S.No.	Date of	Order or other proceedings with signature of judge or Magistrate
	order proceedings	
	2	3
		KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, CAMP COURT SWAT
		APPEAL NO. 692/2012
		(Masood Shah, Ex-Constable-vs- District Police Officer Shangla at Alpuri, etc).
	02.06.2015	JUDGMENT
		<u>ABDUL LATIF, MEMBER</u> :
-		Appellant with counsel and Mr. Zahid Rehman, H.C alongwith Mr. Anwar-Ul-Haq, GP for the respondents present.
• • •		2. The instant appeal has been filed by Mr. Masood Shah, Ex- Constable under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act-1974 against the order dated 14.03.2011 of respondent No.1 whereby the appellant was dismissed from service and order of appellate authority dated 07.05.2012 whereby his departmental appeal was rejected.
	a f	3. Facts giving rise to the instant appeal are that appellant was Constable in District Shangla. He was involved in FIR No. 161 dated 21.1.2011 under Section-9 b CNSA at Police Station Chakesar. He was proceeded against and was dismissed from service. The appellant preferred representation to the appellate authority which was not accepted, hence the instant service appeal before this Service Tribunal.
		4. The learned counsel for the appellant argued that respondents violated the provisions of law as the competent court of District and Session Judge/Zilla Qazi acquitted the appellant from the very charges on basis of which he was dismissed by the departmental authorities. That the appellant had not been given the right of fair defense according to the law and the constitution. That proceedings against appellant were conducted in haphazard manner, witnesses examined were under the direct control of the enquiry officer and authority and the proceedings could not stand test of judicial scrutiny. He prayed that the appeal may be accepted and the impugned orders may be set aside. He relied on 2015 PLC 501.
		5. The learned Government Pleader while resisting the appeal argued

that proper enquiry as required under the rules was conducted against the appellant. He was associated in the enquiry proceedings as was evident from his reply to the charge sheet where he denied the charge. He was served with final show cause notice by allowing full opportunity of defense. He prayed that the appeal being devoid of merits may be dismissed.

6. Arguments of the counsel for the parties heard and case file perused with their assistance.

7. From perusal of record it transpired that appellant was not provided with fair opportunity of defense. He was not given personal hearing before imposition of major punishment of dismissal from service nor was his departmental appeal rejected through a speaking order which is bad in the eyes of law. The Tribunal deems it appropriate that in order to meet the ends of justice the official may be proceeded against afresh strictly in accordance with law. The impugned orders are therefore set aside, the appellant is reinstated in service for the purpose of *de-novo* enquiry, question of back benefits will be decided subject to outcome of the fresh enquiry which shall be done in a period of one month after receipt of the instant judgment. Parties are left to bear their own costs. File be consigned to the record.

ANNOUNCED 02.06.2015

(ABDUL LATIF) MEMBER

(MUHAMMAD AZIM KHAN AFRIDI) MEMBER

14.10.2014

Appellant with counsel (Mr.Jmdadullah,Advecatë) and Mr.muhammad Zubair,Sr.GP for the respondents present. Arguments could not be heard due to non-availability of representative of the respondents and incomplete Eench. To come up for arguments at camp court Swat on 06.01.2015.

counsel for the appellant and SV: G.P for the vespendant present. The Trib-is lucomplete. To come up for asgment at comp count swat an 107-4-2015.

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6-1-15--

7.4.2015

Counsel for the appellant and Mr.Muhammad Ilyas, Inspector for respondents alongwith Mr.Muhammad Zubair, Sr.GP present. Arguments could not be heard due to non-availability of D.B. To come up for final hearing before D.B on 2.6.15 at camp court Swat.

Camp Court Swat

of learned Senior Counsel (Mr. Aziz-ur-Rehman, Advocate) in 'Darul Qaza' Swat and incomplete bench. To come up for arguments at camp court Swat on 8.4.2014.

1 · [[((1) Camp Court Swat

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Appellant with counsel (Mr.Imdadullah, Advocate) and defenses and only of the first of Mr.Muhammad * Zubair, Sr.GP for the respondents present.

Thairman Camp Court Swat

8.7.2014 Appellant in person and Mr.Muhammad Yaqoob Khan, (avi, definition of for order inspector on behalf of respondents with Mr.Muhammad Zubair, also and the former of the state of Sr.G.P present. Arguments could not be heard due to be former of the former of the former and be former of the appellant and off rol I error of the appellant and off rol I error of the state of the state complete Bench of come up for arguments at camp court and for the appellant -Swatton 14.10.2014. 7

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Camp Court Swa

02.4.2013

Appellant with counsel (Mr.Imdadullah.Ad and Mr.Muhammad Ilyas, S.I(legal) for respondents with Mr.Anwar-ul-Haq, G.P present. Arguments could be heard due to pre-occupation of senior counsel (Mr.Asis-ur-Rehman, Advocate) and incomplete bench. To come up for arguments at camp court Swat on 2.7.2013.

Camp Court Swat

2.7.2013 Appellant with counsel (Mr.Imdadullah,Adv.) and Mr.Kuhammed Zubair, Sr.G.P for the respondents present. Arguments could not be heard due to incomplete Bench owing to the promulgation of KPK Ordinance No.II of 2013. To come up for arguments at camp court Swat on 8.10.2013.

Camp Court Swat

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Camp Court Swat

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PAKISTAN ial No. of Order or Date of Order or Order or other Proceedings with Signature of Judge or Magistrate and Proceedings Proceedings that of parties or counsel where necessary SECURITY 1 PRINTING CORPORATION 10 days. Thereafter, notices be issued to the respondents for written reply/comments at camp court Swat on 6.8.2012. A to the alland Member Сайр Court Swat 6.8.2012 3. Counsel for the appellant and Mr.Arshad Alam, AGP for respondents present. To come up for written reply/comments at camp court Swat on 3.9.2012. Hember Cha irman 11 m Camp Court Swat ·i4; ~3.9.2012-1 Appellant with counsel (Mr.Imdadullah, 1 1117 55 Advocate) and Mr.Arshad Alam,AGP for the respondents t 'nπ С + -1-1 11: present.Neither representative of the respondents ç is present nor written reply has been filed on t: t. behalf of the respondents. The learned AGP is ťt directed to positively establish contact with the respondents for written reply/comments at camp + зi count Swat on01.10.2012. ٦İ 6 i +' i • + + lember 'KAT Chai i Camp Court Swall

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FORM OF ORDER SHEET

Court of.....

Case No.....

692 of 2012

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presented toda	ay by Mr.Aziz-ur-Rehman Adv;
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BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. <u>692</u> of 2012

Masaood Shah Ex- Constable No. 693 of Shangla District R/o Chakesar, District Shangla.

..<u>Appellant</u>

VERSUS

District Police Officer Shangla at Alpuri.

...<u>Respondents</u>

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1.	Memo of Appeal		
2.	Copy of the order	А	4
	Copy of the appeal	В	5-8
3.		C	9
4.	Copy of the Appellate Order		10.10
- 5.	Copy of the Court Decision	D ·	10-16
	Wakalat Nama		17
6.	Wakalat Nama		

Appellant Through

Advocate Swat

Office: Khan Plaza Gulshone Chowk,

Mingora Swat, Cell 0300 907 0671

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 692 of 2012

Masaood Shah Ex- Constable No. 693 of Shangla District R/o Chakesar, District Shangla.

VERSUS

- District Police Officer Shangla at Alpuri.
 Deputy Inspector General of Police Malakand Region, at Saidu Sharif District Swat.
- 3. Provincial Police Officer Khyber Pakhtunkhwa, Peshawar.

...<u>Respondents</u>

<u>Appellan</u>

Appeal under section 4 of the Khyber Pakhtunkhwa Service tribunal act 1974 against the original order No. 43 dated 14-03-2011 of respondent No. 1 whereby the appellant was dismissed from service and further⁻ appeal against the order of the appellate authority bearing No. 2821 dated 07-05-2012, communicated on 25-05-2012 through respondent No. 1 whereby the departmental appeal of the appellant against his dismissal was not accepted. Both the orders of the respondent No. 1 and 2 are illegal, against the facts and liable to be set aside

<u>PRAYER</u>

On acceptance of this appeal the appellant be reinstated into service with all back benefits.



Respectfully Sheweth

1. That the appellant was a regular police constable in district Shangla. He was falsely involved in a criminal case vide FIR No. 161 on 21-12-2011 under section 9 b CNSA at police station Chakesar, on the basis of which the respondent No. I initiated disciplinary proceedings against the appellant.

- 2. That in the same charges the appellant was dismissed from service by the respondents. Copy of the order is enclosed as annexure "A". the appellant filed a departmental appeal which was not accepted. Copy of the appeal is annexure "B" and the order there upon as annexure "C".
 - 3. That both the orders impugned are against the law and facts hence liable to set aside on the following grounds.

i.

- That the respondents have violated the provisions of law. The competent court of District and Sessions Judge/Zilla Qazi Shangla vide his detailed judgment in the criminal case on the same charges has already acquitted the appellant vide order enclosed as annexure "D".
- ii. That the proceedings undertaken by the respondents No. 1 and 2 are based on evidence of the $\tilde{e_{\mu}}$ trasted witnesses subordinate to the inquiry officer and the authority.
- iii. That the appellant has not been given the right of fair defense.



That the charges leveled against the appellant have not been proved.

iv.

v.

vi.

vii.

That the proceedings of the respondent No. 1 and 2 are in haphazard manner and cannot stand to the judicial scrutiny.

That the appellant is innocent and has not committed any offence. He has been dismissed from service due to mala fide on the part of respondent No. 1.

That the appellant seeks permission to raise more grounds if need be subsequently.

It is therefore, very respectfully prayed that on acceptance of this appeal the appellant be reinstated into service with all back benefits.

Appeltant M de total Masaood Shah

Through Counsels,

ima Aziz-ur-Rahman mdad Ullah

Advocates Swat

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°n: 2654

<u>AFFIDAVIT</u>

It is stated on Oath that all the contents of this appeal are true and correct to the best of my knowledge.

Masaood Shah

ANNEXURE A

ORDER

Constable Masood Shah No. 693 while posted to PS Nisar Alam Shaheed Chakisar was found by the local Police in possession of 110 grams of chars and subsequently case vide FIR No. 161 dated 21.12.2011 u.s. 9(B)CNSA has been registered against him in PS Chakisar.

Constable Masood Shah No. 693 was therefore, proceeded against departmentally and hence served with Charge Sheet and Statement of Allegations, manifer Committee was duly constituted comprising of Mr. Amanuliah Khon, DSP Hurs, Shangla and Mr. Khan Bahadar Khan, SDPO Alpuri to conduct departmental proceedings against him. Therefore the Enquiry Committee in its findings has recommended the defaulter constable for major punjshment. He was afterwards served with Final Show Cause Notice. He submitted his reply to the final Show Cause Notice wherein he did not put forward something new in his defence but submitted the same reply which had been submitted by him in the shape of his reply to the Charge Sheet. and in the shape of his statement. He did not whish to be heard in person and - kept silent.

In the light of recommendations of Enquiry Committee, the undersigned is satisfied that the Constable Masood Shah No. 693 has actually committed the offence registered against him in PS Chakisar, therefore, I. Jehan Zeb Khan District Police Officer: Shangla as a competent authority and in exercise of the powers vested in me under the Khyber Pakhtunkhwa , Remonation Service (Special Powers) (Repeal Act 2011 and Under Police Rules (2+21, ward Consuble Masood Shah Nob93 who has not completed Type years service in Police. Major Punishment i e Dismissal from Schwice With immediate effect

Order anseance, i Allested to Frue copy

OBNO 43 Duied 14/13 DULK

ANNEXURE.B. (5) J Jo, The R.PO/DIG Malakand division Knyber pullion Khila. constable Masaood shan Khan NO693 R/O chakesal rebeil Alphuai district Shangta. (appelant, Departmental appeal against the order of DPO shangta dateg 14:3.012 where by the appellant is removed from the service. Sin, she appelant submitte as under a shat the appelant was appointed as police constable on 1.1. 2010 after del The proceduras formelities being observed. D shat the appelant was properly Trained and was deputed as a constable in police station chakesar. 3. That a causin of appelant namely Shah Fassala journalist started a campaign against the drugs dealers in distill Shangta in general and in charcesar in particlear G That The said Juch Faisal in the above mentioned campaign levelled some Servous allegations against the Shangla police, and Dpo shangle. and published statements against

DPO suauple in various news papers. More over, the see met pequently power high ups including your good self in comedia of charges levelleg againt shang/a 3) That the DPO Strangle instructed the SHO Chakesar to serve a legal rionce upon un Said Shah Paisal, but even the notice & herved upon him, "could not succeed to stop him from making complainty, and publishing statucits against Suage/a-& sual in retaliation the appelant being The causan of Such Faisal was roped and some noteotics recovery was planted against the appelant and was consequently removed from service. F shat the above mentioned case is they pending adjudication before the court of Session judge gula gazi where in no order is sun passed. 3 shat the order and ga enjuly again The appelant resulted in Telemination of The appelant is illegal based on malafide gainst facts and law hence liable to be set a side on the following grands

I that appelant is terminated with out the full authority on account of pusonal guidges I shat The order passed by the Dpois based on malafide and on account of. personal vendeta, a false furolous case is fabricaled against the appelant I has the enquery conducted by the officers were not impartial, and estonishingly they declared the appelant gully, while the decision of the court is still awaited. in That The law presidences every person unocent unity proved grintly but The enquiry commity has presidence the appeland quilty on the whance of DPO Shangta almen is illegal and Un constitutional. I sual the constitution of Pakis fan quarantee The right of the estigen to the extent that They shall be Toned Jairly and juilly by the competent foldm I that the applicant without being convicted is declared gully which is unlawfully hence the order paned by the ppo shanger is

(II) That the Dpo Surge has passed the order I lecuivale the appelant in hurry and malafidly this the older so passed is not janekk VIU That the appelant belongs to a very respectable family aug has never been charged in any cumuno as before, This without being convicted me older of lessumation is ellegal This The order is leaker to be set and It is therefore played that The appelant may kindly be All and a series of a declared anoten and many please be remstated on Service my declaing an older of the Dpo shangle as illegal against fact, law have on malafide ventication appelant Marcood Thank Khan ftis veretued on out thay the facts mentioned constate NO 693 police is appeal is the as station makesar the best of my daled - 11. 4. 012, 1 Cnow ledge and peliet Marrood Mah Chan

ANNEXURÉ

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> OFFICE OF THE DESTRICT POLICE OFFICER, SEANGLA NO. **3850** /E: Dated Alpuri the **6.5** 2012 Copy of above is sent to Ex-Constable Massod Shah No. 693 through SHO Police Station Nisar Alam Shahee! Chakisar for information.

> > District Police Officer, Shangla

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ANNEXURE D. (Ve بدوات جاب مح مطرئط انيد مشمن ج / فلع عاض شدائم منام a magendo 02.2.12 2/3 × CNSA مكرم مدركين حاقر - المسرحلين حل جود مش كالنزم من الملام ال ر رز مسر بف ب سی مسر ملتوی مور مسل بر کاردانی حسب بن فرز مدر ۲۰ Ô÷ 26.4.2012 Accused Masood Shah on bail with his counsel & DPP for the state present, heard & record 🔨 perused. Vide my detailed judgment of today consist of six pages, duly signed, by extending the benefit of doubt , the accused is acquitted, he is on bail, his sureties are discharged from the liabilities of bail bonds. The case property is confiscated to the state and shall be disposed of but after the expiry period of appeal or revision, accordingly. File is consigned to record room after completion & compilation. Announced (HAN) (Shahid 26.4.2012 Sessions Judge/ Zilla Qazi, certified to 47 June Copy 05 Shangla ate of Presentation of Applicati Data on Which to y completed No of works tazyat younas Urgent foe Copying Tof. ye.E.

. IN THE COURT OF SHAHID KHAN DISTRICT & SESSIONS JUDGE/ZILLA

QAZI, SHANGLA. Case No.02/3(CNSA) of 2012

STITUTION.

DICISION:

VS

02.2.2012

26.4.2012

Maswood Shah s/o Ahmad Shah r/o Chakisar, Tehsil Alpurai. District Shangla.

FIR No.161 dated 21.12.2011 u/s 9-B, CNSA PS Chakisar, District Shangla.

JUDGMENT:

Accused Maswood Shah is facing trial charged u/s 9-B, CNSA, FIR No.161, dated 21.12.2011, PS Chakisar, District Shangla.

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The case of prosecution as reflected in the Murasla Ex.PA/1, incorporated into FIR Ex.PA, is that in pursuant to spy information, ASI Amjad Alam Khan with other contingents, were presentiat the Naka Bandi point, Police Check Post Shalmany, a motorcar No.25/DRA, on its way from Karora, was signaled to stop, on query the driver disclosed his name as Maswood Shah, being suspected, he was searched, it lead to the recovery of 110 grams contrabands as Chars. Other passengers were also deboarded & searched but no recovery was affected. The event was reduced into in writing in the shape of Murasila & was sent to PS for registration of case. The chars was taken into possession through recovery memo Ex.PW-2/2, in the presence of its marginal witnesses and a sample of 05 grams was separated for its analysis. The accused was arrested & card of arrest Ex.PW-5/1 was drafted.

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After registration of the FIR, SI Mohamamd Wali Shah Khap was deputed as investigation officer. He inspected the spot are predicted the recovery plan Ex.PW-4/2 with all its footnotes & sketches at the instant & pointation of ASI Amjad Alam Khan. The accused being a police constable, the I.O informed his high-ups through memo Ex.PW5/2 for departmental proceedings. He sent up the sample for chemical analysis through docket order Ex.PW-4/4 and obtained FSL report Ex.PK in positive and placed on file. After recording statements of PWs u/s 161 Cr.P.C & completion of the investigation, he delivered the file to SHO for onward transmission.

The accused is on bail, he was called, copies u/s 265 C Cr.P.C were delivered, in response to formal charge, he pleaded no guilty & claimed trial.

In order to establish its version, the prosecution placed reliance on the statements of five PWs. The summarized prosecution's evidence is as following:

PW-1 Waheedullah Khan SI, is the SHO, he on completion of the investigation, sent up the matter for trial. He verified his signature on the Challan as correct.

PW-2 Sahib Zaman, is the marginal witness to the recovery memo Ex.PW-2/1, he on oath testified the recovery proceedings & his signature thereon as correct.

Seectons Co

PW-3 Sayeedullah is also marginal witness to the recovery memo Ex.PW-2/1, through which the contrabands as Chars weighing 110 grams was taken into possession by the local police in his presence, he verified the recovery proceedings and his signature there of as correct.

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PW-4 Mohammad Wali Shah Khan, SI is the investigation officer, he verified & testified the investigation proceedings as well as his signatures on the various documents as correct. He also verified the signature of ASHO Itbar Khan on the FIR Ex.PA as correct. On the completion of the investigation, he delivered the file to SHO for onward transmission.

PW-5, Amjad Alam Khan ASI, reiterated the contents of Murasila Ex.PA/1 and testified on oath the recovery of contrabands as Chars, arrest of the accused and drafting of the recovery memo Ex.PW-2/1. He testified on oath his signatures to the various documents as correct.

On completion of the prosecution evidence, the accused recorded his statement u/s 342 Cr.P.C. He place reliance on the evidence so recorded & need not either to record his statement on oath or to produce further defence.

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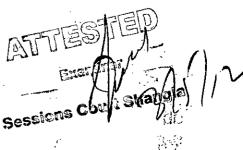
Advocate, learned defense counsel have been heard for the state & Mr. Fayyaz Ahmad Chakisa perused.

Learned prosecutor argued that the accuse facing trial has been caught red-handed and considerable quantity of marcotics as chars has been recovered from his immediate possession. He added that the circumstantial evidence in the shape of positive analysis report coupled with the testimony of the witnesses in whose presence the recovery was affected, do support & substantiate the case of the prosecution. He stressed that the accused is a police official, he misuse his office & brought bad name to the institution for his vesting interest, as such, deserves exemplary punishment.

Learned defense counsel argued that the accused facing trial has been falsely implicated in a concocted case by his high-ups to settle the score with him. He is of the mind that to ignore the services of the police officials on duty, an officer of their own choice was deputed so as to proceed as per directions & desires of the high-ups and to involve the accused in a false & fabricated case. He referred to the contradiction in the statements of PWs and submitted that the accused deserves acquittal as a matter of right.

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In view of the submissions at the bar & record made available, it is floating fact on the surface of the record that the Naka Bandi point where arrest of the accused facing trial & recovery of contraband has been procured, is a general Check Post, Shalmanay. It is supervise, manage & control by a sub inspector having sufficient number of other police officials. It is mystery that despite of the dury officers on the Naka Bandi Point, the SHO of the Police Station, depute & direct an officer below the rank of the available officer on the Naka Bandi Point, to procure the arrest & recovery proceedings in question. No good reasons in this respect could have been presented by the prosecution.



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It is transparent from the record that apart from the accused facing trial, three other persons were on board in the vehicle at the time of the search proceedings at the Naka Bandi point and one of them, Sahib Zaman, was associated as witness to the recovery proceedings. Needless to highlight, he has totally smashed the recovery proceedings and has categorically stated that it is a false & concocted case. I am conscious of the fact that being traveling in the same vehicle, obliged concessions so given amination in cross, can be natural. But it is hard fact that QAZ1 me other than the persons; members of the deputed police party, have been cited as witnesses to the recovery proceedings and even the police officials of the Shalmany Check Post have been ignored to associate them to the recovery proceedings despite of the fact that their presence at the relevant time on the spot was no way less than natural.

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Revealed at the bar, during the trial.

I do agree that FSE report Ex.PK does verify & support the version of the prosecution but it is transparent from the record that the occurrence took place on 21.12.2011, whereas the sample so drawn was received by the FSL on 30.12.2011 and no plausible excuse has been floated for delay in transmitting the sample to the FSL for its analysis.

In view of the above, it is observed that the case of the prosecution is full of doubts. There is no authentic and reliable evidence which could be used against the accused for his

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conviction² By extending the benefit of doubt, I record the acquittal of the accused, he is on bail, his sureties are discharged from the liabilities of bail bonds.

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Case property is confiscated to the state which shall of of but after the expiry period of appeal or revision,

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Sessions Judge/ Zilla Qazi

Shangla

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File is consigned to record room after completion & compilation.

Announced 26.04.2012

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111 6 ertificate:

Certified that the Judgment is consist of six pages, each page has been checked, rectified & signed. It correctly bears my signature & seal.

ź, Date of Presentation of Applicat Date on which copy completed. No of words -1637.V.W Name of popyist A M. Signature. Copying Via F. Y.E.L ... in the of Delivery

(SHAHID KHAN)

HÀN)

Sessions Judge/ Zilla Qazi Shangla

Certified to by true Copy Exa District & Sections Judge hi. Shangla Zilla 🖉 🏹

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بعدالت من مرمى مرمون لي جوب - <u>م</u> قيمت ايک رو پې مندمو دستاه في .) ماعث تحريراً نكه MIL ?? مقدمه مندرجه عنوان بالاميں اپنی طرف سے داسطے پیروی وجواب دہی وکل کا روائی متعلقة آن مقام لعنه مر علام عنر مزار عمر ما المركو معنه ومراكم مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختياط ہو گا۔ نيز وليل صاحب كو راضى نامہ وتقرر ثالث و فيصله ير حلف دينے جواب دی اورا قبال دحویٰ اور درخواست ہرتسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا نیز بصورت جین پیروی یا ڈگری ایک طرف یا اپیل کی برامد ہو گی اور منسوخ ڈائر کرنے اپیل نگرانی و بنظرتانی و پیروی کرنے کا اختیار ہو گا۔ بصورت ضرورت مذکور نے نسل یا جزوی کا رو ائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شده کو بھی جملہ مذکورہ با لا اختیار ات حاصل ہوئے اور اسکا ساختہ برواخته منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوانے مقدمہ کے سب سے با گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا وخر چہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کو کی تاریخ پیشی مقام دورہ ہر ہو یا حد سے با ہر ہو تو وکیل . صاحب یا بند نه ہوئگے کی پیروی مقدمہ مذکور لہذا وکا لت نامہ لکھ دیا ک سندر ہے 13 06 المرقوم كملا ____واه ش___ العد ده الـعد rain lind af for کے لئے منظورہ ہے

BÉFORE THE KHYBER PAKHTUNKHAWASERVICE TRIBUNAL

SERVICE APPEAL No. 692of 2012 Masood shah Ex-constable No. 693 of Shangla. District r/o Chakesir,District Shangla.

(Appellant)

411/12

VERSUS

- 1. District Police officer, Shangla at Alpuri.
- 2. Deputy inspector general of police, Malakand region Saidu Sharif swat.
- 3. Provincial police officer, Khyber Pakhtunkhwa Peshawar.

(Respondent)

Reply on behalf of Respondents.

PRELIMNARY OBJECTIONS.

(I)

(IV)

(V)

- The appellant has got no cause of action /locus standi to file instant appeal.
- (II) The appellant has not come to this honorable service tribunal with clean hand.
- (III) The appeal is time barred and also barred by law.
 - This honorable tribunal has got lack of jurisdiction to entertain this appeal because the appellant was removed from service under police rules 12-21 (Discharge of inefficient) a police constable who is found unlikely to prove an efficient police officer may be discharged by the superintendent at any time with in three years of enrolment. There shall be no appeal against an order of discharged under this rule.
 - That the appeal is bad in its present form hence not maintainable, liable to be dismissed.

REPLY ON FACTS.

- 1. Para No. 01 is correct up to the extent that the appellant was a regular constable. However he was involved in criminal case vide FIR No 61 on 21/12/2012 u/s 9(B)CNSA at police station chakasir therefore a proper disciplinary proceeding in accordance with law initiated against him.
- 2. Para No. 02 is incorrect , proper departmental proceedings were initiated under the relevant law against the appellant. Resultantly being member of disciplined force he was found guilty of serious breach of discipline and miss conduct owing to his involvement in narcotic related criminal case therefore major punishment i-e dismissal from service was awarded to him further more departmental appeals were not accepted.
- 3. Both the order are strictly in accordance with law and facts hence not liable to be set a aside. The appealant was found in professional misconduct.

GROUNDS

ii.

ΗÍ.

iv.

v.

vi.

That the respondents have not violated the provisions of any law. The competent Court of District & Session Judge/ Zilla Qazi, Shangla has acquitted the appellant only on technical ground and benefit of doubt was extended to appellant. It is pertinent to mention that the accused has not been awarded punishment by the court concerned but his acquittal does not amount to his innocence in the episode beyond any iota of doubt.

That the proceedings which have been undertaken by respondent' No.01 and 02 are based on cogent evidence of the impartial witnesses, their statements are enclosed as annexure "A" to "F".

The appellant has been given the right of fair defense but he was failed to produce any substantial material or cogent evidence in his defense.

The charges leveled against the appellant have been proved but only the benefit of doubt has been extended to the appellant and he was acquitted by the court concerned.

That the proceedings of the respondent No 01 and 02 are purely according to law and Service Rules. The allegations leveled against the appellant were explained to him and charge sheet was framed and Final Show Cause Notice was given to appellant, resultantly he was removed from service under the KPK Removal from Service Special Powers Repeal Act 2011. *(charge Sheat 4 other documents) are attended)* Incorrect the appellant is not innocent he was involved in criminal case therefore he has been dismissed from service to made him example for other police officials as police is a discipline force and is meant to maintain Law & Order and eradicate social evils. If violators of law in police uniform are not dealt with iron hand, it will entice other personnel to indulge in unlawful activities. Thus there is no mala fide on part of respondent No. 01.

vii. Need no comments.

It is therefore, respectfully prayed that on acceptance of this reply the appeal of the appellant may kindly be rejected with huge cost and the appellant may not be reinstated into service.

Mark

 District Police Officer, Shangla at Alpuri

2. Deputy Inspector General of Police, Malakand Region Saidu Sharif, Swat

3. Provincial Dolice Officer, Khyber Bakhtunkhwa , Peshawar

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Appeal No. 692/2012

Masud Shah Constable No. 693 Shangla present Chakisar Tehsil Alpuri District......(Petitioner)

Versus

1. Provincial Police Officer, KPK Peshawar

DIG of Police, Malakand Region Swat
 District Police Officer and others

(Respondents)

POWER OF ATTORNEY

We the following respondents do hereby authorize SI Legal Muhammad Ilyas of Shangla District Police to appear on our behalf before the KPK Service Tribunal in the subject Appeal No. 692/2012.

He is also authorized to submit all documents required by KPK Service Tribunal Peshawar in connection with cited case.

> District Police Officer, Shangla Respondent No. 1

Deputy Inspector General of Police, Malakand Region, Saidu Sharif, Swat Respondent No. 2

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar. Respondent No.3

FINAL SHOW CLASSEND AICE

EME <u>Jehan Zeh Kjuni</u> () sager P. U.C. Offlier. Shangia as competent authority ander the N.W. (19 Kerneya, 13 at Service (Special Persence) Ordinance do hereby serve you Hereb Constance <u>Masuad Shah No. 693</u> as follow:

(***) Contrar Consignation Configuration States and the state of the states of the

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<u>it is alleged that you Constable Masood Shah. No. 693 while posted as Constable in PS Chakes at was found by the local Police in possession et 117 graphs what is it inbsertiently case vide FiR No. 161 dated 21.12.2011 (U.S. 09(B) CNS.) has been registered against you in P. Chakesar. This emounts to indiscipline and misconduct on you. Each registered against under the Removal from Service checked Power) (Repeal) Art 2011.
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(1) Some events to the <u>terms Zeb Khan</u> Disselet Pelles Officer, Snangla a conject is subserved in the rates of declars to impose upon you the periods of <u>Manan Juna diagent</u> latter is that the old solution of https://www.com.com (Alter old solution).

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No 188/Esett 16/02/2013

nstrik: Police Officer.

FINAL PHONE A SENCE

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(a) the start of the agent the fladings, recommendations of the binquity of synchronic the material on record and other connected papers' of the start of the delete before the said committee.

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NO 188/Estt 16/02 /2012

istrik: Police Officer.

جناب عالى! ب بحواله مشموله حيارج شيث نمبري 198/E مورخه 31.12.2011 برخلاف تنشيبل مسعود شادمبر 693 معد ال للسر حال لیولیس لائن معروض خدمت ہوں کہ۔ کنسٹیبل مسعود شاہ نمبر 693 پرالزام ہے کہ مقامی پولیس تھا نہ چکس نے کنسٹیبل مذکورد کے قبضہ سے 110 حرس برآ مدکر کے برخلاف ملزم کنٹ میل مقد مدعلت 161 مورخہ 21.12.2011جرم B)CNSA(8) قتاب کا رجشر کیا گیا۔ اندریں سلسلہ جناب ضلعی پولیس سربراہ بضلع شانگلہ نے زیر دخطی پرمشمل انکوائری کمیٹی تشکیل فرمانہ الک منظر عام پر لانے کی ہدایت کی ۔انگوائر کی نے ملز مکنٹ میل مسعود شاد کے خلاف تحکمانہ انگوائر کی کا اغاز کر کے تقایف کے SHO وحيدالله خان،ASI امحد عالم، كنسفيلا ن سعيدالله نمبر 667،متازعلى نمبر 610،شاري زيب نمبر 825 اور خل نمبر 436 کودفتر زیر دیخطی طلب کر تے تحریری بیانات قلمبند کر کے شامل ریورٹ مذاہے۔ بیانات قلمبند شدد مل 🕅 وحیداللہ خان نے واضح کیا کہ مخبر کی اطلاع ملنے پراس نے امجد عالم ASI کو بذریعہ فون ہدایت کی کہ موٹر کا رنمبر DRA میں سوارلڑ کے شنگ سے چرس خرید کر ہمارے حدود کی طرف آ رہے ہیں۔ ASI مذکورہ نے حسب ہدایت SHO جنیا نا کہ بندی کر کے حسب ضابطہ کاروائی عمل میں لا کر جامہ تلاش کے دوران موٹر کار کے ڈرائیورکنسٹیل مسعود شاہ م چرس برآمد کر کے مراسلہ ریورٹ بر ملزم کنشیل کے خلاف مقدمہ علت 161مور خد 2011 21 B)CNSA قانہ چکیسر درج رجٹر کیا گیا۔اس طرح امجد عالم نے مراسلہ /FIR ریورٹ کی تائید کرتے ہوئے کیا کہ مورخہ 21.12.2011 کو مخبر کے اطلاع پر حسب ہدایت SHO صاحب نا کہ بندی کے دوران لکے مسعود شاہ کے جامہ تلاشی لینے پر 110 گرام وزنی چرس برامد کر کے گواہان فرد ہے بروقت تعمیل ہو کر مراسلہ بغری مقدمه تعانه چکيسر بھجوايا گيا۔جس پر مقدمه علت 161 مورخه 21.12.2011 جرم B)CNSA(B) قفائ چک رجسر کیا گیا۔اس طرح گواہان فرد کنسٹیلان سعیداللہ نمبر 667 متازعلی نمبر 610 ،شاہی زیب نمبر 825 اور جیا 436 نے بھی اینے بیانات میں وقوعہ کی تصدیق اور امجد عالم ASI کے بیان کی تائید کی۔ جبکه کنشمیل مسعود شاہ نمبر 1963 سے بیان میں جرم خود سے انکاری ہے۔ملزم کنشیل دقوعہ امقد معلومیتا انقامی تعصب ظاہر کرتا ہےاور مقامی پولیس پر بے بنیا دالز ام تر ایٹی کرتا ہے۔ مذکورہ اپنے بیان میں بات کے بیٹر کوشش کرتا ہے۔ جو کہ اس کی غلطہٰمی ہے اگر دقوعہ امقدمہ داقعی مقامی پولیس کا انتقامی تعصب پرمبنی ہے تو اس یولیس پامحکمہ پولیس کی کونی نیک نامی متوقع تھی جبلکہ حقیقت تو یہ ہے کہ مقامی پولیس نے اپنے بدنامی کی برواہ کے ٹیل مسعود شاہ جیسے نااہل پولیس اہلکار کی قلع قمع کرنے کی جرات کی جو کہ قابل داد ہے۔ملزم کنسٹیل نے ایک تحریرکیا ہے کہ مقامی پولیس نے بے جامجھ پر اور میرے ساتھیوں پر رات بھر تشد د کیا اگریہ بچ ہے تو اس کے ساتھ تاحال پولیس کے خلاف شکایت کیوں نہیں کی جملاوہ ازیں ملزم کنٹ پیل بحوالہ مد13 روز نامچہ 20.12.2011 20 یے غیر جاض ہو کر مورخہ 21.12.2011 کو بغیر اجازت کے اپنے ساتھیوں سمیت حدد دتھا نہ چکیسر سے بیتا 🗧

وہ اپنے بیان میں اعتراف لرتا ہے۔ملزم سین اپن عیر حاصر ی اور اپنے ساسیون سیت بندائی ا نہیں کی بے جس سے معلوم ہوتا ہے کہ ملز منسیبل کو مقد ہے کے ساتھ ضرور تعلق ہے۔ حالات، داقعات اور بعد ملاحظه بیانات سے زیر دخطی این بتیجہ پر پنجا کہ مورچہ (12.20) یر حسب ہدایت SHO صاحب تھانہ چکس رامجد عالم ASI نے ناکہ بندی کے دوران ملزم سیجیل کے چن برآ مدکر کے جس پرمقد مدعلت 161 مورجہ 21.12.2011 جرم B)CNSA() و تعایہ جلیس جو کہاب عدالت میں زیر ساعت ہے۔مقامی پولیس نے ملزم کنٹ کی کوغیر حاضری کے دوران مرتقب جام ے محکمہ یولیس کے ساکھاور وقارکو بہت بڑانقصان پہنچاہے۔ لبذا انكوائري تميني ملزم كنستيبل مسعود شاه نمبر 693 كوميجر پنشمن (r. Runishment سفارش کرتاہے۔ انگوائری ریورٹ مرتب ہو کر گذارش ہے۔ امان الله ملاية خاف بطلار نى ايس پى ايم دي ک هیڈ کوارٹر شانگلہ سركل النيو May Issue F. S. N or submettal for forman MEZ EC 03 TZ orders ptie and S 103102

Q اور كور أس كر في محصد محمد المار مار مار ماكون س ער ער محص جکر لیاما. اور تخلف عشم کاوں کے لوگوں ماتی لولس صردار ز کارو با ماعره کون کا لوتوں کو اطلاع دی ت ت مرابع، حاج لوس محورت لو جرس ترابرام س ر بل مر قتار كما -- العر تمام كاذك الوكون تا ما سے قي من مارون برم اور سر سره ز ما ی توسس کا ی - امر بوتوں کی طرب کی متعل مں تھے جوڑت کی مربط طلب کی ىدالى سى مى مى مى مارار سى اور عدالت بى بعد لول ت ما تو سرى فرنو راج تمانى - - إن سار عوا قوا ا جارت سے جا براں اور والر جا تھے جر رکی کی جالانکم مر والد کاوں ، رت مقرر اور ، اسر شخبت ج مر العق حو الوك كالكي مركام طور مركم حدم عاكة من فن عاد لوسن كار ما كاراور فى حرف اور حرف ممار ما مدان كو يرتم رُم ادر انتشا) سر دسی هی بالی لوس نے مرا سفای کا راوانی میں سائد اسے کی کہ اس سے پلے " فيعل ولم عدالعور في وكر رف من معما ادر روب رف س نسا Another ہے۔ قیامی ہوس کے طرف ا میرا تس بالمان والفي مدكم عالى لوليس منه المسلك مطني مع ملوت * العر (في اسمع من فيعل في محام مر مدانير ركي سے اور اس کا سرج کا اور اس کے سام س يَ جارف ريك ويلو لرك لي مشرق المرود ال ما الراج STR FIN

بر من ما بر من المرما سالع متر فر لو شس جراب لوسن ساند مور ب چالى: جاپ نوشى دىل برمى ج جرم ورم 12 برس کوم مرار خرا فرار خران 00 وله رحت الله بالنان فكر التي وللرغ ور فرابرى 25 ابے بی کام کے میں ہی نیم ے دارس طبح رہے جب مناكم منابو جبك بوست ليحف لو ومان جل و ع عاروه في مر علم من ليذ - الحر عالم Asi الحر عالم ہماری کاری تو جمع بنایا کا ولور ہے تبہ تر از سے را ج ک ر فلوغ کلری مروع کی - اور کو د بر لیر جھے اور مرا كو رفتار راع مي ع ا در طاع ا ده م جرس مرام ارزام المركام - حالرنكم مرجم مح ارز مرى مرى كاركا س اور م مر وطر سا کورن سے کسی جسم تی طرط لوتی سے مرابع بر او من ی لوس م ج تھے مار وم مور فالوتی اور طرر اطرافی طرم از اجن رات بھے اور من دللر ساکٹوں کو جالات میں مزر کا ۔ 2,3 - SI 30, 15, 10, 10, 15, 10, 10 18 - 5 1 اور س الحون بر آردی م م مور ع م مارد عل 164 من و 2 كت سان را الرو - اور (ن عارف مين جر جرب بالى المار أرجع ما در الجر مع مى جرب ا U.U.P. J. U. 1/10 25 6 93 CNSA

اور اسی از اوری اوری کادن طادن می می دور س کا حرب خار اور ژسی فرنم س میں والرض اللو ترکی آفران ، سامی حفاجى يونسن تى كارگردى بىر روىتراص كى -المي وجوهات کي ساسر دراج لولس اسفاح کاراوالي ار ار ا سرقی کمی - اور آسی آستانی کاراواتی کالت مزید کھے بنایا۔ کو میں روس کا ما تحت اور رس انتر تھا ۔ . میں مکر کی رتب مراف اور حوز خارز کے لیک به مستبات کا ماری اور به به اس عَم کا سرار س حورم 12 او معانی لولس کے حرم طالولی جرار فلافی اور بلا وم اور لغير تي سر حالوني في عرا بر ي ار مقار تياري اور دیاتی وس کی تما کاراوالی دستا بر سی کی . میں حکومی دن اور ایما نداری ہے رہے والعن مغبی الجار اور سمتم رئیم ریکار سرانی -س ب تن مرن س ف نولی جرم م من اور م رولنا ب المرام موركاز تدريس مدر مركم رادوا في در حل رفيز إيرا المكامات جادر فرطس Good Shar i relie ر فر ² بر 693 مال دسمة لوس لائن ف Hister (1) gil a

بان از ان خنبا معدد مکاه بر 693 نے مردوان در این سان · حجر الله الم من مع ديكر افرار مم 0 ماهر ولم كا ی نفست ونظر ولد ارهم فی ماحد را ولد جان دان می تر مانش كما تا حكسر الي والمرك وفركار منرى حد من الي في كام كا المام محدوث وتسراب تق - من عقام عما فرقا ومن ومد المس عد عداده وقان جسر من نصاب الحرس الم الم مارى كارى فر في بيجانات او فور بركم كراس اين مشير [عرائم ب عرائش شروع ی اور تھ در اجر سے اور مرب یا نصوں کو گر م مم سر الحرالم isa - جرس سرفر كر كا السرام الحال - طالاتم م ا مرنبی مری محدوی سے اور مربی مرب دیکر الحجوں سے کی تع المح سراعد مز موقا ب مقاى بولس ن الماده سر قانوى اور سر اخلاى طر كما. ومارات المع اور مرب دركم القون كو حوالات من متر ما - اور مارى اور اعتبارطان ای نے محصور کر تشہری اور مرب سا تعون مر تشہر دی ي خلاف عدالات من 164 عن ف ترقيت مان راكم الأخرو- أمرا. توامی دو - میں در در بالی الی الی ار بے ۔ او مج خرام میں جو بی قت مدارم میں بر جر دیا تی اور دور ، معرف مقد ولی دیا کر سارے کا وں میں سے جب لیاں اور فیل قرب ک ولغن توجعان بوليس فترحر وكم أورما عاجره كاون كالريب لوكتون ك ->>> 3 e 4 ، ما اور شر مرو کرنه ی کونش کالی ۱ س فر فر طرف جلس ی مرالت می بیش کرا جروس في شم م المريك قا كريم مر بالرج ولات و - 343/1 en a solo a state a state

ى تولى عطاف احمارات من مان دما تقام معا لا من سالت معل علوب ب اوراس سی مناه شول کی جار ما سال کی اور ان مرا سال کو المان مى موى منى الرائى سليم من جان حقاق لول المرافير السي جلاف المر الكواميرى شم حرقا مرضاه طاق حرد الولى لولي المناطان حرد المؤسمان سوات مرتمل فى جلسر بمع دما قاً الماليوانيري افران كاون چلسر عوزين كاح لرم اوراي م من حرب والرحظ نه المواسي الورسي الورس ي سابي مولس ي مر در کی سرامترامن می -میں وجوجات ی ماہ ہر مقای پولیس استقامی کاروایی ہر تکی ہوتی تھ العراب المتعامي كارواني كما لتسام في ماما كوركم مين اس كما ما خت الجرار ما من 40 مارد جراب المربع بنا جرم من من من منابع عادی و الورس اس می مربع مرابع مارد مربع من من من من من منابع عادی و الورس اس می مربع میں مارد میں مالا مرحای برگی نے لیے عثر خانونی متر اخرابی اور براج اور تعویر کری عام م مراجع مراجع المحل من مربع مربع مربع مربع المرجع المرجع المرجع المرجع المرجع المرجع المرجع المرجع الم من علم المحالية الماري مع مراض الماري بربل المر مسر الخام وتاريخ ا المحالية المحالي من من المحالية المربع المحالية المحالية المحالية المحالية المحالية المحالية المحالية المحالية ا e sole in a construction of 21/2 Po Constant of Standard Stand Sta CANINE BACK OT UNE CUMPERATE WE CHEN GIG KEP RECEIPTION 60 Alex 2019 Congress en en la partir de la companya de la Statuta de la companya

CHARGE SHEET

authority hereby charge you Constable Masood Shah No. 693 as tollow:

It is alleged that you Constable Masood Shah No. 693 winte posted as annuable in PS Chakisar was found by the local Police in possession of the arams of Charas and subrequently case vide FIR No. 161 dated 21.12.2011 as 3633 INS y he subrequently case vide FIR No. 161 dated 21.12.2011 as 3633 INS y he subrequently case vide FIR No. 161 dated 21.12.2011 as and subrequently case vide FIR No. 161 dated 21.12.2011 as another instance registered against you in PS. Chakisar (This to pound to be proceeded) and pound of the processes and stander the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the service (Repeated) of the states of the Removal from Service (Special Power) (Repeated) of the states of the service (Repeated) of the states of the states of the service (Repeated) of the states of the service (Repeated) of the states of the states of the service (Repeated) of the states of the states of the service (Repeated) of the states of the states of the service (Repeated) of the states of the service (Repeated) of the states of the service (Repeated) of the states of the states of the service (Repeated) of the states of the service (Repeated) of the states of the se

if y reasons of the above, you appear to be guilty of miscould in under section-2 of KPK Removal from Service (Special Powers of eperatury) 2011, and have rendered yourself liable to all or any of the periods specified in Section-2 of the (Repeaters), 2004.

 h ou are, therefore directed to submit your written desense within sector days of the neceipt with a Charge Sheet to the hugainy table

As a written defense if any, should reach the Unquity Officer subtive streather period, fulling which it shall be prestated that you not note the two puttin and in that case expand reaction shall for the quite 200

"ittivitate scheiher yett jesire to be heard in person.

A statement of allegations is enclosed

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DISCIPLINARY ACTION

I Mir. Jehan Zeb: Khan, District Police Officer. Shangla is competent authority of the opinion that Constable Masood Shah No. 693 has rendered himself liable to be proceeded against as he committed the following acts omission with in the meaning of Section-3 of the Khyber Pakhtunkhwa Removal from Service (Special Powers) (Repeal) Act 2011.

STATEMENT OF ALLEGATIONS

It is alleged that he Constable Masood Shah No. 693 while posted as constable in US Chakisar was found by the local Police in possession of 110 grams of Chatas and subsequently case vide FIR No. 161 dated 21.12.2011 u.s. 9(B)CNSA has been registered against him in PS Chakisar. This amounts to indiscipline and misconduct on his part rendering him liable to be proceeded against under the Removal from Service (Special Powers) (Repeat). Act 2011.

For the purpose of scrutinizing the conduct of said accused with the reference to the above allegation <u>Mr. Amanullah Khant DSP HQrs and Mr. Khan</u> <u>Bahadar Khan, SDPO/Alpuri</u> are appointed as hypaticy Officers. Fit, Finduity Officers shall, in accordance with the provisions of the Ordinance, profide reasonable opportunity of hearing to the accused, record its findings and make within 25-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused

The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

Alshargia xx445

OFFICE OF THE DISTRICT POLICE OFFICER, SHANGLAN198E. Dated Alpuri the
Copy of above is sent to:

Mr. Amanulluh Khan, DSP HQrs and Mr. Khan Buhadar Khan, SDPO Mpuri for initiating proceeding against the officer official under the provision of Contained in KPK Removal from Service (special Powers) (Repeals Act 2011).

 Constable Masoca Shah No 693 with the directional approximation of tanquiry. Officer on the date, time and place fixed by the hagany. Committee, for the purpose of the Enquiry Proceedings.

س از ال و صرائل کان مواجا کا چا کے بیرا ور کم اسی/ور فیرس فی الملیح رفی مردس ارغر <u>25</u> میں میں ا من الرسال سرس على في من من فرم مالي . من ارد م معلق کا دانی کے اسم میں کی مرکز موجود کا اللہ اللہ ا مي من الجريب من الملك لوفل مرد سرها بري مركمام رتد المركم بالجرير بالجرين المرتب المرتب فالموريان بالمراب مس جس زراری مورت من کاروانی کریں . جراح خاریا محمالی کاروان کی - اور جوط (کر از شرار کی جا ی جن سرام ال الم الل في فالولى كاروالى كالمرابي كالمرابي الله with a start with and the start and the star ورنع دليم معرف في ليس من جرف كرم المحادة م من هذا حار ماري المركب من عن كرف المحادة ماريجي الكاملات ع - الراس الح جرد الرائ مور في ورا المرى از ت رفى المرى وفى تے ما مر اس موى اور الل لوفر الداورية المحالي في المحالي محالي محال لورایت ری تحر رس لورک کو مصطلان کردی طرقہ روا اور اور مستاركين بمرادحي طالان عدالت ع مغط من مالعام ي فاطر سال مرجم المراسي ولي من يوساس خالي الم AS elle July se Eus Cu که و صربالدتر خان ۱۲۷ مکر Allestert Mosteli DSP/AG Sport Sour

سان افر مام ادلم منعینه محار مان مان مرز رو مون دطران د حور کار نر کے میں فیکوں افراد سکے تالوى كارورى عام مى رزى كان المس الطراع م مى را الم ركولىس روا مرد مر كور كولمنى عرك كومدى موتح . وم) لير ٢٠ م فازمون في تدري المرجع في السن الماء فو شرطار منز كو الكر الل مرز الع ركوا با - كالذي مس موجود اخرادي تكريس ملى - دراي مرد الان بارس من بر أ مل كتار جن من جرس مر أ مر مور جر در ال المراح ما المرام على - حر مس تو مرد عرف كولي میں کرتے مزر توقع در من کرنے کو کومان سے تکیل ذر دلرانی بھ علیم) مسمود ترزی نے مرادی خراری خراری کی نیز محب جو نے اس محرر عم مر الما مر محمد (B) درج رمیش شاند - فرخه ره در مرج فنیعو المراجرين المراجرين عن المراج المراجر المراجر المراجر ال میں ڈلوٹی ارتباع دے دول مزہرہ ایس وقت غیر ماضر میں سیسیز سے روز میچ اس سینل ممثل یا بہتے اس کواری الاز کا الجبار 2 UGANGE LINE, LEN DSi PS- Challesav 03-01-2012 Attested OSP/HOE Shanghar. Attested sope lilegicen

mologian inter 1316 per les ce esto www. Cu to c, o/in NOW FILE NON- US. ELESI WICKIGGERUS, estime Public Asi Clepter, s. 9 200 / 1/ Juin on المحاتي - امر كارور المراسي شروع محاتى - اسى ات العريم فال $\frac{\partial f_{i}}{\partial t_{i}} = \frac{\partial f_{i}}{\partial t_{i}}$ تحلی از ایسی ای جن میں سے عرف در ایس مسعود اے وزیر mindunge Lele Asicie ple, 2, a cue sie in grade in the Course which is a superior Current & Charles Contes miles mil & Cilo Con = 6 + w Circuin ? - tor / y i (prover) ~ ~ $\frac{1}{M} G_{1}^{\prime} G_{2}^{\prime} - \frac{1}{M} \int_{-\infty}^{\infty} 6 (. 6 ASaccol din 667 Emilia Altested - Loniles men 3 2 Julian

بان اذن نشر ماز على ماه معلم عا مراج scole SHO in Guin A Co Ulu Cales J'm Provide and in the the and the provide of the provi منهما ر حانون کارونی کارونی کاری ایک از جرعالی 12 in 2 2 20 10 2 20 Le Asi ن محافز مراسی شروم کی اسی میں در کی مرسوکی $\sum_{i=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{j=1}^{n} \sum_{j=1}^{n} \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_{j$ تمام أسان في لاسمن في حتى جس ميم ساح الحت شماري En mar and a cue cie a colina and in the جرم أن شرع مر 110 مراح نسك معر مراد الراري in in our of the conservation of the services · Line Charles i les por la contra l Clining - Corpulation is les jer wing - & Whiele City we want of the City of the company of the city of the Attested seper Aquisa Ho Shough

بیان از سنام سامی ک مبران درمانت ت ی ی ی en a ce asi cie pue - Concerto par Concerto 25 prove ニュ とびしてい じうと こうどう デーーゼーをいうでないこのでのないど عن بوت س المرسر م لي - امرم ل م رز نما زور کر از سی میں شروع کیا ۔ اسی شادیے کی موڑ کار را حر، توا ت ره در رود الخارى من متح تام اف ردى لاكان Flesser a chie Bologen , i's ske a الالم يماعن في جزف سريم في فرق كمان من مال is not in oliver 1 d. oliver من حست شن اسر عمام من من من حسب في The city of the miles in the site of the s , the en نیل کرای زمینی دو Basing Attented Hested 3 Tora Sepo . Algusse No. sha 29.19.

مسل اران جيار سان مرا به اسی ارز ۱۰ لوی عقام حلیر اجرب اجرب من ۶۰ ون الله عاكر مور کار کمر حکم میں میں اللہ او الم محمد م حور المرقبر عالون الرون فل مرون فل مرون الم مرجب القريم وفرار في وتبلو في لوست على ورالزمر می کارد بان س ناطر دونان طلتی می می ای در از از می مونو مرانی حس د الدرار ودر الداران المرك من سطح عام اخرد في دلاي في في الم مرف ماذی ، دراسور مدرورساه ی ادمی جب سے جس زیر امر بور: حد مزدر م ١١٠ را ارترام نقل مرتوره در البوريد رمارديا ليا «درانسور مسعود ان وار المرد ان سان علم جو تی لولی س عنت كنشل اور تعانه طرس لقنائة جرا مراور تعانه ساخر ما فريدانها ار شد مدا كم سال قوا جود في مر حرى الملا مي ترضارد في ليرو برد سر مان ع (2, 12) 436 13 - US (12) 3-1012 sopo Lapuse Itiste Her fraugla.

Having been involved in case under section 9(B) CNSA of Police Station Nisar Alam Shaheed Chakisar, vide FIR No. 161 dated 21-12-2011 Constable Masood Shah No. 693 Police Station Chakisar here by suspended from service with immediate effect.

olice Officer, **District** P 🖉 Shangla

No. 8346 /EC, dated Alpuri the 22 / 12 /2011

ORDER ---

vo 168

22. 12.2011

Copy to Station Home Officer, Police Station Nisar Alam Shaheed Chakisar w/r to his application dated 21-12-2011.

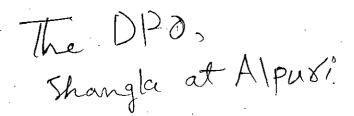
District Holice Officer, 🔗 Shangla

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. <u>994</u>/ST

Dated 24 / 2015 1.4

То



Subject: - JUDGEMENT.

I am directed to forward herewith certified copy of Judgement dated 2-5 passed by this Tribunal on subject appeal for strict compliance.

Encl: As above

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.