10.07.2020

Junior counsel for the petitioner present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

Implementation report was not submitted. Learned AAG requested for adjournment in order to submit implementation report; granted with direction to submit implementation report on 10.09.2020 before S.B.

Member (J)

10.09.2020

Counsel for the petitioner and Addl. AG alongwith Naeem Hussain, DSP (Legal) for the respondents present.

Learned counsel for the petitioner referred to the order dated 08:01.2020 passed by DPO Chitral and stated that although the petitioner was reinstated into service but the time spent out of service was counted as leave due. In his view the last part of the order was not in line with the judgment under implementation.

Through the judgment in appeal the petitioner was required to be reinstated in service. Simultaneously, the respondents were allowed to conduct denovo enquiry in accordance with rules within ninety days from the receipt of copy of judgment. The issue of back benefits in favour of petitioner was made subject to the outcome of denovo enquiry. In view of this aspect of the matter and the contents of order dated 08.-01.2020 the implementation of judgment under execution appears to have been completed. The proceedings in hand are, therefore, consigned to record. The petitioner shall, however, be at liberty to seek remedy before appropriate forum regarding the issue of back benefits in his favour.

Chairman

Form- A FORM OF ORDER SHEET

Court of		
Execution Petition No	83	/2020

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BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Misc Pett: No. 25 /2020

IN

S.A. No. 1007 / 2016

Saeed Khan

versus

DPO & Others

INDEX

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4.	Compliance letters, 18-09-19 & 23-09-19	"C"	12-13
5.	Enquiry Report dated 29-11-2019	"Ď "	14-17
6.	Reinstatement order dated 08-01-2020	"E"	18

Applicant

Through

Dated: 13.03.2020

(Saadullah Khan Marwat)

Advocate

21-A Nasir Mension, Shoba Bazar, Peshawar.

Ph: 0300-5872676

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Misc Pett: No. <u>83</u> /2020

IN

S.A. No. 1007 / 2016

Versus

Khyber bakhtukhwa Service Tribunal Diany No. 292

Dared 18-3-2020

- 1. District Police Officer, Chitral.
- Regional Police Officer,Malakand Region, Swat.
- 3. Provincial Police Officer,

KP, Peshawar Respondents

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APPLICATION FOR DIRECTION TO RESPONDENTS

TO IMPLEMENT THE JUDGMENT DATED 23-08-2019

OF THE HON'BLE TRIBUNAL PASSED IN APPEAL NO

1007/2016 TO THE EXTENT OF BACK BENEFITS

AND TO INITIATE CONTEMPT OF COURT

PROCEEDINGS AGAINST THE RESPONDENTS FOR

NOT HONORING THE JUDGMENT OF THE HON'BLE

TRIBUNAL:

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Respectfully Sheweth:

- 1. That on 16-09-2016, the applicant filed appeal No. 1007/2016 before the hon'ble Tribunal for reinstatement in service with all back benefits. (Copy as annex "A")
- 2. That the said appeal came up for hearing on 23-08-2019 before this hon'ble Tribunal and after thorough probe, the case was decided with direction to respondents to reinstate applicant in service. However, the respondent department is at liberty to conduct DENOVO enquiry in the mode and manner prescribed under Police Rules 1975 within 90 days after receipt of copy of this judgment and in case DENOVO enquiry is conducted, the issue of back benefits will be subject to the outcome of DENOVO enquiry. (Copy as annex "B")
- 3. That the said judgment of the hon'ble Tribunal was remitted to the respondents for compliance on 18-09-2019 by the Registrar of the hon'ble Tribunal and on 23-09-2019 by applicant. (Copies as annex "C")
- 4. That DENOVO enquiry was conducted and as per the result it was held that back benefits of the applicant be treated as leave due because the appellant was innocent and has been acquitted from the baseless charges vide enquiry report dated 29-11-2019. (Copy as annex "D")
- 5. That on 08-01-2020, applicant was reinstated in service with further direction that the time spent out of service is counted as leave-due on his account back benefits by R. No. 01. (Copy as annex "E")
- 6. That though applicant was reinstated in service, but benefit of back benefits was not extended to him.

It is, therefore, most humbly requested that judgment dated 23-08-2019 of the hon'ble Tribunal be implemented and applicant be paid the due benefits with all consequential relief.

In the alternate Contempt of Court proceedings be initiated and they be punished under the Law.

Applicant

Through

Saadullah Khan Marwat

Arbab Saif-ul-Kamal

Amjad Khan Advocates

Dated: 13-03-2020

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A.No. 83/2016

Saeed Khan S/o Faiz-Ur-Rehman, R/o, F. No. 19-B, Chinar

Building Peshawar,

Ex - Constable No. 260,

Police Ayun, Chitral . . .

Köyber Pakhinidava Servece Tribunat

Mary No 988 "

Dage 16-9-2016

. . . Appellant

Versus

- 1. District Police Officer, Chitral.
- Regional Police Officer, Malakand Region, Swat.
- 3. Provincial Police Officer,

KP, Peshawar Respondents

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APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST OFFICE ORDER NO. 8191-98/E-II, dated 26-06-2014 OF R. NO. 1, WHEREBY APPELLANT WAS REMOVED FROM SERVICE OR OFFICE ORDER NO. 8493/E, DATED 17-10-2014 OR R. NO. 2, WHEREBY DEPARTMENTAL APPEAL OF APPELLATN WAS REJECTED OR OFFICE ORDER NO. 7243-47/E-IV, DATED 28-05-2015, WHEREBY REVISION PETITION OF APPELLANT WAS REJECTED.

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Respectfully Sheweth;

Hedro-day

- 1. That appellant was enlisted on 19-04-2007 as constable.
- 2. That FIR No. 25 dated 19-04-2014 Police Station Ayun was lodge against Abdul Aziz, Asad Ullah and appellant u/s 3/4 P/O for smuggling of Alcohol from Rumber to Ayun in Suzuki No. 70-A. All

the three (3) accused were arrested on the spot. (Copy as annex "A")

- 3. That Inquiry into the matter was initiated and Zafar Ahmad, Reserve Inspector was appointed as Inquiry Officer, who after conducting self-made Inquiry submitted report to the authority on 01-06-2014 with the recommendation to deal with petitioner as per this Inquiry Report or to keep the same till the finalization of the Criminal case pending disposal in the court.
- 4. That on the said Inquiry Report, it was marked that: "keep pending till the decision of the courts. Sd/DPO 11-06-2014", further remarks were also made that accused constable appeared and heard. He could not satisfy the undersigned and could not furnish plausible explanation and is removed from service: Sd/DPO dated 25-06-2014.
- 5. That on 24-04-2014, appellant was served with charge sheet to the effect that he was involved in criminal case, so such act amounts to gross mis-conduct and dis-interest in his official duty. The said charge sheet was replied and denied the allegations. (Copies as annex "B" & "C")
- 6. That on 20-06-2014, appellant was removed from service by R. No. 1, before conduct of regular inquiry into the allegations.

 (Copy as annex "D")
- That on 23-07-2014, appellant submitted representation before R.
 No. 2 for re-instatement into service which was rejected on 17-10-2014. (Copies as annex "E" & "F")
- 8. That thereafter appellant submitted appeal before R. No. 3 in the month of May, 2015 for re-instatement in service which was rejected on 28-05-2015. (Copies as annex "G" and "H")
- 9. That as is evident from order dated 28.05.2015 of R. No. 3, no copy was endorsed, so on 04-08-2016, he submitted application for supply of the copy of order dated 28-05-2015 of R. No. 3,

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which was supplied on 20-08-2016 from the office of respondent No:13 (Copies as annex " \tilde{I}'' $\tilde{\&}$ "J")

10. That in the mean while, trial into the matter was conducted by the judicial magistrate Chittral vide judgment dated 16-08-2016 against appellant along with others who were acquitted from the criminal charges. (Copy as annex "K")

Hence this appeals, inter alia, on the following grounds:

GROUNDS:

- a. That lodging of FIR against someone has no legal value until and unless he proved guilty.
- b. That appellant was given specific time to submit reply to charge sheet but the said period was not yet elapsed but he was removed from service.
- c. That as is evident from the record, appellant was first removed from service and thereafter, so called inquiry was initiated which is against the norms of justice.
- d. That after gaining acquittal from the competent court of law, the allegations were not proved, so appellant was legally required to reinstate in service.
- e. That the aforesaid act of respondents is based on malafide.

It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 26-06-2014, 17-10-2014 and 28-05-2015 of the respondents be set aside and appellant be reinstated in service with all back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

Through

Dated: 16-09-2016

&

Saadullah Khan Marwat

Arbab Saiful Kamal Advocates

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1007/2016

Date of institution ...

16.09.2016

Date of judgment

23.08.2019

Saeed Khan S/o Faiz-Ur-Rehman, R/o, F.No. 19-B, Chinar Building Peshawar. Ex-Constable No. 260, Police Ayun, Chitral.



(Appellant)

VERSUS

1. District Police Officer, Chitral.

2. Regional Police Officer Malakand Region, Swat.

3. Provincial Police Office, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

APPEAL UNDER SECTION-4 OF SERVICE TRIBUNAL ACT 1974 AGAINST OFFICE ORDER NO. 8191-98/E-II, DATED 26.06.2014 OF R. NO. 1, WHEREBY APPELLANT WAS REMOVED FROM SERVICES OR OFFICE ORDER NO. 8493/E. DATED 17.10.2014 OR R. NO. 2. WHEREBY DEPARTMENTAL APPEAL OF APPELLANT REJECTED OR OFFICE ORDER NO. 7243-47/E-IV, DATED 28.05.2015, WHEREBY REVISION . PETITION APPELLANT WAS REJECTED.

Mr. Arbab Saif-ul-Kamal, Advocate.

Mr. Kabirullah Khattak, Additional Advocate General

For appellant.

For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI MR. HUSSAIN SHAH

MEMBER (JUDICIAL) MEMBER (EXECUTIVE).

ATTESTED

JUDGMENT

examiner Khyder Pakhtunkhwa

MULIAMMAD AMIN KHAN KUNDI, MEMBER: -

Appellant

Service Tribunal.

Peshawar alongwith his counsel and Mr. Kabirullah Khattak, Additional Advocate

General for the respondents present. Arguments heard and record perused.

Brief facts of the case as per present appeal are that the appellant was serving in Police Department. He was imposed major penalty of dismissal from

service vide order dated 26.06.2014 on the allegation of his involvement in criminal case vide FIR No. 25 dated 19.04.2014 under section 3/4 P/O Police Station Bamborait District Chital. The appellant filed departmental appeal on 23.07.2014 which was rejected vide order dated 17.10.2014 thereafter, the appellant filed revision petition under section-11-A of the Police Rules, 1975 before the Inspector General of Police on 14.11.2014 which was rejected on 28.05.2015. The order dated 28.05.2015 was neither communicated to the appellant nor received any copy to the appellant therefore, the appellant submitted application on 04.08.2016 for providing copy of order of Inspector General of Police. Copy of application dated 04.08.2016 is available on the record and the District Police Officer Chitral issued direction for necessary action on the said application. Accordingly the order dated 28.05.2015 was received to the appellant on 20.08.2016 as claimed by the appellant in para-9 of the service appeal hence; the present service appeal on 16.09.2016.

Respondents were summoned who contested the appeal by filing of written reply/comments.

4. Learned counsel for the appellant contended that the appellant was imposed major penalty of dismissal from service on the allegation of involvement in the aforesaid criminal case. It was further contended that the appellant was hon'ble acquitted in the aforesaid criminal case by the Judicial Magistrate Chitral vide detailed judgment dated 16.08.2016. It was further contended that the appellant was having eight years service in his credit at the relevant time of impugned order but the same was not considered by the respondent-department. It was further contended that neither proper inquiry was conducted nor the appellant was associated during any inquiry proceeding. It was further contended that the inquiry officer has also stated in the inquiry report that the witnesses Salah Rehman, Waqar Younas and Khair-ul-Fatheen

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were examined in the criminal case and they have supported the criminal case against the appellant but neither the inquiry officer has recorded their statements in the inquiry proceeding nor has provided opportunity of cross examination to the appellant but the appellant was recommended for major penalty by the inquiry officer in the inquiry report. It was further contended that the respondent-department was also bound to issue show-cause notice alongwith copy of inquiry report but the appellant was imposed major penalty of dismissal from service without issuing of show-cause notice therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside and prayed for acceptance of appeal.

- 5. On the other hand, learned Additional Advocate General for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was involved in the aforesaid criminal case. It was further contended that proper charge sheet, statement of allegation was served upon the appellant. It was further contended that the appellant was also associated during inquiry proceeding by the inquiry officer and after observing all the codal formalities, the appellant was proved guilty by the inquiry officer therefore, on the recommendation of inquiry officer, the competent authority has rightly imposed major penalty of dismissal from service upon the appellant. It was further contended that the revision petition before the Inspector General of Police was dismissed on 28.05.2015 but the appellant has filed service appeal on 16.09.2016 after a delay of more than one year therefore, the service appeal of the appellant is badly time barred and prayed for dismissal of appeal.
- 6. Perusal of the record reveals that the appellant was serving in Police Department. He was having eight years service in his credit at the time of imposing of major penalty of dismissal from service. The record further reveals that the appellant was imposed major penalty of dismissal from service on the

28.8.2019

A

allegation of aforesaid criminal case but he was acquitted by the compete court after thoroughly examination of the case vide detailed judgment dated 16.03.2016. The record further reveals that the inquiry officer has recorded the statements of Salah Rehman, Waqar Younas and Khair-ul-Fatheen but neither the statement of witnesses is available on the record to show whether the same was recorded by the inquiry officer or inquiry officer has relied on their statement recorded during criminal trial. Moreover, the record also does not reveal that the appellant was provided opportunity of cross examination on the aforesaid witnesses or not. Furthermore, respondent-department was also bound to issue show-cause notice alongwith copy of inquiry report before passing the impugned order but the respondent-department has not issued show-cause notice alongwith copy of inquiry report, meaning thereby that the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside. Though the learned Additional Advocate General stated that that service appeal is time barred but the record reveals that the revision petition before the Inspector General of Police was rejected on 28.05.2015 but neither the copy of same was delivered to the appellant nor the said order was communicated to the appellant therefore, the appellant filed application for providing the copy of said order on 04.08.2016 and on the direction of District Police Officer Chitral, the copy of said order was issued to the appellant on 20.08.2016 as alleged by the appellant in para-9 of the service appeal and thereafter, filed the present service appeal on 16.09.2016 within one month therefore, the service appeal of the appellant is within time. As such, we partially accept the appeal, reinstate the appellant in service. However, the respondent-department is at liberty to conduct de-novo inquiry in the mode and manner prescribed under Police Rules 1975 within ninety days after receipt of copy of this judgment and in case de-novo inquiry is conducted, the issue of

AND STANDARD OF STANDARD STAND

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back benefits will be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED 23.08:2019

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

(HUSSAIN SHAH) MEMBER

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<u>KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHA</u>WAR

No. 1603 /ST

Dated 18 - 9 - 72019

To

The District Police Officer, Government of Khyber Pakhtunkhwa, Chitral.

Subject: -

JUDGMENT IN APPEAL NO. 1007/2016, MR. SAEED KHAN.

I am directed to forward herewith a certified copy of Judgement dated 23.08.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR'
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SERVICE TRIBUNAL
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25/09/19

- District Police Officer,
 Chitral.
- Regional Police Officer,Malakand Region, Swat.
- Provincial Police Officer,KP, Peshawar.

Subject: - COMPLIANCE OF GRDER DATED 23-08-2019 OF THE HON'BLE SERVICE TRIBUNAL, PASSED IN SERVICE APPEAL NO. 1007/2016 IN LETTER AND SPIRIT.

Respected Sir,

Please comply with the order dated 23-08-2019 of the Hon'ble Service Tribunal, KP, Peshawar passed in the said Service Appeal in letter and spirit and obliged. (Certified copy attached)

This be also treated as my arrival report for duty.

Humble Appellant

Saeed Khan

S/O Faiz-ur-Renman, R/O Prabaig Grum Chashma, Chitral. Constable No. 260, Police Line, Chitral. Cell No. 0346-9330094

Auntes

Dated.23-09-2019

فائستنشك ربورت

جناب عالى!

بحوالہ انکوائری بذامعروض خدمت ہوں کہ سیدخان سابقہ کسٹیبل کے سروسٹر بیونل میں اپیل ہوکر سروسٹر بیونل نے کنسٹیبل مذکورہ کے اپیل واپس اسرنو بحکمانہ انکوائری کیلئے واپس کرنے پر جناب ڈی پی اوصاحب نے انکوائری مجھے حوالہ کیا تھا۔

النزا شانته : ـ

کنسٹیبل سیدخان دوران تعیناتی تھانہ ایون رمبور ہے دیگر دوملز مان کے ساتھ گاڑی نمبر NCP 70 میں سوارڈ ارائیورعبدالعزیز کے سیٹ کے بنچ سے چار ہوئل شراب از قسم (ٹارہ) جبکہ پچھلے سیٹ میں سوار کنسٹیبل سیدخان کے سیٹ کے بنچ سے دو ہوئل شراب از قسم (ٹارہ) اور تبسرا اسداللہ جان کے سیٹ کے بنچ سے دو ہوئل شراب از تسم (ٹارہ) برامدکر کے HC خیرالفاتحین نے مراسلہ بجرم PHO 3/4 ورج رجٹر

انكوائري : ـ

دروان انگوائری سابقہ انگوائری افسر R فیلم اجہ جال SDPO جا جب ال کے انگوائری کا بھی طاحظہ کیا گیا۔ انگوائری افسر نے جو گالہ اس کے بیانات قامبند کے بیان ہے قامبند کے بیان ہی قامبند کے بیان۔ چونکہ شراب برامدشدہ ان وقت کے ایس کے بیان بھی تامبند کے بیان۔ چونکہ شراب برامدشدہ ان وقت کے ایس کے انگوائری افسر نے جسی گاڑی ہے برامد ہواہے۔ از سرفوائکوائری میں اس وقت کے ایس ان گائوں کی بیان فیلم کا وقت کے ایس ان گائوں کے بیان فلم بند ہوئے جس نے اپنے بیان میں مراسلہ موسول ہونے پر مقدمہ درج کرنا بنایا جبکہ HG فیلم میں موجود سید کو ڈو مراسلہ اپنے بیان میں گاڑی کمبر کا کو کہ ان کا میں موجود سید کردہ مراسلہ اپنے بیان میں گاڑی کمبر کا کو کہ ان کے بیان بیان کیا اور گاڑی میں موجود سید کردہ مراسلہ اپنے بیان میں گاڑی کمبر کردہ کا بیان کیا اور گاڑی میں موجود سید کردہ میں اس جو کہ گاڑی کے پچھلے سیٹ پر موجود تھا۔ دو پوتل سیٹ کے بیچے ہے اور ڈو ان نیورعبد العزیز کے سیٹ کے بیچے سے چار ہوتل میں میں آخر بیش اس المداللہ کا میان کو کہ اس نے کہ بیٹوں شراب کا بیان کیا اور گاڑی میں موجود تھا۔ دو پوتل سیٹ کے بیچے سے بار ایک کی اس اللہ کا میان کو جا اس کے بیان بیان کا میان کو جا است پولیس کی خاطر بیش کرنے پر طرز مان کو عدالت نے حراست نامنظور کر کے جوڈ بیٹل حوالات بھیجنے پر طرز مان کے بیانات 161 می ف قامبند کر کے جوڈ بیٹل موالات بھیجنے پر طرز مان کے بیانات 161 می ف قامبند کر کے جوڈ بیٹل موالات بھی شراب بالتر سے بیان میں بنایا کہ براہ کو نی کی مراک کی برائے کی سے موالات کی میں موالات کی میان میں بنایا کہ کو میان کا بیان قامبند کر کے خوالات کی میں مورث کی گورائی دورہ اس کے بیان تامبند کو میان کی طرف آ کے جوڈ بیٹل میار دورہ کا کو اس کو خوالات کی میں مورث کی ڈورائیون کی مورز کی کارٹر کی کور خوالات کی میں مورث کی گاڑی میں رمبور گیا جوالات کی میں مورث کی گورائیون گی میں مورث کی گورائیون کی مورز کور کی کارٹر کورائی کی مورز کی گاڑی میں رمبور گیا ہوائی گیا کہ سے کہ مورز کی گوری کی گورائی آ کے کہ مورز کی گوری کی کورز کورن کا کورز کورن کورز کی گورن کے کہ مورز کی گورن کی کورز کی گوری کورز کی گوری گور کورز کی کورز کی کورز کورز کی گوری کورز کی گوری کورز کی گوری کورز کی کورز کی گوری گوری کورز کی گوری کورز کی کورز کی کورز کورز کی گوری کورز کی گوری کورز کی گوری کورز

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نتیجه انکوائری:۔

تمام بیانات کی روشی میں کی بھی جگہ پر بیام بیان نہیں ہوا کہ مطیل سیدخان کے جامہ تلاثی سے شراب کا ڈی کہ آیا سیدخان دیگر کے بیانات میں شراب گاڑی کے سیٹ کے بیانات میں شراب گاڑی کے سیٹ کے بیانات میں شراب گاڑی کے سیٹ کے بینی سیدخان دیگر ملز مان کے ساتھ ایون سے رمبور یا رمبور سے واپس آتے وقت لفٹ مانگئے پر ان کوسوار کیا گیا تھا۔ کسٹیل بہادر شاہ اور ملزم ڈرائیور عبد العزیز کے بیان کے مطابق وہ روڈ پر لفٹ مانگئے پر انکولفٹ دیا گیا۔ اگر وہ ان کے ساتھ ہوتے تو ان کو یہ بھی معلوم ہوتا کہ گاڑی میں شراب موجود ہیں۔ جبکہ سیرخان کو پہلے سے یہ علوم بھی تھا کہ راست میں ناکہ بندی ہے۔ مندرجہ بالاحقائق کی روشی میں بین تیجہ اخذ کیا جاتا ہے کہ چونکہ الزام عالیہ کشیل سیدخان عبدالت سے بہت تک اس کے خلاف جرم ثابت نہ ہو لیکن اس بات سے چشم پرشی تیان کی برائی سے اس کے خلاف جرم ثابت نہ ہو لیکن اس بات سے چشم پرشی تیان کی برائی میں الزام عالیہ کا بین سیرخان کو ایون کی موشور ہوتا ہے۔ جب تک اس کے خلاف جرم ثابت نہ ہو لیکن اس بات سے چشم پرشی تین کی سیرخان کی سیرخان کو کو اور کی کھی میں الزام عالیہ کنشیل سیدخان کو ایون کی میں الزام عالیہ کی سیرخان کو کہ کو کو کہ کے کاغذات لف انکوائری قابل ملاحظہ ہیں۔ کے فسیدخان کو کو کہ کے کاغذات لف انکوائری قابل ملاحظہ ہیں۔ کے فسیدخان کو کو کہ کے کاغذات لف انکوائری قابل ملاحظہ ہیں۔

لہذاانکوائری رپورٹ مرتب ہوکر گزارش ہے۔

وى ميد كوار فر

Separa

بيان سيدخان

میں کا تشیبل سید خان مورخہ 19 اپریل 2014 کو ایون سے اپنی ضرورت کی کئریاں خرید نے کیلے مسید اردیم جان سے ل کر رہ میور سے واپسی پر پیدل ایون کی طرف آرہا تھا کہ مقام پراکا ڈک جینچ پرایک سوز وکی گاڑی نمبر PS NCP-70 میرے اشارہ دینے پر ڈرائیور نے گاڑی کوروکا اور میں اس میں سوار ہوا اور گاڑی میں ڈرائیور سمیت دوا فراد موجود تھے کچھے فاصلے آگے آنے پر پولیس والوں نے گاڑی روک کرہم سب کی جامعتالتی لی کسی سماور ہوا اور گاڑی میں قان نے کے ۔ تھانہ بڑج کر میں رفع حاجت کے لئے گاڑی سے اتر کر تھانے بیشنے کو کہا اور کہا تھے الفاقیون بھی ہمارے ساتھ بیٹھ کر ہمیں تھانہ لے گئے۔ تھانہ بڑج کر میں رفع حاجت کے لئے گاڑی سے اتر کر تھانے سے باہر نکلا اور تقریباً گھٹے بعد جب میں تھانے کے اندرواغل ہوا تو بتلایا گیا کہ جس سیٹ پرآپ موجود تھاس کے بینچ سے شراب برآ مد ہوا ہوا تھا جھے یہ بھی موقع نہیں ملاکہ میں ڈرائیور سے یہ دریافت کرتا کہ آپ کہاں گیا تھا اور کہاں سے آر ہے ہیں۔ گاڑی میں سوار ہوا تھا جھے یہ بھی موقع نہیں ملاکہ میں ڈرائیور سے یہ دریافت کرتا کہ آپ کہاں گیا تھا اور کہاں سے آر ہے ہیں۔ گاڑی میں سوار ہوا تھا جھے یہ بھی موقع نہیں ملاکہ میں ڈرائیور سے یہ دریافت کرتا کہ آپ کہاں گیا تھا اور کہاں سے آر ہے ہیں۔ گاڑی میں سوار ہوکر خیرت دریافت کرتا کہ اندی ہوا تو میں نا کہ بندی پولیس نا کہ بندی وہاں موجود تھا کہ میں میں میں میں میور جاتے ہوئے بھی پولیس نا کہ بندی وہاں موجود تھا اگر میں شراب کے ایک میں میرے خلاف پر چہ دے کرمیر سے ساتھ انہائی ظام ہوا ہے اور میرے بوڑ سے ماں باپ تھے۔ ایک سال آبل میرے والد کا انقال ہو

میرے خلاف پر چہدے کرمیرے ساتھ انہائی ظلم ہوا ہے اور میرے بوڑھے ماں باپ تھے۔ ایک سال قبل میرے والد کا انقال ہو گیا گھر میں میرے علاوہ اور کوئی کمانے والانہیں ہے۔ میں نے سال 2014 سے اب تک انہائی مشکل سے زندگی گزاری جو کہ اللہ کو معلوم ہے جو بیان کرنے کے قابل نہیں ہے۔ اب بھی میں رحم کی اپیل کرتا ہوں۔ لہذا میر ابیان ہے جو کہ درست ہے۔

Children was

العارض سیدخان ولدفیض الرحمٰن پرابیگ ادیکوہ چنز ال

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图 17

Phone: 091-9211947 091-9211769

Office of the Inspector General of Police Khyber Pakhtunkhwa, Peshawar.

No. 3523

/CPO/IAB,

dated Peshawar the

99 /11/2019

To:

The District Police Officer,

Chitral

Subject:

DENOVO ENQUIRY AGAINST EX-FC SAEED KHAN

Memo:

Please refer to your office letters No. 8522/E-II dated 01.11.2019, on the subject cited above.

- 2. In this connection in the light of AIG/Legal letter No. 4690/Legal dated 30.09.2019 this office was not informed accordingly about the said enquiry and all the procedure of the subject case was finalized by your office.
- 3. Your good self being competent authority in the matter may proceed further as per law, rules and regulations.

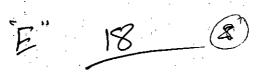
Additional Inspector General of Police Internal Accountability
Khyber Pakhunkhwa,
Peshawar

District Police Officer

For meassary with a

SOLAS /





ORDER.

In compliance of the order of Service Tribunal, Khyber Pakhtunkhwa Peshawar dated 23.08.2019, in service appeal No.1007/2016 titled Ex- Constable Saeed Khan VS District Police Officer, Chitral & others and letter of the office of worthy Inspector General of Police, Khyber Pakhtunkhwa Peshawar vide No.3523/CPO/IAB, dated 29.11.2019.

In light of the Service Tribunal, Khyber Pakhtunkhwa Peshawar and the findings of the Enquiry Officer of the Denovo Enquiry regarding back benefits the Ex-Constable Saeed Khan is hereby re-instated in Service and allotted constabulary No.715 and posted in Police Lines Chitral.

The time he spent out of service is counted as leave due on his

account.

District Police Officer, Chitral

No. 279-87/E-II dated Chitral the

08-01 /2020.

Copy of above is submitted for information to:-

- 1. The Assistant, Inspector General of Police, Internal Accountability, Branch Khyber Pakhtunkhwa Peshawar.
- -2. The Regional Police Officer, Malakand at Saidu Sharif Swat.
 - 3. The DAO Chitral.
- 4. DSP/HQ Chitral.
- 5. Pay Officer.
- 6. RI/LO.
- 7. EC.
- 8. OHC for OB.
- 9. Wali C/O Security Clarence form.

District Police Officer, Chitral

المالية متجانب الملائك · Composition of the Colone Implementation Ses A Comment of the state of the s مت رئيس معنوان بالاس ابن الرفسسة واسط بروى وجواب دميي وكل كاروا كى متعلفة النامقام لبناور كيسك المكار المار عان سرون المروك المراك المراك المراك المراك المراك المراك المراك المراك المراك المراكم المركم المركم المركم المركم المركم المركم الم تموسكوبت كوبتفدير كأكاك كالمابل ابغة يارميكا نيز وكبل صاحب كوكرينه ولفني نامه وتقريزنالت وفيصار برملف يين جواب يسى اورا قبال دعوى اور بعنور ظركري كرنه ابراء اور وصولي جيك وروبيه اور بريض دعوى اور درخوا موت برشیم کی تقارلی اوران برریخنط کرانے کا اختیار کھی اپنے لیمور عدم بیروی یا داگری بکی فرریا ایل کی برامرگی ا در شنوی این در در در این مگرانی د نظرانی و بیروی مریه نے کا اختیار برسما اور بھورت فرور یہ تقدر میکور كَ كُلُ يَا جُزُدِي كَارِدَائي شَيْ واستطى إور دَكِيلِ يَا تَنْارِ قَالَوْني كُولِيْنِ بِمُرْاهِ يَا ابنى بجائي تَنْفِر كَا اطْتِيار بهجرًكا. ا ورصاحم الفررشاء كربيى وسى جله مذكوره بالا اختيارات مامل مول كيد ارراس كارسا غية برواحة مناور قبيل بوگاه دوران بقدم ب جوخر ميرو برجانه التوار مقديم سيب ميركا اي مستمق وكبل ها حب مرسون بول کے نیز بقایا و خرج بری وصولی مرز کا بھی اختیار بڑکا اگر کوئی بار بخ بیشی مقام رورہ ير ايو يا مدس البريولووكيل صاحب يابند نه يون كه بيروى مذكوركري. لہٰذا وکالت نامہ مکھ دیا کہ سنرسے۔ 13-03-2020 - 1000 القسيد العديد 2 Mal Elem DUTELL الحراد المراكبة الأوليط