

26.2.2015

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



MEMBER



MEMBER

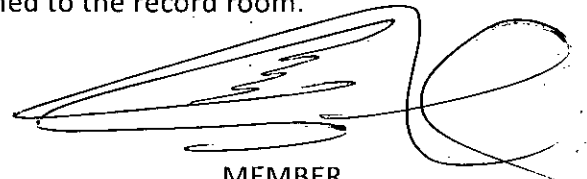
10.3.2015

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

ANNOUNCED
10.3.2015



MEMBER



MEMBER

22.12.2014

Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, AAG with Imranullah, SI (Legal) for the respondents present. The Tribunal is incomplete. To come up for the same on 19.01.2015.



READER

19.1.2015

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



MEMBER

21.01.2015

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



READER

2.2.2015

Appellant with counsel and Mr. Muhammad Adeel Butt, AAG with Imranullah, SI (Legal) for the respondents present. Arguments heard. To come up for order on 26.2.2015.



MEMBER



MEMBER

08.08.2014

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. 241/2014
Mr. Mohammed Wahab

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

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.

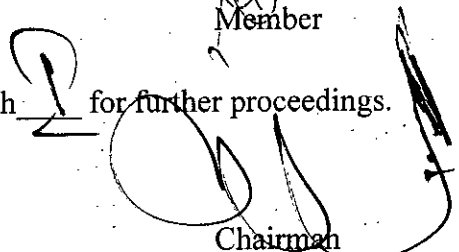
Appellate Deposited
Security & Process Fee
Rs. 100/- Bank
Receipt is Attached with File.




Member

03.05.2014


This case be put before the Final Bench 2 for further proceedings.


Chairman

3.6.14

The Hon'ble bench is on
to Ban, Refer Gas & appeal

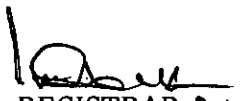
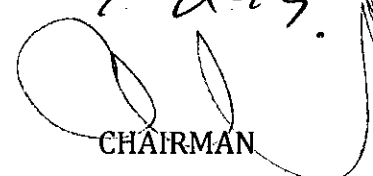
to 8.8.14


Recd

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 241/2014

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. Mohammad Wahab 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;"> 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;"> CHAIRMAN</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 241 /2014

Mohammad Wahab(Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)


I N D E X

S.No	Description of Documents	Pages
1.	Service Appeal	1-7
2.	Affidavit	8
3.	Addresses of the parties	9
4.	Copy of show cause notice dated 23/10/2013 and explanation	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.	Copy of certificate/ remarks of SHO	15
8.	Copies of inquiry report and order dated 06/12/2013	16-24
9.	Copy of appeal and order dated 06/02/2014	25-26
10.	Wakalat Nama	27


Appellant

Through

Dated: 17/02/2014


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

①

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 241/2014

259
21-2-14

Mohammad Wahab S/o Mohammad Rauf

R/o Village Bara Nawagay, District Bunir.....(Appellant)

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:

21/2/14

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

FACTS:

1. That the appellant joined the Police Department on 01/04/1991 as constable and performed his duties at various police stations with commitment and devotion.

The appellant after passing A (1) and B (1) examinations was sent by the high-ups for his Lower Course. After completing his lower course in 1997 owing to the trust of the high-ups the appellant performed his duties whole heartedly finally in the year 2004 was promoted to the post of Head Constable. That in the year 2010 the appellant passed his intermitted course and was promoted to the post of ASI in 2011.

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. (Copy of certificate/ remarks of SHO is 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 filed 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 01/04/1991 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 ASI, 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 houses 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 reinstated to his post with all back benefits and the impugned orders dated 06/12/2013 and 06/02/2014 passed by respondents No. 2 and 3 may kindly be set aside.


OR

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


Appellant

Through

Dated: 17/02/2014


Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.

8

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. ____/2014

Mohammad Wahab(Appellant)

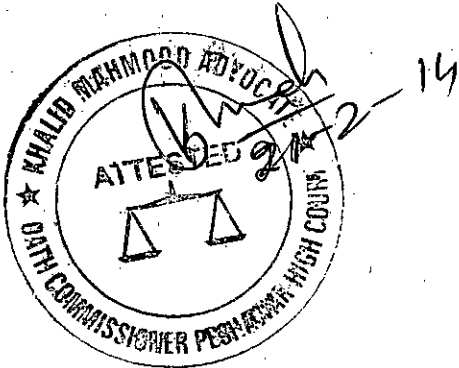
VERSUS

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

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

Service Appeal No. ____/2014

Mohammad Wahab(Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

And others.....(Respondents)


ADDRESSES OF THE PARTIES

APPELLANT:

Mohammad Wahab S/o Mohammad Rauf
R/o Village Bara Nawagay, 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: 17/02/2014


Sahibzada Asadullah
Advocate Supreme Court
Of Pakistan.

10

SHOW CAUSE NOTICE.

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

<u>S.No.</u>	<u>Name & Rank</u>	<u>Place of Posting</u>
1.	SI Batizar 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 Iqbal	MHC PS Jowar
7.	HC Sher Muhammad	I/C Guard Koga Camp
8.	HC Sher Afzal	PPP Derinai.
9.	HC Baharwar 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 rules 4 of Police Rules 1975.

Now therefore, as required by the KPK Police 1975 ASIF IOBAL 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 23-12-2013.


ATTESTED

بنا عالی!

23 10 / 13

حوالہ مشمول شوکار نوٹس نمبر 589 مورخہ 23 10 / 13
 معروض مذکورہ نوٹس کے خلاف راجہ کی لکھی گئی تھی
 الزام جھوٹ اور بے بنیاد ہے۔ یہ مجمعہ بندی کرنے کے علاوہ
 مزاحیہ بددیہی کے علاوہ اور کچھ نہیں۔ تاہم جوئی سے لیکر
 اس تک صرف خلاف کوئی حکمانہ کارروائی میں ہوئی ہے۔
 سہانے ہمیشہ ایسا نڈاری اور دلہری سے اپنی طرہ جوئی سے راجہ کی
 انتہائی سختی اور شدید صورتحال میں (Tense Situation)
 جب دوہرے پولیس آفیسرز نے نوکریوں کو گھومنے دی گئیں، میں سینڈھان
 کر پلانٹ کا جو انہری سے معاملہ کیا، وہ پولیس والے صوفوں نے
 پولیس فورس کا نام لگا رکھا، امتحان کی گولی آ رہی ہے، نوکریوں
 جھوٹوں اور فورس کیے بدنامی کا باعث بنے۔ دوبارہ حال ہونے
 کے علاوہ آج وہ "Key-Posts" پر تعینات ہیں۔
 رقبوں سے وہ آفیسرز کے افسانے منہ کلے منہ آئے ہیں۔
 برعکس وہ پولیس آفیسرز صوفوں نے سختی نامساعد حالات میں تھا
 پولیس کا پریم بلڈ رکھا آج ان پر کرشن جیسے الزامات لگائے
 طاری ہیں۔ اگر "Source Report" صفت پر مبنی ہے۔
 تو یہ سب سے پیش ہو کر اس کا منہ منہ کرنے کیے ہیں بیزار ہوں
 ضابطہ والا! میری ضمیر کی عدالت مجھے بے گناہ قرار دے گی
 میری شوکار نوٹس بغیر کسی نذیر کارروائی کے خالص لکھی گئے

[Signature]
 ASI P. Khures
 28/10/13

"Mohammad Wahab"

ATTESTED

(12)

CHARGE SHEET

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

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

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

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

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

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

3. You are therefore, required to submit your written reply within 7 days of the receipt of this charge sheet to the enquiry Officer.

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

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

6. Statement of allegation is enclosed.

HEAD CLERK
S.P. OFFICE BUNER

DISTRICT POLICE OFFICER,
BUNER

ATTESTED

حوالہ حکومت خارج شدہ بری 82-572 فرم 28/11/013 بارہ از دست
صاحب ۵۲۰. حضور حضرت پیران کہ خارج شدہ قتلہ صاحب
۵۲۰ صاحب سے وصول ہوا کہ حضور صاحب سے وصول ہوا کہ حضور صاحب سے وصول ہوا

انہوں میں سے عرض قدم میں 19/7/76 فرم پر جس میں جنتی تیس
عبرتت ہوا ہے۔ رفتہ رفتہ عہدہ سید انیکہ تک پہنچ کر ضلع سوات اور پور
وغیرہ میں اہم عہدوں پر رہا ہے۔ ذمہ دارہ تر فرما لیں انہوں نے سوات
گورنمنٹ میں اس عہدہ کی عہدہ انجام دیا ہے۔ انہوں نے سوات گورنمنٹ میں
صدمات کی فہرست سے واسطہ پڑا ہے۔ حضور صاحب سے پتہ چلا ہے کہ

گذشتہ دہائی کی صورت اور انہوں نے سوات میں سال 2008 سے
سال 2010 تک ضلع سوات میں ڈپٹی ایف اے کے طور پر کام کیا ہے۔ اس عہدہ
میں دوران ڈپٹی ایف اے کے طور پر کام کیا ہے۔ انہوں نے سوات میں
گورنمنٹ میں کام کیا ہے۔ انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں

تھا۔ اس واقعے کے نتیجے میں صدر عدالت 137 فرم 13/3/2010
302/324/353
1200/427/3
انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں

انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں
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انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں کام کیا ہے۔ انہوں نے سوات میں

DISCIPLINARY ACTION

(10) (14)

1. I, ASIF IQBAL MOHMAND District Police Officer, Buner as competent authority, is of the opinion that the following Upper / Lower Subordinates while posted as Police Lines have rendered yourself liable to be proceeded against departmentally as you have committed the following acts / omission as defined in Rule 2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATION

That it has been reported against you that you while posted Police Lines committed as per source report, you are the following Upper / Lower Subordinates were found involved under corruption during the posting of various places.

<u>S.No.</u>	<u>Name & Rank</u>	<u>Previous Posting</u>	<u>Closed to Police Lines on 12/03/13</u> <u>On the cause of corruption</u>
1.	SI Balizar Khan	I/C Invest: Totalai	-do-
2.	ASI Muhammad Wahab	PS Daggar	-do-
3.	ASI Anwar Saeed	PS Gagra	-do-
4.	ASI Muhammad Zahid	Police Lines	-do-
5.	ASI Zeb Ahmad	PS Totalai	-do-
6.	HC Khan Sher	MHC PS Jowar	-do-
7.	HC Sher Muhammad	I/C Gurad Koga	-do-
8.	HC Sher Afzal	PPP Durmai	-do-
9.	HC Bahrawar Said	MM PS Daggar	-do-
10.	HC Sher Wali	I/C PPP Kalil	-do-
11.	HC Aman Khan	PP Budal	-do-

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

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

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

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


DISTRICT POLICE OFFICER,
BUNER

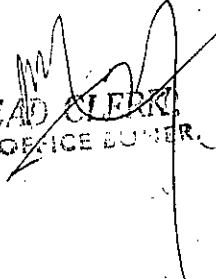
No. 562-72 /EC, Dated 28-11 /2013

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

2. Defaulter concerned.


DISTRICT POLICE OFFICER,
BUNER

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HEAD CLERK,
S.P. OFFICE BUNER


ATTESTED

رہا کریں

اس امر کی تصدیق کی جاتی ہے کہ ASI

تھروٹھ (سکاٹلینڈ) کو میں اچھی

طرزے جانتا ہوں۔ مذکورہ کا نام سروس کریئر

رہا دار لوسٹوف برطانیہ رہ چکا ہے تاریخ

اور ایمانداری سے نوکری کی ہے۔ ایک دن کسی

سنا ہے۔ اور نہ کسی شخص (عوام) اس کے خلاف

پرمافٹ لولیں آ رہے ہیں۔ اس کے خلاف اور

Qureshi

ATTESTED

col Daqqw

انڈس انکوائری 562-72 جارج ٹاؤن ایس ای 572-82 جارج ٹاؤن ایس ای 28/11/13

گفتہ	تعداد	تفصیل کاغذات
	09	انڈس انکوائری جارج ٹاؤن ایس ای
	03	آرڈر انکوائری جارج ٹاؤن ایس ای 562-72 جارج ٹاؤن ایس ای 572-82
	05	بیان آذان بلنر خان اس کے ساتھ 4 تصدیقی سرٹیفکیٹس
	04	بیان آذان بلنر خان اس کے ساتھ 3 تصدیقی سرٹیفکیٹس
	06	بیان آذان بلنر خان اس کے ساتھ 5 تصدیقی سرٹیفکیٹس
	05	بیان آذان بلنر خان اس کے ساتھ 4 تصدیقی سرٹیفکیٹس
	05	بیان آذان بلنر خان اس کے ساتھ 4 تصدیقی سرٹیفکیٹس
	03	بیان آذان خان شہر 28/11/13
	07	بیان شہر 174/11/13
	03	بیان آذان شہر 396/11/13
	04	بیان آذان شہر 372/11/13
	07	بیان آذان شہر 173/11/13
	06	بیان آذان شہر 265/11/13
	04	پوسٹل آرڈر

71

محمد عزیز

ATTESTED

Superintendent of Police
Hydrabad

حوالہ چارج شیٹ نمبر 572-82 مورخہ 29/13 بجاریہ دفتر ضابطہ DPo

- 1. ASI پلیدر خان ایچ آر جی اڈیشنل سٹیشن طولانی حال پولیس لائن ڈگر
- 2. ASI 2 - روہت پولیس سٹیشن ڈگر حال پولیس لائن
- 3. ASI 3 - انور سعید پولیس سٹیشن ڈگر حال پولیس لائن
- 4. ASI 4 - محمد زاہد پولیس سٹیشن ڈگر حال پولیس لائن
- 5. ASI 5 - نیت احمد پولیس سٹیشن طولانی حال پولیس لائن ڈگر
- 6. HC 6 - خان شہر شہر قحانہ جوڑی حال پولیس لائن ڈگر
- 7. HC 7 - شہر شہر ایچ آر جی گاد کوگا حال پولیس لائن ڈگر
- 8. HC 8 - شہر افضل پولیس پوسٹ درمائی حال پولیس لائن ڈگر
- 9. HC 9 - شہر سعید مدنی پولیس سٹیشن ڈگر حال پولیس لائن
- 10. HC 10 - شہر ولی ایچ آر جی پولیس پوسٹ کیلیل حال پولیس لائن
- 11. HC 11 - آمان خان پولیس پوسٹ بدل حال پولیس لائن ڈگر

عنوان انکوائری بر خلاف گریٹ پولیس افسران

ضابطہ عالی!

حوالہ مشمولہ چارج شیٹ نمبر 572-82 مورخہ 29/13، سیشن آف

انکوائری نمبر 562-72 مورخہ 28/13 بجاریہ دفتر ضابطہ DPo، چھٹی نمبر 40472-77 مورخہ 25/13 بجاریہ دفتر ضابطہ RPO صاحب بلاکٹر تمام سید و ستریف سوات عسکرین

ضیکہ درج بالا عہدہ داران پولیس سلسلہ طر ا تا 11 بر مختلف 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

پونیر سے جاری ہو کر میں DSP/HS کو الزام علیہ عہدہ داران پولیس کے خلاف خط لکھا ہے انکوائری عمل میں لانے کا حکم صادر فرمایا گیا ہے جبکہ انکوائری میں ضابطہ RPO صاحب بلاکٹر سید و ستریف سوات مورخہ 30/13 کو نتیجہ رپورٹ طلب فرمایا ہے

(جاری)

ATTESTED

By: Superintendent Haveli

الزام علیحدہ عدہ داران پولیس میں سے کسی الزام کے سلسلہ میں مختلف جات تعیناتیوں سے حکم افسانہ والا صاحبان پولیس لائن ڈگری جوینر کلوز ہو کر آئے ہیں جنکو باری باری طلب کر کے انکے بیانات طعنہ کے لئے الزام علیحدہ طرز جان پولیس سلسلہ نمبر آتا ہے۔ ایسے افسانہ نگار کے الزامات بد عنوانی تسلیم کرنے سے انکاری ہیں جن میں سے ہر ایک ایسے ایک فرض شناسی، بیانات دار کرپشن سے پاک، ملک کا دفاع اور عوام کا خادم ایسے بیانات میں ظاہر کرتا ہے جن میں سے بعض نے ایسے ضابطی میں سمراہ پیش کر ایسے SHO صاحبان کے تصدیقی سرٹیفکیٹ انہی (بیانات دار اور فرض شناسی کے متعلق پیش کر کے سمراہ بیانات علیحدہ علیحدہ لکھا ہیں۔

الزام علیحدہ طرز جان پولیس کے اعمال نامے باری باری ملاحظہ اور احاطہ برقی سالمہ سزایا ہوں، کارکردگی اور تعیناتیوں کے متعلق کو انکے حسب ذیل قابل ملاحظہ (1) بلینڈ خان سی حال متعینہ پولیس لائن تاریخ جھرتی 19/7/76 ریکورڈ کوری 7/77 ڈیپارٹمنٹ کورس 20/3/88 انٹر میڈیٹ سکول کورس 20/88

تعیناتیات صلح سوات: پولیس لائن سید و شریف، جوکی جسم آباد، پولیس لائن سید سوات، قحانہ عالیگ، سی ای ای اے (CIA) سوات، قحانہ ڈگری جوینر جوکی فتح پور، پولیس لائن سید سوات، جوکی جنگلی صلح پوینر، جوکی جسم آباد سوات، سی ای ای اے (CIA) پوینر، قحانہ تارہ گی پوینر، جوکی جسم آباد FRP ملاکنڈ، صلح پوینر ریگولر، گلپانڈری پوینر، نامہ گی پوینر، پولیس لائن سوات، قحانہ وٹہ، قحانہ جنگلی پوینر، قحانہ طوطا گی پوینر، قحانہ گلپانڈری صلح پوینر، قحانہ طوطا گی پوینر، پولیس لائن ڈگری بعد بیڑ تال محل نامہ بابا گناہ ای بلینڈ خان کی عمر 37 سال 4 10 سال کے دوران پندرہ اچھی کارکردگی اور تحریری اسنادیں لوزا گیات اور سزایا ہوں کی تعداد 127 ہیں جن میں کوئی سنگین سزایا ہی نہیں ہے جبکہ مزید علیحدہ طور پر مور 20/88 و جسم AIC (2) 10/97 انٹر میڈیٹ سکول کوری 20/2010

(2) ASI 3 درجہ حال متعینہ پولیس لائن تاریخ جھرتی مورخ 4/1991 ریکورڈ کوری 27/92 ڈیپارٹمنٹ کورس 10/97، انٹر میڈیٹ سکول کوری 20/2010 تعیناتیات: پولیس لائن، جوکی سواتی، قحانہ نامہ گی، پولیس لائن محل جوکی گلپانڈری، پولیس لائن ڈگری، جوکی بگڑہ، ڈیپارٹمنٹ کورس

Dr. Superintend
Have

(5)

بیارج گادری عازی کوٹ (10) ڈسٹرکٹ سکولٹی (11) مددگار خانہ ڈگر

(19)

گادری عازی (13) بیارج جوگی نولہ کلی (14) تعطل لائن (15) خانہ ڈگر

16 نوٹس لائن ڈگر محمد صاحب ASI کی عرصہ ملازمت تا روز بروز دن 6 سال 22-07-28

میں اچھی کارکردگی، ترقی اسناد 5 میں جبکہ بڈ انٹریوں کی تعداد 9 ہیں جو عمومی نوعیت کی سرکاریاں ہیں

(3) ASI انور سعید متعہ نوٹس لائن تاریخ ہجرتی خوش 4-1991، سکولٹی کوٹ

3-1992، نوٹس کوٹ کوٹ 3-1992، انٹر میڈیٹ سکول کوٹ 9-2001

تعمیرات: 1 نوٹس لائن ڈگر (2) سکولٹی کوٹ (3) خانہ طوطا لڈ (4) جوگی

وینٹیڈ (5) نوٹس لائن ڈگر (6) جوگی گاگرہ (7) خانہ ڈگر (8) نوٹس لائن ڈگر

(9) نوٹس لائن ڈگر (10) شریک شاف (11) بیارج قوری جوڈام نوٹس لائن ڈگر

(12) انٹر میڈیٹ سکول کوٹ (13) جوگی سواری (14) خانہ ڈگر (15) خانہ ٹگری

(16) خانہ گاگرہ (17) نوٹس لائن ڈگر ASI انور سعید دن 6 سال کی عرصہ

ملازمت سے دوران اچھی کارکردگی اور ترقی اسناد بہت دور 2 سے نوازا گیا

جبکہ بڈ انٹریاں کل 4 ہیں جو عمومی نوعیت کے ہیں

(4) ASI محمد زاید متعہ نوٹس لائن تاریخ ہجرتی 3-1991، سکولٹی کوٹ

3-1992، نوٹس کوٹ کوٹ 4-1998، انٹر میڈیٹ سکول کوٹ 9-2016

تعمیرات: 1 نوٹس لائن ڈگر (2) خانہ پیریا (3) گادری کوٹ (4) MHC

پیریا (5) خانہ ناوہی (6) شریک شاف (7) گادری کوٹ (8) انٹر میڈیٹ کوٹ

(9) لاء انٹر میڈیٹ (10) RTN خانہ (11) سرہ خانہ (12) اسلام (13) بگر (14) نوٹس لائن

ASI محمد زہد کی عرصہ ملازمت دن 6 سال کے دوران اچھی کارکردگی اور ترقی

اسناد 11 ہیں جبکہ بڈ انٹریاں کل 4 اور عمومی نوعیت کے ہیں

ATTESTED

(5) ASI زبیر احمد خان متعہ حال نوٹس لائن ڈگر تاریخ ہجرتی 4-1991

سکولٹی کوٹ 3-1992، نوٹس کوٹ 11-1997، انٹر میڈیٹ کوٹ 3-2016

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

Signature
D.S.P. / H.O.
Dy. Superintendent
Hqrs. D.

(6) اچھانہ طوطا لائی (5) DFC فارمٹ چھہرہ سٹریٹ (6) کوئٹہ سکول کورس (7) پولیس لائی (8) چھانہ ناوہ گئی (9) نامک کوٹ SDM (10) سٹار کنگ کالج (11) چوکی نور پور کنگ (12) چھانہ طوطا لائی (13) نامک نور پور کورس (14) بی بی ہندوستان YRK (15) نامک کوٹ (16) سٹیٹ ای سی ایس (17) انٹرنیشنل سکول چوہدری (18) CRO (19) OASI (20) رائنگ لیو ڈوٹ ماہ (21) چوکی تہار (22) چھانہ گلہ پوری (23) چھانہ تگڑی (24) چھانہ طوطا لائی (25) پولیس لائی

ASI بہت اچھہ کی خبر کہ ملازمت دن باہ سال میں اچھی کارکردگی اور تعریفی ان کی کوڑا ہے جبکہ معمولی نوکری کے تین سزا پانچ ہیں

(6) خان شہر $\frac{29}{14}$ متبعہ پولیس لائی ڈرگ تاریخ ہجرتی $\frac{97}{1996}$ بریکرٹ کورس $\frac{28}{1997}$ کوئٹہ سکول کورس $\frac{25}{2005}$

تعمیراتیات: 10 پولیس لائی 11 منگرنٹ کورس (3) ٹریفک کورس (4) چوکی سواری (5) چھانہ ڈرگ (6) پولیس لائی حکایتا (7) چوکی گاگرہ (8) لوہ سکول کورس 9 ٹریفک (10) گاددسہ چھانہ (11) mm گاگرہ (12) سواری (13) چوکی چنگر (14) چوکی گاگرہ (15) AMHC چوٹ (16) MHC سواری (17) چھانہ چوٹ (18) چوکی سواری (19) MHC چنگی (20) MHC چوٹ (21) پولیس لائی

خان شہر $\frac{29}{14}$ کی خبر کہ ملازمت دن باہ سال 17 04 24 دن میں اچھی کارکردگی SATISFIED ہے جبکہ سزا پانچ اور معمولی نوکری کے تین

(7) HC شہر $\frac{29}{14}$ متبعہ پولیس لائی تاریخ ہجرتی $\frac{97}{1981}$ بریکرٹ کورس $\frac{25}{1992}$ گیس اور سٹیشن کمانڈر کورس سیر بلا لائن کمانڈر کورس پانچ کر کے سال 2000 میں بہ علیحدہ HC ترقی پانچ سو ہے اچھی کارکردگی / تعریفی اسناد کی تعداد 23 ہے اور معمولی نوکری کے تین سزا پانچ کی تعداد گیارہ ہے جبکہ تعینات بہ معمولی نوکری کے تین

Dr. Superintendent of Hqs. Dage

(7)

HC شہر افضل کی عرصہ ملازمت 28 02 32 سال ہیں جبکہ تعیناتیاں پولیس لائن
 جوگی سواری، نیشنل ٹیلی، پولیس لائن، جوگی پوسٹ، خزانہ گادر، کنٹرولنگ
 طوطا، گادر سیشن، جج صاحب پولیس لائن، گادر منیجر، پولیس لائن، جوگی
 سواری، گادر نوان کڈ، جوگی سواری، گادر لے آؤٹ، پولیس لائن، گادر
 خانانور ڈھیری، گادر درجائی، جیک یوسف دوکڑہ، گادر درند، جوگی راجہ
 جوگی سواری، جیک یوسف جھیل، گادر خانانور ڈھیری، گادر سرگندے
 گادر کوگا اور پولیس لائن

(8)

HC شہر افضل متعینہ پولیس لائن تاریخ ہجرتی 11/8/1991
 کوری 8/1992 ناؤانور ڈھیری کی تعیناتیاں حسب ذیل ہیں
 جیک یوسف کڈ، CP آبیلا، جوگی بگڑہ، گادر درجائی، گادر سوہانہ
 خانہ طوطا، گنر DSP طوطا، جوگی پوسٹ، گادر کھپ کوگا، جوہر علی چاہر
 سرخاستگی پورخ 5/09/15 عوبارہ بحالی پورخ 6/29، خانہ طوطا، گادر
 خانانور ڈھیری، ترقیاتی آئی پورخ 7/16، خانہ پور بلبا، خانہ جھیل، گادر
 خانانور ڈھیری، گادر درجائی، لائن لٹو، گادر درجائی، پولیس
 آئی کیٹل شہر افضل کی عرصہ ملازمت 18 3 22 سال انھی کا کردگیاں 4
 خراب کار کردگیاں سولہ ہیں

(9)

HC 372 متعینہ پولیس لائن ڈگر ڈگر تاریخ ہجرتی 5/7/1996
 ریکورڈ کوری 29/4/1997 کوری کوری 20/9/2003 HC 373 شہر افضل کی
 تعیناتیوں کی تفصیل حسب ذیل ہے
 پولیس لائن ڈگر، کوری منگھیر، کوری کوری، پولیس لائن، گادر
 نوان پندر، جوگی سواری، جوگی منگھیر، گنر ADI پندر، گادر کنٹرولنگ
 جوگی نور یوسف، گادر دیوانہ بابا، گنر ADI پندر، خانہ ڈگر، STF شا
 خانہ طوطا، مدد شدہ خانہ پیرایہ، نائب کوری سیشن، خانہ ڈگر

ATTESTED

Signature
 DSP/ACR
 Dy. Superintendent
 Hqs, Dagr

درجہ کی صنعتی mm حقانہ نامی، مددگار حقانہ گارڈ، مددگار حقانہ لائیو
AMHC حقانہ ڈگر، حقانہ نامی، ٹائٹ کرٹ سسٹمز، حقانہ ڈگر، لیس لائیو

حکومت سید 373 کی عرصہ ملازمت 2004 سال سے 17.4 سال سے ایچ سی کارڈنگ کی (9)
جبکہ سڈ انٹری نہیں ہے

10) HC شہرولی نمبر 173 متعلقہ پولیس لائیو ڈگر تاریخ ہجرت 1991

ریگسٹرڈ کوریس 203 ناواندرہ ہے جس سے مورخ 11/6/1998 کو بحالہ 253 جرم
37 جرم 307-39 ppC حقانہ ڈگر جرم استہاری فریڈ ولسر جسٹس سرہماہ زنی کرے
تعمیرات کرے ایسی اسناد دیگر شہادت استہاری میں اسے تعمیرات کے خاطر
کسٹیل شہرولی نمبر 173 پر فائرف کرے شدہ زخمی کیا لیکن جرم استہاری
کو حراست سے چھڑانے میں کامیابی نہیں ہوئی اس کارڈنگ کی بنیاد پر شہرولی نمبر 173
بحالہ 0897 مورخ 10/10/96 بہ عہدہ سپرنٹنڈنٹ کسٹیل شہرولی کیا گیا ہے بحالہ نام
سے ایچ سی کارڈنگ کا اندراج (9) جبکہ سڈ انٹریوں کی تعداد (09) ہے عرصہ
ملازمت 28 سال سے

تعمیرات: گارڈ خزانہ کچی، حقانہ ڈگر، گارڈ بانٹوٹ، گارڈ آئینور، چوکی بلوڑہ
پولیس لائیو، گارڈ آئینور، CP کراچی، گارڈ خزانہ کچی پولیس لائیو
گارڈ عازی کوٹ، پولیس لائیو، گارڈ بندر، گارڈ پٹلا، حقانہ ڈگر،
شکایتی پولیس لائیو، گارڈ لیگانڈ، حقانہ طوطا، CP سرہ حقانہ شکایتی پولیس لائیو
حقانہ پیر بابا، پولیس لائیو قحطل، گارڈ خزانہ کچی، پولیس لائیو،
گارڈ پٹلا، پولیس لائیو، گارڈ کالکھ، پولیس لائیو، گارڈ کلین کنڈو
پولیس لائیو

ATTACHED

11) آفات خان نمبر 265 متعلقہ پولیس لائیو ڈگر تاریخ ہجرت 2000

ریگسٹرڈ کوریس 204 لوہر کوریس 2008 عرصہ ملازمت 18 سال سے 17 سال سے
ہے جبکہ ایچ سی کارڈنگ کی تاریخ اور سڈ انٹریاں (3) سے تعمیراتوں کی تفصیل
سے ملے ہے پولیس لائیو، سکورٹی سٹاف، سنگر پٹ کوریس شمار

Signature of
14/9/2019
Subintendent of
14/9/2019

ی سراج، ڈیل کو بیس ہنگو، پولیس لائن، لوئر کول کوری، پولیس لائن
 ٹراؤ، ٹی ٹی سی ہنگو، پولیس لائن، مدد خدہ رجسٹرڈ ڈگری اسٹیٹمنٹ کوری
 مدد خدہ جو کی بڈل، مدد خدہ تھاہ بہرماہ، ٹائٹل ایڈ پولیس لائن
 مغل پور، پولیس لائن، جو کی بڈل اور پولیس لائن
 الزام علیہمہ ملازمان پولیس (ماختان اعلیٰ / ادنیٰ) ریڈیو ایٹوں کے الزام
 سوری، ایٹوٹھ حوصلوں پہنچے پر سوشل میڈیا کو حسب اہم انڈیا بالانہ اجبات
 میں لائی ڈگری کلوز ہو چکے ہیں اور یہ خبر پولیس، ایٹوٹھ کے علاوہ عوام الناس
 کا فون تک پہنچی ہے کہ الزام علیہمہ ملازمان پولیس کے خلاف کریشن کے
 الزام میں انڈیا سٹری مشروم ہے لیکن تاحال کسی پرائیوٹ شخص کے انکے خلاف
 بیان تلمذ میں کرایا الزام علیہمہ ملازمان پولیس کے اعمال نامے اور جوئی مثل
 مطالعہ ہو کر بلا سڈر جان ای کے خلاف مقدمہ عیلت ہوئے جوئے 9 جنم (2) 1611 P/5
 آئی کے ساتھ انٹی کریشن سڈر سٹری حوات میں مبلغ ایک سو روپیہ رشوت ستانی کے الزام
 پر قائم ہو کر جس میں حکم جوئے 10/87 بعزلت نیشن جج / سٹیٹل جج ACE
 پشاور سٹی کیا گیا ہے بقایا الزام علیہمہ کے اعمال ناموں اور جوئی مثلوں میں
 کریشن کے بارے حوات میں علی ہے
 الزام علیہمہ ملازمان پولیس کے خلاف انکے تعیناتوں کے حوات کریشن کے
 الزامات کی ریویوٹنگ حوصلوں ہو چکے ہیں مدین وجہ الزام علیہمہ ملازمان پولیس
 کی ریویوٹنگ گدی ہے اور فیملہ ملازمت پولیس کیلئے نوزوں میں ہیں انڈیا سٹری پورٹ

عفیہ بہ
 DSP / HQ
 Dy. Sg. 13

9
 ATTESTED

ORDER

24

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.

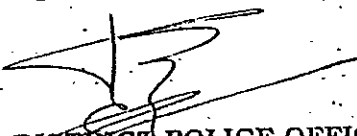
Order announced.


DISTRICT POLICE OFFICER,
BUNER

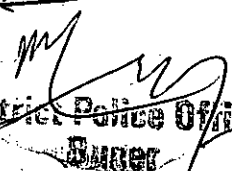
Attested
Buner
OB No. 159
Dated 6.12/2013.

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

Attested


District Police Officer
Buner

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

25

سائیل۔ محمد وہاب سابقہ ASI پولیس ڈیپارٹمنٹ بونیر ساکن برہ نوائی ضلع بونیر
عنوان۔ ایپل بدیں مراد کہ حکم نمبری 159 مورخہ 06.12.2013 مجاریہ ڈی۔ پی۔ او صاحب ضلع بونیر کو کلاہم قرار
دیاجا کر سائیل کو اپنی ملازمت پر بحال کرنا۔

جناب عالی!

گزارش ہیکہ سائیل مورخہ 01.04.1991 کو محکمہ پولیس میں بحیثیت کنسٹیبل بھرتی ہو کر بعد فراغت ریکروٹ
کورس ضلع سوات اور بونیر کے مختلف تھانہ جات اور چوکیات میں ڈیوٹی سرانجام دیتا رہا۔ بدوران تعیناتی اپنا ڈیوٹی نہایت دیانت داری اور
ایمانداری کے ساتھ سرانجام دیتے ہوئے A(1) اور B (1) کے امتحانات پاس کرنے کے بعد اعمال نامہ برے افعال سے پاک ہونے
کے بناء پر افسران بالا نے مجھے لوئیر کورس کے لئے منتخب کیا۔

سال 1997 میں لوئیر کورس سے فراغت پر ضلع بونیر میں افسران بالا کے حکم کے مطابق ڈیوٹی سرانجام دیتا رہا۔
سال 2004 میں بعد ہ ہڈ کا نشیمل ترقیب ہوا بحیثیت ہڈ کا نشیمل اپنے فرائض کی بجآوری میں کسی قسم کی کوتاہی بغیر
کام کرتا رہا۔ سال 2010 میں انٹرمیڈیٹ کورس پاس کر کے سال 2011 میں ASI عہدے پر ترقیب ہوا۔ اپنے بالاتر 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 انٹری
سے بلکل پاک ہے۔ جبکہ اچھے کارروائی کے بناء پر وقتاً فوقتاً افسران بالا نے انعامات کے علاوہ تعریفی اسناد سے نوازا گیا۔

برگزشتہ چند سالوں میں دہشت گردوں کی بونیر آمد کے دوران اپنے جائے تعیناتی پر موجود رہ کر شدت پسندوں کے خلاف
ہونے والے کارروائیوں میں بھرپور حصہ لیا۔ ان جملہ کارکردگی کے ساتھ مورخہ 21.10.2013 کو سائیل پولیس لائن تبدیل کیا گیا۔
مورخہ 23.10.2013 کو جناب ڈی۔ پی۔ او صاحب کی طرف سے شوکاژ نوٹس موصول ہو کر جس پر اپنا تفصیلی جواب تحریر کر کے
افسران بالا کو اپنی بے گناہی پیش کی۔ لیکن اس کے بعد 28.11.2013 کو مجھ پر چارج شیٹ تقسیم ہو کر اس کا بھی تفصیلی جواب دیا۔ لیکن
افسران بالا میرے ساتھ متفق نہ ہو کر میرے خلاف بزریعہ ڈی۔ ایس۔ پی ہڈ کو ارٹرا انکوآری کی گئی۔ بدوران انکوآری نہ میرے خلاف کسی
نے کرپشن کی الزام عائد کی اور نہ انکوآری افسر کو بیان دیا۔ لیکن بغیر کسی شہادت اور ثبوت کے مورخہ 05.12.2013 کو بحوالہ آرڈر
بک نمبر 158 مجھے معطل کر کے مورخہ 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 ہیکہ آپ صاحبان مہربانی فرما کر جناب ڈی۔ پی۔ او صاحب ضلع بونیر کا جبری ریٹائرمنٹ حکم مورخہ
06.12.2013 کا عدم قرار فرما کر سائیل کو ملازمت پر دوبارہ بحال کرنے کا حکم صادر فرمائیں۔ تو سائیل تاحیات دعا گو رہے گا۔
آرڈر کاپی ہمراہ لف ہے۔

العارض
آپکا فرمان بردار سابقہ ASI محمد وہاب
سکنہ برہ نوائی ضلع بونیر

9
ATTESTED

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


ORDER:

This order will dispose off the appeal preferred by Ex-ASI Muhammad Wahab of Buner District for reinstatement in service.

Brief facts are that the above named Ex-ASI 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. 1147-48 /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. 26/EC, dated 01/01/2014.
2. Ex-ASI Muhammad Wahab of Buner District.

ATTESTED


Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai District Buner

.....Appellant


VERSUS

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

..... Respondents

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District Police Officer
Buner
(Respondent No. 3)

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai 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:

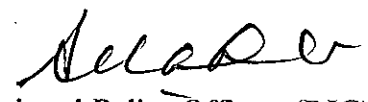
- A. *Incorrect. Orders of Respondents No. 2 & 3 are just, legal and according to law.*
- B. *Incorrect. The character of the appellant has always been questionable. There were allegations and complaints of corruption against the appellant. The reputation of the appellant among public was bad enough.*
- 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.*

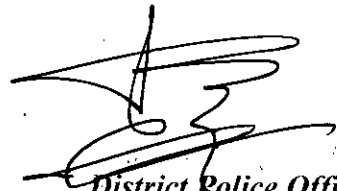
- G. *Incorrect. Proper departmental proceedings were conducted against the appellant in accordance with rules. The appellant was involved in corruption. There has been no intention of the respondents to score points and please the Govt: rather to make clean the police department from corrupt elements.*
- 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. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai 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

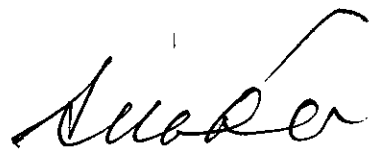
..... Respondents

✓ **AFFIDAVIT**

We the above respondents do hereby declare and solemnly affirm on oath that the contents of the reply to appeal No. 241/2014 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. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai District Buner

.....Appellant


VERSUS

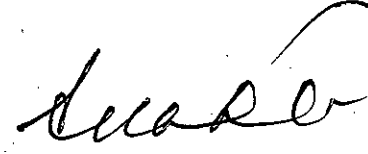
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2. The Regional Police Officer, (DIG) Malakand Region Swat.
3. The District Police Officer, Buner

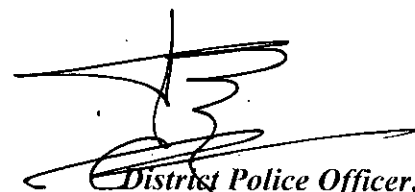
..... Respondents

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)

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai District Buner

.....Appellant

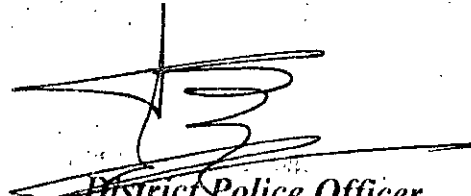
VERSUS

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

..... Respondents

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District Police Officer
Buner
(Respondent No. 3)

Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASI r/o village Nawagai 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.

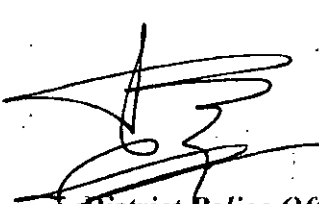
- G. Incorrect. Proper departmental proceedings were conducted against the appellant in accordance with rules. The appellant was involved in corruption. There has been no intention of the respondents to score points and please the Govt. rather to make clean the police department from corrupt elements.
- H. Incorrect. There has always been a policy of police department to take action against corrupt officers / officials within 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. 241/2014

Mohammad Wahab s/o Mohammad Raouf Ex-ASFr/o village Nawagai 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

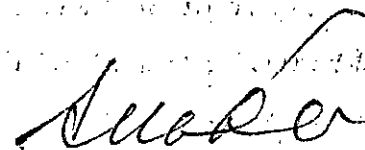
..... Respondents

✓ **AFFIDAVIT**

We the above respondents do hereby declare and solemnly affirm on oath that the contents of the reply to appeal No. 241/2014 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. 241/2014

Mohammad Wahab s/o Mohammad Kaouf Ex-ASI r/o village Nawagai District Buner
.....Appellant

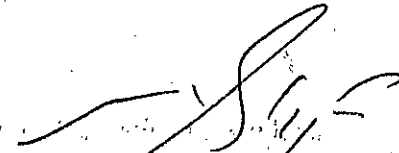
VERSUS

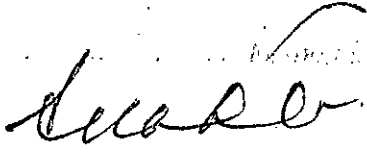
1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, (DIG) Malakand Region Swat.
3. The District Police Officer, Buner

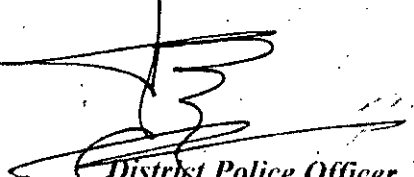
..... Respondents

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)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 241/2014

739-50
26-8-14

Muhammad Wahab S/o Muhammad Rauf Ex-ASI, R/o Village
Nawagai District Buner.....(Appellant)

VERSUS

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

Allowed
[Signature]
26/8/14

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

Respectfully Sheweth:

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


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

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

Appellant

Through

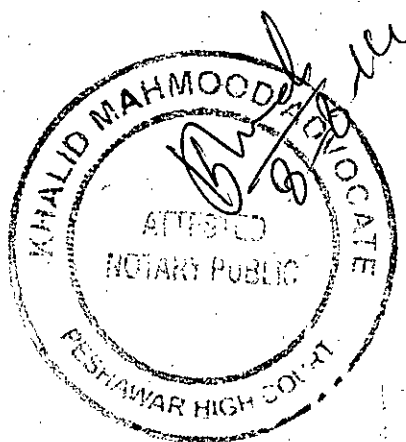
Dated: 08/08/2014


Sahibzada Asad Ullah
Advocate Supreme Court
Of Pakistan.

AFFIDAVIT:

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


ADVOCATE



①

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE

TRIBUNAL, PESHAWAR

C.M No. ____/2014

In

S.A. No. 241/2014

473
5-6-14

Muhammad Wahab.....(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.

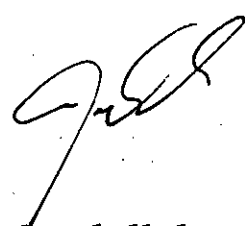
3. That other appeals pertaining to the same Division and District also pending before this august Tribunal titled Behar Ali and others vs D.P.O and others.

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. 291 /2014

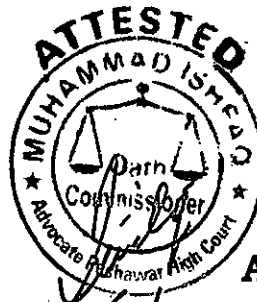
Muhammad Wahab.....(Petitioner)

VS

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

AFFIDAVIT

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



[Handwritten signature]

ADVOCATE

5/06/014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Rejoinder

In

Service Appeal No.241 /2014

Muhammad Wahab..... 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.

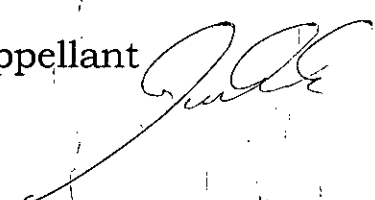
- G. Para No. G is incorrect no allegations have been supported by evidence oral as well as documentary.
- H. Para No. H is incorrect the efforts were only to score in the eyes of public that too at the cost of honest and trust worthy police officials.
- I. Para No. I is incorrect.
- J. Para No. J is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

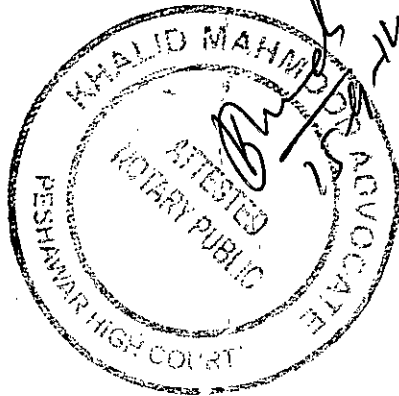
In

Service Appeal No.241 /2014

Muhammad Wahab..... 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.



Khalid
ADVOCATE

①

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 291/2014

172
27/8/14

Muhammad Wahab.....(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. 241/2014

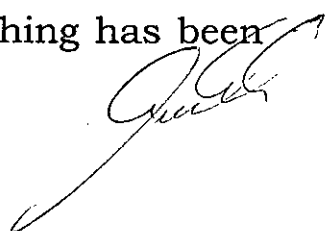
Muhammad Wahab.....(Appellant)

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

