

S.No.	Date of order/ proceedings	Order or other proceedings with signature of judge or Magistrate																																																																		
1	2	3																																																																		
	19.03.2015	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Service Appeal No. 172/2014, Khair-ur-Rahman Versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar etc.</p> <p style="text-align: center;"><u>PIR BAKHSH SHAH, MEMBER.</u>- Appellant with counsel (Mr. Khalid Rahman, Advocate) and Mr. Muhammad Adeel Butt, Addl. A.G with Khawas Khan, S.I (Legal) for the respondents present.</p> <p>2. In the instant case the same single charge has been levelled against the appellants as follows:-</p> <p style="text-align: center;">“You have been reported to be allegedly involved in corruption, which is a gross mis-conduct on your part.”</p> <p>And the above charge was reproduced to as many as 11 appellants, it is therefore, proposed that all the appeals may be disposed of by way of this single judgment.</p> <p>3. Details of the appellants are as under:-</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Appeal No.</th> <th>Name of appellant</th> <th>Designa- tion</th> <th>Date of C/ Sheet</th> <th>Impugned Penalty</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>172/2014</td> <td>Khair-ur-Rahman</td> <td>S.I</td> <td>24.10.2013</td> <td>Compulsory Retirement.</td> </tr> <tr> <td>2.</td> <td>173/2014</td> <td>Tahir Usman</td> <td>S.I</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>3.</td> <td>174/2014</td> <td>Shah Dawran,</td> <td>S.I</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>4.</td> <td>175/2014,</td> <td>Sher Muhammad Khan</td> <td>S.I</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>5.</td> <td>176/2014,</td> <td>Dawar Khan</td> <td>ASI</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>6.</td> <td>177/2014</td> <td>Zarin Dad Shah,</td> <td>ASI</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>7.</td> <td>178/2014</td> <td>Saifullah</td> <td>ASI</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>8.</td> <td>179/2014</td> <td>Anwar Badshah Khan</td> <td>ASI</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>9.</td> <td>180/2014</td> <td>Ali Badshah</td> <td>ASI</td> <td>-do-</td> <td>-do-</td> </tr> <tr> <td>10.</td> <td>181/2014</td> <td>Farman Ali</td> <td>H.C</td> <td>-do-</td> <td>-do-</td> </tr> </tbody> </table>	Sr. No.	Appeal No.	Name of appellant	Designa- tion	Date of C/ Sheet	Impugned Penalty	1.	172/2014	Khair-ur-Rahman	S.I	24.10.2013	Compulsory Retirement.	2.	173/2014	Tahir Usman	S.I	-do-	-do-	3.	174/2014	Shah Dawran,	S.I	-do-	-do-	4.	175/2014,	Sher Muhammad Khan	S.I	-do-	-do-	5.	176/2014,	Dawar Khan	ASI	-do-	-do-	6.	177/2014	Zarin Dad Shah,	ASI	-do-	-do-	7.	178/2014	Saifullah	ASI	-do-	-do-	8.	179/2014	Anwar Badshah Khan	ASI	-do-	-do-	9.	180/2014	Ali Badshah	ASI	-do-	-do-	10.	181/2014	Farman Ali	H.C	-do-	-do-
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4. Arguments heard and record perused.

5. It was submitted by learned counsel for the appellants that it is a settled principle of law that when a major penalty is awarded then regular enquiry is to be conducted wherein the accused must be associated with the enquiry proceedings but in the instant case no proper enquiry has been conducted; that the allegation levelled against the appellants were general in nature and no specific instance had been shown, thus the charge itself was ambiguous and not warranted under the law. That in case competent authority did not agree with the recommendations of the enquiry officer he must have shown reason for his dis-agreement, however, but no reason has been shown as to why and on which score he did not agree with the report of the enquiry officers? That no final show cause notice had been issued to the appellants which was mandatory under the law. He requested that on acceptance of the appeal, the impugned orders may be set aside and the appellants may be reinstated in service with all back benefits.

6. Conversely, the learned Government Pleader argued before the Tribunal that all codal formalities were complied with before imposition of the impugned penalty; that the appellants had been issued charge sheet/statement of allegations, proper enquiry was conducted, show cause notice was issued to them and as they were found involved in corruption, therefore, they were legally awarded punishment according to law and rules. The learned GP requested that the appeal may be dismissed.

7. We have heard arguments of both the parties and perused the record with their assistance. In cases of appellants S.I Khairur Rahman and ASIs Dawar Khan, and Anwar Badshah Khan, Mr. Saleem Khan Jadoon, DSP Circle Barikot, was appointed as enquiry officer. The Tribunal has perused his enquiry report wherein, the enquiry officer has concluded that the said officials are innocent and departmental proceedings against them may be filed. Despite this recommendation, major penalty of compulsory retirement has been imposed on these appellants. The record does not show any order of enquiry denovo or orders about change of the enquiry officer. No show cause notice had been given showing reason of dis-agreement with the enquiry officer.

8. In so far as cases of appellants Tahir Usman SI, Sher Muhammad, SI, Zarin Dad Shah, Saifullah, ASI, Ali Badshah, ASI and Farman Ali, H.C are concerned, Mr. Yousaf Ali Khan, DSP/SDPO City Swat had conducted enquiry in their cases. His enquiry report was carefully perused. He had observed that there was no direct or documentary evidence about corruption against those appellants, however, suitable punishment may be awarded to them on the basis of rumours of their involvement in corruption. This is to be specifically mentioned that the enquiry officer had also recommended to keep these appellants under watch for certain time meaning whereby that the enquiry officer had no intension of imposition of major penalty of compulsory retirement which was later on awarded to the appellants.

9. In so far as the case of appellant Shah Dawran SI is concerned, the same DSP City Swat, Mr. Yousaf Ali Khan conducted the enquiry, held

him innocent and stated that departmental proceedings against him may be filed.

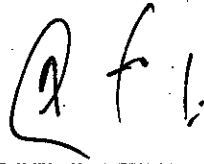
10. From perusal of the entire record, the Tribunal is of the opinion that the charges of corruption levelled against the appellant were not specific. The enquiry officer has not collected any evidence in support of charges of corruption levelled against the appellants. In cases of appellants Khairur Rahman, Dawar Khan, Anwar Badshah and Shah Dawran, the enquiry officers had concluded that the appellants were innocent and that the disciplinary proceedings may be filed against them whereas in cases of the rest of the appellants, the enquiry officer had recommended suitable punishment with provision that the appellants may be kept under watch for some time. It is thus evident in the said situation that despite of imposition of major penalty of compulsory retirement, the competent authority has not agreed with the findings and recommendations of the enquiry officers. The competent authority, however, had not shown any reason as to why and on which score he did not agree with the report of the enquiry officers. No final show cause notice has been issued to any of the appellants so that their reply about imposition of the impugned punishment of major penalty would have come on record. This being so, the Tribunal is of the considered view that opportunity of proper hearing has not been provided to the appellants.

11. In view of the stated situation on record, the Tribunal is of the considered opinion that the impugned orders are not maintainable. The same are therefore, set aside and we remand the case back to the respondent-department for doing fresh departmental proceedings against

the appellants strictly in accordance with law and rules which should be completed within a period of three months of the receipt of this judgment, for which purpose the appellants are reinstated in service. Back benefits etc. will be subject to the outcome of fresh departmental proceedings. All the above appeals are partly allowed in the above terms. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

19.3.2015



(ABDUL LATIF)  
MEMBER



(PIR BAKHSH SHAH)  
MEMBER

176/2014

11.3.2015

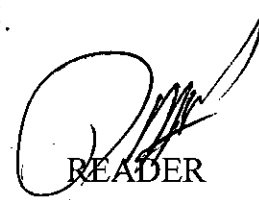
Appellant with counsel and Addl. AG with Khawas Khan, SI (Legal) for the respondents present. The case need further clarification. Therefore, representative of the respondents is directed to produce enquiry reports alongwith other relevant record. To come up for order on 19.3.2015.

  
MEMBER

  
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 Khawas Khan, SI (Legal) for the respondents present. Arguments heard. To come up for order on 26.2.2015.

  
MEMBER

  
MEMBER

26.2.2015

Appellant with counsel and Add. AG with Khawas Khan, SI (Legal) for the respondents present. Case is adjourned to 09.3.2015 for order.

  
MEMBER

  
MEMBER

09.3.2015

Counsel for the appellant and Addl. AG with Khawas Khan, SI (Legal) for the respondents present. The learned Member-II of the bench is on leave, therefore, case to come up for order on 11.3.2015.

  
MEMBER

06.08.2014

Counsel for the appellant and AAG with Khawas Khan, SI (Legal) for the respondents present. Due to retirement of learned executive Member, the bench is incomplete. To come up for ~~ex parte~~ arguments on 15.09.2014.



MEMBER

15.09.2014

Counsel for the appellant and Mr. Muhammad Adeel Butt, AAG with Khawas Khan, 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 25.11.2014.



READER

25.11.2014

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



READER

22.12.2014

Counsel for the appellant and Mr Muhammad Jan, GP. for the official respondents present. The Tribunal is incomplete. To come up for the same on 20.01.2015.



READER



28.3.2014.

Counsel for the appellant and Mr. Muhammad Jan, GP with Khawas Khan, SI (Legal) for the respondents present. Respondents need further time. To come up for reply/arguments on stay application on 14.4.2014.

MEMBER

MEMBER

14.4.2014.

Clerk to counsel for the appellant and AAG with Khawas Khan, SI (Legal) for the respondents present. Written reply on main appeal received. Copy handed over to clerk to counsel for the appellant. Representative of the respondents need time to file reply on stay application. Reply on stay application in the meantime. To come up for rejoinder and arguments on stay application on 8.5.2014.

MEMBER

8.5.2014.

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP with Khawas Khan, SI (Legal) for the respondents present. Rejoinder received and copy handed over to the learned GP. To come up for arguments on 4.6.2014.

MEMBER

MEMBER

4.6.2014

Counsel for the appellant and AAG present. The learned AAG stated that he is not in possession of departmental record and representative of the respondents is absent to-day. To come up for arguments on 06.8.2014.

MEMBER

MEMBER

21.02.2014

Counsel for the appellant present and submitted an application for fixing an early dated of hearing instead of 13.03.2014. Application is accepted. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the order dated 23.12.2013, the appellant filed departmental appeal on 24.12.2013, which has been rejected on 06.02.2014, hence the present appeal on 14.02.2014. That the appellant has been treated under Police Rules-1975 for awarding the major punishment of compulsory retirement which is wrong law. He further contended that the impugned final order 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, Notice be issued to the respondents. Appellant has also filed an application for suspending the operation of the impugned orders dated 06.02.2014 of respondent No.2 and dated 23.12.2013 of respondent No.3. Notice of application should also be issued to the respondents for reply/arguments. To come up for written reply on main appeal on 13.05.2014 as well as reply/arguments on application on 07.03.2014.

*Appellant deposited  
of process fee of Security  
Rs. 1800/- Basic Deposit  
attached with file  
(A. No. 172 to 181/13)*

21.02.2014

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

Member

Chairman

7.3.2014

Counsel for the appellant and AAG present. Fresh notices be issued to the respondents for reply/arguments on stay application on 28.3.2014.

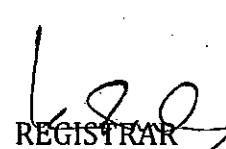

MEMBER

MEMBER

Form- A  
FORM OF ORDER SHEET

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

Case No. 172/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14/02/2014	<p>The appeal of Mr. Khair-ur-Rehman presented today by Mr. Khaled Rehman Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	18-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>13-3-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 172 /2014

Khair-ur-Rahman, Ex-SI  
.....Appellant

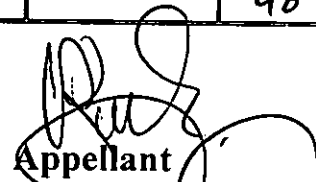
Versus


The PPO and others  
.....Respondents

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2.	Application for interim relief			7-8
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4.	Reply to the charge sheet and statement of allegations		B	11
5.	Statements recorded by enquiry officer		C	12-37
6.	Report of enquiry Officer		D	38-39
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10.	Order in W.P. No.1122/2011	23.11.2012	H	44-46
11.	Application	30.06.2013	I	47
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Through

  
Appellant

  
Khaled Rahman  
Advocate, Peshawar  
Cell # 0345-9337312

Dated: 14 / 02 / 2014

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 172 /2014**

Khair-ur-Rahman, Ex-SI,  
District Police, Swat District .....Appellant

Versus

1. The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police,  
Malakand Region at Saidu Sharif Swat.
3. The District Police Officer,  
District Swat.....Respondents

W. J. Provincial  
190  
14-2-14

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**SERVICE APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS  
ACT, 1974 AGAINST THE IMPUGNED APPELLATE  
ORDER DATED 06.02.2014 VIDE WHICH THE  
DEPARTMENTAL APPEAL OF THE APPELLANT  
AGAINST THE IMPUGNED ORDER DATED  
23.12.2013 ISSUED BY RESPONDENT NO.3  
WHEREBY THE APPELLANT WAS IMPOSED UPON  
THE MAJOR PENALTY OF COMPULSORY  
RETIREMENT WAS REJECTED.**

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**PRAYER:**

On acceptance of the instant appeal, the impugned appellate order dated 06.02.2014 passed by Respondent No.2 and the impugned order dated 23.12.2013 passed by Respondent No.3 may graciously be set aside and appellant be re-instated into service with all back benefits.

---

600  
14/2/14

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant joined the service of Police Force as a Constable and later on promoted as Assistant Sub-Inspector and then Sub-Inspector by dint of his efficient performance of duties. Since his appointment, appellant has been performing his duties to the entire satisfaction of his high-ups.
2. That on 24.10.2013 appellant was issued a Charge Sheet and Statement of Allegations (*Annex:-A*) alleging therein involvement of the appellant in corruption. Since the charges were unfounded and baseless, therefore, appellant submitted his reply (*Annex:-B*) to Charge Sheet and Statement of Allegations thereby denying the allegations and explaining his position. The reply may kindly be considered an integral part of this appeal.
3. That thereafter an enquiry was conducted by Salim Khan Jadoon, DSP Barikot, who after recording some statements and collecting other documentary evidence (*Annex:-C*) concluded that the appellant is innocent and recommended for filing of the enquiry vide Enquiry Report (*Annex:-D*).
4. That inspite of the recommendations of the Enquiry Officer for filing the enquiry and exonerating the appellant vide impugned order dated 23.12.2013 (*Annex:-E*) the competent authority imposed the major penalty of compulsory

retirement upon the appellant with immediate effect even without issuing final show cause notice.

5. That being aggrieved of the impugned order *ibid*, appellant preferred departmental appeal (*Annex:-F*) to Respondent No.2 but the same was also summarily rejected vide impugned appellate order dated 06.02.2014 (*Annex:-G*). Hence this appeal *inter-alia* on the following grounds:-

**Grounds:**

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned orders, which are unjust, unfair and hence not sustainable in the eye of law.
- B. That appellant has been imposed upon the major penalty on the basis of no evidence. Not an iota of evidence/material has been brought to prove the allegations leveled against the appellant which fact has been admitted by the enquiry Officer himself in his enquiry report, moreover, the Enquiry Officer has collected overwhelming documentary evidence whereby not only the appellant was proved to be innocent rather was proved to be honest, efficient person, therefore, the impugned order is arbitrary, unlawful and hence not

sustainable in the eye of law.

- C. That Enquiry Officer has exonerated the appellant from the allegations leveled against him and has recommended to competent authority the filing of the enquiry and disciplinary proceedings against the appellant but strange enough the competent authority neither ordered a second enquiry nor agreed with enquiry report of the Enquiry Officer and directly passed the impugned order without any lawful justification, therefore, the impugned order is void, arbitrary and hence not sustainable in the eye of law.
- D. That it is a settled legal principle that where major penalty is proposed then only a regular enquiry is to be conducted wherein the accused must be associated with all stages of the enquiry including the collecting of oral and documentary evidence in his presence and he must be confronted to the same and must be afforded an opportunity of cross-examining the witnesses. In the case in hand although the enquiry was conducted which was in favour of appellant but inspite of the same the appellant was imposed upon the major penalty. Thus the impugned orders are nullity in the eye of law and hence liable to be set aside.
- E. That the controversy was indeed factual in nature and the same could only be resolved by holding a regular enquiry. It is also a settled legal principle that in such eventuality where factual controversy is involved then only alternative left with the



competent authority is to hold a regular enquiry into the allegations. Since no such enquiry had been contemplated, therefore, the passing of the impugned order is ill-founded and therefore not maintainable.

- F. That no meaningful opportunity of personal hearing was afforded to the appellant neither by the competent authority, nor even by the appellate authority which are the mandatory requirements of law. Thus appellant was condemned unheard as the action has been taken at the back of the appellant which is against the principle of natural justice.
- G. That appellant was not served with final show cause notice which is also the mandatory requirement of law hence the impugned order imposing the major penalty without show cause notice is void, coram-non-judice and as such not maintainable.
- H. That the appellant has served the Department for a long period of time and has consumed his precious life in the service and keeping in view his longstanding unblemished service the imposition of the major penalty in peculiar facts and circumstances of the case is harsh, excessive and does not commensurate with the guilt of the appellant.
- I. That the allegations leveled against the appellant are general and sweeping in nature and moreover fabricated without any legal and tangible footings

nor the same have been substantiated by any solid evidence.



J. That appellant had filed writ petition No.1122/2011 for giving him one-step promotion in the light of the Government Policy which was decided vide order dated 23.11.2012 (*Annex:-H*) for the implementation of which appellant filed an application on 30.06.2013 (*Annex:-I*) but instead of the implementation appellant was compulsorily retired from service.

K. That appellant would like to offer some other additional grounds during the course of arguments when the stance of the Respondents is known to the appellant.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

  
Appellant  
  
Khaled Rahman,  
Advocate, Peshawar

Dated: 10 / 02 / 2014

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

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

Khair-ur-Rahman .....Applicant/Appellant

Versus

The PPO &amp; others.....Respondents

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**Application for suspending the operation of the impugned orders dated 06.02.2014 of Respondent No.2 and dated 23.12.2013 of Respondent No.3 till the final disposal of the instant appeal.**

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Respectfully Sheweth,

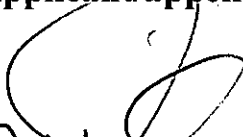
1. That the titled appeal is being filed today which is yet to fixed for hearing.
2. That the facts alleged and grounds taken in the body of appeal which may also be considered as an integral part of this application, make out an excellent prima facie case in favour of appellant who is quite sanguine of its success.
3. That in case the impugned orders are not suspended appellant will suffer irreparable loss moreover, the balance of convenience and inconvenience also lie in favour of the appellant.

It is therefore, humbly prayed that on acceptance of this application, the operation of the impugned orders dated 06.02.2014 of Respondent No.2 and dated

23.12.2013 of Respondent No.3 may graciously be suspended till the final disposal of the instant appeal.

  
Applicant/appellant



Through

  
Khaled Rahman  
Advocate, Peshawar.

Dated: 10 / 02/ 2014

**AFFIDAVITE**

Stated on oath that the contents of the application, are true and correct and nothing has been concealed from the Hon'ble tribunal.

 2-14   
Applicant/Appellant

CHARGE SHEET

9

Annex 'A'

I Mr. Sher Akbar S.St. P.S.P. District Police Officer, Swat as cc

hereby charge you, S.I. Khair-ur-Rahman while posted as SHO Police S  
Investigation Wing, Swat) as follows:-

It has been reported that you committed the following act / acts, which is /  
are gross misconduct on your part as defined in Rules 2 (iii) of Police Disciplinary Rules 1975.

You S.I. Khair-ur-Rahman while posted as SHO Police Station Kalakot (Now  
Investigation Wing, Swat) have been reported to be allegedly involved in corruption, which  
is a gross misconduct on your part.

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

3. You are, therefore, required to submit your written reply within seven (7)  
days of the receipt of this Charge Sheet to the Enquiry officer.


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

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

6. A statement of allegations is enclosed.

No. 198 /E,

Dated: 24/10/2013

  
District Police Officer, Swat



**DISCIPLINARY ACTION**

10

**Mr. Sher Akbar S.St. P.S.P. District Police Officer, Swat** as competent authority, is of the opinion that he **S.I. Khair-ur-Rahman** while posted as **SHO Police Station Kalakot (Now Investigation Wing, Swat)** has rendered himself liable to be proceeded against departmentally as he has committed the following acts/omissions as defined in Rule 2 (iii) of Police Rules 1975, as per Provincial Assembly of Khyber Pakhtunkhwa Notification No. PA/Khyber Pakhtunkhwa/ Bills/ 2011./ 44905 dated 16/09/2011 and C.P.O, K.P.K Peshawar Memo: No. 3037-62/Legal, dated 19/11/2011.

**STATEMENT OF ALLEGATIONS**

It has been reported that he while posted as **SHO Police Station Kalakot** committed the following act / acts, which is / are gross misconduct on his part as defined in Rules 2 (iii) of Police Rules 1975.

**That he S.I. Khair-ur-Rahman while posted as SHO Police Station Kalakot (Now investigation Wing, Swat) has been reported to be allegedly involved in corruption, which is a gross misconduct on his part.**

2. For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, **DSP/Barikot, Swat** is appointed as Enquiry Officer.

3. The enquiry officer shall conduct proceedings in accordance with provisions 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, recommendation as to punishment or other appropriate action against the accused officer.

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

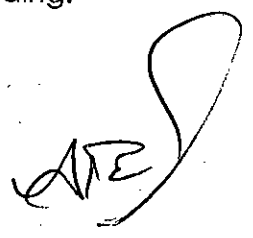
  
District Police Officer, Swat

No. 198 /EB, Dated Gulkada the, 24/10 2013.

**Copy of above is forwarded to the:-**

1. **DSP/Barikot, Swat** for initiating proceeding against the accused Officer/ Official namely **S.I. Khair-ur-Rahman** under Police Rules, 1975.
2. **S.I. Khair-ur-Rahman Investigation Wing, Swat:-**  
With the direction to appear before the enquiry officer on the date, time and place fixed by the enquiry officer for the purpose of enquiry proceeding.

\*\*\*\*\*



جناب عالی! بسلسلہ انکوائری بحوالہ چارج شیٹ نمبری 198/E/24-10-2013 جاریہ جناب ڈی۔ پی۔ اے صاحب سوات معروض ہوں کہ سائل کا تبادلہ تھانہ کالا کوٹ سے مورخہ 03-07-2013 کو عمل میں لایا گیا تھا۔ اور سائل نے بغرض ادا کی فریضہ حج حسب اجازت افسران بالا رخصت منظور شدہ پر بحوالہ مد 7 روز نامہ 5-10-2013 تھانہ بنڑ سے روانگی کر کے سودی عرب حرم شریف جا چکا تھا۔ اور بعد فریضہ حج ادا کی مورخہ 26-11-2013 کو واپس آ کر بحوالہ مد 6 روز نامہ 26-11-2013 کو ہیڈ کوارٹر آفس انوشی کیشن آفس سوات میں حاضری کی ہے۔ سائل کے عدم موجودگی میں سائل کیخلاف چارج شیٹ متذکرہ جاری ہو چکا ہے۔ سائل نے اپنے دوران ملازمت بحیثیت ذمہ دار پوسٹ تعیناتی ذیل تھانوں میں ذیل کارکردگی کی ہے۔

تھانہ: کالام

وز	55109	107-151	سلطان۔ لرون	باز کو	گرینڈ	کارڈس	ہتول	بارتھی	ریٹل	SMG	شراب	بیرن	ایون	چس
148						95 عدد	9 عدد	21 عدد	13 عدد	9 عدد				2540
														کلوگرام

تھانہ: چارباغ

وز	55109	107-151	سلطان۔ لرون	باز کو	گرینڈ	کارڈس	ہتول	بارتھی	ریٹل	SMG	شراب	بیرن	ایون	چس
22	89	308	215-250	1	3	896 عدد	22 عدد	23 عدد	3 عدد	3 عدد	240 لیٹر	10	255	29.966
														کلوگرام

تھانہ: کالا کوٹ

وز	55109	107-151	سلطان۔ لرون	باز کو	گرینڈ	کارڈس	ہتول	بارتھی	ریٹل	SMG	شراب	بیرن	ایون	چس
12	10	602	259-217			513 عدد	26 عدد	16 عدد	2 عدد	3 عدد				23783
														کلوگرام

سائل نے دوران تعیناتی ملازمت جرائم پیشہ افراد کیساتھ کسی قسم کی کوئی رعایت نہیں کی ہے۔ بلکہ ہمیشہ قانون کی بالادستی کو مد نظر رکھتے ہوئے کار سرکار کو اولین ترجیح دی ہے۔ اور کسی قسم کی بد عنوانی میں ملوث نہیں رہا ہوں۔ اگر سائل بد عنوانی کا مرتکب ہوتا تو درج بالا کارکردگی ممکن نہ ہوتا۔ جملہ کارکردگی کی تحریر ثبوت ہمراہ لف اور قابل ملاحظہ ہے۔

سائل کیخلاف عوام الناس یا دیگر کسی بھی آفسر کی طرف سے کوئی تحریری یا زبانی شکایت بھی نہیں ہوئی ہے۔ اندریں بالا مختلف تھانوں کے علاقوں کے مشران اور معززین گواہ ہیں۔ اسی طرح میرے (Immediate) افسران جناب رسول شاہ خان سابقہ SP صاحب آپر سوات اور صنوبر خان سابقہ SDPO صاحب سرکل منڈ نے تحریری، تصدیقی سرٹیفیکیشن دے کر ہمراہ لف ہے اور قابل ملاحظہ ہے۔ اندریں بالا من سائل پہلے بے گناہ ہوں۔ سائل کیخلاف لگائے ہوئے الزام میں کوئی صداقت نہیں ہے۔ بلکہ سراسر بے بنیاد، غلط، من گھڑت اور جھوٹ پر مبنی ہے۔

استدعا ہے، کہ مندرجہ بالا وجوہات کو مد نظر رکھ کر انکوائری بند یا بمعہ چارج شیٹ متذکرہ قابل کرنے کا حکم صادر فرمائے۔ یہی میرا بیان جو کہ درست ہے۔

العبد  
خیر الرحمن SI/INV متعین دفتر انوشی کیشن سوات۔

Amir

(12)

بین اور عزیز مدد حاصلہ ہے۔ دار الحکومت

کے بین اور میں نے صاف کی ہوگی۔

تعمیر و تیار شدہ سورت گاؤں۔

کے اور سے تعمیر ہونے کے ساتھ SHO

کے گاؤں کے اپنے دوران ڈولہ لکھنے میں

نہیں ہے۔ اور ان کے شخص سے رہتی ہے۔

دہانتہا سے سرانجام دے۔

جب کہ نہ ہو اور ان کے

اس میں کوئی عداوت اور نہ

میں گھڑ ہے۔

28/13

Amir

اور اور

اور عزیز مدد حاصلہ ہے۔

دار الحکومت میں تعمیر کی

9-9335917-15601 Nil

0346-9693856

دار الحکومت



بیان مختصر ہے کہ شہرہ فاضل بیگم کو کچھ عرصے  
 پہلے ہی لڑائی ہوئی۔ اس میں شہرہ نے کئی دفعہ کال لگا کر  
 تحصیل وہاں شہرہ کو کالوں سے کٹا کر اس کے بعد وہاں  
 آئے سابق SHO صاحبہ اور ان کے ساتھ کال لگا کر ان کے بارے میں  
 گفتگو کر سکتی تھی۔ اس وقت وہ کراچی میں تھیں۔ اور ان کے پاس سے  
 اس وقت لگی ہے۔ اور ان کے ذریعے دیکھا گیا کہ اور ان کے پاس سے  
 سزا سن رہی ہے۔ کچھ عرصے میں شہرہ کو کال لگا کر ان کے بارے میں  
 کچھ کہنے کی ضرورت تھی۔ شہرہ نے ان سے کالوں کو کٹا کر ان کے بارے میں  
 کچھ یا اس سے کال لگا کر ان کے بارے میں کچھ کہنے کی ضرورت تھی۔ اور ان کے بارے میں  
 نیت اور میں کھڑے ہیں۔ یہ سہرا بیان ہے۔

28/13

شہرہ فاضل بیگم کو کچھ عرصے  
 پہلے ہی لڑائی ہوئی۔ اس میں شہرہ نے کئی دفعہ کال لگا کر  
 تحصیل وہاں شہرہ کو کالوں سے کٹا کر اس کے بعد وہاں  
 آئے سابق SHO صاحبہ اور ان کے ساتھ کال لگا کر ان کے بارے میں  
 گفتگو کر سکتی تھی۔ اس وقت وہ کراچی میں تھیں۔ اور ان کے پاس سے  
 اس وقت لگی ہے۔ اور ان کے ذریعے دیکھا گیا کہ اور ان کے پاس سے  
 سزا سن رہی ہے۔ کچھ عرصے میں شہرہ کو کال لگا کر ان کے بارے میں  
 کچھ کہنے کی ضرورت تھی۔ شہرہ نے ان سے کالوں کو کٹا کر ان کے بارے میں  
 کچھ یا اس سے کال لگا کر ان کے بارے میں کچھ کہنے کی ضرورت تھی۔ اور ان کے بارے میں  
 نیت اور میں کھڑے ہیں۔ یہ سہرا بیان ہے۔

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NIC 15601-0998864-5  
 0346-2896044

عزیزہ دم سے زیادہ سزا دینا چاہتا ہوں جس کی  
مصلحتی نگاہ سے کام لیں

14

لطف سے سزا میں آج بھی صحت کی نگاہ سے کام لیں

اگر سزا سے بچنا چاہیں تو - اور توجہ سے سزا میں - اس سے بچنا

خیر اللہ سے کام لیں - دنیا کی دنیا سے بچنا

وہ ہے - جس میں سزا کی توجہ سے بچنا

سزا سے بچنا - اس میں سزا کی توجہ سے بچنا

اور اس میں سزا کی توجہ سے بچنا

سزا کی توجہ سے بچنا - اس میں سزا کی توجہ سے بچنا

28/13

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عزیزہ دم سے زیادہ سزا دینا چاہتا ہوں جس کی  
مصلحتی نگاہ سے کام لیں

NIC :- 15601-9015152-1

0345-3404244

15

خوشنود دہلی میں مندرجہ ذیل دارالافتاء  
دائیں طرف واقع ہے۔

صاف پانی اور - آئینہ مندرجہ ذیل دارالافتاء میں  
نظم پڑھنے والے کو مندرجہ ذیل دارالافتاء میں - اور پڑھنے والے کو  
آپ سے ملنے والے کو مندرجہ ذیل دارالافتاء میں - اور پڑھنے والے کو  
کامیاب کرنے میں - اور پڑھنے والے کو - اور پڑھنے والے کو  
سے سزا دینے میں - اور پڑھنے والے کو - اور پڑھنے والے کو  
کے لئے مندرجہ ذیل دارالافتاء میں - اور پڑھنے والے کو  
تعمیرات میں مندرجہ ذیل دارالافتاء میں - اور پڑھنے والے کو  
میں شمولیت ہے۔

28/13

محمد

خوشنود دہلی میں مندرجہ ذیل دارالافتاء  
دائیں طرف واقع ہے۔

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NIC- 15601-3332379-5

0342-5131900

بہ صفا و دلبر مرد در ۴۰۴ کنڈہ لیکو سیرہ شہر فتح  
و سیرہ ہزار فولک و غیرہ صحت لیکو کنڈہ کانڈہ

کھنڈن ازبوں - ازبک صحت لیکو کنڈہ کانڈہ ازبک  
صحت وں - اور کانڈہ ازبوں - ازبک ۵۴۵  
صحت لیکو کنڈہ کانڈہ کنڈہ کانڈہ کانڈہ کانڈہ  
ازبک صحت لیکو - اور کانڈہ کانڈہ کانڈہ کانڈہ  
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۲۸/۱۳

SM

ATC

صفا و دلبر مرد در ۴۰۴ کنڈہ لیکو  
سیرہ ہزار فولک و غیرہ صحت لیکو کانڈہ

۱۵۶۰۱-۱۰۲۸۳۷۹-۷

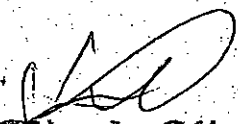
۰۳۴۵-۳۷۴۳۷۳۱

کوئٹہ صدر دفتر سید احمد علی خان  
کوئٹہ صدر دفتر سید احمد علی خان

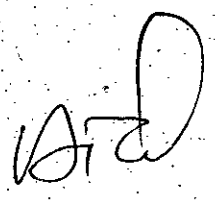
17

محکمہ تعلیم کوئٹہ میں سید احمد علی خان کی طرف سے  
تعمیر شدہ کلاس روموں کی تفصیلات درج ذیل ہیں۔  
S.H.O. کوئٹہ صدر دفتر نے اپنے دور ان کے مطابق  
تعمیر کرائی ہے۔ اور اس بار سید احمد علی خان نے  
انہیں دوبارہ تعمیر کرائی اور اس بار سید احمد علی خان نے  
انہیں دوبارہ تعمیر کرائی اور اس بار سید احمد علی خان نے  
انہیں دوبارہ تعمیر کرائی اور اس بار سید احمد علی خان نے  
انہیں دوبارہ تعمیر کرائی اور اس بار سید احمد علی خان نے

28/11/13

  
Khurshid Khan  
Co Ordinator

کوئٹہ صدر دفتر سید احمد علی خان  
کوئٹہ صدر دفتر سید احمد علی خان



NIC - 15601-5967263-9

03159329400

0946795400

28.11.2013

تلفون

طبع اللہ در حبیب اللہ سید صاحب مدظلہ العالی  
مقام نائب ناظم سونہ

(18)

پہنچان کرتا ہوں۔ آپ سے ہم کو کئی ایسی باتیں یاد آ رہی ہیں جو  
آج کو یاد آ رہی ہیں۔ آپ نے ۱۹۸۵ء میں کراچی میں  
مقامی کارکنوں سے ایسا دوران ڈراما لکھنے میں کوشش کی تھی  
یہاں ہے۔ اور اس دوران ڈراما لکھنے اور اس دوران سے اس کا نام  
ہے۔ جبکہ یہ تمام امور ان کے دوران میں ہوئے۔ اس کے  
نہ ۱۹۸۵ء میں اس کے دوران میں ہوئے۔ اس کے  
نہ ۱۹۸۵ء میں اس کے دوران میں ہوئے۔ اس کے  
اور یہ بنیاد اور اس کے دوران میں ہوئے۔ اس کے

28/11/2013

طبع اللہ در حبیب اللہ سید صاحب مدظلہ العالی  
مقام نائب ناظم سونہ

ATC

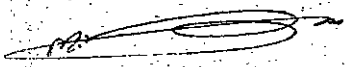
©NIC 15601-1015329-3

0344-9691974

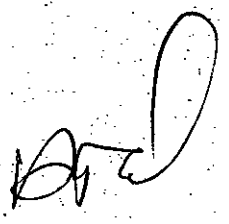
(19)

بیہوشی کے دوران وہ تھیں اور ان کے پاس کئی بار سونے کی گھنٹی بجاتی تھی۔  
 گھنٹا بجانا کرتی ہیں۔ ان میں سے کئی گھنٹے گھنٹا بجاتی تھی۔  
 تاہم یونین کوئی سونے کی گھنٹی نہیں بجاتی تھی۔  
 سابقہ ایس۔ ایچ۔ او کے مطابق ان کے پاس کئی گھنٹے بجاتے تھے۔  
 دورانِ ایس۔ ایچ۔ او کے دوران ان کے پاس کئی گھنٹے بجاتے تھے۔  
 دیکھتے ہیں اور ان کے پاس سے کئی گھنٹے بجاتے تھے۔  
 گھنٹے بجاتی تھی۔ ان کے پاس سے کئی گھنٹے بجاتے تھے۔  
 ان کے پاس سے کئی گھنٹے بجاتے تھے۔

29/11/13

  
 محمد نعیم خان ولد محمد امین خان

NIC No 15601-1022292-9  
 Cell No: 0346-9446166



بعض وقت در شبہ باران کند و صبح بیدار می شود  
بمصلحت است و در وقت بیدار

20

صفت بدن مردان - در میان مردم حاجی که قضا کند در وقت بیدار  
سودا کاهد - در وقت بیدار در وقت بیدار - در وقت بیدار  
صورت بدن در وقت بیدار - در وقت بیدار - در وقت بیدار  
قضا کند در وقت بیدار - در وقت بیدار - در وقت بیدار  
کاهد در وقت بیدار - در وقت بیدار - در وقت بیدار  
کند در وقت بیدار - در وقت بیدار - در وقت بیدار  
وقت بیدار - در وقت بیدار - در وقت بیدار  
در وقت بیدار - در وقت بیدار - در وقت بیدار

AD

حرفه 13/11/20

السلامة

بعضی وقت در شبہ باران کند و صبح بیدار می شود  
بمصلحت است و در وقت بیدار

5-9386740-15601-15601

03459286014



عزیز الرحمن در علم اللہ سید عالم ہے  
میر صاحبی کی قصہ کا لکھو

جنت میں مرنے والوں میں میر صاحبی کی قصہ کا لکھو  
سوائے انہوں جنت میں مرنے والوں اور خواجہ صاحبی جوں  
عزیز الرحمن سید عالم 846 قصہ کا لکھو کہ اپنے دوران اولیٰ  
میں تم قسم کا مرنے نہیں ہے۔ اور ان کی شہادت سے ہرگز  
نہیں ہے۔ اور ان کی شہادت سے ہرگز نہیں ہے۔  
تو یہ ہرگز نہیں مرنے والوں۔ جب کہ سید عالم نے  
کہتے ہیں میر صاحبی کا لکھو کہ میر صاحبی کی  
شہادت نہیں ہے۔ اور غلط طور پر میر صاحبی ہے۔  
میر صاحبی ہے۔

28 11/13

عزیز الرحمن

عزیز الرحمن در علم اللہ سید عالم ہے  
میر صاحبی کی قصہ کا لکھو

ATC

3-1019972-15601-112

03429827647

میں حضرت محمد صلی اللہ علیہ وسلم کے ساتھ  
جسٹس کوئلہ و دیگر صحابی کرام کے ساتھ

مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے  
مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے

مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے  
مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے

مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے  
مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے

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مذہب ان لوگوں میں ہے جو صحابہ کرام کے ساتھ تھے

2 - یہاں میرا 2

28/13

حضرت محمد صلی اللہ علیہ وسلم کے ساتھ  
جسٹس کوئلہ و دیگر صحابی کرام کے ساتھ

ATC

1-0757512-15601-15601

9458799-0346

0346-9472698 - فون

ايميل: 15601-1046833-8

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عمر اللہ ودر حبیب اللہ منہ ازاد باپوہ دارا محمد قاسم  
ساتھ چل کر کولہ، عمر صاحبی کسی تھا کاہر اور

جنت میں رہا میں اور جو عمر ان سے ملو قیوں اس لئے 545

میں عمر ان سے ملو قیوں نے ایسا دوران ڈیول لکھنا میں

کہ تم کہ لکھتے ہیں کیا ہے۔ اور ان سے اس وقت کی یہ

اور ایسا ڈیول دیکھتے ہیں اور وہ عمر ان سے ملو قیوں میں

جہاں میں عمر ان سے ملو قیوں میں ہے۔ اس سے اس وقت کی یہ

کہ ایسا ڈیول میں ملو قیوں میں ہے۔ اس سے اس وقت کی یہ

یہ ہے۔ فلاں اور بے نیو، نہ لکھتے ہیں۔ یہ اس سے اس وقت کی یہ

حورا 2013

بھارت

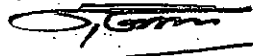
عمر اللہ ودر حبیب اللہ منہ ازاد باپوہ دارا محمد قاسم  
ساتھ چل کر کولہ، عمر صاحبی کسی تھا کاہر اور

NIC: 156012910290-5

0346-9416355

بیان ازان لکھنؤم صدر صوبہ V.D.C. چارباغ ولد صاحبی عالم زبیر خان  
گتہ کیمپ پورہ ایچ بی بڑا 1-9554912-15602 حوالہ نمبر  
0341-2088765 + 0334-9120651 نے حلقہ بیان کیا۔

صدر امر علی خان صاحبی صاحبی چھٹے چارباغ میں چھٹی 2013ء کے صوبہ میں  
سال کے بیان تھا۔ مذکورہ پناہ میں حلقہ اور حوالہ نمبر میں  
یو ایس ایف ہے۔ مذکورہ پناہ میں کسی بھی جرائم میں  
کیا تو رعایت اور کسی بھی شہری کی توجہ زیادتی  
میں کی ہے۔ بلکہ علاقہ سے جرائم میں افراد کا خاتمہ  
کیا تھا۔ مذکورہ کے خلاف جو الزام رکھا گیا ہے، وہ  
بالکل غلط اور بے بنیاد ہے۔ جس میں کوئی صداقت  
نہیں ہے۔ اس قسم بیان دینے کی بجائے جہاں جانا ہو  
تیار ہوں۔ یہی میرا بیان ہے۔

  
سلطان روم V.D.C. صدر صوبہ  
ولد صاحبی عالم زبیر خان  
29-11-2013

Sultan Rana  
CHAIRMAN  
V.D.C. Charbagh Swat

بیان اراں سلطنت خاں ولد علی محمد صاحب المدینہ منورہ

تعمیر شدہ کھیل گراؤنڈ ریاض ENIC نمبر 3-0285019-028502-15602 فون نمبر 0300-5748822

نے صلیباً بیان کیا ہے کہ ضلعی سطح پر SHCO تھا لیکن ریاض میں ایک سال  
 تک بحیثیت SHCO رہا ہے۔ اس دوران ضلعی سطح پر صرف کسی  
 قسم کی کوئٹہ کا بیٹ وصول نہیں ہوئی ہے۔ مذکورہ نے بحیثیت SHCO  
 قوم کی خدمت خصوصاً دل اور شرانہ صیغہ جان کر دیا ہے۔  
 جس سے بھی حرم کیا ہے رعایت اور کسی قسم کی شہرہ کی کو  
 ریاض دہلی نہیں کی ہے۔ بلکہ انصاف سے کام لیا ہے۔ کوئی بھلا کام  
 لہجے سے نہیں دیا ہے۔ صفا میں کھدائی کرنا یوں -  
 اس کے متعلق حجام بھی بیان دیا ہے وہ دینار بیوی تھا  
 یہی کس بیان ہے۔ پھر مذکورہ نے صرف غائب کردہ السرام  
 ملو اور بے بنیاد ہے۔

اس  
 سلطنت خاں ولد علی محمد صاحب المدینہ منورہ  
 29-11-2013

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27

میلان عزیزان میسر جان ولد نور محمد صاحب (مستحق محترم) محکمہ ذمہ داری  
پتہ: پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر 03439585339

میں نے حویلی میسران پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602  
میں نے SHC پلاٹ نمبر 3-1548-03482-15602 حویلی محلہ منیر پلاٹ نمبر 3-1548-03482-15602

میلان عزیزان میسر جان ولد نور محمد صاحب

میلان عزیزان میسر جان ولد نور محمد صاحب

29-11-2013

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28

میلان اڈان فنل انڈیا ولہ امر اہور خان سہیل شکر علی شاہ راجہ ل  
ک زمر 3-0432254-15602 ویاٹل نمبر 6164467343

نے حلقہ میلان اڈان سے فیصلہ کر لیا ہے۔ اس دوران اسے سٹاٹس کی صورت میں  
میں سال میں سٹاٹس دیا ہے۔ اس دوران اسے سٹاٹس کی صورت میں  
میں سال میں سٹاٹس دیا ہے۔ اس دوران اسے سٹاٹس کی صورت میں  
میں سال میں سٹاٹس دیا ہے۔ اس دوران اسے سٹاٹس کی صورت میں

فیصلہ  
فیصلہ کر لیا ہے  
2013-11-29

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مقامی اراکین جہاں جاوید ولد عبدالحمید صاحب

15602-2516341-5، قریب سٹریٹ نمبر 3، 9549663

سے صوفیہ بیان کیا ہے کہ صغیر الرحمن خان S.H.O کے ساتھ ساتھ

اپنے سہیل سہیل S.H.O کے ساتھ اس دوران اپنے حروف کسی قسم کا کوئی

تبدیلیاں ہو سکتی ہیں پوری ہے۔ حروف و آواز کی صورت کو متاثر کرنے

کیا نہ کر سکتا ہے۔ کسی بھی طرح کے مبالغہ آمیز بیانات سے اجتناب اور

مستحقانہ سزا کی زیادتی سے بچنے کے لیے اس کے لئے لکھنا ہے۔ اس کے علاوہ

مقامی اراکین (نہا) کے ساتھ ساتھ، جس کے لئے یہ لکھنا ہے

یہ ہے صوفیہ بیان ہے

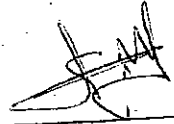
ال

جہاں جاوید ولد عبدالحمید صاحب

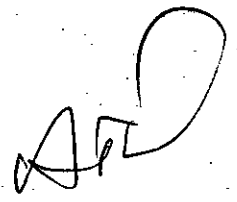
29-11-2013

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میتاں ازیں سید المظاہر ولد سید زاید سید امان شاہ کوٹ  
 طرہ پانچ ۱۰۱۱۹-۹-۵۲۳۸۷۳۲-۱۵۶۵۰۲ حوالہ نمبر 03438633430  
 نے حقوق بیان کیا ہے۔ کہ سید المظاہر جان شاہ SHO عدالت نے چار ماہ میں  
 ایک سال تک SHO رہا ہے۔ اس دوران اپنے خلاف کسی قسم کی کوئی  
 خطہ بہت وصول نہیں ہوئے۔ مگر وہ نے عوام کی خدمت کرنا انکی  
 خدمت جان کر رہا ہے۔ کسی طرح / حد اتم سبب شخص کے سادہ  
 رعایت اور سببوں سببوں کے سبب زیادتی نہیں کی۔ ہم تاک لایح  
 رہے ہیں۔ اپنے خلاف شکایت الٹا عدالت امر سے بنیاد ہے  
 کوئی شکایت نہیں ہے۔ ہم سب امان ہے۔

  
 سید المظاہر ولد سید زاید

2013-11-29



31

مندان ارزان خرید کریں ولہ شیئر ٹرفنڈ میں قسطیں کوٹیں

03419060171 15622-021412622

SHO کے حلقہ بیان میں ہے۔ ہم الرضیٰ خان SHO کے ساتھ جاریہ میں

اپنی سہولتوں SHO کے ساتھ ہیں۔ اس دوران ان فراوان سہولتوں کو

مشاورت حاصل ہے۔ فراوان کے فراوان کے فراوان کے فراوان

مراکز خصوصاً ان کے ساتھ ہیں۔ فراوان کے فراوان کے فراوان

مراکز کے ساتھ اور فراوان کے ساتھ ہیں۔ فراوان کے فراوان

مراکز کے ساتھ ہیں۔ فراوان کے فراوان کے فراوان کے فراوان

مراکز کے ساتھ ہیں۔ فراوان کے فراوان کے فراوان کے فراوان

مراکز کے ساتھ ہیں۔ فراوان کے فراوان کے فراوان کے فراوان

29-11-2013

ATC

میں آذان مسجد اللہ خان ولد عواد علی خان ساس ٹاؤن لاہور

نمبر 1-3816-042-15622-15622 حوالہ 5046997-5046997

حلف بیان کیا گیا ہے کہ عواد علی خان SHہ نمبر

جاری ہے میں اس سال SHہ کیا گیا ہے اور اسی دوران

مذکورہ کا خلاف کوئی شکایت موصول نہیں ہوئی

مذکورہ کے خلاف کوئی شکایت موصول نہیں ہوئی

اور اس کے خلاف کوئی شکایت موصول نہیں ہوئی

مذکورہ کے خلاف کوئی شکایت موصول نہیں ہوئی

مذکورہ کے خلاف کوئی شکایت موصول نہیں ہوئی

مذکورہ کے خلاف کوئی شکایت موصول نہیں ہوئی

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محمد اللہ ولد عواد علی خان

مذکورہ کے خلاف کوئی شکایت موصول نہیں ہوئی

11-11-2013

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29-11-2013

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Handwritten signature or name in Urdu.

Handwritten text on the left side of the page, possibly a name or initials.

Main body of handwritten text in Urdu, consisting of several lines of cursive script.

Handwritten text at the bottom of the main body, possibly a date or reference number.

Handwritten number '33' enclosed in a circle at the bottom left.

بیاداران عبدالرحمن و دیگر شریفیہ محمد UDC سے رقم جوڑ دیو گیا رباغ  
عناص نمبر 3-0266140-15602 جوڈیسیل نمبر 5505-945-0345  
سابقہ بیان بیاداران عبدالرحمن سے کیا گیا تھا رباغ میں رباغ  
سال کیلئے SHC رباغ ہے۔ اس دوران انکے طرف سے رقم کی کوئی  
شدت کا یہ وصول نہیں ہوا ہے۔ فروری 2013ء کے عوام کی خدمت  
کوٹہ انصاف میں جان کر بیاداران عبدالرحمن نے عوام کی خدمت  
کیا کہ رعایت اور شرفیہ کی رقم کے زیادہ نہیں ہے۔  
پر عام لالچے کا لہجہ کیا ہے۔ انکے خلاف کارروائی کی جا رہی ہے۔  
خلاف اور بے بیاداران عبدالرحمن کو عوام کی خدمت ہے۔  
بیاداران بیان ہے۔

ATA

Abdul Rahman  
عبدالرحمن و دیگر شریفیہ  
29-11-2013

35

پیش از ان برائے مولانا محمد علی ولد محمد علی صاحب آراک ۱۹۵۵ء  
مقامی

مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں  
مقامی میں ان کے ساتھ ۱۹۵۵ء میں آراک میں

مولانا محمد علی  
ولد محمد علی  
صاحب آراک  
۲۹-۱۱-۲۰۱۳

ATL

پروفیسر ان افتخار احمد، راجہ شاہد احمد سائنس، جامعہ اسلامیہ  
NIC 7-92334822 - 15622 موبائل نمبر - 03459330080

صحت پریشان کرنے والے کچھ مسائل اور مسائل کے حل کے بارے میں  
اپنے سوال اور جوابات کے بارے میں اور ایسی صورتوں کے بارے میں  
کئی مشقوں اور مسائل کے بارے میں اور ایسی صورتوں کے بارے میں  
میں مشقوں کے ساتھ ساتھ اور ایسی صورتوں کے بارے میں  
زیادہ سے زیادہ مسائل کے بارے میں اور ایسی صورتوں کے بارے میں  
دیکھیں۔ لہذا ان کے حل اور ایسی صورتوں کے بارے میں اور ایسی صورتوں کے بارے میں  
میں سے لے کر پروفیسر ان کے پاس جاتا رہتا رہے گا۔

امجد

افتخار احمد، راجہ شاہد احمد

سائنس، جامعہ اسلامیہ

المنعم 29-11-2013

ATC



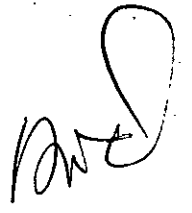
(37)

سرمنشی

تشریحی ہے۔ کہ فیروز خان صاحب زید کی تعلقہ کاروبار  
 کے بارے میں میری رائے تفصیلی طور پر لکھی ہے  
 جس کے خلاف رشوت نہیں ہے جو میں کوئی تحریر یا تعلقہ  
 جو یا پھر افتراف نہیں ہے۔ یہی اس بارے میں میری رائے ہے

میری رائے ہے کہ فیروز خان صاحب زید کی تعلقہ کاروبار

Sub-Commissioner  
 Police Officer  
 PUNAN  
 30/11/2013



خارجی؟

یوں جاننا کہ سب خارج جاوے۔ DPO کا سواٹ برخلاف خیر وطن خان si  
ملنے پر لین ٹینر کلاوٹ حال انوشی گینت سٹاف سواٹ پر جب ظالم  
انکو ایٹری کیگی ہے۔

دوران انکو ایٹری ذیل کاروائی عمل میں آئی ہے :-

27<sup>11</sup>/<sub>13</sub> کو انکو ایٹری ہذا موصول ہو کر انکو ایٹری کا آغاز کرتے ہوئے علامہ  
قمان کلاوٹ و حصار باغ جہاں مذکورہ آڈیٹور 8000 روپے حکایت سے معززین  
علامہ 7500 ہریان، افسانہ اعلیٰ سے بیانات لئے گئے، ضمنی طور پر کچھ معلومات  
کیٹی گئی ہیں، مذکورہ آڈیٹ کا بیان لکھی لیا گیا، جس نے ایسا جواب پیش کرتے  
ساتھ لکھی ایسا سرگرساں رپورٹ لکھنا ہی سیریز 8000 قمان کلاوٹ حصار باغ  
کے لئے ہے۔ اس کے علاوہ مسلمان خورشید خان، نعیم خان، محسن خان  
خورشید و محمد ایاس، عبداللہ و محمد اللہ، محمد زارہ و محمد ڈارہ، صالح مندرم  
مخروڑ، اود گزیب و محمد کاشفہ باج، محمد ایوب خان و محمد سیر محمد خان، مسیح اللہ و محمد  
محمد اللہ خان، ریاض خان و محمد شاہ باڑ خان، عزیز الرحمن و محمد اللہ، خیرت محمد و محمد کلویا  
علامہ قمان کلاوٹ اور اس طرح مسلمان خان و محمد عبداللہ خان، فضل اکرم و  
نداموس خان، سلمان روم و محمد صاحب عالم زوب، میان سید خان و محمد گریبان،  
خیال باج و محمد میر محمد میاں، سیف اللہ خان و محمد میر زاد، محبت الدین و محمد سیر محمد خان  
سید الرحمن و محمد احمد شہب، افتخار احمد و محمد نثار احمد، فرید مل و محمد کمال خان، سلیم اللہ  
محمد خورشید خان، لیاقت علی و محمد اکرم خان ملازمت حصار باغ انہوں نے مطالعہ کیا ہے و معززین  
علامہ کے تعینات بیان لئے گئے جنہوں نے بیان مذکورہ آڈیٹ کے حق میں دیا۔  
اس کے علاوہ متعلقہ DPO 8000 مسٹہ طال پورن DSP خورشید خان، SP ربر سواٹ  
حال SP انوشی گینت فتح چھری پور حصار رسول شاہ خان سے کہا رپورٹ  
لکھنے پر تفتیش لئے گئے، آلات یوں پائے گئے ہیں۔

آڈیٹ مذکورہ سے جو بیان لکھا جا رہا ہے اس سے یہ لگتا ہے  
سے تلی بخش پایا جاتا ہے، اسی طرح مذکورہ آڈیٹ کے دوران تصانیف  
کا آرڈر نسبت برآمدگی منشیات اسلم ایجوکیشن و دھماکے خیز مواد بھارتی نگر  
کا وہاں اسنادی اور زخمی مغروران کچھ نیلے بخش پائی جاتی ہے، اور اس طرح  
جو بیانات معززین علامہ 7500 ہریان اور افسانہ اعلیٰ کے لئے تفتیش

Handwritten signature or mark on the right margin.

سے کبھی مذکورہ کو ایک اچھا قابل ٹھنٹی اور اپنے کام کو سمجھنے والا  
 کولین آفٹر کسی جرائم کے لئے جس کے حمایت نہ کرنے والا اور ملا  
 ہنگاموں کو انصاف پہنچانے والا کولین آفٹر بتلا گیا ہے اور  
 اسکے علاوہ مذکورہ کی حال بھی میں فریقہ پنج ادا کر کے حرم  
 شریف سے واپس آیا ہے اور شعبہ تقشیر میں فریقہ سراجام  
 رہ رہا ہے اسکے علاوہ حصہ طور پر کافی معلومات کراؤں گے ہیں  
 جو کسی قسم کے کوئی شہادت یا شکایت اس کے کریڈٹ میں  
 ملوث ہونے کی نہیں موصول ہوئی ہیں

لہذا انکواری خزا سے مذکورہ کی بے گناہ پایا جاتا ہے  
 مناسب حکم صادر فرمائیں جاوے

~~سید احمد علی~~  
 سید احمد علی  
 DSP  
 سیکرٹری  
 مہاراجہ  
 12/13

سید احمد علی

**ORDER**

(40) A.M.E.

This order will dispose off the departmental enquiry proceedings against Sub-Inspector Khair-ur-Rahman that he while posted as SHO Police Station Kalakot has been reported to be allegedly involved in corruption which is a gross misconduct on his part.

He was issued Charge Sheet alongwith Statement of Allegations and DSP/Barikot, Swat was deputed as Enquiry Officer. The Enquiry Officer conducted proper departmental enquiry against the delinquent Officer and recorded the statements of all concerned officers. He provided ample opportunity to the delinquent officer to defense the charges leveled against him. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein he recommended the delinquent officer for suitable punishment. He was heard in Orderly Room. However, he could not present any plausible defense against the charges leveled against him.

Therefore, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules-1975, I, Sher Akbar, S.St, P.S.P, District Police Officer, Swat as a competent authority, am constrained to award him the punishment of Compulsory Retirement from service with immediate effect.

**Order announced.**

*(Signature)*

**District Police Officer, Swat.**

O.B. No. 211

Dated 23.12/2013.

\*\*\*\*\*

To

The Deputy Inspector General of Police

Malakand Range at

Saidu Sharif, District Swat

Amp F

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Subject: Departmental appeal against the order O.B. No. 211 dated 23-12-2013 vide which major penalty of compulsory retirement was imposed on the appellant.

Respected Sir,

The appellant submits as under:

That the appellant was regular member of the police force was performing his duty as Sub-Inspector to the satisfaction of his authorities and the public as well.

That recently the appellant was issued charge sheet and statement of allegations, wherein, vague charges of corruption were alleged. This charge sheet and statement of allegation was replied and the charges specifically denied, being baseless and frivolous.

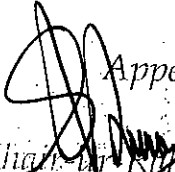
That shame inquiry was conducted in violation of the law and rules and as a result of which major penalty of compulsory retirement was imposed on the appellant, despite the fact that the appellant was never given the chance to be heard in person.

That the order mentioned above is passed in a very hush hush manner and in violation of the law and rules, hence liable to be set aside.

AR

It is, therefore, very respectfully prayed that on acceptance of this appeal the order impugned may be set aside and the appellant reinstated into service with all back benefits.

42

  
Appellant  
Khanwar Khuman

24.12.2013

1075

Amx 9  
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**OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND**  
**REGION, AT SAIDU SHARIF SWAT**

**ORDER:**

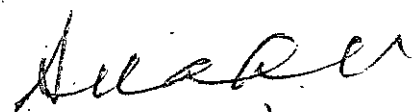
This order will dispose off the appeal preferred by Ex-SI Khair Ur Rehman of Swat District for reinstatement in service.

Brief facts are that the above named Ex-SI while posted as SHO Police Station Kalakot was involved in corruption. DSP Barikot Swat conducted proper departmental enquiry against him. During enquiry the Enquiry Officer recorded statements of concerned officer / official. The Enquiry Officer provided ample opportunity to the appellant to defend the charges leveled against him. The Enquiry Officer in his finding report held him responsible and recommended for punishment.

The applicant was called in Orderly Room by District Police Officer, Swat but he could not present any plausible defense. After completion of codal formalities of the enquiry he was found guilty of misconduct. Hence he was awarded major punishment of compulsory retirement from service under Police Rules 1975 by District Police Officer, Swat vide his office OB No. 211 dated 23/12/2013.

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

Order announced.

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

No. 1112-13 /E,

Dated 6/2 /2013,

Copy for information and necessary action to the:-

1. District Police Officer, Swat with reference to his office Memo: No. 568/E, dated 06/01/2014.
2. Ex-SI Khair Ur Rehman of Swat District.

\*\*\*\*\*

BEFORE THE PESHAWAR HIGH COURT  
PESHAWAR



In Re; Writ Petition No. 1122-2011

Amr H

Khair-ur-rahman (Sub Inspector) S /O Haji Khairti gul R/O  
Langnr Teh;Kabal Swat  
Now Posting in police station Rahim abad swat.  
(Petitioner)

VERSUS

1. Govt,of Khyber Pakhton Khwa through Chief Secretary at Civil Secretariat, Peshawar.
2. Inspector General of Police Khyber pakhton Khwa at Peshawar.
3. Deputy Inspector General of Police Malakand Division at saidu sharif Swat.
4. District police officer (D P O) Swat
5. Superintendent of Police (Investigation) Swat.  
( Respondent)

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF  
ISLAMIC REPUBLIC OF PAKISTAN 1973.

Respectfully Sheweth;

The Petitioners submits as under.

FILED TODAY

Deputy Registrar

05 APR 2011

1. That the petitioner is serving in Police Department Swat at the rank of sub inspector (in charge investigation officer at police station Rahim abad Swat.



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34

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of .....

Case No. .... of .....



Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2
23.11.2012.	<p><b><u>W.P. No.1122/2011.</u></b></p> <p><b>Present:</b> Mr. Sana Ullah, advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><b><u>MAZHAR ALAM KHAN MIANKHEL, J.-</u></b> Petitioner</p> <p>through instant writ petition has asked for issuance of an appropriate writ directing the respondents to give him one step up promotion in the light of directive of the Chief Minister as given to many other similarly placed persons.</p> <p>2. Comments of the respondents were called for which were accordingly filed and the learned AAG present in Court was heard in the case but during the course of hearing, it transpires that vide order dated 15.11.2010 his request for one step promotion was refused. The learned counsel for the petitioner, in the circumstances, submitted that let his petition may be treated as representation and be sent to the Department for consideration.</p>

**ATTESTED**

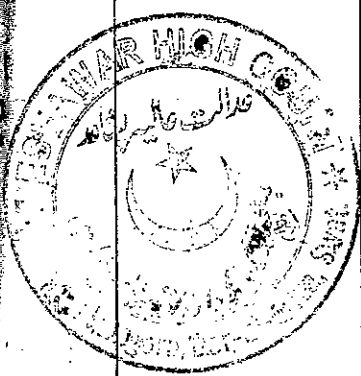
*[Signature]*

Examiner  
Peshawar High Court Bench  
Dar-ul-Qaza Swat

*[Signature]*

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4. So, we, in the circumstances, would treat this petition as representation and would send the same to the department/respondents to decide it within a period of one month.

This petition is disposed of in above terms.

SD - *Muzhar Khan (Chairman)*

Announced. SD - *ASSADULLAH KHAN*  
Dt: 23.11.2012. JUDGE

*ASSADULLAH KHAN*  
JUDGE

S.No. 201  
Name of Applicant *[Signature]*  
Date of Filing 17-01-13  
Date of Court 17-01-13  
No. of Cases 30  
Fee Paid 6/-  
Date of Registry 17-01-13

Office  
22/11

CAUTION

*[Signature]*

Peshawar High Court, Bench No. 10, Bar at Qaza, Swat  
Authorized Under Article 21 of Constitution of Pakistan

17-01-13



WAKALAT NAMA

IN THE COURT OF

K.P.K. Senevi

Khanud Ramda

Appellant(s)/Petitioner(s)

Gout elr

Respondent(s)

VERSUS

I/We \_\_\_\_\_ do hereby appoint  
**Mr. Khaled Rehman, Advocate** in the above mentioned case, to do all or  
any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this \_\_\_\_\_

Attested & Accepted by

Khaled Rehman,  
Advocate, Peshawar.

[Signature]  
Signature of Executants

[Signature]

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

*Service Appeal No. 172 /2014.*

Khair Ur Rehman Ex-SI District Police, Swat District Swat.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General of Police, Malakand Region, Saidu Sharif Swat.
3. The District Police Officer, Swat.

Respondents.

WRITTEN REPLY ON BEHALF OF RESPONDENTS.

1. Preliminary Objections.

1. That the appellant has got no Cause of action and locus standi to file the present appeal.
2. That the appeal is bad due to misjoinder and nonjoinder of necessary parties.
3. That the appeal is time barred.
4. That the appellant is estopped by his own conduct to file the instant appeal.
5. That the appellant has not come to the Tribunal with clean hands.
6. That this Hon'ble Tribunal has got no jurisdiction to entertain the present appeal.
7. That the instant appeal is not maintainable in its present form.
8. That the appellant concealed the material facts from this Hon'ble Tribunal.
9. That the appellant has been estopped by his own conduct to file the appeal.

2. REPLY ON FACTS.

1. Para No. 1 of appeal, pertain to service record, hence needs no comments.
2. Para No. 2 of appeal is correct, to the extent that appellant has been served with charge sheet and summary of allegation, but the same were based on facts and for the purpose of securitizing the conduct of appellant. Proper departmental enquiry was conducted through DSP/Barikot, Swat. After the receipt of recommendations from Enquiry Officer the competent authority keeping in view the nature of charges, awarded the punishment of compulsory retirement from the service, which is according to law and rules.
3. Para No. 3 of appeal is correct to the extent that DSP Saleem Khan Jadoon in his finding report declared him innocent, but the competent authority was not agreed with the finding report of DSP Barikot and order for denovo enquiry and DSP Yousaf Ali Khan was appointed as enquiry officer. During enquiry the EO recorded the statements of concerned official/officer. The EO in his finding report held him responsible and recommended for suitable punishment. After completion of codel formalities of the enquiry the appellant was found guilty and respondent No. 3 compulsory retired the appellant from service, which is according to law and rules.
4. Para No 4 of appeal is correct to the extent of imposition of major punishment of compulsory retirement, however after receipt of enquiry report the competent authority gone through the enquiry report and also heard the appellant in person in Orderly room but.

could not produce any cogent evidence in his defence to prove his innocence. Hence the appellant was compulsory retired from service by the respondent No. 3 vide OB No. 211 dated 23-12-2013, which is according to law and rules.

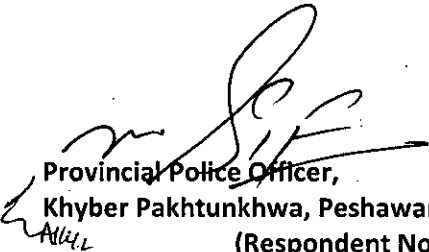
5. Para No. 5 of appeal is correct to the extent that appellant filed departmental appeal before the respondent No. 2 which was filed vide Letter No. 1112-13/E, dated 06-02-2014.


**GROUND.**

- a. Incorrect, appellant was treated in accordance with Law and Rules.
- b. Incorrect, the charges against the appellant were of serious in nature and the respondent has taken a lenient view by awarding major punishment of compulsory retirement.
- c. Incorrect, the competent authority has satisfied himself and after personal hearing of appellant major penalty was imposed, however the recommendations of Enquiry Officer are not binding upon the competent authority.
- d. Incorrect, proper departmental enquiry was conducted against the appellant and proper opportunity of defence was provided but the appellant could not prove himself as innocent.
- e. Incorrect, reply already given in para above.
- f. Incorrect, reply already given in para above.
- g. Incorrect, proper opportunity of hearing was provided to the appellant and all codel formalities were fulfilled.
- h. Incorrect, the respondents by keeping in view the long service of appellant had already taken lenient view and thereby awarded major punishment of compulsory retirement.
- i. Incorrect, the charges against appellant has been provided.
- j. Incorrect, being irrelevant.

The respondents also offered some additional grounds during the course of arrangement.

It is therefore prayed that the appeal of appellant may kindly be dismissed with cost being devoid of merits and without any legal substance.

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

2)   
Deputy Inspector General of Police,  
Malakand Region Saidu Sharif Swat  
(Respondent No. 2)

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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No. 172 /2014.

Khair Ur Rehman Ex-SI District Police, Swat District Swat.

Appellant


VERSUS

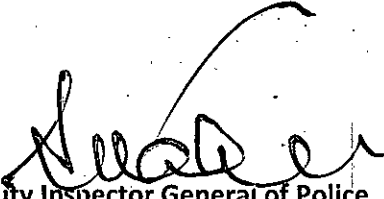
- 1) Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2) The Deputy Inspector General of Police, Malakand Region, Saidu Sharif Swat.
- 3) The District Police Officer, Swat.

Respondents.

POWER OF ATTORNEY.

We, the undersigned No. 1 to 3.do hereby appoint Muhammad Ayaz DSP Legal Swat as special representative on our behalf in the above noted appeal. He is authorized to represent us before the Tribunal on each and every date fixed and to assist the Govt: Pleader attach to Tribunal in Submission of record.

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

2)   
 Deputy Inspector General of Police,  
 Malakand Region Saidu Sharif Swat  
 (Respondent No. 2)

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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No. 172 /2014.

Khair Ur Rehman Ex-SI District Police, Swat District Swat.

Appellant

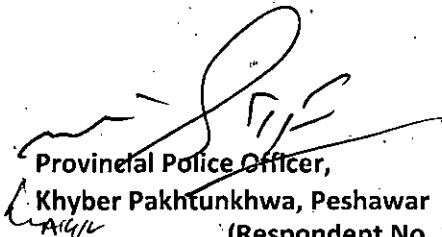
VERSUS

- 1) Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2) The Deputy Inspector General of Police, Malakand Region, Saidu Sharif Swat.
- 3) The District Police Officer, Swat.

Respondents.

AFFIDAVIT:-

We the above respondents do hereby solemnly affirm on oath and declare that the contents of the appeal are correct/true to the best of our knowledge / belief and nothing has been kept secret from the honourable Service Tribunal Khyber Pakhtunkhwa, Peshawar.

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

2)   
Deputy Inspector General of Police,  
Malakand Region Saidu Sharif Swat  
(Respondent No. 2)

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



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR****Service Appeal No. 172 /2014**

Khair-ur-Rahman.....Appellant

Versus

The PPO and others.....Respondents

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**REJOINDER 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:-

- I. That valuable rights of the appellant have been infringed through the impugned orders which have been challenged through the instant appeal under the law, therefore, appellant has got a strong cause of action and for that matter locus standi to file the instant appeal.
- II. That 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.
- III. That the appeal is within time.

- IV&IX. That appellant has challenged the impugned order within the meaning of Section-4 of the Khyber Pakhtunkhwa Service Tribunal Acts, 1974. It is a settled principle that estoppel does not operate against the law.
- V. That appellant has approached the Hon'ble Tribunal with a bonafide claim inas much as he has been treated in violation of the law.
- VI. That being a matter relatable to the terms and conditions of service, the Service Tribunal has got exclusive jurisdiction in the matter.
- VII. That all codal formalities as per the Khyber Pakhtunkhwa Service Tribunal Act, 1974 have been complied with and therefore the appeal is in its correct form and shape.
- VIII. That all the facts relevant for the disposal of the instant appeal concisely have been incorporated in the appeal and nothing has been concealed from the Hon'ble Tribunal.

**Facts:**

1. Being not replied hence admitted.
2. Incorrect. The allegations were altogether ill-founded. Moreover, the departmental enquiry was also conducted in an improper manner. No material was available in support of the allegations, therefore, the Enquiry Officer declared the appellant as innocent and recommended the

filing of the enquiry but inspite of the recommendations, the impugned order was unlawfully issued which is against the law.

3. Incorrect. Once the Enquiry Officer exonerated the appellant then no justification arose to order another enquiry. Moreover, no denovo enquiry has been conducted nor any statements have been recorded nor appellant is aware of any such enquiry or statements, therefore, the same are not binding.
4. Misconceived. Without Show Cause Notice and personal hearing, the impugned orders were passed in a highly illegal manner which has resulted in serious miscarriage of justice.
5. Being admitted needs no further clarification.

**Grounds:**

- A. Incorrect. The appellant was not treated in accordance with law and rules on the subject.
- B. Incorrect. The allegations were without any legal basis nor the same were established, therefore, the imposition of major penalty is without lawful authority and hence not maintainable.
- C. Misconceived. No opportunity of personal hearing has been provided to the appellant. The recommendations of the Enquiry Officer are binding upon the competent authority.
- D. Misconceived. The Departmental enquiry has been conducted irregularly and in violation of the rules,

therefore, no punishment can be based upon the same.

E&F. Being not replied hence admitted.

G. Incorrect. No opportunity of personal hearing as well as defence was given to the appellant nor other formalities have been complied with.

H. Misconceived. No leniency has been shown to the appellant inas much as major penalty of compulsory retirement has been imposed upon the appellant.

I&J. Incorrect hence denied.

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

Through

Appellant

**Khaled Rahman**  
Advocate, Peshawar

Dated: 18/04/2014

**Affidavit**

I, Khaled Rahman, Advocate, as per instructions of my client, do hereby affirm and declare on oath that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 172 /2014

Khair-ur-Rahman.....Appellant

Versus

The PPO and others.....Respondents

**REJOINDER 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:-

- I. That valuable rights of the appellant have been infringed through the impugned orders which have been challenged through the instant appeal under the law, therefore, appellant has got a strong cause of action and for that matter locus standi to file the instant appeal.
- II. That 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.
- III. That the appeal is within time.

- IV&IX. That appellant has challenged the impugned order within the meaning of Section-4 of the Khyber Pakhtunkhwa Service Tribunal Acts, 1974. It is a settled principle that estoppel does not operate against the law.
- V. That appellant has approached the Hon'ble Tribunal with a bonafide claim inas much as he has been treated in violation of the law.
- VI. That being a matter relatable to the terms and conditions of service, the Service Tribunal has got exclusive jurisdiction in the matter.
- VII. That all codal formalities as per the Khyber Pakhtunkhwa Service Tribunal Act, 1974 have been complied with and therefore the appeal is in its correct form and shape.
- VIII. That all the facts relevant for the disposal of the instant appeal concisely have been incorporated in the appeal and nothing has been concealed from the Hon'ble Tribunal.

**Facts:**

1. Being not replied hence admitted.
2. Incorrect. The allegations were altogether ill-founded. Moreover, the departmental enquiry was also conducted in an improper manner. No material was available in support of the allegations, therefore, the Enquiry Officer declared the appellant as innocent and recommended the

filing of the enquiry but inspite of the recommendations, the impugned order was unlawfully issued which is against the law.

3. Incorrect. Once the Enquiry Officer exonerated the appellant then no justification arose to order another enquiry. Moreover, no denovo enquiry has been conducted nor any statements have been recorded nor appellant is aware of any such enquiry or statements, therefore, the same are not binding.
4. Misconceived. Without Show Cause Notice and personal hearing, the impugned orders were passed in a highly illegal manner which has resulted in serious miscarriage of justice.
5. Being admitted needs no further clarification.

**Grounds:**

- A. Incorrect. The appellant was not treated in accordance with law and rules on the subject.
- B. Incorrect. The allegations were without any legal basis nor the same were established, therefore, the imposition of major penalty is without lawful authority and hence not maintainable.
- C. Misconceived. No opportunity of personal hearing has been provided to the appellant. The recommendations of the Enquiry Officer are binding upon the competent authority.
- D. Misconceived. The Departmental enquiry has been conducted irregularly and in violation of the rules,

therefore, no punishment can be based upon the same.

E&F. Being not replied hence admitted.

G. Incorrect. No opportunity of personal hearing as well as defence was given to the appellant nor other formalities have been complied with.

H. Misconceived. No leniency has been shown to the appellant inas much as major penalty of compulsory retirement has been imposed upon the appellant.

I&J. Incorrect hence denied.

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

Through .

Appellant

Khaled Rahman  
Advocate, Peshawar

Dated: 18/04/2014

Affidavit

I, Khaled Rahman, Advocate, as per instructions of my client, do hereby affirm and declare on oath that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Dependent



Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 172/2014

Khair ur Rahman Ex-SI District Police Swat.

(Appellant)

VERSUS


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer, at Malakand Saidu Sharif, Swat.
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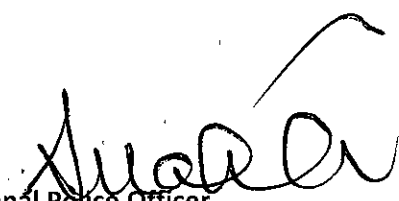
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Service Appeal No. 173/2014

Tahir Usman EX-SI District Police Swat.

(Appellant)

VERSUS

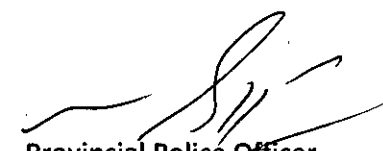
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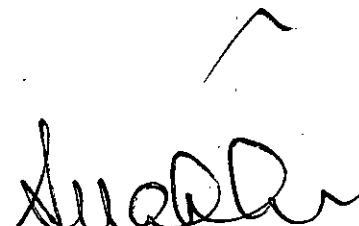
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Service Appeal No. 174/2014

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(Appellant)

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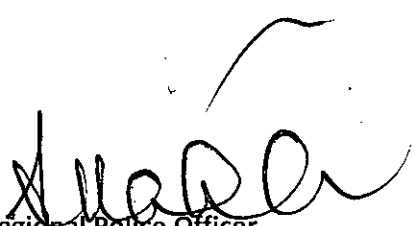
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Service Appeal No. 175/2014

Sher Muhammad Ex SI District Police Swat.

(Appellant)

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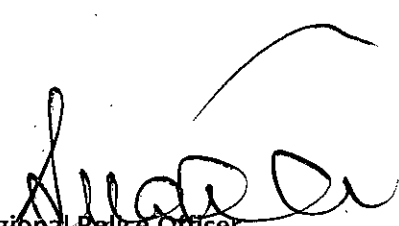
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 176/2014

Dawar Khan Ex ASI District Police Swat.

(Appellant)

VERSUS


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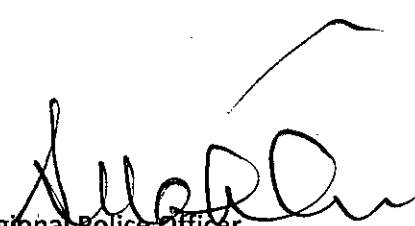
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Service Appeal No. 177/2014

Zarin dad Shah Ex ASI District Police Swat.

(Appellant)

VERSUS

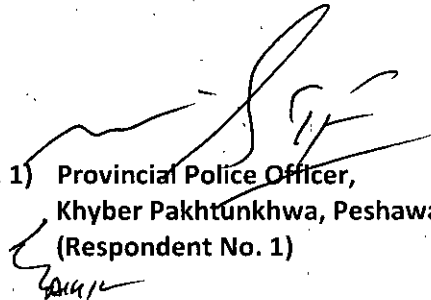
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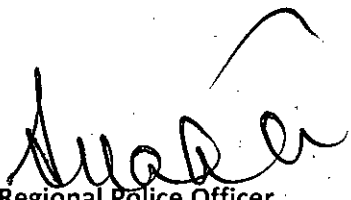
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 178/2014

Saifullah Ex ASI District Police Swat.

(Appellant)

VERSUS

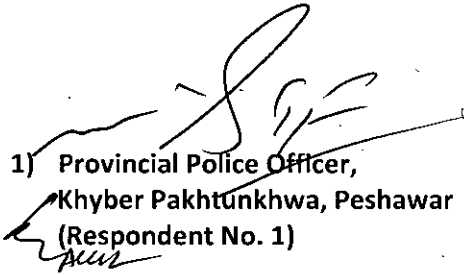
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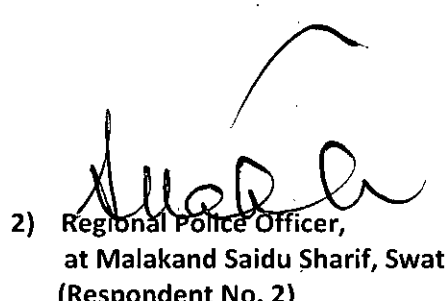
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 179/2014

Anwar Bacha Khan Ex ASI District Police Swat.

(Appellant)

VERSUS


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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 180/2014

Ali Bacha Khan Ex ASI District Police Swat.

(Appellant)

VERSUS

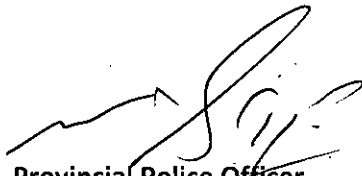
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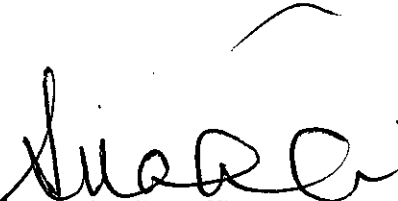
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 181/2014

Farman Ali Ex HC District Police Swat.

(Appellant)

VERSUS


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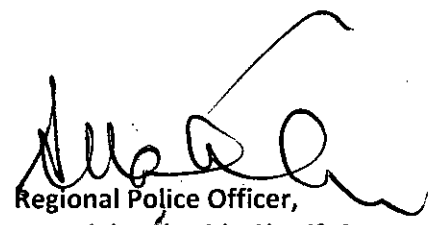
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 172/2014

Khair ur Rahman Ex-SI District Police Swat.

(Appellant)

VERSUS


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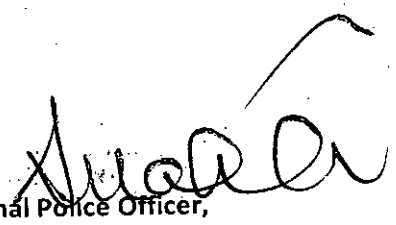
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 173/2014

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(Appellant)

VERSUS


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Service Appeal No. 174/2014

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(Appellant)

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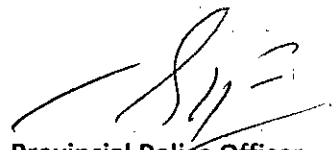
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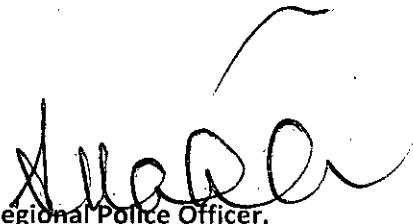
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 175/2014

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(Appellant)

VERSUS

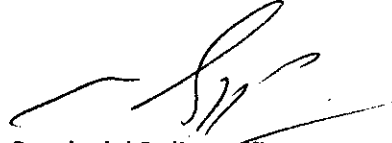
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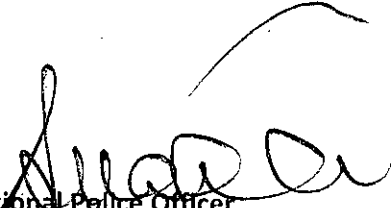
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Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 176/2014

Dawar Khan Ex ASI District Police Swat.

(Appellant)


VERSUS

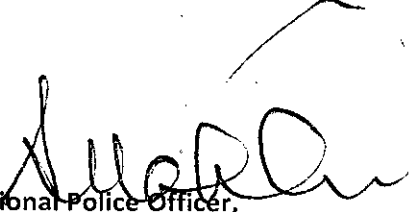
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Service Appeal No. 177/2014

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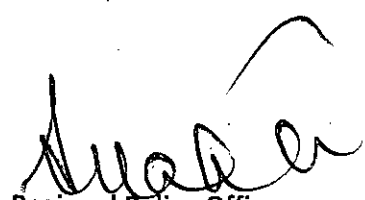
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(Respondent No. 3)



Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 178/2014

Saifullah Ex ASI District Police Swat.

(Appellant)

VERSUS

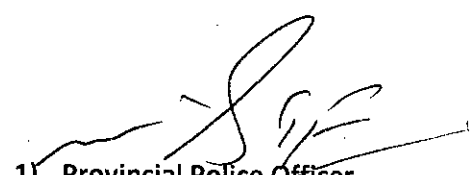
1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer, at Malakand Saidu Sharif, Swat.
3. District Police Officer, Swat.

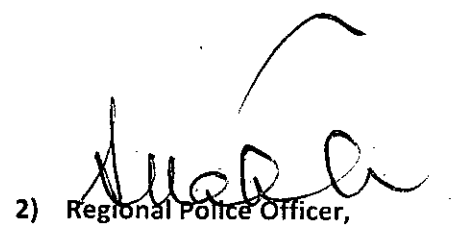
(Respondents)

REPLY ON BEHALF OF RESPONDENTS ON STAY APPLICATION.

1. No comments
2. Incorrect all the three ingredients for suspension/stay of the impugned order are in favour of respondents and reply to the main appeal may kindly be considered integral part of the reply.
3. Incorrect as per Para 02. If the impugned order is suspended the public at this large Will face irreparable loss.

It is therefore requested that the application may kindly be dismissed with cost.

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

  
2) Regional Police Officer,  
at Malakand Saidu Sharif, Swat.  
(Respondent No. 2)

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

Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 179/2014

Anwar Bacha Khan Ex ASI District Police Swat.

(Appellant)

VERSUS


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer, at Malakand Saidu Sharif, Swat.
3. District Police Officer, Swat.


(Respondents)

REPLY ON BEHALF OF RESPONDENTS ON STAY APPLICATION.

1. No comments
2. Incorrect all the three ingredients for suspension/stay of the impugned order are in favour of respondents and reply to the main appeal may kindly be considered integral part of the reply.
3. Incorrect as per Para 02. If the impugned order is suspended the public at this large Will face irreparable loss.

It is therefore requested that the application may kindly be dismissed with cost.

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

  
2) Regional Police Officer,  
at Malakand Saidu Sharif, Swat.  
(Respondent No. 2)

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

Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 180/2014

Ali Bacha Khan Ex ASI District Police Swat.

(Appellant)

VERSUS

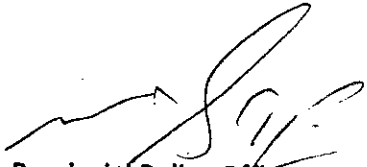
1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer, at Malakand Saidu Sharif, Swat.
3. District Police Officer, Swat.


(Respondents)

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It is therefore requested that the application may kindly be dismissed with cost.

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

  
2) Regional Police Officer,  
at Malakand Saidu Sharif, Swat.  
(Respondent No. 2)

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

Before the Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 181/2014

Farman Ali Ex HC District Police Swat.

(Appellant)

VERSUS


1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer, at Malakand Saidu Sharif, Swat.
3. District Police Officer, Swat.

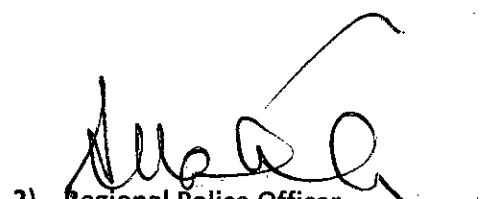
(Respondents)

REPLY ON BEHALF OF RESPONDENTS ON STAY APPLICATION.

1. No comments .
2. Incorrect all the three ingredients for suspension/stay of the impugned order are in favour of respondents and reply to the main appeal may kindly be considered integral part of the reply.
3. Incorrect as per Para 02. If the impugned order is suspended the public at this large will face irreparable loss.

It is therefore requested that the application may kindly be dismissed with cost.

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

  
2) Regional Police Officer,  
at Malakand Saidu Sharif, Swat.  
(Respondent No. 2)

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2012

Khair-ur-Rahman.....Applicant/Appellant.

Versus

The Govt. and others.....Respondents

APPLICATION FOR EARLY HEARING.

Respectfully Sheweth,

1. That the above titled Service Appeal is pending before the Hon'ble Tribunal and is fixed for hearing on 06.08.2014.

2. That the date fixed is too far whereas the applicant/appellant is without any means of livelihood since the impugned order and is the sole supporter of a large family due to which the applicant and his family has landed in dire financial crises.

That due to the reason stated above it is in the interest of justice to accelerate the date to an earlier date so that the instant appeal be disposed of at the earliest.

It is, therefore, humbly prayed that on acceptance of this application, the titled service appeal may graciously be fixed as early as possible.

Through

Applicant/Appellant

Khaled Rahman,  
Advocate, Peshawar

Dated: 9/06/2014

*Put up to the Court with relevant appeal.*

*Reader concerned.*

*9/6/14*

*Due to long pendency, case coming for adjournment for date. Regretted.*

*17/06/14*

Service Appeal No. \_\_\_\_\_/2012

Khair-ur-Rahman.....Applicant/Appellant.

Versus

The Govt. and others.....Respondents

**APPLICATION FOR EARLY HEARING.**

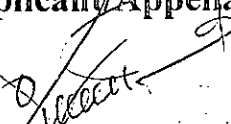
Respectfully Sheweth,

*Put up to the Court with relevant appeal.  
Leader concerned. 9/6/14*

1. That the above titled Service Appeal is pending before the Hon'ble Tribunal and is fixed for hearing on 06.08.2014.
2. That the date fixed is too far whereas the applicant/appellant is without any means of livelihood since the impugned order and is the sole supporter of a large family due to which the applicant and his family has landed in dire financial crises.
3. That due to the reason stated above it is in the interest of justice to accelerate the date to an earlier date so that the instant appeal be disposed of at the earliest.

It is, therefore, humbly prayed that on acceptance of this application, the titled service appeal may graciously be fixed as early as possible.

Through

Applicant/Appellant  
  
 Khaled Rahman,  
 Advocate, Peshawar

Dated: 9 /06/2014

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 400 /ST

Dated 26 / 03 / 2015


To

The DPO,  
Swat

Subject: - APPEAL NO. 172 TO 181/2014 KHAIR UR RAHMAN VS PPO PESHAWAR  
AND OTHERS.

I am directed to forward herewith a certified copy of Judgement dated 19.03.2015 passed by this Tribunal on subject appeal for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.