


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 2019/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/10/2024	<p>The appeal of Mr. Shahzada Khan received today by registered post through Mr. Hamayun Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 30.10.2024. Counsel for the appellant has been informed telephonically.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

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

Shahzada Khan Head Constable No. 494, District Police Haripur.....(Appellant)

**VERSUS**

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

..... (Respondents)

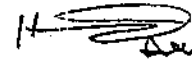
**SERVICE APPEAL**

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6.	Wakalatnama		

  
**APPELLANT**

THROUGH

  
(HAMAYUN KHAN)  
ADVOCATE HIGH COURT  
ABBOTTABAD

Dated: 16-10-2024

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

A. No. 209/2024  
Shahzada Khan Head Constable No. 494, District Police 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 23-07-2024 OF THE DISTRICT POLICE  
OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN REDUCED IN  
RANK FROM ASST. SUB. INSPECTOR TO HEAD CONSTABLE AND  
ORDER DATED 30-09-2024 OF REGIONAL POLICE OFFICER HAZARA  
REGION ABBOTTABAD WHEREBY APPELLANTS DEPARTMENTAL  
APPEAL HAS BEEN REJECTED/FILED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH THE  
ORDERS DATED 23-07-2024 AND 30-09-2024 OF THE RESPONDENTS  
MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE REINSTATED IN  
HIS RANK OF ASSISTANT SUB. INSPECTOR FROM THE DATE OF HIS  
REDUCTION IN RANK WITH GRANT OF ALL CONSEQUENTIAL  
SERVICE BACK BENEFITS.**

Respectfully Sheweth:

1. That appellant while posted as I/C Police Post Pind Muneem (Police Station Khanpur, District Haripur) was served upon with a Charge Sheet by the District Police Officer Haripur with the allegation that; "It has been reported by the SDPO Khanpur vide his office letter No.385/R dated 02-07-2024 that you detained a suspect namely Raja Ihtisham s/o Raja Khawaj Muhammad r/o Sanjiyala in Police Post Pind Muneem for interrogation. Due to your negligence, the aforementioned suspect escaped from the police custody, escaped accused was involved in Case FIR No.486 dated 10-06-2024 u/s 380/34 PPC PS Khanpur. This incident took place due to your extreme negligence and irresponsible attitude. Moreover, the court's Bailiff recovered a suspect namely Irfan s/o Sher

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*Muhammad r/o Hattar, illegally detained by you, which had imprinted bad impacts on the reputation of police department. Your involvement in such like illegal acts & lethargic attitude in the discharge of official duties, amounts to gross misconduct on your part in terms of KPK Police Efficiency & Discipline Rules 1975 (amended-2014) hence charge-sheeted". (Copy of charge sheet is attached as Annex-"A").*

2. That the above mentioned Charge Sheet was replied in detail by the appellant explaining all facts and circumstances of the matter denying the allegations mentioned therein being incorrect, false and baseless. **(Copy of reply to the Charge Sheet is attached as Annex-"B").**
  
3. That so far as the first allegation with regard to escape of accused Ihtisham charged in No. FIR 486 dated 10-06-2024 u/s-380/34 PPC PS Khanpur is concerned in this respect it is submitted that on 29-06-2024 the appellant was on patrolling duty. Muharrir PP confined the accused Ihtisham in constable's room at first floor and tied him with a cot. Constable Awais No. 1196 was deployed on duty to guard the accused. At about 21:15 hours while appellant performing his patrolling duty near Mang University he was informed on his Cell No. 0316-2210011 by Suleman Moharrir of PP through mobile No.0311-9309508 that accused Raja Ihtisham had escaped from the custody of Constable Awais No.1196. Accused escape was immediately brought to the notice of SHO PS Khanpur by the appellant. Despite appellant's repeated requests the accused

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Ihtisham's arrest in PP record was forbidden by SHO Khanpur at the hands of Moharrir PP. On the application of Farzan s/o Hadi Zaman an inquiry u/s-157(1) vide Daily Dairy No.21 dated 15-06-2024 was sent to PS Khanpur through Challan Dak dated 28-06-2024 which was received by Moharrir PS Khanpur whose signatures as a token of proof are available on Challan Dak. Appellant is innocent in this matter and there is nothing wrong on his part. **(Copy of Challan Dak dated 28-06-2024 is attached as Annex-C).**

4. That so far as 2<sup>nd</sup> charge against appellant that the court's Bailiff recovered a suspect namely Irfan s/o Sher Muhammad r/o Hattar, illegally detained by him is concerned, in this respect it is stated that Irfan was an accused of one Arshad's complainant of Rani-Wah. On the information of complainant, appellant reached Khanpur Dam and arrested accused Muhammad Irfan and took him to PS Khanpur for the information of SHO and also recorded his arrest in the daily dairy No.37 dated 28-06-2024 of PS Khanpur. Whereupon, the SHO ordered further investigation of the accused. According to the instruction of SHO when appellant was bringing him to PP Pind Muneem he received information through wireless from Control Room that German Delegation was about to reach and appellant was to perform duty with the said delegation. Appellant reached PP Pind Muneem, dropped the suspect there and handed him over to Moharri PP and then proceeded to escort the German Delegation. When

(4)

appellant was on duty with Delegation he was informed by Moharrir PP that a Court Bailiff had reached PP Pind Muneem and was interrogating about his arrest. Appellant told the Moharrir to keep the Bailiff busy till he reaches there. Appellant after performing duty with the delegation reached PP and told the bailiff about arrest of suspect and he was given Daily Dairy No.37 dated 28-06-2024 wherein accused arrest was recorded and informed him that accused Irfan was arrested on the written complaint of one Arshad Mehmood. Bailiff being pfully satisfied went away. He reported the matter to the concerned Court with Diary No.37 dated 28-06-2024 whereupon the Court was also satisfied with the arrest of accused. On 28-06-2024, vide Challan Dak application of Arshad Mehmood (Complainant) was sent to PS Khanpur for registration of case through Muhammad Ali Constable No.924 which was received by Moharrir of PS and as a token of proof his signatures are affixed on Dak Challan. It is incorrect that suspect was arrested without any reason. Appellant is also innocent In this matter. Nothing is wrong on his part.

5. That in both the above mentioned cases appellant has discharged his duty with dexterity, care, caution and honesty. There is nothing wrong on his part. Appellant never remained lethargic, negligent and irresponsible towards his official duties. Hence the allegations are totally incorrect and baseless.

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6. That throughout his more than 24 years service 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.
7. That proper departmental inquiry was not conducted. Show Cause Notice was also not issued. Copy of inquiry report, if any, was never provided to appellant. No witness was examined against the appellant in his presence. Even the enquiry suffers with irregularity and illegality. Only on receiving reply to the Charge Sheet the DPO Haripur vide order dated 23-07-2024 straightaway awarded the appellant with punishment of "Reduction in Rank from ASI to HC" and that too without any reason and rhyme and without providing opportunity of personal hearing against the principle of natural justice. **(Copy of punishment order dated 23-07-2024 as Annex-D)**
8. That appellant is totally innocent and has discharged his official duties with devotion and honesty yet he has been awarded punishment of "Reduction in Rank" without any cause or justification. There is nothing wrong on his part.
9. That appellant aggrieved of the order of District Police Officer, Haripur preferred a departmental appeal before the Regional officer, Hazara Region, Abbottabad which has been rejected/filed vide

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order dated 30-09-2024. (Copies of the Departmental appeal and its rejection order are attached herewith as Annexure-'E&F'). Hence instant service appeal on the following and other grounds:-

**GROUNDS:-**

- A) That both the orders dated 23-07-2024 and 30-09-2024 of the respondents are illegal, unlawful against the facts, departmental rules, regulations and principle of natural justice hence liable to be set aside.
- B) That proper inquiry was not conducted. No witness was produced before the inquiry officer to depose against appellant in his presence. Copy of inquiry report, if any, was not provided. Show Cause Notice was also not given. Even opportunity of personal hearing was not afforded. Nothing adverse could be brought on record against appellant. Appellant was condemned unheard in violation of rules, regulations and 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 even he did not take into consideration the grounds adduced in the memo of appeal and has rejected the departmental appeal without any speaking order. Thus act of respondent is contrary to the law as laid down in the KPK



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Police (E&D) Rules 1975 read with section 24-A of General Clauses Act 1897 and Article-10 of the Constitution of Islamic Republic of Pakistan 1973.

- E) That the allegations leveled against appellant are incorrect, false, fabricated and are the result of malafide. Appellant never involved himself in any such activity as alleged against him. He discharged his duties with dexterity, devotion and honesty. There is nothing wrong on his part.
- 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 23-07-2024 and 30-09-2024 of the respondents may graciously be set aside and appellant be re-instated in his rank of Assistant Sub Inspector from the date of his reduction in rank with grant of all consequential service back benefits. Any other relief which in the circumstances of the case this honorable Tribunal deems fit may also be granted.

Through

  
**Appellant**  
  
(Hamayun Khan)  
Advocate High Court  
Abbottabad

Dated: 14-10-2024

**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: 14-10-2024

  
**Appellant**

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**BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Shahzada Khan Head Constable No.494, District Police Haripur.....(Appellant)

**VERSUS**

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

..... (Respondents)

**SERVICE APPEAL**


**AFFIDAVIT**

I, Shahzada 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: 14-10-2024

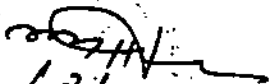
  
Deponent/Appellant

Identified By:

  
(HAMAYUN KHAN)  
Advocate High Court  
ABBOTTABAD

Dated: -10-2024

  
Appellant

  
12/10/24

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**BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Shahzada Khan Head Constable No.494, District Police Haripur.....(Appellant)

**VERSUS**

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


..... (Respondents)

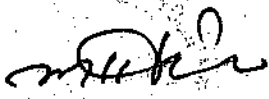
**SERVICE APPEAL**

**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: 14-10-2024

  
Appellant

  
12/10/24

(10)


Annex A

CHARGE SHEET

I, Suleman Zaffar, (PSP) District Police Officer, Haripur as the competent authority, hereby charge you ASI Shahzada Khan No.201 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  


DISCIPLINARY ACTION (11)

I, Suleman Zaffar, (PSP), District Police Officer, Haripur as the competent authority is of the opinion that you ASI Shahzada Khan No.201 while posted as /C PF Pind Muneem (PS Khanpur) 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 by SDPO/Khanpur vide his office letter No.385/R dated 02.07.2024 that you detained a suspect namely Raja Ehtisham s/o Raja Khawaj Muhammad r/o Sanjiyala in Police post Pind Muneem for interrogation. Due to your negligence, the aforementioned suspect escaped from the police custody, escaped accused was involved in Case FIR No. 486 dated 10.06.2024 u/s 380/34-PPC PS Khanpur. This incident took place due to your extreme negligence and irresponsible attitude. Moreover, the court's Bailiff recovered a suspect namely Irfan s/o Sher Muhammad r/o Hattar, illegally detained by you, which had imprinted bad impacts on the reputation of Police department. Your involvement in such illegal acts & lethargic attitude in the discharge of official duties, amounts to gross misconduct on your part in terms of the Khyber Pakhtunkhwa Police Efficiency & Discipline rules 1975 (amended -2014), hence charge-sheeted".

- (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. Bashir Ahmed (SDPO/Ghazi, 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 10 days of the receipt of this order, a recommendation as to punishment or the appropriate action against the accused.

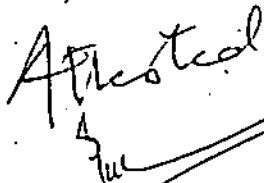
- (4) The accused and a well-conversant representative of the department shall attend the proceedings on the date, time and place fixed by the Enquiry Officer.

Suleman Zaffar, (PSP)  
District Police Officer  
Haripur

No: /PS-I dated Haripur the /07/2024.

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) ASI Shahzada Khan No.201 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

1. The first part of the document is a list of names and dates, including:
   
 - 1950-11-22
   
 - 1951-03-16
   
 - 1952-08-05
   
 - 1953-01-18
   
 - 1954-06-22
   
 - 1955-11-26
   
 - 1956-05-30
   
 - 1957-10-03
   
 - 1958-04-07
   
 - 1959-09-10
   
 - 1960-03-14
   
 - 1961-08-18
   
 - 1962-02-22
   
 - 1963-07-26
   
 - 1964-01-30
   
 - 1965-06-03
   
 - 1966-11-07
   
 - 1967-05-11
   
 - 1968-10-15
   
 - 1969-04-19
   
 - 1970-09-23
   
 - 1971-03-27
   
 - 1972-08-31
   
 - 1973-02-04
   
 - 1974-07-08
   
 - 1975-01-12
   
 - 1976-06-16
   
 - 1977-11-20
   
 - 1978-05-24
   
 - 1979-10-28
   
 - 1980-04-01
   
 - 1981-09-05
   
 - 1982-03-09
   
 - 1983-08-13
   
 - 1984-02-17
   
 - 1985-07-21
   
 - 1986-01-25
   
 - 1987-06-29
   
 - 1988-11-03
   
 - 1989-05-07
   
 - 1990-10-11
   
 - 1991-04-15
   
 - 1992-09-19
   
 - 1993-03-23
   
 - 1994-08-27
   
 - 1995-02-01
   
 - 1996-07-05
   
 - 1997-01-09
   
 - 1998-06-13
   
 - 1999-11-17
   
 - 2000-05-21
   
 - 2001-10-25
   
 - 2002-04-29
   
 - 2003-09-03
   
 - 2004-03-07
   
 - 2005-08-11
   
 - 2006-02-15
   
 - 2007-07-19
   
 - 2008-01-23
   
 - 2009-06-27
   
 - 2010-11-01
   
 - 2011-05-05
   
 - 2012-10-09
   
 - 2013-04-13
   
 - 2014-09-17
   
 - 2015-03-21
   
 - 2016-08-25
   
 - 2017-02-29
   
 - 2018-07-03
   
 - 2019-01-07
   
 - 2020-06-11
   
 - 2021-11-15
   
 - 2022-05-19
   
 - 2023-10-23
   
 - 2024-04-27
   
 - 2025-09-31

Annex B

Handwritten signature or initials, possibly "H. Ahmad".

Handwritten title or header in Arabic script.

Main body of handwritten text in Arabic script, consisting of multiple lines of dense cursive writing.


محکمہ اعلیٰ عدالتیں

کوئٹہ سیشن کورٹ

کوئٹہ سیشن کورٹ کی طرف سے جاری شدہ ڈی پی آر نمبر 324-25  
 03-07-24  
 قطع مع طرح سٹیٹ گاڑی سے قطع تقریباً 37 روز 28/24 بجے  
 11-12-14-15 روز 28/24 بجے  
 قطع مع طرح سٹیٹ گاڑی سے قطع تقریباً 37 روز 28/24 بجے  
 قطع مع طرح سٹیٹ گاڑی سے قطع تقریباً 37 روز 28/24 بجے

Abi, Police Lala  
 11-07-24

Rizwan Ghani  
 11-07-24

Attested  






**DISTRICT POLICE OFFICER  
HARIPUR**

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

**ORDER**

ASI Shahzada Khan No.201, while posted as I/C PP Pind Muneem PS Khanpur, it was reported by SDPO/Khanpur vide his office letter No.385/R dated 02.07.2024, that he detained a suspect namely Raja Ehtisham s/o Raja Khawaj Muhammad r/o Sanjiyala in Police Post Pind Muneem for interrogation, the aforementioned suspect escaped from the Police custody, he was involved in Case FIR No. 486 dated 10.06.2024 u/s 380/34-PPC PS Khanpur. This incident took place due to extreme negligence and irresponsible attitude of delinquent official. Moreover, the court's Bailiff recovered a suspect namely Irfan s/o Sher Muhammad r/o Hattar, illegally detained by delinquent official, which had imprinted bad impacts on the reputation of Police department, involvement of accused official in such illegal acts & lethargic attitude in the discharge of official duties, amounts to gross misconduct on his part in terms of the Khyber Pakhtunkhwa Police Efficiency & Discipline rules 1975 (amended -2014).

To probe the allegations of misconduct Mr. Bashir Ahmed (DSP/Ghazi, Haripur), was appointed as Enquiry Officer vide this office memo: No.324-25/PS-I dated 03.07.2024. The inquiry officer conducted proper departmental inquiry and submitted his findings, vide his office Memo No.413 dated 22.07.2024. The charges of misconduct were proved against the accused official. Therefore, the inquiry officer made his recommendation against the delinquent official.

Having perused the relevant record, findings of E.O and reply of the defaulter official, the charges of gross misconduct against delinquent official 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), am fully satisfied that ASI Shahzada Khan No.201, has committed gross misconduct. Therefore, he is awarded Major Punishment of "Reduction in Rank from (ASI to HC)" with immediate effect.

OB No. 541

Dated 23-07-2024

Suleman Zaffar, (PSP)  
District Police Officer,  
Haripur

Copy to:-

1. Pay Officer, DPO Office, Haripur
2. SRC/OHC, DPO Office, Haripur

*Attested*  
*[Signature]*

*Attested*  
*[Signature]*

15 "D"  
Annex-D

"E"

16 Annex - E

BEFORE THE REGIONAL POLICE OFFICER HAZARA REGION  
ABBOTTABAD

(Departmental Appeal by HC Shahzada Khan No .201, at District Haripur)

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 541 DATED 23-07-2024 PASSED BY THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED PUNISHMENT OF "REDUCTION IN RANK FROM ASST. SUB-INSPECTOR TO HEAD CONSTABLE".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL ORDER DATED 23-07-2024 OF DPO: HARIPUR MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN HIS RANK OF ASST. SUB-INSPECTOR FROM THE DATE OF HIS-REDUCTION I.E. 23-07-2024 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 while posted as I/C Police Post Pind Muneem (Police Station Khanpur, District Haripur) was served upon with a Charge Sheet dated 03-07-2024 by the District Police Officer Haripur with the allegation that; "It has been reported by the SDPO Khanpur vide his office letter No.385/R dated 02-07-2024 that you detained a suspect namely Raja Ihtisham s/o Raja Khawaj Muhammad r/o Sanjyala in Police Post Pind Muneem for interrogation. Due to your negligence, the aforementioned suspect escaped from the police custody, escaped accused was involved in Case FIR No.486 dated 10-06-2024 u/s 380/34 PPC PS Khanpur. This incident took place due to your extreme negligence and irresponsible attitude. Moreover, the court's Bailiff recovered a suspect namely Ifan s/o Sher Muhammad r/o Hattar, illegally detained by you, which had imprinted bad impacts on the reputation of police department. Your involvement in such like illegal acts & lethargic attitude in the discharge of official duties, amounts to gross misconduct on your part in terms of KPK Police Efficiency & Discipline Rules 1975

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Attested  
[Signature]

(amended-2014) hence charge-sheeted ". (Copy of charge sheet is attached as "A").

2. That the above mentioned Charge Sheet was replied in detail by the appellant explaining all facts and circumstances of the matter denying the allegations mentioned therein being incorrect, false and baseless. (Copy of reply to the Charge Sheet is attached as "B").
  
3. That so far as the first allegation with regard to escape of accused Ihtisham charged in FIR 486 dated 10-06-2024 u/s-380/34 PPC PS Khanpur is concerned in this respect it is submitted that on 29-06-2024 the appellant was on patrolling duty. Muharrir PP confined the accused Ihtisham in the room of constables on first floor and tied him with a cot. Constables Awais No. 1196 was deployed on duty to guard the accused. At about 21:15 hours while appellant performing patrolling duty near Mang University he was informed on his Cell No. 0316-2210011 by Suleman Moharrir of PP through mobile No.0311-9309508 that accused Raja Ihtisham had escaped from the custody of Constable Awais 1196. At once his escape was brought to the notice of SHO PS Khanpur by the appellant. Despite appellant's repeated requests the accused Ihtisham's arrest in PP record was forbidden by SHO Khanpur at the hands of Moharrir PP. On the application of Farzan s/o Hadi Zaman inquiry u/s-157(1) vide Daily Dairy No.21 dated 15-06-2024 was

Attested  
\$  
[Signature]

Attested

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sent to PS Khanpur through Challan Dak dated 28-06-2024 received by Moharrir PS Khanpur whose signatures are available on Challan Dak as a token of proof. Appellant is innocent in this matter and there is nothing wrong on his part. (Copy of Challan Dak dated 28-06-2024 is attached).

4. That so far as the 2<sup>nd</sup> charge against appellant that the court's Bailiff recovered a suspect namely Irfan s/o Sher Muhammad r/o Hattar, illegally detained by him is concerned, in this respect it is stated that on 28-06-2024 when appellant was on patrolling duty then he was informed by the complainant Arshad Mahmood S/O Yaqoob that suspect Irfan was present near Khanpur Dam alongwith Suzuki No.RIS-2868. Irfan was accused of Arshad's complaint of Rani-Wash. On said information, I reached Khanpur Dam and arrested suspect Muhammad Irfan and took him to PS Khanpur for the information of SHO and also recorded his arrest in the daily dairy No.37 dated 28-06-2024 PS Khanpur who ordered to further investigation. According to the instruction of SHO when appellant was bringing him to PP Pind Muneem he received information through wireless from Control Room that German Delegation was reaching and appellant was to perform duty with the said delegation. Appellant reached PP Pind Muneem and dropped the suspect there and handed him over to Moharri PP and then proceeded to escort the Delegation. When appellant was on duty with Delegation he was informed by Moharrir PP

Attested  
Sic

that Court Bailiff had reached PP Pind Muneem and was interrogating about arrested suspect. Appellant told the Moharrir to keep the Bailiff busy till he reaches there. Appellant after performing duty with the delegation reached PP and told about the arrest of suspect and he was given Daily Dairy No.37 dated 28-06-2024 and informed him that suspect Irfan was arrested on the written complaint of one Arshad Mehmood. Bailiff was fully satisfied and went away. He reported the matter to the Court with the Diary No.37 dated 28-06-2024 whereupon the Court was also satisfied with the arrest of suspect. On 28-06-2024, Arshad Mehmood's complaint application was sent to PS Khanpur for registration of case vide Challan Dak through Muhammad Ali Constable No.924 which was received by Moharrir PS and as a token of proof his signatures are available on Dak Challan. It is incorrect that suspect was arrested without any reason. Appellant is also innocent in this matter. Nothing is wrong on his part.

5. That in both the above mentioned cases appellant has discharged his duty with dexterity, care, caution and honesty. There is nothing wrong on his part. Appellant never remained lethargic towards his official duties. Hence the allegations are totally incorrect and baseless.
6. That Appellant throughout his more than 24 years service always performed his assigned duties with zeal, zest, devotion, dedication and honesty to the

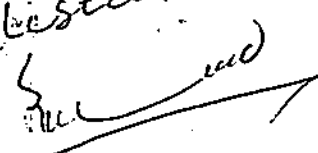
Attest  
[Signature]

entire satisfaction of his officers and never provided a chance of reprimand. Appellant has meritorious service record at his credit.

7. That no proper departmental inquiry was conducted. Show Cause Notice was also not issued. Copy of inquiry report, if any, was never provided to appellant. No witness was examined against the appellant. Even the enquiry suffers from irregularity and illegality. Only on receiving reply to the Charge Sheet the DPO Haripur vide order dated 23-07-2024 straightaway awarded the appellant with punishment of "Reduction in Rank from ASI to HC" and that too without any reason and rhyme and without providing opportunity of personal hearing against the principle of natural justice. (Copy of punishment order dated 23-07-2024 as "C").

8. That appellant is totally innocent and has discharged his official duties with devotion, dedication and honesty yet still he has been awarded punishment of "Reduction in Rank" without any cause or justification. There is nothing wrong on the part of appellant.

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.

Attested  


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In view of the aforementioned facts it is earnestly requested that order dated 23-07-2024 of the DPO Haripur may kindly be set aside and appellant be re-instated in his rank of Assistant Sub. Inspector from the date of reduction with all consequential service back benefits. Appellant shall pray for your good health and long life. Thanking you sir in anticipation.

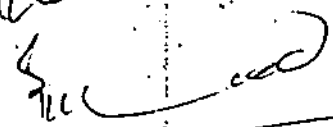
Yours Obedient Servant



(Shahzada Khan)  
Head Constable No.201  
District Police Haripur

Dated: 06-08-2024

Attested



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OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

212  
0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

NO: 5096 /PA DATED: 30/09/2024

Annex - F

'F'

ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by HC Shahzada Khan No. 201 of district Haripur against the order of punishment i.e. *reduction in rank from ASI to HC* awarded by DPO, Haripur vide OB No.541 dated 23-07-2024.

"Brief facts leading to the punishment are that the appellant while posted as I/C PP Pind Muncem PS Khanpur, it was reported by SDPO/Khanpur vide his office letter No. 385/R dated 02-07-2024, that he detained a suspect namely Raja Ehtisham s/o Raja khawaj Muhammad r/o Sanjiyala in Police Post Pind Muncem for interrogation, the aforementioned suspect escaped from the Police custody. He was involved in Case FIR No. 486 dated 10-06-2024 u/s 380/34- PPC Ps Khanpur. This incident took place due to extreme negligence and irresponsible attitude of delinquent official. Moreover, court's Bailiff recovered a suspect namely Irfan s/o Sher Muhammad r/o Hattar, illegally detained by delinquent official."

The appellant was issued charge sheet along with summary of allegations and DSP, Ghazi, Haripur was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct. He was called in OR and heard in person. Consequently, DPO Haripur awarded him punishment of reduction in rank from ASI to HC. 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.

SRC/DHC  
For enquiry act

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

DPO Haripur  
04-09-2024

No. 5097

/PA, dated Abbottabad the 30-9-2024.

Cc.

District Police Officer, Haripur for information and necessary action with reference to his office Memo No. 5252 dated 04-09-2024. Service Book, Service Roll and Fauji Missal containing inquiry file of the appellant is returned herewith for office record.

Attested



# وکالت نامہ

کورٹ فیس

BEFORE THE K.P.U. SERVICE TRIBUNAL بعدالت

SHAHZADA KHAN نام R.P.O. 30/1/2018 عنوان:

Appellant. منجانب:

Service Appeal

نوعیت مقدمہ:

Asid

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دی کل کاروائی متعلقہ آن مقام

Humayun Khan Aslam Khan Tanoli

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

استحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست برآمد

استجارت ناش بھینغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

14 - X - 24 المرقوم:

بمقام:

Accepted by