


FORM OF ORDER SHEET

Court of _____

Appeal No. 2393/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/11/2024	<p>The appeal of Mr. Shoab received today by registered post through Mr. Hamayun Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 25/11.2024. Counsel for the appellant has been informed telephonically.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 2393 /2024

Shoaib FC No.922, District Police Haripur, resident of Mohallah Rasheed Abad, Mankarae Road, Haripur.

...APPELLANT

VERSUS

Inspector General Police Khyber Pakhtunkhwa Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

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5.	Copy of punishment order dated 15.07.2024	16	"C"
6.	Copies of departmental appeal and its rejection order dated 30/09/2024	17 - 21	"D" & "E"
7.	Wakalatnama		

...APPELLANT

Dated: 2/11 /2024

Through


(HAMAYUN KHAN)

&

(FAZLULLAH KHAN)
Advocates High Court, Abbottabad

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 2393 /2024

Shoaib FC No.922, District Police Haripur, resident of Mohallah Rasheed Abad, Mankarae Road, Haripur.

...APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1779

Dated 06/11/2024

1. Inspector General Police Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer Hazara Region at Abbottabad.
3. District Police Officer Haripur.

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974, AGAINST THE
IMPUGNED ORDER DATED 15/07/2024,
PASSED BY DISTRICT POLICE OFFICER
HARIPUR, WHEREBY APPELLANT HAS
BEEN AWARDED AS MAJOR PUNISHMENT
DISMISSED FROM SERVICE AND ORDER
DATED 30/09/2024 OF THE REGIONAL
POLICE OFFICER HAZARA REGION AT
ABBOTTABAD WHEREBY THE

Filed to-day

Registrar

6/11/24

DEPARTMENTAL APPEAL OF THE
APPELLANT HAS BEEN REJECTED/FILED.

PRAYER: ON ACCEPTANCE OF THE INSTANT APPEAL, BOTH THE IMPUGNED ORDERS DATED 15/07/2024 OF THE DISTRICT POLICE OFFICE HARIPUR AND ORDER DATED 30/09/2024 OF RPO HAZARA REGION ABBOTTABAD MAY GRACIOUSLY BE SET-ASIDE AND APPELLANT BE REINSTATED IN SERVICE WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE.

Respectfully Sheweth;-

Brief facts of the instant appeal are as under;-

1. That appellant while posted at Police Station Makhniyal (District Haripur) was served upon with a charge sheet dated 19.06.2024 by the District Police Officer Haripur with the allegation that; *"A preliminary inquiry with reference to letter No.357 dated 14.06.2024 was conducted on the written complaint of residents of Village Makhaniyal by SDPO/Khanpur. As per inquiry report you were illegally using your nick name as "Shazian" & "Shaka" in the*

locality and on the social media platforms as well. By using nick names instead of real name you have involved yourself in harassing and taking illegal gratification from the visitors in the jurisdiction of capital territory Islamabad and P.S Makhniyal. Your action is also severe violation of law, rules and discipline. This tantamount to gross misconduct on your part in terms of KPK Police Efficiency & Discipline Rules 1975". (Copy of charge sheet is annexed as Annexure "A").

2. That the above mentioned charge sheet was duly replied in detail by the appellant explaining all facts and denying the allegations mentioned therein being incorrect, false and baseless. (Copy of reply to the charge sheet is attached as Annexure "B").
3. That in fact the allegations in the charge sheet as well as the punishment order are based on false and fabricated information communicated to the District Police Officer Haripur. Copy of the complaint, if any, as mentioned in the charge sheet as well as in the punishment order was never provided or shown to the appellant. That during appellant's posting at P.S Makhniyal such like complaint was never filed by anybody against him. In this regard the statement of my officer Incharge SHO, P.S Makhniyal

can be demanded and perused. Not only SHO of P.S Makhniyal even appellant's other colleagues can be called and questioned about any such act of harassing or taking gratification from visitors in the jurisdiction of territory of Islamabad or P.S Makhniyal by him. Nothing adverse against the appellant could be brought on record by inquiry officer. The District Police Officer Haripur, has penalized the appellant without any reason and justification vide order dated 15.07.2024.

4. That, no proper departmental inquiry was conducted. No show cause notice was not issued, copy of inquiry report, if any, was never provided to appellant. Only on receiving reply to the charge sheet the DPO Haripur vide order dated 15.07.2024 straightway awarded the appellant with extreme punishment of "Dismissal from Service" that to without any proof, reason and rhyme and without providing opportunity of personal hearing. (Copy of punishment order dated 15.07.2024 is attached as Annexure "C").
5. That appellant aggrieved of the punishment order of District Police Officer Haripur/ respondent No.3 filed a departmental appeal dated 30/07/2024 before the Regional Police Officer, Hazara Region Abbottabad which was not given any heed and rejected/filed

vide order dated 30/09/2024 and delivered on 07/10/2024 from the office of respondent No.3. Copies of departmental appeal and its rejection order are annexed as Annexure "D" & "E".

6. That feeling from aggrieved from the above aforesaid situation, appellant seeks indulgence of this Honourable Tribunal, inter-alia, on the following amongst many other grounds through this appeal.

GROUND:-

- a. That, appellant is totally innocent and has discharged his official duties with devotion, dedication and honesty still he has been awarded punishment of dismissal from service without any cause of justification. There is nothing wrong on the part of appellant.
- b. That, thereafter, appellant was issued only charge sheet by the DPO, Haripur which was also replied by denying the allegations being incorrect, baseless and fabricated ones.
- c. That, appellant throughout his entire service in the police department 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.

- d. That the allegations as incorporated in the "charge sheet as well as in punishment order", are totally incorrect and misleading ones, hence denied.
- e. That so far as the allegation of using neck names "Shazain or Shaka" is also incorrect. Because no one would desire to be called by wrong name. Appellant never wanted to be called by the names of "Shazain or Shaka". May be somebody calls him by these marred names.
- f. That both the impugned orders are against the law fact, have liable to be set-aside.
- g. That all proceeding were conducted with malafide intention, against the principle of natural justice.
- h. That respondents are miserably failed to proved allegation against the appellant.
- i. That at the time of passing impugned orders respondents ignored all basic principle of natural justice and equity.
- j. That in the above mentioned case, appellant has discharged his duty with dexterity, care, caution and honesty. There is nothing wrong on his part. Hence, the allegations are totally

incorrect and baseless. Hence, impugned orders are liable to be set-aside.

- k. 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.
- l. That the other points shall be argued at the time of arguments.

It is therefore, most humbly prayed that on acceptance of the instant appeal, both the impugned orders dated 15/07/2024 of the District Police Office Haripur and order dated 30/09/2024 of RPO Hazara Region Abbottabad may graciously be set-aside and appellant be reinstated in service with all consequential service back benefits. Any other relief which this honourable court deems fit and proper in the circumstances of the case.


...APPELLANT

Through

Dated: 2/11 /2024


(HAMAYUN KHAN)

&


(FAZLULLAH KHAN)

Advocates High Court, Abbottabad

VERIFICATION/ AFFIDAVIT:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


...APPELLANT

**BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. _____/2024

Shoaib FC No.922, District Police Haripur, resident of Mohallah Rasheed Abad, Mankarae Road, Haripur.

...APPELLANT

VERSUS

Inspector General Police Khyber Pakhtunkhwa Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

**APPLICATION FOR CONDONATION OF DELAY IF
ANY.**

Respectfully Sheweth;-

1. That the above titled appeal is being filed before this Honourable Tribunal and contents of the same may kindly be treated as integral part of this application.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favour of the appellant.

3. That the impugned order dated 30/9/2024 passed by respondent No.2 on the departmental appeal of the appellant received on 07/10/2024 from the office of respondent No.3.
4. That delay if any, in filing of service appeal is not willful.
5. That valuable rights of appellant are involved.

It is therefore, humbly requested that the delay if any may kindly be condone in the interest of justice.



...APPELLANT

Through

Dated: 2/11 /2024.



(HAMAYUN KHAN)

&



(FAZLULLAH KHAN)
Advocates High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of forgoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



...APPELLANT

Allosh

~~Suleman Zafar, (PSP)
District Police Officer
Haripur~~

- (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 Inquiry 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 Zafar, (PSP) District Police Officer, Haripur
competent authority, hereby charges you with No. 722 as enclosed against
of allegations.

GENERAL MANAGER

ANNEXURE

A°

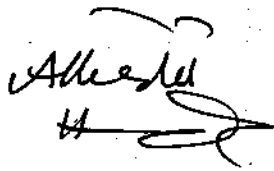
10

CHARGE SHEET

11

I, Suleman Zaffar (PSPP), District Police Officer, Haripur as the competent authority, hereby charge you FC Shoaib No.922 as enclosed statement of allegation.

- 1) You appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Efficiency and Discipline Rule 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 specific period, falling 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**

DISCIPLINARY ACTION

12

I, Suleman Zaffar, (PSP), District Police Officer, Haripur as the authority is of the opinion that you FC Shoaib No.922 while posted at PS Makhniyal 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

"A preliminary inquiry with reference to letter No.357 dated 14.06.2024 was conducted on the written complaint of residents of village Makhniyal, by SDPO/Khanpur. As per inquiry report you were illegally using your nick name as "Shahzain" & "Shaka" in the locality and on social media platforms as well. By using nick names instead of real name, you have involved yourself in harassing and taking illegal gratification from the visitors in the jurisdiction of capital territory Islamabad and PS Makhniyal. Your criminal/unlawful act not only defaced the good image but also breaches the trust of General Public on Police Department. Your act is also severe violation of law, rules and discipline. This tantamounts 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. Shah Iahan Khan (DSP/HQrs. 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: 277-78/PS-I dated Haripur the 19 /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) FC Shoaib No.922 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.

[Handwritten signature]

District Police Officer
Haripur

DISCIPLINARY ACTION

13

I, Suleman Zaffar, (PSP), District Police Officer, Haripur as the competent authority is of the opinion that you FC Shoaib No.922 while posted at PS Makhniyal Hairpur rendered yourself liable to be proceeded against you as you have committed the following act/omissions within the meanings of Khyber Pakhtunkhwa Police Efficiency and Discipline Rules 1975 (amended 2014).

STATEMENT OF ALLEGATION

"A preliminary inquiry with reference to letter No.357 dated 14.06.2024 was conducted on the written complaint of residents of village Makhniyal, by SDPO/Khanpur. As per inquiry report you were illegally using your nick name as "Shahzain" & "Shaka" in the locality and on social media platforms as well. By using nick names instead of real name, you have involved yourself in harassing and taking illegal gratification from the visitors in the jurisdiction of capital territory Islamabad and PS Makhniyal. Your criminal/unlawful act not only defaced the good image but also breaches the trust of General Public on Police Department. Your act is also severe violation of law, rules and discipline. This tantamounts 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.

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- (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-versed 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

10: 277-73/PS-I dated Haripur the 14 /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) FC Shoaib No.922 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.

Alleged

District Police Officer
Haripur

26.06.2024

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ANNEKURB
19.06.2024
297-08/PS-15
14

جناب عالی!

مشمولہ چارج شیٹ نمبری 1-98/PS-297 مورخہ 19/06/2024 مجاریہ جناب ضلعی پولیس آفیسر صاحب کی نسبت معروض خدمت ہوں کہ آمدہ چارج شیٹ میں مجھ پر جو الزامات لگائے گئے ہیں وہ بے بنیاد اور سراسر غلط ہیں۔ میرا کوئی بھی Nick Name نہ ہے۔ میرا اصل نام شعیب خان جدون ہے جو کہ میرے سروس ریکارڈ/ روزنامچہ/ ڈیوٹی پرچہ پر بھی میرا نام شعیب خان نمبر 922 موجود ہے۔ البتہ جو اشخاص Nick Name کے بارے میں ذکر کرتے ہیں ان باتوں کا مجھے کوئی علم نہ ہے اور نہ میرا سوشل میڈیا پر ایسا کوئی اکاؤنٹ ہے جو کہ شاہ زین اور شاہ کے ناموں سے ہو۔ من پر لگایا گیا الزام من گھڑت اور بے بنیاد ہے۔

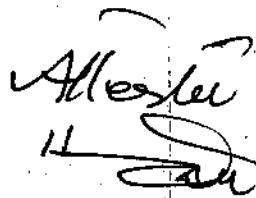
میں جب سے تھانہ مکھدیاں میں تعینات ہوا ہوں تب سے اپنی سرکاری ڈیوٹی نہایت احسن طریقہ سے سرانجام دیتا رہا ہوں اور دوران تعیناتی کسی بھی شخص سے کسی قسم کی کوئی غیر ڈسپلن حرکت یا بدتمیزی وغیرہ نہیں کی جس سے محکمہ کی ساکھ پر کوئی اثر پڑے۔ اسی طرح میں نے کبھی بھی کسی شخص سے نہ تو پیسے وصول کئے اور نہ ہی پیسوں کی ڈیمانڈ کی ہے۔ اگر کسی شخص سے میں نے پیسے وصول کئے ہیں یا حراساں کیا ہے تو وہ اس کا ثبوت افسارن بالا کو پیش کرے۔

آنجناب سے منوڈ بانہ گزارش ہے کہ میری سروس کے تمام تر ریکارڈ کی روشنی میں فیصلہ کرتے ہوئے مزید اچھے اور احسن طریقے سے اپنے فرائض منصبی کی ادا کیگی کا موقع دیا جائے۔ محکمہ کے نظم و ضبط اور افسران بالا مزید محنت اور لگن سے محکمانہ نظم و ضبط اور فرائض کو پورا پورا خیال رکھا جائے۔

شعیب خان نمبر 922

Police Lines

مورخہ 26.06.2024





DISTRICT POLICE OFFICER
HARIPUR

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

ORDER

FC Shoaib No.922, while posted at PS Makhnial, a preliminary inquiry with reference to letter No.357 dated 14.06.2024, was conducted on the written complaint of residents of village Makhnial, by SDPO/Khanpur. As per inquiry report, delinquent official was illegally using his nick name as "Shahzain" & "Shaka" in the locality, and on social media platforms as well. By using nick names instead of real name, he had involved himself in harassing and taking illegal gratification from the visitors in the jurisdiction of capital territory Islamabad and PS Makhnial. His criminal/unlawful act had not only defaced the good image but also breaches the trust of General Public on Police Department. The act of defaulter official is also severe violation of law, rules and discipline. This tantamounts to gross misconduct on his part in terms of the KPK Police Efficiency & Discipline Rules 1975" (amended 2014).

To probe the allegations of misconduct Mr. Shah Jahan Khan (DSP/HQrs. Haripur); was appointed as Enquiry Officer vide this office memo: No.297-98/PS-I dated 19.06.2024. The inquiry officer conducted proper departmental inquiry and submitted his findings, vide his office Memo No.85 dated 02.07.2024. The charges of gross misconduct were proved against the accused official. Therefore, the inquiry officer recommended him for "Major Punishment". Similarly, SHO PS Makhnial was directed to proceed legally and report. Consequently, case FIR No.155 dated 19.06.2024 u/s 506(i), 341 PPC PS Makhnial was registered against the accused official, during the course of investigation, he confessed that he was checking vehicles.

Having perused the relevant record, reply of the defaulter official and the finding of E.O. the charges of 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 FC Shoaib No.922, has committed gross misconduct. Therefore, he is awarded Major Punishment of "Dismissal from Service" with immediate effect.

OB No. 530

Dated 15-07-2024

Attested
[Signature]

Suleman Zaffar, (PSP)
District Police Officer,
Haripur

ANNEXURE 'D'
17

**BEFORE THE REGIONAL POLICE OFFICER HAZARA REGION
ABBOTTABAD**

(Departmental Appeal by FC Shoalb No.922 District Police Haripur)

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 530 DATED 15-07-2024 PASSED BY THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED EXTREME MAJOR PUNISHMENT OF "DISMISSAL FROM SERVICE".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL ORDER DATED 15-07-2024 OF DPO HARIPUR MAY KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN SERVICE FROM THE DATE OF DISMISSAL 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 at Police Station Makhniyal (District ^{Police Office} Haripur) was served upon with a Charge Sheet dated 19-06-2024 by the District Police Officer Haripur with the allegation that; "A preliminary inquiry with reference to letter No.357 dated 14-06-2024 was conducted on the written complaint of residents of village Makhniyal by SDPO/Khanpur. As per inquiry report you were illegally using your nick name as "Shazain" & "Shaka" in the locality and on the social media platforms as well. By using neck names instead of real name you have involved yourself in harassing and taking illegal gratification from the visitors in the jurisdiction of capital territory Islamabad and PS Makhniyal. Your criminal/unlawful act not only defaced the good image but also breaches the trust of General Public on police Department. Your action is also severe violation of law, rules & discipline. This tantamount to gross misconduct on your part in terms of KPK Police Efficiency & Discipline Rules 1975". (Copy of charge sheet is attached as "A").

Ali Raza
Ali Raza

2. That the above mentioned charge sheet was duly replied in detail by the appellant explaining all facts and denying the allegations mentioned therein being incorrect, false and baseless. **(Copy of reply to the charge sheet is attached as "B").**

3. That in fact the allegations in the charge sheet as well as in the punishment order are based on false and fabricated information communicated to the District Police ^{Officer} Haripur. Copy of the complaint, if any, as mentioned in the charge sheet as well as in the punishment order was never provided or shown to the appellant. That during appellant's posting at P.S. Makhniyal such like complaint was never filed by anybody against him. In this regard the statement of my officer Incharge SHO PS Makhniyal can be demanded and perused. Not only SHO of PS Makhniyal even appellant's other colleagues can be called and questioned about any such act of harassing or taking gratification from visitors in the jurisdiction of territory of Islamabad or PS Makhniyal by him. Nothing adverse against the appellant could be brought on record by inquiry officer. The District Police Officer, Haripur has penalized the appellant without any reason and justification vide order dated 15-07-2024. **(Copy of the order is attached as "C").**

Handwritten signature

4. That Appellant throughout his entire service in the police department always performed his assigned duties with zeal, zest, devotion, dedication and

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

5. That the allegations as incorporated in the "charge sheet as well as in punishment order", are totally incorrect and mis-leading ones, hence denied.
6. That so far as the allegation of using nick names "Shazain or Shaka" is also incorrect. Because no one would desire to be called by wrong name. Appellant never wanted to be called by the names of "Shazain or Shaka". May be somebody calls him by these marred names.
7. That no proper departmental inquiry was conducted. Now Show Cause Notice was not issued. Copy of inquiry report, if any, was never provided to appellant. Only on receiving reply to the charge sheet the DPO Haripur vide order dated 15-07-2024 straightaway awarded the appellant with extreme punishment of "Dismissal from Service" that to without any proof, reason and rhyme and without providing opportunity of personal hearing. **(Copy of punishment order dated 15-07-2024 as "C")**.
8. That appellant is totally innocent and has discharged his official duties with devotion, dedication and honesty still he has been awarded punishment of dismissal from service without any

Attested
H

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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.

In view of the aforementioned facts it is earnestly requested that order dated 15-07-2024 of the DPO Haripur may kindly be set aside and appellant be reinstated in his service from the date of dismissal with all consequential service back benefits. Appellant shall pray for your good health and long life. Thanking you sir in anticipation.

Yours Obedient Servant



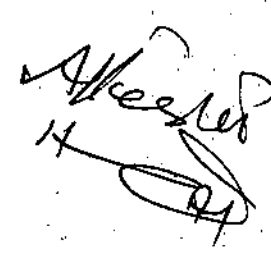
(Shoaib) FC No. 922

District Police Haripur

Dated: 30-07-2024

Add: M. Allah Rasheed Akbar
Mankara - Road Haripur

Cell no. 0312-5951815
0314-5409778





ANNEXURE 'E'
OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD
 ☎ 0992-9310021-22
 ☎ 0992-9310023
 ✉ r.rpohazara@gmail.com
 NO: 5103 /PA DATED: 30/09/2024

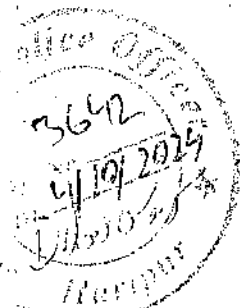
ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkawa Police Rules, 1975 submitted by Ex-Constable Shoaib No. 922 of district Haripur against the order of punishment i.e. *dismissal from service* awarded by DPO, Haripur vide OB No.530 dated 15-07-2024.

“Brief facts leading to the punishment are that the appellant while posted at PS Makhnial, a preliminary inquiry with reference to letter No.357 dated 14.06.2024, was conducted on the written complaint of residents of village Makhnial. As per inquiry report, delinquent official was illegally using his nick name as "Shahzain" & "Shaka" in the locality and on social media platforms as well. By using nick names instead of real name, he had involved himself in harassing and taking illegal gratification from the visitors in the jurisdiction of Capital Territory Islamabad and PS Makhnial.”

The appellant was issued charge sheet and DSP, Hqrs, 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 dismissal from service. 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. The service period of the appellant is also less than 03 years. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkawa Police Rules, 1975 the instant appeal is hereby *rejected/filed* with immediate effect.



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

No. 5103 /PA, dated Abbottabad the 30 - 9 /2024.

Cc.

District Police Officer, Haripur for information and necessary action with reference to his office Memo No. 5251 dated 04-09-2024. Service Roll and fauji missal containing inquiry file of the appellant is returned herewith for office record.

SRC/OHC
for necessary action

DP Haripur
24-09-2024

کالت نامہ

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BEFORE THE K.P.C. SERVICE TRIBUNAL

STAIRS

Appellant

Service Appeal

ATD

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Hanayun Khan, Faizullah Khan

Advocate High Court, ATD

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