

S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	30.09.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO. 13/2014 (Sher Rehman-vs- Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>PIR BAKHSH SHAH , MEMBER:</u></p> <p>Appellant with counsel (Mr. Muhammad Asif Yousafzai, Advocate) and Mr. Muhammad Hayat, Reader alongwith Mr. Muhammad Jan, GP for respondents present.</p> <p>2. The appellant then S.I in the Police Department was Incharge of Police Post Tarnab, Police Station Chamkani, Peshawar. He was compulsorily retired by the Competent Authority vide his order dated 29.08.2013, on the grounds given below:-</p> <p>“On 10th Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area(Daudzai) was out of order, and they were shifting the said transformer alongwith tow other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the Police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI,</p>

Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. You SI, Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI, Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defense.”

His departmental appeal dated 13.09.2013 was rejected vide order dated 13.12.2013, hence this appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

3. Arguments heard and record perused.

4. Learned counsel for the appellant submitted that the allegations of Malik Gul Afzal submitted to the authority on his personal part, comprising of three pages, shows that there was altercation between the appellant and Malik Gul Afzal and it is not conceivable that despite this altercation the appellant would have demanded or taken any bribe from him. He next submitted that no charge sheet or show cause notice was served on the appellant and without giving any opportunity of hearing or defense major penalty of compulsory retirement was imposed on the appellant which is against the principle of justice. He submitted that the proceedings initiated and the punishment awarded both are not lawful and that the impugned orders may be set aside and the appellant may be reinstated into service with all back benefits.

5. Learned G.P resisted the appeal who submitted that all codal formalities were fulfilled and as the appellant did not appear before the Enquiry Officer, therefore, he was lawfully penalized. He submitted that the appeal may be dismissed.

6. Certain record like copies of the statement of Malik Gul Afzal comprising of three pages which is in Urdu language and on his personal ~~paid~~, copy of the charge sheet and show cause notice as well as notices issued to the appellant from the Office of the Enquiry Officer to appear before him on 18.01.2013 were submitted to the Tribunal today which are placed on record. After a thorough perusal of the record the Tribunal came to the conclusion that proper opportunity of defense and hearing has not been given to the appellant as would indicate from the following reasons: That the notices issued to the appellant to appear before the Enquiry Officer are for dated 18.01.2013, and the enquiry report was submitted on 11.03.2013. The enquiry report shows that on 18.01.2013 appellant had appeared before the enquiry officer and he had denied allegations leveled against before the Enquiry Officer. According to the Enquiry Officer that the appellant was asked to submit his written statement on the next date which he did not and thus he was recommended for ex-party action. This is worth- mentioning that no any penalty has been mentioned in the enquiry report against the appellant. The so called enquiry proceedings do not indicate to be in accordance with rules. Secondly, it was not shown that any charge sheet or show cause notice was served on the appellant and the appellant thus has been deprived of proper opportunity of defense. Thirdly, no opportunity of cross examination has been provided to the appellant on complainant Malik Gul Afzal and it appears that Malik Gul Afzal without appearing before the Enquiry Officer had just sent his statement and no opportunity ~~of~~ cross examination was provided to the appellant. In the light of the foregoing reasons, the Tribunal is convinced that proper opportunity of defense and hearing has not been provided to the appellant nor that the enquiry proceedings have been conducted in accordance with rules. Therefore, the impugned orders are set aside and the appellant is reinstated into service. His intervening period be treated as his leave of the kind due. The competent authority if deemed proper may initiate fresh enquiry proceedings in

which full opportunity of defense and hearing be provided to the appellant including opportunity of cross examination on the witnesses. The Fresh enquiry proceedings be concluded within a period of one month positively. The appeal is accepted in the above terms. Parties are left to bear their own cost. File be consigned to the record room.



(ABDUL LATIF)
MEMBER




(PIR BAKHSH SHAH)
MEMBER

ANNOUNCED
30 .09.2016

15.06.2016

Counsel for the appellant and Mr. Aziz Shah, HC alongwith Mr. Muhammad Jan, GP for respondents present. Arguments heard. Accordance to the appellant, no final show cause notice was issued to him nor was any show cause notice served upon him. On the other hand the respondents claim that after a regular enquiry by ASP Gulbahar, a final show cause notice was issued to the appellant to which he did not reply. During the course of arguments learned GP also requested that record will also be produce to show that a final show cause notice was issued and the same was also served on the appellant. Since the record on material to reached on a just conclusion the respondent-department is directed to produce the same. To come up for such record and arguments on 26.07.2016

26.07.2016


Member

Counsel for the appellant and Mr. Hayat Muhammad, HC alongwith Mr. Muhammad Jan, GP for respondents present. Representative of the respondents submitted record copy of which is placed on file. To come up for arguments on ~~10-9-2016~~ 2016.



Member


Member


Member

01.09.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Learned counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on ~~30-9-16~~ before D.B.


Member


Member

19.11.2015

Counsel for the appellant and Mr. Usman Ghani, Sr.GP for respondents present. Arguments could not be heard due to paucity of time therefore, case is adjourned to 8-3-2016 for arguments.



MEMBER



MEMBER

08.03.2016

Agent to counsel for the appellant and Mr. Aziz Shah, H.C alongwith Asst: AG for respondents present. Due to general strike of the bar counsel for the appellant is not available. Therefore, the case is adjourned to 11.05.2016 for arguments.



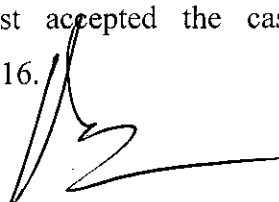
Member




Member

11.05.2016

Counsel for the appellant and Mr. Usman Ghani, Sr. GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted the case. To come up for arguments on 15.6.2016.



Member



Member

01.01.2015

Appellant in person and Mr. Muhammad Adeel But. AAG for the respondents present. The Tribunal is incomplete. To come up for written reply/comments on 13.03.2015.



Reader.

09.03.2015

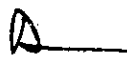
Counsel for the appellant and Mr. Hayat Muhammad, Reader to DSP alongwith Addl: A.G for respondents present. Para-wise comments submitted. The case is assigned to D.B for rejoinder and final hearing for 12.10.2015.



Chairman

12.10.2015

Appellant with counsel and Mr. Azizullah, HC alongwith Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to shortage of time. To come up for arguments on 19-11-15 . . .



Member



Member

Appeal No. 13/2014
Mr. Sher Rehman

3. 10.03.2014

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 order dated 29.08.2013, he filed departmental appeal on 13.09.2013, which has been rejected on 16.12.2013, hence the instant appeal on 06.01.2014. He further contended that the impugned final order dated 16.12.2013, is not a speaking order and 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 27.05.2014.

Appellant Deposited
Security & Process Fee
Rs. 1,800/- Bank
Receipt is Attached with File.



Member

4. 10.03.2014

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

Chairman

27.5.2014

Appellant in person and Mr. Bashir Ahmad, DSP(Legal) for respondents with AAG present. Written reply has not been received. To come up for written reply/comments on 5.9.2014.

Chairman

5.9.2014


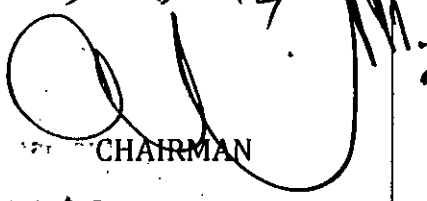
Appellant in person and Mr. Riaz Khan, SI (legal) on behalf of respondents with Mr. Usman Ghani, Sr.G.P present. Written reply has not been received, and request for further time made on behalf of the respondents. Another chance is given for written reply/comments on behalf of the respondents, positively, on 01.01.2015.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 13/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/01/2014	<p>The appeal of Mr. Sher Rehman presented today by Mr. M. Asif Yousafzai 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	8-11-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>10-3-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Appeal No. 13 /2014

Mr. Sher Rehman

V/S


PPO and Others.

INDEX

S.No.	Documents	Annexure	Page No.
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APPELLANT
SHER REHMAN

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

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

Appeal No. 13 /2014

Mr. Sher Rehman Ex-SI,
Police Post Tarnab, P.S Chamkani Peshawar.

16
06/11/2014

APPELLANT

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Capital City Police Officer, KPK Peshawar.
3. The S.S.P (Operations), Peshawar.

RESPONDENTS

.....
APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974
AGAINST THE APPELLATE ORDER DATED
16.12.2013 WHEREBY THE PENALTY OF
DISMISSAL FROM SERVICE HAS BEEN CONVERTED
INTO COMPULSORY RETIREMENT.
.....

PRAYER:

That on acceptance of this appeal, the order dated 16.12.2013 may be set aside and the appellant may be reinstated into service with all back benefits and also by setting aside dismissal from service order. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of appellant.

16.12.2013
16/12/13

RESPECTFULLY SHEWETH:

1. That the appellant joined the Police Force in the year 1986 and lastly the appellant was working as S.I

Police Post Tarnab, P.S Chamkani, Peshawar. The appellant has good service record throughout.

2. That the appellant was charged for receiving bribe of Rs. 8000/- from political worker of ANP and that allegation was leveled in a press conference by the said political worker.
3. That then without giving any charge sheet, statement of allegations to the appellant, an ex-parte action was proposed by the inquiry officer against the appellant. Copy of the inquiry report is attached as Annexure – A.
4. That on the basis of one sided inquiry, the appellant was dismissed from on 29.8.2013 service by the SSP (Operations), who was not competent authority for S.Is. but despite that the SSP (operations) took action against the appellant under Police Rules 1975. Copy of order is attached as Annexure – B.
5. That the appellant filed Appeal before the CCPO who partially accepted the appeal and converted the dismissal from service into compulsory retirement on 16.12.2013. Copies of appeal and appellate order are attached as Annexure – C&D.
6. That now the appellant comes to this august Tribunal on the following grounds amongst the others.

GROUND:

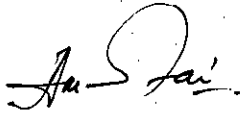
- A) That the impugned order dated 16.12.2013 and 29.8.2013 are against the law, facts, norms of justice and material on record, therefore, not tenable.
- B) That the appellant has not been treated according to law and rules.
- C) That the appellant being civil servant of the Provincial Government was proceeded against under the Police Rules, 1975 and not under E&D Rules 2011, therefore, the whole proceedings were liable to be struck down on this score alone.

- D) That the appellant has been condemned unheard because the appellant was not served with any show cause notice and charge sheet nor associated with the enquiry proceedings.
- E) That the INQUIRY OFFICER has not proposed any kind of punishment, therefore the dismissal from service order and appellate order are against the norms of justice and harsh one.
- F) That the appellant has good service at his credit and cannot be penalized on the basis mere charge leveled in press conference and that too without observing codal formalities.
- G) That the appellant was S.I by rank and for him the competent authority was CCPO and not SSP, therefore, the very basic order of dismissal from service was passed by incompetent authority and as such the same is not sustainable in the eyes of law.
- H) That even no final show cause notice was served on appellant which also amounts to condemnation unheard and violation of principles of Audi Alteram Partem.
- I) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.


APPELLANT
Sher Rehman

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

From:- Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

A (4)

To:- The Superintendent of Police,
City Peshawar.

OFFICE OF THE
S.P. CITY
NO 415 /PA
DT 11-3-2013

No 138 /ST dated Peshawar the 11 /03/2013.

Subject:- ENQUIRY AGAINST SI SHER REHMAN OF PP TARNAB PS
CHAMKANI.

Kindly refer to your office Memo: No. 415/ PA SP City dated 15.01.2013.

Charges/Allegations:- An enquiry against SI Sher Rehman of PP Tarnab PS Chamkani, on the allegations that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order and they were shifting the said transformer along with two other transformer to Nowshera for repair but they were stopped at Tarnab G.T road by the Police on duty and despite showing all kinds of relevant documents, they were not allowed to proceed. The Police man on duty became suspicious that transpored transformer was stolen from some place. The complainant alleged that SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them.

The delinquent official was Charge Sheeted by SSP Operations and the undersigned was appointed as enquiry officer.

Grounds:- I conducted inquiry into the matter and summoned, the complainant Malik Gul Afzal and recorded his statement. On 18.01.2013 SI Sher Rehman was summoned to the office of the undersigned for personal hearing and for getting his statement recorded. The SI Sher Rehman attended the office and denied all the allegations and promised that he would submit his written statement to this office by tomorrow i.e 19.01.2013. But inspite of service of repeated summon and parwanas on him through Police Station Chamkani and telephone, the delinquent official did not bother to appear before the undersigned.

Findings:- From the above described circumstances the undersigned has come to the conclusion that the said SI Sher Rehman is irresponsible and negligent official and Ex-part action is recommended against him.

Forwarded pt.
Khalid
slaty

Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

Dismissed from
Service
29/8/13.

PA
Issue memo final
Show cause notice

Senior Superintendent of Police
Operation Peshawar

ATTESTED
A

... awarded him the above major
punishment.

B
5ORDER.

This order will dispose off the Departmental Enquiry against SI Sher Rehman of PP Tarnab Police Station Chamkani on the basis of allegations that on 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order and they were shifting the said transformer along with two other transformers to Nowshera District for repair but they were stopped at place of Tarnab G.T road Peshawar by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. In this connection SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. A preliminary enquiry conducted by DSP/Rural against SI Sher Rehman in which he was summoned time and again telephonically as well as through wireless communication by DSP/Rural for preliminary enquiry but SI Sher Rehman did not bother to submit written reply nor produced anything in favour of his defence. Therefore SI Sher Rehman has been recommended for proper departmental proceedings against him under the Rule 1975.

Subsequently the alleged Officer was proceeded against departmentally and ASP/Gulbahar was appointed as Enquiry Officer.

Findings of the Enquiry Officer was received and perused who recommended the defaulter officer for an ex-parte decision. Upon the findings of the Enquiry Officer, he was issued Final Show cause Notice to which he did not bother to reply. He was also called for orderly room on telephonically and provided an opportunity for personal hearing but did not bother to attend the office of the undersigned.

I have gone through the case file and perused the whole record. Also keeping in view the recommendation of the enquiry officer Therefore, I came to conclusion to take the decision as he is hereby awarded the Major punishment of disimissal from service with immediate effect.

O. B No. 2988
Date 29-8-2013

SR SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR.

No. 189-PA dated Peshawar, the 27/08/2013.

Copy for information & n/action to:-

1. The Capital City Police Officer, Peshawar w/r to his office Dy: No. 189/PA, dated 11-01-2013.
2. SsP/Cantt & Rural.
3. EC-II, AS, CC & PO
4. FMC with papers.
5. Incharge computer Cell. (SL = 31).

ATTESTED

punishment.

ORDER

This office order will dispose off departmental appeal of ex-SI Sher Rehman who was awarded the major punishment of dismissal from service under PR 1975 by SSP/Ops: vide OB No. 2988 dated 29/08/2012.

The allegations levelled against him were that:-

- On 10.1.13 (1300 hrs to 1330 hrs) Malak Gul Afzal, Senior Naib President PK-8, held press conference at press club Peshawar that on 9.1.2013 the Electric Transformer of his area Daudzai was out of order and he along with his companion was shifting the said transformer and two others to Nowshera for necessary repairs in vehicle.
- They were stopped by Police at PP Tarnab and unlawfully took into possession the same transformers. All the relevant documents were shown to them but they (Police) were suspicious that the same were stolen from some place.
- SI Sher Rehman took Rs.8000/- as illegal gratification and released them.

On receipt of complaint, preliminary enquiry was marked to Mr. Muhammad Ishfaq, DSP-Rural who called him through wireless/telephonically but he did not appear before him. Hence he recommended formal departmental enquiry against him.

Then he was issued charge sheet and summary of allegations and Mr. Ismail Kharak, ASP-Gulbahar, Peshawar was appointed as the E.O. In his findings he mentioned that the delinquent officer did not appear before him despite repeated summons through parwans/Telephonic calls, though he had promised to give written statement on 19.1.13. On receipt of the findings of the E.O, he was issued FSCN by SSP-Ops: but he did not submit his reply within stipulated period. As such the SSP-Ops: Peshawar Mr. Imran Shahid awarded him the above major punishment.

ATTESTED

The relevant record has been perused and also heard him in person in OR on 6/12/2013, but he could not defend him self. The allegations levelled against him has been proved but keeping in view his long service of 26 years & 11-months, the punishment of dismissal is converted into Compulsorily Retirement from service.

O. B No: 4114

Date: 13-12-2013


**CAPITAL CITY POLICE OFFICER,
PESHAWAR.**

No. 2156-62 /PA dated Peshawar the 16-12- 2013.

Copies for inf and n/a to the:-

- 1/ SSP/Ops: Peshawar.
- 2/ PO/EC-I/AS
- 3/ EC-II along with S.Book and S.Roll for making necessary entry.
- 4/ FMC encl: complete FM.
- 5/ Official concerned.

ATTESTED

ORDER

This office order will dispose off departmental appeal of ex-SI **Sher Rehman** who was awarded the major punishment of **dismissal** from service under PR 1975 by SSP/Ops: vide OB No. 2988 dated 29/08/2012.

The allegations levelled against him were that:-

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- **They were stopped by Police at PP Tarnab and unlawfully took into possession the same transformers. All the relevant documents were shown to them but they (Police) were suspicious that the same were stolen from some place.**
- **SI Sher Rehman took Rs.8000/-as illegal gratification and released them.**

On receipt of complaint, preliminary enquiry was marked to Mr. Muhammad Ishfaq, DSP-Rural who called him through wireless/telephonically but he did not appear before him. Hence he recommended formal departmental enquiry against him.

Then he was issued charge sheet and summary of allegations and Mr. Ismail Kharak, ASP-Gulbahar, Peshawar was appointed as the E.O. In his findings he mentioned that the delinquent officer did not appear before him despite repeated summons through parwans/Telephonic calls, though he had promised to give written statement on 19.1.13. On receipt of the findings of the E.O, he was issued FSCN by SSP-Ops: but he did not submit his reply within stipulated period. As such the SSP-Ops: Peshawar Mr. Imran Shahid awarded him the above major punishment.

26/7/2016.

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Date: 13-12-2013


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PESHAWAR.**

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- 1/ SSP/Ops: Peshawar.
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- 3/ EC-II along with S.Book and S.Roll for making necessary entry.
- 4/ FMC encl: complete FM.
- 5/ Official concerned.

By Date
2/1/13

SHOW CAUSE NOTICE

(1)


I Sr. Superintendent of Police Operation, Peshawar, as competent authority, under the North-West Frontier Province Removal from Service 1975, against You SI Sher Rehman of PP Tarnab PS Chamkani Peshawar as follows:-

That consequent upon the completion of inquiry conducted against you by ASP Gulbahar Peshawar and recommended you SI Sher Rehman of PP Tarnab PS Chamkani for Ex-Parte action on the basis of the following allegation that:-

On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8500/- as illegal gratification and released them. You SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defence. Therefore, you have been recommended for departmental proceedings against you under the rule 1975.

You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate as to whether you desire to be heard in person.

If no reply to this notice is received within stipulated period of its delivery, it shall be presumed that you have no defence to put in and in that case an ex parte action shall be taken against you.


SR. SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR.

From:- Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

①

To:- The Superintendent of Police,
City Peshawar.

No 138 /ST dated Peshawar the 11 /03/2013.

OFFICE OF THE
S.P CITY
NO 415 /PA
DT 11-3-2013

Subject:- ENQUIRY AGAINST SI SHER REHMAN OF PP TARNAB PS
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Kindly refer to your office Memo: No. 415/ PA SP City dated 15.01.2013.

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Findings:- From the above described circumstances the undersigned has come to the conclusion that the said SI Sher Rehman is irresponsible and negligent official and Ex-part action is recommended against him.

Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

Forwarded Pt.

Kraio
slaty

PA

Issue memo final
Show cause notice

Senior Superintendent of Police
Operation Peshawar

w/s/s/ko
Dismissed
- 11/3/13

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Service Appeal No.13/2014.

Mr. Sher Rehman Ex-SI, Police Post Tarnab, P.S Chamkani, Peshawar.

.....Appellant.

VERSUS.

- 1- Provincial Police Officer, Khyber Pakhtunkhwa Peshawar
- 2- Capital City Police Officer, Peshawar
- 3- Senior Superintendent of Police (Operations), Peshawar.

.....Respondents.

Para wise comments on behalf of respondents.

Respectfully Sheweth,

PRELIMINARY OBJECTIONS.

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant concealed the material facts from Honorable Tribunal.

FACTS:-

- 1- First part of Para No. 1 is pertains to record while rest of Para is for the appellant to prove.
- 2- Para No.2 incorrect. the real fact of Para is that on 10.01.2013 one Malik Gul Afzal of ANP held a press conference at press club, stated that on 09.01.2013 an electricity transformer of Daudzai area was out of order and they were shifting it to Distt: Nowshera for repairing but they were stopped at ternab G.T road Peshawar by the Police and despite showing all kinds of relevant documents to the Police, SI Sher Rehman released them after getting illegal gratification as sum of Rs 8000/- from them over which preliminary enquiry by the DSP rural was conducted against the appellant to dig out the real facts but the appellant failed to submit his reply therefore, the enquiry officer recommended him for Departmental proceeding and upon the recommendation of enquiry officer the appellant was proceeded departmentally and after completion of all codal formalities, the appellant was found guilty in the enquiry, hence he was awarded

major punishment of dismissal from service under Police Rules 1975, subsequently his punishment of dismissal was converted into compulsory retirement by the appellate authority during his departmental appeal.

- 3- Para No.3 incorrect. Charge sheet and summary of allegation were served upon the appellant, he was called to the office of enquiry officer where he denied allegations leveled against him and also promised that he would submit his written statement by tomorrow but inspite of repeated summons and parwanas, he did not bother to appear before the enquiry officer or submit his reply, upon which on the recommendation of enquiry officer, the competent authority vide OB No. 2988 dated 29.08.2013 awarded major punishment of dismissal from service against appellant, which was in accordance with law/rules.
- 4- Para No.4 incorrect. SSP Operations was a competent authority and empowered to pass punishment order against SI/ASI under Police Rules 1975.
- 5- The real fact of Para 5 is that, during departmental appeal, appellant was heard in person in orderly room but he could not defend himself, allegations leveled against him was stand proved but due to his long service of 26 years and 11 months, his punishment of dismissal from service has been converted by the appellate authority into compulsory retirement from service.
- 6- The punishment order of compulsory retirement passed by the appellate authority is in accordance with law and liable to be upheld.

GROUND.

- A. Incorrect. Punishment orders passed by the competent authority and appellate authority are accordance with law, legal, and no injustice has been committed.
- B- Incorrect. Appellant was treated according to law/rules.
- C- Incorrect. The appellant was a Police Official and was rightly proceeded under the relevant law i.e. Police Rules 1975, hence the punishment order against the appellant passed by the authority are liable to be upheld.
- D- Incorrect. The appellant was called by the enquiry officer heard him in person as well as charge sheet and final show cause notice were also served upon him, but he did not submit his replies and failed to defend himself on charges leveled against him. (Charge sheet, statement of allegations and show cause notice are annexed as "A, B, C"

- E- Incorrect. Enquiry officer is responsible to submit his findings/recommendations to the competent authority and the competent authority is empowered to decide the enquiry report as to whether the defaulter official is liable to be punished or not, hence both the punishment orders are legal.
- F- Para is incorrect. The charges leveled against the appellant stand proved during departmental proceeding wherein all the codal formalities were fully observed.
- G- Incorrect. Para already explained in Para No. "4".
- H- Incorrect. The final show cause notice served upon the appellant to which he did not bother to reply and was also provided ample opportunities of personal hearing for his self defense but he badly failed in this regard.
- I- Respondents also seek permission of this honorable Tribunal to raise additional grounds at the time of arguments.

PRAYER.

It is therefore most humbly prayed that in light of above facts, submissions the appeal of the appellant devoid of merits, legal footing kindly be set aside/ dismissed.


**Provincial Police Officer,
Khyber Pakhtunkhwa,
Peshawar.**


**Capital City Police Officer,
Peshawar.**


**Senior Superintendent Of Police,
Operations, Peshawar.**

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No.13/2014.

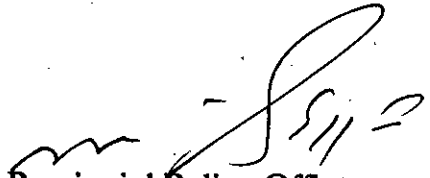
Mr. Sher Rehman Ex-SI, Police Post Tarnab, PS Chamkani, Peshawar
.....Appellant.


VERSUS.


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operation), Peshawar.

AFFIDAVIT.

We respondents 1, 2 and 3 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.


Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.


Capital City Police Officer,
Peshawar.


Senior Superintendent of Police,
Operation, Peshawar.

1

CHARGE SHEET

1. Whereas I am satisfied that a Formal Enquiry as contemplated by Police Rules 1975 is necessary & expedient.

2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in Rule 3 of the aforesaid Rules.

Now therefore, as required by Rule 6 (1) of the said Rules, I Imran Shahid Senior Superintendent of Police Operations, Peshawar hereby charge You SI Sher Rehman of PP Tarnab PS Chamkani Peshawar on the basis of the following allegations that:-

i On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. You SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defence. Therefore you have been recommended for proper departmental proceedings against you under the Rule 1975.

3. By doing this you have committed gross misconduct.

4. And I hereby direct you further under Rules 6 (I) of the said Rules to put in a written defence within 7 days of the receipt of this Charge Sheet as to why the proposed action should not be taken against you and also stating at the same time whether you desire to be heard in person.

5. And in case your reply is not received within the specific period it shall be presumed that you have no defence to offer and ex-parte action will be taken against you.

J - - - -

SR SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR

(1)

DISCIPLINARY ACTION

I Imran Shahid, Senior Superintendent of Police Officer, Peshawar as competent authority, am of the opinion that SI Sher Rehman of PP Tarnab PS Chamkani has rendered himself liable to be proceeded against, as he committed the following acts/omission within the meaning of section 03 of the Police Disciplinary Rules 1975.

STATEMENT OF ALLEGATION

On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but SI Sher Rehman did not bother to submit his written reply nor produced anything in favour of his defence. Therefore he has been recommended for proper departmental proceedings against him under the Rule 1975.

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an Enquiry Officer ASP/Gulbahar is appointed.

The Enquiry Committee/Enquiry Officer shall in accordance with the provision of the Police Rules (1975), provide reasonable opportunity of hearing to the accused officer/Officials and make recommendations as to punish or other appropriate action against the accused.

✓
SR: SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR.

✓
No. 163 E/PA, dated Peshawar the

04 / 02 / 2013.

Copy to the above is forwarded to the Enquiry Officer for initiating proceeding against the accused under the provision of Police Disciplinary Rules 1975.

S

W/SSP/OPS

307/3

By Date
27/03/2013.

SHOW CAUSE NOTICE

①

I Sr: Superintendent of Police Operation, Peshawar, as competent authority, under the North-West Frontier Province Removal from Service 1975, against You SI Sher Rehman of PP Tarnab PS Chamkani Peshawar as follows:-

That consequent upon the completion of inquiry conducted against you by ASP Gulbahar Peshawar and recommended you SI Sher Rehman of PP Tarnab PS Chamkani for Ex-Parte action on the basis of the following allegation that:

On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. You SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defence. Therefore, you have been recommended for departmental proceedings against you under the rule 1975.

You are therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate as to whether you desire to be heard in person.

If no reply to this notice is received within stipulated period of its delivery, it shall be presumed that you have no defence to put in and in that case an ex parte action shall be taken against you.

SRI SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR

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

Service Appeal No. 13 /2014

Mr. Sher Rehman

V/S

PPO & Others.

REJOINDER ON BEHALF OF APPELLANT

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Admitted correct by the respondents, so no comments.
- 2 Admitted correct by the respondents so no comments.
- 3 Incorrect. The appellant is a civil servant and he is to be dealt with E&D Rules of 2011.
- 4 Incorrect. The SSP is not a competent authority in case of appellant.
- 5 Incorrect, while the contents of Para-5 are correct.
- 6 Incorrect. The contents of para-6 are correct.

GROUND:

- A) Incorrect, while Para-A of appeal is correct.
- B) Incorrect. the appellant was not treated according to law and rules.
- C) Incorrect. the appellant has not been proceeded under E&D Rules.

- D) Incorrect, while Para-D of appeal is correct.
- E) Incorrect. The SSP is not a competent authority in the case of appellant.
- F) Incorrect, while Para-F of appeal is correct.
- G) Incorrect, while Para-D of appeal is correct.
- H) Incorrect. No final show case notice was served upon the appellant.
- I) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT
Sher Rehman

Through:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.


DEPONENT



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

Service Appeal No. 13 /2014

Mr. Sher Rehman

V/S

PPO & Others.

.....

REJOINDER ON BEHALF OF APPELLANT

.....

RESPECTFULLY SHEWETH:

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FACTS:

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- 6 Incorrect. The contents of para-6 are correct.

GROUND:


- A) Incorrect, while Para-A of appeal is correct.
- B) Incorrect. the appellant was not treated according to law and rules.
- C) Incorrect. the appellant has not been proceeded under E&D Rules.

- D) Incorrect, while Para-D of appeal is correct.
- E) Incorrect. The SSP is not a competent authority in the case of appellant.
- F) Incorrect, while Para-F of appeal is correct.
- G) Incorrect, while Para-D of appeal is correct.
- H) Incorrect. No final show case notice was served upon the appellant.
- I) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT
Sher Rehman

Through:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.


DEPONENT

CHARGE SHEET

1. Whereas I am satisfied that a Formal Enquiry as contemplated by Police Rules 1975 is necessary & expedient.

2. And whereas, I am of the view that the allegations if established would call for major/minor penalty, as defined in Rule 3 of the aforesaid Rules.


Now therefore, as required by Rule 6 (1) of the said Rules, I Imran Shahid Senior Superintendent of Police Operations, Peshawar hereby charge You SI Sher Rehman of PP Tarnab PS Chamkani Peshawar on the basis of the following allegations that:-

i // On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. You SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defence // Therefore you have been recommended for proper departmental proceedings against you under the Rule 1975.

3. By doing this you have committed gross misconduct.

4. And I hereby direct you further under Rules 6 (I) of the said Rules to put in a written defence within 7 days of the receipt of this Charge Sheet as to why the proposed action should not be taken against you and also stating at the same time whether you desire to be heard in person.

5. And in case your reply is not received within the specific period it shall be presumed that you have no defence to offer and ex-parte action will be taken against you.


SR SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR

By Date
27/03/2013

SHOW CAUSE NOTICE

1

I Sr: Superintendent of Police Operation, Peshawar, as competent authority, under the North-West Frontier Province Removal from Service 1975, against You SI Sher Rehman of PP Tarnab PS Chamkani Peshawar as follows:-

That consequent upon the completion of inquiry conducted against you by ASP Gulbahar Peshawar and recommended you SI Sher Rehman of PP Tarnab PS Chamkani for Ex-Parte action on the basis of the following allegation that:-

On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that you SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. You SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but you SI Sher Rehman did not bother to submit your written reply nor produced anything in favour of your defence. Therefore, you have been recommended for departmental proceedings against you under the rule 1975.

You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate as to whether you desire to be heard in person.

If no reply to this notice is received within stipulated period of its delivery, it shall be presumed that you have no defence to put in and in that case an exparte action shall be taken against you.

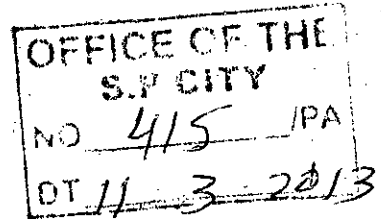
Sr: SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR

From:- Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

①

To:- The Superintendent of Police,
City Peshawar.

No 138 /ST dated Peshawar the 12 / 03 / 2013.



Subject:- ENQUIRY AGAINST SI SHER REHMAN OF PP TARNAB PS
CHAMKANI.

Kindly refer to your office Memo: No. 415/ PA SP City dated 15.01.2013.

Charges/Allegations:- An enquiry against SI Sher Rehman of PP Tarnab PS Chamkani, on the allegations that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order and they were shifting the said transformer along with two other transformer to Nowshera for repair but they were stopped at Tarnab G.T road by the Police on duty and despite showing all kinds of relevant documents, they were not allowed to proceed. The Police man on duty became suspicious that transpored transformer was stolen from some place. The complainant alleged that SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them.

The delinquent official was Charge Sheeted by SSP Operations and the undersigned was appointed as enquiry officer.

Grounds:- I conducted inquiry into the matter and summoned, the complainant Malik Gul Afzal and recorded his statement. On 18.01.2013 SI Sher Rehman was summoned to the office of the undersigned for personal hearing and for getting his statement recorded. The SI Sher Rehman attended the office and denied all the allegations and promised that he would submit his written statement to this office by tomorrow i.e 19.01.2013. But inspite of service of repeated summon and parwanas on him through Police Station Chamkani and telephone, the delinquent official did not bother to appear before the undersigned.

Findings:- From the above described circumstances the undersigned has come to the conclusion that the said SI Sher Rehman is irresponsible and negligent official and Ex-part action is recommended against him.

Assistant Superintendent of Police,
Gulbahar Circle Peshawar.

Forwarded pl.

Khair

slaty

PA

w/SS/CO

missed

from 11/3/13

Issue memo final
Show cause notice

(1)

DISCIPLINARY ACTION

I Imran Shahid, Senior Superintendent of Police Officer, Peshawar as competent authority, am of the opinion that SI Sher Rehman of PP Tarnab PS Chamkani has rendered himself liable to be proceeded against, as he committed the following acts/omission within the meaning of section 03 of the Police Disciplinary Rules 1975.

STATEMENT OF ALLEGATION

On 10 Jan, 2013 at about 1300 to 1330 hrs, Malik Gul Afzal of ANP held a press conference at press club, stated that on 09th of Jan, 2013 an electricity transformer of their area (Daudzai) was out of order, and they were shifting the said transformer along with two other transformers to Nowshera for repair but they were stopped at Tarnab G.T road by the police on duty and despite showing all kinds of relevant documents, they became suspicious of being involved theft of transformer. It is also alleged that SI Sher Rehman I/C PP Tarnab PS Chamkani took a sum of Rs. 8000/- as illegal gratification and released them. SI Sher Rehman was summoned time and again telephonically as well as through wireless communication but SI Sher Rehman did not bother to submit his written reply nor produced anything in favour of his defence. Therefore he has been recommended for proper departmental proceedings against him under the Rule 1975.

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an Enquiry Officer ASP/Gulbahar is appointed.

The Enquiry Committee/Enquiry Officer shall in accordance with the provision of the Police Rules (1975), provide reasonable opportunity of hearing to the accused officer/Officials and make recommendations as to punish or other appropriate action against the accused.


SR: SUPERINTENDENT OF POLICE,
OPERATIONS, PESHAWAR.

No. 163 E/PA, dated Peshawar the 04 / 02 / 2013.

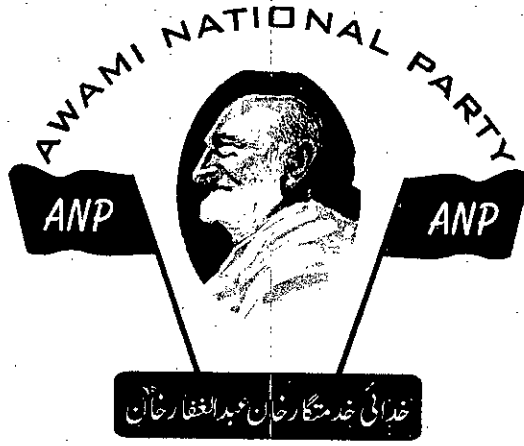
Copy to the above is forwarded to the Enquiry Officer for initiating proceeding against the accused under the provision of Police Disciplinary Rules 1975.

Malik Gul Afzal

Senior Vice President ANP PK-8

0313-5978797

0333-5978797



خدائی خدمتگار

ملک گل افضل

سینئر نائب صدر PK-8 پشاور

Date: 18/01/2013

Ref: 786
میں تعلق خود ملک گل افضل یہ بیان کرتا ہوں

کل بحور 9/11/2013 دوپہر 2 بجے میں اور داود زئی ڈویژن
کا لائن میں صاحب خان تین عدد ٹرانسفارمرز مرمت کے لیے نو شہرہ ورکسٹاپ کے لیے
لیکچر جاری تھے کہ ہلن جی ڈی روڈ پر ترناب جوری کے ساتھ پولیس ٹاکہ پر ہمیں
روکا گیا اور پولیس والوں نے کہا کہ یہ ٹرانسفارمرز کیا لیکچر جا رہے ہیں ہم نے کہا کہ
یہ ٹرانسفارمرز داود زئی سب ڈویژن کے علاقے لڑمہ ٹکاؤں کے ہیں ہم نے تمام دستاویزات
دیکھا دیے۔ تو ڈیوٹی پر موجود پولیس والے نے کہا کہ ہم یہاں تک جھوٹی ایجاد مشہور
سب انسپکٹر کے پاس چلو۔ ہم نے جھوٹی ایجاد ترناب ٹاکہ کو ٹرانسفارمرز کے تمام دستاویزات
دیکھا دیے تو جھوٹی ایجاد نے کہا کہ یہ جوری کے ٹرانسفارمرز ہیں میں نے کہا کہ
داود زئی سب ڈویژن کا ہلکار بھی ہے۔ تو انہوں نے کہا کہ واپس آ جاؤ سب جوری ہے۔
خود ٹرانسفارمرز جوری کروانے میں اور بعد میں تھانے آکر جھوٹی ایف آئی آر درج کروانے
ہیں۔ سب کے سب جوری ہے آپ بھی جوری ہے۔ میں نے کہا کہ یہ جوری نہیں ہے۔
یہ سرکاری دستاویزات ہے۔

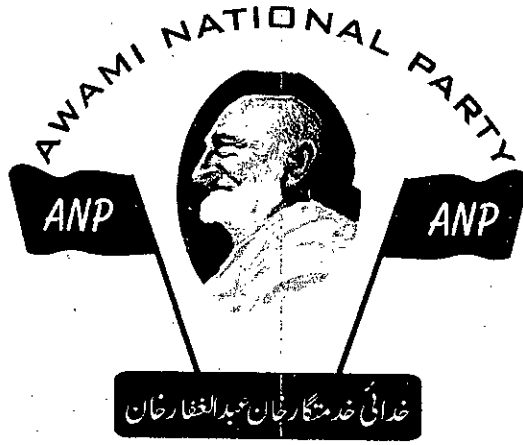
GHARSADDA ROAD VILLAGE LARAMA MOHALLAH BROTHERAN

Malik Gul Afzal

Senior Vice President ANP PK-8

0313-5978797

0333-5978797



خدائی خدمتگار

ملک گل افضل

سینئر نائب صدر PK-8 پشاور

(2)

Date: _____

Ref: _____

اس کے بعد میں نے اپنا تعارف کروایا کہ میں ANP PK8 کا سینئر نائب صدر ہوں
تو اس نے جواب میں کہا کہ ANP (وہ لے بھی سب جوڑیں) میں نے اس کو کہا کہ
ہمارے مشران نے اس مرثی کے لیے پیش ہا قربانیاں دی ہیں۔ تو اس نے کہا
کہ آپ کے مشران نے اپنے صداقات کے لیے قربانی دی ہے۔ میں نے کہا کہ اس طرح صحت
نہیں اس مرثی کے لیے یاد دہانی مشران اور کارکنوں نے بے شمار قربانیاں دی ہیں اور آپ کے
پولیس ڈیپارٹمنٹ نے بھی بے شمار قربانیاں اور اس مرثی کے لیے جان کے نذرانے
پیش کیے اور بے شمار پولیس افسران شہید ہوئے۔ تو اس نے کہا کہ ان کو
شہید مت کہو یہ اپنے صداقات کے لیے مہر رہے ہیں۔ پھر اس نے کہا کہ باہر انتظار
کر رہا۔ پھر میں نے کئی دوست پولیس والوں کو کہا کہ ان کو کہو کہ یہ شرافتگار مہرز محفوظ
ہیں انہوں نے اس کو خون کیے۔ جو کہی ایجاد نے کہ آپ مجھ سے میرا دوست حفظ
کرو رہے ہیں۔ میں تقریباً ایک گھنٹہ انتظار کر رہا تھا انتظار کے دوران میں نے اپنے
آنکھوں سے دیکھا کہ سواری کی گاڑیوں پولیس والے روکتے چھوٹی گاڑی سے 3 سو روپے
اور بڑی گاڑیوں سے 5 سو روپے بلکہ چھوڑتے اور جوتے دیتے تھے تو ان کو

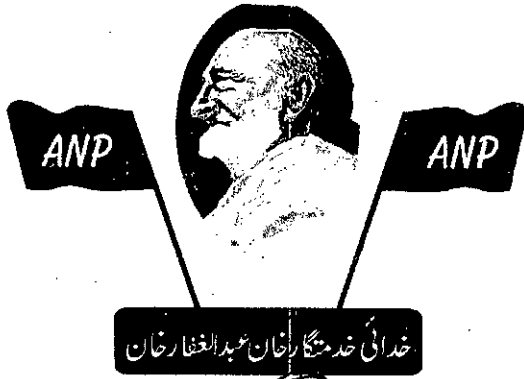
CHARSADDA ROAD VILLAGE LARAMA MOHALLAH BROTHERAN

Malik Gul Afzal

Senior Vice President ANP PK-8

0313-5978797

0333-5978797



ملک گل افضل

سینئر نائب صدر PK-8 پشاور

(3)

تنگ کرنا ہے۔ تقریباً ایک گھنٹہ انتظار کیا بلکہ چونکہ انچارج شیپ راجن نے مجھے
بولوایا کہ یہ ٹرانسپارمنس جیڑی کمی ہے لہذا آپ مجھے 10 ہزار روپے دے اور ٹرانسپارمنس کے بارے
میں لکھا کہ میں ایک عوامی نمائندہ ہوں تقریباً 10 دفعوں سے ہمارے گاؤں میں بجلی نہیں ہے
لوگ انتظار کر رہے ہیں بجلی بحال کرو۔ میری ایک بات نہیں مانی اور مجبوراً میں نے 10 ہزار
بطور رشوت دی اور ٹرانسپارمنس چھوڑا ہے۔

میں ملک گل افضل آف لٹرمہ پولیس افسران سے تیز زور اپیل کرتا ہوں کہ چونکہ انچارج
سرناب خادم شیپ راجن خان نے ہمارے پادری افسران اور پولیس افسران اور پولیس
سٹیڈیو کو جوٹا لیا ہے اس کے خلاف کارروائی کی جائے۔ اس جرم کی جو سزا ہے
ان کو دی جائے اور مجھ سے بطور رشوت 8 ہزار روپے لے لیے وہ پیسے بھی واپس
کے جائے اور چونکہ انچارج کو رشوت کی سزا بھی دی جائے

اگر تین دن کے اندر اندر چونکہ انچارج شیپ راجن سب انسپکٹرز کے خلاف انوائٹری نہ کی گئی
تو میں چونکہ انچارج شیپ راجن کے خلاف پشاور ہائی کورٹ جا کر رٹ کرونگا
اور ان کے خلاف جلسہ جلوس بھی کرونگا

ملک گل افضل سینئر نائب صدر PK-8 پشاور

چارسدہ روڈ گاؤں لٹرمہ کنڈی برادران حجرہ ملک سید افضل

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1691 /ST


Dated 13 / 10 / 2016

To The S.SP, Operations,
Peshawar.

Subject: - JUDGMENT

I am directed to forward herewith a certified copy of Judgement dated 30.9.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

ضلع پشاور

از دفتر ASP گلہار سرکل

مورخہ 18-01-2013

نمبر 252/ریڈر

بخدمت جناب محرز صاحب تھانہ نسلی

حسب احکم جناب ASP صاحب گلہار سرکل لکھا جاتا ہے۔ کہ انچارج چوکی ترناب سب انسپکٹرز

رحمان خان کو مطلع کرے کہ مورخہ 18-01-2013 بروز جمعہ 11:00 بجے دفتر جناب ASP صاحب گلہار سرکل حاضر ہو کر پیش کرے۔

ATTESTED

R-ASP/Gulbahar.

Sd:ASP/Gulbahar.

ضلع پشاور

از دفتر ASP گلہار سرکل

۱۱-۰۱-۲۰۱۳

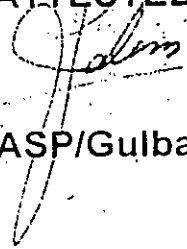
نمبر ۱۱۱۱۱۱۱۱

بخدمت جناب محرم صاحب قاضی

حسب الحکم جناب ASP صاحب گلہار سرکل لکھا جاتا ہے۔ کہ انچارج چوکی ترناب سب انسپکٹر شیر

رحمان خان کو مطلع کرے کہ مورخہ 18-01-2013 بروز جمعہ 11:00 بجے دفتر جناب ASP صاحب گلہار سرکل حاضر ہو کر پیش کرے۔

ATTESTED


R-ASP/Gulbahar.

Sd:ASP/Gulbahar.