

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

A. No. 1562/2024

Habibullah Khan Sub. Inspector police, presently posted at District Haripur. (Appellant)

VERSUS

1. District Police Officer, Haripur
2. Regional Police Officer, Hazara Region, Abbottabad.
.....(Respondents)

SERVICE APPEAL

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M. Aslam Tanoli

APPELLANT

M. Aslam Tanoli
(Muhammad Aslam Tanoli)
Advocate High Court
Abbottabad

Through

Hamayun Khan
(Hamayun Khan)
Advocate High Court
Abbottabad

Dated: -09-2024

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. 1562/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15957

Dated 20-09-2024

Habibullah Khan Sub. Inspector Police, presently posted at District
Haripur. (Appellant)

VERSUS

1. District Police Officer, Haripur.
2. Regional Police Officer, Hazara Region, Abbottabad.
.....(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT
1974 AGAINST ORDER DATED 19-06-2024 OF THE DISTRICT POLICE
OFFICER HARIPUR WHEREB APPELLANT HAS BEEN AWARDED THE
PENALTY OF REDUCTION IN RANK FROM INSPECTOR TO SUB.
INSPECTOR AND ORDER DATED 22-08-2024 OF THE REGIONAL
POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY
APPELLANTS DEPARTMENTAL APPEAL HAS BEEN REJECTED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH
ORDERS DATED 19-06-2024 AND 22-08-2024 OF THE RESPONDENTS
MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE REINSTATED IN
HIS RANK OF INSPECTOR FROM THE DATE OF REDUCTION WITH ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully Sheweth:

1. That appellant while posted as SHO Police Station Makhaniyal
(District Haripur) was served upon with a Charge Sheet
dated 06-06-2024 by the District Police Officer Haripur which
the appellant replied in detail and denied the allegations
mentioned therein being incorrect and baseless. (Copies of
Charge Sheet & its reply are attached as Annexure- "A&B").

2. That in fact a murder case took place in the area of his
Police Station and an FIR No.143 dated 01-06-2024 u/s-
302/109/34 PPC was registered wherein 03 accused were

Filed to-day

20/9/24

(2)

charged. The complainant reported the matter to the police after 04 hours of occurrence. As the area was hilly and it took some time to reach place of occurrence. In the meanwhile, accused of the FIR made their escape good. One of the 03 accused took BBA while others absconded by leaving the jurisdiction of PS.

3. That charges against the appellant are that "one of three accused succeeded in acquiring copy of FIR through which he managed his BBA while the other 02 absconded". So far as question of obtaining copy of FIR is concerned the same can be obtained anywhere from Illaqa Magistrate or DPO Office as after recording FIR copies are sent to the court of Illaqa Magistrate as well as to DPO Office. It cannot be said that accused had obtained copy of FIR from Police Station. However, there is no arrangement of making photo copy of any document in the vicinity of PS Makhani. Later on another accused Nazar Mohammad also obtained BBA (Transit Pre-arrest Bail) from the court of Sessions Judge, Abbottabad vide order dated 27-06-2024, similarly 02 accused were on BBA and one of them had been arrested on cancellation of BBA while the other one on BBA was also expected to be arrested on cancellation of BBA. **(Copy of BBA order is attached as Annex-"C").**

4. That on 19-06-2024 appellant replied the charge sheet in detail denying the allegations being incorrect, false and baseless.

5. That on receiving the so called Inquiry Report from Inquiry, the District Police Officer Haripur vide order dated 19-06-2024 straightaway reduced the appellant in rank from Inspector

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to Sub Inspector without issuing Show Cause Notice and providing opportunity of personal hearing. **(Copy of dismissal order dated 19-06-2024 is annexed as "D").**

6. That no proper departmental inquiry was conducted. Neither Final Show Cause Notice nor inquiry report, if any, was issued to appellant. Even the appellant was not provided with the opportunity of personal hearing and he was awarded major punishment of reduction in rank from Inspector to Sub Inspector in utter violation of law, departmental rules & regulations, facts and principle of natural justice.
7. That allegations are incorrect and appellant is totally innocent he has discharged his official duties with devotion, dedication and honesty. The detail of places appellant raided for the arrest of absconded accused have been explained in Para-3 of his reply to charge sheet, but still he was awarded punishment of reduction in rank from Inspector to Sub Inspector without any cause, proof and justification. There is nothing wrong on the part of appellant.
8. That appellant aggrieved of the punishment order passed by the District Police Officer Haripur preferred a departmental appeal before the Regional Police Officer, Hazara Region, Abbottabad which was rejected/filed vide order dated 22-08-2024. **(Copies of Departmental Appeal and its rejection Order are attached as Annexure-"E&F").** Hence instant service appeal on the following as well as other grounds:

GROUND:-

(4)

- A) That both the impugned orders dated 19-06-2024 and 22-08-2024 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence are liable to be set aside.
- B) That no proper departmental inquiry was conducted. Final Show Cause Notice was not issued. Copy of inquiry report, if any, was never provided to the appellant. No witness against appellant was produced before inquiry officer. Chance if cross-examination was not afforded. Even opportunity of personal hearing was not granted to the appellant and he was condemned unheard in serious violation of principle of natural justice.
- C) That respondents have not treated the appellant in accordance with law, departmental rules, regulations and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders which are unjust, unfair hence not sustainable in the eyes of law.
- D) That appellate authority has also failed to abide by the law and rejected the departmental appeal without taking into consideration the grounds adduced in his memo of appeal by appellant. Thus act of respondent is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clauses Act 1897 and Article-10 of the Constitution of Islamic Republic of Pakistan 1973.

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- E) That the allegations leveled against appellant in the charge sheet as well as in punishment orders are incorrect, false and fabricated based on surmises and conjectures which remained unproved and unsubstantiated till to this day. Nothing adverse could be brought on record against the appellant to prove the allegation against him.
- F) That instant service appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudicate upon the lis.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant service appeal both the orders dated 19-06-2024 and dated 22-08-2024 of the respondents may graciously be set aside and appellant be re-instated in his rank of INSPECTOR from the date of reduction with all consequential service back benefits. Any other relief which in the circumstances of the case is deemed fit by this honourable Tribunal may also be granted.

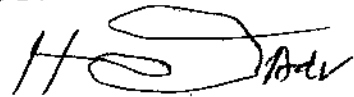


Appellant



Through

(Muhammad Aslam Tanoli)
Advocate High Court
Abbottabad



(Hamayun Khan)
Advocate High Court
Abbottabad

VERIFICATION

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

Dated: -09-2024



Appellant

6

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Habibullah Khan Sub. Inspector, presently posted at District Haripur. (Appellant)

VERSUS

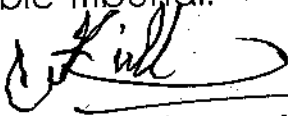
1. District Police Officer, Haripur.
2. Regional Police Officer, Hazara Region, Abbottabad.
.....(Respondents)

SERVICE APPEAL

AFFIDAVIT

Habibullah Khan, appellant do hereby solemnly declare and affirm on oath that contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

Dated: -09-2024



Deponent/Appellant

Identified By


Appellant

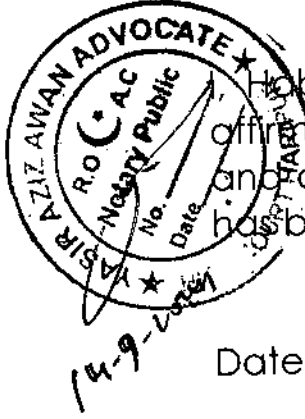
Through

M. Aslam
(Muhammad Aslam Tanoli)
Advocate High Court
Abbottabad


(Hamayun Khan)
Advocate High Court
Abbottabad

Dated: -09-2024


Appellant



7

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Habibullah Khan Sub. Inspector, presently posted at District
Haripur. (Appellant)

VERSUS

1. District Police Officer, Haripur. (Respondents)
2. Regional Police Officer, Hazara Region, Abbottabad.
..... (Respondents)

SERVICE APPEAL

CERTIFICATE

It is certified that no such appeal prior to this one on the subject
has ever been filed in this Honorable Service Tribunal or any other
court.

Dated; -09-2024



Appellant

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Annex A

CHARGE SHEET

I, Suleman Zaffar, (PSP) District Police Officer, Haripur as the competent authority, hereby charge you Inspector Habibullah Khan No.H/47 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.

Suleman Zaffar, (PSP)
District Police Officer
Haripur

Attested
S. Kull

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DISCIPLINARY ACTION

I, Suleman Zaffar, (PSP), District Police Officer, Haripur as the competent authority is of the opinion that you Inspector Habibullah Khan No.H/47 while posted at SHO PS Makhniyal 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 observed with great concern that Case FIR No. 143, dated 01.06.2024, under sections 302, 109/34 PPC, was registered in PS Makhniyal. After registration of the case, instead of making serious efforts for the arrest of the accused, a copy of the FIR was provided to the accused party. Resultantly, one accused got BBA from the court while other managed to escape after the commission of the offense. You did not make serious efforts for arrest the accused and recovery of weapon of offense. This indicates your negligence, dishonesty and lack of interest in the discharge of official duties, which amounts to gross misconduct on your part in terms of KPK Police Efficiency & Discipline Rules 1975" (amended 2014).

- (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. Jamil-Ur-Rehman, SP/Investigation, Haripur

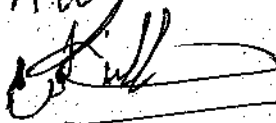
- (3) The Enquiry Officer shall in accordance with the provisions of these Rules provide a reasonable opportunity of hearing to the accused, record findings, and make within 15 days of the receipt of this order, a recommendation as to punishment or the appropriate action against the accused.
- (4) The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

Suleman Zaffar, (PSP)
District Police Officer
Haripur

No: 237-20/PS-I dated Haripur the 08/06/2024.

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) Inspector Habibullah Khan No.H/47 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.

Attested


District Police Officer
Haripur

Attended

04/02/2018

1. The first part of the report is a general introduction to the project. It describes the objectives of the study and the scope of the work.

2. The second part of the report is a detailed description of the methodology used in the study. This includes a discussion of the data collection methods and the statistical techniques used to analyze the data.

3. The third part of the report is a presentation of the results of the study. This includes a discussion of the findings and their implications for the field of research.

4. The fourth part of the report is a conclusion and a list of references. The conclusion summarizes the main findings of the study and provides a final assessment of the project. The references list the sources of information used in the study.

5. The fifth part of the report is an appendix containing additional information that is relevant to the study but is not included in the main text. This may include raw data, detailed calculations, or other supporting materials.

06/06/2011

Handwritten signature or note at the bottom of the page.

Attended
M.A.

- 20/05/2020
- 1- ...
 - 2- ...
 - 3- ...
 - 4- ...
 - 5- ...
 - 6- ...
 - 7- ...
 - 8- ...
 - 9- ...
 - 10- ...

8- یہ فورم 17 محرمی اظہارِ اہمیت کے طور پر جاری نظر ہے۔ تاہم ذرا کھائی
کا راجہ غلام علی خان سکندر صاحب کو صبراً اور مہربانانہ طریقے سے
تسکین دلانا ضروری ہے۔

8- کہہ سکتے ہیں کہ کوششوں سے یہ ظاہر ہے کہ ہرگز ہم نے اپنے ساتھیوں کو
تکلیف دینے کی کوئی کوشش نہیں کی۔ ہمیں دلچسپی اور دلچسپی ہے۔ تو فورم
کوشش کے وقت ہرگز ہم نے کسی قسم کا براہِ راست نہ کیا۔

9- کہہ سکتے ہیں کہ 34 ال سے پہلے ہی یہ ہے۔ اپنے ساتھیوں کو
تکلیف دینے کی کوئی کوشش نہیں کی۔ ہمیں دلچسپی اور دلچسپی ہے۔ تو فورم
کا راجہ غلام علی خان سکندر صاحب کو صبراً اور مہربانانہ طریقے سے
تسکین دلانا ضروری ہے۔

11- کہہ سکتے ہیں کہ اس کے بارے میں کوئی کوشش نہیں کی۔ ہمیں
دلچسپی اور دلچسپی ہے۔ تو فورم کا راجہ غلام علی خان سکندر صاحب
کو صبراً اور مہربانانہ طریقے سے تسکین دلانا ضروری ہے۔

اس کے بارے میں کوئی کوشش نہیں کی۔ ہمیں دلچسپی اور دلچسپی ہے۔
تو فورم کا راجہ غلام علی خان سکندر صاحب کو صبراً اور مہربانانہ
طریقے سے تسکین دلانا ضروری ہے۔

196
24

انجیل سبب اللہ کے ساتھ ساتھ

انجیل

0300-5842478
0333-8446153

Attested
[Signature]

13

Annex 'C'

01 27.06.2024

Transit pre-arrest bail application submitted through Malik Amjad Ali Advocate. Be registered.

2. Petitioner/accused Nazar Muhammad son of Mir Alam resident of Presently Residing in District Abbottabad resident of Post Office Lora Kohala Bala Tehsil Khanpur District Haripur along with counsel present and heard. Apprehends arrest in case FIR No. 143 dated 01.06.2024 registered under sections 302/109/34 PPC of PS Makhniyal District Haripur and seeks pre-arrest transit bail.

3. At present, the record is not available before the Court. However, the petitioner contends *malafide* and false implication. The contents of the petition are

C.T.C
District Sessions Judge
Abbottabad
27/6/24

supported by an affidavit duly attested. Thus, in the absence of record, petitioner/accused is admitted to transit pre-arrest bail, subject to furnishing bail bonds in the sum of Rs.90,000/- with two sureties, each in the like amount to the satisfaction of this Court, for transit period till his appearance before the Court of competent jurisdiction i.e., learned Sessions Judge, Haripur on 02.07.2024. The accused and their sureties are also bound to furnish proof of appearance of accused before the competent court, to this Court. Copy of this order along with one copy of bail bonds/relevant documents be sent to learned Sessions Judge, Haripur for information. This order will remain valid till the date fixed.

4. Copy of this order be also forwarded via email by office to all the District & Sessions Judges/Zilla Qazis, Khyber Pakhtunkhwa for information. Moharrar is directed to do the needful.

5. File to come up for submission of proof of appearance on 02/7 /2024.

M. S. D. xx
(MUHAMMAD SHOAIB)
Sessions Judge, Abbottabad



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Annex (B)

DISTRICT POLICE OFFICER
HARIPUR

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

ORDER

Inspector Habibullah Khan No.H/47, while posted as SHO PS Makhrial, was observed with great concern that case FIR No.143 dated 01.06.2024 u/s 302,109/34 PC was registered in PS Makhrial. After registration of case, instead of making serious efforts for the arrest of accused, a copy of the FIR was provided to the accused party. Resultantly, one accused got BBA from the court while other managed to escape after the commission of offence. The delinquent officer did not make serious efforts for the arrest of accused and recovery of weapon of offence. This indicate his negligence, dishonesty and lack of interest in the discharge of official duties, which was gross misconduct on his part in terms of the KPK Police Efficiency & Discipline Rules 1975" (amended 2014).

To probe the allegations of misconduct Mr. Jameel-Ur-Rehman (Investigation, Haripur): was appointed as Enquiry Officer vide this office memo No.79-20/PS-I dated 06.06.2024. The inquiry officer conducted proper departmental enquiry and submitted his findings, vide his office Memo No.51/PA dated 19.06.2024. The charges of gross misconduct against the accused officer were proved. Therefore, the enquiry officer recommended him for the "Major Punishment".

Having perused the relevant record and reply of the defaulter official the charges of misconduct against delinquent officer stands proved. Therefore, I, Suleman Zargar, (PSP), District Police Officer, Haripur being competent authority under the Police Efficiency & Discipline Rule 1975 (amended 2014), am fully satisfied that Inspector Habibullah Khan No.H/47, has committed gross misconduct. Therefore, he is awarded Major Punishment of "Reduction in Rank from Inspector to Sub-Inspector" with immediate effect.

468
19-06-2024

Attested
[Signature]

Suleman Zargar, (PSP)
District Police Officer,
Haripur

DISTRICT POLICE OFFICER
HARIPUR

0995-920100/01, 0995614714. dpoharipur1@gmail.com

ORDER

Inspector Habibullah Khan No. H/47, while posted as **SHO PS Makhnial**, was observed with great concern that case FIR No. 143 dated 01/06/2024 U/s 302, 109/34 PPC was registered in PS Makhnial. After registration of case, instead of making serious efforts for the arrest of accused. Copy of the FIR was provided to the accused party resultantly, one accused got BBA from the court while other manage to escape after the commission of offence. The delinquent officer did not make serious efforts for the arrest of accused and recover of weapon of offence. This indicate his negligence, dishonest and lack of interest in the discharge of official duties, which was gross misconduct on his part in terms of **the KPK Police Efficiency & Discipline Rules 1975 (amended 2014)**.

To probe the allegations of misconduct **Mr. Jameel-ur-Rehman SP Investigation, Haripur** was appointed as Enquiry Officer vide this office memo No. 219-20/PS-I dated 06/06/2024. The Inquiry Officer conducted proper departmental inquiry and submitted his finding, vide his office Memo No. 51/PA dated 19/06/2024. The charges of gross misconduct against the accused officer were proved. Therefore, the inquiry officer recommended him for the **“Major Punishment”**.

Having perused the relevant record and reply of the defaulter official the charges of misconduct against delinquent officer stands proved. Therefore, I **Suleman Zaffar [PSP]**, District Police Officer, Haripur being competent authority under the **Khyber Pakhtunkhwa, Police Efficiency & Discipline Rule 1975 (amended 2014)** I am fully satisfied that Inspector Habibullah Khan No. H/47, has committed gross misconduct therefore he is awarded Major Punishment of **“Reduction in Rank from Inspector to Subinspector with immediate effect**

No. 468

Dated: 19/06/2024



Suleman Zaffar (PSP)
District Police Officer
Haripur

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Annex - 'E'

BEFORE THE REGIONAL POLICE OFFICER HAZARA REGION
ABBOTTABAD

(Departmental Appeal by Habibullah Khan Sub Inspector Police No. H/47)

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 468 DATED 19-06-2024 PASSED BY DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN "REDUCED IN RANK FROM INSPECTOR TO SUB INSPECTOR".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL ORDER DATED 19-06-2024 OF DPO HARIPUR MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN HIS RANK OF INSPECTOR FROM THE DATE OF REDUCTION WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,

With most reverence the following few lines are submitted for your kind consideration and favorable order:-

1. That appellant has served the police department for about 34 years. Appellant always performed his assigned duties with zeal, zest, devotion, dedication and honesty to the entire satisfaction of his officers and never provided a chance of reprimand. Appellant has meritorious service record at his credit.
2. That appellant while posted as SHO Police Station Makhani (District Haripur) was served upon with a Charge Sheet dated 06-06-2024 by the District Police Officer Haripur which the appellant replied in detail and denied the allegations asserted therein being incorrect and baseless. **(Copies of Charge Sheet & its reply are attached as "A&B")**.

Received


09-07-2024
A.S.R.
Habibullah Khan

Attested
[Signature]

(16)

3. That in fact appellant while performing his official duties as SHO Police Station (Makhanial) a murder case took place in the area of his Police Station registered vide FIR No.143 dated 01-06-2024 u/s-302/109/34 PPC wherein 03 accused were charged. The complainant reported the matter to the police after 04 hours of occurrence. As the area is hilly and it took time to reach place of occurrence. Accused of the FIR made their escape good in this time. One of the 03 took BBA while others resorted to absconded by leaving the jurisdiction of PS.

4. That charges against the appellant are that "one accused succeeded in acquiring copy of FIR through which he managed his BBA while the other 02 absconded". So far as question of obtaining copy of FIR is concerned the same can be obtained anywhere from Magistrate Office or DPO Office as after recording FIR within 24 hours its copies are sent to office of the Area Magistrate as well as to DPO Office. It cannot be said that copy of FIR was delivered to accused from Police Station. However, there is no arrangement of making photo copy of any document in the vicinity of PS Makhanial. Now one another accused Nazar Mohammad has also obtained BBA (Transit Pre-arrest Bail) from the court of Sessions Judge, Abbottabad vide order dated 27-06-2024, its means 02 accused are on BBA of whom one accused has been arrested on cancellation of BBA while the other one accused on BBA will also be arrested on cancellation of BBA. **(Copy attached).**

Attested


(17)

5. That on 19-06-2024 appellant replied the charge sheet in detail denying the allegations being incorrect, false and baseless.
6. That on receiving the so called Inquiry Report from Inquiry Officer, the District Police Officer Haripur vide order dated 19-06-2024 straightaway reduced the appellant in rank from Inspector to Sub Inspector without issuing Show Cause Notice and providing opportunity of personal hearing. **(Copy of dismissal order dated 19-06-2024 is attached as "D")**.
7. That no proper departmental inquiry was conducted. Neither Final Show Cause Notice nor inquiry report, if any, was issued to appellant. Even the appellant was not provided with the opportunity of personal hearing and he was awarded major punishment of reduction in rank from Inspector to Sub Inspector in serious violation of law, departmental rules & regulations, facts and principle of natural justice.
8. That appellant is totally innocent and has discharged his official duties with devotion, dedication and honesty. The detail of places appellant raided for the arrest of absconded accused have been explained in detail in Para-3 of his reply to charge sheet, but still he was awarded punishment of reducing in rank from Inspector to Sub Inspector without any cause or justification. There is nothing wrong on the part of appellant.

Attested
[Signature]

(18)

9. That if the appellant is provided with a chance of personal hearing, he will really prove himself as innocent by explaining all the facts and circumstances of the matter.

In view of the aforementioned facts it is earnestly requested that order dated 19-06-2024 of the District Police Officer, Haripur may kindly be set aside and appellant be re-instated in his rank of INSPECTOR from the date his reduction with all consequential service back benefits. Appellant shall pray for your good health and long life. Thanking you sir in anticipation.

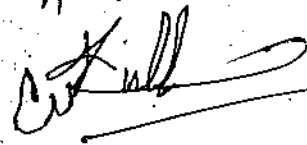
درم گرفتار 01
ملوٹ گرفتار 02
03

Yours Obedient Servant



(Habibullah Khan)
Sub Inspector No. H/47
Presently posted
At Police Lines Haripur

Dated: 09-07-2024

Attested




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OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD
0992-9310021-22
0992-9310023
r.p.hazara@gmail.com
NO: 4456 / PA DATED: 23-08-2024

ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by SI Habib Ullah No. 1147 of district Haripur against the order of punishment i.e. reduction in rank from Inspector to Sub-Inspector awarded by DPO, Haripur vide OI No. 468 dated 19-06-2024.

"Brief facts leading to the punishment are that the appellant while posted SHO PS Makhmal, it was observed with great concern that Case FIR No143, dated 01-06-2024, under sections 302,109/3-4PPC, was registered at PS Makhmal. After registration of case, instead of making serious efforts for the arrest of the accused, a copy of the FIR was provided to the accused party. Resultantly, one accused got BBA from the court while other managed to escape after the commission of the offense. He did not make serious efforts for the arrest of the accused and recovery of weapon of offense. This indicates his negligence, dishonesty and lack of interest in the discharge of official duties."

The appellant was issued charge sheet along with summary of allegations and SP, Investigation, Haripur was deputed to conduct departmental enquiry. The FO held the appellant responsible of misconduct. Consequently, DPO Haripur awarded him major punishment of reduction in rank from Inspector to Sub-Inspector. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Haripur were sought and examined/perused. The undersigned called the appellant in Orderly Room and heard him in person and provided him reasonable opportunity to defend the charges leveled against him. However, he failed to advance any convincing justification in his defense. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *rejected/filed* with immediate effect.

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

No. 4457 / PA, dated Abbottabad the 22-8-2024.

Cc.

District Police Officer, Haripur for information and necessary action with reference to his office Memo No. 4853 dated 12-08-2024. Service Roll, Service Book and Fuji Missal of the appellant are returned herewith for office record.

Attested

Handwritten signature/initials at the top right.

16-9-24

Handwritten numbers: 0312084168

Handwritten text: بقا:

Main body of handwritten text in Urdu, enclosed in a large bracket. The text discusses various points related to a service appeal, mentioning 'مقدمہ' (petition) and 'مقدمہ' (petition).

اوپر کی آئی

BEFORE THE K.P.K Service Tribunal
Habibullah Khan vs D.P.O
Appellant
Service Appeal
نوٹ: مقدمہ

Handwritten text inside a box: کورٹ میں

Handwritten text: وکالت نامہ

Handwritten text on the left margin: حوالہ دیا گیا ہے