


FORM OF ORDER SHEET

Court of _____

Appeal No. 1795/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/09/2023	<p>The appeal of Mr. Mossa Billah resubmitted today by Mr. Gohar Ali Kheshgi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>11-09-2023</u>.</p> <p>By the order of Chairman  REGISTRAR</p>

The appeal submitted by Mr. Gohar Ali Khashgi i.e. on 31.08.2023 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. Pages no.13, 24 & 26 of the appeal are illegible which may be replaced with legible/better one.

No. 3152 /S.T,

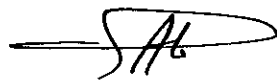
DL 4/9 /2023



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Gohar Ali Khashgi Adv.
High Court Peshawar.

R/ Sheweth P-24 is correct and eligible one.
While remaining are rectified and
submitted please.



Gohar Ali Khashgi
advocate peshawar

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

In S.A No. 1795 /2023

Musa ~~Billah~~ *Billah*

VERSUS

District Police Officer North Waziristan and others

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Dated: 28/08/2023

Musa Billah
Appellant

Through

GA
Gohar Ali Kheshgi
Advocate High Court
Peshawar.

1

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In S.A No. 1795 /2023

Bilal
Musa Bilal S/o Sildar Jan R/o Tall Kalay N.W Miranshah. Ex-
Police LHC Belt No-1725 NWTD.

----- (Appellant)

VERSUS

1. District Police Officer North Waziristan.
2. Regional Police Officer Bannu Region Bannu.
3. The Inspector General of Police KPK at Peshawar.

----- (Respondents).

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL ACT -1974 FOR REINSTATEMENT
OF THE APPELLANT IN SERVICE ALONGWITH ALL
BACK BENEFITS AND SETTING ASIDE THE
IMPUGNED ORDERs OF DISMISSAL OF THE
APPELLANT FROM SERVICE OB NO 98 DATED
03.02.2023.

Respectfully Sheweth;

1. That the appellant was appointed in Levi Khasadar force in North Waziristan and the absorbed in regular police for 5 years of unblemished Record of Service.

- 2
2. That appellant was efficient, hard worker and dutiful person who got best. Performance Certificate from high ups as Annex "A"
 3. That appellant was deputed in license Branch in traffic sec in Miran Shah who performed his duty emasculatory, honestly and most obediently to his high ups and gave no chance, of complain to his seniors.
 4. That some allegation of corruption were leveled against some other staff who were declared innocent by the respondents and penalty of dismissal was given to the appellant.
 5. That unfortunately the appellant was suspended but duty was taken from him and that appellant was also sent to training during suspension as give the impugned order of dismissal.
 6. That appellant was dismissed from Service without cogent reason and without Codal formalities as Annex "B", dated 03-02-2023 order impugned.
 7. That an illegal and incomplete inquiry was conducted against the appellant as ex-Partee proceeded as Annex "C". Vide 10 self-admitted and written in conclusion that the alleged were

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untrained and no knowledge of rules & regulations being newly absorbed for Khasadar to Police.

8. That appellant was Charge sheeted as Annex "D" which was replied by the appellant but IO didn't considered as Annex "E".
9. That no show cause notice is given to appellant.
10. That appellant filed departmental appeal which was dismissed as Annex "F & G".
11. That appellant may also be allowed to reply on additional grounds at the time of arguments please.
12. That appellant submits inter alia on the following grounds:-

Grounds:

- A. That the impugned order of dismissal is illegal, unlawful, not accepted in the eyes of law.
- B. That impugned order of dismissal is not based on facts but with malafide intention of the respondents.

- C. That no show cause notice is given and no Denove inquiry was conducted by respondent which was ex-Partee/ proceed against the appellant.
- D. That dismissal order is against the law & rules and regulations.
- E. That the impugned order is against the facts, not accepted in the eyes of law.
- F. That the appellant was in basic Police training w.e.f 01-06-2021 up to 31-08-2021, up to that date No. Complaint, regarding computer ID of license branch NWT D filed.
- G. That prior to police training the appellant was posted in police post boys and after completion basic police training NWT D on 15-04-2021 so the service of the appellant was deputed as reader to SDPO Traffic operator in license branch of traffic police.
- H. That there is no complaint against the appellant from public.
- I. That the appellant was deputed to enter the data of documents which was signed by high ups and complain is regarding to Medical & Physical Sec of this branch.

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J. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

PRAYED:

Therefore, upon acceptance of this Appeal, the impugned order of dismissal by respondents No 1 & 2 be set aside and the appellant be re-instated in Service with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.

Dated: 28/08/2023,

M. Anwar
billu
Appellant

Through

TAH
Gohar Ali Kheshgi
Advocate High Court
Peshawar.

NOTE:-

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

S. A. G.
Advocate.

6

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

In S.A No. _____/2023

Musa ~~Bilal~~ *Bilal*

VERSUS

District Police Officer North Waziristan and others

AFFIDAVIT

Bilal
I, Musa ~~Bilal~~ S/o Sikander Jan R/o Tall Kalay N.W
Miranshah. Ex-Police LHC Belt No-1725 NWTD, do hereby
solemnly affirm and declare that all the contents of the
accompanied appeal are true and correct to the best of
my knowledge and belief and nothing has been
concealed or withheld from this Hon'ble Tribunal.

M. Bilal
DEPONENT

CNIC:

Identified By: *GA*

Gohar Ali Khashgi
Advocate High Court
Peshawar.



2.9 AUG 2023

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In S.A No. _____/2023

Musa ~~Batal~~ *Billigh*

VERSUS

District Police Officer North Waziristan and others

ADDRESSES OF PARTIES

APPELLANT.

Billigh
Musa ~~Batal~~ S/o Sikander Jan R/o Tall Kalay N.W Miranshah. (Ex-Police Constable No. 17 LHC 25 NWTD),

RESPONDENTS:

1. District Police Officer North Waziristan.
2. Regional Police Officer Bannu region Bannu.
3. The Inspector General of Police KPK at Peshawar.

Dated: 28/08/2023

Musa
Billigh
Appellant

Through

GA
Gohar Ali Khashgi
Advocate High Court
Peshawar.

P-10
A

POLICE DEPARTMENT DISTRICT NORTH WAZIRISTAN

OFFICE OF THE DISTRICT POLICE OFFICER



**NORTH WAZIRISTAN
COMMENDATION CERTIFICATE CLASS-III**

With Cash Reward Of Rs. _____

Granted to Mr.

Mr. Musabillat

District North Waziristan In Recognition Of Good Performance Of Duties

Best Performance

OB No 100

Dated: 2/03/2020

[Signature]
District Police Officer
North Waziristan

Advocate
Peshawar

A
C-3

ORDER

The following transfers / postings of the upper / lower Subordinates are hereby ordered with immediate effect.

S.No.	Name & Belt No.	From Police lines	To
	ASI Mushtaq Khan & Mansoor Khan		Over all In-charge Elite NWD
	ASI Alam Sher No 01	do	Over all 2 nd In-charge Elite NWD & In-charge PS Datta Khel paltoon
	ASI Ashraf Ullah No.2101	do	Over all Elite Kot In-charge NW
	FC Raqib Ullah No 1868	do	Muharrat Police lines Elite Platoon
	ASI Hikmat Ullah No 3655	do	In-charge police lines Elite Platoon
	ASI Musabillahi No.1725	do	2 nd In-charge police lines Elite Platoon
	FC Ahmad No 1642	do	Police lines Elite Platoon
	FC Zeeshan No 3657	do	do
	FC Bism Ullah Joo No 1261	do	do
	FC Mubtin No 2021	do	do
	FC Fahim No 1017	do	do
	FC Qudrat Ullah No.3781	do	do
	FC Asim Ullah No.1459	do	do
	FC Usama No 985	do	do
	FC Azam Khan No 1861	do	do
	FC Shahid Ullah No.2402	do	do
	FC Mubad Ullah No.1880	do	do
	FC Abdul Wali No 1513	do	do
	FC Tayeb Ullah No.2630	do	do
	FC Abdullah No.1747	do	do
	FC Wasi Ullah No.2346	do	do
	FC Shahid Zaman No 2489	do	do
	FC Muhammad Abuzar No.2303	do	do
	FC Amin Ullah No.2322	do	do
	FC Sid Man Ullah No.3413	do	do
	FC Wahid Ullah No.1846	do	do
	FC Abdul Hamid No.2511	do	do
	FC Ruman No. 1279	do	do
	FC Muhammad Asim No.1154	do	do
	FC Ashiq Ullah No.1479	do	do
	FC Hikmat Ullah No 851	do	do
	FC Ghazin ullah No.829	do	do
	FC Nazir Ahmad No.1244	do	do
	FC Tahir Khan No.1876	do	do
	FC Inam Ullah No.1246	do	do
	FC Abdul wahab No.814	do	do
	FC Ahmad Ullah No.2972	do	do
	FC Shahid Ullah No.1769	do	do
	FC Sadiq Ullah No. 1333	do	do
	FC Parman No. 2871	do	do
	FC Harid Ullah No.2311	do	do
	FC Hazrat Ullah No.1288	do	do
	FC Hamid Saeed No.977	do	do
	FC Majid Ullah No.937	do	do
	FC Alocm Ullah No.1265	do	do
	FC Qareeb Ullah No.1328	do	do
	FC Riaz No.2381	do	do
	FC Farid Ullah No.1262	do	do
	FC Sana Ullah No.979	do	do
	FC Shakil Ahmad No.2148	do	do
	FC Jamal Noor No.2918	do	do
	FC Ahmad Ullah No.2776	do	do
	FC Muhammad Qasim No.1307	do	do
	FC Zakir Ullah No.3660	do	do
	FC Zakir Ullah No.1945	do	do

S.A.P.
Advocate High Court
Rawalpindi

10

27	FC Attab Ullah No. 2791	-do-	-do-
28	FC Saeed Khan No. 1306	-do-	-do-
29	FC Subil Rehman No. 3617	-do-	-do-
30	FC Ashraf Ullah No. 2912	-do-	-do-
31	FC Nawar-ud-Din No. 1708	-do-	-do-
32	FC Syed Amir Khan No. 2708	-do-	-do-
33	FC Wahid Ullah No. 3137	-do-	-do-
34	FC Sahil Rehman No. 3378	-do-	-do-
35	FC Alangir No. 98	-do-	-do-
36	FC Shahid No. 1259	-do-	-do-
37	FC Rab Nullah N. 3139	-do-	-do-
38	FC Muhib Ullah No. 1801	-do-	-do-
39	FC Munir Ahmad No. 1811	-do-	-do-
40	FC Sadam Husain No. 1433	-do-	-do-
41	FC Kamal Nawas No. 1434	-do-	-do-
42	FC M. Shoib No. 2066	-do-	-do-
43	FC Sajad Ullah No. 1303	-do-	-do-
44	FC Shah Riaz No. 2462	-do-	-do-
45	FC Saeed Ullah No. 1255	-do-	-do-
46	FC Munawar Khan No. 2783	-do-	-do-
47	FC Imdad Ullah No. 2370	-do-	-do-
48	FC Irfan Ullah No. 946	-do-	-do-

District Police Officer,
North Waziristan

OB No. 4215
Dated. 04.10.2022

Copies to:-

1. SDPO Headquarter.
2. OASI, In-charge Control room.

3204
130B

S/No 502

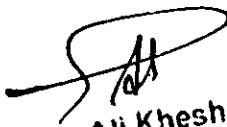


Elite Police Training Center

★ COURSE REPORT ★

Belt No	1725	Rank:	LHC	Name:	Musa Billah
District:	North Waziristan			Course:	Elite Course For NMD, No.02
From:	13/06/2022			To:	22/09/2022
Physical:	Obtained	1.62	Marks in physical efficiency tests, Chin-ups, Sit-ups, push-ups, 1 mile Run.		
15 Marks					
Fire:	Obtained	17.60	Marks in firing of Rifle SMG, Pistol and various modern firing techniques.		
30 Marks					
Practical:	Obtained	14.81	Marks in Weapon, VIP Protection, Shoot house, Rappelling and Tactics.		
30 Marks					
Viva:	Obtained	9.71	Marks in Weapon, VIP Protection, Shoot house and Tactics.		
20 Marks					
Discipline:	Obtained	2.33	Marks in dress, class attendance, class participation and discipline.		
05 Marks					
General Remarks:	LHC: Musa Billah Completed small and heavy weapon Training, physical endurance and unarmed combat training along with planning and executing small team actions in urban and rural environments.				
Overall Result:	46.08			Grading :-	B-

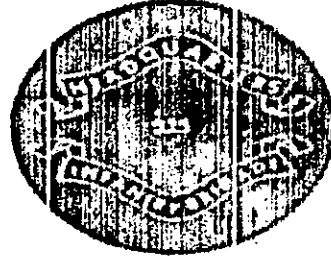



Sohail Ali Khesghi
Advocate High Court
Peshawar


PRINCIPAL
Elite Police Training Centre,
Nowshera

12

POLICE TRAINING CERTIFICATE



It is certified that Musabillah son of Siladar Jan of NWTD attended Police Training (Training Cycle-2) under arrangement of 191 Wing Shawal Rifles/325 Bde With effect from 15 Jan to 15 Apr 2021 at Dosalli and successfully completed.

Sta : Dosalli Fort
Dated : March 2021

Lieutenant Colonel
Officer Commanding Training
(Farrukh Nawaz Joyia)

Annex B
ORDER P-13

3

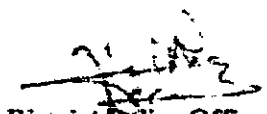
This order of the undersigned will dispose of departmental proceeding against LHC Musa Billah No.1725 (Suspend) under Police Rules 1975 (as amended vide Khyber Pakhtunkhwa Gazette Notification, No 27 of August 2014) by issuing charge sheet and statement of allegation to him for committing the following commissions/omissions

1. That he was deputed to traffic license branch, but he didn't perform his duties with sincerity.
2. That there are charges of mass corruption against him from Director II, CPO Peshawar as well as general public; therefore, the ID of driving license was been blocked from CPO Peshawar
3. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975.
4. Such act on his part is against the Services Rules/Discipline and amounts to misconduct and negligence.

Charge sheet and statement of allegations were issued and served upon him. SP Investigation North Waziristan was nominated as enquiry officer to probe the matter and report. Enquiry officer submitted his finding report on 29.04.2022, wherein he stated that the allegations leveled against the accused official are proved. Hence he has been recommended for major punishment.


Keeping in view the position explained above, I, Mr. Saleem Riaz (PSP) District Police Officer, North Waziristan, in exercise of the power vested in me, under Khyber Pakhtunkhwa Police Rules 1975 (amended in 2014) hereby awarded him Major Punishment of Dismissal from Service with immediate effect.

OB No. 38
Date: 03/02/2023.


District Police Officer,
North Waziristan

Copy to:

1. The Regional Police Officer, Bannu Region, Bannu w/r to his office Enst: No.1965/EC dated 16.05.2022.
2. PO/SRC/OASI/Reader for necessary action.
3. IO/In-charge Kot/In-charge General Godown/In-charge Wardi Godown with the directions to deposit all the government items issued to him, if any.


Gonari Bilal Khashy
Advocate High Court
Peshawar

ORDER:

This order of the undersigned will dispose of departmental proceeding against LHC Musa Billah No. 1725 (Suspend) under police rules 1975 (as amended vide Khyber Pakhtunkhwa Gazette Notification No. 27th of August 2014) by issuing charge sheet and statement of allegation to him for committing the following commissions / omissions.

11. That he was suspended vide OB No. 675 dated 16.12.2021, but didn't follow the order of the competent authority and continue to remain in traffic license branch.
12. That he was deputed to traffic license branch, but he didn't perform his duties with sincerity.
13. That there are charges of mass corruption against him from Director IT, CPO Peshawar as well as general public; therefore, the ID of driving license was been blocked from CPO Peshawar.
14. This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975.
15. Such act on his part is against the Services Rules/ Discipline and amounts to misconduct and negligence.

Charge sheet and statement of allegations were issued and served upon him. SP investigation North Waziristan was nominated as enquiry officer to probe the matter and report. Enquiry officer submitted his finding report on 29.04.2022, wherein he stated that the allegations leveled against the accused official are proved. Hence he has been recommended for major punishment.

Keeping in view the position explained above. I Mr. Saleem Riaz (PSP) District Police officer North Waziristan, in exercise of the power vested in me, under Khyber Pakhtunkhwa Police Rules 1975 (amended in 2014) hereby awarded him Major Punishment of Dismissal from Service with Immediate effect.

OB No. 98

Dated 03/02/2023

District Police Officer

North Waziristan

Copy to:

7. The Regional Police Officer, Bannu Region, Bannu W/r to his officer Endst: No. 1965/EC dard 16.05.2022.
8. PO/SRC/OASI Reader for necessary action.
9. LO/In-charge Kot/In-charge General Godown/ In-charge Wardi Godown with the directions to deposit all the government items issued to him, if any.

C

P-14

From: The Regional Police Officer,
Bannu Region, Bannu

To: The District Police Officer, North Waziristan

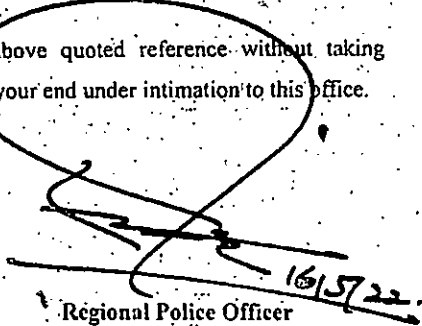
No. 1965 /EC, dated Bannu, the 16 /05/2022

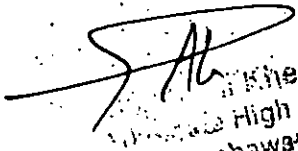
Subject: INQUIRY OF DRIVING LICENSE BRANCH DISTRICT NORTH
WAZIRISTAN POLICE

Memo: Reference your office letter No.3612/PA/F-21 dated 09.05.2022.

The inquiry file received with you above quoted reference without taking decision, is returned herewith in original for disposal at your end under intimation to this office.

Encl: Complete inquiry file


Regional Police Officer
Bannu Region,
Bannu
Ph: No.0928-9270076
Fax No.0928-9070075
Email: rpobannu2@gmail.com


J. K. Khesgi
High Court
Peshawar

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OFFICE OF THE
SUPERINTENDENT OF POLICE
INVESTIGATION, NORTH WAZIRISTAN

22 /INV/NWTD
dated: 24/04/2022.

Phone: 0928-313101
Email: spinvnwtd@gmail.com

To: The District Police Officer,
North Waziristan.

Subject: INQUIRY OF DRIVING LICENSE BRANCH DISTRICT NORTH
WAZIRISTAN POLICE.

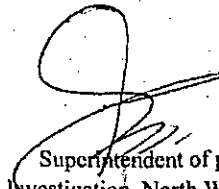
Memo:

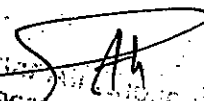
Kindly refer to your office letter No.1209/SRC dated 31.01.2022, and letter No. 2069/SRC dated 18.2.2022 on the subject noted above.

It is submitted that the complete inquiry file of the following Police official are sent herewith for your office it may be acknowledge, please.

- 1. FC Ihtesham Ul Haq No. 2289 (Medical & Physical Physician Driving License Branch)
- 2. FC Musa Billah No. 1725 (Reader To SDPO Traffic)
- 3. FC Zahid Ullah No. 3706 (Computer operator Driving License branch)
- 4. FC Sher Ayaz No.3773 (Computer Operator driving License branch)
- 5. FC Nasir Aziz (DSP Traffic Office Ordly)
- 6. FC Kazir Ullah No.1724 (Traffic License Branch Ordly)
- 7. FC Imran No.303 (Computer operator Traffic License Branch)

Enclosed: (53 Pages)


Superintendent of police,
Investigation, North Waziristan


Advocate High Court,
Peshawar

P.R FORM 16-22 (iii)

Internal Enquiry against the following police officials District North
an.

1. Ihtesham Ul Haq No.2289 2. FC Musa Billah No.1725 3. FC Zahid Ullah No.3706
4. FC Sher Ayaz No.3773 5. FC nasir Aziz 6. FC Kazir Ullah No.1724 7. FC Imran
No.303

S#	Contents	Pages
1.	Findings Report	02 Pages
2.	Statement of Accused officials	13 page
3.	Statement of License holders	05 page
3.	Charge Sheet and summary of allegations	12 Pages
4.	Report of National Bank Miranshah	01 Pages
5.	Photocopy of out of Province/District driving License	11 Pages

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Findings Reports of Departmental Enquiries against the following Police officials of Distt: MWTD.

1. FC Ihtesham Ul Haq No. 2289 (Medical & Physical Physician Driving License Branch)
2. FC Musah Billah No. 1725 (Reader To SDPO Traffic)
3. FC Zahid Ullah No. 3706 (Computer operator Driving License branch)
4. FC Sher Ayuz No.3773 (Computer Operator driving License branch)
5. FC Nasir Aziz (DSP Traffic Office Ordly)
6. FC Kazir Ullah No.1724 (Traffic License Branch Ordly)
7. FC Imran No.303 (Computer operator Traffic License Branch)

Reference.

Charge Sheets No.3-5/SRC dated 27.01.2022, No.6-8/SRC dated 27.01.2022, No. 12.14/SRC dated 27.01.2022, No.15-17/SRC dated 27.01.2022, No. 9-11/SRC dated 27.01.2022 and charge sheet No.180-81 dated 18.02.2022 issued by the DPO North Waziristan to the following Police officials,

Allegations.

That in the light of charge sheets and summary of allegations the above Police officials while posted as SDPO Traffic driving license branch have been found the charges of Mass Corruption and make a lot of numbers Motor Car + Motorecycle, LTV driving license and conversion of HTV driving license out of Province and District peoples received from Director IT CPO Peshawar as well as general public which shows their inefficiency and his (his act carry bad name to the Police department.

The delinquent Police officials heard in person and recorded his statements regarding the allegations leveled him. They have issued approximately 16000 driving license during his posting period and received per driving license charges Rs.1700 but as per the driving license rules the charges of driving license is Rs.1100. The extra charges Rs.600 he received on the ground of Medical and Physical fitness certificate. A part from this, complete inquiry file of preliminary inquiry conducted by the undersigned thoroughly studied wherein the following flaws/ faults found on the part of accused officials.

1. That the accused official miserably failed in keeping the matter of driving license on record and issue approximately 6000 LTV driving license, and conversion of HTV driving license his this act out of driving license rules, but at that time no other driving license branch established in District North Waziristan.
2. That they are issued the LTV driving license to people abroad, but there is no concrete evidence of this and no witness is ready to testify.
3. That the direction of Director IT CPO Peshawar the User ID of driving license branch used in other district and issue fake driving license, but the statement of the delinquent officials are recorded they are denied the allegations.
4. That he has issue a huge numbers of LTV and Motor Car jeep+ Motorecycle driving license to out of province and district peoples and conversion of HTV driving license due to his negligence, but the driving license are issued to everyone in any province/ district.
5. That the defaulter officials narrated in his statement that the User ID of license branch was hake the someone and make a fake driving license.
6. That after getting information from the license holders they have received Rs. 1700 charges per driving license but the Govt policy rules per license charges Rs.1100/- the extra charges Rs.600 they are received on Medical fitness certificate for driving license.

Signature
Advocate High Court
Peshawar

Although the defaulter police officials was posted a mention above posts and Motor Car jeep + motorcycle driving license to other Province / District peoples Army, FC who performed their duty in North Waziristan and private peoples but the are issued to everyone in any Province/ district and conversion of HTV driving negligence towards keeping of govt: duties is ignored. Therefore, the allegations due to negligence of the accused officials proved.

The undersigned thread barely studied the whole enquiry file as well as recorded statements of the defaulter police officials (Annexure II) and the statement of license holders (Annexure III) and obtained the complete RTS driving data to thresh out the actual facts. The undersigned recorded the statement of National Bank of Pakistan North Waziristan Miranshah Branch reports and check the license challans (Annexure VI) and check the record of driving license who issued out of province/ district peoples (Annexure V) to reach the conclusion and finalize the departmental enquiry on merit.

Conclusions.

Keeping in view the above, perusal of complete enquiry file, statements of the accused officials, perusal of National bank miranshah branch challan report, and Statements of license holders the undersigned reached to the conclusion that the allegations against the defaulter officials framed in the summary of allegations have been proved. Therefore, the defaulter officials are recently absorbed from Khasadar force to District Police North Waziristan and not a well experience in official correspondence, uneducated, untrained and unfamiliar with the police rules and driving license rules.

Submitted please.

(Muhammad Zaman)
Superintendent of Police
Investigation, North Waziristan
Enquiry Officer

Dismissed
from service

02/2/23

IT. 19
D

CHARGE SHEET:

I, Aqeeq Hussain, District Police Officer, North Waziristan, as competent authority, hereby charge you, LHC Musa Billah No.1725 for the purpose of departmental enquiry proceedings as follows:-

- That you were deputed to traffic License Branch but you did not perform your duties with sincerity.
- There are charges of mass corruption against you from IT CPO as well as general public, therefore the ID of Driving License has been Blocked from CPO, Peshawar.
- This all speaks gross misconduct on your part and you are liable to be punished under Police Rules-1975.
- Such act on your part is against the service rules/discipline and amounts to misconduct and negligence.

1. By reason of the above you appear to be guilty of misconduct under the Police Rules 1975 (As amended vide Khyber Pakhtunkhwa Gazette Notification No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules, and under section 77 of the Khyber Pakhtunkhwa Act, 2017.

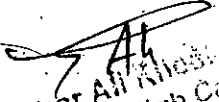
2. You are therefore directed to submit your defense/reply within 07 days of the receipt of this Charge Sheet to the enquiry officer.

3. Your written defense/reply, if any, should reach to 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 be taken against you.

4. You are directed to intimate whether you desire to be heard in person or otherwise?

5. A statement of allegation is enclosed.

(Aqeeq Hussain)
District Police officer,
North Waziristan


Gohar Ali Khattak
Advocate High Court
Peshawar

SUMMARY OF ALLEGATIONS:

I, Aqeeq Hussain, District Police Officer, North Waziristan as competent authority, am of the opinion that, LHC Musa Billah No.1725, has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (As amended vide Khyber Pakhtunkhwa Gazette Notification, No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules, and under section 77 of the Khyber Pakhtunkhwa Act, 2017.

SUMMARY OF ALLEGATIONS:

- > That you were deputed to traffic License Branch but you did not perform your duties with sincerity.
- > There are charges of mass corruption against you from IT CPO as well as general public, therefore the ID of Driving License has been Blocked from CPO, Peshawar.
- > This all speaks gross misconduct on your part and you are liable to be punished under Police Rules-1975.
- > Such act on your part is against the service rules/discipline and amounts to misconduct and negligence.

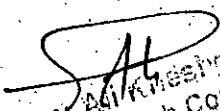
1. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations M. Zaman SP Inv. is appointed as Enquiry Officer.
2. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within the targeted days after the receipt of this order.
3. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

(Aqeeq Hussain)
District Police officer,
North Waziristan

No. 6-8 /SRC dated 27 /01/2022.

Copies to:

1. The Enquiry Officer
2. The Accused Officer/Official.


Gohar Adil Khesheri
Advocate High Court
Peshawar

21-17

Date: 16/05/2021

جنتا مالی اے بی ان اے بی 1725

کو الہ ہاراج شیڈ ٹیسری 68/68 بتاریخ 27/01/2021

جنتا DPO صدف مشورہ میں ہیں۔ ہم سائل LHC قوسنی باللہ
ہر جو الزامات لگائے گئے ہیں۔ وہ حقیقت کے ہم نگر ہیں۔
① ہاراج شیڈ میں الزام لگایا گیا ہے۔ ہم سائل ڈرائیورز
ہم ان میں تعینات ہیں۔ جبکہ حقیقت یہ ہے کہ ہم ہاراج شیڈ
از انس برائے ٹیسری 03/SDDO Traffic بتاریخ 01/05/2021
کے ساتھ جیٹا ڈرائیورز ہوا ہے۔ تو ہاراج شیڈ ڈرائیورز

ہاراج کے ساتھ کوئی تعلق نہیں ہے۔
② ہاراج ID سے 2021 سے ہی بند تھی۔ کیونکہ ہاراج
ڈرائیورز انس ہاراج میں ہیں۔
③ میں نے ہمیشہ اپنی ڈیوٹی ایمانداری سے ادا کی ہے۔ وہ سائل
ہی حکم ہاراج کی طرف سے آیا ہے۔ وہ سائل کے انس
سے ادا کی ہیں۔ ہم سائل ہاراج تک لے گیا ہے۔
شفافیت ہاراج میں ہے۔ لہذا ہاراج شیڈ ہاراج کو فریڈ ہاراج
حاکم ہاراج فرمائیں۔
علین ٹوٹرس ہاراج

العاصم
LHC قوسنی باللہ
1725
0332-3220017 mobno

Alta

س: کیا آپ ٹریڈنگ برائے جی میں تعینات تھے؟

ج: ہاں

س: کتنے ٹریڈس کے تعینات تھے؟

ج: تقریباً 200 کو لائسنس برائے جی میں تعینات ہوا پھر 2003/2004

کیا تو ریڈر آرڈر ہوا تو لائسنس 03 جولائی 2003 کو - اس دوران
میں ٹریڈنگ کیلئے پہنچا تھا 3 ماہ کیلئے

س: جب آپ ٹریڈنگ برائے جی لائسنس کھولتے تھے تو آپ کے User ID
تھا۔

ج: ہاں۔ مگر صورتوں 2002 کو میں نے وادی User ID کو ریکارڈ

سے تبدیل کیا تھا کیونکہ میں Bank/Trg کیلئے چلا گیا اور وہ کتب خانہ

س: جب آپ لائسنس برائے جی میں تھے تو آپ کمپیوٹر میں انٹر کرتے تھے؟

ج: ہاں۔ مگر میرے ساتھ دیگر کمپیوٹر ایئر میں تھے اور اس کے User ID

تھے اس نے بھی انٹر کیا ہے

س: آپ جب انٹر کرتے تھے تو لائسنس کیس چیک کرتے تھے؟

ج: ہاں چیک کرنے کے بعد انٹر کرتے تھے۔ MLA کے verified
کسی انٹر کرتے تھے

Altaf
Advocate (High Court)
Peshawar

P. 23

دور پیشکش از ان ٹریڈ پراج لائسنس چالانز

صفحہ
24
022

جناب عالی!

مانیت ٹریڈ پراج انٹوائپری لائسنس چالانز
 پیشکش ہر شاہ کو جو قبول ہوئے بعد از ان مختلف
 چالانز کو حید کر کے جو صحیح طور پر اور
 ریکارڈ پر موجود ہے۔ جس قسم کی چالانز ہو سکتی ہیں
 پایا گیا۔ اسکی یہ تصدیق کرنا ہوں۔ اور بعد میں
 سارے چالانز 50 کروڑ روپے کی انٹوائپری لائسنس چالانز

A. H. Khan
 Advocate High Court
 Peshawar

To,

The worthy Regional Police Officer Bannu Region, Bannu
(Appellate Authority)

Subject: Appeal Against Dismissal Order From Service Of Appellant OB No.95 Dated 03-02-2023 By
The DPO North Waziristan.

Prayer:

On acceptance of instant appeal to set aside the impugned dismissal order OB No.95 dated 03-02-2023 by the District Police Officer, District North Waziristan and directed to re-instate the petitioner/appellant on service with all back benefit.

Brief Facts:

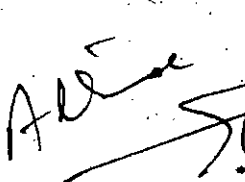
The appellant submits as under:

1. That the appellant was a part of Ex Khasadar Force and after absorption the Khasadar and levies Force absorbed into police force under 22 points agenda, arrived at between the khasadar and levies force and the then IGP Khyber PakhtoonKhwa Peshawar, the appellant was absorbed into police department and was subjected to serve under K.P Khasadar and Levies Force act 2019 with amendment 2020 and since then was serving his obligatory duty dedicatedly and with great Zeal and Zest.
In this respect the Ex district police officer awarded the appellant with appreciation certificate (Copy of Certificate)
2. That the service of appellant was deputed to traffic section license branch North Waziristan, Miranshah.
3. That unfortunately appellant was suspended by issuing charge sheet as mentioned in the Impugned order, (Copy Annexed).
4. That the appellant appear before the inquiry officer and recorded statement in this regard, whereby all the charges were rebutted on cogent evidence and explain my position regarding noninvolvement in such like activities leveled against the appellant in charge sheet.
5. That the inquiry officer submitted inquiry report on 29-04-2022.
6. The inquiry officer ignored the stance of appellant and ex parte report submitted and suggested major punishment of dismissal from service.
7. That the DPO North Waziristan OB No.98 Dated 03-02-2023.

Therefore the appellant impugned the above stated order on the following grounds.

GROUND:

- a. That the appellant suspended and charge sheet as a result of later charge sheet OB No.98 dated 03-02-2023 awarded major punishment of dismissal from service is against law, rules and regulations.


Asghar Ali Kheshgi
Advocate High Court
Peshawar

b. That the Impugned order is against facts.

c. That the appellant was in basic police training from 15-01-2021 to 15-04-2021 up to that date there is no complaint regarding Computer I.D of license branch NWTD.

d. That after completion of basic training of police the appellant was posted as reader to DSP Traffic License Branch NWTD.

e. That During the period of appellant's basic training the Computer I.D has been blocked and after 15/20 days the appellant was suspend and charge sheet during suspension the appellant go to Commando/Elite training from 13-06-2022 to 22-09-2022, the appellant was on duty when the impugned order awarded.

f. That there is no complaint against the appellant from public.

Therefore it is humbly prayed that on acceptance of instant appeal the dismissal order of DPO NWTD OB No.98 dated 03-02-2023 vide which the appellant was awarded major punishment of dismissal from service, the petitioner re instate on service along with all back benefits.

Musa Billah
Appellant

LHC Musa Billah No.1725

NWTD

Abd. JAR

ORDER:

Amer G
P- 26

By this order will dispose of departmental appeal filed by the appellant against the order of major punishment of "Dismissal from service" imposed upon him by District Police Officer North Waziristan vide OB No. 98 dated 03.07.2023 for committing the following crimes:-

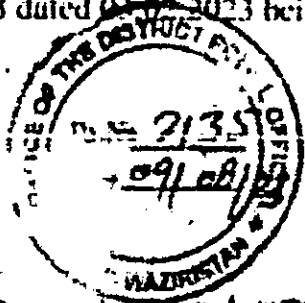
- That he was deputed to traffic license branch, but he didn't perform his duties with
- That there are charges of mass corruption against him from Director II, SPO Peshawar as well as general public, therefore, the ID of driving license was been blocked by SPO Peshawar
- This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975. Such act of his part is against the Services Rules Discipline and amounts to misbehavior and negligence

Comments, service record and departmental inquiry file received from DPO North Waziristan vide Memo: No. 1095/SRC dated 03.04.2023 were perused. As per enquiry file the appellant was charge sheeted based upon statement of allegations, and SP Inv NWID was appointed as enquiry officer. The inquiry Officer submitted findings, wherein the allegations leveled against the appellant had been proved. Thus, the appellant was awarded the aforementioned punishment by DPO North Waziristan.

The appellant was appeared in Orderly Room held in this Office on 27.07.2023 and was heard. The undersigned was not convinced by the appellant with regard to his innocence

Therefore, I, Qasim Ali Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (with amendments 2014) hereby file the instant appeal and support the order passed by DPO North Waziristan vide OB No. 98 dated 03.07.2023 being one, in consonance with law

A. Atish
Gonad Ali
Advocate High Court
Peshawar



[Signature]
Regional Police Officer
Bannu Region,
Bannu
21/7/23

No. 2459 /EC, dated Bannu the 01/10/2023

Copy for information and necessary action to District Police officer, North Waziristan, with reference to his Memo: No. referred above.

ORDER:

My this order will Dispose off / departmental appeal preferred by LHC Mussa Billah No. 1725 of District Police North Warinstan, wherein, he has prayed for setting aside the order of major punishment of "Disamissal from service imposed upon ham by DPO North Waziristan vide OB No 97 dated 03.02.2023 for committing the following omissions:

- That he was deputed to traffic license branch, but he didn't perform his duties with sincerity
- That there are charges of mass corruption against him from Director II. SPO Peshawar as well as general public, therefore, the ID of driving license was been blocked from CPO Peshawar.
- This all speaks a gross misconduct on his part and he is liable to be punished under Police Rules 1975. Such act on his part is against the Services Rules Discipline and amounts to misconduct and negligence.

Comments, service record and departmental inquiry file received from DPO North Waziristan vide Memo: No. 1996/SRC dated 03.04.2023 were perused. As per enquiry file, the appellant was charge sheeted based upon statement of allegations, and SP Inv: NWTD was appointed as enquiry officer. The Enquiry Officer submitted findings, wherein the allegations leveled against the appellant had been proved. Thus, the appellant was awarded the aforementioned punishment by DPO North Waziristan.

The appellant was appeared in Orderly Room held in this Office on 27.07.2023 and was heard. The undersigned was not convinced by the appellant with regard to his innocence.

Therefore, I. Qasim Ali Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (with amendments 2014) hereby file the instant appeal and support the order passed by DPO North Waziristan vide OB No. 97 dated 03.02.2023, being one, in consonance with law.

Regional Poliiice Officer

Bannu Region,

Bannu

31/7/23

No.2462-EC, dated Bannu the 01/08/2023

Copy for information and necessary action to District Police officer, Nom Waziristan, with reference to his Memo: No. referred above.

قیمت
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پشاور بار ایسوسی ایشن، خیبر پختونخوا

ایڈووکیٹ: **گورنمنٹ جوائنٹ**
Advocate High Court

PESHAWAR
BAR ASSOCIATION



بار کونسل ایسوسی ایشن نمبر: 107448

رابطہ نمبر: 03369055345

بعدالت جناب: **سرسبز سٹیٹوٹون عوامی لٹریچر**

مخانب: اسلڈ زسٹ	دعویٰ: اسلڈ
موسمی بال اللہ	علت نمبر:
بنام	مورخہ:
مجلسی اور جنرلی سیکرٹری لٹریچر	جرم:
	تھانہ:

بابت تحریر آتکہ

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

آن مقام لٹریچر کے لیے **گورنمنٹ جوائنٹ** کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو

راضی نامہ کرنے و تقریر ثالث و فیصلہ بر حلف دینے جواب 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 بالا اختیارات حاصل ہوں گے اور اس کا ساکشی پر دائرہ منظور و قبول ہوگا

دوران مقدمہ میں جو خرچہ ہر جائے التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے

باہر ہو تو وکیل صاحب بابت نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

PESHAWAR BAR ASSOCIATION
KHYBER PAKHTOONKHA

المرقوم: /20

العبد واہ شد العبد

مقام لٹریچر **Attested & accepted** کے لیے منظور ہے۔

AI