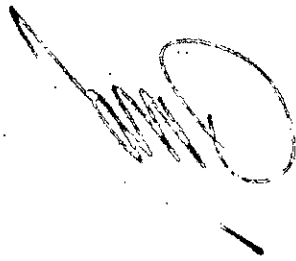


26.2.2015

Appellant with counsel and Add. AG for the respondents present. Case is adjourned to 10.3.2015 for order.





MEMBER

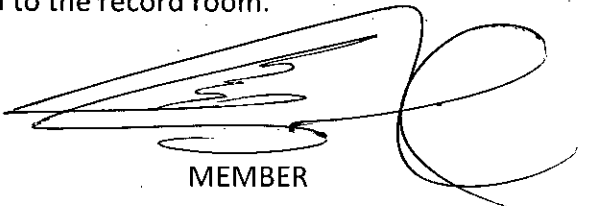

MEMBER

10.3.2015

Appellant with counsel (Sahibzada Assadullah, Advocate) and Mr. Muhammad Jan, GP with Imranullah, S.I (Legal) for the respondents present. Arguments heard. Record perused. Vide our detailed judgment of to-day in connected Service Appeal No. 233/2014, titled Balizar Versus Inspector General of Police, Khyber Pakhtunkhwa, Peshawar etc.", this appeal is also disposed of as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.


ANNOUNCED
10.3.2015

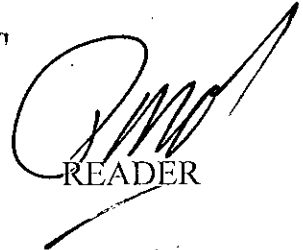

MEMBER


MEMBER



22.12.2014 Junior to counsel for the appellant and Mr. Muhammad

Adeel Butt, AAG with Imranullah, SI (Legal) for the respondents present. The Tribunal is incomplete. To come up for the same on 19.01.2015.

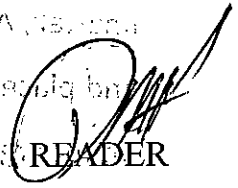

READER

19.1.2015 Junior for counsel for the appellant and Mr.

Muhammad Adeel Butt, AAG for the respondents present. It was submitted on behalf of the appellant that cases of similar nature have been fixed for arguments on 20.1.2015 and request made for adjournment to 20.1.2015. As such, case to come up for arguments on 20.1.2015.

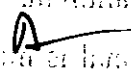

MEMBER

21.01.2015 Since 20th January has been declared as public holiday by the provincial government, therefore, case to come up for the same on 2.2.2015.


READER

2.2.2015 Appellant with counsel and Mr. Muhammad Adeel Butt, AAG with Imranullah, SI (Legal) for the respondents present. Arguments heard.

To come up for order on 26.2.2015.


MEMBER


MEMBER

08.08.2014

Appellant with counsel and Mr. Imranullah, SI (Legal) on behalf of the respondents with AAG present. Written reply/par-wise comments received on behalf of the respondents, copy whereof is handed over to the learned counsel for the appellant for rejoinder alongwith connected appeals on 8.12.2014.


Chairman

08.08.2014

15.09.2014

Counsel for the appellant and Mr. Muhammad Adeel Butt, AAG with Imranullah, SI (Legal) for the respondents present. The learned Member (Judicial) is not working due to a recent order of the Hon'ble Peshawar High Court affecting his status as District & Sessions Judge. To come up as before on 10.10.2014.


READER

10.10.2014

Junior to counsel for the appellant and Mr. Kabeerullah Khattak, Asstt. A.G for the respondents present. Rejoinder received and placed on file. Copy handed over to the learned AAG. To come up for arguments on 25.11.2014 alongwith connected appeals.


MEMBER

25.11.2014

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP with Imranullah, SI (Legal) for the respondents present. The Tribunal is incomplete. To come up for the same on 22.12.2014.


READER

03.06.2014

Counsel for the appellant present Preliminary
 heard and case file placed Counsel for the appellant to
 the appellant has not been treated in accordance with
 Against the original order dated 06.12.2013, he filed depon
 appeal on 10.12.2013, which has been rejected on 06.02.2014
 the present appeal on 22.02.2014. He further contended
 impugned order dated 06.02.2014 has been issued in vi
 Rules of the Civil Service (Appeal) Rules 1986. Points
 Bar need consideration. The appeal is admitted to regu
 subject to all legal objections. The appellant is directed to de
 security amount and process fee within 10 days. Thereafte
 be issued to the respondents. Appellant has also filed
 for suspension of the impugned orders dated
 06.02.2014. To come up for written reply/comments
 as well as reply/arguments on application on 03.06.2014.

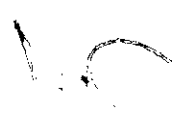


Member

This case be put before the final Bench for further proceedings.

03.06.2014

Chairman



Appeal No. 248/2014
Mr. Sher Wale Khan,

5. 02.05.2014

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 06.12.2013, he filed departmental appeal on 10.12.2013, which has been rejected on 06.02.2014, hence the present appeal on 25.02.2014. He further contended that the impugned order dated 06.02.2014 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. Appellant has also filed an application for suspension of the impugned orders dated 06.12.2013 and 06.02.2014. To come up for written reply/comments on main appeal as well as reply/arguments on application on 03.06.2014.

Appellant Deposited
Security & Process Fee
Rs. 180/- Bank
Receipt is Attached with File.

6. 03.05.2014

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

Member

Chairman

3.6.14

The Hon'ble bench is on

Policy Review, can be adjourned


On 8.8.14

RD
Recd.

3.

03.04.2014

Junior to counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 16.04.2014.


Member

4.

16.04.2014

Clerk of counsel for the appellant present and requested for adjournment due to general strike of the Bar. To come up for preliminary hearing on 02.05.2014.


Member

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Shari Wali Khan s/o Shari Ullah Ex-HC r/o village Daggar District Buner

.....Appellant


VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, (DIG) Malakand Region Swat.
3. The District Police Officer, Buner

..... Respondents

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District Police Officer
Buner
(Respondent No. 3)

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Sher Wali Khan s/o Sharif Ullah Ex-HC r/o village Daggar District Buner

.....Appellant

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, (DIG) Malakand Region Swat.
3. The District Police Officer, Buner

..... Respondents

Parawise comments on behalf of Respondents No. 1, 2 & 3.

Respectfully Sheweth

Preliminary Objections:-

1. That the present appeal is time barred.
2. That the appeal is not maintainable in the present form.
3. That the appeal is bad due to misjoinder and non joinder of necessary parties.
4. That the order of the competent authority has got finality and cannot be challenged at this stage.
5. That the appellant has got no cause of action to file the present appeal
6. That the appellant has got no locus standi to file the present appeal.
7. That the appellant is estopped due to his own conduct to file appeal.
8. That the appeal is bad in the present form and is liable to be dismissed.
9. That the appellant has not come to this Honorable Tribunal with clean hands.

ON FACTS

1. Para No. 1 of the Appeal is correct to the extent of service record. The rest is incorrect.
2. Para No. 2 of the appeal is correct. The appellant was reported to have been involved in corruption, misuse of powers and other corrupt practices.

3. *In reply to Para No. 3 it is submitted that, the Respondent No. 3 received continued secret reports against the appellant regarding his involvement in corruption and misuse of powers. The public opinion and secret reports vehemently spoke about involvement of the appellant in corruption. Furthermore the appellant was bad reputed and there were persistent secret complaint against him.*
4. *Para No. 4 of the appeal is correct.*
5. *Para No. 5 of the appeal is correct to the extent that the appellant recorded his statement. A certificate issued by Junior Rank Officer in favour of the appellant could not absolve him from charges of corruption. The Respondent No. 3 had received satisfactory public complaints against the appellant regarding his involvement in briberies and corruption.*
6. *In reply to Para No. 6 it is submitted that, the Appellant was reported to have been involved in corruption; therefore on persistent complaints disciplinary action was taken against him by Respondent No. 3. The Enquiry Officer found out that there were complaint and allegations of corruption against the Appellant. The Appellant was thus rightly compulsorily retired from service.*
7. *Para No. 7 of the appeal is correct. The Respondent No. 2 rightly upheld the order of Respondent No. 3.*
8. *Needs no comments.*

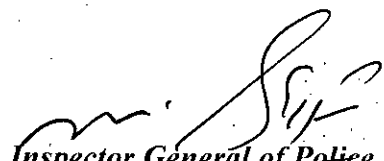
On Grounds:


- A. *Incorrect. Orders of Respondents No. 2 & 3 are just, legal and according to law.*
- B. *Incorrect. The character of the appellant has always been questionable. There were allegations and complaints of corruption against the appellant. The reputation of the appellant among public was bad enough.*
- C. *Incorrect. There is no exceptional performance showed by the appellant during his service, rather he was involved in corruption.*
- D. *Recommendation of the appellant does not mean that the appellant has been worthy of praise. It is a closed and past transaction. Recently there were complaints and secret report regarding involvement of the appellant in corruption. Previous recommendation cannot wash away his bad reputation, involvement in corruption and unwarranted acts.*
- E. *The principals of natural justice require that every good work should be appreciated and wrong doers should be punished. At one stage the appellant might have performed efficiently followed by awards, whereas in the recent past there were continues complaints and secret reports regarding involvement of appellant in corruption, therefore he was compulsorily retired from service. The recent wrongs / guilt of the appellant cannot be washed through the previous good work if any.*
- F. *As replied and explained on ground No. E.*
- G. *Incorrect. The appellant has persistently been reported to have been involved in corruption and committed unwarranted acts.*
- H. *Correct to the extent of disciplinary action, closing to lines and conduct of Enquiry. The certificate issued in favour of the appellant by non-competent joiner rank Officers could not absolve him from allegation and charges.*
- I. *Incorrect. There were secret / source reports against the appellant which could not be disclosed in the public good and interest.*
- J. *Incorrect. Proper departmental proceedings were conducted against the appellant in accordance with rules. The appellant was involved in corruption. There has been no intention of the respondents to score points and please the Govt. rather to make clean the police department from corrupt elements.*


- K. *Incorrect. There has always been a policy of police department to take action against corrupt officers / officials with in police without any favour or disfavor.*
- L. *Incorrect. The appellatant was involved in corruption and there were complaints against him. Moreover, the Enquiry officer also found out that there have been complaints against the appellatant.*
- M. *Incorrect. The appellatant has rightly been compulsorily retired from service in accordance with Police Rules – 1975.*

Prayer:-

In view of the above comments on facts and grounds it is therefore respectfully prayed that the appeal of the appellatant may be dismissed with costs.


**Inspector General of Police,
Khyber Pakhtunkhwa Peshawar
(Respondent No. 1)**


**Regional Police Officer, (DIG),
Malakand Region Swat
(Respondent No. 2)**


**District Police Officer,
Buner,
(Respondent No. 3)**

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Sher Wali Khan s/o Sharif Ullah Ex-HC r/o village Daggar District Buner

.....Appellant


VERSUS

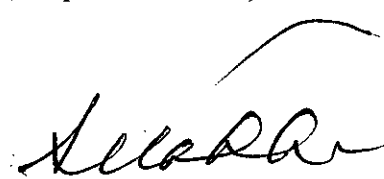
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2. The Regional Police Officer, (DIG) Malakand Region Swat.
3. The District Police Officer, Buner


..... Respondents

✓ **AFFIDAVIT**

We the above respondents do hereby declare and solemnly affirm on oath that the contents of the reply to appeal No. 288/2014 are true / correct to the best of our knowledge / belief and nothing has been kept secret from the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar.


Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(Respondent No. 1)


Deputy Inspector General Of Police,
Malakand Region Swat
(Respondent No. 2)


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Buner,
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Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

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VERSUS

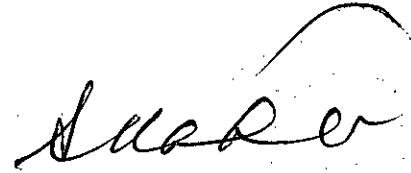
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..... Respondents

AUTHORITY LETTER

We the above respondents do hereby authorize SI (Legal) Buner as representative of Police Department to appear in the court on our behalf and do whatever is needed in the court.


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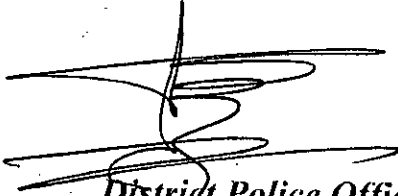
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3. *The District Police Officer, Buner*

..... Respondents

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District Police Officer
Buner
(Respondent No. 3)

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Sher Wali Khan s/o Sharif Ullah Ex-HC r/o village Daggar District Buner.

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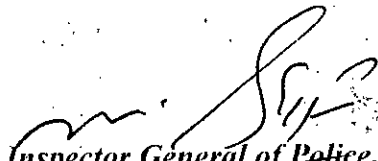
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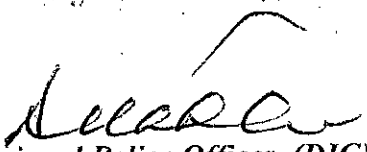
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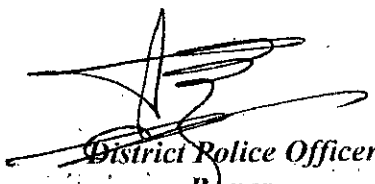
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Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Sher Wali Khan s/o Sharif Ullah Ex-HC r/o village Daggār District Buner

.....Appellant

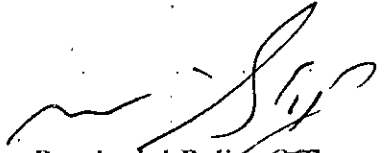
VERSUS

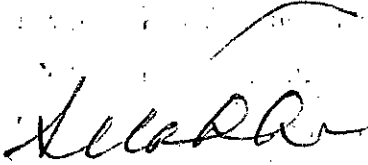
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3. The District Police Officer, Buner


..... Respondents

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Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 288/2014

Sher Wali Khan s/o Sharif Ullah Ex-HC r/o village Daggar District Buner

.....Appellant


VERSUS

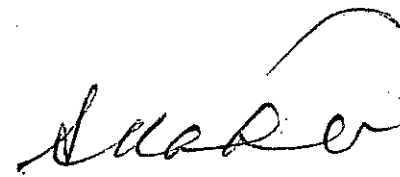
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(Respondent No. 1)**


**Deputy Inspector General Of Police,
Malakand Region Swat
(Respondent No. 2)**




**District Police Officer,
Buner,
(Respondent No. 3)**

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 288/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27/02/2014	<p>The appeal of Mr. Sher Wali Khan resubmitted today by Sahibzada Asadullah 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	4-3-2014.	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>3-4-2014.</u></p> <p style="text-align: right;">  CHAIRMAN </p>


The appeal of Mr. Sher Wali Khan Son of Sharif Ullah Distt. Buner received today i.e. on 25.02.2014 is incomplete on the following scores which is returned to the counsel for the appellat for completion and resubmission within 15 days.

Copies of departmental appeal and its rejection order are not attached with the appeal which may be placed on it.

No. 299 /S.T,

Dt. 26/02 /2014.

Mr. Sahibzada Asadullah Adv. Pesh.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

*Re-submitted after
compliance*


27/2/2014

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 988/2014

Sher Wali Khan(Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)

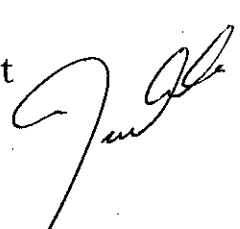
I N D E X

S.No	Description of Documents	Pages
1.	Service Appeal	1-8
2.	Affidavit	9
3.	Addresses of the parties	10
4.	Copy of show cause notice dated 23/10/2013 and explanation dated 28/10/2013	11-12
5.	Copy of charge sheet dated 28/11/2013 and reply of the appellant dated 29/11/2013	13-14
6.	Copy of the order dated 28/11/2013	15
7.	Copies of statement of appellant along with certificates	16-22
8.	Copies of inquiry report and order dated 06/12/2013, appeal and order dated 06/02/2014	23-31 31A&31B
9.	Copies of the commendation certificates	32-43
10.	Copies of letters dated 17/08/2009, 24/07/2009, 30/09/2010 and 13/10/2011	44-47
11.	Copies of Naqal Mad 24 dated 17/05/2005, F.I.R No. 228	48-49
12.	Copies of orders dated 29/10/2009 and 03/02/2000	50-51
13.	Copies of Naqal Mad No. 5 and No. 16	52-52
14.	Wakalat Nama	53

شیر ولی
Appellant

Through

Dated: 17/02/2014


Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.
Cell No. 0313-9772262

①

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR**

Service Appeal No. 288/2014

Sher Wali Khan S/o Sharif Ullah

R/o Village Dagar, District Bunir.....(Appellant)

[Stamp]
276
25/2/2014

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer (DIG), Malakand at Saidu Sharif, Swat.
3. District Police Officer, Bunir.....(Respondents)

**APPEAL U/S 4 OF THE N.W.F.P (KHYBER
PAKHTUNKHWA) SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED ORDERS DATED
06/12/2013 AND 06/02/2014 PASSED BY THE
DISTRICT POLICE OFFICER BUNIR AND
REGIONAL POLICE OFFICER, MALAKAND AT
SAIDU SHARIF SWAT RESPECTIVELY.**

Respectfully Sheweth:

[Stamp]
25/2/14

Brief facts giving rise to the instant appeal are as under:

FACTS:

re-submitted to ~~the~~
and filed.

[Signature]
27/2/14

1. That the appellant joined the Police Department on 1981 as constable and performed his duties in various police station and police posts and in the year 1996 was

promoted as Head Constable C-II and later on owing to his brilliant performance was promoted to the Rank of honorary ASI.

2. That on 21/10/2013 the appellant was closed to police line where the appellant was served with a show cause notice from DPO Bunir on 23/10/2013 where the appellant gave a detailed explanation on 29/10/2013 to the show cause notice. (Copy of show cause and explanation are attached).
3. That the appellant was charge sheeted on 28/11/2013 where charges of corruption were leveled against the appellant that too on the basis of source report where the appellant submitted a detailed reply by explaining his position on 29/11/2013. (Copy of charge sheet and reply of the appellant are attached).
4. That on 28/11/2013 the respondent No. 3 recommended disciplinary action against the appellant and others in accordance with provision of the Police Rules 1975 and for the purpose Ghulam Muhammad DSP Head Quarters was appointed as inquiry officer. (Copy of the order dated 28/11/2013 is attached).

5. That during inquiry the appellant recorded his detailed statement regarding his position. The Station House Officers, where the appellant performed his duties issued certificates in favour of the appellant. (Copies of statement of appellant along with certificates are attached).
6. That the inquiry officer prepared his finding report on 30/11/2013 where he opined that the appellant along with others are not suitable for field posting. The respondent No. 3 on the strength of the inquiry report passed the impugned order where the appellant was compulsorily retired from service vide order dated 06/12/2013 from the date of their suspension. (Copies of inquiry report and order dated 06/12/2013, appeal and order dated 06/02/2014 are attached).
7. That being aggrieved of the order of respondent No. 3 the appellant preferred an appeal before respondent No. 2 which got the same fate vide order dated 06/02/2014. (Copy of appeal and order dated 06/02/2014 are attached).

8. That being aggrieved the appellant prefers this appeal on the following grounds amongst others inter-alia:

GROUND:

- A. That the impugned orders are arbitrary, mechanical and without the application of judicial mind and passed in vacuum needs interference of this august Tribunal.
- B. That the appellant has served the department since 1981 with his initial appointment as constable but having curiosity to work hard the appellant passed the required examinations and on the strength of his hard work he reached to the post of Head Constable and later on was promoted as ASI (honorary), throughout his career the high-ups trusted him and no complaints whatsoever was made against him during his stay at various police stations.
- C. That the appellant struggled hard and even retained his position at the time when Bunir was passing through hard times when the terrorists challenged the writ of the Government without caring for his life. That the appellant throughout his career worked hard and helped the police

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department to his best and his services were recognized by the high-ups and were applauded, he was also issued commendation certificates on 11/02/2011, 17/08/2006, 17/08/2006, 05/11/2004, 06/10/2004, 14/04/2001, 03/02/2000, 13/03/2000, 22/11/1999, 02/10/1988, 06/10/1988 and again 1988. (Copies of the commendation certificates are attached).

D. That the appellant did well throughout his service and his performance was always liked by the high-ups i.e. why time and again he was recommended for accelerated promotion vide letters dated 17/08/2009, 24/07/2009, 30/09/2010 and 13/10/2011. (Copies of letters dated 17/08/2009, 24/07/2009, 30/09/2010 and 13/10/2011 are attached).

E. That the appellant also got several F.I.Rs and arrests to his share in which respect Naqal Mad 24 dated 17/05/2005, F.I.R No. 228, P.S. Daggar, dated 11/06/1988. (Copies of Naqal Mad 24 dated 17/05/2005, F.I.R No. 228 are attached).

F. That the appellant did well throughout his career and because of his hard work he earned promotion to the

Rank of ASI vide order dated 29/10/2009 and previously 03/02/2000. (Copies of orders dated 29/10/2009 and 03/02/2000 are attached).

- G. That the respondents No. 2 & 3 through the blind orders stigmatized the bright career of the appellant not only through this illegal order within the department but in the public as well, despite the fact that the sacrifices of the appellant are beyond explanation, so much so that his own house was also demolished by the terrorists during attack. That it is surprising that on 06/12/2013 the appellant along with others vide Naqal Mad No. 5 and Naqal Mad No. 16 did perform their duties and on the same date they got the impugned order of respondent No. 3. (Copies of Naqal Mad No. 5 and No. 16 are attached).
- H. That this is the element of surprise that on 21/10/2013 the appellant was closed to the police line, on 23/10/2013 was served with a show cause notice which was duly replied but that did not help the appellant. On 28/11/2013 charge sheet was served upon the appellant, to which the appellant also submitted detailed reply but instead the DPO Bunir ordered the conduct of inquiry.

⑦

and for that matter inquiry officer was deputed to record the statements of all concerned. The inquiry was conducted in a strange manner that during the inquiry the appellant also handed over various certificates issued in his favour by different station-houses officers.

- I. That on the conclusion of the inquiry the inquiry officer while submitting his finding report could not find any adverse material against the appellant and no one from the public came forward to record any complaint against the appellant rather the recommendation was based only upon the hearsay and concocted source report.

- J. That all the proceedings were conducted in haphazard manner and no procedure was followed in strict sense but the hurry shown clearly show the intention of the respondents to make the appellant and some others scape goats so that to help the provincial Government to score in the eyes of public.

- K. That the respondents No. 1 and No. 2 were bending upon to issue the impugned orders at any cost which they called a policy of the K.P.K Government.

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L. That no material has been brought on record during the inquiry nor any person was produced in support of the leveled allegations which could justify the stance of the respondents.

M. That the appellant is innocent and has been retired compulsory which is a major punishment which is not in accordance with the police rules and the law laid down for the purpose.

It is, therefore, humbly prayed that on acceptance of this service appeal, the appellant may kindly be reinstated to his post with all back benefits and the impugned orders dated 06/12/2013 and 06/02/2014 passed by respondents No. 2 and 3 may kindly be set aside.

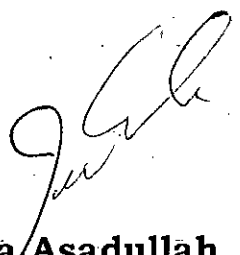
OR

Any other relief which this august Tribunal deems appropriate may kindly be awarded to meet the ends of justice.

شہزاد
Appellant

Through

Dated: 17/02/2014


Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.

9

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. ____/2014

Sher Wali Khan(Appellant)

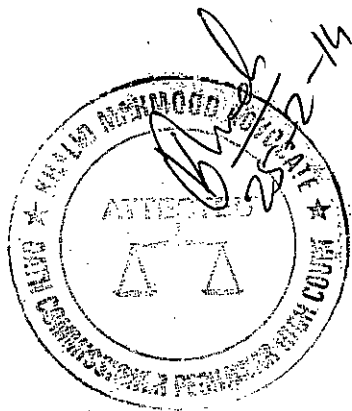
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)

AFFIDAVIT

I, Sahibzada Asadullah Advocate, as per instruction of my client, do hereby solemnly affirm and declare, that all the contents of accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



[Handwritten Signature]
ADVOCATE

9-A

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR**

Service Appeal No. ____/2014

Sher Wali Khan(Appellant)

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa,
Peshawar and others.....(Respondents)

**APPLICATION FOR SUSPENSION OF THE
IMPUGNED ORDERS DETED 06-12-2013 AND 06-
02-2014PASSED BY DPO BUNIR AND REGIONAL
POLICE OFFICER MALAKAND.**

Respectfully Sheweth:

1. That the captioned appeals have been filed before this august court where the date is fixed as 16.04.2014.
2. That the appellants are poor police officials and have suffered a lot.

(9-B)

3. That the appellants have got a good case and are sanguine of its success.

4. That the balance of convenience lies in favour of the appellants and irreparable loss has occasioned to them.

It is therefore, prayed that on acceptance of this application the impugned orders may kindly be suspended till final decision of the case.

Appellant



Through

Dated: 27/02/2014

Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.

9-C

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. ____/2014

Sher Wali Khan(Appellant)

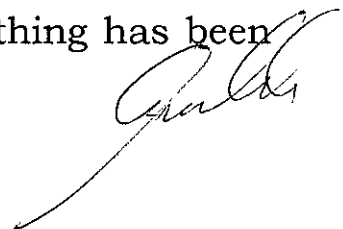
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)

AFFIDAVIT

I, Sahibzada Asadullah Advocate, as per instruction of my client, do hereby solemnly affirm and declare, that all the contents of accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



ADVOCATE



**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR**

Service Appeal No. ____/2014

Sher Wali Khan(Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Sher Wali Khan S/o Sharif Ullah
R/o Village Dagar, District Bunir

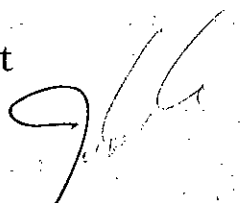
RESPONDENTS:

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer (DIG), Malakand at Saidu Sharif, Swat.
3. District Police Officer, Bunir.

سید
Appellant

Through

Dated: 17/02/2014


Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.

(11)

SHOW CAUSE NOTICE.

WHEREAS, as you the following officers / officials involved in Corruption as per source report.

<u>S.No.</u>	<u>Name & Rank</u>	<u>Place of Posting</u>
1.	SI Balizar Khan (Invest)	I/C Invest: PS Totalai
2.	ASI Muhammad Wahab	PS Daggar.
3.	ASI Anwar Saeed	PS Gagra
4.	ASI Muhammad Zahid	Police Lines
5.	ASI Zeb Ahmad	PS Totalai
6.	HC Khan Sher	MHC PS Jowar
7.	HC Sher Muhammad	I/C Guard Koga Camp
8.	HC Sher Aizal	PPP Durmai.
9.	HC Bahrawar Said	MM PS Daggar.
10.	HC Sher Wali	I/C PPP Kalih Kandaw
11.	HC Aman Khan	FP Budal.

You have therefore, committed misconduct which is punishable under rules 4 of Police Rules 1975.

Now therefore, as required by the KPK Police 1975 IASIF JHAL MOHMAND District Police Officer, Buner call upon to show cause as to why you should not be awarded major punishment as defined in 4 (b) of the said rules.

Your explanation should reach the undersigned within 7 days of the receipt of this notice.

You should state in writing as to whether you wish to be heard in person or not?

In case your written explanation is not received within the specified period, it should be presumed that you have no defence to offer.


**DISTRICT POLICE OFFICER,
BUNER.**

No. 529-39 /EC

Dated 23-10-2013


**HEAD CLERK,
S.P. OFFICE BUNER.**

حوالہ شوکار نوٹس نمبری 39-529 جاریہ صاب DPo صاب نوٹس نمبری 23-10-013

معرض خدمت میں - درمیان 1981 سے 1988 تک جس میں مختلف کثت نا فائدہ فیڈیشن کے ذریعہ سرانجام دے رہے ہیں اور دوران میں مختلف نا فائدہ کارڈز، پٹرولنگ پوسٹوں پر رہ چکے ہیں اور وقتاً فوقتاً میا نے بہترین کارکردگی کا مظاہرہ کرتے ہوئے فنیات، اسلم، ایجوکیشن وغیرہ کی برآمدگی اور جبران اشتہاری کی وقتاً فوقتاً عمل میں لایا ہے۔ اور جبران اشتہاری کے ساتھ مقابلہ میں سال 1988 میں شدہ رجسٹرڈ ہو کر جس پر تعداد کل 228 ورم 6/88 جرم 353-307 ہے (P) تھانہ ڈگ درجہ 10 اور وقتاً فوقتاً ہے کارکردگی پر 34 آفران ہالانے لئے انعام اور سرسخت ہائے بھی دیئے ہیں۔ اور میرے لئے قائد اعظم میڈل لئے بھی تحریر کیا گیا تھا۔ فورم 2013 8 کو صاب اسکیم آفران ہالانے پر 113 2 ماہ اذیت کلاں پر گیا تھا۔ بدگزشتہ نے رضا کلاں فورم 10/8 کو واپس آ کر پوسٹ آفس ڈوکیا حاضر کیا اور اس میں 3 دن گزارنے کے بعد فورم 12/10 کو ملیر کھنڈر کارڈ کو کثت انچارج تبدیل ہو کر وہاں پر کٹھان کا بار برقرار رکھے ان کے قبضے سے ڈوکیا لیٹول برآمد کی جس پر آفران ہالانے سے ہیرے انعام لئے تحریر فرمایا۔

میں نے 32 سال سرکاری ڈوکیا تیا ت ایمانداری سے سرانجام دی ہے۔ دوران ڈوکیا میرے خلاف کسی قسم کی کرپشن کا شکیات نہیں کی ہے۔ اور نہ میں نے کسی سے رشوت لی ہے۔ اور میرے ساتھ کوئی لفتیشی اور نہ کوئی در خواست اور ملکہ پر رسلوایوں۔ تو میں سلسلہ حیرانہ میں رہتا رہتا ہوں ہے۔ تب میرے رشوت ستانی کا الزام لگایا گیا اور جھوٹ پر مبنی ہے۔ لہذا استدعا ہے کہ شوکار نوٹس لکھ کر کسی کارروائی کے فائل میں سے کا قسم ہمارے فرمایا جائے۔ تو حاصل ڈیٹا کو منسٹا۔

التشریح

مذکورہ خان 173 فقہ صبر پوسٹ آفس HC

HEAD CLERK, S.P. OFFICE BUNER.

28-10-013

CHARGE SHEET

I, **ASIF IQBAL MOHMAND** District Police Officer, as competent authority do hereby charge you the following Upper / Lower Subordinates while posted in Police Lines Daggar as follows.

It has been reported against you that you while posted Police Lines Daggar committed the following act/ acts.

As per source report, you are the following Upper / Lower Subordinates were found involved under corruption during the posting of various places.

<u>S.No.</u>	<u>Name & Rank</u>	<u>Previous Posting</u>	<u>Closed to Police Lines on 12/10/013</u> <u>On the cause of corruption</u>
1.	SI Balizar Khan	I/C Invest: Totalai	-do-
2.	ASI Muhammad Wahab	PS Daggar	-do-
3.	ASI Anwar Saeed	PS Gagra	-do-
4.	ASI Muhammad Zahid	Police Lines	-do-
5.	ASI Zeb Ahmad	PS Totalai	-do-
6.	HC Khan Sher	MHC PS Jowar	-do-
7.	HC Sher Muhammad	I/C Gurad Koga	-do-
8.	HC Sher Afzal	PPP Durmai	-do-
9.	HC Jahrawar Said	MM PS Daggar	-do-
10.	HC Sher Wali	I/C PPP Kalil	-do-
11.	HC Aman Khan	PP Budal	-do-

Which is / are gross misconduct on your part as defined in Rules 2 (iii) of Police Disciplinary Rules, 1975.

2. By reason of above, you appear to be guilty of mis-conduct and have rendered yourself 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 7 days of the receipt of this charge sheet to the enquiry Officer.

4. Your written reply, if any, should reach to the Enquiry Officer within the specified period. In case failing, it shall be presumed that you have no defense to put-in and an ex-parte action will be followed against you.

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

6. Statement of allegation is enclosed.

HEAD CLERK
S.P. OFFICE BUNER.

DISTRICT POLICE OFFICER,
BUNER

قوائم مشورہ خارج شدہ دفعہ 572-523 572-523 28 مارچ 2013

قومیہ جبرو من خدمت پولیس آف سائبل 1981 سے 2013 قلم نویس سے نسبت نیک
صوبہ پولیس آف نسبت ناخواندہ جدید آف ڈیوٹی سرانجام دے جانے
دوران سروس سے منسلک ہونے سے مختلف ناخواندہ عمارت، پٹرولنگ

پوسٹوں پر نسبت آغاز 2013 کے دوران سروس سے منسلک ہونے سے مختلف
تحتلف پوسٹوں پر نسبت کارکنوں کا خطا کرتے ہوئے نسبت
آئی ایویشن کی سرحد کی ہے اور متعدد قلم نویس کی
گنتاری بھی عمل میں نہ جانے۔ مگر سال 1989 سے 2013

انتہائی ساتھ ساتھ مختلف کرتے ہوئے سید زینحہ صاحبہ سے
228 2013 307-353 34 38 06 11 38
اس کے وقت قلم نویس کا پتہ دیکھنے پر آئینہ بالائے نسبت
اور سروس کے وقت جیک این سید میں آئینہ بالائے سید کے ساتھ

میں سے بھی گنتاری کا تھا۔ خورج 08/08 سے خورج 10/09
2013 2013 10/08 کو دو ماہ تک سروس والی پر خورج 2013
نسبت آغاز 2013 کے دوران سروس سے منسلک ہونے سے مختلف
تحتلف پوسٹوں پر نسبت کارکنوں کا خطا کرتے ہوئے نسبت

بالائے بھی نسبت انتہائی سے گنتاری کا تھا۔ خورج 08/08 سے خورج 10/09
2013 2013 10/08 کو دو ماہ تک سروس والی پر خورج 2013
نسبت آغاز 2013 کے دوران سروس سے منسلک ہونے سے مختلف
تحتلف پوسٹوں پر نسبت کارکنوں کا خطا کرتے ہوئے نسبت

مگر دوران سروس خورج 32 سال پر مشتمل ہے۔ میں آئینہ بالائے
بنا ہے ایسا ہی سے سرانجام دی ہے۔ مگر ایسی دوران سروس میں
صرف گنتاری سے نہیں کیے گئے۔ گنتاری سے گنتاری سے گنتاری سے
میں ناخواندہ ہوں ایک کوئی نسبت نہیں کی ہے۔ انہوں
سلسلہ میں سرانجام دی ہے۔ خورج 08/08 سے خورج 10/09
2013 2013 10/08 کو دو ماہ تک سروس والی پر خورج 2013
نسبت آغاز 2013 کے دوران سروس سے منسلک ہونے سے مختلف
تحتلف پوسٹوں پر نسبت کارکنوں کا خطا کرتے ہوئے نسبت

میرا نام

DISCIPLINARY ACTION

18

I, ASIF IQBAL MOHMAND District Police Officer, Buner as competent authority, is of the opinion that the following Upper / Lower Subordinates while posted as Police Lines 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 it has been reported against you that you while posted Police Lines committed as per source report, you are the following Upper / Lower Subordinates were found involved under corruption during the posting of various places.

<u>S.No.</u>	<u>Name & Rank</u>	<u>Previous Posting</u>	<u>Closed to Police Lines on 12/23/13</u> <u>On the cause of corruption</u>
1.	SI Balizar Khan	I/C Invest: Totalai	-do-
2.	ASI Muhammad Wahab	PS Daggar	-do-
3.	ASI Anwar Saeed	PS Gagra	-do-
4.	ASI Muhammad Zahid	Police Lines	-do-
5.	ASI Zeb Ahmad	PS Totalai	-do-
6.	HC Khan Sher	MHC PS Jowar	-do-
7.	HC Sher Muhammad	I/C Gurad Koga	-do-
8.	HC Sher Afzal	PPP Durmai	-do-
9.	HC Bahrawar Said	MM PS Daggar	-do-
10.	HC Sher Wali	I/C PPP Kalil	-do-
11.	HC Aman Khan	PP Budal	-do-

Which is / are gross misconduct on your part as defined in Rule 2 (iii) of Police Rules 1975.

2. For the purpose of scrutinizing the conduct of said officer with reference to the above allegations Mr. Ghulam Muhammad Khan DSP HQR: is appointed as enquiry officer.

3. The Enquiry officer shall conduct proceedings in accordance with provision of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused officer, record its findings and make within twenty five (25) days of the receipt of this order, recommendations 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,
BUNER

No. 562-72 /EC, Dated 28-11 /2013

1. Enquiry officer for initiating proceeding against the accused officer namely under Police Rules 1957.

2. Defaulter concerned.


DISTRICT POLICE OFFICER,
BUNER

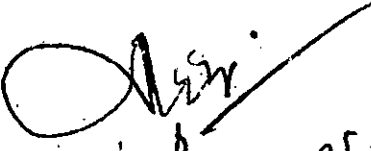

HEAD CLERK,
S.P. OFFICE BUNER.

لکھنؤ کی سرکاری

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لکھنؤ کی جاتی ہے۔ یہ سیدولی ہاؤس نمبر 173 میں واقع ہے۔
مکمل کتب خانہ کی بنیاد پر لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی
بنیاد پر لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی
مکمل کتب خانہ کی بنیاد پر لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی
کتابوں کی لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی
اور لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی لکھنؤ کی


29.11.2017
Head Clerk
S.P. Office Buner


HEAD CLERK
S.P. OFFICE BUNER.

لعدیاتی سرسفلیا

ضابطہ عالی 1

لعدیاتی کی جاتی پھید HC شیروولی نمبر 173 سے ساتھ لعدیاتی ایف
ما بھیت افارج ٹارڈ کائلکلا رہ چکا ہے . اور اسے عرصہ میں
مذکورہ HC کے خلاف تھے کسی بھی شخص نے رلیشن یا دیگر کسی
قسم کی شکایت نہیں کی ہے . بلکہ HC مذکورہ نے اپنی ڈیوٹی بنائے
ایمانداری ، دیانت داری سے انجام دی ہے . جبکہ میں لعدیاتی
کرتا ہوں .

نور علی اللہ سید
24.11.13

HEAD CLERK
S.P. OFFICE BILASPUR

ضابطہ

گزارش ضلع سے بحیثیت 145 کا درجہ
 میں انیا عرصہ اہلیاتی ترقیاً 15 ماہ گزاری ہے اور
 الی عرصہ شہرولی # 73 گاؤں میں ترقیاً عرصہ
 3 ماہ کا پیرڈ ترقی ہے۔ مذکورہ پیرڈ ترقی، خدیف
 جیجے کسی نہ کر رہی اور نہ زبانی کر رہیں، متعلق شغاب
 روہول پہنچی ہے۔ رپورٹ عرض ہے

انسیہ نور احمد
 Co/Pir Baba Shaha
 29/4/13
 کھانہ در

HEAD CLERK,
 S.P. OFFICE BUNER.

صوبہ ہند

حقوق عدالت چوں کہ اس کے ساتھ ساتھ
 ساتھ ساتھ عدالتوں میں جیتا جاتا ہے تو
 ہم عدالتوں میں جیتا جاتا ہے تو
 ہم عدالتوں میں جیتا جاتا ہے تو
 ہم عدالتوں میں جیتا جاتا ہے تو

29.11.13
 100/P
 29.11.13

HEAD CLERK
 S.P. OFFICE BUNER

۲۵/۱۱

(22)

لا کر دین کے نام پر کلر شہر دل کے نام پر لکھا گیا ہے۔
 یہاں پر ایسا لکھا گیا ہے کہ اس کے ساتھ ساتھ
 خدو زبانی یا تحریری کسی قسم کی کڑی سبب سے متعلق
 مذکورہ نے میرا تو اجماع دینا چاہتا ہے۔ اور اس میں
 خدو زبانی سے ارادہ ہے۔ پورے میں ہے

DSP / White Bazar
 dt. 29/11/13

HEAD CLERK,
 S.P. OFFICE JUNER.

صبر لایب

(1)

مطابق سند انتظامی

از دستگیری آقای

(18)

تاریخ 28/11/57

شماره 572-82

572-82

562-72

562-72

انتظامی

(23)

مطابق سند انتظامی

کمیسیون

شماره

تفصیل کاغذات

09	—	اندرکی خیراڈ خانڈ رنگ پورٹ
03	208	آرڈر انتظامی برقی 562-72 مطابق سند انتظامی 572-82
05	5110	بیان آذان بلنر خان 31 همراه 4 سند انتظامی
04	"	بیان آذان محمدویاں 31 همراه 3
06	"	بیان آذان انور پیر 31 همراه 5
05	"	بیان آذان محمد زید 31 همراه 4
05	"	بیان آذان ارمب احمد 31 همراه 4
03	11	بیان آذان خان شہر 174/31 همراه 2
07	"	بیان شہر 174/31 همراه 6
03	"	بیان آذان شراخصل 396/31 همراه 2
04	"	بیان آذان فروری 372/31 همراه 3
07	"	بیان آذان شہر 173/31 همراه 6
06	"	بیان آذان آغا خان 265/31 همراه 5
04	"	کوشنگ آرڈر برائے

(71)

ممتاز

ATTACHED

Superintendent of Police
Faqir Daggar

الزام علیحدہ عدہ داران پولیس میں سے کسی الزام سے سلسلہ میں مختلف
 حالت تعیناتوں سے حکم افسانہ بالا صاحبان پولیس لائن ڈگری بورڈ
 کلوز ہو کر آئے ہیں جنکو باری باری طلب کر کے انکے بیانات سمجھنے کے الزام علیحدہ
 ملازمان پولیس سلسلہ پر اتارنا ایسے افسانہ داران کے الزامات سے متعلق ہے
 کہ جس سے انکاری ہے جن میں سے ہر ایک ایسے ایک شخص شناس، ہیلتہ دار
 کریشیا سے ایک ملک کا دفاتر اور عوام کا خادم ایسے بیانات میں ظاہر کرتا ہے
 جن میں سے بعض ایسے صفائی میں سپر اوپیشن تر ایسے SHO صاحبان سے
 تصدیق سرٹیفکیٹ اپنی ایمانداری اور فرض شناسی کے متعلق پیش کر کے سپر اوپیشن
 علیحدہ عدہ لکھا ہے۔

الزام علیحدہ ملازمان پولیس کے اعمال نامے باری باری ملاحظہ حاصل ہوئی
 سائنس سزایا بیوں، کارکردگی اور تعیناتوں کے متعلق کو لکھ حصے ذیل قابل ملاحظہ
 1 بلینڈ خان زی حال متنبہ پولیس لائن تاریخ ہجرتی 1976/7 ریکورڈ ہوئی
 7/77 ڈیپوٹیشن ہوئی 20/3/88 اسٹریٹنگ سکول کورس 20/88

تعیناتیاں ضلع سوات: پولیس لائن سیدو شریف، چوکی رجم آباد، پولیس
 لائن سید سوات، قحانہ عالیگ، سبی ایٹی اے (CIA) سوات، قحانہ ڈگری بورڈ
 چوکی فتح پور، پولیس لائن سید سوات، چوکی جنگلی ضلع پونیر، چوکی
 رجم آباد سوات، سبی ایٹی اے (CIA) پونیر، قحانہ نادرہ گی پونیر، چوکی رجم آباد
 FRP ملائند، ضلع پونیر رگولہ، گلپانڈری پونیر، نادرہ گی پونیر، پولیس لائن
 سوات، قحانہ منہ، قحانہ جنگلی پونیر، قحانہ طولانی پونیر، قحانہ گلپانڈری
 ضلع پونیر، قحانہ طولانی پونیر، پولیس لائن ڈگری بورڈ پونیر، قحانہ گلپانڈری
 یا باگ گانہ ای بلینڈ خان کی سرحد پونیر سے 10 سال سے سوات
 پونیر (15) اچھی کلر کردگیاں اور تحریری اسناد میں نواز گانہ اور سزایا بیوں
 کی تعداد بارو ہیں جن میں کوئی سنگین سزایا بی نہیں ہے جبکہ متنبہ علیحدہ
 مور 9/86 رجم A.T.C (2) 5/10/86 ایٹی لکھن سیدو شریف تمام شدہ میں بہی ہو چکا ہے

2 ASI قحانہ منہ حال متنبہ پولیس لائن تاریخ ہجرتی مور 4/1991
 کورس 7/92 ڈیپوٹیشن ہوئی 10/97، اینڈر سٹریٹنگ سکول کورس 20/3/2010
 تعیناتیاں: پولیس لائن، چوکی سواتی، قحانہ نادرہ گی، پولیس لائن ملاحظہ
 چوکی گلپانڈری، پولیس لائن ڈگری، چوکی بگڑہ، ڈیپوٹیشن

Signature
 DSP/HR
 Dy. Superintendent
 HQS

(5) بیجاچ گارڈینز کورٹ (10) ڈسٹرکٹ سکورٹی (11) مدد تحریک خانہ ڈگر
 (12) گارڈینز (13) بیجاچ چوک ٹولہ مکی (14) تعطل لائن (15) خانہ ڈگر
 ASI کی عرصہ ملازمت تا روزگار دن 06 سال
 22-07-28
 میں اچھی کارکردگی، ترقی اسناد سے جبکہ بڑے انٹرویوز کی تعداد 9 ہیں
 جو عمومی نوعیت کی سرکاریاں ہیں

(27)
 (26)

(3) ASI انور سعید متعینہ پولیس لائن تاریخ ہجرتی $\frac{4}{1991}$ ، 11، ریکورڈ کوری
 $\frac{3}{1992}$ ، 31، لوئر سکول کوری $\frac{10}{99}$ ، 13، انٹر میڈیٹ سکول کوری $\frac{9}{2011}$ ، 20

تعمیرات: 1۔ پولیس لائن ڈگر (9) سکورٹ کوری (3) خانہ طیلانی (4) چوکی
 صیقلی (5) پولیس لائن ڈگر (6) چوکی گاگرہ (7) خانہ ڈگر (8) پولیس لائن ڈگر
 (9) پولیس لائن ڈگر (10) شریک شاف (11) بیجاچ وردی گروہم پولیس لائن ڈگر
 (12) انٹر میڈیٹ سکول کوری (13) چوکی سواری (14) خانہ ڈگر (15) خانہ ڈگر
 (16) خانہ گاگرہ (17) پولیس لائن ڈگر ASI انور سعید دن 06 سال
 22-07-28
 ملازمت کے دوران اچھی کارکردگی اور ترقی اسناد بہ تعداد 12 سے نواز گئے
 جبکہ بڑے انٹرویوز کل 14 ہیں جو عمومی نوعیت کے ہیں

(4) ASI شہزادہ متعینہ پولیس لائن تاریخ ہجرتی $\frac{3}{1991}$ ، 11، ریکورڈ کوری
 $\frac{3}{1992}$ ، 31، لوئر سکول کوری $\frac{4}{1998}$ ، 20، انٹر میڈیٹ سکول کوری $\frac{9}{2010}$ ، 20

تعمیرات: 1۔ پولیس لائن ڈگر (2) خانہ پیرایا (3) گارڈ کورٹ (4) MHC
 پیرایا (5) خانہ تادہ مکی (6) شریک شاف (7) گارڈینز (8) انٹر میڈیٹ کوری
 (9) لاء انسٹرکٹو فیکو (10) RTN ٹائپ (11) سرہ خانہ (12) اسکول (13) بگرہ (14) پولیس لائن
 ASI محمد زہد کی عرصہ ملازمت دن 06 سال
 22-07-28
 اسناد 11 ہیں جبکہ بڑے انٹرویوز کل 14 اور عمومی نوعیت کے ہیں

(5) ASI زینت اعجاز متعینہ خان پولیس لائن ڈگر تاریخ ہجرتی $\frac{4}{1991}$
 ریکورڈ کوری $\frac{3}{92}$ ، 31، لوئر سکول کوری $\frac{11}{97}$ ، 3، انٹر میڈیٹ کوری $\frac{3}{2010}$ ، 20

تعمیرات: (1) پولیس لائن DAR (2) بدل چوکی (3) MTC پولیس لائن

Dr. Superintender
 Haveli Dr

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تھانہ ظولطالیہ (5) DFC فارمٹ قصبہ سٹریٹ (6) لوئر سکول کورس
 (7) پولیس لائن (8) تھانہ ناوہ گی (9) نائب کورٹ SDM (10) گاگرہ
 کنگرہ گلبر (11) چوکی نورورسکٹ (12) تھانہ ظولطالیہ (13) نائب ورنڈ گورنمنٹ (14) سید
 ورنڈ YRK (15) نائب کورٹ (16) سڈر ای ایگل (17) ورنڈ سٹریٹ سکول کورس
 (18) CRO (19) OASI (20) انڈیو ڈوٹاہ (21) چوکی ٹڈال (22) تھانہ
 گلبرڈی (23) تھانہ تکرگی (24) تھانہ ظولطالیہ (25) پولیس لائن

ASI ریت (مہر کی عمر ۶ ملازمت دن ۵ سال) میں اچھی کارکردگی اور ترقی اور
 کل نوٹس ہیں جبکہ مجموعی نوٹس کے تین سزایاں ہیں
 28 2/3 22 57 28

(6) خان شہر 29/14C مستعد پولیس لائن ڈگر تاریخ ہجرتی 9 7/1996
 لوئر سکول کورس 28 4/1997 25 3/2005

تعمیراتیات: 5 پولیس لائن 2 فنگرینٹ کورس (3) ٹریفک کورس
 (4) چوکی سواری (5) تھانہ ڈگر (6) پولیس لائن شکایتا (7) چوکی گاگرہ (8) لوئر
 سکول کورس 9 ٹریفک (10) گادرسہ تھانہ (11) mm گاگرہ (12) سواری
 (13) چوکی جینگل (14) چوکی گاگرہ (15) AMHC چوٹ (16) MHC سواری
 (17) تھانہ چوٹ (18) چوکی سواری (19) MHC جینگل 25 MHC چوٹ
 (21) پولیس لائن

خان شہر 29/14C کی عمر ۶ ملازمت دن ۵ سال 17 04 24
 5 جبکہ سزایاں 1 اور مجموعی نوٹس کی ہے

(7) HLC شہر 3/174 مستعد پولیس لائن تاریخ ہجرتی 9 1/1981
 کورس 25 3/1992 گیس اور سٹیشن کمانڈر کورس سید بلا لائن کمانڈر کورس
 میں کر کے سال 2000 میں بہ عہدہ HLC ترقیاب سولے اچھی کارکردگی اور
 ترقی اسناد کی تعداد 23 ہیں اور مجموعی نوٹس کی سزایاں کی
 تعداد گیارہ ہیں جبکہ تعمیراتیات بہ سبب ملحق آئندہ ہے

Colm
 DSP/HQ
 Dy. Superintendent of
 Hqwy. Dagr

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(23)

(28)

HC شہر افضل کی عرصہ ملازمت دن 06 ماہ سال 32 02 28 ہے جبکہ تعیناتیاں پولیس لائسنس
 جوگی سواری، پبلک سروس، پولیس لائسنس، جوگی پوسٹ، خزانہ گارڈ، کنستبل کی گاڑی
 ڈیپوٹ، گارڈ سیشن، آف ایبلیٹی گارڈ، پبلک سروس لائسنس، پولیس لائسنس، جوگی
 سواری، گارڈ ٹرانسپورٹ، جوگی سواری، گارڈ لے آؤٹ، پولیس لائسنس، گارڈ
 خانانہ ڈھیری، گارڈ ڈرہائی، جیک پوسٹ، دو کمرہ، گارڈ حیدر، جوگی پوسٹ
 جوگی سواری، جیک پوسٹ، حیدر گارڈ خانانہ ڈھیری، گارڈ سروسنگ
 گارڈ کوگا اور پولیس لائسنس

(8)

HC 376

شہر افضل متبعہ پولیس لائسنس تاریخ ہجرتی 11/8/1991
 کوگی 8/1992 ناؤ وارہ ہند کیٹیل سے تفصیل تعیناتیاں حسب ذیل ہے
 جیک پوسٹ کھانا، CP آبیلا، جوگی بگڑہ، گارڈ ڈرہائی، گارڈ سروسنگ
 خانہ طوطا، گنر DSP، طوطا، جوگی پوسٹ، گارڈ کیٹیل کوگا، بوجہ علیہ جاہ
 برخواستگی خوش 5/5/09 اور بارہ بحالی مورخ 29/09
 خانانہ ڈھیری، ترقیاتی آف مورخ 12/7/15 خانہ پیر پلا، خانہ صفی، گارڈ
 خانانہ، خانانہ ڈھیری، گارڈ ڈرہائی، لائسنس، گارڈ ڈرہائی، پولیس
 آف کیٹیل شہر افضل کی عرصہ ملازمت دن 06 ماہ سال 22 3 18
 خزانہ گارڈ دیکھا سولہ

(9)

372 HC

میکروٹ کوگی 29/4/1997 کوگی کوگی 20/9/2003 HC شہر افضل 372 کی
 تعیناتوں کی تفصیل حسب ذیل ہے
 پولیس لائسنس ڈگر، کوگی کنستبل، کوگی کوگی، پولیس لائسنس، گارڈ
 ٹرانسپورٹ، جوگی سواری، جوگی ڈگر، گنر AD، گارڈ کنستبل
 جوگی پوسٹ، گارڈ پوسٹ، گنر AD، پوسٹ، خانہ ڈگر، STF
 خانہ طوطا، مدد خور خانہ پیر، نائٹ کورٹ سیشن، خانہ ڈگر

Calicut
 DSP/AC
 Dy. Superintendent
 Hqys, Dagr

ATTN

(8)

مدرسیہ صنعتیہ mm حقانہ نائیجی، مدرسیہ حقانہ گامون، مدرسیہ حقانہ ناہنگی
 AMHC حقانہ ڈگر، حقانہ ناہنگی، نائیک کرٹ سسٹمز، حقانہ ڈگر، پولیس
 بحریہ سپید 372 کی عرصہ ملازمت 2004 سے 17.04.2005
 جس دن وہ سال سے اچھی کارکردگی کی
 جسکے بیڈ انٹری نہیں ہے

(10)

HC شہر علی خاں 173 احتیضہ پولیس لائی ڈاگنگ تاریخ تقریبی 1991
 ایکریٹ کوریس 2003 ناہنگی ہے جس سے مورخ 1982
 صم 307.34 pp حقانہ ڈگر قسم اشتہاری ضروری درجہ صدر ایسے سر جھاپہ زنی کرتے
 گورنار کرتے ایسی اسناد دیگر شہادت استہدائی نہیں اسے قہر اس کے خاطر
 کنیل شہر دہلی نمبر 173 پر فائلنگ کر کے شہر دہلی کیا اسکیں شہر اشتہاری
 کو حراست سے چھوڑانے میں کامیابی نہیں ہوئی اس کارکردگی کی بنیاد پر شہر دہلی نمبر
 بحالہ 0897 مورخ 10.10.96 بہ عہدہ سپر کنیل شہر دہلی کیا گیا ہے اعمال نامہ
 میں اچھی کارکردگی کا اندراج (9) جسکے سزا یافتہوں کی تعداد (9) ہے عرصہ
 ملازمت 28 دن وہ سال ہے

تجربہ نامان، گارڈ نوائز کھلی، حقانہ ڈگر، گارڈ بانگلور، گارڈ آسٹریہ، چوکی بگڑہ
 پولیس لائی، گارڈ آسٹریہ، CP کرناٹکا، گارڈ نوائز کھلی پولیس لائی
 گارڈ علی کوٹ، پولیس لائی، گارڈ بڈل، گارڈ بڈل، حقانہ ڈگر،
 شکا پٹا پولیس لائی، گارڈ لیگانڈ، حقانہ طوطا، CP سر حقانہ شکا پٹا پولیس لائی
 حقانہ پیر بابا، پولیس لائی فاضل، گارڈ نوائز کھلی، پولیس لائی،
 گارڈ بڈل، پولیس لائی، گارڈ کالکھ، پولیس لائی، گارڈ کلین کنڈو
 پولیس لائی

(11)

آفات خان نمبر 265 احتیضہ پولیس لائی ڈاگنگ تاریخ تقریبی 127
 2000
 ایکریٹ کوریس 2004 لوسٹر کوریس 2009 عرصہ ملازمت 2003 سے 17.03.2005
 جس دن وہ سال سے اچھی کارکردگی کی بنیاد پر شہر دہلی کیا گیا ہے اعمال نامہ
 میں اچھی کارکردگی کا اندراج (3) ہے تجرباتوں کی تفصیل
 سے ملے ہے پولیس لائی، سکورٹی سٹاف، ایگزیکیوٹو کوریس بٹلر

Calicut
 19/11/19
 Superintendent of
 Mys. Dugga

9
 ATTENTION

ی سراج، ڈیل کورس، ہنگو، پولیس ذاتی، کونٹرکول کورس، پولیس ذاتی
 ڈاؤن ٹی ٹی سی ہنگو، پولیس ذاتی، مددگار تھا، ڈگر، اسٹریکٹور کورس
 مددگار جوئی بڈل، مددگار تھا، بہرہ ما، نائٹ آف پولیس ذاتی،
 منگلور، پولیس ذاتی، جوئی بڈل اور پولیس ذاتی
 الزام علیحدہ ملازمت پولیس (فائنڈنگ / اڈی) ریٹائرمنٹ کے الزامات
 سوڈن، پورٹ صوبوں، پورٹ پورٹ پورٹ پورٹ کو حسب الیکم انڈین بالائی اجلاس
 میں لائن ڈگر کلوز ہو چکے ہیں اور یہ خبر پولیس الیکٹران کے علاوہ عوام الناس
 کا لوت تک پہنچی ہے کہ الزام علیحدہ ملازمت پولیس کے خلیا کرپشن کے
 الزام میں انڈوسٹری شروع ہے لیکن بحال کیے پورٹ پورٹ شہر کے ان کے خلاف
 بیان خلیا میں کرایا الزام علیحدہ ملازمت پولیس کے بحال نامے اور جوئی بڈل
 مطالعہ ہو کر بلیڈر جان ای کے خلاف مقدمہ علیٹ ہوئے 9 جنوری 2016
 قصائد انی کرپشن سیدر شریف سوات میں مبلغ ایک سو روپیہ رشوت ستانی کے الزام
 پر قائم ہو کر جس میں حکم عدالت 10/8 بعد الٹ سیشن جج / سپیل جج ACE
 پشاور سٹی کیا گیا ہے بقایا الزام علیحدہ کے اعمال ناموں اور خوش متلوں میں
 کرپشن کے بارے خود میں علی ہے
 الزام علیحدہ ملازمت پولیس کے خلاف ان کے تعیناتوں کے عدالت کرپشن کے
 الزامات کی ریویوٹنگ حوصلوں ہو چکے ہیں مدین وجہ الزام علیحدہ ملازمت پولیس
 کی ریویوٹنگ تندی ہے اور خلیا ملازمت پولیس کے عدالت میں ہیں انڈوسٹری پورٹ

عبدیہ
 DSP/HQ
 Dy: 59/13

9
 ATTESTED

ORDER

(31)

This order will dispose off, departmental enquiry conducted by D.SP Hqr: against the following officers/officials regarding their involvement under the charges of corruption, according to the source report with issuing proper charge sheet / summary of allegations vide this office No. 572-82/EC, dated 28.11.2013.

1. SI Balizar Khan
2. ASI Muhammad Wahab
3. ASI Anwar Saeed
4. ASI Muhammad Zahid
5. ASI Zeb Ahmad
6. HC Khan Sher No. 29
7. HC Sher Muhammad No. 174
8. FC Sher Afzal No. 396
9. HC Bahrawar Said No.372
10. HC Sher Wali No. 173
11. HC Aman Khan No. 265

On 30.11.2013 the E.O submitted finding with the conclusion that various types of complaints against the above officers /officials have been received regarding corruption during their period of posting and thus the E.O recommended their names that they are not fit for further field duties.

I Asif Iqbal Mohmand District Police Officer, Buner competent authority see no reasons to believe that the defaulters all above concerned could improve their view and change their behaviors in future.

Therefore, I agree with the recommendations of the Enquiry Officer and award major punishment to all above defaulter's officers / official's i-e compulsory retirement from service from the date of their suspension with immediate effect.

Order announced.

OB No. 159

Dated 6.12 /2013.

No 8392-94 E,

Copy of the above is submitted for favour of information to:

1. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat
3. All concerned.

ATTACHED

**DISTRICT POLICE OFFICER,
BUNER**

بھنور جناب ریجنل پولیس آفسر صاحب ملاکنڈ بمقام سید و شریف سوات

(31-A)

سائیل۔ شیر ولی خان سابقہ ہیڈ کانسٹیبل پولیس ڈیپارٹمنٹ بونیر نمبر 173 ساکن ڈگر ضلع بونیر

عنوان۔ درخواست بدیں مراد کہ حکم نمبری 159 مورخہ 06.12.2013 مجاریہ ڈی۔ پی۔ او صاحب ضلع بونیر کو کلہم قرار دیا جا کر سائیل کو اپنی ملازمت پر بحال کرنا۔

جناب عالی!

معروض خدمت ہوں۔

1. کہ میں بحیثیت کانسٹیبل سال 1981 میں سوات پولیس میں بھرتی ہو کر فراغت پر مختلف تھانہ جات اور گاردات میں ڈیوٹی انجام دیتا رہا۔ اور اچھی کارکردگی کی بناء پر افسران بالا نے نقد انعامات کے علاوہ تعریفی اسناد سے بھی نوازا ہے۔
2. سال 1988 میں خئی درہ میں مجرمانہ اشتہاری کے ساتھ مقابلہ میں شدید زخمی حالت میں مجرم اشتہاری فرید، بختی اور نوروش ساکنان خئی درہ گرفتار کر کے ان کے خلاف مقدمہ علت 228 مورخہ 11.06.1988 جرم 307/353/34 تپ تھانہ ڈگر درج رجسٹر ہوا اور اسی کارکردگی کی بناء پر افسران بالا نے میرا نام QPM کے لئے بھجوایا۔
3. گزشتہ چند سالوں میں دہشت گردوں کے آمد کے دوران ثابت قدم رہ کر بمقام کلبل کھنڈ او میں پانچ خطرناک دہشت گرد گرفتار کر کے ان سے دو عدد پستول اور کارتوس برآمد کر کے افسران بالا نے نقد انعام کے ساتھ تعریفی اسناد سے بھی نوازا ہے۔

جناب والا!

اپنے 32 سالہ دور ملازمت میں افسران بالا کو شکایت کا موقع دیئے بغیر ایک ناخواندہ پولیس افسر ہونے کے ناطے میرا نام C-II پر لا کر سال 1996 میں بچہ ہیڈ کانسٹیبل ترقیاب ہو کر سال 2000 میں اچھی کارکردگی کی بناء پر مجھے اعزازی ASI بھی بنایا گیا۔ اسی دوران نہ میرے خلاف کسی نے افسران بالا کو شکایت کی ہے۔ اور نہ میں نے اپنے افسران کو موقع دیا ہے۔ جن کے لئے میرا اعمال نامہ گواہ ہے۔

ان جملہ کارکردگی کے ساتھ مورخہ 21.10.2013 کو سائیل پولیس لائن تبدیل کیا گیا۔ مورخہ 23.10.2013 کو جناب ڈی۔ پی۔ او صاحب کی طرف سے شوکاژ نوٹس موصول ہو کر جس پر اپنا تفصیلی جواب تحریر کر کے افسران بالا کو اپنی بے گناہی پیش کی۔ لیکن اس کے بعد 28.11.2013 کو مجھ پر چارج شیٹ تقسیم ہو کر اس کا بھی تفصیلی جواب دیا۔ لیکن افسران بالا میرے ساتھ متفق نہ ہو کر میرے خلاف بزرگیہ ڈی۔ ایس۔ پی ہیڈ کوارٹر انکوآری کی گئی۔ بدوران انکوآری نہ میرے خلاف کسی نے کرپشن کی الزام عائد کی اور نہ انکوآری افسر کو بیان دیا۔ لیکن بغیر کسی شہادت اور ثبوت کے مورخہ 05.12.2013 کو بحوالہ آرڈر نمبر 158 مجھے معطل کر کے مورخہ 06.12.2013 کو بحوالہ آرڈر نمبر 159 ملازمت سے جبری ریٹائر ڈ کیا۔ جو میرے، اور میرے خاندان کے ساتھ سراسر ظلم ہے۔

چونکہ میں ایک غریب گھرانے سے تعلق رکھتا ہوں اور میرے ذمہ بیس۔ پچیس افراد کی کفالت ہے۔ جسکے لئے واحد میں اور میرا تنخواہ ذریعہ معاش تھا۔ جو میرے بچوں کے منہ سے نوالہ لین لیا ہے۔

لہذا استدعا ہے کہ میرے اور میرے بچوں کے حال پر رحم فرما کر مجھے ملازمت پر بحال کرنے کا حکم صادر فرمائی جائے۔

العارض

آپکا فرمان بردار شیر ولی خان سابقہ ہیڈ کانسٹیبل

سکنہ ڈگر ضلع بونیر 10/12/13

Shir Wali Khan

(B1-B) (1)

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

ORDER:

This order will dispose off the appeal preferred by Ex-HC Sher Wali No. 173 of Buner District for reinstatement in service.

Brief facts are that the above named Ex-Head Constable was found involved in corruption. His reputation was very bad among the people and too within the Police Department. He was issued proper charge sheet / statement of allegations. A proper departmental enquiry was conducted against him. The Enquiry Officer submitted his finding, reported that the appellant possess bad characters, involved in corruption, maintain bad reputation and took unfair / illegal advantage of his uniform. The Enquiry Officer further submitted that the appellant is corrupt and also not competent for field duties. The appellant was thus compulsory retired from service under Police Rules 1975 by the District Police officer, Buner vide his office OB No. 159 dated 06/12/2013.

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, Buner, whereby the appellant has been awarded major punishment for compulsory retirement from service.

Order announced.

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

No. 1135-36/E,

Dated 6/2 /2013.

Copy for information and necessary action to the:-

1. District Police Officer, Buner with reference to his office Memo: No. 34/EC, dated 01/01/2014.
2. Ex-HC Sher Wali No. 173 of Buner District.

9
Attest

COMMENDATION CERTIFICATE

K.P.K Police



Entry has been made in his service roll.

Re.

Class III

Granted to AGS SHER Wali

Son of _____ R/O Village _____

Police Station CAGRA District Buner.

In Recognition of His good performance

Cash Reward Rs 300/-

O.B No 207

DATED 5.11.04

[Signature]
District Police Officer
Buner

Granted by MR DANISH WARI Khan DPO

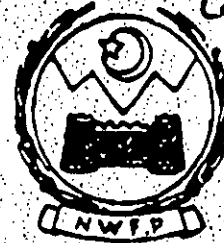
[Signature]
HEAD CLERK,
S.P. OFFICE BUNER.

34 2

Police No. 107.

Form No. 15.3 (c)

GS&PD. NWFP-789 F.S.-50,000 Nos.-3-3-84-(26)



Granted by Mr. Waqif Khan
D.P.O. - Buner

N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to ^{He} Sher wali

Son of _____ of _____ Village.

Totalai Police Station, Buner District.

in recognition of his good performance in case

file No. 306 dated 27.7.06 u/s S&P Act.

Date 17.8.2006

The 08.10.103 only C.C.

[Signature]
Superintendent of Police, Buner

HEAD CLERK,
S.P. OFFICE BUNER.

Note—(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

36

Entased
S/O



Granted by
Danish war Khan
D/o Bmu

N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to Sher wali Asi P S Daggor

Son of _____ of _____ Village,

Police Station, _____ District

in recognition of good performance with case file no 115 4/5

302/148/149 P. P. madgoni swat and case file 719/720 of 13 A

Date 6.10.04 Reward cc only

The 03.95

[Signature]
Superintendent of Police

Note (1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

[Signature]
HEAD CLERK
S.P. OFFICE BUIER

38 37

Entry made
Sd



(GRANTED BY)

MR. GHANI-UR-REHMAN WAZIR SENIOR
SUPERINTENDENT OF POLICE BUNER.

N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to ASI SHER WALI KHAN.
Son of SHARIF ULLAH of DAGGAR. Village DAGGAR
DAGGAR Police Station, BUNER. District

in recognition of HIS GOOD PERFORMANCE OF DUTY.

Date 14.4.2001.
The O.B.NO. 28.

WITH CASH REWARD RS: 100
Superintendent of Police
BUNER

Note—(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

HEAD CLERK,
S.P. OFFICE BUNER.

Police No. 107.

Form No. 15.3 (c)

GS&PD. NWFP-789 F.S.-50,000 Nos.-3-3-84-(26)

38 29

10/1/2000



GRATED BY MR. GHANI-UR-REHMAN WAZIR
SUPERINTENDENT OF POLICE BUNER.

N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to ASI SHER WALI KHAN.

Son of - of - Village,

- Police Station, NAWAGAI. District,

in recognition of FOR HIS GOOD PERFORMANCE.

Date..... O.B No. 11

The 11. 3.2.2000. 199 Cash Reward Rs; 100/-

[Signature]
For Superintendent of Police
Superintendent of Police

Note—(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

[Signature]
HEAD CLERK
S. P. OFFICE BUNER.

SP 39

Embroidery made in his school
W 13/3
M/E

Granted by Mr. Ghani-ur-Rehman Wazir
Sr:Superintendent of Police, Buner.



N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to ASI Sher Wali Khan I/C PP, Khanno Dehrai.

Son of _____ of _____ Village
Nawagai. Police Station, Buner. District

in recognition of for his good performance in case FIR No. 59/2000 HxH

Dated 18/2/2000 U/S 13 AD/188 P.S. Nawagai.

OB. No. 24

Dated 13/3/2000. 1997

[Signature]
Superintendent of Police
BUNER

Note—(1) If a Police Officer, rank and number to final.
(2) Cash reward if any, to be specified.

[Signature]
HEAD CLERK
S.P. OFFICE BUNER.

(40)

Entry made in S/Burk.
M J 24/11
AIEC

by ~~Trained~~ ~~Muani-ur-Rahman~~
(Wayer) S.S.P. Bure



N.W.F.P. POLICE

COMMENDATION CERTIFICATE

CLASS III

Granted to He suu wali no. 173

Son of x of b Village.

Nausajai Police Station, Bure District

in recognition of for his good performance in case No

20-27/99-115 13A0 180/15 Nausajai

Date 22.11.99

at 99 1999

Superintendent of Police, Bure

Note-(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

HEAD CLERK,
S.P. OFFICE BURE

Police No. 107.

GS&PD. N.W.F.P. - 309 P.S. - 30.000 P. - 8-1-88 - (19)

3041

Form No: 15.3 (e).

Granted by:-



Mr. Major Intaiz Hussain,
Supdt: of Police, Swat.

[Handwritten signature]

N.-W. F. P. POLICE.

COMMENDATION CERTIFICATE

Class III

Granted to Mr. Sher Wali Constable No.932,

son of xx, resident of xx village,

xx Police Station, xx District,

in recognition of for good duty in case FIR No.228 dated.

11.6.88 U/S 307/353/34 PPC PS Daggar.

Dated. 2.10.1988.

The OB No. 370^{ra}

Cash reward Rs. 500/-

[Handwritten signature]
Superintendent of Police,
Swat of Police Swat

Note—(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

HEAD CLERK
S.P. OFFICE BUNER

Police No. 107.
Form No. 15.3 (c)

GS&PD. NWFP-789 F.S.-50,000 Nos.-3-3-84--(26)

42



N.-W.F.P. POLICE

COMMENDATION CERTIFICATE

Class III *Granted by MR Zakerullah Kashmiri*
PPM SP Swat

Granted to Const Sher Wali 932
son of _____, resident of _____ village,
_____ Police Station, _____ District,

in recognition of recovery of the stolen property and arrested of accused
vide case FIR No 417 dated 12/11/80/380 P.P.C 14 P.P. PS Swat

Date... 22/11/80 }
The... 6/11/80 } Cash reward Rs 50/-
Superintendent of Police,

Note—(1) If a Police Officer, rank and number in final
(2) Cash reward if any to

HEAD CLERK
S.P. OFFICE BUNER

93

Police No. 107.

Form No. 15.3 (c)

GS&PD. NWFP-789 F.S.-50,000 Nos.-3-3-84-(26)



N.-W.F.P. POLICE

COMMENDATION CERTIFICATE

Class III Granted by MR Zafarullah Khan

Granted to Const Zher wali 932 PPM SP Swat

son of _____, resident of _____ village,
_____ Police Station, _____ District,

in recognition of recovery of the stolen property and arrested of accused
vide case FIR No 412 dated 12/11/85 U/S 452/380 PPC 14 P.P.S. Dargu

Date: 12/11/85

The 6/11/1985

Cash reward Rs 50/-

Superintendent of Police,

Note—(1) If a Police Officer, rank and number in final.
(2) Cash reward if any, to be specified.

HEAD CLERK,
S.P., OFFICE BUNIER.

5
44

From:- The District Police Officer,
Buner.

To:- The Provincial Police Officer,
N.W.F.P, Peshawar.

NO. 3176 /E, dated Daggar the, 17-8 /2009.

Subject:- RECOMMENDATION FOR ACCELERATED PROMOTION.

Memo:-

It is submitted that C-II Head Constable has not passed any course, but on 3.2.2009 he was given shoulder Promotion as ASI on his good performance. In the year 1988 the Police party were raided over the house of Proclaimed Offenders namely Balhiti, Zarnosh So/o Maran r/o Batal in Case vide FIR No. 253/87 U/S 302/34 FPC Police Station Daggar, the concerned H.O. have arrested the Proclaimed Offender. Meanwhile the remaining Proclaimed Offenders have been assault on Police party as a result of which he hit on various parts of the body in Police encounter. In this connection citation for the grant of Qaid-e-Azam Police award as incentive for other Police Officials. The same was recommended by Maj: Intiaz Hussain the then S.P. Swat for the grant of Pakistan Civil award 14th August, 1988. (Copy Enclosed).

He also awarded 10 recommendation certificates and each reward in various cases i.e. arrest of accused/recovery of narcotics/timber smuggling etc. The concerned H.O. has also performed good duty during the recent prevailing situation in the district. On 7.5.2009 he deposited the Arms/Ammunition of F.P.P Mawa Kaley in Police Mahkama.

Therefore, C-II Head Constable Sher Wali is recommended for promotion as ASI.

Submitted please.

NO. 3177 /E,

[Signature]
o/c District Police Officer,
Buner.

Copy of the above is submitted to the Deputy Inspector General of Police Malakand Region III, Saidu Sharif, Swat for favour of information please.

[Signature]
HEAD CLERK
S.P. OFFICE

[Signature]
o/c District Police Officer,
Buner.

From: - The District Police Officer,
Buner.

To: - The Provincial Police Officer,
N.W.F.P. Peshawar

No. 2735 /E, dated Daggar the 24/07/2009

Subject: - RECOMMENDATION FOR ACCELERATED
PROMOTION.

Memo:- Kindly refer to your office Memo: No. 16557-90/E-II,
03.07.2009.

It is submitted that the following Officers/Officials
Of this district Police are recommended for promotion.

Inspector Sardar Hamid Khan

As the Officer concerned has performed good Duty during the investigation of
heinous terrorist Cases avoidant from the attached FIR. 2 Mr. Israr-ud-Din

DSP Israr Ud Din of Investigation Wing.

Professional, experienced, courageous, Syed Israr Ud Din DSP Investigation
Buner has played his professional duty with all devotion and loyalty to the nation
as well as with police department. On 4th April the terrorists intruded into Buner
with all their strength and heavy weapons, with this insurgency, the moral of
police was very low and in such hard time, the officer has not only keep up the
moral of the police force, but was always in the fore front of police force.

SI Said Zamin Shah In this connection a detailed report has already been
submitted to your office vide this office
Memo: No. 2178/GB dated 12.6.2009.

ASI Muhammad Ali. His case is already been submitted to your office vide
this Memo: No. 2180/GB, dated 12.06.2009.

Head Constable Sher Wali Khan

It is submitted that the concerned Head Constable has not
passed any course, but on 3.2.2000 he was given shoulder
Promotion as ASI on his good performance. In the year
1988 the police party were raided over the house of
proclaimed Offenders namely Bakhti, Zarnosh Ss/o Farin
r/o Batai in case vide FIR No. 253/87 U/S307/34 PPC
Police Station Daggar, the concerned HC have arrest the
Proclaimed Offender meanwhile the remaining proclaimed
offenders have been assault on police party as a result of
which he hit on various parts of the body. In this
connection citation for the grant of Qaid-e-Azam Police
award as incentive for other Police officials, the same was
recommended by Maj. Imtiaz Hussain the then S.P. Swat
for the grant of Pakistan Civil award 14th August, 1988.
(Copy enclosed)

He also awarded 10 recommendation Certificates and cash
reward in various cases i.e. arrest of accused /recovery of
Narcotics/timber smuggling etc. Due to his good
performance he is recommended for promotion.


District Police Officer,
Buner.

No. 2736 /EC,

Copy of above is submitted to the Deputy Inspector
General of Police, Malakand Region - III, Swat for favour of Information. This is
in continuation of this office Memo No. 1939/E, dated 16.05.2009, Endost No.
2178-79/EC, 2180-81/EC dated 12.06.09 and Memo No. 2633/E, dated 18.07.09.


District Police Officer,
Buner.


HEAD CLERK
S.P. OFFICE BUNER

(46)

From : The Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.

To : The Section Officer-III,
Chief Minister Secretariat,
Khyber Pakhtunkhwa, Peshawar.

No. 22184/E-II, dated Peshawar the 30 / 9 /2010


Subject: RECOMMENDATION FOR ACCELERATED PROMOTION

Memo:

Please refer to your letter No. SOVI/CMS/KPK/
6-10/2009/15654, dated: 20.09.2010.

The case of Head Constable Shcr-Wali was examined by
the Accelerated Promotion Committee in its meeting held on
15.06.2010 and dropped the recommendation being old case.

HEAD CLERK
S.P. OFFICE BUNTER.


(MUHAMMAD JAFER)
AIG/Establishment,
For Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.



CHIEF MINISTER'S SECRETARIAT
KHYBER PAKHTUNKHWA

47

No.SOVI/CMS/KPK/6-10/2011/
Dated Peshawar the, 13-10-2011.

To

The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.

Subject:- RECOMMENDATION FOR ACCELERATED PROMOTION.

Dear Sir,

I am directed to refer to this Secretariat letter No.SOVI/CMS/KPK/6-10/2009/ dated 20-09-2010 on the subject noted above and to state that progress/latest position in the case may please be intimated to this Secretariat as desired by the Hon'able Chief Minister Khyber Pakhtunkhwa.

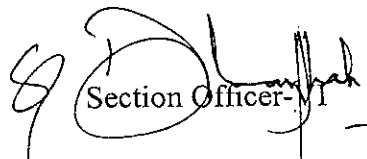
Yours faithfully,

(DILAWAR SHAH)
Section Officer-VI

Endst: of even No. & Date.

Copy forwarded to:-

1. PSO to Chief Minister Khyber Pakhtunkhwa.


Section Officer-VI

ATTESTED

نمبر 24 روزنامہ 5 دسمبر 17 17/05

24 - والی - گرفتاری Pos قاسم خان 3HO وقت 18-45 بجے مورخہ 17/5
 ہوائی میجر ایم ایف ایف جوائنہ والا، شہرولی، ASI، قند جوائنہ
 حدک والا والی تھانہ یاہوں، شہرولی خان ASI نے کاپی منگ، دو و
 کے مذکورہ کے کوششوں کے نتیجے میں آج جھوان اشٹھاری
 ایس ایف خان عرف بشین وہ مسافر AP0-731 (2) شہر بار عرف شہرے
 و تھانہ AP0-732 (3) سردار وہ جوین AP0-730 سائین
 باجک فافورہ قندہ 1046 مورخہ 11/5 302-324-34
 مقام جرحہ مسلم خان، سردار خان سپر ان سکندر خان
 جھپہ بہ سے جرحہ اشٹھاری بالا کو پیش کر کے منگو سب
 ضابطہ گرفتاری ہے ہے۔ لہذا لیتے جاؤ تلاشی جو کہ ہر اندازہ ہو کر
 سیکورٹی و حفاظت فوراً، ASI شہرولی خان، نفی تھانہ اور بندہ و آلات
 تھانہ کے پونڈہ دیگر لکھنے سٹاف تھانہ سے بدکار سہارا باج ہے
 لہذا ASI لیل جھرخان کو یہ سہارے لیتے کارروائی کرنے کی ہدایت کی جاتی ہے
 کہ وہ اس ضمن DSP صاحبان کی لکھنے سے ہدایت حاصل کرے۔ لہذا
 اس قدر کارروائی کے ذمہ میں سہارے جو پاس لکھتے رہا نہ علاقہ ہوں۔ لہذا
 زیارت تھا 1255 اور کتب باض 348 اس کے لئے ہے

صاحب عالی

لکھنے کے لئے

HEAD CLERK,
S.P. OFFICE BUNER.

MLHC P.S. D...
22.5.05

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۴ مجموعہ ضابطہ فوجداری

تھانہ	ڈگر	ضلع سوات
علت نمبر	228	تاریخ وقت وقوع 11/6/88 وقت 04:25 بجے
تاریخ وقت رپورٹ		11/6/88 وقت 13:00 بجے چاکیڈگی پرچہ 18:00 بجے
نام و سکونت اطلاع دہندہ مستغیث		ہاشم علی IHC تھانہ ڈگر
مختصر کیفیت جرم (معد دفعہ) حال اگر کچھ لیا گیا ہو		PPC 307-353/34
جائے وقوعہ فاصلہ تھانہ سے اور سمت		خانہ ازاں مجرمان اشتہار فرید وغیرہ واقع حئی درہ جانب شمال مشرق بقاصلہ 3/2 کلومیٹر از تھانہ
نام و سکونت ملزم		1- فرید ولد صدر، 2- بختی، نوروش خان پسران فرید ساکنان حئی درہ
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہو ہو تو وجہ بیان کرو		برسیدگی مراسلہ مقدمہ درج رجسٹر کیا گیا
تھانہ سے روانگی کی تاریخ و وقت		بطور سپیشل رپورٹ

ابتدائی اطلاع نیچے درج کرو

اس وقت ایک تحریری مراسلہ منجانب محبت خان SHO موصول ہو کر درج ذیل ہے، بخدمت افسران انچارج تھانہ ڈگر میں تھانہ میں موجود تھا، اطلاع ملی کہ پولیس پارٹی جسکی قیادت ہاشم علی IHC کر رہا ہے اور مجرمان اشتہار فرید ولد صدر، بختی اور نوروش خان پسران صدر ساکنان حئی درہ مانوزہ مقدمہ علت نمبر 253/87 جرم PPC 307/34 تھانہ ڈگر کے مابین فائرنگ ہو رہی ہے، اطلاع کی تصدیق کیلئے پولیس کے بھارتی جمعیت کے ساتھ حئی درہ جا کر IHC مذکورہ بمعہ پولیس پارٹی کے متذکرہ بالا مجرمان اشتہاری مکان کے گھر محاصرہ کئے موجود پا کر ہاشم علی IHC نے بوقت صدر بجے یوں رپورٹ کی امروز بوقت 04:25، 11/6/88 حسب اطلاع منجر میں نے بمعہ کنسٹیبلان سلیم 1057، شیرولی 932، غلام محمد 995، جمال 6631، فاروق 924، محمد طاہر 1288 کے مجرمان اشتہاری فرید ولد صدر، بختی اور نوروش پسران فرید ساکنان حئی درہ مانوزہ مقدمہ علت نمبر 253/87 جرم PPC 307/34 تھانہ ڈگری کے گرفتاری کیلئے Po's مذکورہ کے مکان پر چھاپہ زنی کر کے Po's میں سے فرید قابو میں کر کے حراست کیلئے کنسٹیبل شیرولی 932 کے حوالہ کیا، فرید Po مذکورہ کے غوجل میں موجود پسران Po's بختی اور نوروش کو آواز دی کہ پولیس پارٹی پر فائرنگ کر کے مارو، والد کے کہنے پر Po's نے غوجل سے کلاشکوف اور 7mm رائفل سے فائرنگ کر کے نتیجے میں کنسٹیبل شیرولی 932 اور P.o فرید لگ کر شدید زخمی ہوئے، حق حفاظت خود کے میرے ہدایت پر ہمراہی کنسٹیبلان نے ہوائی فائرنگ کی، مجروحین میں کنسٹیبل 332 اور P.o فرید کو عوام کی مدد سے علاج معالجہ کیلئے سول ہسپتال ڈگر بھجوا دیا

ATTESTED

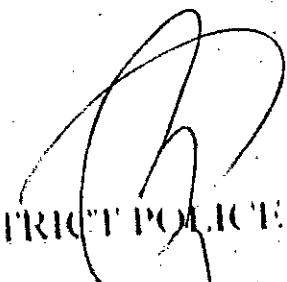
Po بختی اور نوروش خان غوجل اندر محاصرے میں لئے گئے ہیں، ہر دو مجرمان اشتہاری بختی اور نوروش خان کے خلاف ہمراہی کنسٹیبل شیرولی 932 اور Po فرید کے مجروحیت اور سرکاری کام سے یوں پارٹی کو روکنے اور Po فرید کا اپنے مجرمان اشتہاری پسران کو پولیس پارٹی پر بہ ارازہ قتل فائرنگ کرنے کا حکم دینے کے برخلاف دعویدار ہوں، غور ہوئے العبد دستخط، کاروائی بدیں حسب گفتہ IHC ہاشم علی رپورٹ حرف بحرف درج مقدمہ ہوا، درستگی کا دستخط لیا گیا، مجرمان اشتہاری بختی اور نوروش خان پسران فرید ساکنان حئی درہ غوجل میں موجود بیان ہوئے جس میں جنگی گرفتاری کیلئے حکمت علی سے کام لیا جا رہا ہے، مجروحین کنسٹیبل شیرولی 932 اور Po فرید ولد صدر سنہ حئی درہ زخمی حالت میں ہسپتال بھجوائے گئے ہیں، جو واپسی پر مجروحین کا نقشہ جات مضروبی مرتب ہوگی، مضمون رپورٹ سے صورت جرم بالا پائی جا کر مراسلہ جرم بالا بطور پیشل رپورٹ تحریر کر کے بغرض چا کیدگی پر چہ ارسال تھانہ ہے، میں مصروف تفتیش ہوں، افسران بالا کو بذریعہ فون اور وائرلیس میسج اطلاع دی جائے، دستخط انگریزی انگریزی محبت خان SHO مورخہ 11/06/88 کاروائی تھانہ آمدہ مراسلہ حرف بحرف درج بالا ہو کر نقل پر چہ معہ مراسلہ بغرض تفتیش عقب SHO بھجوا یا جاتا ہے، افسران بالا کو بذریعہ فون اطلاع دی جائے، پر چہ بطور پیشل رپورٹ گزارش ہے۔

ATTACHED
 11/06/88

36

ORDER

Head Constable Sher Wali No. 173 of this district police is hereby promoted as Shoulder ASI for his good performance during the war against the terrorism for his encouragement with immediate effect.


DISTRICT POLICE OFFICER
BUNER

OB # 124

DATED 29 / 11 / 2009


HEAD CLERK
S.R. OFFICE

(51)

ORDER.

C-II Head Constable, Sherwahi No. 173 of this District Police is hereby allowed Shoulder Promotion as ASI with immediate effect, on temporary basis. He will not claim any seniority over his seniors on the basis of his promotion.

Imag
Senior Superintendent of Police,
Buner.
29/01

S.B NO. 11

Dated 3. 2. /2000.
D

Before issuing this order, discuss.
P
29/1/2000

*Dis missed
with 17 v/v 12/9
LSP Buner
K.L.
(05/1)*

HEAD CLERK:
S.P. OFFICE BUNER.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 288/2014

739-50
25.8.2014

Sher Wali Khan S/o Sarif Ullah Ex-Head Constable R/o
Village Daggar District Buner.....(Appellant)

VERSUS

The Inspector General of Police K.P.K
and others.....(Respondents)

[Handwritten signature]
[Handwritten signature]
26/8/14

APPLICATION FOR TRANSFER OF APPEAL
FROM BENCH-I, TO BENCH-II, WHERE
SERVICE APPEAL NO. 172/2014 OF
“KHAIR UR REHMAN..VS..INSPECTOR
GENERAL OF POLICE AND OTHERS”.

Respectfully Sheweth:

1. That the captioned appeal and other appeals like “Khair ur Rehman..VS..Inspector General of Police and others” Service Appeal No. 172/2014 and others having the same allegations and having finally been decided by the same appellate authority and their proceedings before two benches mailed to a conflating judgments, hence proprietary demands that these be heard by a single bench.

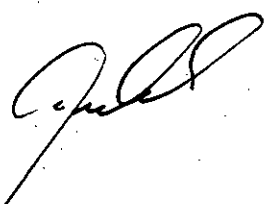
2. That the appeal of "Khair ur Rehman" bearing Service Appeal No. 172/2014 along with others are pending before this august Tribunal/ Bench-II, on 15/09/2014.

It is, therefore, humbly prayed that on acceptance of this application, this is requested that the captioned appeal may kindly be requisitioned from Bench-I to Bench-II to meets the ends of justice.

Appellant

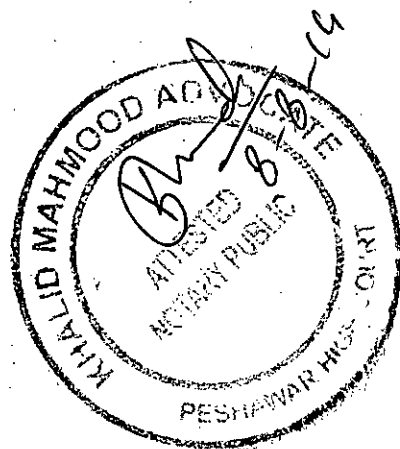
Through

Dated: 08/08/2014


Sahibzada Asad Ullah
Advocate Supreme Court
Of Pakistan.

AFFIDAVIT:

I, Sahibzada Asad Ullah Advocate, Peshawar, as per instructions of my client, do hereby solemnly affirm and declare, that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.




ADVOCATE

①

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE

TRIBUNAL, PESHAWAR

C.M No. ____/2014

In

S.A. No. 288 /2014

477
5-6-14

Sher Wali Khan.....(Petitioner)

VS

I.G.P and others.....(Respondents)

APPLICATION FOR EARLY HEARING.

Respectfully Sheweth:

1. That the above captioned appeal is pending adjudication before this august Tribunal which is fixed for hearing on 08/08/2014.
2. That the urgency is involved in the above appeal and delay will cause serious damage to appellant.

(2)


3. That other appeals pertaining to the same Division and District also pending before this august Tribunal titled Behar Ali and others vs D.P.O and others.

It is, therefore humbly prayed that on acceptance of this application the date may kindly be accelerated and the appeal may kindly be club with other appeals title above mentioned so that there will be no conflicting judgments on same issue.

Applicant

Through

Dated: 05/06/2014


Sahibzada Asadullah
Advocate, Supreme Court
of Pakistan

3

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE

TRIBUNAL, PESHAWAR

C.M.No. ____/2014

In

S.A. No. 288 /2014

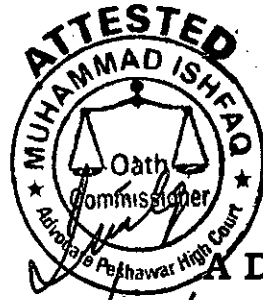
Sher Wali Khan.....(Petitioner)

VS

I.G.P and others.....(Respondents)

AFFIDAVIT

I, **Sahibzada Asadullah**, Advocate, Peshawar do hereby as per information conveyed to me by my client solemnly affirm and declare that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



[Handwritten Signature]

ADVOCATE

5/06/014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Rejoinder

In

Service Appeal No.288/2014

Sher Wali Khan.....VS.....I.G.P. K.P.K and others

REJOINEDER ON BEHALF OF
APPELLANT IN RESPONSE TO REPLY
FILED BY RESPONDENTS.

Respectfully Sheweth,

Preliminary Objections:

Preliminary Objections raised by answering respondents are erroneous and frivolous, the detailed replies thereof are as under:

1. That the appeal is with in time.
2. Para No. 2 is incorrect.
3. Para No.3 is incorrect, as all necessary and proper parties have been arrayed as respondents in the instant appeal, hence the question of mis-joinder and non-joinder is misconceived.
4. Para No.4 is incorrect, as the order passed is illegal, arbitrary and can be challenged at any time.
5. Para No.5 & 6 is incorrect being aggrieved the appellant has the cause of action to file the present appeal.
7. Para No.7 is incorrect as the matter pertains to terms and condition of service and there is no estoppel against the law.

8. That the appeal is competent in all respect and has been properly filed.
9. Para No.9 is incorrect the grievance of the appellant is genius and has come with clear hand.

On Facts:

1. Para 1 needs no explanation.
2. Para No.2 is incorrect as the allegation are baseless with no evidence.
3. Para No.3 is incorrect the respondents wanted to score to the provincial Govt, the allegations are baseless with no proof and no one came forward to support the allegations.
4. Para No.4 needs no reply.
5. Para No.5 to the extent of complaints is incorrect.
6. Para No.6 is baseless and incorrect.
7. Para No.7 is incorrect the orders are with out application on of mind to the facts and circumstances of the case.

On Grounds:

- A. Para No. A is incorrect.
- B. Para No. B is incorrect the allegations are false and baseless.
- C. Para No. C is incorrect the appellant has well explained his performance in the shape of documentary evidence.
- D. Para No. D is incorrect.
- E. Para No. E is incorrect the certificates show their performance and honesty.
- F. Para No. F is incorrect.

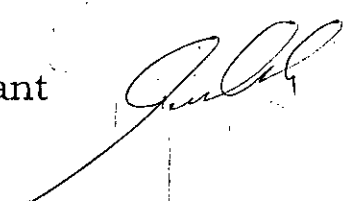
- G. Para No. G is incorrect no allegations have been supported by evidence oral as well as documentary.
- H. Para No. H is incorrect the efforts were only to score in the eyes of public that too at the cost of honest and trust worthy police officials.
- I. Para No. I is incorrect.
- J. Para No. J is incorrect the order is based on malafide and ulterior motive.
- K. Para No. K is incorrect as the appellant gas never involved in corruption.
- L. Para No. L is incorrect no proper enquiry was conducted.
- M. Para No. M is incorrect the orders are illegal with out legal backing.

It is, therefore, humbly preyed that the reply of answering Respondents may graciously be rejected and the appeal is prayed for may graciously be accepted with cost.

Dated: 15/09/2014

Through

Appellant


Sahibzada Asadullah
Advocate, Supreme Court
of Pakistan.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Rejoinder

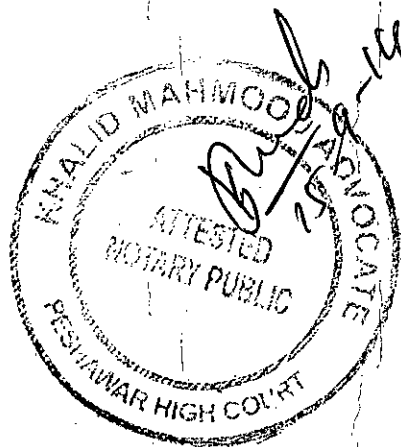
In

Service Appeal No.288/2014

Sher Wali Khan.....VS.....I.G.P. K.P.K and others

AFFIDAVIT

I, **Sahibzada Asadullah** Advocate, as per information furnished by my client do hereby solemnly affirm and declare that the contents of the **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



[Handwritten Signature]
ADVOCATE