA فالك
 - 1. وسيم الله ولد قسمست خاك توم أوباد سكند كوش اعظم بحوال مقديد تبير 18 /196 جرم 302/PPC تعليد كو ل نانك
 - ٥ سفيراص ولدعبد الحبيد خان توم مروت سكند ما ذكى بحوال مقدمه نبر 20 / 337 جرم 1544 تفال ملاذكى نائك.
- 6. الران ولداسلم مكند ورسخي بحوالد مقد مد نمبر20 / 263 يجرائم 149-148 15۸۸-15۸۸-55 تفاند كل المام ناقك

ل الذير البند ولذ ميد الكبير سكند ذب كوت والديمة مد مد تبر 21/270 جرم 913-CNSA تغالث كوك الك

۔ سنع نائب مدالت لے جائے کیلے وصول کرے ورست طور پر جھکڑیاں الاکرسم کادی ٹرک بین مواد سکتے۔ یولیس لاکن کا طرف سے جمیں اس ال پریز زوین نہیں دی کئی بلکہ وین کی جگہ سر کاری ٹرک پر ملزمان سے جانے کو کہا کیا۔ اس نے ہمرایان کی مدوسے ملزمان کر جیل دکام سے وصول کرے ورست خور پر ترک پر سوار کمیااور مُستذکره بالا بمرای کانسٹیبلان کو جم الی کی بدایات ویں اور ترک کی فرنت شیٹ پر ہمرای وزائیور مطن اللہ 113 8 سرار بوكر بطرف ناتك رواند بوسق مدر بجبرى منطع الك ميني كر طرمان كونرك ست الاركر چيك كرف بر طزم بركت الله الدصت الله توم مرات سند پیر کے خدکورہ بالا کوعدم موجود بایا جس کے متعلق ہمرای کانسنسلان ست بد براری کرف پر انہوں نے بتلایاک نزد فرانک بوائیت مرفان عبید یارک ٹاٹک میں بوجہ جیل مجرو تحریک موام الناس کا بچوم قناادر بار بار لیک جام دورتی محق ادر طزمان تماث دیکھتے کیلئے فرک کے اندر گفت سے بوسکتے عظے تو نین ممکن ہے کہ ملزم بر کفت اللہ رش اور ترفیل جام ہونے کا فائدہ اُٹھا کر فرار ہو کیا ہو۔ این براندی پر موجودہ مزمان نے مبی کوئی تسلی بیش جو دب نبین دیا۔ میں بے ملزمان کو جو وابطل موالات میں بند ممیااور پکیری میں موجر ووائز لیس آپریز کے ذریع کنٹر ول روم ناکک کو اطلاع دے کر پکھ اَفرى ك بمرادكرب ك وجوبات مين حاش ويد براري كربتار بالكين كامياني مامل دروكر

من ١١٥ لے این طرف سے کو لی فقات کو تای میں برق ہے طرم بر کت اللہ پر برقر وین نہ و نے اور مطافر کر میں سوار غالبجادوا

ورف كروج من فراد ووسال من كام بإنب مو كما والتدعام كالم أس في الافل وفتر كالواف

DINGUESTIC SERCE متعينه مولميس لائن إيرواها منل خان

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' حناب عالي!

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DISTRICT POLICE OFFICER DERA ISMAIL KHAN

ORDER

This order is aimed to dispose-off the departmental proceedings conducted against FIC Mohammad Saleem No.216 of this district Police, under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014) vide this office C/S No.101/2023 on the following allegations.

He were assigned special duties for the production of accused Barkat Ullah To Asipat Ullah cast Marwat (76 Pir Kach District Tank involved in case Fir No. 390 dated 14.08.3020 u/s 506-429-34/PPC & FIR No.262 dated 18.06.2018 u/s 506/-34/PPC of PS. and think in the court at Tank, but due to his criminal negligence, accused managed escape from policy custody in the presence of sufficient security cover in the jurisdiction of PS/City District/Tank: The above commissions/omissions fells under the purview of misconduct and incliicisanty that randem him liable to be nunished under Khyher Pakhtunkhwa, Police today 1970 amended 2014.

Mchanimad linrap A/DSP Legal DIKhan was appointed as Enquiry Officer with the directions to conduct proper Departmental Enquiry against him and submit finding morning which he stated that the Incharge Challan Duty HC Mohammad Saleem No.216, was toffed guilty of criminal negligence. Enquiry Officer recommended to awarded him a severe punishment. .

Resping in view of findings report of the Enquiry Officer and conduct of the delinquent Hend Constable, the undersigned came to the conclusion that the charges ieveled against him have been proved beyond any shadow of doubt.

undersigned, Therefore, in exercise of powers vested upon I, Abdul Rauf Babar District Police Officer DIKhan, hereby awarded Major Punishment of "Dismissal from Service" with immediate effect.

Order Announced

OU No. 914.1

18 14 12023 Daled.

ADDUL BAUF BABAR' PSP District Police Officer Dera Ismail Khan

Copping to , say

(d) judgement teed the com

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بِحَدَهُ مِنَابَ هَوْقَ مَا آب ويبَعَلَ بِولْمِيسِ آفِيسوها عَبِهِ فَبِوهَ السَمَاعِيلِ خَان ويبِهِن المِل بابت بحالى مروى من مائل وبرظاف برفاعلى آرڈر مَم مُبر 2354/EC مورد 14.04.2023 بریجناب OPO ضاحب ڈیرواماعیل خان

بڑے ریکٹس سائل تھکمہ پولیس میں مورجہ 26.07.2007 کو مجرتی شدہ ہے اور عرصہ مروس انتہائی عماف شفاف، دیا ننداری اورائیا نداری سے سر انتجام دی ننبہ اور ووران سروس مجمی تعفیل میں اولی ، ہزولی یا کوناھی وغیرہ کا مرتک بٹیس ہوا ہے : س کے لئے سائل کاسروس ریار ڈ بطور وستاویزی شوٹ وفتر پولیس میں ہوجود ہے ، ملاحظہ کیا جاسکتا ہے۔

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کچیری حوالات بین بزر کرکے فوری طور پر بذریعہ دائرگس اور ڈسٹر کٹ کنڑول ٹا نک اور SI4O متعلقہ کو اطلاع کی اور بھاری آفرز کے ہم ا كافي الله على ويند براري كي مجر طوم بركت الله وستياب نه بوا ، اندرين سلسله تفاض نا نك مين مقدمه علت نبر 127 موري 223.02.2023 برم PPC 223-224 درج رجر بوا، جس من HCسمیت امرای کنشیلان کی بھی عدالت سے ضائت کنذ م بوچکی ہے۔ (آرڈر کالی عدالت ہمراہ لفہ ہے)۔ الله مبک ہم مازمان بولیس میں قطعاً لا پروای یاغفلت نہیں گی ہے بلکہ طزم برکت الله دھو کہ دہی فقریب و بپالبازی اور مکاری سے ہاتھ کی نلائی ۔۔۔ بتفکڑی نکال کرٹرک سے کودا ہے ، اگر کہیں ملاز مان کی غفلت ہوتی تو باتی طز مان جو کہ زیر دفعات PPC 302-365 کے متنے ، بھی فراز موتے مرافحداللہ ایک کوئی غفلت نہیں تھی ، تاہم ایک طزم کے فریب دم کاری شنے نکل جانے کی اتنی بڑی سز از برخواتی) انتہائی ظلم ادینالفانی ئے مترادف ہے کیونکہ ان مرکت اللہ جو کہ زیر دفعہ 34-429-PPC میں گرفتا رفقا کو بھی مقامی پولیس نے بی اِس جرم میں گرفتار کیا تھ اوراً ب پھر بھی ہم جیسے پولیس جوان ہی اس کو دوبارہ گرفآر کریں کے ۔انشاءاللہ،اورآپ جناب کے روبروپین کریں گے، بدیں وجدا کی آخری موقعہ ہمیں اپنی غلطی سدھارنے اور ملزم کو گرفتار کرئے پیش کرنے کے لیے دوبارہ نوکری اسروس پر بحال کیے جانے کا موقعہ فراہم کریں جس کے ليمآب جناب كي إس انتالي وسيع تراضيارات بين_ په کهالله پاک بھی اپنے بندول پراتنابو ہین بین والیا کہ وہ اُٹھانہ کیس یا برداشت نہ کر کیس۔ آپ جناب انتبالی رئم دل میں اور انتبالی بینت پر در پولین آفیم بین الله پاکه نے آپ کوانتهائی وسی تر اختیارات سے نوازا ہے ، ہماری دُعاہے کہ الله پاک آپ کومزید بھی تر تی ،خوشحالی اور ہرکام يس آساني نصيب فرماكيس آيين _ آپ جناب من سائل ما تحت پر دحم فرماكيس اور ايك آخرى موقعه محكمه پوليس بيس سروى پر بحال كيه جانے كا الله سيكة كن سائل انتبائي غريب ہے اور بوڑ ہے ضعیف العمر واللہ بن اور سادے گھر انے كا واحد كفيل ہے ، محكمہ پولیس كے علاوہ كوئى بھی ديگر ذراييه معاش نیس ہے، انتہائی مبنگائی اور انتہائی مشکل ترین حالات میں ، ساد ہے کئے کا واحد سہارا ہونے کے بنا طبے سائل بوجہ پر بیٹانی اور وَ بُنیارُ پریش کے گھروالوں کو بھی نوکری سے برخواتنگی کے متعلق نبیں بتا سکتا ہے۔ المكفة آب جناب عزت ما آب ريجنل بوليس آفيسر صاحب انتهائي مود بانداورعاجز اندالتماس يه كدمن ما كل ١٠١٠ أير سليم نبر 16 في الم ایک آخری موقعه غلطی سدهارنے کا دیتے جانے اور دوبارہ محکمہ پولیس میں سروس پر بحال کیے، جانے کا بھی ساور نر ما کیں ۔ س سائی عربہ کرتا ہے ہ كدبرائ أكندهم يدفئاط بوكركار مركاد كامورسر انجام وسعال ھین نوازش ہوگی <u>_</u>

فقط مورخه: 03.05.2023



OFFICE OF THE regional police officer DERA ISMAIL KHAN REGION

1966-9280291 Fax # 9280290

duted D.I.Khan the

ORDER

- 1. This order disposes off departmental appeal filed by Ex-Head Constable Moharmated Selected No. 276 of Testral Police-124 Ichan has preferred an appeal against the order of height punishment of (Dismissal from service) by the DPO D.I.Khan vide his office OB No. 914 dated 18.04.2023 on the following allegations that:
- "He were assigned special duties for the production of accused Barkat Ullah s/o Asmat Ullah caste Marwai t/o Pir Kach District Tank involved in case FIR No. 370 dated 14.08.2020 WS 506/429/34/PPC & FIR No. 262 dated 18.06.2018 WS 506/34 PPC PS SMA Tunk in the court at Tank, but due to his crimmal negligence accused managed escape from police custody in the presence of sufficient security cover in the Jurisdiction of PS City District Tank. The above commissions/amissions falls under the purview of misconduct and inefficiency that renders him liable to be punished under Khyber Pakhtunkhwa Peshawar, polico rules 1975 amended 2014
 - DPO DIKhan served the appellant with the charge sheet. Enquiry into the matter who got conducted into through A.DSP Legal D.) Shop who in his finding, found him guilty of criminal negligence and recommended to awarded him a severe punishment.
 - Hence, the appellant was awarded manor punishment of "Dismissal from service" by the ii. DPO D.I.Khan vide OB No. 914 dated 18 04:2023.
- Perusal of the service record of the applicant and findings of inquiry officers and also appeared in person before the undersigned in orderly room held on 09.06.2023.

Nevertheless, I. Abdul Ghafoor Afridi, PSP, Regional Police Officer, and Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11, clause-1 (6). of Police Rules 1975, and section-3 of the ESTA code (Establishment Code Khylica Pakhtunkhwa), hereby converted his major punishment i.e. dismissal from service into major punishment of reduction in Rank from Head Constable to Constable with immediate effect

Order Announced

Regional Police Officer

2 Dera İsmail Khan

No 4814 nes

Copy of above is sent to the District Police Officer, D.I.Khan for information and necessary action w/r to his office letter No. 3515/EC dated 05.06 2023, please.

(VRDITE CHVERY **ベFRIDI)PSP**

Regional Pofice Officer
Dera Ismail Khan

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REGIONAL POLICE OFFICER DERA ISMAIL KHAN REGION

Dated DI Khan the

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The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar

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Subject: Memo:

APPEAL

It is submitted that the DPO D.I.Khan forwarded appeal along with other connected papers preferred by Constable Muhammad Saleem No 316 of district police D.I.Khan against the order of W/RPO DI Khan vide his office order No. 4215/ES dated

14.06.2023 is sent herewith for further proceeding please.

Dera Ismail Khan

Copy to the District Police Officer, D.I.Khan vides his office Memo: No.4341 dated 06.07.2023.

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<u>عنوان: اپیل بات بحالی عهده /ریک میڈ کا تعیل</u>

بحواله آرڈرلیٹر نمبر RPO مور خد 14.06.2023 مورد کا 14.06.2023 مارید جنابRPO صاحب ڈیرہ اساعیل خان ریجن

جناب عالى!

من سائل حسب ذيل عرض رسان بع

ﷺ السيداہ ۔! بير كەمن سائل (Ex ہيڑ كانسيبل) سال 2007ء كابھر تی شدہ ہے اور الحمد الله سابقه مروس ريكار ۋانتها ئی شفاف

و یے دارغ سے اور ہر قسم کی شکوہ شکایت سے پاک ہے ہیں کہ من تمائل نے انتہائی محنت اور بگن سے کار مرکار سے ایمور میرہ انجابی دیے ہوئے اور اور عرصہ 10 سال عہدہ دی ہیڈ کا نشیبل " ترقی باب ہونہ اور عرصہ 10 سال عہدہ تا ہیڈ کا نشیبل پر آپر بشنل / فیلڈ ڈیوٹیاں سر انجام دیں اور بعدہ " انٹر میڈیٹ کورس "کوالیفائیڈ ہوا اور لسٹ " D" ہیڈ کا نشیبل ہیڈ کا نشیبل کے عہدہ پر فائز ہو کر انتہائی مگن اور شوق ہے ڈیوٹی سر انجام دے رہا تھا کہ متذکرہ بالا و قوع بد نشمتی ہے رونماہوا جس کیلئے من سائل از خود ہجی انتہائی پریشان اور پچھتادے کا شکار ہوں۔ جوان العربونے کے باوجود انتہائی پریشانی اور پھتن (زہنی تناؤ) ٹیل

مبتلا ہوں کیونکہ من سائل کی عرصہ 16 سالہ سروس میں مبھی بھی اُس طرح کا کوئی مسکہ در پیش نہیں ہوا۔ من سائل ایلیٹ کورس گوالیفائیڈ ہوں اور کافی عرصہ ایلیٹ فورس کے ساتھ وابستہ رہا ہوں اس ناسطے بھی کسی ملزم کا حراست سے فرار ہو جانا من سائل کی ذات کو داغد ارکر رہاہے اور خود کو انتہائی ملامت اور شرم ساری کا باعث / موجب تصور کر رہا ہوں۔

یہ کہ من سائل تبھی بھی کسی قشم کی کوئی رشوت ، حیلہ بازی ، سبی ، کا ہلی ، بے ایمانی اور بز دلی کا مر تکب نہیں ہوا ہوں جس کیلئے من سائل کاسر وس ریکارڈ بطور دستاویزی ثبوت ملاحظہ کمیا جاسکتا ہے ،

یے کہ من سائل انہائی غریب اور گھر کے سارے سمبے کا اکیلاخود کفیل اور سہارا ہوں ہوڑھے ضعیف والدین ہیں جوہر نماز میں آنجناب کیلئے دعا گوہ رہتے ہیں آپ ہی ہم ما تخان کاسہارا ہیں اور آپ جناب ہی من سائل کے ناکر دہ گناہ کو معاف فرماسکتے ہیں۔

جس کیلئے آنجناب کواللہ پاک نے انتہائی وسیع تراختیارات سے نوازاہے

ا من سائل (Ex بیڈ کانشیل) محمد سلیم خان 216 آنجناب سے انتہائی عاجزی ادر انکساری کرتے ہوئے استدعا کرتا ہوں کہ من سائل کی سابقہ 16 سالہ سروس کو مد نظر رکھتے ہوئے خصوصی شفقت ادر رحم کرم فرما کر من سائل کو اپنے اصل رینک /عہدہ ہیڈ کانشیبل پر بحال کئے جانے کا تھم صادر فرما کر مشکور فرماویں۔ من سائل تازیست دعا گوہ رہے گا۔

مین اتحت پر دری ہوگئے گا مور خہ 01.07.2023

اليسسسسارين

For westerd

(Ex) مِيْدُ كَانْشِيلِ) مَمْد سليم خان 216 حال متعينه كانشيبل بوليس لا تُن ضلع ذيره اساعيل خان

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DOP-HO MIKHAN





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OFFICE OF THE INSPECTOR GENERAL OF POLICE KHYBER PAKITUNKHWA PESHAWAR.

ORDER

Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by FC Muhammad Saleem No. 216 (the then HC). The Applicant was awarded major punishment of Dismissal From Service by DPO DI Khan vide OB No. 914, dated 18.04.2022 on the allegations that he was assigned special duties for the production of accused Barkat Ullah s/o Asmat Ullah caste Marwat r/o Pir Kach District Tank involved in case FIR No. 390, dated 14.08.2020 u/s 506/429/34 PPC & FIR No. 262 dated 18.06.2018 u/s 506/34 PPC PS SMA Tank in the court at Tank, but due to his criminal negligence accused managed to escape from police custody in the presence of sufficient security cover in the jurisdiction of PS City District Tank.

The first Appellate Authority i.e. RPO DI Khan converted his major punishment of Dismissal From Service into major punishment of Rank Reduction from Head Constable to Constable vide Order Endst: No. 4215/ES, dated 14.06.2023.

Meeting of Appellate Board was held on 27.06.2024 wherein petitioner was heard in person. The petitioner contended that the accused took advantage of weak shackle.

The petitioner was heard in person. He was given reasonable opportunity to defend himself against the charges; however he failed to advance any justification. The Board sees no ground and reasons for acceptance of his petition, therefore, his petition is hereby rejected.

Sd/-AWAL KHAN, PSP Additional Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1703-07 /24, dated Peshawar, the 05-07 - /2024.

Copy of the above is forwarded to the:

Regional Police Office, Dera Ismail Khan. Service Roll along with Fauji Missal/Complete Enquiry File of the above named FC (the then IIC) received vide your office Memo: No. 2111/ES, dated 29.03.2024 is returned herewith for your office record.

- 2. District Police Officer Dera Ismail Khan.
- 3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
- 4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
- 5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar. -

(SONIA SILAMROZ KHAN) PSP

AlG/listablishment, For Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

1 to 7 500 2000 يه جرم (مع وفعه) مال اكريكيدليا ميا بو ورو و بوتیش کے مسل کی کا کرا طلال درج کرنے عما قوقت ہوا ہو جا ہوائ کو ٠٠ كى ن تارت دونت رابتدانی اطلاع <u>نیج</u> درج کرو رئ 18. 1.1. A.9088 July ASE GUNLOLI ISAN POSSION 1000 15 3 3. 26 see 1 1000

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