

26.2.2015

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



MEMBER

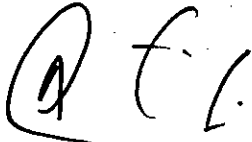


MEMBER

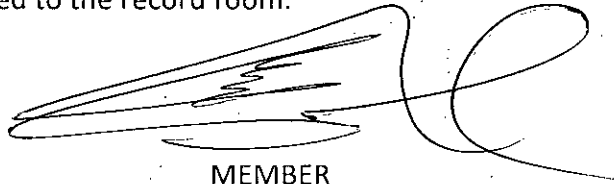
10.3.2015

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 20<sup>th</sup> 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.



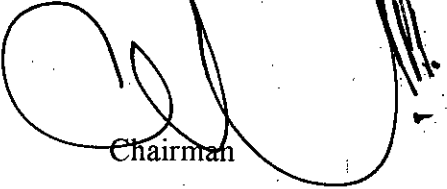
MEMBER



MEMBER

08.08.2014

Counsel for the appellant and Mr. Imranullah, SI (Legal) on behalf of the respondents with AAG present. Written reply/para-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

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

Appeal No. 240/2014  
Mr. Sher Azam

3

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


4

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, which has been rejected on 06.02.2014, hence the present appeal on 21.02.2014. 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. Notice of application should also be issued to the respondents for reply/arguments. 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.

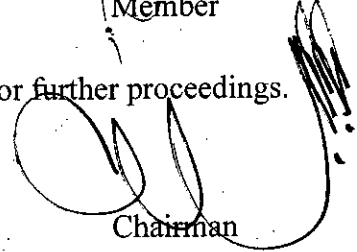
8

  
Member

5

08.05.2014


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

  
Chairman

3614

The Hon'ble bench is on  
Plur. Decision was signed by

8.8.14.

  
Member

Form- A

FORM OF ORDER SHEET

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

Case No. 240/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	21/02/2014	<p>The appeal of Mr. Sher Afzal presented today by Mr. 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;"><i>[Signature]</i> REGISTRAR 21/2/14</p>
2	26-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>16-4-2014</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>

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

Service Appeal No. 240/2014

Sher Afzal .....(Appellant)

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)


**I N D E X**

<b>S.No</b>	<b>Description of Documents</b>	<b>Pages</b>
1.	Service Appeal	1-7
2.	Affidavit	8
3.	Addresses of the parties	9
4.	Copy of show cause notice dated 23/10/2013 and explanation dated 28/10/2013	10-11
5.	Copy of charge sheet dated 28/11/2013 and reply of the appellant dated 29/11/2013	12-13
6.	Copy of the order dated 28/11/2013	14
7.	Copies of statement of appellant along with certificates	15-17
8.	Copies of inquiry report and order dated 06/12/2013	18-26
9.	Copy of appeal and order dated 06/02/2014	27-28
10.	Wakalat Nama	29

  
Appellant

Through

Dated: 14/02/2014

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

①

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

Service Appeal No. 240/2014

Sher Afzal S/o Abdul Raziq

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

**[Stamp]**  
257  
21-2-14

**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:**

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

**[Signature]**  
21/2/14

**FACTS:**

1. That the appellant joined the Police Department on 13/08/1991 as constable and performed his duties at various police stations with commitment and devotion.

2

The appellant was promoted C-II Head Constable in the year 2010.

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 28/10/2013 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 28/11/2013. (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 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 1991 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, 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.

- D. 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.
- E. 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 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 house officers.
- F. 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.

- G. 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.
  
- H. 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.
  
- I. 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.
  
- J. 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 re-

instated 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.



Appellant

Through

Dated: 14/02/2014



**Sahibzada Asadullah**  
Advocate Supreme Court  
Of Pakistan.

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

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

Sher Afzal .....(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.



9  
**ADVOCATE**

9

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

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

Sher Afzal .....(Appellant)

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)

**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Sher Afzal S/o Abdul Raziq

R/o Village Kalan, 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.

  
Appellant

Through

Dated: 14/02/2014

  
**Sahibzada Asadullah**  
Advocate Supreme Court  
Of Pakistan.

SHOW CAUSE NOTICE.

(10)

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

<u>S.No.</u>	<u>Name &amp; 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 Afzal	PPP Durmai.
9.	HC Bahrawar Said	MM PS Daggar.
10.	HC Sher Wali	I/C PPP Kalil Kandaw
11.	HC Aman Khan	PP Budal.

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

Now therefore, as required by the KPK Police 1975 IASIF IOBAN MOHMAND District Police Officer, Buner call upon to show cause as to why you should not be awarded major punishment as defined u/r-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.

9  
ATTACHED



حی عالی

کو الہ مشورہ شوکار ٹولس بندی 529.39/EC از دفع  
23-10-013  
صاحب - DPO صاحب لوئیر معدوم صورت ہوں نہ صاحب - DPO صاحب  
ضلع لوئیر کے دفتر سے زیر بحث شوکار ٹولس حصول ہو کر ملاحظہ  
کئے نہ پایا گیا کہ صاحب کو حوائج سے سوریس رپورٹ پر پندر خلاف کریشن  
کا الزام عائد کیا ہے۔

۱۸۱ میں جس طرح عرض کیا ہے وہ سچ ہے۔ بحیثیت کسٹیل سال ۱۹۹۱  
میں میری برائیوں اور اب II جیڈ کسٹیل ضلع لہذا میں تفتیش ہوں  
میں نے تاحال ملازمت حاصل نہیں کی، ایمانداری اور عبادت جان رسرا انجام  
دی ہے۔ ہم مصلحت خدانہ حال میرے خلاف کسی قسم کی کریشن الزامات  
مقرر عام نہیں آئے ہیں۔ حالانکہ میں نے اپنی ڈیوٹی عبادت سمجھ کر  
انجام دی ہے۔ میرے خلاف اب جو بھی الزام لگایا جائے۔ بے بنیاد اور  
منگھرت ہے۔ میرے خلاف کوئی ثبوت سامنے نہیں آئی ہے۔  
سزا لگائی ہو اللہ اللہ منگھرت اور بے بنیاد ہے جسکا حقیقت سے  
کوئی واسطہ نہیں ہے۔

اسد علی حیدر میرے خلاف جاری شوکار ٹولس لفیڈ کسی کارروائی  
کے فائل فرمائی جاوے تو تاحیات دعا تو دیوں گا۔

تیسرا منجمل بند 396 دفعہ  
HC  
پولیس لائن ڈو

9

## CHARGE SHEET

I, ASIF IOBAL 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 &amp; 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	-d -
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.

  
DISTRICT POLICE OFFICER,  
BUNER

ضامی 1

ذوال قمر 1372ھ چار شہیت عہد ی 572-82/EC جاریہ ضامی  
 28-11-013  
 DP0 ضامی کو تیرہ مہرہ عرض خدمت ہوں تم دفتر ضامی - DP0 ضامی صلح لو تیرہ سے  
 دیر کٹ شوکار ٹولیں موصول ہوتے بلا حصار کرنے یہ پایا گیا تم ضامی موصوف  
 نے سورس رپورٹ پر تیرہ مہرہ خلاف کریشن کا الزام عائد کیا ہے  
 انہریں سلسلہ عرض تیرہ سائیل حکم پولیس میں حبسیت کٹیل سال  
 1991 کو تھرتی ہو اہوں اور اب II تھرتی کٹیل صلح تھرتی میں لکھیات ہوں  
 میں نے تاحال ملازمت حال تھرتی، ایما تھرتی اور عبادت جان رسرا جام دی ہے  
 3 فصل تھرتی تاحال تیرہ مہرہ خلاف کسی قسم کی کریشن الزامات متظر عام تیرہ  
 نہیں آئے ہیں۔ حالانکہ میں نے اپنی ڈیوٹی عبادت سچھ کر رسرا جام دی ہے  
 تیرہ مہرہ خلاف کوئی ثبوت سامنے نہیں آئی ہے

لینہ لکھا ہوا الزام منکھوت اورے نیار ہے۔ صک حقیقت سے کوئی  
 واسطہ نہیں ہے

اسد عہد تیرہ مہرہ خلاف جاری شو چار شہیت لکھی کسی کارروائی کے قابل  
 زمانی جاوے تو تاحیات دعا گو رہوں گا

*(Handwritten signature)*

شہر فصل 396  
 ع II  
 29-11-2013

9

# DISCIPLINARY ACTION

14

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.

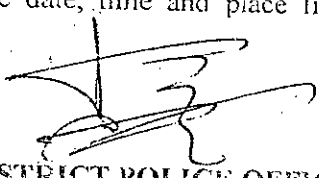
<u>S.No.</u>	<u>Name &amp; Rank</u>	<u>Previous Posting</u>	<u>Closed to Police Lines on 12/10/13</u> <u>On the cause of corruption</u>
1.	SI Balizar Khan	I/C Invest: Totalai	-do-
2.	ASI Muhammad Wahab	PS Daggar	-do-
3.	ASI Anwar Saeed	PS Gagra	-do-
4.	ASI Muhammad Zahid	Police Lines	-do-
5.	ASI Zeb 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 his 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 20-11 /2013

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

2. Defaulter concerned.

  
DISTRICT POLICE OFFICER,  
BUNER

  
ATTENDED

بیان ازاد سیر افضل 396/72 متعین لوکس لائن ڈگر

جانب عالی

بسم انلواری مورقہ خدمت ہوں۔ کے سائل  
 سال 1941 میں ہوتی سڑہ ہے۔ اب تک مختلف جگہوں  
 قاتہ جات، چولیات، ماردات میں ڈیوٹی سرانی م  
 دے جتا ہوں۔ دوران سروس اپنی ڈیوٹی ایمانداری  
 جانفشانی سے سرانجام دی ہے۔ جتنا امران کے ساتھ  
 کسبت ماحک رہ جتا ہوں ان سے معلومات کسکتے ہیں  
 میرے خلاف سروس رپورٹ معلق کسکتے سیاد اور  
 بددینی پر مبنی ہے۔ ایک لقا ملان ہوتے ہوتے کریں  
 کا سوچ لھی نہیں کسکتا  
 دوران سروس ابھی تک سائل کے خلاف کسکتے معلق  
 کسی نے امران کو شقاوت نہائی ہے۔ اور نہ ہی انلواری  
 ہوئی ہے سائل کا ماضی و حال ہے۔ یہی سیر بیان ہے

*[Signature]*  
 29-11-2013

9  
 ACCEPTED

(16)

جی بی ای  
جورجس سیرگم آئی کیشن سیر انفلڈ 396 کارڈ دووری  
میں کورمہ کشتیت اقرار نامہ حکا ہے۔ اس کنڈ  
کر لین کی کوئی سہایت نہیں ہے۔

*[Handwritten signature]*

SATO  
DT. 29.11.2013

رکھو ساتو مادہ کی C  
انڈیا  
Post on  
29/11/2013

9

فصل ۱

(۱۷)

در عرض خدمت پروردگار که سال ۲۰۰۸ میلادی بین  
 مقام نادر کئی بین حبیب ۱۱۰۰۰ لیبیات نقد شرف افضل ۳۹۶  
 سیر کما حق تعالی نادر کئی بیاره کما سیر کما سیر کما سیر کما  
 که نسبت کر لیبین کما باع بین زبانی یا کما سیر کما سیر کما  
 بین کما سیر کما سیر کما سیر کما سیر کما

۱۱۰۰۰  
 P. Amhala  
 29/11/2013

9  
 ATTACHED

صاحب لائبریری

(1)

انڈسٹریل انکوائری

انڈسٹریل انکوائری  
140

(18)

انڈسٹریل انکوائری 562-72 حاجی صاحب کھٹک لائبریری 28/11/13  
انڈسٹریل انکوائری 572-82 حاجی صاحب کھٹک لائبریری 28/11/13

گفتہ	شمارہ	تفصیل کاغذات
	09	انڈسٹریل انکوائری رپورٹ
	03	آرڈر انکوائری نمبر 562-72 حاجی صاحب کھٹک لائبریری 28/11/13
	05	بیان آذان پلنگر خان اس کے ساتھ 4 دستاویزات
	04	بیان آذان محمد ریاض اس کے ساتھ 3 دستاویزات
	06	بیان آذان انور سید اس کے ساتھ 5 دستاویزات
	05	بیان آذان محمد زاہد اس کے ساتھ 4 دستاویزات
	05	بیان آذان زینت بیگم اس کے ساتھ 4 دستاویزات
	03	بیان آذان خان شہر 11/28 اس کے ساتھ 2 دستاویزات
	07	بیان شہر 174 اس کے ساتھ 6 دستاویزات
	03	بیان آذان شہر داخل 396 اس کے ساتھ 2 دستاویزات
	04	بیان آذان فروری 372 اس کے ساتھ 3 دستاویزات
	07	بیان آذان شہر 173 اس کے ساتھ 6 دستاویزات
	06	بیان آذان آغا 265 اس کے ساتھ 5 دستاویزات
	04	گوشہ آرڈر ہاؤس

(71)

محمد مہراں

ATTESTED

Superintendent of Police  
Hayat Daggar



حوالہ نمبر 572-82 مورخہ 28/13 بجاریہ دفتر ضابطہ DPo

- 1. ASI پلیدرخان انچارج انڈسٹری گیشن طوطا لاری حال پولیس لائن ڈاگر
- 2. ASI راجہ صاحب پولیس سٹیشن ڈاگر حال پولیس لائن
- 3. ASI انور سعید پولیس سٹیشن ڈاگر حال پولیس لائن
- 4. ASI محمد رفیق پولیس سٹیشن ڈاگر حال پولیس لائن
- 5. ASI زبیر احمد پولیس سٹیشن طوطا لاری حال پولیس لائن ڈاگر
- 6. HC خان شہر محمد قحانہ جوڑ حال پولیس لائن ڈاگر
- 7. HC شہر محمد انچارج گاڈ کروگا حال پولیس لائن ڈاگر
- 8. HC شہر افضل پولیس پوسٹ دھمائی حال پولیس لائن ڈاگر
- 9. HC شہر سعید محمد شہر پولیس سٹیشن ڈاگر حال پولیس لائن
- 10. HC شہر ولی انچارج پولیس پوسٹ کیلیل حال پولیس لائن
- 11. HC آمان خان پولیس پوسٹ بدل حال پولیس لائن ڈاگر

عنوان انکوائری بر خلاف گریٹ پولیس افسران

ضابطہ عالی!

حوالہ نمبر 572-82 مورخہ 28/13 بجاریہ دفتر ضابطہ DPo

انکوائری نمبر 562-72 مورخہ 28/13 بجاریہ دفتر ضابطہ DPo

مورخہ 25/13 بجاریہ دفتر ضابطہ RPO صاحب بلاکڈ سٹیٹس سوانہ شریف سوانہ شریف

ہیکہ درج بالا عہدہ داران پولیس سلسلہ طر ا تا 11 بر خلاف مقامات میں تعیناتی کے دوران رد عنوانی کے الزامات سروس رپورٹ کے روشنی میں عائد ہو کر جس پر الزام علیہ عہدہ داران پولیس کے نام چارج شیٹس دفتر ضابطہ DPo

پونپور سے جاری ہو کر میں DSP/HQ کو الزام علیہ عہدہ داران پولیس کے خلاف ایک خط لکھا ہے انکوائری عمل میں لانے کا حکم صادر فرمایا گیا ہے جبکہ انکوائری میں ضابطہ RPO صاحب بلاکڈ سٹیٹس سوانہ شریف مورخہ 30/13 کو نتیجہ رپورٹ طلب فرمایا ہے

(جاری)

9  
APPOINTED

By: Superintendent  
Hqs 1/13



(5)

بیجاچ گارڈ عازمی کوٹ (10) ڈسٹرکٹ سکول (11) مددگار خانہ ڈگر  
 (16) گارڈ عازمی (13) بیجاچ جوگی ٹولہ کلی (14) تعطیل لائن (15) خانہ ڈگر  
 16 نوٹس لائن ڈگر محمد وساب ASI کی عرصہ ملازمت مارچ 2007 تا 28-07-22 دن 6 ماہ سال  
 میں اچھی کارکردگی، ترقی اسناد 5 ہے جبکہ بیڈ انٹرنیٹ کی تعداد 9 ہے  
 جو طویل عرصت کی سہولیات ہیں

(3) ASI انور سعید متعینہ نوٹس لائن تاریخ ہجرتی حوض  $\frac{4}{1991}$ ، ریکورڈ کوری  
 $\frac{3}{1992}$ ، نوٹس کوری  $\frac{10}{99}$ ، انٹرنیٹ سکول کوری  $\frac{9}{2011}$  20

تعمینات: 1 نوٹس لائن ڈگر (9) سکول کوری (3) خانہ طویلانی (4) جوگی  
 منگلی (5) نوٹس لائن ڈگر (6) جوگی گاگرہ (7) خانہ ڈگر (8) نوٹس لائن ڈگر  
 (9) نوٹس لائن ڈگر (10) شریف شاف (11) بیجاچ وردی جوڈام نوٹس لائن ڈگر  
 (12) انٹرنیٹ سکول کوری (13) جوگی سولاری (14) خانہ ڈگر (15) خانہ ٹگری  
 (16) خانہ گاگرہ (17) نوٹس لائن ڈگر ASI انور سعید دن 6 ماہ سال 22 07 28 کی عرصہ

ملازمت سے بعد اچھی کارکردگی اور ترقی اسناد بہت دور سے نوازا گیا ہے  
 جبکہ بیڈ انٹرنیٹ کل 4 ہے جو طویل عرصت کے ہیں

(4) ASI محمد زینب متعینہ نوٹس لائن تاریخ ہجرتی  $\frac{3}{1991}$ ، ریکورڈ کوری  
 $\frac{3}{1992}$ ، نوٹس کوری  $\frac{4}{1998}$ ، انٹرنیٹ سکول کوری  $\frac{9}{2010}$  20

تعمینات: 1 نوٹس لائن ڈگر (2) خانہ پینریا (3) گارڈ کڑا اکڑ (4) MHC  
 پیریا (5) خانہ تادہ (6) شریف شاف (7) گارڈ حوض 8 انٹرنیٹ کوری  
 (9) لاء انسٹرکٹر شفٹنگ (10) RTN مانیٹر (11) سرہ خانہ (12) اسیلم (13) بگرہ (14) نوٹس لائن

ASI محمد زینب کی عرصہ ملازمت دن 6 ماہ سال 22 07 28 کے دوران اچھی کارکردگی اور ترقی  
 اسناد 4 ہے جبکہ بیڈ انٹرنیٹ کل 4 ہے جو طویل عرصت کے ہیں

ATTESTED

(5) ASI زینب آغا خان متعینہ حال نوٹس لائن تاریخ ہجرتی  $\frac{4}{1991}$   
 ریکورڈ کوری  $\frac{3}{92}$ ، نوٹس کوری  $\frac{11}{97}$ ، انٹرنیٹ کوری  $\frac{3}{2016}$  20

تعمینات: (1) نوٹس لائن DAR (2) بدل جوگی (3) MTC نوٹس لائن

9  
 Dy. Superintendent  
 Hqs. D.

تھانہ طوطا لائی (5) DFCL خارجہ قصبہ مشرٹ (6) کوئٹہ سکول کورس (6)  
 (7) پولیس لائی (8) تھانہ ناوہ لائی (9) نائٹ کورٹ SDM (10) گادو  
 لنگر گلبر (11) چوکی نور پور کٹ (12) تھانہ طوطا لائی (13) نائٹ پورہ کورس (14) بیہ  
 مندر YRK (15) نائٹ کورٹ (16) ریڈر سی اسپتال (17) انٹر سٹیٹ سکول کورس  
 (18) CRO (19) OASI (20) رائٹ لیبو ڈوفاہ (21) چوکی نڈل (22) تھانہ  
 گلہا پٹی (23) تھانہ تگڑی (24) تھانہ طوطا لائی (25) پولیس لائی

ASI بہت اچھے کی عمر وہ ملازمت دن ۱۰ تاہ سوال  
 کل نوٹ ہے جبکہ مجموعی نوٹ کے تین سے زیادہ ہیں  
 28 07 22

6 خان شہر 29/14C متعہ پولیس لائی ڈگری تاریخ ہجرتی 9/7/1996  
 کوئٹہ سکول کورس 28/4/1997  
 25/3/2005

تعمیراتیات: 10 پولیس لائی @ منگرنٹ کورس (3) ٹرننگ کورس  
 (4) چوکی سواتی (5) تھانہ ڈگر (6) پولیس لائی شکایتا (7) چوکی گاگرہ (8) لوہ  
 سکول کورس 9 ٹرننگ (10) گادو سرہ تھانہ (11) MM گاگرہ (12) سوات  
 (13) چوکی جندگور (14) چوکی گاگرہ (15) AMHC چوٹ (16) MHC سواتی  
 (17) تھانہ چوٹ (18) چوکی سواتی (19) MHC جھنگلی 25 MHC چوٹ  
 (21) پولیس لائی

9 خان شہر 29/14C کی عمر وہ ملازمت دن ۱۰ تاہ سوال  
 17 04 24 دن میں اچھی کارکردگی  
 5 جبکہ سزائی 1 اور مجموعی نوٹ کے ہے

ATTESTED

7 HC شہر 3/174 متعہ پولیس لائی تاریخ ہجرتی 9/1/1981  
 کورس 25/3/1992 گیس اور سٹیشن کمانڈر کورس سیریلانڈ کمانڈر کورس  
 پاس کر کے سال 2000 میں بہترین HC ترقیاب ہوئے اچھی کارکردگی /  
 تعریفی اسناد کی تعداد 23 ہیں اور مجموعی نوٹ کے سزائیوں کی  
 تعداد گیارہ ہیں جبکہ لچستان بہ شامل کچھ آئندہ ہے

Dr. Superintendent  
 Hava Dagr

(7)

(23)

HC شہر افضل کی عرصہ ملازمت 28 دن 02 ماہ 32 سال ہیں جبکہ تعیناتیاں پولیس لائن  
 جوگی سواری، پرنسپل بلڈ، پولیس لائن، جوگی پور، خزانہ گارڈ، کننگھم گارڈ  
 طوطا، گارڈ سیشن، جے ایف پولیس لائن، گارڈ سٹیٹ، پولیس لائن، جوگی  
 سواری، گارڈ لائن کلڈ، جوگی سواری، گارڈ لائن، پولیس لائن، گارڈ  
 خانانوڈھری، گارڈ درجائی، جیک پوسٹ دوکلرہ، گارڈ درجہ، جوگی پور  
 جوگی سواری، جیک پوسٹ جوصلیم گارڈ خانانوڈھری، گارڈ سٹیٹ  
 گارڈ کوگا اور پولیس لائن

(8) HC شہر افضل دستخط پولیس لائن تاریخ ہجرتی 11/8/1991

کورس 1992 کا 8 ماہ وارہ ہجرتی میں سے تفصیل تعیناتیاں نسبت نقل سے  
 جیک پوسٹ کٹارہ، CP آمبلہ، جوگی بگڑہ، گارڈ درجائی، گارڈ سوخانہ  
 خانہ طوطا، گنر DSP طوطا، جوگی پور، گارڈ کیمپ کوگا، جوسر علیہ حاضر  
 سرخاستگی خوش 5/5/89 کو باہر بحالی جو خوش 29/6/89، خانہ طوطا، گارڈ  
 خانانوڈھری، ترقیاتی آئی سی خوش 27/7/89 خانہ پور پلا، خانہ جیک پور، گارڈ  
 خانانوڈھری، خانانوڈھری، گارڈ درجائی، لائن لائن، گارڈ درجائی، پولیس  
 آئی سی شہر افضل کی عرصہ ملازمت 18 دن 03 ماہ 22 سال انھی کا ذکر کیا گیا ہے  
 خراب کارکردگیاں سولہ ہیں

(9) شہر رسید 372 HC دستخط پولیس لائن ڈگر تاریخ ہجرتی 5/7/1996

ریکروٹ کوری 29/4/1997 کوئر کوری 20/9/2003 HC شہر رسید 372 کی  
 تعیناتوں کی تفصیل نسبت نقل سے  
 پولیس لائن ڈگر، کوری منگھریٹ، کوئر کوری، پولیس لائن، گارڈ  
 لائن کلڈ، جوگی سواری، جوگی منگھری، گنر AD پور، گارڈ منگھری  
 جوگی نور پور، گارڈ درجہ بابا، گنر AD پور، خانہ ڈگر، STF شا  
 خانہ طوطا، مدد خانہ پور، نائب کورٹ سیشن، خانہ ڈگر

ATTESTED

Signature  
 DSP/HR  
 Dy. Superintendent  
 Hqs, Dagr

(8)

شہریکی صنعتی ڈیپارٹمنٹ mm قحانہ نامہ لکھی، درود خیر قحانہ گامگن، درود خیر قحانہ گامگن  
 AMHC قحانہ ڈگر، قحانہ نامہ لکھی، ٹائٹل کوٹ سسٹمز، قحانہ ڈگر، ٹائٹل کوٹ سسٹمز  
 محرم رسید 373 HL کی عرصہ ملازمت 17.4 دن ماہ حال میں اچھی کارکردگی کو  
 جبکہ بیڈ انٹری نہیں ہے

(10)

HL شہریکی نمبر 173 احتیاجہ ٹولیس لائی ڈگر تاریخ ہجرتی 1/9/1991  
 ایکریٹ کوٹس 203 ناواندرہ ہے جس سے مورخ 6/11/1998 کو محرم 253 حرم  
 حرم 307-34 PP قحانہ ڈگر حرم استہاری ضرورہ درود خیر قحانہ گامگن پر چھاپہ زنی کر کے  
 شہرہ کر کے ایسی اسناد دیگر شہریان استہاری لکھی اسے قحانہ ڈگر کے خاطر  
 کنٹیل شہریکی نمبر 173 پر فائلنگ کر کے شہریکی لکھی کہیں حرم استہاری  
 کو حرم سے چھوڑانے میں کامیابی نہیں ہوئی اس کارکردگی کی بنیاد پر شہریکی نمبر 173  
 بحوالہ 0897 مورخ 10/10/96 بہ عہدہ سپر کنٹیل شہریکی لکھی کہیں اعمال نامہ  
 میں اچھی کارکردگی کا اندراج (9) جبکہ سزایا ہوں کی تعداد (18) ہے عرصہ  
 ملازمت 28 دن ماہ سال ہے 32

لہذا تان، گامگن لائی، قحانہ ڈگر، گامگن بانگوس، گامگن آمور، چوکی بلگرہ  
 ٹولیس لائی، گامگن آمور، CP کوٹا، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی  
 گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی  
 شکایتا ٹولیس لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی  
 قحانہ پیریا، ٹولیس لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی  
 گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی، گامگن لائی  
 ٹولیس لائی

ATTACHED

(11)

آمان خان نمبر 265 احتیاجہ ٹولیس لائی ڈگر تاریخ ہجرتی 12/7/2000  
 ایکریٹ کوٹس 204 ٹولیس کوٹس 209 مورخ 9/2000 عرصہ ملازمت 18 دن ماہ سال  
 ہے جبکہ اچھی کارکردگی پانچ اور سزایا ہوں (3) ہے لہذا تان کی تعینات  
 حصہ ریل سے ٹولیس لائی، سکورٹی سٹاف، سنگرینٹ کوٹس پشاور

Supintendent of  
 11449, Baggar

ی سراج، ڈیل کو بیس ہنگو، پولیس ذاتی، کومرکول کوری، پولیس ذاتی  
 ڈاؤن، ٹی ٹی سی ہنگو، پولیس ذاتی، مددگار تھا، ڈاکٹر، انسپکٹر کوری  
 مددگار جو کی بدل، مددگار تھا، بہر ماہ، ثابت ہے پولیس ذاتی  
 مٹھی، پولیس ذاتی، جو کی بدل اور پولیس ذاتی  
 الزام علیحدہ ملازمان پولیس (ماہنامہ اعلیٰ / ادنیٰ) ریٹوانوں سے الزام  
 سوری، بیورٹ، حوصلوں بیورٹ پر سوشل سروس کو حسب اہم افراد یا اہم جان  
 میں ذاتی ڈاکٹر کلوز ہو چکے ہیں اور یہ خبر پولیس اہلکاروں کے علاوہ عوام الناس  
 کا فون تک پہنچی ہے کہ الزام علیحدہ ملازمان پولیس کے خدای کرپشن کے  
 الزام میں انڈیا سٹی شروع ہے لیکن باحال کی بیورٹ شمس کے ان کے خلاف  
 بیان تلمذ میں گرایا الزام علیحدہ ملازمان پولیس کے اجمال نامے اور جوئی مثل  
 مطالعہ ہو کر بلیدرجات ای سے خلاف مقدمہ علیت جوڑے 9 جنوری 2016  
 قضاہ انٹی کرپشن سید شریف سوات میں قبضہ ایک سو سو بیس رشوت ستانی سے الزام  
 پر قائم ہو کر جس میں حکم جوڑے 10/8 بعدلت سیشن جم / سیشن جم ACE  
 پشاور سٹی کیا گیا ہے بتایا الزام علیحدہ سے اجمال ناموں اور جوئی مثلوں میں  
 کرپشن کے بارے حوالہ نہیں ملی ہے  
 الزام علیحدہ ملازمان پولیس کے خلاف ان کے تمناہوں کے خلاف کرپشن کے  
 الزامات کی ریورٹنگ حوصلوں ہو چکے ہیں بدین وجہ الزام علیحدہ ملازمان پولیس  
 کی ریورٹنگ تیزی ہے اور فیلڈ ملازمت پولیس کیلئے سوزوں میں ہیں انڈیا سٹی ریورٹ

عصیہ مسعود  
 DSP/HR  
 Dy. S.O. 13  
 9  
 ATTESTED

ORDER

(26)

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

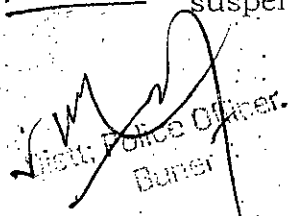
On 30.11.2013 the E.O submitted finding with the conclusion that various types of complaints against the above officers /officials have been received regarding corruption during their period of posting and thus the E.O recommended their names that they are not fit for further field duties.

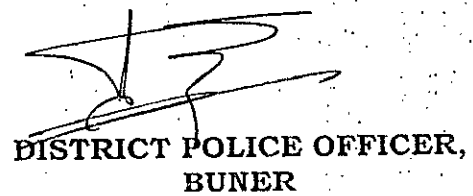
I Asif Iqbal Mohmand District Police Officer, Buner competent authority see no reasons to believe that the defaulters all above concerned could improve their view and change their behaviors in future.

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.

Announced

  
District Police Officer,  
Buner

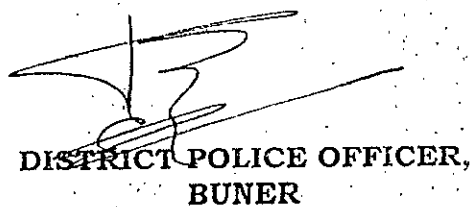
  
DISTRICT POLICE OFFICER,  
BUNER

OB No. 159  
Dated 6.12 /2013.

No. 2392-94 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.

  
DISTRICT POLICE OFFICER,  
BUNER

ANNOUNCED



سائيل - شير افضل سابقه HC/C-II پوليس ڈيپارٹمنٹ بونير نمبر 396 ساکن کلان ضلع بونير  
عنوان - اپيل بديں مراد کہ حکم نمبر 159 مورخه 06.12.2013 مجاریه ڈی - پی - او صاحب ضلع بونير کو کلام قرار  
دیا جا کر سائيل کو اپنی ملازمت پر بحال کرنا۔

جناب عالی!

گزارش هیکه سائیل مورخه 13.08.1991 کو محکمہ پولیس میں بحیثیت کنسٹیبل بھرتی ہو کر بعد فراغت ریکروٹ  
کورس ضلع بونیر کے مختلف تھانہ جات اور چوکیات میں ڈیوٹی سرانجام دیتا رہا۔ بدوران تعیناتی اپنا ڈیوٹی نہایت دیانت داری اور ایمانداری کے  
ساتھ سرانجام دیتا رہا۔ سال 2010 کو C-II پروموٹ کیا گیا۔ اور اپنے فرائض کی بجا آوری میں کسی قسم کی کوتاہی بغیر کام کرتا رہا۔ اپنے  
بالا تر افسران کو کسی قسم کی شکایت کا موقع نہیں دیا۔ اور نہ ہی دوران ملازمت عوام کی دل آزاری کی۔ اسلئے تاحال سائیل کا اعمال نامہ ہر قسم  
برے اثری سے بلکل پاک ہے۔ جبکہ اچھے کاروائی کے بناء پر وقتاً فوقتاً افسران بالانے انعامات کے علاوہ تعریفی اسناد سے نوازا گیا۔

اور گزشتہ چند سالوں میں دہشت گردوں کی بونیر آمد کے دوران اپنے جائے تعیناتی پر موجود رہ کر شدت پسندوں کے خلاف  
ہونے والے کاروائیوں میں بھرپور حصہ لیا۔ ان جملہ کارکردگی کے ساتھ مورخه 21.10.2013 کو سائیل پولیس لائن تبدیل کیا گیا۔  
مورخه 23.10.2013 کو جناب ڈی - پی - او صاحب کی طرف سے شوکاز 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 مورخه 05.12.2013 کو بحوالہ آرڈر  
بک نمبر 158 مجھے معطل کر کے مورخه 06.12.2013 کو بحوالہ آرڈر بک نمبر 159 ملازمت سے جبری ریٹائرڈ کیا۔ جو میرے اور  
میرے خاندان کے ساتھ سراسر ظلم ہے۔

کیونکہ بدوران ملازمت کوئی ایسا قدم نہیں اٹھایا جس کی بناء پر میں چھوٹے سزا کا حقدار رہا۔ لیکن بغیر ثبوت کے محکمہ پولیس کے  
ساتھ تقریباً 22 سال وفادار رہنے کی سزا دی گئی۔

لہذا بذریعہ درخواست استدعا ہے کہ آپ صاحبان مہربانی فرما کر جناب ڈی - پی - او صاحب ضلع بونیر کا جبری ریٹائرمنٹ حکم مورخه  
06.12.2013 کا عدم قرار فرما کر سائیل کو ملازمت پر دوبارہ بحال کرنے کا حکم صادر فرمائیں۔ تو سائیل تاحیات دُعا گو رہے  
گا۔

آرڈر کاپی ہمراہ لف ہے۔



العارض

آپکا فرمان بردار سابقه HC/C-II شير افضل نمبر 396

سکنه کلان ضلع بونير

ATTESTED  


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


**ORDER:**

This order will dispose off the appeal preferred by Ex-C-II Constable Sher Afzal No. 396 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) PSP  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat  
\*Naqi\*

No. 1131-32 /E,


Dated 6/2 /2014.

Copy for information and necessary action to the:-

1. District Police Officer, Buner with reference to his office Memo: No. 30/EC, dated 01/01/2014.

✓ 2. Ex-C-II Constable Sher Afzal No. 396 of Buner District.

\*\*\*\*\*

  
**ATTESTED**

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

Service Appeal No. 240/2014

~~739-50~~  
~~258-14~~

Sher Afzal S/o Abdur Raziq Ex-Head Constable R/o Village  
Kalan, District Buner.....(Appellant)

**VERSUS**

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

*Al Amjad*  
*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

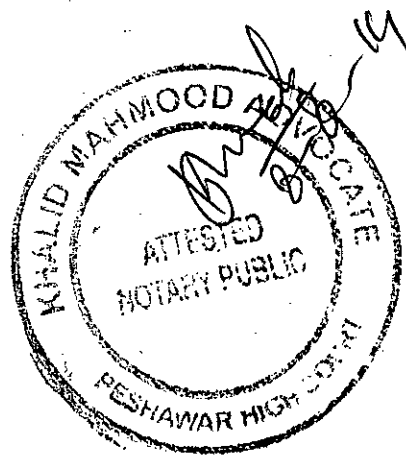
Through

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. 240 /2014

472  
5/6/14

Sher Afzal.....(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. <sup>2<sup>nd</sup></sup> /2014

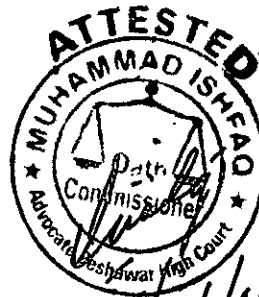
Sher Afzal.....(Petitioner)

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.



**ADVOCATE**

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

Rejoinder

In

Service Appeal No.240/2014

Sher Afzal.....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.

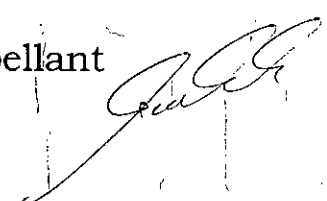
- G. Para No. G is incorrect no allegations have been supported by evidence oral as well as documentary.
- H. Para No. H is incorrect the efforts were only to score in the eyes of public that too at the cost of honest and trust worthy police officials.
- I. Para No. I is incorrect.
- J. Para No. J is incorrect the order is based on malafide and ulterior motive

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.

Appellant

Through

Dated: 15/09/2014

  
**Sahibzada Asadullah**  
Advocate, Supreme Court  
of Pakistan.

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

Rejoinder

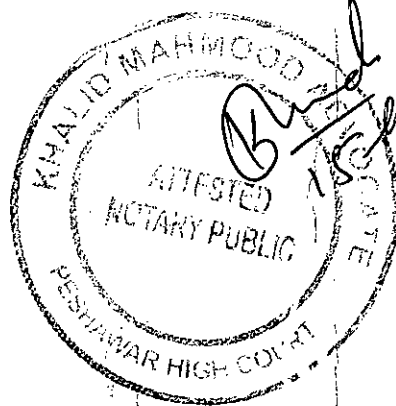
In

Service Appeal No.240/2014

Sher Afzal.....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.



  
**ADVOCATE**

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

Service Appeal No. 240/2014

Sher Afzal s/o Abdul Raziq Ex-HC r/o village Kalan 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

**INDEX**

S#	DOCUMENTS	ANNEX	PAGE
1	Parawise comments	--	1, 2 & 3
2	Affidavit	--	4
3	Authority letter	--	5

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

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

Service Appeal No. 240/2014

Sher Afzal s/o Abdul Raziq Ex-HC r/o village Kalan 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.*

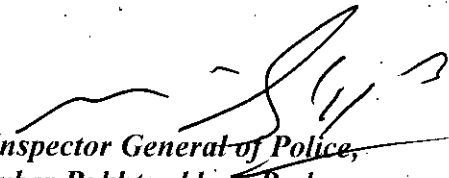
**On Grounds:**

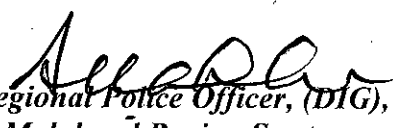
- A. *Incorrect. Orders of Respondents No. 2 & 3 are just, legal and according to law.*
- B. *Incorrect. The character of the appellant has always been questionable. There were allegations and complaints of corruption against the appellant. The reputation of the appellant among public was bad enough.*
- C. *Incorrect. There is no exceptional performance showed by the appellant during his service.*
- D. *Incorrect. The appellant has persistently been reported to has been involved in corruption and committed unwarranted acts.*
- E. *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.*
- F. *Incorrect. There were secret / source reports against the appellant which could not be disclosed in the public good and interest.*

- G. *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.*
- H. *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.*
- I. *Incorrect. The appellant was involved in corruption and there were complaints against him. Moreover, the Enquiry officer also found out that there have been complaints against the appellant.*
- J. *Incorrect. The appellant 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 appellant 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. 240/2014

Sher Afzal s/o Abdul Raziq Ex-HC r/o village Kalan District Buner

.....Appellant

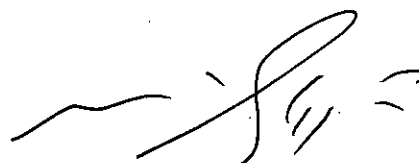
**VERSUS**

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

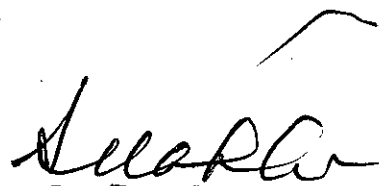
..... Respondents

✓ **AFFIDAVIT**

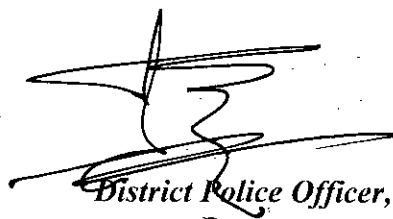
We the above respondents do hereby declare and solemnly affirm on oath that the contents of the reply to appeal No. 240/2014 are true / correct to the best of our knowledge / belief and nothing has been kept secret from the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar.



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



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



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



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

Service Appeal No. 240/2014

Sher Afzal s/o Abdul Raziq Ex-HC r/o village Kalan 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

**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.

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

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

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

①

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

Service Appeal No. 240/2014

27/2/14

Sher Afzal.....(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-**  
**02-2014 PASSED 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.

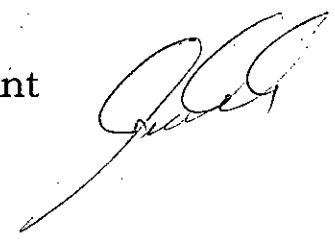
2

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.

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

Service Appeal No. 240/2014

Sher Afzal.....(Appellant)

**VERSUS**

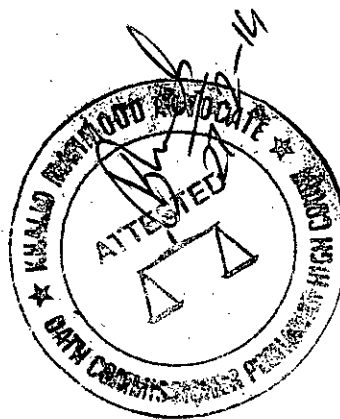
Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

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**



①

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

Service Appeal No. 240/2014

Sher Afzal.....(Appellant)

**VERSUS**

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

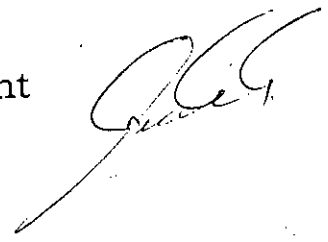
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**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,**  
**PESHAWAR**

Service Appeal No. 240/2014

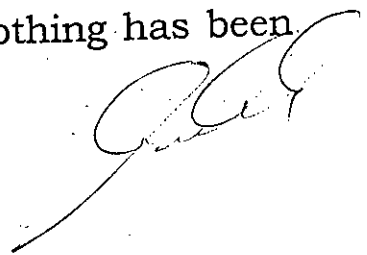
Sher Afzal.....(Appellant)

**VERSUS**

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

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**ADVOCATE**