

S.No. Of Order or proceedings	Date of Order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
	3.6.2015	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>CAMP COURT SWAT</u></p> <p style="text-align: center;">APPEAL NO. 1031/2013</p> <p>(Zia-ur-Rahman-vs-PPO, Khyber Pakhtunkhwa and two others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u></p> <p>Counsel for the appellant and Mr. Khawas Khan, S.I (legal) alongwith Mr. Anwar-ul-Haq, Govt. Pleader for respondents present.</p> <p>Appellant Zia-ur-Rahman has preferred the instant appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against orders dated 27.4.2013 and 13.6.2013 vide which he was discharged from service due to his involvement in theft of various articles including Mobile sets etc and cash amount of Rs. 760/-.</p> <p>Brief facts of the case of the appellant are that the appellant was charged for stealing mobile sets, shoes worth Rs. 800/- and cash of Rs. 760/-.The inquiry committee recommended the appellant for discharge from service under Police Rule12-21 which recommendations were approved by DPO Swat. Aggrieved from the said findings, the appellant preferred departmental appeal which was rejected on 13.6.2013.</p> <p>We have heard the arguments of learned counsel for the parties and perused the record.</p> <p>Record placed before us, Annexure-A (Page-6), is order sheet which contains allegations, recommendations of inquiry committee and approval of the same by the DPO. So far as other details of the said</p>

~~AS~~
03.06.15

inquiry are concerned, the same are either not available with the respondents or no other inquiry proceedings were carried out in the instant case.

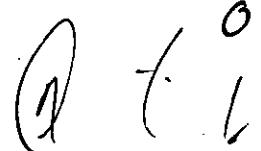
We have failed to appreciate mode and manners adopted by the authority for proceedings against the appellant as only allegations in the shape of five lines are reproduced where-after inquiry committee has given two lines recommendations for discharge from service of the appellant under Police Rule 12-21 which recommendations were just "approved" by the authority.

The departmental authority has not written any elaborative or speaking order. Moreover, no orders of constituting inquiry committee are available on the record and above all no opportunity of hearing whatsoever was extended to the appellant who has been discharged from service on very serious charges of theft.

In view of the above, we accept the instant appeal, set-aside the impugned order of discharge of appellant from service under Police Rule 12-21 and reinstate him in service and would direct that before proceedings against the appellant, the departmental authority shall afford him appropriate opportunity of hearing where-after the departmental authority shall pass orders deemed appropriate. The enquiry be proceeded with expeditiously but not later than two months. The appeal is accepted in the above manners, with no order as to costs. File be consigned to the record.

ANNOUNCED
3.6.2015


(Muhammad Azim Khan Afridi)
Chairman


(Abdul Latif)
Member

8.4.2015

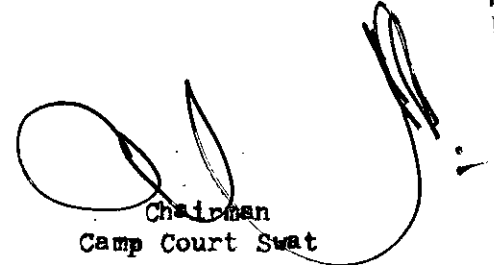
Counsel for the appellant and Mr. Khawas Khan, SI (legal) alongwith Mr. Muhammad Farooq Ahmad, Addl: G.P for respondents present. Arguments could not be heard due to non-availability of D.B. To come up for final hearing before D.B on 3/6/2015 at Camp Court-Swat.


Chairman
Camp Court Swat

9-

5.8.2014

Counsel for the appellant (Mr. Imdadullah, Advocate) and Mr. Khawas Khan, S.I (legal) for respondents with Mian Amir Qadir, G.P present. Arguments could not be heard due to incomplete Bench. To come up for arguments at camp court Swat on 7.11.2014.

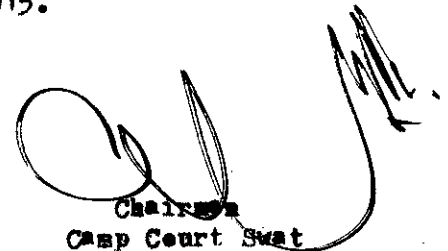


Chairman
Camp Court Swat

10-

7.11.2014

Counsel for the appellant (Mr. Imdadullah, Adv.) and Mr. Khawas Khan, S.I (legal) on behalf of respondents with Mr. Anwar-ul-Haq, G.P present. Arguments could not be heard due to incomplete Bench. To come up for arguments at camp court Swat on 3.2.2015.



Chairman
Camp Court Swat

11. 03.02.2015

Counsel for the appellant and Mian Amir Qadir, G.P for respondents present. Due to incomplete Bench arguments could not be heard. To come up for final hearing/arguments before D.B on 8.4.2015 at camp court Swat.



Chairman
Camp Court Swat

2
7.4.2014

Appellant with counsel (Mr.Imdadullah, Advocate) and Mr.Khawas Khan, S.I(legal) with Mr.Muhammad Zubair, Sr.GP for the respondents present. Rejoinder has not been received, and learned counsel for the appellant requested for a direction to the respondents to produce proper order dated 27.4.2013, which, according to the learned counsel for the appellant, has not been received by the appellant so far. Representative of the respondents is directed accordingly. To come up for production of the requisite record and rejoinder at camp court Swat on 5.5.2014.


Chairman
Camp Court Swat

8- 5.5.2014

Appellant in person and Mr.Khawas Khan, S.I(legal) for respondents with Mr.Muhammad Zubair, Sr.GP present. Rejoinder received on behalf of the appellant, copy whereof is handed over to the learned Sr.GP for arguments. Record of the case available with representative of the respondents does not reveal issuance of proper order by the competent authority. To come up for arguments at camp court Swat on 5.8.2014.


Chairman
Camp Court Swat

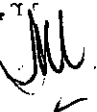
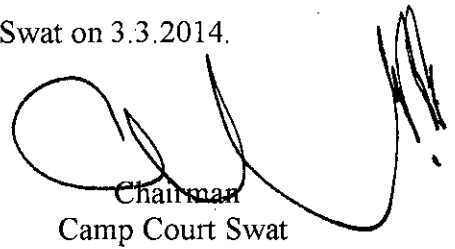


5-

03.02.2014

Appellant with counsel and Mr.Khawas Khan, S.I(legal) with Mian Amir Qadir, G.P for the respondents present. Preliminary arguments heard. The learned counsel for the appellant argued that on the charge of theft of mobile sets and selling government shoes, the appellant was discharged from service under Police Rules 12-21 by the competent authority i.e. DPO Swat (Respondent No.3) on the office notice without making a formal order under the law and serving the same on the appellant. The learned counsel further contended that the appellant preferred appeal to the D.I.G of Police, Malakand Range, which too was filed by the latter and conveyed by the office Superintendent to the DPO Swat vide memo dated 13.6.2013, hence this appeal on 1.7.2013. The appellant has mainly assailed both the impugned orders on the grounds that the impugned action taken ^{against} him is the result of proceedings conducted in a mechanical manner without affording him opportunity of defence and hearing and that there was no evidence/proof against him to warrant imposition of the harsh penalty of discharge from service. The points raised at the Bar need consideration. Admit. Process fee & security be deposited within 10 days. There-after, notices be issued to the respondents for written reply/comments at camp court Swat on 3.3.2014.

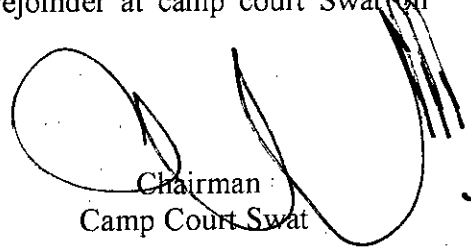
Appellant Deposited
Security & Process Fee
Rs. 100/- Bank
Receipt is Attached with File.



 Chairman
Camp Court Swat

6-

3.3.2014

Appellant in person and Mr.Khawas Khan, S.I(legal) on behalf of respondents with Mr.Muhammad Zubair, Sr.GP present. Written reply received on behalf of the respondents, copy whereof is handed over to the appellant for rejoinder at camp court Swat on 7.4.2014.


 Chairman
Camp Court Swat

3-

23.9.2013

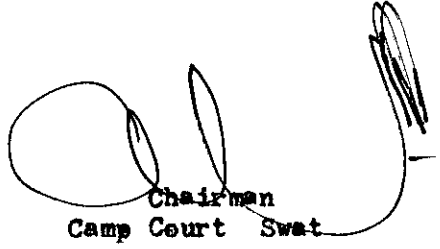
No one is present on behalf of the appellant. To come up for preliminary hearing at camp court Swat on 02.12.2013.


Chairman

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02.12.2013


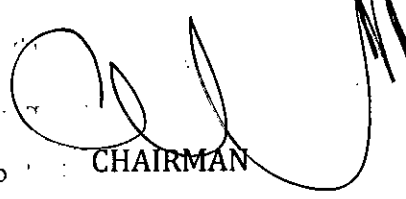

Appellant with counsel (Mr. Imdadullah, Advocate) present and heard. The appellant has made available only order sheet whereby the office had recommended discharge of the appellant from service under police rules 12.21 which was approved by the competent authority i.e. DPO Swat, and the learned counsel for the appellant stated that beside the order sheet, the appellant did not receive any formal order regarding his discharge from service. In view of the submission of the learned counsel for the appellant, a pre-admission notice be issued to the respondents for production of complete record, including formal order of the competent authority, for further preliminary hearing at camp court Swat on 3.2.2014.


Chairman
Camp Court Swat

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1031 /2013

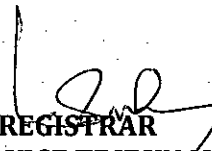
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	04/07/2013	<p>The appeal of Mr. Zia-ur-Rehman resubmitted today by Mr. Aziz-ur-Rehman Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-7-13	<p>This case is entrusted to touring Bench Swat for preliminary hearing to be put up there on <u>12-08-2013</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	7.8.2013	<p>Due to Eid-ul-Fitar, case is adjourned for proceedings as before, on 23.9.2013</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr.Zia-ur-Rehman Ex-Constable No: 3175 received today i.e. on 01.07.2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal may be got singed by the appellant.
- 2- Copy of Impugned order dated 27.4.2013 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 3- Copies of charge sheet, statement of allegations, Show Cause Notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.

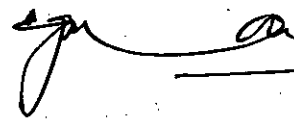
No. 973 /S.T,

Dt. 01/07/ /2013.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Aziz-ur-Rehman Advocate Swat.

Sir,
Resubmitted with the request that annexing of the documents may very kindly be waived off as per the rules as the department is not providing the copies of the same. moreover the appeal is dated. The case may very kindly be placed before the Honourable Bench.


Adv

Dated 2nd July, 2013.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service appeal 1031 of 2013

Zia-ur-Rahman

...Appellant

VERSUS

The P.P.O. K.P. and Others

...Respondents

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5.	Copy of the order	C	10
6.	Vakalat Nama	11

Appellant through



AZIZ-UR-RAHMAN

ADVOCATE SWAT

Office: Khan Plaza, Gulshan Chowk,
G.T. Road, Mingora, District Swat.

Cell No. 0300-9070671

①

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1031 of 2013

Zia-ur-Rahman Ex-Constable No. 3175 Javid Iqbal
Shaheed Police Line, District Swat.

...Appellant

VERSUS

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

...Respondents

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order of the respondent No. 2 bearing No. 4048/E dated Saidu Sharif, the 13/06/2013 whereby the appeal of the appellant against the order of the respondent No. 3 bearing OB No. 75 dated 27-04-2013 was rejected in a whimsical manner against the law, facts and Shariah.

Prayer:

That on acceptance of this appeal both the impugned orders of the respondents No. 2 and 3 be set aside and the appellant reinstated into service with all consequential benefits.

Respectfully Sheweth:

Facts:

- i. That the appellant joined the Police Force on the reserved quota of Shaheed being real brother of the Shaheed.
- ii. That the appellant was a regular employee of the Police Force and performed his duties and obligations to the satisfaction of the authorities without any complaints.
- iii. That the appellant has successfully completed his training and efficiently performed his duties till his removal from the service.
- iv. That while posted at Javid Iqbal Shaheed Police Line the appellant was allegedly charged for the theft of various objects, which was a baseless and frivolous allegation and needed solid evidence under the law to be substantiated.
- v. That a nominal inquiry was conducted against the appellant and that too with a predecided result.
- vi. That in light of the shame inquiry the appellant was removed from service vide impugned order of the respondent No. 3, which though is not an independent order. Copy of the order is enclosed as Annexure "A".
- vii. That the appellant feeling aggrieved of the order of the respondent No. 3 filed an appeal to the respondent No. 2, which was also rejected in a very whimsical and mechanical manner against

the law, rules, facts and Shariah. Hence this appeal on the following grounds. Copy of the appeal is enclosed as Annexure "B" and that of the order as Annexure "C".

Grounds:

- a. That the appellant has not been dealt with in accordance with the law and his vested rights have infringed.*
- b. That the appellant has never been associated with the inquiry proceedings and the same was conducted at his back.*
- c. That the respondents have used their authority in a very colorful and mechanical manner to the detriment of the appellant.*
- d. That previous service record and good charter of the appellant was completely ignored and the respondents have imposed a very harsh penalty on the appellant without and that too any solid evidence.*
- e. That the appellant has not committed any act of omission or commission which may constitute any offence under any law.*
- f. That the appellant has remained jobless from his removal till date.*

It is, therefore, very respectfully prayed that on acceptance of this appeal both the impugned orders

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may very kindly be set aside being void and
reinstate the appellant into service with all the
consequential benefits.

Any other relief deemed appropriate in the
circumstances may also very kindly be granted.

Appellant

Zai-ur-Rahman

Through Counsels,

[Signature]
Aziz-ur-Rahman

[Signature]
Imdad Ullah

Advocates Swat

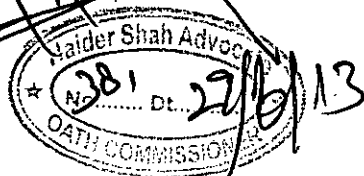
Affidavit:

It is stated on Oath that all the contents of this
appeal are true and correct to the best my knowledge
and belief and nothing has been either misstated or
concealed thereto.

Deponent

[Signature]
Zai-ur-Rahman

ATTESTED



5

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2013.

Zia-ur-Rahman Ex-Constable No. 3175 Javid Iqbal
Shaheed Police Line, District Swat.

...Appellant

VERSUS

The Provincial Police Officer Khyber Pakhtunkhwa
and Others.

...Respondents

ADDRESSES OF THE PARTIES

Appellant:

Zia-ur-Rahman Ex-Constable No. 3175 Javid Iqbal
Shaheed Police Line, District Swat.

Respondents:

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

Appellant Through,


Aziz-ur-Rahman

Advocate Swat

6

OFFICE OF THE DISTRICT POLICE OFFICER SWAT

**ORDER SHEET IN CONNECTION WITH ENQUIRY AGAINST
CONSTABLE ZIA-UR-RAHMAN NO. 3175.**

ALLEGATION:-

That the Constable Zia-ur -Rahman No. 3175 while posted to JIS Police Lines, Swat , theft of various articles i.e. Mobile Seats, Government shoes, and sold worth Rs.800/- wherein cash of Rs.760/- were recovered from you which shows your inefficiency and lack of interest in performing of Govt: duty on your part.

**RECOMMENDATION OF
ENQUIRY COMMITTEE:-**

The Enquiry Officer DSP/Head Quarters, Swat in his finding report dated 23/02/2013, recommended for Discharge from service under Police Rule 12-21.

Submitted please.

E.C

12/03/2013

O/S

FINAL DECISION

BY DPO SWAT:-

Enq, Submitted for orders please

14/03/13

WDPO/Swat.

*E.C
Spall
15-9*

Annexure "A"

Amith

*G.S. No-75
27.4.13*

ATTESTED

Advocate

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27-04-2013

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۱۱۔ ایک سائل (اسرائیل) نے پوچھا کہ "سلطان حسن مذکور" کے حوالے سے کیا صورتحال ہے؟ اس سائل نے پوچھا کہ یہ سائل کیا تھا۔ اس اعزاز سے۔ ان کے حضور

۱۲۔ مقررہ سالہ پیش رو اختراعات و ایجادات کے سائل کو سائل کے لئے لولہ (لٹرن) میں حافز سے پوچھا گیا اور یہ سائل کے لئے حافز سے پوچھا گیا۔

۱۳۔ ایک سائل (اسرائیل) نے پوچھا کہ "باصلاحیت" کے لئے کیا ہے؟ سائل نے پوچھا کہ "متعلقہ حکام کو" دیکھا اور یہ سائل (اسرائیل) میں ہے، جے بی اے دے سکتا ہے، دیکھیں کہ یہ سائل کے لئے کیا ہے؟ اور یہ سائل کو آخر کار نوٹ سے درخواست کر دیا گیا۔

۱۴۔ ایک سائل (عاطل بالغ) نے پوچھا کہ "اور یہ سائل" کے لئے کیا ہے؟ سائل نے پوچھا کہ "خلاف ورزی میں کیا ہے؟" سائل کو ذاتی عناد کی بناء پر متعلقہ حکام نے مدناج کو۔ یہ سائل (B) کے لئے ہے۔ غلط فہمیاں اتلٹر سے نوٹ سے مؤرخ 27-04-2013 کو درخواست کر دیا گیا۔

۱۵۔ ایک سائل کا والد، بیمار، ضعیف اور بیمار، سائل کو سائل کا واحد تعلق ہے، نوٹ سے درخواست کر دیا گیا۔ سائل کو سائل کے لئے درخواست کر دیا گیا ہے۔
کیا یہ صحیح ہے؟

ATTESTED
Advocate

(۱۶) دیر سائل کو شہید بھائی کے اعزاز میں مجبوری سے جس سائل کے ساتھ ذاتی عبادت رکھ کر جسے نایت سائل کے خلاف ہے سید انوار علی نے جس سے سائل تاوقتِ موت سائل کے جبر رکھا گیا تھا اور اس طرح سائل کو نواز کر ہے جو سائل کے شہید بھائی کا اعزاز خان میں ملا دیا گیا۔

(۱۷) سائل کے شہید بھائی سلطان حسین منگوری طرح ملک و ملت کے غائبانہ خدمات سر انجام دینے کا حوزہ ان کے اور سائل کا لیول سے مفروضہ سے و الگ الگ عقیدت ہے۔

لہذا استریک سے منظور کیا گیا ہے
سائل کو جملہ بلاؤں دوبارہ نواز کر کے بحال کرنے، وارڈ مصروفہ 27-04-03
از دفتر سولہ کالعدم و منسوخ قرار دینے کا حکم صادر فرمایا ہے۔

(۱۸) سائل کے شہید بھائی ضیاء الرحمن کے بارے میں
میں سائل نے شہید بھائی کا سائل کے بارے میں

۵۲/۵
۵۱۳

ATTESTED
Advocate

Amir
C
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4255
17/6/13

From : The Regional Police Officer,
Malakand, at Saidu Sharif, Swat.

To : The District Police Officer, Swat.

No. 4048 /E, dated Saidu Sharif, the 13/6/2013.

Subject: APPLICATION FOR RE-INSTATEMENT IN SERVICE.

Memorandum:

Reference your office Memo: No. 6987/E, dated 10/06/2013 on the subject.

Application of Ex- Constable Zia-Ur-Rehman No. 3175 of your District for reinstatement in service has been examined and filed by the worthy Regional Police Chief. The Service Roll and departmental enquiry file received with your office Memo: No. quoted above are returned herewith for record in your office, which may please be acknowledged.

The applicant may be informed accordingly.

Received
Service Roll

14-6-13

EC
for m/c action/Record.

DPO/Swat.
14/06/13

Office Supdt:
For: Regional Police Officer,
Malakand, at Saidu Sharif Swat
Naqi

ATTESTED
Advocate

بعدالت ضابطہ سرکاری گورنمنٹ لکچر اور کلب کو سوانہ

کوٹ فیس	قیمت ایک روپیہ
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مورخہ 25 جون 2013ء منجانب اسپرائڈ

مقدمہ ضابطہ رحمان بنام حکومت

دعویٰ سر و سائیل

جرم

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام ٹیما در کلب کو سوانہ کے لئے / عزیز رحمان ماہ ۱۳ دسمبر ۲۰۱۳ء کو مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق و اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ و ایز کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سب سے ہاگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

صاحب الزمان اسپرائڈ

المرقوم 25 ماہ جون 2013ء

العبد گواہ شدہ العبد
 بمقام لکچر گورنمنٹ کوٹ سوانہ
 Attested and Accepted by
 [Signature]

Befor The Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 1031/2013

Zia Ur Rehman (EX-Constable Belt No. 3175) s/o JIS Police Line District 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)

Respected Sheweth,

1. Preliminary Objections.

1. That the appellant has got no Cause of action and locus standi.
2. That the appeal is time barred.
3. That the appeal is not maintainable in its present form.
4. That the appellant is estopped by his own conduct.
5. That the appeal is bad in its present form.
6. That the appeal is not maintainable due to miss joinder and non joinder of necessary petition.

Comments on behalf of respondents are as under.

Para No. i. Pertains to records need no comments.

Para No. ii. Of appeal is incorrect, appellant during his probation period proved himself an inefficient police official due to involvement in a criminal act of theft of his own colleague which acts did not suit with a member of police force.

Para No. iii. Of appeal is correct, appellant at his initial stage of service proved himself an inefficient police official which resulted in his discharge from service under police rules 12- 21. (12, 21 is enclosed)

Para No. iv. Of appeal is correct to the extent that he has been charge sheeted for commission of theft, but the same charge has been proved during departmental enquiry, while stolen property has also been recovered, which is a solid piece of evidence.

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Para No. vi. Of appeal is correct to the extent that he has been discharged from service, the order is quit legal and of speaking in nature.

Para No. vii. Of appeal is correct to extent that appellant has preferred his departmental appeal, but the same was rejected by competent the authority being devoid of merits.

GROUNDS.

Para No. a. Incorrect, appellant has been treated in accordance with law and rules.

Para No. b. Incorrect, appellant has been associated with enquiry proceeding.

Para No. c. Incorrect, respondents have acted strictly in accordance with law and rules, while no injustice has been done.


2

Para No. d. Incorrect, rely already given.

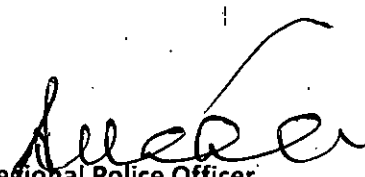
Para No. e. Incorrect, appellant being member of police force involved himself in a criminal case at his initial stage.

Para No. f. Incorrect, being irrelevant.

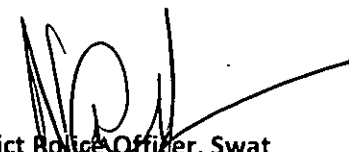
It is therefore requested that the appeal of appellant may very kindly be dismissed being devoid of merits.



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 SERVICES TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1031/2013.

Zia Ur Rehman (EX-Constable Belt No. 3175) s/o JIS Police Line District Swat.


Petitioner/Appellant.

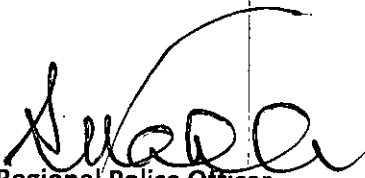
VERSUS

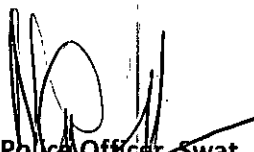
1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
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3. The District Police Officer, Swat

POWER OF ATTORNEY.

We, the undersigned No. 1 to 3 do hereby appoint **Mr. Mohammad Ayaz Khan** 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.


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4

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1031/2013.

Zia Ur Rehman (EX-Constable Belt No. 3175) s/o JIS Police Line District Swat.

Appellant.

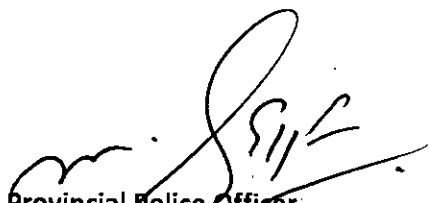
VERSUS

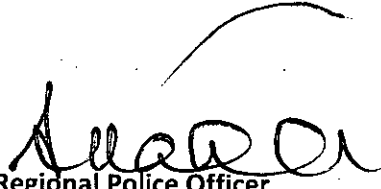
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- 3) The District Police Officer, Swat.

(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 honorable service Tribunal Khyber Pakhtunkhwa, Peshawar.


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(Respondent No. 2)


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

12-20: رنکروٹوں کی بھرتی کی تاریخیں (Recruits--Dates of Enrolment of)

جونہی اور جب موزوں اشخاص میسر آئیں۔ صاحبان سپرنٹنڈنٹ پولیس خود کنٹریبل کی اسامیوں کو پُر کریں گے۔ اگر ضرورت ہو تو بھرتی کرنے والی جماعتیں بھی بھیجی جاسکتی ہیں اور ایسے پولیس افسر کو جو فی الواقع عمدہ رنکروٹ مہیا کرے۔ سفر خرچ کے علاوہ کچھ انعام بھی دینا چاہیے تاہم رنکروٹوں کے بھرتی ہونے کی تاریخوں کو جس قدر ممکن ہو اس بات کا یقین کرنے کے لیے مقرر کیا جائے کہ آدمیوں کی کافی تعداد اسی تاریخ پر بھرتی کی جاتی ہے تاکہ شروع سے اخیر تک مجوزہ نصاب کے مطابق اپنے رنکروٹوں کی ایک ٹریننگ پارٹی بنائی جاسکے۔

12-21: ناقابل اشخاص کی برطرفی (Discharge of inefficient)

اگر کسی کنٹریبل کی نسبت معلوم ہو جائے کہ وہ غالباً قابل پولیس افسر ثابت نہیں ہوگا تو صاحب سپرنٹنڈنٹ اس کو بھرتی سے تین سال کے اندر کسی وقت بلازمت سے علیحدہ کر سکتے ہیں۔ جو حکم برطرفی زیر قاعدہ ہذا جاری کیا جائے گا اس کے خلاف کوئی اپیل نہیں ہو سکے گی۔

کے پھر اس
لر افسر اس
وردی اور

(Rec

جس کا وہ

ئے کہ وہ

پیکر مہتمم

مازمت

لات کو

Before The Service Tribunal Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. 1031/2013

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(Appellant)

VERSUS

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Service Appeal No. 1031/2013.

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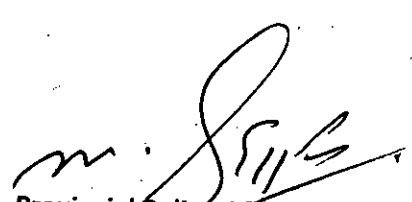
Petitioner/Appellant.


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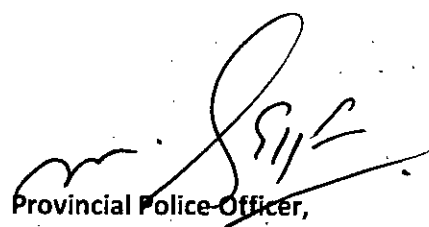
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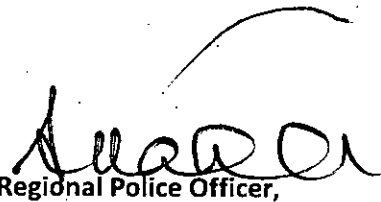
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20: رگروٹوں کی بھرتی کی تاریخیں (Recruits--Dates of Enrolment of)

جو نئی اور جب موزوں اشخاص میسر آئیں۔ صاحبان پرنٹنڈنٹ پولیس خود کنٹریبل کی اسامیوں کو پُر کریں گے۔ اگر ضرورت پڑتی ہے تو ان کے لئے ایسی تاریخیں بھی مقرر کی جاسکتی ہیں اور ایسے پولیس افسر کو جو فی الواقع عمدہ رگروٹ مہیا کرے۔ سفر خرچ کے علاوہ کچھ اور بھی چاہیے تاہم رگروٹوں کے بھرتی ہونے کی تاریخوں کو جس قدر ممکن ہو اس بات کا یقین کرنے کے لیے مقرر کیا جائے کہ ان کی کافی تعداد اسی تاریخ پر بھرتی کی جاتی ہے تاکہ شروع سے اخیر تک مجوزہ نصاب کے مطابق اپنے رگروٹوں کی ایک ٹریننگ پارٹی

21: ناقابل اشخاص کی برطرفی (Discharge of inefficient)

اگر کسی کنٹریبل کی نسبت معلوم ہو جائے کہ وہ غالباً قابل پولیس افسر ثابت نہیں ہوگا تو صاحب پرنٹنڈنٹ اس کو بھرتی سے خارج کر کے اندر کسی وقت ملازمت سے علیحدہ کر سکتے ہیں۔ جو حکم برطرفی زیر قاعدہ ہذا جاری کیا جائے گا اس کے خلاف کوئی اپیل نہیں

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 905 /ST

Dated 9 / 6 / 2015


To

The DPO,
Swat.

Subject: - APPEAL NO 1031/2013 Zia ur Rehman VS PPO PESHAWAR AND OTHERS.

I am directed to forward herewith certified copy of Judgement dated 3.6.2015 passed by this Tribunal on subject appeal for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.