

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	03.12.2019	<p align="center"><b><u>BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></b>  <b><u>At Camp Court, Swat.</u></b>  <b>Service Appeal No. 19/2019</b></p> <p>Date of Institution ..... 07.01.2019  Date of Decision ..... 03.12.2019</p> <p>Raes Khan Inspector No.119/M presently posted as Inspector Legal, District Shangla.</p> <p align="right"><b>Appellant</b></p> <p align="center"><b>Versus</b></p> <ol style="list-style-type: none"> <li>1. Government of Khyber Pakhtunkhwa through Provincial Police Officer/IGP, Peshawar.</li> <li>2. Regional Police Officer/DIG Malakand at Saidu Sharif, Swat.</li> <li>3. District Police Officer, Shangla.</li> <li>4. District Police Officer, Dir Upper.</li> </ol> <p align="right"><b>Respondents</b></p> <p><b>Mr. Muhammad Hamid Mughal -----Member(J)</b>  <b>Mr. Ahmad Hassan -----Member(E)</b></p> <p align="center"><b><u>JUDGMENT</u></b>  <b><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u></b> Appellant</p> <p>with counsel present. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Zewar Khan SI (Legal) present.</p> <p>2. The appellant (Inspector) has filed the present service appeal against the adverse remarks in his ACR for the period w.e.f 28.01.2014 to 31.12.2014. The appellant has also made impugned</p>

3.12.2019

the order dated 14.12.2018 whereby his departmental representation against the adverse remarks in his ACR, was filed.

3. Learned counsel for the appellant argued that to the utter surprise of the appellant, adverse remarks in the ACR of the appellant for the year 2014, were communicated to him after a period of four, years vide office letter dated 15.11.2018; that the adverse remarks in the ACR of the appellant to the effect that his performance remained unsatisfactory and he does not take interest in his official duty, was the outcome of personal grudge of the reporting officer; that no counseling was issued to the appellant by the reporting officer during the relevant period; that the adverse remarks in the ACR were communicated to the appellant at a belated stage without any valid reason; that as per law, any order of disposition adverse to an individual cannot be made without any prior notice to the concerned individual. Further argued that this Tribunal has already accepted similar nature service appeals due to non-issuance of prior counseling.

4. On the other hand learned AAG argued that it is the prerogative of the reporting officer to judge the performance of his subordinates and record proper remarks in their ACRs accordingly; that all the actions have been made by the respondents in official capacity while examining the performance of the appellant and there is no personal grudge or malafide on the part of respondents; that all the process has been done in fair and justly manner.

3.12.2019

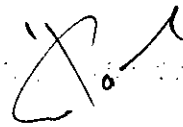
5. Arguments heard. File perused.

6. Needless to mention that before recording adverse remarks in the ACR/PER, reporting officers shall ensure that proper counseling/advice has already been given to the concerned officers/officials reported upon.

7. This Tribunal has accepted numerous service appeals for expunction of adverse entries recorded in the ACR/PER simply for the reason that adverse remarks were recorded without prior counseling/advice. Consequently the present service appeal is also accepted and the impugned adverse remarks recorded in the ACR/PER, pertaining to the year 2014, of the appellant, are expunged. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)  
Member




(Muhammad Hamid Mughal)  
Member  
Camp Court, Swat.

ANNOUNCED  
03.12.2019

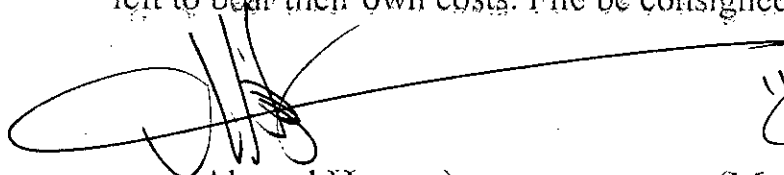
09.10.2019


Appellant in person and Mr. Zewar Khan, S.I (Legal) for the respondents present. Representative of respondents submitted para-wise comments on behalf of respondents No. 1 to 4 which is placed on record. Case to come up for rejoinder and arguments on 03.12.2019 before D.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

03.12.2019

Appellant with counsel present. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Zewar Khan SI (Legal) present. Vide our separate judgment of today of this Tribunal placed on file, the present service appeal is also accepted and the impugned adverse remarks recorded in the ACR/PER, pertaining to the year 2014, of the appellant, are expunged. Parties are left to bear their own costs. File be consigned to the record room.

  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member  
Camp Court, Swat

ANNOUNCED.  
03.12.2019

01.07.2019

Appellant in person present. Akhtar Said Inspector representative of respondent department present. Appellant submitted application for adjournment. Adjourn. To come up for preliminary hearing on 04.09.2019 before S.B at Camp Court Swat.



Member  
Camp Court, Swat.

04.09.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Inspector) has filed the present service appeal being aggrieved against the adverse remarks in his ACR for the period from 28.01.2014 to 31.12.2014 communicated vide letter No.714/AS dated 15.11.2018. The appellant has also assailed the order dated 14.12.2018 through which his departmental appeal/representation for expunction of adverse remarks in his ACR, was filed/rejected.

Points urged need consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 09.10.2019 before S.B at Camp Court, Swat.

Appellant Deposited  
Security & Process Fee

16/9/19



Member  
Camp Court, Swat

08.03.2019

Counsel for the appellant present.

Issue pre-admission notice to respondents for production of record pertaining to ACR of appellant for the period from 28.01.2014 to 31.12.2014 and other relevant documents on 03.04.2019 before S.B at camp court, Swat.




Chairman

Camp court, Swat

03.04.2019

Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 10.06.2019 before S.B at Camp Court Swat.

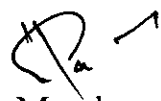
Member



Member  
Camp Court, Swat

10.06.2019

Appellant with counsel present. Zewar Khan SI legal representative of the respondent department present and submitted reply. Learned counsel for the appellant seeks adjournment. Adjourn. to come up for preliminary arguments on 03.07.2019 before S.B at Camp Court, Swat.





Member  
Camp Court, Swat.

Form- A

FORM OF ORDER SHEET

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

Case No. 19/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/1/2019	<p>The appeal of Mr. Raees Khan presented today by Dr. Adnan Khan Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 7/1/19</p>
2-	16-1-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>08-03-19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KPK**  
**PESHAWAR**

Service Appeal No. 19 of 2019

Raes Khan Inspector .....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa and others

.....Respondents

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Appellant though Counsel



**Dr. Adnan Khan, Barrister-at-Law**  
**Advocate Supreme Court of Pakistan.**  
Office: Adnan Law Associates,  
Opp. Grassy ground Mingora, Swat.  
Cell: 0346-9415233



**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA**  
**SUBORDINATE JUDICIARY/SERVICE TRIBUNAL,**  
**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 19 of 2019

Diary No. 22

Dated 07/01/2019

Raees Khan Inspector No.119/M presently posted as  
Inspector Legal, District Shangla.

..... Appellant

**VERSUS**

- 1) Government of Khyber Pakhtunkhwa through Provincial Police Officer/IGP, Peshawar.
- 2) Regional Police Officer/DIG Malakand at Saidu Sharif, Swat.
- 3) District Police Officer, Shangla.
- 4) District Police Officer, Dir Upper

..... Respondents

**APPEAL UNDER SECTION 4 OF THE**  
**KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL ACT, 1974.**

**PRAYER:**

*On acceptance of this Appeal, the impugned remarks/entries may be expunged with any other relief as may be deemed just.*

Filed to-day

Registrar

7/1/19

Respectfully Sheweth:

1. That the appellant was appointed as PASI in Police Department Khyber Pakhtunkhwa in 2006 after qualifying the PSC examination.
2. That since his appointment as above, the appellant has rendered his services at different districts of the Province.

3. That throughout his career, the appellant has guarded his reputation as a Police Officer. No complaint of professional or other misconduct whatsoever has either been submitted against the appellant in his entire service. This is manifest of the fact that the appellant has constantly been awarded good ACRs till 2014.
4. That the appellant in utter surprise and despair, recently received letter No. 714/AS dated 15-11-2018 whereby adverse remarks in his ACR for the period from 28-01-2014 to 31-12-2014 were communicated to him. Per proforma enclosed with the letter, it was held as under:

**Remarks of the Reporting Officer:** His performance remained unsatisfactory. He does not take interest in his official duty.

**Remarks of the Countersigning Officer:** Convey as reported".

(Copy of letter dated 15-11-2018 with ACR proforma is attached as Annexure "A").
5. That against the above mentioned adverse entry in the ACR of 2014, the appellant filed Departmental Appeal before the respondent No.1 (Copy of Departmental Appeal is attached as Annexure "B").
6. That the Departmental Appeal was dismissed vide letter No. S/4906-10/18 dated 14-12-2018 communicated to the appellant on 8-12-2018 (Copy of letter dated 14-12-2018 is attached as Annexure "C").
7. That feeling aggrieved as above, the appellant files this appeal, inter alia, on the following grounds:

**GROUND:**

- A) That the impugned remarks in the confidential report of the appellant are discriminatory, unilateral and violative of due process. Hence, the same are liable to be quashed.
- B) That the impugned remarks in ACR for the above mentioned period was the outcome of personal grudges of the then reporting officer/DPO Dir ~~PPes~~ with the appellant. Being so, the impugned remarks as based on malafide are liable to be expunged.
- C) That the impugned remarks have been made without any notice or intimation to the appellant. As per law of the land, any order or disposition adverse to an individual cannot be made without any prior notice to the concerned individual. In the present case no prior notice or intimation whatsoever was issued to the appellant prior to the impugned entry.
- D) That no grounds, reasons or evidence of any nature whatsoever have been given for the impugned entry. Hence, not only a cardinal rule of law but principles of natural justice have also been violated in the present case.
- E) That the impugned ACR has been communicated to the appellant at a belated stage without any cogent reasons. Through the impugned ACR, the appellant has been penalized and when it come to penalties, delay is crucial. As per the settled principles of penal law, any delay in proceedings is regarded as abuse of process, which ought to be quashed by the judicial forums.
- F) That needless to say that the appellant has always guarded his reputation in his throughout received Class-A ACRs.

The impugned entry being extremely offensive and shocking to the appellant ought to be quashed.

- G) That further grounds with leave of this Hon'ble Tribunal will be raised at the time of oral submissions.

Therefore, it is humbly prayed that on acceptance of this appeal, the adverse remarks pertaining to ACR of 2014 and communicated to the appellant vide letter No. S/4906-10/18 dated 14-12-2018 be ordered to be expunged. Any other remedy deemed fit in the interests of justice may also be granted.

Appellant



**Raees Khan**

**Through Counsel**



**Dr. Adnan Khan, Barrister-at-Law  
Advocate Supreme Court of Pakistan.**

**CERTIFICATE:**

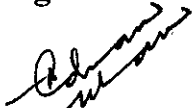
Certified that no such like appeal has earlier been filed before this Hon'ble Tribunal on the subject matter.

Appellant



**Raees Khan**

**Through Counsel**



**Dr. Adnan Khan, Barrister-at-Law  
Advocate Supreme Court of Pakistan.**

5

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KPK**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2019

Raes Khan Inspector .....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa and others

.....Respondents

**AFFIDAVIT**

I, Raees Khan (Appellant), do hereby solemnly affirm and declare that the contents of the above titled Appeal are true and correct to the best of my knowledge and belief. Furthermore, no such like appeal has earlier been filed before this Hon'able Tribunal or elsewhere on this subject matter

**ATTESTED**  
**Tariq Aziz Advocate**  
**SATM COMMISSIONER**  
**District Courts Swat.**  
No. 325 Date 01/22/18

DEPONENT



**Raes Khan**

②

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KPK**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2019

Raes Khan Inspector .....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa and others  
.....Respondents

**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Raes Khan Inspector No.119/M presently posted as DSP  
Legal, District Shangla. Mob: No: 03429469870.


**RESPONDENTS:**

- 1) Government of Khyber Pakhtunkhwa through Provincial Police Officer/IGP, Peshawar.
- 2) Regional Police Officer/DIG Malakand at Saidu Sharif, Swat.
- 3) District Police Officer, Shangla.
- 4) District Police Officer, Dir ~~Upper~~

Appellant

  
Raees Khan

Through Counsel

  
Dr. Adnan Khan, Barrister-in-Law  
Advocate Supreme Court of Pakistan

7

Ann "A"



OFFICE OF THE  
REGIONAL POLICE OFFICER, MALAKAND  
ATSAIDU SHARIF SWAT.  
Ph: 0946-9240381-83 & Fax No. 0946-9240390  
Email: digmalakand@yahoo.com

No. 714 /AS, dated Saidu Sharif the 15, 11 /2018

To: The District Police Officer, Shangla.  
Subject: ANNUAL CONFIDENTIAL REPORT (COMMUNICATION OF ADVERSE REMARKS).

Memorandum:

In the Annual Confidential Report on the working of Inspector Raees Khan No. M/119 of Dir Upper District (Now performing his duty in Shangla District) for the period mentioned below:-

- 1. From 28/01/2014 to 31/12/2014

Remarks of the reporting Officer:

His performance remained unsatisfactory. He does not take interest in his official duty.

Remarks of the Countersigning Officer:-

Convey as reported.

The above adverse remarks may please be conveyed to the officer concerned in Order that he may remedy the effects. Representation if made should be sent not later than one month from the date of receipt of this communication.

The acknowledgment in token of the receipt of memo: may please be obtained from him on the attached duplicate copy of this communication and sent to this office for record on his CR dossier.

Regional Police Officer,  
Malakand, at Saidu Sharif Swat

No. \_\_\_\_\_ /AS,

Copy for information to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar with reference to CPO, Peshawar memo: No. S/2762-2814/18, dated 11/07/2018 and No. S/3622-72/18, dated 05/09/2018 please.

*m.s.p. Legler*

DPO - Shangla

Attested

Regional Police Officer,  
Malakand, at Saidu Sharif Swat

C.T.C  
*Am*

(8)

Ann "B"

جناب عالی!

بحوالہ آمدہ ریٹائرمنٹ ACR سال 2014ء، معروض ہوں کہ من سائیل نے سال 2006ء میں محکمہ پولیس میں بحیثیت PASI جوائن کیا۔ اور اس وقت سے اپنی فرائض بطریقہ احسن سرانجام دے رہا ہوں۔ اور جن افسران صاحبان کے ماتحت ملازمت کی ہے میرے کارکردگی سے نہایت مطمئن رہتے ہوئے کلاس A رپورٹ سے مجھ کو نوازا ہے اور ساتھ ہی احسن کارکردگی پر انعامات اور سرٹیفکیٹس سے بھی نوازا ہے۔

سال 2014ء کے بعد بھی سال 2015-2016-2017 کے ACRs بھی کلاس A ہیں۔ سال 2014ء میں بھی میں نے اپنی فرائض بطریقہ احسن سرانجام دے چکا ہوں مگر افسر صاحب رپورٹ کنندہ نے ذاتی خفگی کے بناء پر Adverse ریٹائرمنٹ دی ہے، جو بعید از انصاف و قیاس ہے۔ اور میں نے کبھی بھی اپنی فرائض میں عدم دلچسپی نہیں دکھائی ہے بلکہ نہایت جانفشانی اور ایمانداری سے اپنی فرائض سرانجام دے رہا ہوں۔

لہذا استدعا ہے کہ ریٹائرمنٹ فائیل کرنے کے احکامات صادر فرمائی جاویں، تو بڑی مہربانی ہوگی۔

عریضہ

اپ کا تابعدار انسپکٹر رئیس خان نمبر 119/M

متعینہ ضلع شانگلہ

C.T.-C  
Daw

Attested  
Daw





INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

No. S/ 4906-10/18, Dated Peshawar the 14/12/2018

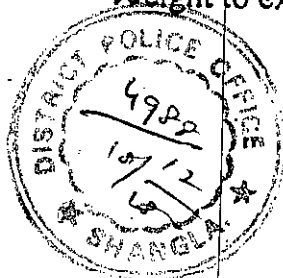
ORDER

This order pertains to the representation preferred by Inspector Raees Khan No M/119 of Malakand Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.01.2014 to 31.12.2014 recorded by the District Police Officer, Dir Lower (Mr. Muhammad Javed) the officer now retired from service.

From the perusal of the relevant record and material on ground the remark recorded by the then DPO/Dir Lower in the ACR of Inspector Raees Khan No. M/119 for the period from 28.01.2014 to 31.12.2014. The countersigning officer has also agreed with the reporting officer.

Keeping view the competent authority examined the case and found no weight to expunge the adverse remarks; hence the representation in hand is hereby filed.

This issues with the approval of the competent authority.



(SADIQ BALOCH)PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

ndst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:

1. Regional Police Officer, Malakand Region, Saidu Sharif, Swat w/r to his letter NO. 720/AS, dated 30.11.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll (if available). The Representationists may be informed accordingly.
2. District Police Officer, Shangla.
3. Office Supdt: "E" Branch, CPO.
4. Office Supdt: CP Branch CPO.
5. U.O.P. File.

No 737-38/AS DT 17-12/2018

EC/AS / DPO Dir Lower, sha

PA/INSPECTOR LEGAL  
for information & action

For info

District Police Officer,  
SHANGLA

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

C.T.C  
M

Altered

10

Form No. 79

No 1317

POLICE DEPARTMENT

DISTRICT DIR UPPER


Annual Confidential Report on the working of Assistant Sub Inspector Sub Inspector for the year ending December 2014.

Rank, Provisional or Name & Grade	INSPECTOR RAJESH KIAN
Roll No.	
Where and on what duties employed during the past year	From 18.01.2014 to 31.12.2014 Police Station
Particulars of any complaint or other action taken during the year	13
Is he honest	NO Complaint
Remarks	<p>His performance remained unsatisfactory. He does not take interest in his official duty.</p> <p>Convey on <del>order</del></p> <p><i>(Signature)</i></p> <p>(ABDUL AMRAN) PSP Regional Police Officer, District of Kozhikode, Kerala State</p> <p><i>(Signature)</i> District Inspector, Kozhikode, Police Station 18.01.2014</p>

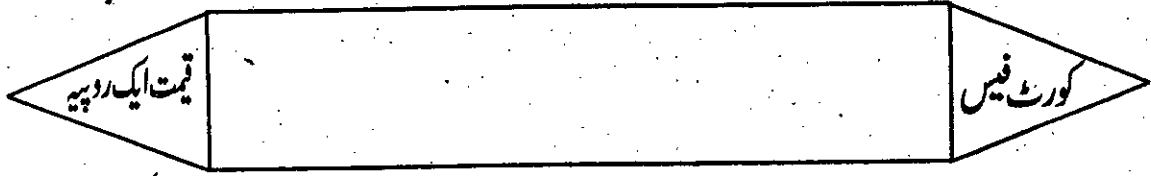
C.T.C  
Am

Attested  
M

Only handwritten remarks relevant.

  
Barrister  
Dr. Adnan Khan  
Advocate Supreme Court of Pakistan

# بعدالت صبر و محنت خواہ سرکس ٹریبونل پشاور / سمیت کورٹ



مورخہ 4 جنوری 19۲۰ء منجانب اسرانت  
مقدمہ رشیس خان بنام حکومت و غیرہ  
دعویٰ سرکس اسل  
جرم  
باعث تحریر آئندہ

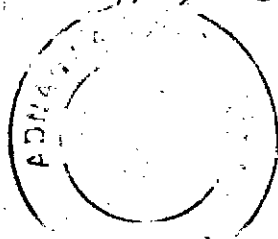
مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور / سوائے کیلے بیئر سٹریٹ ڈاکٹر عثمان خان مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف پینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ 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 مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا بے مقدمہ کے سبب سے ہوگا 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 کہ سند رہے

المرقوم 4 ماہ جنوری 19۲۰

رشیس خان (دانشگاہ)

العبد الغد گواہ شدہ العبد  
Attested & Accepted

کے لئے منظور ہے



مقام منلو و سوات  
Barrister  
Dr. Adnan Khan  
Advocate Supreme Court of Pakistan

**Service Appeal No. 19/2019**

**Raes Khan Inspector.**

..... Appellant

**VERSUS**

1. Provincial Police officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer Malakand Region at Saidu Sharif, Swat.
3. District Police Officer Shangla.
4. District Police Officer, Dir Upper.

..... Respondents

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**Deputy Superintendent of Police  
Legal, Dir Upper  
Office Ph:0944-880493**

(U)

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

Service Appeal No.....19.../2019

Raees Khan Inspector..... Appellant.

**VERSUS.**

- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Shangla.
- 4) District Police Officer Dir Upper..... Respondents.

**PARA WISE REPLY ON BEHALF OF RESPONDENTS.**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS.**

- 1) That the present service appeal is not maintainable in its form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

**ON FACTS:**

1. Pertains to record, hence needs no comments.
2. Pertains to record, hence needs no comments.
3. Pertains to record, hence needs no comments.
4. Incorrect, the appellant has been given adverse remarks in ACR by the competent authority as a result of his own conduct and services rendered by the appellant. The officer has not communicated the remarks in personal capacity; rather it was given in official capacity, keeping in view the conduct of appellant.
5. Needs no comments.

6. Needs no comments.

7. Incorrect, the appellant has got no jurisdiction to file the present service appeal.


**GROUND**

- (A) Incorrect, no discrimination has been done in communicating the remarks, nor any one-sided process has been carried out. All the process has been done in fair and justly manner.
- (B) Incorrect, neither malafide exist on the part of respondents, while communicating remarks on ACR, nor personal grudges. All the actions have been made by respondents in official capacity, while examining the performance of appellant in field work.
- (C) Incorrect, ACR is confidential report, prepared by Reporting officer of the department secretly about overall actions/inactions of subordinates. This is different from departmental proceedings and the remarks has been communicated timely to the appellant, but he failed to respond positively
- (D) Incorrect, remarks n ACR is short lining story and is the jurisdiction of competent authority to communicate it by examining the over all performance of the concerned officer. No violation of the rule of law and principles of natural justice has been committed.
- (E) Incorrect, the adverse remarks in the ACR has been communicated to the appellant within time, but he remained dormant about the same. He even failed to make representations within time.
- (F) Incorrect, ACRs are being given on the performance/conduct of officer annually and these reports are different in nature keeping in view the performance of individuals. The remarks given to the appellant was in results of his own conduct arising from his services/characters.
- (G) The respondents also seek leave of this honourable service Tribunal to rely on additional grounds at the time of arguments/hearing.


**PRAYER:**

It is therefore humbly prayed that on acceptance of this para-wise reply, the appeal may graciously be dismissed with cost.


Provincial Police Officer,  
Khyber Pakhtunkhwa Peshawar.

  
\_\_\_\_\_  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar


Regional Police Officer,  
Malakand at Saidu Sharif Swat.

  
\_\_\_\_\_  
Regional Police Officer,  
Malakand at Saidu Sharif Swat.

District Police Officer,  
Shangla.

  
\_\_\_\_\_  
District Police Officer,  
**SHANGLA.**

District Police Officer,  
Dir Upper.

  
\_\_\_\_\_  
DISTRICT POLICE OFFICER  
DIR UPPER



(9) (3)

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNAKHWA PESHAWAR

Service Appeal No. 19/2019

Raes Khan.....(Appellant)

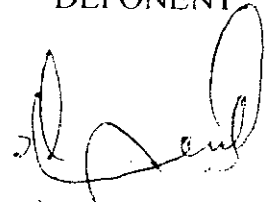
Versus

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Swat at Sadiu Sharif Swat.
3. District Police Officer, Dir Upper ..... (Respondents)

AFFIDAVIT

I, Rasheed Khan DSP Legal Dir Upper do hereby solemnly affirm and state on oath that the whole contents of this application for suspension of operation are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

DEPONENT



DSP/Legal Dir Upper  
03473267565

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

Service Appeal No...19...../2017

Mr. Raees Khan Inspector..... Appellant.

**VERSUS.**

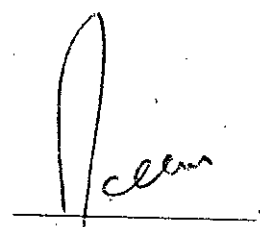
- 1) Provincial Police Officer, Khyber Pakhtunkhawa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Dir Upper..... Respondents.

**POWER OF ATTORNEY.**

We the undersigned do hereby appoint and authorized DSP Legal Upper Dir to appear on each and every date in the cited case. He is also authorized to file para wise reply, application and to submit all relevant documents in the cited appeal.

Respondent No.1

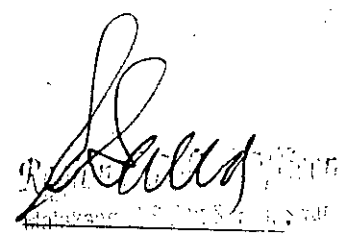
Provincial Police Officer,  
Khyber Pakhtunkhwa Peshawar.



Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar

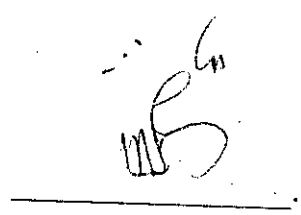
Respondent No.2

Regional Police Officer,  
Malakand Region Saidu Sharif Swat.



Respondent No.3

District Police Officer,  
Dir Upper.



10

Police No. 17

No 13/17

DISTRICT DIR UPPER

POLICE DEPARTMENT  
Annual Confidential Report on the working of Assistant Sub Inspector Sub Inspector and Inspector for the year ending December 2014.

Name Provincial or Range & Circle	INSPECTOR RAJESH KIAN
Father Name	
When and where duties employed during the past 12 months	From 28/01/2014 to 31/12/2014 (Under him)
Number of complaints received during the period	213
Is he honest	NO Complaint
<p>Convey on <del>referred</del></p> <p><i>[Signature]</i></p> <p>(ABDUL ALI KHAN) PSP Regional Police Officer, Muzaffargarh Region, Saidu Sharif Swat</p>	<p>His performance remains unsatisfactory. He does not take interest in his official duty.</p> <p><i>[Signature]</i> District Director Upper Muzaffargarh Region Swat Period from 01/01/2014 to 31/12/2014</p>

C.T.C  
[Signature]

No. S/ 4906-10/18, Dated Peshawar the 14/12/2018

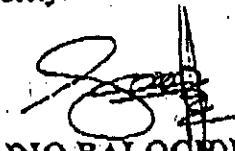
ORDER

This order pertains to the representation preferred by Inspector Raees Khan No M/119 of Malakand Region for the expunction of Adverse Remarks contained in his ACR for the period from 28.01.2014 to 31.12.2014 recorded by the District Police Officer, Dir Lower (Mr. Muhammad Javed) the officer now retired from service.

From the perusal of the relevant record and material on ground the remark recorded by the then DPO/Dir Lower in the ACR of Inspector Raees Khan No. M/119 for the period from 28.01.2014 to 31.12.2014. The countersigning officer has also agreed with the reporting officer.

Keeping view the competent authority examined the case and found no weight to expunge the adverse remarks; hence the representation in hand is hereby filed.

This issues with the report of the competent authority.

  
(SADIQ BALOCH) PSP  
AIG/Establishment

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

ndst: No. & date even.

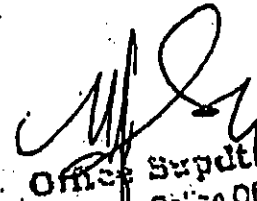
Copy of above is forwarded for information and necessary action, to the:

1. Regional Police Officer, Malakand Region, Saidu Sharif, Swat w/r to his letter No. 120/AS, dated 30.11.2018. Necessary entry into this effect may also be made in his Duplicate Character Roll (if available). The Representationists may be informed accordingly.
2. District Police Officer, Shangla.
3. Office Supdt: "E" Branch, CPO.
4. Office Supdt: CP Branch CPO.
5. U.O.P. File.

No 737-38 /AS DT 17-12/2018

EC/AS / DPO Dir Lower, Sh

For action

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

C.T.C  
M



(7) Ann 'A'

**OFFICE OF THE  
REGIONAL POLICE OFFICER, MALAKAND  
ATSAIDU SHARIF SWAT.**

**Ph: 0946-9240381-83 & Fax No. 0946-9240390  
Email: digmalakand@yahoo.com**

No. 714 /AS, dated Saidu Sharif the 15, 11 /2018

To: **The District Police Officer, Shangla.**

Subject: **ANNUAL CONFIDENTIAL REPORT (COMMUNICATION OF ADVERSE REMARKS).**

Memorandum:

In the Annual Confidential Report on the working of Inspector Raees Khan No. M/119 of Dir Upper District (Now performing his duty in Shangla District) for the period mentioned below:-

1. From 28/01/2014 to 31/12/2014

Remarks of the reporting Officer:

His performance remained unsatisfactory. He does not take interest in his official duty.

Remarks of the Countersigning Officer:-

Convey as reported.

The above adverse remarks may please be conveyed to the officer concerned in Order that he may remedy the effects. Representation if made should be sent not later than one month from the date of receipt of this communication.

The acknowledgment in token of the receipt of memo: may please be obtained from him on the attached duplicate copy of this communication and sent to this office for record on his CR dossier.

**Regional Police Officer,  
Malakand, at Saidu Sharif Swat.**

No. \_\_\_\_\_ /AS,

Copy for information to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar with reference to CPO, Peshawar memo: No. S/2762-2814/18, dated 11/07/2018 and No. S/3622-72/18, dated 05/09/2018 please.

*msp. legla.*

*DPO Shangla*

**Regional Police Officer,  
Malakand, at Saidu Sharif Swat**

C.T.C  
*Am*

(10)

Police No. 49

No. 13-17

**POLICE DEPARTMENT**  
Annual Confidential Report on the working of Assistant Sub Inspector Sub Inspector and Inspector for the year ending December 2014.

**DISTRICT DIR UPPER**

Name (Provincial or Rang & Grade)	MNSP. Col. RAJESH KUMAR
Father Name	
When and on what duties emp. you during the past 12 months	From 28.01.2014 to 31.12.2014 (12 months)
Number of complaints received against you during the past 12 months	13
Is he honest	NO Complaints
<p>Convey on report</p> <p><i>[Signature]</i></p> <p><b>ABDUL KHALID</b> Regional Police Officer, Muzaffargarh Region, Saidu Sharif Cantonment</p>	<p>His performance remains unsatisfactory. He does not take interest in his official duty.</p> <p><i>[Signature]</i> District Director (Upper) Muzaffargarh Region Saidu Sharif Cantonment Police Form 2 (A) 2014</p>

C.T.C  
Mu

No. S/ 4906-10/18, Dated Peshawar the 14/12/2018

ORDER

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From the perusal of the relevant record and material on ground the remark recorded by the then DPO/Dir Lower in the ACR of Inspector Raees Khan No. M/119 for the period from 28.01.2014 to 31.12.2014. The countersigning officer has also agreed with the reporting officer.

Keeping view the competent authority examined the case and found no weight to expunge the adverse remarks; hence the representation in hand is hereby filed.

This issues with the approval of the competent authority.

(SADIQ BALOCH)PSP  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

ndst: No. & date even.

Copy of above is forwarded for information and necessary action, to the:

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2. District Police Officer, Shangla.
3. Office Supdt: "E" Branch, CPO.
4. Office Supdt: CP Branch CPO.
5. U.O.P. File.

No 737-38/AS DT 17-12/2018

EC/AS/ DPO Dir Lower, Sh

For action

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

C.T.C  
M



(7) Ann 'A'

**OFFICE OF THE  
REGIONAL POLICE OFFICER, MALAKAND**

**ATSAIDU SHARIF SWAT.**

*Ph: 0946-9240381-83 & Fax No. 0946-9240390*

*Email: digmalakand@yahoo.com*

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To: **The District Police Officer, Shangla.**

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*[Signature]*  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat

No. \_\_\_\_\_ /AS,

Copy for information to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar with reference to CPO, Peshawar memo: No. S/2762-2814/18, dated 11/07/2018 and No. S/3622-72/18, dated 05/09/2018 please.

*m.s.p. legla*

*DPO Shangla*

*[Signature]*  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat

C.T.C  
*[Signature]*



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2213 /ST

Dated 16-12- / 2019

To


The Regional Police Officer/DIG,  
Government of Khyber Pakhtunkhwa,  
Malakand at Saidu Sharif Swat.

Subject: -

JUDGMENT IN APPEAL NO. 19/2019, MR. RAEES KHAN.

I am directed to forward herewith a certified copy of Judgement dated 03.12.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.



2018

POLICE DEPARTMENT

**ANNUAL CONFIDENTIAL REPORT ON THE WORKING OF ASSISTANT SUB INSPECTORS,  
SUB INSPECTORS AND INSPECTORS FOR THE PERIOD/YEAR,  
From 25.04.2018 to 31.12.2018**

Name, Provincial or Range No. Rank and Grade	Insp: Races Khan No. M/119 BPS. 16
Father name	
Where and on what duties employed during the period	From <del>25.04.2018</del> to 31.12.2018 I/C C-Cell, PAL and Legal
Class of Superintendent of Police's Report i.e. 'A' or 'B'	A
Is he honest?	No Complaint
Remarks by:-  (1) Superintendent of Police  (2) Regional Deputy Inspector General of Police.	From 25.06.2018 to 31.12.2018 I/C C-Cell, PAL and Legal  <i>An Experienced and Good police officer</i>  (Rasool Shah)PSP District Police Officer, Shangla  From 25.04.2018 to 24.06.2018 I/C C-Cell, PAL and Legal Period less than three months hence no comments.  (Raza Abdul Saboor)PSP District Police Officer, Shangla

2018 J.D.

*[Handwritten signature]*

*[Handwritten signature]*

POLICE DEPARTMENT

DISTRICT SHANGLA

ANNUAL CONFIDENTIAL REPORT ON THE WORKING OF ASSISTANT SUB INSPECTORS, SUB INSPECTORS AND INSPECTORS FOR THE PERIOD/YEAR, 01.01.2017 to 31.12.2017

Name, Provincial or Range No. Rank and Grade	Insp: Raees Khan No. M/119 BPS. 16
Father name	Sabir Khan
Where and on what duties employed during the period	From 01.01.2017 to 11.04.2017 I/C C-Cell Shangla From 12.04.2017 to 19.09.2017 I/C C-Cell/Legal Branch From 20.09.2017 to 31.12.2017 I/C C-Cell/Legal Branch and PAL Center
Class of Superintendent of Police's Report i.e. 'A' or 'B'	A
Is he honest?	No complaints

Remarks by:-

- (1) Superintendent of Police,
- (2) Regional/Deputy Inspector General of Police.

No complaints  
Good Police officers

2017 / JW

(RAHAT ULLAH)  
District Police Officer,  
Shangla

Deputy Inspector General of Police  
Malakand Region, Balochistan, Peshawar.

Police No. 99 1990- (62)

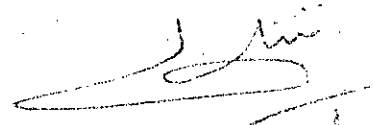

GS & PD. N.V.F.P. 1559 F.S 500P.OF 100

2016

POLICE DEPARTMENT

D!

ANNUAL CONFIDENTIAL REPORT ON THE WORKING OF ASSISTANT SUB INSPECTORS,  
SUB INSPECTORS AND INSPECTORS FOR THE PERIOD/YEAR,  
01.01.2016 to 01.06.2016

Name, Provincial or Range No. Rank and Grade	Insp: Raees Khan No. 119/M BPS. 16
Father name	Sabir Khan
Where and on what duties employed during the period	From <del>01.01.2016 to 01.06.2016</del> to <del>01.06.2016</del> at <del>Swara</del> <del>Funel</del>
Class of Superintendent of Police's Report i.e. 'A' or 'B' Is he honest?	CC # no. complain
Remarks by:-  (1) Superintendent of Police,  (2) Regional/Deputy Inspector General of Police.	<p>Intelligent and good Police officer.</p> <p></p> <p>(Israr Uddin ) District Police Officer, Dir Upper</p> <p>2016 JK</p> <p>Agreed</p> <p></p> <p>(AZAD KHAN) TTD, F.P. Regional Police Officer, Wataband, at Saidu Sharif Swat.</p>

Police No.99 1990- (62)

GS & PD. NWFP.1559 F.S 500P.OF 100-9-12 Form No.13.17


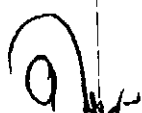
~~2018~~

679  
L.A. 2018

POLICE DEPARTMENT

DISTRICT DIR UPPER

**ANNUAL CONFIDENTIAL REPORT ON THE WORKING OF ASSISTANT SUB INSPECTORS,  
SUB INSPECTORS AND INSPECTORS FOR THE PERIOD/YEAR,  
01.01.2015 to 31.12.2015**

Name, Provincial or Range No. Rank and Grade	Insp: Races Khan No. 119/M BPS. 16
Father name	Sabir Khan
Where and on what duties employed during the period	From 01.01.2015 to 31.12.2015 Police Line Dir Upper
Class of Superintendent of Police's Report i.e. 'A' or 'B'	4A
Is he honest?	No. Complaint
Remarks by:-  (1) Superintendent of Police,  (2) Regional/Deputy Inspector General of Police.	Efficient and Hardworking Police officer.    (Israr Uddin) District Police Officer, Dir Upper  From: 19-1-2015 to 31-12-2015  Agreed    (AZAD KHAN) Tst, PSP Regional Police Officer, Malakand, at Saidu Sharif Swat.

2015 JKL

**State Of Raj. & Anr vs Mahendra Singh Sodha & Anr on 18 April, 2012**

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR D.B.CIVIL SPECIAL APPEAL NO.1973/2011 DATE OF ORDER : 18/4/2012 HON'BLE THE CHIEF JUSTICE MR.ARUN MISHRA HON'BLE MR.JUSTICE KAILASH CHANDRA JOSHI Mr.K.K.Bissa, for the appellants.

There is delay of 74 days in filing the special appeal. For the reasons mentioned in the application, delay is condoned.

Heard on the question of admission.

The State has questioned the legality of the judgment passed by the Rajasthan Civil Services Appellate Tribunal dt.26.3.2010, which has been affirmed by the Single Bench in the SBCWA No.9417/2010 vide order dt.7.7.2011. The Tribunal has allowed the appeal filed by the employee and has directed the department to promote him with effect from the date, his juniors were promoted and to give him all consequential benefits. He was working on the post of LDC. Before the Tribunal, the prayer was made to quash the adverse remarks communicated to him vide Communication dt.7.8.91 and order dt.11.6.1992, whereby his representation regarding adverse remarks was rejected. The adverse-remarks for the years 1985- 86 and 1986-87 were communicated in the year 1991, after a delay of four to five years and his representation was rejected in a cryptic manner. The prayer was made to quash the adverse-remarks, so communicated belatedly. The Tribunal has allowed the appeal. Aggrieved thereby, the writ application was preferred by the State. The Single Bench has not interfered in the order on the ground that there was belated communication of the ACRs after four to five years.

Reliance has been placed on a decision of this court in Richhpal Singh vs. State of Rajasthan, 1992(2) WLC 669 in which it has been held that delay in communication of adverse remarks after four years, cannot be said to be justified and the very purpose of communication of adverse entry is lost and such entries cannot be acted upon, while considering the case for promotion.

We have heard learned counsel for the appellants. Learned counsel for the appellants was unable to point out any decision contrary to Richhpal Singh (supra) in which this court has laid down that very purpose of the communication of adverse entries is to improve the performance of work and the communication of adverse remarks belatedly has the effect of frustrating the very purpose for which the ACRs are recorded. In the absence of proper explanation for belated communication of the adverse entries, the same cannot be acted upon by the D.P.C. in the matter while considering the case of promotion of the employee. The State Government was not entitled to act upon the uncommunicated adverse remarks in the ACRs. of the employee and to use the same against him.

In view of the aforesaid decision of this court, we find that no case for interference is made out.

Resultantly, the intra court appeal, being bereft of any force, stands dismissed. The stay petition is also dismissed. (KAILASH CHANDRA JOSHI), J. (ARUN MISHRA), CJ RANKAWAT JK, PS

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

**Service Appeal No. 19/2019**

Raes Khan Inspector.

..... Appellant

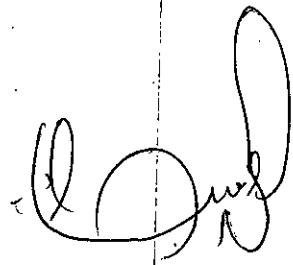
**VERSUS**

1. Provincial Police officer, Khyber Pakhtunkhwa, Peshawar
2. Regional Police Officer Malakand Region at Saidu Sharif, Swat.
3. District Police Officer Shangla
4. District Police Officer, Dir Upper.

..... Respondents

**INDEX**

<b>S.No:</b>	<b>Description of Documents</b>	<b>Annexure</b>	<b>Page</b>
1	Para-wise Comments	-	1-3
2	Affidavit	-	4
3	Authority Letter	-	5



**Deputy Superintendent of Police  
Legal, Dir Upper  
Office Ph:0944-880493**



①

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

Service Appeal No.....17.../2019

Raes Khan Inspector..... Appellant.

**VERSUS.**

- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Shangla.
- 4) District Police Officer Dir Upper..... Respondents.

**PARA WISE REPLY ON BEHALF OF RESPONDENTS.**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS.**

- 1) That the present service appeal is not maintainable in its form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

**ON FACTS:**

1. Pertains to record, hence needs no comments.
2. Pertains to record, hence needs no comments.
3. Pertains to record, hence needs no comments.
4. Incorrect, the appellant has been given adverse remarks in ACR by the competent authority as a result of his own conduct and services rendered by the appellant. The officer has not communicated the remarks in personal capacity; rather it was given in official capacity, keeping in view the conduct of appellant.
5. Needs no comments.

6. Needs no comments.

7. Incorrect, the appellant has got no jurisdiction to file the present service appeal.


**GROUND**

- (A) Incorrect, no discrimination has been done in communicating the remarks, nor any one-sided process has been carried out. All the process has been done in fair and justly manner.
- (B) Incorrect, neither malafide exist on the part of respondents, while communicating remarks on ACR, nor personal grudges. All the actions have been made by respondents in official capacity, while examining the performance of appellant in field work.
- (C) Incorrect, ACR is confidential report, prepared by Reporting officer of the department secretly about overall actions/inactions of subordinates. This is different from departmental proceedings and the remarks has been communicated timely to the appellant, but he failed to respond positively
- (D) Incorrect, remarks n ACR is short lining story and is the jurisdiction of competent authority to communicate it by examining the over all performance of the concerned officer. No violation of the rule of law and principles of natural justice has been committed.
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- (F) Incorrect, ACRs are being given on the performance/conduct of officer annually and these reports are different in nature keeping in view the performance of individuals. The remarks given to the appellant was in results of his own conduct arising from his services/characters.
- (G) The respondents also seek leave of this honourable service Tribunal to rely on additional grounds at the time of arguments/hearing.


**PRAYER:**

It is therefore humbly prayed that on acceptance of this para-wise reply, the appeal may graciously be dismissed with cost.

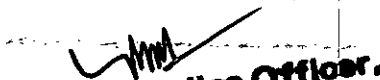
Provincial Police Officer,  
Khyber Pakhtunkhwa Peshawar.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.


Regional Police Officer,  
Malakand at Saidu Sharif Swat.

  
Regional Police Officer,  
Malakand at Saidu Sharif, Swat.

District Police Officer,  
Shangla.

  
District Police Officer,  
SHANGLA.

District Police Officer,  
Dir Upper.

  
DISTRICT POLICE OFFICER  
DIR UPPER.

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BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER

PAKHTUNAKHWA PESHAWAR

Service Appeal No. 19/2019

Raes Khan.....(Appellant)

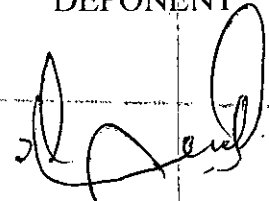
Versus

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Swat at Sadiu Sharif Swat.
3. District Police Officer, Dir Upper ..... (Respondents)

AFFIDAVIT

I, Rasheed Khan DSP Legal Dir Upper do hereby solemnly affirm and state on oath that the whole contents of this application for suspension of operation are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

DEPONENT



DSP/Legal Dir Upper  
03473267565

(9)

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

Service Appeal No...19..... /2017.

Mr. Raees Khan Inspector..... Appellant.

**VERSUS.**


- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Dir Upper..... Respondents.

**POWER OF ATTORNEY.**

We the undersigned do hereby appoint and authorized DSP Legal Upper Dir to appear on each and every date in the cited case. He is also authorized to file para wise reply, application and to submit all relevant documents in the cited appeal.


Respondent No.1

Provincial Police Officer,  
Khyber Pakhtunkhwa Peshawar.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.


Respondent No.2

Regional Police Officer,  
Malakand Region Saidu Sharif Swat.

  
Regional Police Officer,  
Malakand at Saidu Sharif, Swat.

Respondent No.3

District Police Officer,  
Dir Upper.

  
DISTRICT POLICE OFFICER  
DIR UPPER.