


22.03.2023

Learned counsel for appellant present.

Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

Learned Member Judicial (Mrs. Rozina Rehman) is on leave, therefore, case is adjourned to 07.06.2023 for arguments before D.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)

SCANNED
KPST
Peshawar

24th May, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the court. Last chance is given. To come up for arguments on 09.08.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

9-8-2022

Due to the Public holiday the case is adjourned to 9-11-2022


Reader

9-11-22

Since 9th November 2022 has been declared as public holiday. Therefore, the case is adjourned for the parties. 3. 12. 22 for the same.


23.12.2022


Naseer Ud Din Shah learned Assistant Advocate 

General is present.

SCANNED
10/12/22
Per Nawaz

Preceding date was adjourned on Reader Note, therefore, both the parties be put on notice for the date fixed. To come up for arguments on 22.03.2023 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

05.07.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General alongwith Muhammad Abbas Inspector for respondents present.

Former made a request for adjournment. Request is accorded. To come up for arguments on 28.10.2021 before D.B.



(Rozina Rehman)
Member(J)



Chairman

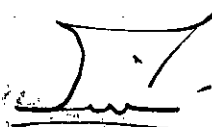
28.10.2021

Clerk of learned counsel for the appellant present. Mr. Muhammad Abbas, Inspector (Legal) alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 21.02.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 24.05.2022 for the same as before.

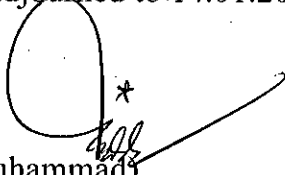


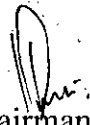
Reader

05.11.2020

Junior to counsel for the appellant present. Zara Tajwar, Deputy District Attorney alongwith Mr. Muhammad Abbas, ASI for respondent is present.

The Bar is observing general strike, therefore, the matter is adjourned to 14.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member (E)

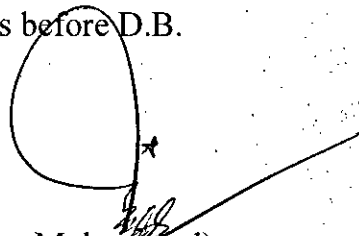

Chairman

14.01.2021

Appellant in person present. Addl: AG alongwith Mr. M. Abbas, Inspector for respondents present.

Arguments could not be heard due to learned Member(Judicial) is on leave.

Adjourned to 01.04.2021 for arguments before D.B.


(Mian Muhammad)
Member(E)

01.04.2021

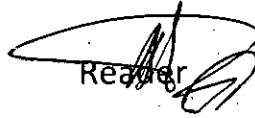
Due to non availability of the concerned D.B, the case is adjourned to 05.07.2021 for the same.


Reader

28-4-2020

Due to COVID19, the case is adjourned to

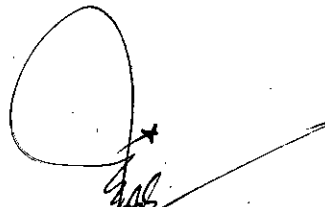
6/7/2020 for the same as before.



Reader

06.07.2020

Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney alongwith Muhammad Abbas Inspector for the respondents present.

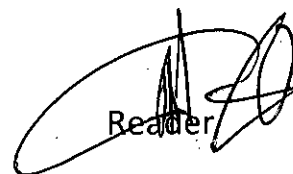
The matter is adjourned for arguments on 28.08.2020 before D.B. The appellant may furnish rejoinder within a fortnight, if so advised.


Member


Chairman

28.08.2020

Due to summer vacation, the case is adjourned to 05.11.2020 for the same as before.


Reader

19.02.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Muhammad Abbas, Inspector (Legal) for the respondents present. Representative of the department submitted para-wise comments on behalf of respondents No. 1 to 3. The same is placed on record. To come up for rejoinder and arguments on 08.04.2020 before D.B.



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

618/19

24.09.2019

Counsel for the appellant present. Mr. Muihammad Zahideen, both of the appellant also present and submitted power of attorney in his favour which is placed on record.

Learned counsel for the appellant has submitted an application for extension of time to deposit security and process fee.

Application is accepted and the appellant is allowed to deposit security and process fee within three working days from today. After the requisite deposit notices be issued to the respondents for submission of written reply/comments on 28.11.2019 before S.B.

Appellant Deposited
Security & Process Fee

29/11/19

28.11.2019

Junior to counsel for the appellant and Addl. Ag for the respondents present.

Learned AAG requests for time to contact the respondents and furnish the requisite reply/comments. Adjourned to 09.01.2020 on which date reply/comments shall positively be submitted.

Chairman

09.01.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks time to contact the respondents and furnish reply/comments. Adjourned to 19.02.2020 on which date the requisite reply/comments shall positively be furnished.

Chairman

17.07.2019

Counsel for the appellant present.

Contends that in another case of alleged embezzlement the appellant has given statement which has been considered to be against his high-ups, therefore, out of malafide the impugned order dated 03.01.2019 was passed only one day before the date of retirement of appellant. Further contends that the appellant being under suspension was regularly attending the office, however was not associated with the enquiry proceedings.

In view of arguments of learned counsel and the fact that the appellant has been awarded major punishment of dismissal from service, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 24.09.2019 before S.B.


Chairman

24.09.2019

Appellant in person present.

Appellant has submitted an application for extension of time to deposit security and process fee.

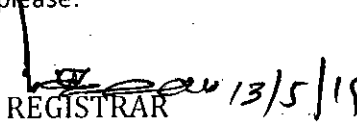

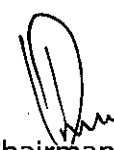
Application is accepted and the appellant is allowed to deposit security and process fee within three working days from today. After the requisite deposit notices be issued to the respondents for submission of written reply/comments on 28.11.2019 before S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 617/2019

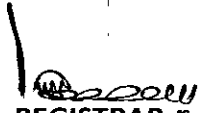
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/05/2019 SCANNED CPST Peshawar 15/05/19	<p>The appeal of Qazi Murad Ali Khan resubmitted today by Syed Dawran Shah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/5/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>14/06/19</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Nemo for appellant.</p> <p>Issue notice to appellant/counsel for preliminary hearing on 17.07.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>
2-	14.06.2019	

The appeal of Qazi Ali Murad Khan son of Ajab Khan Ex-Senior Clerk at DPO Office Shangla received today i.e. on 02.05.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ① Memorandum of appeal may be got signed by the appellant.
- 2- 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.
- 3- annexures of the appeal may be flagged.

No. 914 /S.T,

Dt. 10/5 /2019.

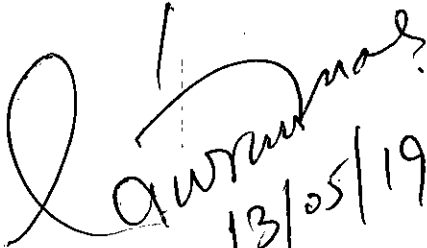

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Dawran Shah Adv.Pesh.

note

Respected Sir,

Copies of charge sheet, statement of allegations, show cause notice, enquiry report etc have not been provided to the appellant by the respondents. moreover, the rest of the deficiencies have been removed.


13/05/19

BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Services Appeal No. 617 /2019

QAZI ALI MURAD KHAN

VERSUS

Inspector General of Police, KPK, Peshawar.

INDEX

S.No	Description	Annexure	Pages
1.	Grounds of appeal a		1-8
2.	Application for Condonation of delay		9-10
2.	Affidavit		11
3.	Addresses of parties		12
4.	Copy of service card of the appellant	A	13
5.	Copy of dismissal/punishment order dated 03/01/2019	B	14
6.	Copy of departmental appeal and order dated 27/03/2019 etc	C, D	15-19
7.	Wakalat Nama		

Appellant

Through,


SYED DAWRAN SHAH

Advocate, High court Peshawar

①

BEFORE THE HONORUABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Services appeal No. _____/2019

QAZI ALI MURAD KHAN S/O AJAB KHAN, R/O VILLAGE SARGHOZ,
TEHSIL MASTUJ DISTRICT CHITRAL (EX-SENIOR CLERK AT
DISTRICT POLICE OFFICE SHANGLA).

... APPELLANT

VERSUS

1. Inspector General of Police, Peshawar KPK.
2. Regional Police Officer, Malakand, at Saidu Sharif Swat.
3. District Police Officer Shangla, KPK.

... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT 1973 AGAINST
THE ORIGINAL OB NO: 02, DATED 03/01/2019,
THROUGH WHICH THE APPELLANT HAS BEEN DISMISSED
FROM SERVICES AND AGAINST THE APPELLATE
DEPARTMENTAL ORDER NO. 3863-64/E DATED
27/03/2019, VIDE WHICH DEPARTMENTAL APPEAL OF
THE APPELLANT WAS DISMISSED

PRAYER:

ON ACCEPTANCE OF THIS APPEAL BOTH THE
IMPUGNED ORDERS MENTIONED ABOVE MAY
VERY KINDLY BE SET ASIDE AND THE APPELLANT
MAY VERY KINDLY BE RE-INSTATED IN SERVICE
ALONG WITH ALL BACK BENEFITS

RESPECTFULLY SHEWETH,

The appellant submit as under: -

1. That the appellant joined the police department as Junior Clerk in the year 1987 and promoted to the rank of Senior Clerk in the year 1998 and was lastly posted as Pay Officer by the order of DIG on 01/01/2016 at District Police Office Shangla and in that capacity Petitioner was performing his duty as pay officer in addition to his duties as senior clerk. (Copy of service card of the appellant is annexure A).
2. That as the appellant was performing his duties as senior clerk for the last 19/20 years and has not been promoted and was deferred so many times without any cogent reasons, hence for promotion to the next rank appellant has filed an appeal which is still pending before this honorable tribunal.
3. That during the course of posting as pay officer many police construction works have been started with the verbal orders of High Ups i.e.
 - i. A rest house Shangla Top with Sun roof and required furniture etc.

- ii. Rest House Besham with furniture etc.
- iii. Construction of Line Mosque.
- iv. Construction of DPO office.
- v. Construction of DRC office.
- vi. Special/petty repairs of PS Daudi, Karora, PP Shahpure PS Bara Gata.
- vii. PS Martung, Aloooh, Kamach, Kabal grame and the cost of all those buildings were Lum Sum estimated in millions of rupees.

4. It is also pertinent to mentioned here that the above mentioned works done with the verbal orders of High ups and its estimated cost with includes some amount of the pay of Ex-servicemen which later on caused the departmental proceedings and dismissal of the appellant from service on 03/01/2019 at the time when appellant was proceeding on pension after attaining the age of superannuation by ignoring the law, rules and regulations and without conducting regular enquiry in the case of appellant.

5. That petitioner was suspended by DPO shangla vide OB No.84 Dated 27/06/2017 and a criminal case vide FIR No. 657 Dated 17/09/2018 U/S 409PPC PS Alpuri was also registered against the appellant and on the allegations of unauthorized absence appellant was dismissed from his service vide OB No. 02 dated 03/01/2019 by DPO Shangla by awarding major punishment to the appellant (Copy of dismissal/punishment order Ob NO: 02 dated 03/01/2019 is attached as annexure B respectively).

6. That the appellant preferred departmental appeal to the regional police officer/DIG malakand, at Saidu Sharif Swat for his re instatement in service but the same was turned down /rejected vide office order No. 3863-64/E dated 27/03/2019. (Copy of departmental appeal and office order No. 3863-64/E dated 27/03/2019 is annexure C & D respectively)
7. That feeling aggrieved from the punishment/dismissal order dated 03/01/2019 and appellate order dated 27/03/2019 vide which departmental appeal was rejected, appellant approached this Honorable Court for his re instatement in service inter alia on the following grounds:-

GROUND: -

- A. That both the impugned orders are against the law, rules, facts of the case and cannon of natural justice, hence liable to be set aside.
- B. That the appellant has been condemned unheard and no opportunity of fair trial was provided to the appellant which is the constitutional right/ fundamental right of every citizen of Pakistan, hence on this score alone both the impugned orders needs to be set at naught.
- C. That the appellant has an unblemished service record and has served the department to the entire satisfaction of his superiors, neither is involved previously in any criminal case, nor remained absent from his duties in the past

neither there has been any adverse remarks against the appellant throughout his services.

D. That the appellant was charged in a false and concocted criminal case vide FIR No. 657, dated 17/09/2018 under section 409 PPC, police station Alpuri District Shangla and thereafter he was suspended and proceeded against in a summary manner without conducting any regular inquiry.

E. That the appellant was not associated with the inquiry proceedings which were initiated on the grounds of absence from duty and all the proceedings by the so called inquiry committee was conducted behind the back of the appellant in a secret manner.

F. That the above mentioned FIR was lodged as a counter blast of the pending contempt of court proceedings against the High Ups and appellant as well before the honorable Peshawar High Court in COC No. 11-M/2018 in Writ Petition No. 700/2016. It is pertinent to be mentioned that the appellant during the inquiry regarding payment of salaries to ex-servicemen, has given statements against his High Ups, hence to cover the mal administration of the High Ups and specially of the ex DPO Mr. Rahat Ullah Khan.

G. That in the FIR mentioned above no specific role has been attributed to the appellant neither any responsibility has been fixed on him nor appellant has any concern with the utilization of finance because the appellant is a subordinate official and had acted what has been ordered

by his superiors, hence the dismissal order of the appellant is just to shut the eyes of law and to avoid the skin High rank officials and to avoid taking responsibility regarding use of finance/funds in an improper way.

H. That one of the examples of the malafide of the respondent is that the impugned order was issued prior just one day prior when the appellant was about to complete his service was going to retire on 04/01/2019 after reaching the age of superannuation.

I. That all the proceedings culminating in the dismissal of appellant from his service were conducted behind the back of the appellant and before issuance of impugned order of dismissal from service, the appellant was not served upon with any show cause notice, statement of allegations, charge sheet, neither any publication has been made against the appellant and as such the appellant has been condemned unheard, which is not only against the law, but is also against the golden principles of Natural justice.

J. That no opportunity of hearing, defence and cross examination etc has been provided to the appellant.

K. That in the case of the appellant no regular inquiry whatsoever was conducted and major penalty of dismissal was awarded to the appellant, hence keeping in view the law, rules, regulations and judgements of the superior courts the impugned order of dismissal from service is not sustainable in the eye law and is liable to be set aside.

L. That appellant never remained absent from his duties and the allegations of willful absence from his duty is misleading and without any substance. At that time the appellant was already suspended from service but the appellant was regularly attending the office. In fact these allegations are just a counter blast because the appellant had filed Writ petitions in the Honourable Peshawar High Court against the respondents, hence all the allegations regarding absence from office duty, financial irregularities against the appellant etc are false, concocted, malafide and a dismissal order based on such allegations is illegal, unlawful and is liable to be set aside.

M. That the appeal in hand as well as departmental appeal are well within time as the appellant was not informed of the impugned appellate order which was not communicated to the appellant by the respondents and the appellant got knowledge of the rejection of his appeal on 29/04/2019 from a well-wisher through WhatsApp and this fact shows the malafide of the respondents because no copy for information has been sent to the appellant which is clearly evident from order dated 27/03/2019.

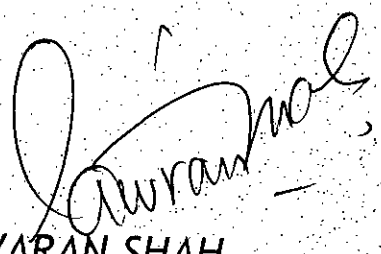
N. That keeping in view the above facts of the case the appellant is entitled for re-instatement in his services along with all back benefits, keeping in view the peculiar circumstances, hence this appeal.

O. That other grounds shall be raised at the time of arguments with the prior permission of this Honourable Court.

It is, therefore, most humbly prayed that on acceptance of this appeal both the impugned orders mentioned above may very kind very kindly be set aside and the appellant may very kindly be re-instated in service along with all back benefits.

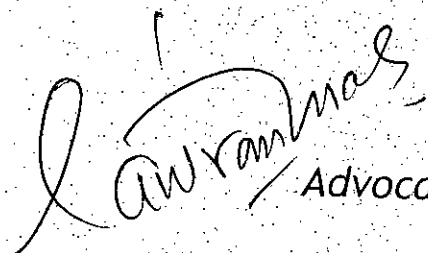
Any other relief not specifically prayed for and is available to the appellant may also be granted in the best interest of justice.

Dated: 02/05/2019

Appellant 
Through
SYED DAWARAN SHAH
Advocate, High Court Peshawar

Certificate:

Certified that no such like appeal has earlier been filed before this Honourable Court.


Advocate

BEFORE THE HONOURABLE SERVICE TRIBUNAL,
PESHAWAR

Qazi Ali Murad Khan

VERSUS

Inspector General of Police, KPK, Peshawar

APPLICATION FOR CONDONATION OF DELAY.

Respectfully Sheweth,

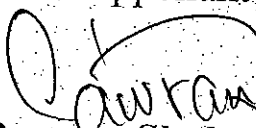
It is submitted very humbly as under:-

1. That the captioned Service Appeal is being filed today before this Honorable Tribunal in which date of hearing has not yet been fixed as yet.
2. That the contents of service appeal may kindly be considered as part and parcel of this application.
3. That no show cause notice, charge sheet, statement of allegations, final show cause notice etc. has been issued/served upon the appellant/petitioner and the petitioner was not aware regarding any departmental inquiry and when appellant/petitioner got knowledge regarding his dismissal from service, appellant filed departmental appeal on 26/01/2019 before the Regional police officer Malakand.
4. That the appellate authority has not summoned the appellant regarding his appeal and petitioner was continuously inquiring regarding his appeal from the concerned office but no information was provided to the petitioner.
5. That petitioner/appellant got knowledge regarding his dismissal/rejection of appeal on 29/04/2019 when a well-wisher

of the appellant/petitioner informed the petitioner through WhatsApp.

6. That it is clearly evident from the appellate order that no copy of dismissal/rejection of appeal is sent to the petitioner which is a clear example of the malafide of the respondents.
7. That there is no willful delay on the part of petitioner but the delay if any is due to the act, action and omission of the respondents and for the reason mentioned above.
8. That this is the settled principle of law that cases should be decided on merits after hearing the parties and no one should be condemned unheard.
9. That valuable rights of the petitioner are involved in the case/matter and the delay, if any in the filing of this service appeal is not condoned, the petitioner shall suffer an irreparable loss.

It is therefore, most humbly prayed that on acceptance of this application the delay, if any may kindly be condoned in the best interest of justice.

Petitioner / Appellant
Through

Syed Dawran Shah
Advocate.

AFFIDAVIT:-

It is solemnly affirm and declare on oath that the contents of the above application are true and correct to best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Court.

DEPONENT

(11) (12)

BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Services Appeal No. _____/2019

QAZI ALI MURAD KHAN

VERSUS

Inspector General of Police, KPK, Peshawar.

AFFIDAVIT

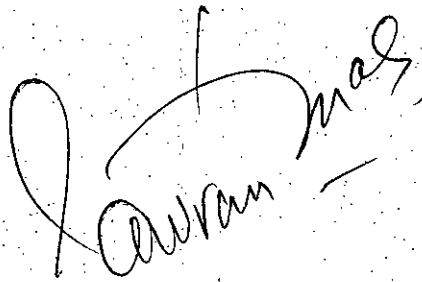
I, Qazi Ali Murad Khan s/o Ajab Khan, r/o village Sarghoz, tehsil Mastuj district Chitral (ex-senior clerk at district police office shangla) do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Deponent

Identified by:

SYED DAWRAN SHAH

Advocate, High Court Peshawar



BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Services Appeal No. _____ / 2019

QAZI ALI MURAD KHAN

VERSUS

Inspector General of Police, KPK, Peshawar.

ADDRESSES OF PARTIES

ADDRESS OF APPELLANT:

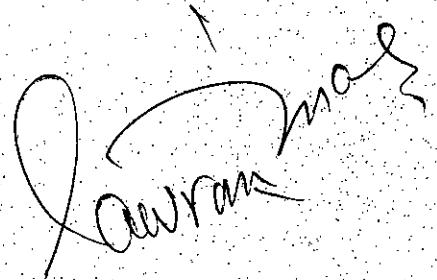
QAZI ALI MURAD KHAN (EX-SENIOR CLERK AT DISTRICT POLICE OFFICE SHANGLA) S/O AJAB KHAN, R/O VILLAGE SARGHOZ, TEHSIL MASTUJ DISTRICT CHITRAL

ADDRESSES OF RESPONDENTS:

1. Inspector General of Police, Peshawar KPK.
2. Regional Police Officer, Malakand, at Saidu Sharif Swat.
3. District Police Officer Shangla, KPK.

Appellant

Through



SYED DAWRAN SHAH

Advocate, High court Peshawar

PAKISTAN National Identity Card

Name: Qazi Ali Murad Khan Shareh

Father Name: Ajaib Khan

Gender: M Country of Stay: Pakistan

Identity Number: 15202-9832699-7

Date of Birth: 15.01.1959

Date of Issue: 12.03.2018

Date of Expiry: Lifetime



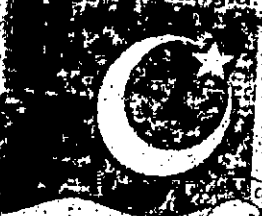
Holder's Signature



کارت شناختی برقرسی لبریکس میں ڈال دین

POLICE ID CARD

POLICE Khyber Pukhtoon Khwa District Shangla



Qazi Ali Murad Khan

Pay Officer

SHANGLA



F/Name: Ajaib Khan. NIC No: 15202-9832699-7. Tell No: 0345 5429040. D.O.Birth: 15-01-1959. D.O.Appo: 14-09-1987. Blood G: A+ve. Height: 5'7. Eyes: Blue. D.O.Issue: 24-06-2016 D.O.Exp: 23-06-2019. Address: Vill: Sarkuz P/O & Tehsil Mastuj



Ph#: 0996-850015

Fax#: 0996-850002

Email: dposhangla@yahoo.com

OFFICE OF THE DISTRICT POLICE OFFICER, SHANGLA

ORDER

This order is hereby issued to dispose-off departmental inquiry initiated against Senior Clerk Qazi Ali Murad of this district vide this office Charge Sheet No.67/E dated 08.10.2018.

Senior Clerk Qazi Ali Murad absented himself from his lawful duty with effect from 13.09.2018 to 03.10.2018 and then 08.10.2018 till to date without lawful permission of the competent authority. Being disciplinary force, his this act of misconduct rendered him liable to be proceeded against departmentally under Police Disciplinary Rule, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018. Qazi Ali Murad, Senior Clerk was therefore proceeded against departmentally and hence served with Charge Sheet along with statements of allegation under Police Disciplinary Rule, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018.

Mr. Bashir Khan DSP/Headquarter was appointed as Enquiry Officer to conduct departmental proceedings against the defaulter Senior Clerk.

During inquiry the defaulter Senior Clerk did not bother to appear before the E.O in spite of repeated call nor replied to the Show Cause served on him.

The Enquiry Officer, in his finding recommended the defaulter Senior Clerk for **Major Punishment**. Hence Final Show Cause was issued against the defaulter Senior Clerk through DPO Chitral vide this office order No. 5740/E dated 20.11.2018 but the defaulter officer did not replied to the Final Show Cause nor he appeared personally to the undersigned in his defence against the allegations levelled against him.

Lastly a notice/advertisement was published in Daily Urdu newspaper (Daily Mashriq and Basha News) to inform him to appear to the undersigned but after the lapse of stipulated period he did not report to the undersigned.

Therefore, I **Rasool Shah** (PSP) District Police Officer Shangla as a competent authority and in exercise of the powers vested to me under Police Disciplinary Rules, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018 award to Senior Clerk Qazi Ali Murad as major Punishment i.e dismissal from service with immediate effect.

Order Announced

03.01.2019

District Police Officer
Shangla

OB No. 02

Dated 03/01 /2019

No. /E, dated Al-puri the, /

Copy submitted for favour of information to:-

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, please.
2. The Regional Police Officer, Malakand, Saidu Sharif, Swat, please.

District Police Officer
Shangla

Scanned by CamScanner

(15)

**BEFORE THE DEPUTY INSPECTOR GENERAL OF
POLICE MALAKAND REGION S. SHARIJ SWAT**

**Departmental Appeal against the
impugned order vide No. 20 dated
03/01/2019**

Respected Sir:

My most humble request against the subject order dated 03/1/2019 passed by the worthy DPO Shangla Mr. Rasool Shah Khan by which I was dismissed from service and ignored my more than 32 years crystal clear service is as under:

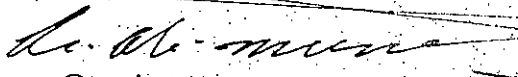
1. That I was present at DPO Office upto 10/10/2019 as evident from Daily Attendance register being a suspended official prior to impugned departmental proceeding.
2. That I was to pursuing the already a falsely prepared case during my suspension by DPO Shangla in different courts with the written approval of the present DPO. All the written documents are available at DPO Office Shangla.
3. That my superannuation service has completed on 04/01/2019 (AN) while the DPO has dismissed me on self made departmental proceeding by showing me absent from duty while I am still in suspension period.
4. That no show cause notice, charge sheet or FSCN was issued or received to me nor departmental inquiry

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conducted in the matter and the whole so called proceeding were conducted at the back of the undersigned.

5. That when I submitted application to the DPO for the copies of impugned order, he refused and still not provided photocopies of the dismissal order which has been passed one sidedly and by ignoring the law, rules and regulation. **(Copy of the application is enclosed)**

In the circumstances above it is humbly prayed that by keeping in view my clear service record of more than 32 years, I may be re-instated in service from the date of dismissal i.e. 03/01/2019 with all back benefit and I may be issued my superannuation order and all other pensionary benefits from 04/01/2019 and obliged please.


Qazi Ali Murad Khan
(R) SC DPO Office
Shanglaw, Swat
Cell No. 0345-5429040

26/01/2019

Dated: 26/01/2019



OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND

AT SAIDU SHARIF SWAT.
Ph: 0946-9240381-88 & Fax No. 0946-9240390
Email: dgmalakand@valto.com

ORDER:

This order will dispose off departmental appeal of Qazi Ali Murad Ex-Senior Clerk of District Shangla:-

- i. In pursuance of Peshawar High Court Mingora Bench, Darul Qaza Swat judgment dated 13/11/2018 passed by the Honorable division bench vide Addl. Registrar No. 4650/Writ Petition Branch: dated 19/11/2018 (W.P No. 977-M of 2018) regarding embezzlement of Rs. 5812965/- vide cheque No. 1411533 dated 17/08/2017 on account of Ex-servicemen (contract) salaries drawn from regular budget of DPO, Office Shangla as per Charge Sheet / Statement of Allegations vide DPO, Shangla No. 2849/AA/Tranvi/Ed/Trd 27/06/2018 Rem. of Rs. 5812965/- followed by case FIR No. 657 dated 17/09/2018 u/s 409-PPC PS Alpuri, absented from place of duty with effect from 13/09/2018 vide Charge Sheet / Statement of Allegations issued by DPO, Shangla No. 67/E, dated 08/10/2018 and Final Show Cause Notice No. 67, dated 19/11/2018, after completion of departmental proceedings dismissed from Service by DPO, Shangla vide OB No. 02, dated 03/01/2019.

Brief facts of the case are that Qazi Ali Murad Ex-Senior Clerk while posted to the Office of DPO Shangla as Pay Officer has been drawn a bill of Rs: 5812965/- vide Cheque No. 1411533, dated 17/8/2017 in the name of Ex-Serviceman contract hired for the security duty of Chinese Engineers/workers at Aided Post Flood Rehabilitation Project N-35 from the regular budget of different heads of DPO Office Shangla without prior approval of Principal Account Officer (PAO) i.e. Provincial Police Officer and the same amount i.e. Rs: 5812965/- is pending against him and not distributed on Ex-Serviceman till date.

He was placed under suspension by DPO, Shangla vide OB No. 84 dated 27/06/2018, Issued Charge Sheet with statement of allegation and proper enquiry was initiated. As huge financial losses to Govt exchequer were involved, therefore criminal case vide FIR No. 657 dated 17/09/2018 U/S 409-PPC PS Alpuri was registered against the delinquent Senior Clerk. On the opinion of DPP Shangla the case was transferred to Assistant Director Anti-Corruption Establishment Crime Swat for further investigation which is still under process with Anti-Corruption establishment.

Qazi Ali Murad filed a writ petition before the Peshawar High Court Mingora Bench (Darul Qaza Swat) wherein he agitated the atrocities of DPO Shangla and as per Honorable High Court direction dated 13/11/2018 the same write petition was converted into departmental appeal and referred to Undersigned for disposal on merits and in accordance with law/ rules.

As per request of DPO Shangla vide his office Memo: No. 1071/E, dated 17/07/2018, a committee consisting of SP Lower Swat, Office Supdt: Region Office Malakand and Pay Officer DPO Office Buner was constituted vide this office Memo: No. 6810-13/E, dated 03/08/2018 for conducting impartial enquiry and fixing responsibility upon the defaulter on account of financial irregularities/ embezzlement. The committee probed the matter and submitted findings report wherein the Qazi Ali Murad Khan Ex-Senior Clerk / Pay Officer was held responsible / guilty for embezzlement of amount of Rs: 5812965/- drawn from government treasury and recommended for suitable punishment and recovery of government money from him.

Subsequently, Qazi Ali Murad Senior Clerk of Shangla District absented from lawful duty with effect from 13/09/2018 to 03/10/2018 and again from 08/10/2018 till the date of dismissal i.e 03/01/2019 without lawful permission of the competent authority. Charge Sheet with statement of allegations were issued, but he did not submitted reply nor appeared before enquiry officer nor joined duty. Mr. Bashir Khan DSP/Hqrs: Shangla was appointed as Enquiry Officer who conducted departmental enquiry against the defaulter Senior Clerk and submitted findings report. Besides, Final Show Cause Notice to defaulter officer was issued and also through press in national and local newspapers, but he did not appeared. DPO Shangla as the competent authority in exercise of the powers vested to him under Police Disciplinary Rules, 1975 read with Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide Notification No: 1217/E-V, dated 13/03/2018 awarded major punishment and dismissed him from service vide OB No: 02 dated 03/01/2019.

On his appeal to this office, he was called in Orderly Room held on 06/03/2019, heard in person, the appellant could not produce any cogent reason in his self-defense. His appeal and enquiry papers were thoroughly perused. The allegations of embezzlement of huge amount and wilful absence from station of duty have been established beyond any shadow of doubt. Therefore the undersigned uphold the order passed by the DPO, Shangla. His appeal is hereby rejected / filed.

Order announced.

OB/EC
Poc Malakand

(MURHAMMAD SAEED) PSP
Regional Police Officer,
Malakand, at Saidu Sharif Swat
"Saeed"

No. 3863-04 /E,

Dated 27-03- /2019.

District Police Officer,

Copy to the: 28 / SHANGLA

- 1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for information please.
- 2. District Police Officer, Shangla for necessary action with reference to this office Endst:

No. 3527/EC, dated 04/02/2019.



Date: 21-01-2019

The DPO Shantla

Sub: Allowed photo copy
impunged order OB-20
dt: 3-1-2019

Photo copy of the
on subject "order" which
was passed one side by
putting all the rules and
regulations blind eye.

Copies all the relevant
papers with the copy of the
impunged order be allowed
as required under rules.

03455429040

DAZI ALI MURAD

RTD: pay officer
Shantla
21/01/2019

قیمت 50 روپے	12954			
ایڈویکٹ: <u>سید دوراں شاہ</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: BC-10-7799				
رابطہ نمبر: 03005985384				

بعدالت جناب: سر جسٹس گلشن گل صاحبہ چیئر پرسن پختونخواہ ہائی کورٹ

مخاطب:	دعویٰ: <u>اپیل</u>
عنوان نمبر:	
مورخہ:	
جرم:	
تھانہ:	
باعث تحریر آنکہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام کےسے کیلئے سید دوراں شاہ + سید جسٹس کو وکیل 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 کرنے و تقرر ثالث و فیصلہ برحلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم:

الع بد گواہ شد الع بد
مقام کےسے کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Accepted
Law Firm

گورنمنٹ ہائیڈرو گریڈنگ کمیشن

قائم علیٰ عہدہ سربراہ ہائیڈرو گریڈنگ کمیشن

درخواست نمبر 1919/1920

گورنمنٹ ہائیڈرو گریڈنگ کمیشن

یہ درخواست گزار نے درخواست کی ہے کہ اس کے لئے

3. یہ درخواست گزار نے درخواست کی ہے کہ اس کے لئے
4. یہ درخواست گزار نے درخواست کی ہے کہ اس کے لئے

یہ درخواست گزار نے درخواست کی ہے کہ اس کے لئے

24/19
محمد علی صاحب

ATTESTED
Muhammad Yasin Advocate
Notary Public
High Court Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
(PESHAWAR)

Service Appeal No. 617/2019

Mr. Qazi Ali Murad..... (Appellant)

VERSUS

Inspector General of Police Khyber Pakhtunkhwa, Peshawar e.t.c
..... Respondents)

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S. NO	DESCRIPTION	ANNEXURE	PAGE NO.
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TOTAL PAGES			14

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 617/2019.

Qazi Ali Murad (Appellant)

Versus

Inspector General of Police, Khyber Pakhtunkhwa Peshawar etc.....(Respondents)

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1973

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.01 TO 03

Respectfully Sheweth:-

I. PRELIMINARY OBJECTIONS.

- i. The appellant has got no cause of action to file the present appeal.
- ii. The appeal of the appellant is badly time-barred.
- iii. The conduct of the appellant preclude the appellant to file the present appeal.
- iv. That the appellant has not come to the Honorable Tribunal with clean hands.
- v. That the appellant has estopped by his own conduct to file instant appeal.

II. FACTUAL OBJECTIONS.

- 1. That para No. 1 relates to the service record of the appellant. Hence no comment is needed.
- 2. That para No. 2 relates to record, hence no comments.
- 3. That para No. 3 is incorrect. The appellant was responsible for the duties of pay officer in District Police office and was not field officer. There is nothing on record to show any expenditure on the quoted works.
- 4. That para No.4 is incorrect. Pay of ex-serviceman was meant for payment to these officers and not for petty repair and other construction work. Therefore, the appellant was held responsible for embezzlement of the sum meant for the subject. Enquiry proceedings were conducted and F.I.R No. 657 dated 17.09.2018 U/S 409 P.P.C P.S Alpuri was also registered against the appellant. The appellant in the meanwhile absented himself from duty from 13.09.2018 to 03.10.2018 and then from 08.10.2018 till his dismissal from service. The appellant was served with a notice published in the daily Mashriq Peshawar dated 12.12.2018 and daily Basha News dated 12.12.218 as required under

section 9 of Khyber Pakhtunkhwa EXD, Rules 2011 and Khyber Pakhtunkhwa Police Act 2017 but he did not attend his duties, therefore, he was dismissed from service. (Copies of enquiry reports, F.I.R and press clipping are attached herewith as annexure A,B,C,D,E,F,G & H).

5. That para No. 5 is correct. Detail is given in reply to para No. 4 above.
6. That para No. 6 is correct.
7. That para No.7 needs no comments.

GROUND.


- A. Ground No. "A" is incorrect. The impugned orders are in accordance with the rules, Law and there is no illegality in it.
- B. Ground No. "B" is also incorrect. According to Law and rules, the appellant was given notice through press but he could not join his duty nor given any response. Therefore, according to rules the appellant was dismissed from service.
- C. Ground No. "C" is also incorrect. The appellant has been punished for his current absence and not for his past charges. Therefore, the appellant was required to justify his absence which has not been done by him.
- D. Ground "D" is also incorrect. The appellant was charged for embezzlement of salaries of ex- servicemen. He was unable to provide record of payment of the amount drawn from the account. Therefore, he was rightly booked under criminal charges.
- F. Ground "F" is also incorrect. The salaries of ex-servicemen were not paid by the appellant and these employees filed writ petition in the Hon'ble P.H.C Darul-Qaza Swat for its payment. On enquiry it was proved that it has been embezzled by the appellant, therefore, F.I.R was lodged against the him.
- G. Ground "G" is also incorrect. The appellant was posted as Pay officer in D.P.O office he encashed cheque amounting to Rs. 5819846 meant for the salaries of ex-servicemen. Therefore, he was directly involved in the embezzlement of the amount because he was responsible to disburse the same amongst the ex-servicemen.
- H. Ground "H" is also incorrect. There is no bar in the Law and rules where an official cannot be dismissed prior to his superannuation.
- I. Ground "I" is incorrect. Proper publication in the news paper as required under the rules was published but the appellant willfully absented himself from duty. Therefore, dismissal order was issued in accordance with the rules.
- J. Ground "J" is incorrect. Detailed comments are given above.
- K. Ground "K" is also incorrect.
- L. Ground "L" is also incorrect.


- M. Ground "M" is also incorrect. Order of appellate authority was properly communicated to the appellant. His present appeal is badly time-barred and is not maintainable under the Law and rules on the subject.
- N. Ground "N" is incorrect. The appellant is not entitled for re-installment because he has violated the Law and rules as Government servant and willfully absented himself from duty after embezzlement of salary amount of ex-servicemen.
- O. Ground "O" no comments.


It is therefore, most humbly prayed that the appeal of the appellant may very kindly be rejected with heavy cost.

THANKS

Respondents:


Inspector General of Police,
Khyber Pakhtunkhwa.


Regional Police Officer,
Malakand at Saidu Shajid Swat
Regional Police officer,
Malakand at Swat.


District Police Officer,
Shangla.
District Police Officer,
SHANGLA.

(4)

Annex A

NO. 67 /E,


Dated 08/10/2018

CHARGE SHEET

I **Rasool Shah Khan**, District Police Officer, Shangla as competent authority, hereby charge you **Senior Clerk Qazi Ali Murad** while posted at **DPO Office** as follow:-

You Qazi Ali Murad (suspended) while posted at the office of the undersigned absented yourself from your lawful duty with effect from 13/09/2018 to 03/10/2018 without prior permission of your superior. Your this act to gross negligence on your part, which renders you liable to be proceeded against departmentally.

1. By reasons of the above, you appear to be guilty of misconduct and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Disciplinary Rules, 1975.
2. Therefore, require to submit your written reply within **07 days** of the receipt of this Charge Sheet to the Enquiry Officer.
3. Your written reply, if any, should reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
4. Intimate as to whether you desire to be heard in person or not?
5. A statement of allegations is enclosed.


(Rasool Shah Khan)
District Police Officer,
Shangla

(5)

"Annex: B"

DISCIPLINARY ACTION

I **Rasool Shah Khan**, District Police Officer, Shangla as competent authority, is of the opinion that **S/C Qazi Ali Murad** posted at **DPO Office** have rendered himself liable to be proceeded against departmentally as he is committed the following acts/omission as defined in Rule-2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATIONS

That it has been reported against him that while posted at **DPO Office** committed the following act/acts which is/are gross misconduct on your part as defined in Rule-2 (iii) of Police Rules 1975.

You Qazi Ali Murad (suspended) while posted at the office of the undersigned absented yourself from your lawful duty with effect from 13/09/2018 to 03/10/2018 without prior permission of your superior. Your this act to gross negligence on your part, which renders you liable to be proceeded against departmentally.

2. For the purpose of scrutinizing the conduct of said official with reference to the above allegations, **Mr. Bashir Ahmad, DSP HQrs: Shangla** has been appointed to conduct proper departmental enquiry.
3. The Enquiry Officer shall conduct proceedings in accordance with the provision of Police Rules 1975 and shall provide reasonable opportunity of defence and hearing to the defaulter Official, record its findings and make within twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the defaulter Official.
4. The defaulter Official shall join the proceeding on the date, time and place fixed by the Enquiry Officer.

(Rasool Shah Khan)
District Police Officer,
Shangla

OFFICE OF THE DISTRICT POLICE OFFICER, SHANGLA

No. **5046-47** /E, Dated Alpur the **08/10** /2018
Copy of above is sent to:

1. The Enquiry Officers, for initiating proceeding against the defaulter Official under Police Rules, 1975.
2. Concerned defaulter Official.

(Rasool Shah Khan)
District Police Officer,
Shangla

فائینڈنگ رپورٹ بحوالہ چارج شیٹ نمبری 5046.47/E محررہ 08.10.2018

عنوان:

جناب عالی!

بحوالہ چارج شیٹ نمبری بالا میں تم سینئر کلرک قاضی علی مراد پر الزام ہے کہ تم اپنے بالا ایفیسر کے نوٹس میں لائے بغیر مورخہ 13.09.2018 سے 03.10.2018 تک غیر حاضر ہوئے ہو۔ جو کہ تمہارا غفلت اور لاپرواہی ہے جس پر ضلعی پولیس سربراہ ضلع شانگلہ نے چارج شیٹ نمبری بالا جاری کر کے من زیر دستخطی کو انکوائری ایفیسر فرمایا۔

تحقیقات کاروائی:

اندریں سلسلہ انکوائری شروع کی مذکورہ سینئر کلرک کو بحوالہ پروانہ نمبری 485/R محررہ 15.10.2018 بوساطت ہیڈ کلرک بغرض قلمبندی بیان طلب کیا گیا جس نے مذکورہ سینئر کلرک کو ان کے ذاتی موبائل نمبر پر مطلع کر کے انکوائری سے آگاہ کیا۔ لیکن مذکورہ پیش نہ ہوسکا۔ اس طرح دوسرا پروانہ نمبری 493/R محررہ 18.10.2018 بوساطت ہیڈ کلرک جاری کیا گیا لیکن پھر بھی مذکورہ سینئر کلرک انکوائری کے سلسلے میں پیش نہ ہوسکا۔ مذکورہ کا انکوائری زیر غور تھا کہ انہوں نے دوران انکوائری بذریعہ ڈاک ایک تحریر درخواست ارسال کر کے جس میں تحریر کیا ہے کہ اس کے خلاف غیر قانونی طور پر ایک منگھوت مقدمہ درج رجسٹرڈ ہو چکا ہے وہ اس کی پاسداری کی خاطر مختلف عدالتوں ہائی کورٹ اور سروس ٹریبونل میں مصروف عمل ہے۔ جب ان سے فراغت پا کر انکوائری کے سلسلے میں پیش ہو جاؤنگا مزید انہوں نے غیر حاضری کی نسبت واضح کیا کہ اس نے اٹینڈنس رجسٹر میں دستخط ثبت کی ہے۔ اس طرح اٹینڈنس رجسٹر ملاحظہ کر کے واقعی مذکورہ نے مورخہ 13.09.2018 سے 03.10.2018 تک اٹینڈنس رجسٹر میں اندریں بارہ ہیڈ کلرک فرمان علی سے تحریری بیان لیا جا کر وہ بیانی ہے کہ مورخہ 13.09.2018 سے 03.10.2018 تک اٹینڈنس رجسٹر میں مذکورہ کا دستخط ثبت ہے لیکن انہی دنوں میں اس نے ہیڈ کلرک کا چارج نہیں سنبھالا تھا۔ مزید واضح کیا کہ قاضی علی مراد اٹینڈنس رجسٹر میں مورخہ 08.10.2018 سے تاحال غیر حاضر ہے۔ مذکورہ سینئر کلرک کی غیر حاضری کی نسبت سابقہ ہیڈ کلرک سید عالم PA سے تحریری بیان لیا جا کر انہوں نے بیان کی کہ میرے تعیناتی کے دوران S/C یعنی مورخہ 13.09.2018 سے مورخہ 03.10.2018 تک قاضی علی مراد دفتر جناب DPO صاحب میں میں عدم موجود تھا۔ اسی طرح عبید اللہ شہیل شمنٹ کلرک نے بیان کی کہ قاضی علی مراد مورخہ 13.09.2018 سے غیر حاضر تھا رجسٹر حاضری میں دستخط کی جگہ خالی تھی۔ جب مذکورہ مورخہ 03.10.2018 کو دفتر حاضر آیا تو تمام دستخط بیک وقت ثبت کی۔

مورخہ 01.11.2018 کو ایک مرتبہ پھر مذکورہ سینئر کلرک کو بحوالہ پروانہ نمبری 531/R طلب کیا گیا لیکن مذکورہ کے ساتھ موبائل فون نمبر پر رابطہ نہ ہوسکا۔ بذریعہ SMS مطلع کیا گیا مگر پھر بھی پیش نہ ہوسکا۔

نتیجہ انکوائری:

درجہ بالا حالات واقعات سے یوں پایا گیا کہ سینئر کلرک قاضی علی مراد اس سے قبل دفتر جناب DPO صاحب میں کئی اہم پوسٹوں پر یعنی PA، پے ایفیسر اور ہیڈ کلرک تعینات رہ چکا ہے۔ پولیس کے قاعدہ اور قانون سے بخوبی واقفیت رکھتے ہیں۔ لیکن مذکورہ کو بار بار بسلسلہ انکوائری طلب کیا گیا مگر تاحال مذکورہ بسلسلہ انکوائری پیش نہ ہو سکا اور نہ مذکورہ نے جاری شدہ چارج شیٹ کا جواب دیا۔ مذکورہ سینئر کلرک مورخہ 13.09.2018 سے 03.10.2018 تک غیر حاضر رہنے کے بعد جب حاضر آیا تو سارے دستخط ایک ساتھ ثبت کی ہے جس کا یہ فعل بھی خلاف ڈسپلن ہے۔ اس طرح مذکورہ سینئر کلرک دوبارہ مورخہ 08.10.2018 سے غیر حاضر ہو کر جو ابھی تک اٹینڈنس رجسٹر میں غیر حاضر چلا رہا ہے۔ مذکورہ کا یہ فعل کارسکار میں عدم دلچسپی اور لاپرواہی کے مترادف ہے۔ نیز فونو کا پی رجسٹر ہمراہ لف ہے۔

لہذا بالا وجوہات کی بناء پر سینئر کلرک قاضی علی مراد کو (Major Punishment) دینے کی سفارش کی جاتی ہے۔

ڈی. ایس. سی. ہیڈ کوارٹر شانگلہ

ضلع شانگلہ

ابتدائی اطلاعی رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ ڈیڑھ ۱۵۲ مجموعہ ضابطہ نو جداری

ضلع سیالکوٹ سیکٹری 657 تاریخ 27/09/18

تاریخ وقت رپورٹ	17.9.18
نام و سکونت اطلاع دہندہ مستفیض	محمد سیراج خان SNO
تعمیر کیفیت جرم (مستوفیہ) حال اگر کچھ لیا گیا ہو	409
مقام وقوع جرم (مستوفیہ) اور دست	یہ آخر سیراج خان کے مکان پر واقع الیورسٹا کے کھانے کے کھانے پر واقع ہے
نام و سکونت جرم قاضی عدلی سرگودھا کے والد	محمد سیراج خان
کارروائی جو تفتیش کے معلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	سرگودھا کی پولیس نے اطلاع دی ہے کہ
مقام سے درواگی کی تاریخ و وقت	یہ سیراج خان

ابتدائی اطلاع نیچے درج کرو۔

اس وقت دستورجا - DPO کے مکان سے آگے چھٹی انگریزی پتہ 3218/GB فرورہ 9/18
 7351E فرورہ 30/18 سیراج خان کے مکان پر واقع الیورسٹا کے کھانے کے کھانے پر واقع ہے
 قاضی عدلی سرگودھا کے والد نے اس کے والد کے مکان پر واقع الیورسٹا کے کھانے کے کھانے پر واقع ہے
 کہنے پر بیان کیا کہ قاضی عدلی سرگودھا کے والد نے اس کے والد کے مکان پر واقع الیورسٹا کے کھانے کے کھانے پر واقع ہے
 آگے کے دروازے پر فرورہ ہے آخر سے سرگودھا کے مکان سے 58-129651 یہاں پر واقع ہے
 پتہ الیورسٹا کے مکان پر واقع ہے سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے
 یہ آخر سے حالات کے مطابق الیورسٹا کے مکان پر واقع ہے سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے
 سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے
 کہنے کے مطابق فرورہ کے مکان پر واقع ہے الیورسٹا کے مکان سے لے کر آگے کے مکان پر واقع ہے
 سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے سرگودھا کے مکان سے لے کر آگے کے مکان پر واقع ہے
 کہنے کے مطابق فرورہ کے مکان پر واقع ہے الیورسٹا کے مکان سے لے کر آگے کے مکان پر واقع ہے

SNO P.S. Muzri
17.9.18

FINAL SHOW CAUSE NOTICE

I Rasool Shah (PSP) District Police Officer, Shangla being a competent authority under the efficiency and disciplinary Rule 2014, Rule 11-A Sub Rule (3) Police Rule 1975 do hereby serve you **Senior Clerk Qazi Ali Murad** while posted at **DPO Office** as follows:-

- 1) You Qazi Ali Murad (suspended) while posted at the office of the undersigned absented yourself from your lawful duty with effect from 13/09/2018 to 03/10/2018 and 08.10.2018 to date without prior permission of your superior. Your this act to gross negligence on your part which renders you liable to be proceeded against departmentally.
- 2) As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of Major/Minor Punishment as deemed appropriate under the prescribed rules as may be.
- 3) You are therefore, required to show cause as why the aforesaid penalty should not be imposed upon you also intimate whether you desire to be heard in person.
- 4) If no reply to this notice is received within seven (7) days of its delivery in the normal course of circumstances, otherwise it shall be presumed that you have no defense and that case ex-parte shall be taken against you.
- 5) The copy of finding of the Enquiry Committee is also enclosed.

(Rasool Shah) PSP
District Police Officer,
Shangla

NO 67
Dated 19 / 11 / 2018

Annex: 1

GAS U... Welding Joints of MS pipe 4 Inch, 2 inch & 1 inch, mains for supply of gas to Sheikh Abad - Hasan Abad UC Nowshera Kalan MS Pipe 4" Dia x 500 MS Pipe 2" Dia x 996 MS Pipe 1" Dia x 1604

All the terms & conditions of the subject tenders enquiries will remain the same. SAY NO TO CORRUPTION PID(L) 1783

SUI NORTHERN GAS PIPELINES LTD. Gas House, 21- Kashmir Road, Lahore www.sngpl.com.pk

CORRIGENDUM TENDER ENQUIRY # MDN/DIST/007/18

The closing date of following tender enquiries has been extended.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 1: Ditching and backfilling, reinstatements and allied services... MS Pipe 4" Dia x 3250, MS Pipe 2" Dia x 4500.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 2: Ditching and backfilling, reinstatements and allied services... PE Pipe 4" Dia x 5000, PE Pipe 2" Dia x 7650.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 3: Ditching and backfilling, reinstatements and allied services... MS Pipe 4" Dia x 6000, MS Pipe 2" Dia x 2800.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 4: Ditching and backfilling, reinstatements and allied services... MS Pipe 4" Dia x 29, MS Pipe 2" Dia x 40.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 5: Ditching and backfilling, reinstatements and allied services... PE Pipe 4" Dia x 6, PE Pipe 2" Dia x 2.

All the terms & conditions of the subject tenders enquire remain the same. SAY NO TO CORRUPTION PID(L) 1783

بانتے کی ایک پتہ دیکھا جسے اور ہر حالت سے ہادی کیا گیا (ہر حالت) (دھلا نام)

SUI NORTHERN GAS PIPELINES LTD. Gas House, 21- Kashmir Road, Lahore www.sngpl.com.pk

EXTENSION-1 TENDER ENQUIRY # MDN-DEV-TENDER-NSR-03/2018

The closing date of following tender enquiry has been extended.

Table with 2 columns: Item, Brief Description, Qty. (Meters). Item 2: Welding Joints of 4 Inch, 2 Inch & 1 inch mains for supply of gas to Haroon Abad Kabul River District Nowshera MS Pipe 4" Dia x 846, MS Pipe 2" Dia x 1428, MS Pipe 1" Dia x 2268.

All the terms & conditions of the subject tenders enquiries will remain the same. SAY NO TO CORRUPTION PID(L) 1784

گورنمنٹ ڈگری کالج سکندر پور بلالہ

گورنمنٹ ڈگری کالج سکندر پور بلالہ میں گورنمنٹ ڈگری کالج سکندر پور بلالہ میں گورنمنٹ ڈگری کالج سکندر پور بلالہ میں گورنمنٹ ڈگری کالج سکندر پور بلالہ میں...

INF/BU25 P.O. # 0928-630128

وطن پر حاضری

بذریعہ نوش ہذا آپ سینٹر ٹرک تاشی علی مراد DPO آفس شانگلہ ولد عیاض خان سکندر شرفوز تحصیل مستونج ضلع جہڑال کو مطلع کیا جاتا ہے کہ آپ مورچہ 8-10-2018 جانے تھیاتی سے غیر حاضر ہیں...

INF/SW/78 (سرول شاہ خان) ضلع پولیس سربراہ شانگلہ

Daily Mashriq

Handwritten notes: 8x2 DT/12/18



Faxed to 919213165
 Faxed on 04/01/2019
 Signature of Far Operator
 District Shangla.

Ph#: 0996-850015

Fax#: 0996-850002

Email: dposhangla@yahoo.com

OFFICE OF THE DISTRICT POLICE OFFICER, SHANGLA**ORDER**

This order is hereby issued to dispose-off departmental inquiry initiated against Senior Clerk Qazi Ali Murad of this district vide this office Charge Sheet No.67/E dated 08.10.2018.

Senior Clerk Qazi Ali Murad absented himself from his lawful duty with effect from 13.09.2018 to 03.10.2018 and then 08.10.2018 till to date without lawful permission of the competent authority. Being disciplinary force, his this act of misconduct rendered him liable to be proceeded against departmentally under Police Disciplinary Rule, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018. Qazi Ali Murad, Senior Clerk was therefore proceeded against departmentally and hence served with Charge Sheet along with statements of allegation under Police Disciplinary Rule, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018.

Mr. Bashir Khan DSP/Headquarter was appointed as Enquiry Officer to conduct departmental proceedings against the defaulter Senior Clerk.

During inquiry the defaulter Senior Clerk did not bother to appear before the E.O inspite of repeated call nor replied to the Show Cause served on him.


The Enquiry Officer, in his finding recommended the defaulter Senior Clerk for **Major Punishment**. Hence Final Show Cause was issued against the defaulter Senior Clerk through DPO Chitral vide this office order No. 5740/E dated 20.11.2018 but the defaulter officer did not replied to the Final Show Cause nor he appeared personally to the undersigned in his defence against the allegations levelled against him.

Lastly a notice/advertisement was published in Daily Urdu newspaper (Daily Mashriq and Basha News) to inform him to appear to the undersigned but after the lapse of stipulated period he did not report to the undersigned.

Therefore, I **Rasool Shahi (PSP)** District Police Officer Shangla as a competent authority and in exercise of the powers vested to me under Police Disciplinary Rules, 1975/Section 44 (4) of Khyber Pakhtunkhwa Police Act-2017 vide notification No. 1217/E-V, dated 13.03.2018 award to Senior Clerk Qazi Ali Murad as major Punishment i.e dismissal from service with immediate effect.

Order Announced

03.01.2019


 District Police Officer
 Shangla

OB No. 02Dated 03/01/2019No. 189-90/E, dated Alpuri the, 03/01/2019

Copy submitted for favour of information to:-

- ✓ 1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, please.
- ✓ 2. The Regional Police Officer, Malakand, Saidu Sharif, Swat, please.


 District Police Officer
 Shangla

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.617/2019.

Mr. Qazi Ali Murad _____ (Appellant)

VERSUS

1. The Inspector General of Police Khyber Pakhtunkhwa Peshawar,
 2. The Deputy Inspector General of Police Malakand At Saidu Sharif, Swat
- _____ (Respondents)


AUTHORITY LETTER

Mr. ~~Abbas~~ Khan Inspector District Shangla is hereby authorized to appear on behalf of the respondents below, before the Honorable Court. He is authorized to submit all the required documents and replies etc to the Honorable Court.


Provincial Police Officer
Khyber Pakhtunkhwa Peshawar

Regional Police Officer
Malakand at Saidu Sharif, Swat

District Police Officer
Shangla



Regional Police Officer,
Malakand at Saidu Sharif, Swat



District Police Officer,
SHANGLA.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
(PESHAWAR)

Service Appeal No. 617/2019

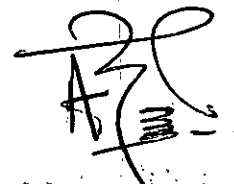
Mr. Qazi Ali Murad..... (Appellant)

VERSUS

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

AFFIDAVIT

I **Abbas Khan Inspector Legal Office of the District police officer Shangla** do hereby solemnly affirm and state on oath that the whole contents of this service appeal are true and correct to the best of my knowledge/belief and nothing has been concealed from this Honorable Court.



Abbas Khan

Inspector Legal
Shangla

Contact # 03468865658

Office Contact # 10996-850015