


S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	20.05.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO.245/2014</p> <p style="text-align: center;">(Saifoor khan-vs-Govt: of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar and others).</p> <p><u>JUDGMENT</u></p> <p><u>PIR BAKHSH SHAH , MEMBER:</u></p> <p>Appellant with counsel (Khush Dil Khan, Advocate and Muhammad Ayub Khan Shinwari, Advocate) and Mr. Muzaffar Khan, SI(Legal) alongwith Additional Advocate General for respondents present.</p> <p>2. Recruited as constable in the year 1980, appellant was S.I at the relevant time when vide impugned order dated 25.12.2013 he was compulsory retired from service and his departmental appeal was also dismissed vide order dated 07.02.2014, hence this service appeal under Section -4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.</p> <p>3. In the charge sheet the following charge was framed against the appellant:-</p> <p style="text-align: center;"><u>"While you posted at District Dir Lower remained involved in corruption and corrupt practices, which shows gross misconduct on your part."</u></p> <p>4. Regular enquiry was conducted, copy of which is available on record.</p>

5. Arguments heard and record perused.

6. Learned counsel for the appellant submitted that no evidence was available against the appellant for his involvement in corruption therefore he was exonerated by the Enquiry Officer but the competent authority in violation of the laws and rules has imposed major penalty on the appellant. He further submitted that if the competent authority did not agree with the enquiry officer, in that case he should have been recorded reasons and would have directed for *de-novo* enquiry. It was further argued that no final show cause notice has been issued to the appellant and no opportunity of personal hearing has been provided to him. It was asserted that the charges ~~are~~ vague in nature and no evidence is available on record against the appellant. Finally it was submitted that the appellant has been stigmatized, therefore, the impugned orders may be set aside and the appellant may be reinstated in to service.



7. Learned Addl: AG resisted this appeal on the ground that the appellant had ill-reputation for his involvement in corruption and that the competent authority was lawful in exercising his discretion by imposing penalty even if the same was not recommended by the Enquiry Officer. He submitted that codal formalities were fulfilled before imposition of the penalty and that the appeal being devoid of merits may be dismissed.

8. We have carefully perused the record and have heard pro & contra arguments of the parties. The charge leveled in the charge sheet is unspecific for the reason that no instant has been cited regarding the charge of corruption. According to the enquiry report, the appellant did not lodge report of one Sher Azam therefore his allegations against the appellant for demand of bribe should be seen with care and caution. The record does not show statements of this Sher Azam nor that ~~was~~ any opportunity of cross examination <sup>was</sup> given to the appellant.

on this Sher Azam. Recruited as Constable, the appellant was S.I at the relevant time and to travel this distance ~~with~~ tainted reputation for corruption, would not seem to be reasonable in the absence of materials evidence <sup>of Corruption</sup> against the appellant.

In the circumstances of the case, the Tribunal is of the considered view that imposition of major penalty without solid evidence would not be fully justified, hence we are constrained to set aside the impugned orders. The same are set aside and the case is remitted to the respondent-department to start *de-novo* proceedings against the appellant which should be conducted within a period of one month in which full opportunity of defense and participation in the departmental enquiry be given to the appellant. Needless to mention that for the purpose of *de-novo* proceedings, the appellant is reinstated into service. The appeal is disposed of accordingly. Parties are left to bear their own cost. File be consigned to the record room.



(ABDUL LATIF)  
MEMBER



(PIR BAKHSH SHAH)  
MEMBER

ANNOUNCED  
20.05.2016



GOVERNMENT OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

No. \_\_\_\_\_

Dated Peshawar, the \_\_\_\_\_ 20

Saifoor U.S.

- ① vague charge sheet
- ② No instance
- ③ Exempted by I.O.
- ④ *فیس* - *مقررہ*, *مقررہ* *مقررہ* - *NO xxx*
- ⑤ No FSN
- ⑥ why i. Repat disagreed:  
i. 199

19.01.2016

Appellant in person and Addl. A.G for respondents present. The learned Member (Executive) is on official tour to Abbottabad, therefore, Bench is incomplete. To come up for arguments on 10.3.16.

  
MEMBER

10.3.2016

Appellant with counsel and Mr. Muhammad Jan, GP with Muhammad Muzaffar, SI for the respondents present. Since the court time is over, therefore, case is adjourned to 14-4-16 for arguments.

  
MEMBER

  
MEMBER

14.04.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Mr. Khushdil Khan, Advocate also filed Wakalat Nama on behalf of the appellant. Learned counsel for the appellant stated that the issue is a simple one and in routine fixing of the appeal, valuable rights of the appellant be injured, therefore he requested for a short date. Since the issue involved is that of compulsory retirement and a longer time is undesirable, hence request of learned counsel for the appellant is allowed. The instant appeal be fixed in the month of May, 2016. To come up for arguments on 20.05.2016.

  
Member

  
Member

245/14

4.6.2015

Appellant with counsel and Mr. Muhammad Jan, GP for the respondents present. The learned Executive Member is on official tour to Swat, therefore, arguments could not be heard. To come up for arguments on 31.07.2015.

  
MEMBER

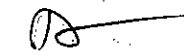
31.07.2015

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present Learned Member (Executive) is feeling unwell, therefore, arguments could not be heard. To come up for arguments on 17-11-2015.

  
MEMBER

17.11.2015


Counsel for the appellant and Mr. Muzaffar Khan, SI alongwith Mr. Usman Ghani, Sr. GP for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 18-4-16 for arguments.

  
MEMBER

  
MEMBER


18.12.2015

Appellant in person present and moved an application for early hearing. Application allowed. To come up for arguments on 19.01.2016 instead of 18.04.2016. Parties be informed accordingly.

  
Member

01.10.2014

Appellant in person and Mr. Fazal Ghafoor, PSI on behalf of respondents with Mr. Muhammad Adeel Butt, AAG present. Written reply/para-wise comments received on behalf of the respondents, copy whereof is handed over to the appellant for rejoinder on 29.01.2015.

  
Member

07

29.01.2015

Appellant in person and Mr. Fazal Ghafoor, PASI on behalf of respondents alongwith learned Addl: AG present. Rejoinder submitted. To come up for final hearing/arguments before D.B on 31.07.2015.

  
Chairman

8

24.02.2015

Appellant in person present. Submitted application for early hearing. Allowed. Notices be issued to the parties for arguments before D.B on 15.04.2015 instead of 31.07.2015.

  
Chairman

15.04.2015

Appellant in person and Mr. Ziaullah, GP for the respondents present. Due to general strike of the Bar, counsel for the appellant is not available. To come up for arguments on 4.6.2015.

  
MEMBER

Appeal No. 245/2014  
Mr. Saifoor Khan

3. 11.04.2014

Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the original order dated 26.12.2013, he filed departmental appeal on 31.12.2013, which has been rejected on 07.02.2014, hence the present appeal on 24.02.2014. He further contended that the impugned order dated 07.02.2014 has been issued in violation of Rule-5 of the Civil Servant (Appeal) Rules 1986. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents for submission of written reply/comments on 26.06.2014.

Amount Deposited  
Process Fee  
240 Bank  
Receipt attached with file.

4. 11.04.2014

This case be put before the Final Bench 1 for further proceedings.

Member

Chairman

5. 26.6.2014

Appellant in person and Mr. Fazal Ghafoor, PSI on behalf of respondents with AAG present. Written reply has not been received. To come up for written reply/comments, positively, on 01.10.2014.

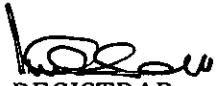

Chairman



Form- A  
FORM OF ORDER SHEET

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

Case No. 245/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	24/02/2014	<p>The appeal of Mr. Saifoor Khan resubmitted today by Mr. Muhammad Ayub Shinwari Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR -</p>
2	24-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>11-4-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Saifoor Khan Ex-sub-Inspector No. 14/M Dir Lower received today i.e. on 14.02.2014 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.


Heading of the appeal is incomplete which may be completed.

No. 247 /S.T,

Dt. 17/02 /2014.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Ayub Shinwari Adv. Pesh.

Sir Resubmitted after removing  
the objections  


In The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 245 /2014

SAIFUDDIN KHAN

....Appellant

versus

Governmentt of Khyber Pakhtunkhwa through  
Secretary Home and Tribal Affairs & others.

....Respondents

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S. No	Description of Documents	Dated	Annex	Pg No
1.	Service Appeal and Affidavit			1-4
2.	Letter of Disciplinary Action	11-12-13	A	5-6
3.	Copy of Finding Report		B	7-0
4.	Copy of Order passed by DPO	25-12-13	C	8-0
5.	Copy of Departmental Appeal		D	9-10
6.	Copy of Order passed by RPO	07-02-14	E	11-0
7.	POWER OF ATTORNEY			12-0

Through

Appellant,

Muhammad Ayub Khan Shinwari  
Advocate Peshawar

**CHAMBER**

7-A & 11-A,  
Haroon Mansion,  
Khyber Bazar, Peshawar  
Cell 03219068514

In The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 245/2014

Saifoor Khan,  
Ex-Sub Inspector, No 14/M,  
Dir Lower District.

1  
K. W. P. Province  
14-9-14

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar.
2. Inspector General of Police, Government of Khyber Pakhtunkhwa, Peshawar.
3. Deputy Inspector General of Police, Malakand Region, Said Sharif, Swat.
4. Regional Police Officer, Malakand Rang-III at Saidu Sharif, Swat.
5. District Police Officer, Dir Lower at Timergara
6. District Police Officer, Shangla.

.....Respondents

Service Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against Order dated 07-02-2014.

*Passed by regional Police Officer, Malakand, at Saidu Sharif Swat whereby the order of major punishment for compulsory retirement from service was upheld.*

Prayer:

On acceptance of this Service Appeal the impugned Order dated 25-12-2013 whereby the Appellant is Compulsory Retired from service and Order dated 07-02-2014 whereby the Departmental Appeal of the Appellant is dismissed may kindly be set aside and the Respondents may kindly be directed to reinstate the Appellant in service with all back benefits.

14/2/14  
do-submitted to-489 and filed.  
Respectfully Sheweth,

Brief but relevant facts of the case are as follows:

- 29
1. That the Appellant was appointed as Constable in the Police Department in the year 1982 and was later on promoted as Sub Inspector.
  2. That ever since his appointment the Appellant has performed his duties to the best of his abilities and to the entire satisfaction of his superiors.
  3. That vide Office Order 11-12-2013 the Disciplinary Action was initiated against the Appellant on the grounds of corruption and corrupt practices. An inquiry officer was appointed who exonerated the Appellant in his finding report. (Copy of Office Order dated 11-12-2013 and Finding Report are attached herewith as **Annex-A & B** respectively)
  4. That thereafter to the utter surprise of the Appellant the Respondent No 5 passed an Order dated 25-12-2013 whereby the Appellant was Compulsory Retired from service with immediate effect. (Copy of Order dated 25-12-2013 is attached herewith as **Annex-C**)
  5. That against the aforesaid Order, the Appellant filed Departmental Appeal which is dismissed vide Order dated 07-02-2014. (Copy of Departmental Appeal and Order dated 07-02-104 are attached herewith as **Annex D & E** respectively)
  6. That it is important to mention here that the impugned order whereby the Appellant is Compulsory Retired from service besides being *coram non judice* is passed without holding any inquiry, without issuing any show cause notice, without giving any chance of hearing and without giving any final show cause notice to the Appellant.

Hence the instant Service Appeal on the following amongst other grounds:

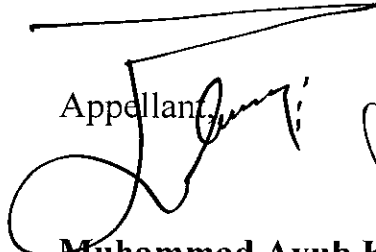

**Grounds:**

- a. That the impugned order is against the law, illegal, unlawful, without lawful authority and void ab initio, hence untenable and liable to be set aside.
- b. That the treatment met to the Appellant is against law, rules and policy on the subject matter, which is his inalienable right under the Article 4 of the Constitution of Islamic Republic of Pakistan, 1973.
- c. That the impugned order whereby the Appellant is Compulsory Retired from service is passed without holding any inquiry, without issuing any show cause notice, without giving any chance of hearing, without giving any final show cause notice, without producing any witness/evidence against the Appellant and without affording him any opportunity of cross examination.
- d. That the impugned Order whereby the Appellant is Compulsory Retired from service is based on malafide for extraneous consideration.

- e. That the impugned order has been passed in utter disregard of the procedure laid down in the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules, 2011 and Khyber Pakhtunkhwa Police Rules, 1975.
- f. That the impugned Order is a non speaking order and no reasons are given for passing the impugned order which is against the Section 24-A of the General Clauses Act, 1897 furthermore the impugned Order is *Coram non Judice*.
- g. That the impugned order is against the principles of natural justice because before passing the impugned order no chance of hearing was given to the Appellant.
- h. That the impugned order is against the fundamental rights enshrined and protected under the Constitution of Islamic Republic of Pakistan, 1973.
- i. That the impugned Order is passed in utter disregard of the dictums of the Superior Courts.
- j. That the Appellant craves permission of this Honorable Tribunal to rely on other grounds at the time of arguments and produce any additional document if required in support of his Service Appeal.

It is, therefore, prayed that on acceptance of this Service Appeal the impugned Order dated 25-12-2013 whereby the Appellant is Compulsory Retired from service and Order dated 07-02-2014 whereby the Departmental Appeal of the Appellant is dismissed may kindly be set aside and the Respondents may kindly be directed to reinstate the Appellant in service with all back benefits.

Any other relief which has not been specifically prayed for and deemed fit and appropriate by this Honorable Tribunal in the circumstances may graciously be granted.

Through    
**Muhammad Ayub Khan Shinwari**  
 Advocate Peshawar

4

**In The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No \_\_\_\_\_/2014

Saifoor Khan

....Appellant

versus

Governmentt of Khyber Pakhtunkhwa through  
Secretary Home and Tribal Affairs & others.

....Respondents

**Affidavit**

I, Saifoor Khan, Ex-Sub Inspector, No 14/M, Dir Lower District do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



Deponent

A handwritten signature in black ink, written over the word "Deponent".

PHONE NO. : (4)

TAD/FAX

No. 1473 /E

Dated 11-12 /2013

*ANNEX*

5  
1  
A  
I

CHARGE SHEET.

I, Tahir Ur Rahman, Acting District Police Officer, Dir Lower at Timergara as competent authority, hereby charge you SI Saifur Rahman committed as follows: -

While you posted at district Dir Lower remained involved in corruption and corrupt practices, which shows gross misconduct on your part.

2- By reason of above, you appear to be guilty of mis-conduct and have rendered your-self liable to all or any of the penalties specified in Rule-4 of the Disciplinary Rules, 1975.

3- You are; therefore, require to submit your written reply within 02 days of the receipt of this charge sheet to the enquiry officer.

4- Your written reply, if any, should reach the enquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-part action shall follow against you.

5- Intimate to whether you desire to be heard in person or not?

6- A statement of allegation is enclosed.

District Police Officer,  
Dir Lower at Timergara

Copy to accused SI Saifur Rahman now Shangla district.

*ADVICE*  
*As per...*



6-A

Better Copy

No 1475/E

Dated 11/12/2013

**CHARGE SHEET.**

I, **Tahir Ur Rehman**, Acting District Police Officer, Dir Lower at Timargara as competent authority, hereby charge you SI Saif ur Rehman committed as follows:-

While you posted at District Dir Lower remained moved in corruption and corrupt practices, which shows gross misconduct on your part.

2. By reason of above, you appear be guilty of mis-conduct and have rendered your-self liable to all or any of the penalties specified in Rule 4 of the Disciplinary Rules, 1975.

3. You are; therefore, require to submit your written reply within 02 days of the receipt of this charge sheet to enquiry officer.

4. Your written reply, if any, should reach the enquiry officer within the specified period, failing which if shall be presumed that you have no defense to put in and in that case ex-part action shall follow against you.

5. Intimate to whether you desire to be heard in person or not?

6. A statement of allegation is enclosed.

Sd/-  
District Police Officer,  
Dir Lower at Timergara

Copy to accused SI Saif-Ur Rehman now Shangla District

*Handwritten signature and text:*  
Saif Ur Rehman  
SI

فائل نمبر رپورٹ  
XXX

جناب عالی

محوالہ انکوائری نمبری 23912/FBI سرخدا  
20-12-013

سیف الرحمن ای معروض خدمت یوں کہ ای مذکورہ جو کہ ضلع شانگلہ میں تعینات ہے اور سابقہ ضلع پڑا میں تعینات رہ چکا ہے۔ ای مذکورہ سر ضلع پڑا میں تعیناتی کے دوران کرپشن میں ملوث رہنے کا الزام ہے۔ جن کے خلاف آئندہ ان بالائے انکوائری میں SDPO سیدن کو مارا گیا ہے۔

مقامی انکوائری شروع کر کے سیف الرحمن ای کو طلب کر کے جنکا بیان قلمبند کیا گیا جو لف انکوائری پڑا ہے۔ ای سیف الرحمن ضلع پڑا میں تعیناتی کے دوران زیادہ عرصہ تقریباً دو سال تک تالاش میں گزارا ہے۔ انڈرس سلسلہ صدر بازار تالاش حاجی فضل قادر اور الحاج محمد رفیق خان رٹائرڈ DSP صاحب ڈسٹریکٹ امن کمیٹی، صاحبی کمیٹی، و بچلینس کمیٹی کے بیانات قلمبند کر کے جنہوں نے ای مذکورہ کے خلاف بیانات دیئے کہ ای سیف الرحمن کے متعلق کرپشن کے حوالے سے کوئی شکایت سامنے نہیں آئی ہے۔ علاوہ ازیں صدر تالاش کا بیان بھی قلمبند کر کے جنہوں نے بھی اپنے بیان میں واضح کیا کہ ای مذکورہ کے خلاف کرپشن کی شکایت موصول نہ ہونے کی تائید کی۔ اللہ تعالیٰ شہداء عظمیٰ صبی ریاض اللہ جو کہ باب، بیٹھے نے ای مذکورہ کے خلاف الزام لگایا کہ مورخہ 03/12/12 کو انوائسٹی کا مقدمہ درج کرنے ابتکار کر کے ساٹھ سو روپے/10000 روپے دینے کا مطالبہ بنا تھا۔ مسلمان بالائے بعدالت سیشن جج پیر گڑھ درخواست دائر کرنے کے جس بعدالت نے حلز کا کے خلاف مقدمہ درج کرنے کا حکم صادر کر دی جس پر مقدمہ عدالت 15 مورخہ 12/07/12 جرم نمبر 365-SII-506 ای پر مخالف فریق سے 30000 روپے لینے کا الزام بھی لگایا لیکن کوئی ٹھوس شہادت پیش نہ کر سکے۔ ای مذکورہ نے آئندہ احتساب عدالت کا وعدہ کیا کہ انکوائری رپورٹ بغرض مناسب حکم احکام گزارا ہے۔

Ali Akbar  
Adami

OFFICE OF THE DISTRICT POLICE OFFICER,  
DIR LOWER AT TIMERGARA

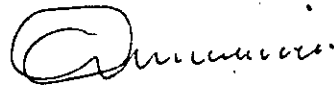
ORDER

This order will disposed off the departmental enquiry conducted against SI Saifur Rahman No.12/M now district Shangla, he while posted at Police Station Talash has been charged for his involvement in corruption / corrupt practices upon source report. The Enquiry Officer has recorded statements of President Bazar Talash and Muhammad Rafique retired DSP and Members of Musalahit committee, who in their statements have exonerated the delinquent officer from charge of corruption. However during enquiry one Sher Azam and his son Riazullah have leveled the allegations that on 03/12/2012 they wanted to register a case of kidnapping but the delinquent SI refused to register the case and demanded Rs.10,000/- as illegal gratification for doing the needful. Being aggrieved from behavior of SI, they knocked the door of the court of District and Sessions Judge, Dir Lower at Timergara, who ordered registrations of case and consequently case vide FIR No.15, dated 17/12/2012 U/S 365/511/506/148/149/447 PPC PS Talash was registered. Moreover Sher Azam also charged the delinquent officer for receiving Rs.30, 000/- as illegal gratification from the rival party.

Keeping in view the refusal for not registering a case of cognizable offence, which was subsequently registered by the order of Sessions Judge, Dir Lower reflects the negative approach of SI Saifur Rahman No.12/M toward his professional duty. Moreover his over-all reputation is also not good, therefore, I, Ghulam Habib Khan, District Police Officer, Dir Lower do hereby order the compulsorily retirement of Saif-ur-Rahman No.12/M now district Shangla from service with immediate effect.

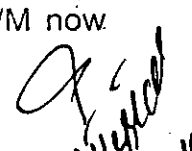
OB No. 1699  
Dated. 25/12/2013

No. 24768 /E,  
Dated. 26-12 /2013

  
District Police Officer,  
Dir Lower at Timergara

Copy to District Police Officer, Shangla for  
necessary action.

8  
ANNEX C

  
District Police Officer,  
Dir Lower at Timergara

## بعض جناب ریجنل پولیس آفیسر صاحب بمقام ملاکنڈ ریجن اسوات۔

درخواست بمراد بحالی ملازمت۔

عنوان:

جناب عالی!

سائیل ذیل عرائض گزار ہے۔

- (1) یہ کہ سائیل محکمہ پولیس دیرویئر میں سال 1982 کو بحیثیت کنسٹیبل بھرتی ہو کر بعدہ مختلف کورسز پاس کر کے بعدہ SI ترقیاتی کا حکم ہوا۔
- (2) یہ کہ سائل نے دوران ملازمت حکام بالا کو خلاف قاعدہ / ضابطہ کسی قسم کی شکایت کا موقع نہیں دیا ہے۔
- (3) یہ کہ سائیل کا بحوالہ حکم نمبری 9617 مورخہ 23.10.2013 ضلع دیرویئر سے ضلع شانگلہ تبادلے کا حکم ہو کر تعمیل حکم کے سلسلے میں مورخہ 05.11.2013 کو ضلع شانگلہ میں حاضری کی رپورٹ کی۔
- (4) یہ کہ مورخہ 11.12.2013 کو بحوالہ چھٹی نمبری 1475/E مورخہ 11.12.2013 کو جناب DPO صاحب دیرویئر نے من سائیل کے خلاف چارج شیٹ، statement آف الیکشن جاری کر کے جس میں دوران تعیناتی دیرویئر کرپشن میں ملوث ہونے کا الزام لگایا گیا۔
- (5) یہ کہ پہلے انکوائری آفیسر DSP-L دیرویئر بعدہ DSP ہیڈ کوارٹر کو انکوائری آفیسر مامور کیا گیا۔ یہ کہ بعدہ نامعلوم وجوہات کے بناء پر انکوائری ہذا تیسری آفیسر شیر ذادہ خان SDPO لعل قلعه کے حوالہ کیا گیا۔
- (6) یہ کہ SDPO لعل قلعه نے انصاف کے تقاضے کو بالائے طاق رکھ کر یکطرفہ انکوائری میں بغیر جرح کے غیر متعلقہ افراد کے بیانات کو بنیاد بنا کر جس کے باعث سائل کو بڑی سزا ملازمت سے جبری ریٹائرمنٹ کا حکم بحوالہ چھٹی نمبری 24768 مورخہ 26.12.2013 کو صادر کیا گیا ہے۔
- (7) یہ کہ سائل کا ملازمت ضلع شانگلہ میں تھا اور انکوائری DPO دیرویئر کے جانب سے ہو کر قانون اور قاعدے کا خیال نہیں رکھا گیا ہے۔
- (8) یہ کہ DPO دیرویئر کی جانب سے انکوائری کا جواز غیر قانونی اور خلاف قاعدہ تھا کیونکہ سائل کا عرصہ دو ماہ قبل ضلع شانگلہ تبادلہ ہو چکا تھا اور وہاں تعینات تھا۔
- (9) یہ کہ DPO شانگلہ کو محض سائل کی جبری ریٹائرمنٹ کا حکم موصول ہو کر جس پر سائل کو بحوالہ O.B نمبر 148 مورخہ 27.12.2013 جبری رخصت پر فارغ کیا گیا ہے۔
- (10) یہ کہ انکوائری آفیسر کا حیثیت بھی متنازعہ ہے۔ اور انسپکٹر کے عہدے کے آفیسر کا سب انسپکٹر عہدہ کے آفیسر کا انکوائری کرنا خلاف قاعدہ ہے۔

Handwritten signature/initials and the word "Advocate" written vertically.

- (11) یہ کہ اگر کارروائی کا کوئی جواز تھا تو DPO دیرلوئیر کے بجائے DPO شانگلہ مجاز اتھارٹی کے حیثیت سے کارروائی کرتا۔
- (12) یہ کہ سائل کا ماضی اور حال دونوں بے داغ ہیں۔ موجودہ مہنگائی، بدآمنی جیسے حالات نے پولیس کے بچوں پر منفی اثرات مرتب کر کے حکم برطرنی نے مزید اُن کا مستقبل تاریک کر دیا ہے۔
- (13) یہ کہ انصاف کے تقاضوں کو مد نظر رکھتے ہوئے حکم محررہ مورخہ 25.12.2013 کو منسوخ کرنے اور سائل کا بعدہ سب انسپکٹر دوبارہ بحال کرنے کا حکم صادر فرما کر سائل اور سائل کے اہل و عیال پر رحم فرمائیں۔

العراض مورخہ 31.12.2013

مسٹر

سائل سیف نور خان سب انسپکٹر نمبر 14/M ضلع شانگلہ حال خیبر ایجنسی ضلع پشاور۔

0345-9521288

091 5747066 گواہ

Miss  
Dilwali

ANNEX - E

//

**OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND**  
**REGION, AT SAIDU SHARIF SWAT**

**ORDER:**


This order will dispose off the appeal preferred by Ex-SI Saif Ur Rehman No. 14/M of Dir Lower District (now Shangla District) for reinstatement in service.

Brief facts are that, the above named Ex-SI while posted at PS Talash District Dir Lower was charged for involvement in corruption / corrupt practices upon source report. He was issued charge sheet coupled with statement of allegation through DPO/ Shangla and SDPO Maidan was appointed as Enquiry Officer. The Enquiry Officer recorded statements of President Bazar Talash, Muhammad Rafique retired DSP resident of Talash and members of Musalihati Committee, who in their statements exonerated the above named Ex-SI from charge of corruption, but during enquiry one Sher Azam and his son Riazullah leveled the allegations that on 03/12/2012 they wanted to register a case of kidnapping but the Ex-SI applicant refused to register the case and demanded Rs: 10,000/- as illegal gratification for doing the needful. Being aggrieved from his behavior, they knocked the door of the court of District and Session Judge, Dir Lower at Timergara, who ordered for registration of case and consequently case vide FIR No. 15, dated 17/12/2012 U/S 365/511/506/148/149/447 PPC PS Talash was registered. Moreover Sher Azam also charged the Ex-SI for receiving Rs: 30,000/- as illegal gratification from the rival party.

The Enquiry Officer in his finding report submitted that the Ex-SI promised that he will remain careful in future, but keeping in view the refusal for registering a case of cognizable offence, which was subsequently registered by the order of District and Session Judge, Dir Lower reflected the negative approach of appellant toward his professional duty. Moreover his overall reputation was also not good, therefore, he was compulsorily retired from service under Police Rules 1975 vide DPO office Dir Lower.OB No. 1699, dated 25/12/2013.

The appellant was called in Orderly Room on 06/02/2014 and heard in person, but he did not produce any substantive materials in his defense. Therefore I uphold the order of District Police Officer, Swat, whereby the appellant has been awarded major punishment for compulsory retirement from service.

Order announced.

  
(ABDULLAH KHAN) PSP  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat

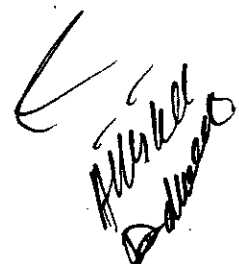
No. 1200-1201/E,

Dated 07-02 2014.

Copy for information and necessary action to the:-

1. District Police Officer, Dir Lower with reference to his office Memo: No. 364/EC, dated 09/01/2014.
2. District Police Officer Shangla.
3. Ex-SI Saif Ur Rahman of Dir Lower District.

\*\*\*\*\*



بعدالت BEFORE SERVICE TRIBUNAL KPK

PETITIONER. <sup>مقدمہ</sup> <sup>مقدمہ</sup> <sup>مقدمہ</sup>

SAFOR KHAN <sup>مقدمہ</sup> <sup>مقدمہ</sup> <sup>مقدمہ</sup>

13/2/2014  
SERVICE APPEAL  
مقدمہ  
دعوی  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام SERVICE TRIBUNAL کے لئے ADVOCATE کے لئے  
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے جواب دہی اور قبال دعوی اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ اور عرضی دعوی اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرانے کے اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکرقرہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی اور نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرداخت منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا ابھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندز ہے۔

المرقوم 13 ماہ فروری 2014

بد الع بد الع گواہ ش بد الع بد الع

ATTESTED  
ACCEPTED BY

ADVOCATE

بمقام لکھنؤ

سفر خان

Nr 21202-8863422-3

PETITIONER

SAIFOR KHAN

NEK BIN

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 245/ 2014

Muhammad Saifoor Khan Ex- sub Inspector, No 14/M, Dir Lower in....(.Appellant).

**VERSUS**

- 1) Government of Kheber Pakhtunkha through Secretary Home and Trabal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtuna, Peshawar.
- 3) Regional Police Officer. Malakand Range III.at saidu sharif .swat.
- 4) District Police Officer .Dir lower at Timergara.
- 5) District Police Officer, Shangla. .... Respondents.

**PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS.**

Respectfully shewith:

**PRELIMINARY OBJECTION.**

- 1) That the present service appeal is not maintainable in it's form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That the Honorable Service Tribunal has no jurisdiction to entertain the present service appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant suppressed material facts from this Honorable Tribunal.

**ON FACTS**

1. Correct.
2. Pertains to record.
3. Incorrect, the appellant was involved in corrupt practices that's why he was been compulsorily retired from service.
4. Correct. The appellant was involved in corruption and the competent authority right awarded him major punishment. Although this case was fit for Dismissal from service but the authority took a lenient view and awarded compulsory retirement to the appellant.(Charge sheet, statement of Allegation Annex:A & B)
5. Correct, The appeal was rightly dismissed as there were no found for acceptance of appeal.
6. Incorrect proper Departmental inquiry conducted. The respondents

01/10/14



fulfilled all the codal formalities and the Appellant proved guilty therefore he was rightly awarded the punishment.

## GROUND S

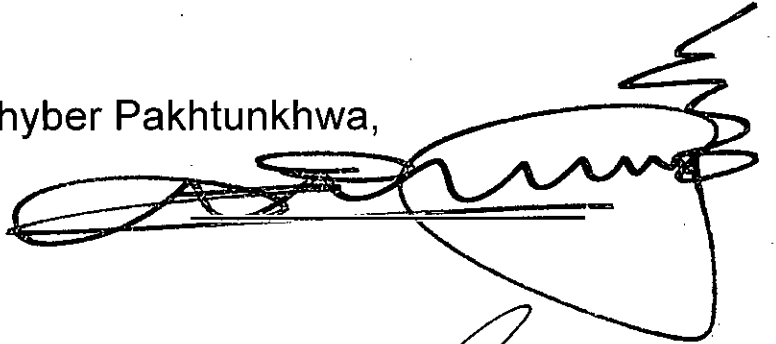
- A) Incorrect the impugned order is in accordance with law and rules.
- B) incorrect the appellant treated in accordance with law and rules and no violation of the fundamental right has been committed by respondents.
- C) Incorrect the order of the respondents was issued after fulfilling all the legal/ codal formalities. Proper opportunity was give to the appellant, but he failed to prove his innocence.
- D) Incorrect there is no mala-fide against the appellant at all.
- E) Incorrect, the impugned order is passed in accordance with law and rules.
- F) Incorrect. the impugned order is speaking one and the order is according to the section 24-A of General Clauses Act and the impugned order is Cor am- judice.
- G) Incorrect, the order is according to principles of natural justice.
- H) Incorrect, the order is in accordance with law and not repugnant to the constitution of Pakistan.
- I) Incorrect, every case has its own facts and merits and the respondents always obeys the dictums of the superiors courts.
- J) The respondents also craves permission of this honorable tribunal to rely on other grounds at the time of arguments.

PRAYER:-

In light of above it is prayed that the appeal being time barred and baseless, may be dismissed with order of cost please.

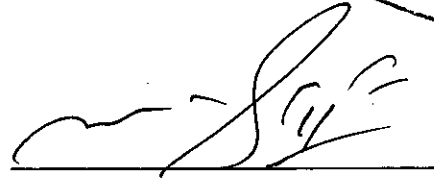
**Secretary,**

Home & Tribal Affairs Deptt: Khyber Pakhtunkhwa,  
Peshawar.



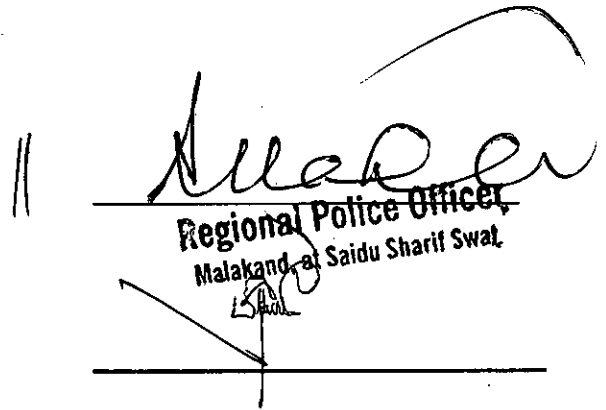
**Provincial Police Officer,**

Khyber Pakhtunkhwa, Peshawar.



**Regional Police Officer,**

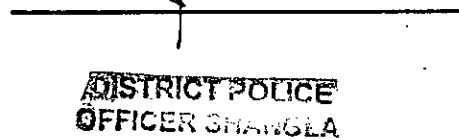
Malakand, at Saidu, Swat.

|| 

**Regional Police Officer,**  
Malakand, at Saidu Sharif Swat.

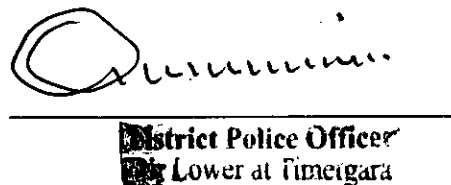
**District Police Officer,**

Shangla.

  
**DISTRICT POLICE**  
**OFFICER SHANGLA**

**District Police Officer,**

Dir Lower at Timergara.

  
**District Police Officer**  
**Dir Lower at Timergara**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 245/ 2014

Muhammad Saifoor Khan Ex- sub Inspector, No 14/M, Dir Lower....Appellant.

**VERSUS**

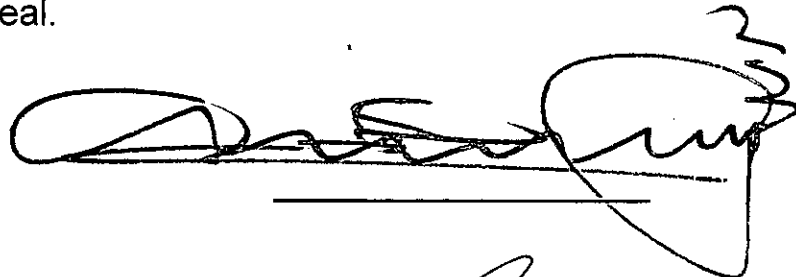
- 1) Government of kheber pakhtunkha through Secretary Home and Trabal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtuna, Peshawar.
- 3) Regional Police Officer. Malakand Range III at saidu sharif .swat.
- 4) District Police Officer .Dir lower at Timergara.
- 5) District Police Officer, Shangla.....Respondents.

**POWER OF ATTORNEY.**

We the following responds do hereby authorized Mr. Muzafar Khan SI Legal Timergara Dir Lower to appear on our behalf before the honorable service tribunal Khyber Pakhtunkhwa Peshawar in connection with above service appeal.

He is also authorized to submit all documents required by the tribunal in the above service appeal.

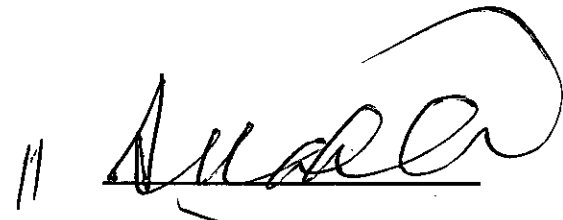
~~Chief~~ Secretary, Home & T.A.S  
Khyber Pakhtunkhawa Peshawar.



Provincial police officer,  
Khyber Pakhtunkhawa, Peshawar.



Regional police officer,  
Malakand, at Saidu, Swat.



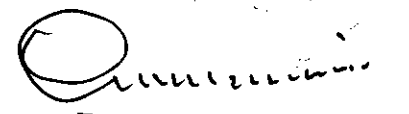
Regional Police Officer,  
Malakand, at Saidu Sharif Swat.

District Police Officer,  
Shangla.



DISTRICT POLICE  
OFFICER SHANGLA

District Police Officer,  
Dir Lower at Timergara.



District Police Officer  
Dir Lower at Timergara

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 245/ 2014

Muhammad Saifoor Khan Ex- sub Inspector, No 14/M, Dir Lower.....Appellant.

**VERSUS**

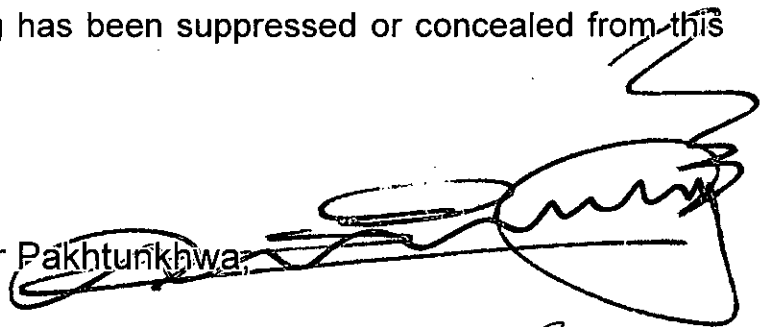
- 1) Government of kheber pakhtunkha through Secretary Home and Trabal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtuna, Peshawar.
- 3) Regional Police Officer. Malakand Range III at saidu sharif .swat.
- 4) District Police Officer .Dir lower at Timergara.
- 5) District Police Officer, Shangla. ....Respondes.

**AFFIDAVIT**

We the undersigned do hereby solemnly affirm and declare on Oath that the contents of the Para-wise comments are true and correct to the best of our knowledge and belief and nothing has been suppressed or concealed from this honorable tribunal.

**Secretary,**

Home & Tribal Affairs Deptt: Khyber Pakhtunkhwa,  
Peshawar. \_\_\_\_\_




**Provincial police officer,**

Khyber Pakhtunkhawa, Peshawar.



**Regional police officer,**

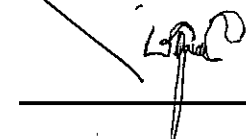
Malakand, at Saidu, sharif Swat.



**Regional Police Officer,**  
Malakand, at Saidu Sharif Swat.

**District Police Officer,**

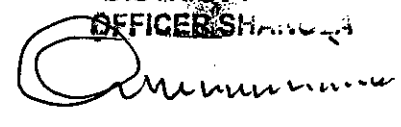
Shangla.



**DISTRICT POLICE  
OFFICER SHANGLA**

**District Police Officer,**

Dir Lower Timergara.



**District Police Officer**  
**Dir Lower at Timergara**

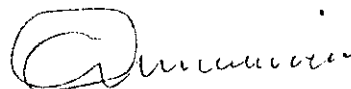
OFFICE OF THE DISTRICT POLICE OFFICER,  
DIR LOWER AT TIMERGARA

ORDER

This order will disposed off the departmental enquiry conducted against SI Saifur Rahman No.12/M now district Shangla, he while posted at Police Station Talash has been charged for his involvement in corruption / corrupt practices upon source report. The Enquiry Officer has recorded statements of President Bazar Talash and Muhammad Rafique retired DSP and Members of Musalahit committee, who in their statements have exonerated the delinquent officer from charge of corruption. However during enquiry one Sher Azam and his son Riazullah have leveled the allegations that on 03/12/2012 they wanted to register a case of kidnapping but the delinquent SI refused to register the case and demanded Rs.10,000/- as illegal gratification for doing the needful. Being aggrieved from behavior of SI, they knocked the door of the court of District and Sessions Judge, Dir Lower at Timergara, who ordered registrations of case and consequently case vide FIR No.15, dated 17/12/2012 U/S 365/511/506/148/149/447 PPC PS Talash was registered. Moreover Sher Azam also charged the delinquent officer for receiving Rs.30, 000/- as illegal gratification from the rival party.

Keeping in view the refusal for not registering a case of cognizable offence, which was subsequently registered by the order of Sessions Judge, Dir Lower reflects the negative approach of SI Saifur Rahman No.12/M toward his professional duty. Moreover his over-all reputation is also not good, therefore, I, Ghulam Habib Khan, District Police Officer, Dir Lower do hereby order the compulsorily retirement of Saif-ur-Rahman No.12/M now district Shangla from service with immediate effect.

OB No. 1699  
Dated. 25/12/2013



District Police Officer,  
Dir Lower at Timergara

No. 24768 /E,  
Dated. 26-12 /2013

Copy to District Police Officer, Shangla for  
necessary action.

No. 1473 /EDated 11-12 /2013CHARGE SHEET.

1. Tahir Ur Rahman , Acting District Police Officer, Dir Lower at Timergara as competent authority, hereby charge you SI Saifur Rahman committed as follows: -

While you posted at district Dir Lower remained involved in corruption and corrupt practices, which shows gross misconduct on your part.

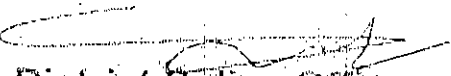
2- By reason of above, you appear to be guilty of mis-conduct and have rendered your-self liable to all or any of the penalties specified in Rule-4 of the Disciplinary Rules, 1975.

3- You are; therefore, required to submit your written reply within 02 days of the receipt of this charge sheet to the enquiry officer.

4- Your written reply, if any, should reach the enquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5- Intimate to whether you desire to be heard in person or not?

6- A statement of allegation is enclosed.

  
District Police Officer,  
Dir Lower at Timergara

Copy to accused SI Saifur Rahman now Shangla district.

E/Ms - 1475/E  
dt - 11-12-13

(3)

DISCIPLINARY ACTION

I, Tahir-Ur-Rahman, Acting District Police Officer, Dir Lower at Timergara as competent authority, as of the opinion that you SI Saifur Rahman have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATION.

That while, he posted at district Dir Lower remained involved in corruption and corrupt practices, which shows gross misconduct on his part.

2- For the purpose of scrutinizing the conduct of said officer with reference to the above allegations Mr. Zafar Khan DSP is appointed as enquiry officer.

3- The enquiry officer shall conducted proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within two (02) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4- The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry Officer.

  
District Police Officer,  
Dir Lower at Timergara

No. 77/E, dated 11-12 /2013.

- 1- Mr. Zafar Khan DSP Legal (Enquiry Officer) for initiating proceeding in against the accused SI Saifur Rahman under Police Rules 1975.
  - 2- SI Saifur Rahman now Shangla district.
- 11/11

**Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 245/2014

~~Yunus Khan~~ Saifoor Khan

.....Appellant

Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Rejoinder on behalf of Appellant**

  
Respectfully Sheweth,

**On Preliminary Objections:**

All the preliminary objections are formal, wrong and incorrect, hence denied.

**On Facts:**

1. Para No "1" is admitted to be correct, hence needs no reply.
2. Para No "2" needs no rejoinder.
3. Para No "3" of the of comments is wrong and incorrect, hence denied while that of Service Appeal is correct.
4. Para No "4" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
5. Para No "5" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
6. Para No "6" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice; no final show cause notice, no chance of cross examining the witness, no



chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.

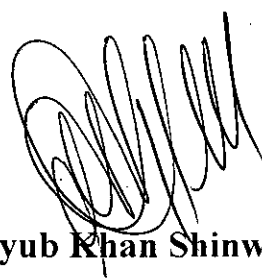
**On Grounds:**

- 057  
29.01.17
- a. Para "a" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - b. Para "b" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - c. Para "c" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.
  - d. Para "d" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - e. Para "e" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - f. Para "f" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - g. Para "g" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - h. Para "h" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - i. Para "i" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
  - j. Para "j" needs no reply.

It is, therefore, prayed that the title Service Appeal may kindly be allowed as prayed for.

Through

Appellant,

  
**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 245/2014

 Saifoor Khan

.....Appellant

Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Affidavit**

I, Muhammad Saifoor Khan, Ex-SI, No 14/M, Dir Lower District do hereby solemnly affirm and state on oath that the contents of accompanying rejoinder are true and incorrect to the best of my knowledge and belief and nothing has been concealed from this learned Tribunal.

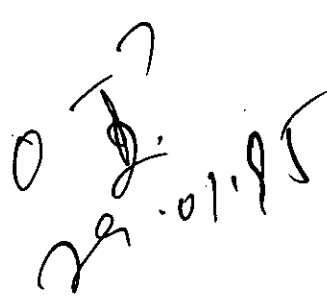
Deponent



ATTESTED



29/1/2015



Handwritten signature and date: 29.01.15

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 245/2014

 Saifoor Khan

.....Appellant

Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

Rejoinder on behalf of Appellant

Respectfully Sheweth,

**On Preliminary Objections:**

All the preliminary objections are formal, wrong and incorrect, hence denied.

**On Facts:**

1. Para No "1" is admitted to be correct, hence needs no reply.
2. Para No "2" needs no rejoinder.
3. Para No "3" of the of comments is wrong and incorrect, hence denied while that of Service Appeal is correct.
4. Para No "4" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
5. Para No "5" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
6. Para No "6" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no

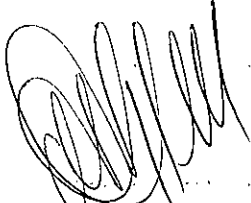
chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.

**On Grounds:**

- a. Para "a" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- b. Para "b" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- c. Para "c" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.
- d. Para "d" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- e. Para "e" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- f. Para "f" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- g. Para "g" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- h. Para "h" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- i. Para "i" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- j. Para "j" needs no reply.

It is, therefore, prayed that the title Service Appeal may kindly be allowed as prayed for.

Appellant,  
Through

  
**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 245/2014

 Saifoor Khan

.....Appellant

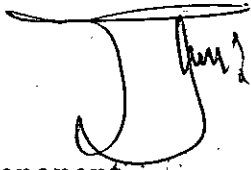
Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Affidavit**

I, Muhammad Saifoor Khan, Ex-SI, No 14/M, Dir Lower District do hereby solemnly affirm and state on oath that the contents of accompanying rejoinder are true and incorrect to the best of my knowledge and belief and nothing has been concealed from this learned Tribunal.

  
Deponent



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 907 /ST

Dated 30 / 5 / 2016


To

The DPO,  
Dir Lower.

Subject: - JUDGMENT

I am directed to forward herewith a certified copy of Judgement dated 20.5.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.