Appeal No. 1292 13014

Mr Fulfin Als

Counsel for the appellant and Asst: AG for the respondents 20.02.2015

present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 13.06.2014, vide which the major penalty of reduction/reversion from rank of Head Constable to Constable has been imposed upon the appellant. Against the above referred impugned order appellant filed departmental appeal which was also turned down on 14.10.2014, hence the instant appeal on 30.10.2014. He further argued that the SHO of the said Police Station was also punished on same legation and was awarded punishment reduction/revision from rank of SI to ASI. The appellate authority on the departmental appeal of the SHO, set aside the punishment order of SHO and punishment of reduction was converted into minor punishment of forfeiture of one year approved service and as such the appellant has been discriminated.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 09.04.2015.

Member



09.04.2015

Counsel for the appellant and Asstt: AG for the respondents present. Learned counsel for the appellant filed an application for withdrawal of the instant appeal. Application is allowed and the instant appeal is dismissed as withdrawn. File be consigned to the record.

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

Service Appeal 1292 /2014

Faqir Ali, Contable No.	309, Police Line L	Jaggar, District Buttner
		(Appellant

VERSUS

The Inspector General of Police	KPK, Peshawar and others	
	(Respondents	S

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Through

Javed Ali Mohammadzai Advocate, High Court, Peshawar

Appellant

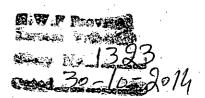
Dated: 29.10.2014

<u>BEFORE THE</u> SERVICE TRIBUNAL, KPK, PESHAWAR

Service Appeal 1999 /2014

Faqir Ali, Cont	able No. 369; I	Police Line	Daggar, Distric	t Bunner
				Appellänt)

VERSUS



- 1) The Inspector General of Police, KPK, Peshawar
- 2) Regional Police Officer, Malakand at Saidu Sharif, Swat
- 3) District Police Officer, Buner
- 4) DSP Headquarter, Buner

(Respondents)

Appeal Under Section 4 of KPK Service Tribunal Act, against the order No. 8357/E dated 14.10.2014 of the Regional Police Officer, Malakand Region / respondent No. 2, whereby the departmental appeal of the appellant against the punishment order No. OB-62 dated 13.06.2014 was rejected.

Prayer:

and the slave

On acceptance of instant appeal the impugned order dated dated 14.10.2014 as well as punishment order dated 13.06.2014 may kindly be set aside and the previous original Rank (Head Constable) of the appellant may also be restored with all back benefits.



Respectfully Sheweth,

Facts giving rise to the instant appeal are as below:

- 1. That the appellant was appointed as Constable in Police Department on 02.02.2012 and subsequently promoted to rank of Head Constable on merit due to his hard working.
- 2. That on 28.08.2013, the appellant was transferred and posted as MHC Police Station Changlai, District Buner.
- 3. That the appellant performed his duty as such to the entire satisfaction of his superiors and never provided a single opportunity of complaint to his superiors.
- 4. That on 18.02.2014 the ASI Mr. Mukamil shah Khan arrested a person namely Malak Zai and recovered 32 grams of opium from his possession. On the receipt of Murasla from said ASI, the appellant duly registered Criminal Case vide FIR No. 108 dated 18.02.2014 against the accused person. (Copy of the FIR is annexed as Annexure A)
- 5. That on 25.03.2014, the appellant along with the then SHO Mr. Bakht Farin Shah was charged sheet for allegation;

"During the posting of the appellant as MHC Police Station Changlai, the sale / business of narcotics was continued in jurisdiction of PS Changlai, but the appellant has not informed his high-ups about the selling of narcotics".

- 6. That on 28.03.2014, the appellant submitted his reply to the charge sheet No. 110/EC dated 25.03.2013 and duly explained his position. (Copy of reply dated 28.03.2014 is attached as Annexure B)
- 7. That thereafter DSP Head Quarter / respondent No. 4 as Enquiry officer (E.O) conducted enquiry in the matter, and submitted his finding report with insist recommendation of awarding appropriate penalty to the appellant, to the DPO Buner / respondent No. 3. (Copy of finding report is annexed as Annexure C)
- 8. That being so, the DPO Bunner / respondent No. 3 vide order No. OB No. 62 dated 13.06.014 awarded major punishment of reduction / reversion from rank Head Constable to Constable to the appellant. (Copy of punishment order dated 13.06.2014 is annexed as Annexure D)
- 9. That being aggrieved from the punishment order dated 13.06.2014, the appellant immediately preferred a departmental appeal against the same before the Regional Police Officer, Malakand / respondent No. 2. (Copy of the departmental appeal is attached as Annexure E)
- 10. That on 14.10.2014 the appellate authority without any good reasons rejected the departmental appeal of the appellant, hence this appeal on the following grounds. (Copy of impugned order dated 14.10.204 is attached as Annexure F)

4

GROUNDS

- a) That the impugned order dated 14.10.2014 as well as punishment order dated 13.06.2014 are illegal, against the law and rules on subject.
- b) That the appellant has been condemned unheard and all the proceedings of enquiry was conducted at back of the appellant and as such the appellant was deprived of his legal and constitutional right of cross examination.
- c) That the impugned orders are passed in sheer violation KPK (Efficiency and Discipline) Rules, 1973, as the authorized officer has been totally bypassed and ignored in matter in hand.
- d) That the duty and responsibility MHC/Clerk of Police station is duly described in chapter 22 of Police Rules 1934. The appellant as MHC has fully performed his duty in term of Chapter 22 of Police Rules. (Copy of relevant rules are attached as Annexure G)
- e) That the SHO of Police Station was also punished on same legations and was awarded punishment reduction / revision from rank of SI to ASI. The appellate authority on the departmental appeal of the SHO, set aside the punishment order of SHO and punishment reduction was converted into minor punishment of forfeiture of one year approved service. And as such the appellant has been discriminated. Copy order dated 1 7 10 allocked as (H)



It is, therefore, humbly prayed that on acceptance of instant appeal the impugned order dated 14.10.2014 as well as punishment order dated 13.06.2014 may kindly be set aside and the previous original Rank (Head Constable) of the appellant may also be restored with all back benefits.

Appellant

Through

mioogn

Dated: 29.10.2014

Javed Ali Mohammadzai

Advocate, High Court,

Peshawar

AFFIDAVIT

I, Faqir Ali, do hereby solemnly affirm and declare on Oath that the contents of instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

DEPONENT

ATTESTED

ATTESTED

Oath

Commissioner

Courts Feshawa Patron

والم جارج شرست عبر الم 10/Ec عارم جاب ماه ما بحر مروس عروس عروس م مس

مورض 200 سے عیشت فرر تعام منتقل کینات تعا دوران کیستان جناب ملا ما ک جویت بوسست شل فویس ملازمان میں سے مین کنیبلان کو میزمن الملاعیان ، جوائم ک

المسداد كنيا طرسفيد بارجات ب مستدات ك معرون ومنده ، جوائم سيشد ا فرادى تون ،

د جشمت تشرد لها محیان کی سرگرسیوں یا دیگر خلاف مّا نون د فعال میں ملوث ا ضرادکے

خلاف مروقة الملاعبان ي جدامية كسيل عي.

علاوه ازس بازار منسكى من سير كانسناء علاوه علاقة تنام ونعلى كر سيول من تتسبع تحري با ذار عِنقَلُ الم بينشدا فسر بم بازار ك بمران وفيون كلين ما وربواج بحيث عرر بطابئ يولين معالم باب عد، 4.5.4.5 كيدا نقسا تو بطابق لولي مولم 22. 8 تعان س موجودگ مي من مزانين سي من منها رقعا . جبكه با زارى د يون معيريا مي سي كان اور سيسا ا فران و دران و دون سي ا ما جي العام

ا فسوان كديطرف سے فوان عراسا كى شكل ميں ہورا زمانى ر تھودگوں ہم ميروفت كاروائى

كريكا بين ايد بالاتراف وكركسي تسمى شكايت كا يوقوين دي وكايون

اسى دوزلعين بأه 10 كومزاسم موجول شهره مرخل فصلز) ملي زع مشره الما بعرم على درج رصير قر ميما يون مديدا گرون بجرريا و سامان في ميشيرا

مَا روري كريسًا. مين ما اب مزالفين كى بجا آورى مين تحسى نسمى كومّا مي بين يكم

المدا استرعابية عاج منوش كولفيركس كاردانى داخل د مفركر ما كاميم

مادر فروانی جا ورا ما حرا دعا گورسیون ا

HC/PC/ Daggar 20.3.2014

والم عارج شيد عدل عيما وال وارب ما م م الحرير معرون هروسيون م إلى का का का के कि के का का का का के का के का का का का का की السنالانوا وأسفيد غرطان منتها عمرود منره : مرام سنسرامود لا الرا من حرد لما الان ف ركر سورزي المروز ن تا فواد ا و ذال مي ملون ا فراد نا ولأضرف اطلاما فالا صراب المراق والمواوية المانا والمان سياسة وتساء والموطات والمواق وينوو المراجعة المست ويتمازر والمراه ونوالا والمراه المراء عين مرد في المنابع المن مواد المراج المع ما المرابع ما المرابع المعالمة الما المرابع المعالمة الما المرابع المعالمة الما المرابع المرا 22 8 مايزس م يوال الأفراغ عيب شارق عم بازال و يون منوري middle and the second of the second ا خراق المراق المالية المراد ا تد کو بول آی با تر از مرکز کرد می کو خابری دو کو بود. اسى زە زىسىن يەتى كا قومۇسا ھەنىي ئىدىن كى بىر ھار قىدىلى ئىلى ئى مىزى 231 का की राजा के मंद्र के पूर्ण का मार्टिस के मार्थ के विषक के का الم در المن و و در المراس من المراس ا September 18 الانبرك كأطرون واخل ومتركز فأطامكم مادر مولاما ون نام دیگر سول ا

فالنَّذِيكُ، رئيررط واله جارا سل عن عام / الموردم 3 25 عاري دفت رطا- دي الوصاحب الم المنظيري على تعامد وسائل حال بوليس لافي ذكر عرص على المريم والمريض بن المريم والمريم المريم ال الكرنترى موصول الكرمطالم سوئي معياري الملك مرال الم ح كار مقالمة تعانه چنگارس منتیات کادهنده جاری مع تو در به زس بار منوز اطلاع ماربورف لعدين كارواني مين محمواني سه تبوية قواعد دان و لولتريوا ं क्रां है। जी ती तहीं है ने فقت ملى ١٤٠ سا لقرف رها مردنا مردنا المرساكي مالك من طلب وكرد المان قالم ندكما أنا كويان عيه وه موخ 805 لو كفت خررهان دنگار تعسات تما تكا قاروران نعبناتى صب بعدلت SHO شي افريستال فورس المكاوان سفير بارجات مس حدامم يسته افررس خلاف اطلاعات واه كران كى هالب كى تى جَلَيْ عَلاه و بين النهاى ماموركياً با تعا ، كتنبي قررتها في ت دوران قواعرت دلیان خام کافسر اوان فاخط دور سیر اران گرائن الفران الا ما مان عالی موردی من 22-8 ت قران الا ما مان عالی می استان الفران الا ما مان عالی موردی می استان الفران الا ما مان عالی موردی می موردی می استان می الفران الا ما مان می موردی می موردی می الفران الا ما مان می موردی می موردی می الفران الا ما مان می موردی موردی می مورد Attentail مرحد کانے سی وزاف رہے کے متابات کے دھندہ میں ملوث رہے کے برس ك في من أي اطاراع من وي تي اله نه عن كاب موصول موتى تي الله ماره است آمکو - گذاه ظامر قرای سانوم على تحالم حنظى يبت رونه شاه في درك بان كالميد لأسارك مح سورخ 4 3 كوررد الكوائرى كالطر تعان حنائل جاكر هقدر على 100 مدح 87 حدم هرا كا خارد ملك مراك مراك من كال مراك من كال مراك من الله تعدد الرسطان الله الله تعدد الرسطان فسرسل بركر دوران بدرك كشت هس اطاع فهر طنزم ملك زد ولدرانشرت سان در الراز را در المال المعالم المال المعالى المعالى

سے افیون برآمد کے وزن کرے برالد کرائ یائے تو بردئے فرد قدم کر کے ملام کوسے وركب حدم كرفتار كرت ولزم ك ظلف عقد مركبا جاكر لدرتفتيدى والت من ك يدن كرف بروازم فبلح وه وروانه ما سزارات بوجيك مازم ماك زر مردو المالة ولهاد حيك كرن برولم عقومه علم 24 مورخ 1 المحدى 33/55 مام كمولاقه جبلع 250 روي حروا مركا سرا لمقة مع دیگر وزکورہ کے مقلی تعالم طوطان ارتفام دیگان کر رنعار : خا تونی من برورہ تعام جات ت فررن ئى سرئيفىك مراه ان سى عالى دون كرينون للطاف مم غريج، نقان عي اوريتر الساف مي الم كارخاى ولوقى يرنتسات في جنوطلب كرع مانات قليدين في جنوب في والمحكال كم أينون من ها على مدف تي معلى مشال كا دهدره كرم ن ماري كن ما أماد اطلاع بأ ركورت عاج كر وحدرت أنه دوس وي تي . تعلى شا م Asi من الون أرار صبي بالى عب كرسالة مهر الدين والم الخت ولا شاه مان على الفران كو ماكيد هدس كى تى كرف بوالولى هفيد على كرا والون كرما تدكس قدم كى رعاث مرى حائد ملك زيد كابار وسكى نه Attental من كرانيان و كان من اورينساردي من لين أعي سالم ملا في ونا وبريتاه م موجوده SHO الاراء - بران حالى حندلالعلى المراه على معلى على المراد المراء المراد على المراد ين في حيد مانات على رفي ١ اور كري ولرعدولله خان احلى الى الله المركزي ولرعدولله خان احلى الى الله فلا بَارِيَّ عِنْ يَعْمَا عِنْ فَي وَلَذِي آرَانَ نَقَلَ إِي فَيْ الْي 3 كَذَا لِهُمْ وَلَا تَدُورُسُمْ الْعَ لَمْلَى قَاعَت الله ١٤ . حت تعدد ولرسمة خان ممهر تولس مكنوف فورخ وعزيزات وليعب العفور كزار في من مانات تعليا بروز من و الماعلي الله بال من و ع كما كه - لك رع ينساري ينته و رئ حدى چيك منشأت كا كاروار خيد نسكي بيش شره اشهاي هو سيا دري چيك منشأت كا كاروار كالمراب كا كرمان منظم في كرمان منظم في كرمان من كرمان منظم في المرابي المرابي المرابي in the thought debit in the conduction of the عقب اور دیگرامل کار بالول کو عظاه فیکر دیش ہے : فیل کا اور دیگرامل کار بالول کو عظام کار دیش ہے : آباد انکوائری زسر یونی آور انکولئری سرخلاف ساکھر مایوی بحث فرید ك مسلم من ولك زم مركزي اللب آك الما شاك لور أك مان تعلى ركاتم

سای بها از دنگا مین کرد کا کا نے اور ساقد می لعف اور اس کواریر وغيرة كاعان كرتائه واست علاجس المون كان التال ولي للن ورائع علائ حافرافون نود فها كرائي مروز وقوم وه المين ذكار س وود عَمَا لَقَرِيًّا مِرْبِيرُولِلْمُ وَمُواسِّعِالَ الْمُعِمِّى الْمُعلَّمِ الْمُعَادِّ الْمُعْلِمَا كرائك والدكولوات رئ عكات على على عالم عاطرا ونون كا وه مرولس ك كونكروه دورك التدس اوريوان كاستقان بنان بالمان مالاسان رب عالم الحال كاعلا مرائح الم المائم من قيرافيون أن دواني الم كو د مناطاً اورآن بروا في كاكر الك دو روز من إس قرر غوض من اعنون مياك الدوراف والق فالمرم وان المعام عدى برارود صابع ليال د أن توافعون صاك كلا يمنى اور ولك الم ولك الم ولك ظارى مران المعام معرفي برار رسم فيها كرده العون عافر بلن كه يكن ملك را الكارك كما كه وه خدمد فروض كا كام إن كرتا إسى اتنا ان مله شعص ومان منه و اسلى الاشى في اصون سراهدا الدر اسك خلاف مندر والم كرك كرفياركا. تعلمت من بانات سے ایا کیا کہ سالھ قدر فقت کی 868 ھاندسگا ك لعنالى دولان حرام مسر افراد ع وسقلى اطراعات اور داورات قساكرن كالم تنفيد ارجات من تس كذات دُور في برط مورك كف في وسي اللق زيكم منسائ كالعالم كالماليات بن دغيس مام ملك زعة لين سان ص ت في كما سه ك و و لواسير على على والحك الموت المال من لا ماسه اور و خدای و گذای آمان ساکن دیگی تے سان سے بی واضح سے کرمات زے مشاع کوہ خروف كا كام كرايد اورسورس راورت عرطاني في خاند للانگ سے حدقدم ك فام سر ملك زے مذكر و نسات كا حدر موروث كا كاروماركر تائي اور فررتھا مذكا لاعلم مونا لعب ازعمل من اور الكرف رلاعلم من عي فالحق من لا بروايي ك صى س آتان المالكرالفاق بولسة يمال 369 مالور في حام ونك كرماس · Colo Gila de Sins Bhur. OR Routed in Rank D.P. O. Bew. 15/16/01/



ORDER

This order will disposed off departmental enquiry conducted by DSP / HQr: against HC Faqir Ali No. 369 the then MHC PS Chinglai regarding the narcotic sealing in the jurisdiction of PS Chinglai during his posting but he was not submitted any information in this regard, vide this office No. 111/E, dated 25.03.2014.

On 09.04.2014 the EO submitted his finding with the conclusion that three constables in plain cloth were deputed in the light of source report regarding the sealing of narcotics as a result of which one Malak Zai was found involved in the business of narcotics but the concerned MHC was no knowledge about it which shows negligence in his part and as such the EO recommended his name for appropriate punishment.

I Asif Iqbal Mohmand DPO Buner competent authority agree with the recommendation of EO and award minor punishment to HC Faqir Ali No. 369 i.e reduction of rank under Para 4(B)(I) under Police Rules 1975 on account of his negligence with immediate effect. He is re-instated in service form the date of his suspension i.e 19.02.2014.

Ordered announced.

Hestoce

Build

Atteste

District Police Officer, Bŭner.



APPELLATE JURISDICTION

To:-

The Regional Police Officer,
Malakand Region at Saidu Sharif Swat.

Subject: -

DEPARTMENTAL APPEAL AGAINST THE ORDER OF DISTRICT POLICE OFFICER, BUNER OB, 62 DATED 13.06.2014 WHERE BY THE APPELLANT WAS AWARDED MAJOR PUNISHMENT OF REDUCTION/ REVERSION FROM RANK OF HC TO CONSTABLE.

Respected Sir,

The appellant respectfully submits as under:-

FACTS:-

- 1. That the Appellant was appointed as constable on 02.02.2012 and subsequently promoted to Rank of Head Constable.
- 2. That during long service of about 12 years the appellant performed official duties with full spirit, devotion and enthusiasm.
- 3. That while I was posted as MHC of PS Chinglai District Buner 32 Gram Opium was recovered from one Malak Zai and case FIR was registered. The District Police Officer was displeased that I did not inform high ups regarding drug peddlers and narcotics sale.
- 4. Though the contraband (Narcotics) measuring 32 Gram were recovered on the direction of District Police Officer, Buner the appellant was unaware of the suspected activities of the accused. Neither I was informed by the personnel deployed in field nor was the act of the accused came into knowledge of the appellant.
- 5. That the appellant has always been a custodian of public office Govt: property and trust assigned. I have always been obeying the orders of the high-ups and comply direction with in time.
- 6. That District Police Officer, Buncr was informed through some source regarding possession of 32 Gram opium with the accused therefore, the District Police Officer, Buncr was displeased that why did I not inform my and high-ups take action against the accused.
- 7. That the appellant was charge sheeted, statement of allegation was issued and departmental inquiry was conducted by the DSP HQs: Buner. The E.O submitted his finding report with the conclusion that appropriate penalty be awarded to the appellant.
- 8. The District Police officer did not considered my reply to show cause as satisfactory and I was awarded major punishment of the reduction in rank from head constable to constable vide OB No 62 dated 13/6/2014.
- 9. That the appellant aggrieved from the order of respected district police officer, Buner hereby file he instant departmental appeal inter- alia on the following ground.

Atterted

GROUNDS:-



- a. That the appellant was not informed by field Police official/ Officers posted in PS Chinglai regarding possession of opium by the accused.
- b. That the whole departmental proceeding is based on presumption. Action taken against the appellant is violation of rules on the subject.
- c. That departmental enquiry was conducted against the appellant and the E.O was unable to prove guilt of the appellant.
- d. That the appellant has not been treated an accordance with Law/ Rules relating terms and condition of service.
- e. That the appellant has never been found involved in backing Narcotic smuggler and dealers therefore, the E.O was too unable to prove the guilt of the appellant.
- f. That the appellant has been condemn unheard. The appellant has not been associated with the enquiry proceeding.
- g. That provision of Police Rules and other laws have been violated, and no proper departmental enquiry was conducted.
- h. That no opportunity of personal hearing was provided to the appellant, nor was the departmental proceedings based on Law/Rules.
- i. That the punishment awarded the appellant is harsh and does not commensurate with the principles of natural justices.

PRAYER:-

In view of the above Facts and Grounds it is very respectfully prayed from your good-self that order of District Police Officer, Buner O.B. No. 62 dated 13.06.2014 may be set aside and the appellant may be re-instated in his original previous rank i.e Head Constable with all benefits.

Enclosed (Copy of OB No.62)

/2014

APPELLANT

EX-HC Faqir Ali Now Constable District Police Line, Daggar, Buner.

Dated. /

Attested

ORDER:

This order will dispose off appeal of Ex-Head Constable Faqir Ali No 369 of Buner District for restoration of rank.

Brief facts of the case are that the above named Ex-Constable while posted as MHC Police Station Chinglai, the sealing of narcotics was continued in his jurisdiction of Police Station Chinglai but he was not informed his high-ups regarding the sealing of narcotics. As per source report 03 Constables in plain cloth were deputed for search of the same as a result of which one Malakzai was found involved in sealing of narcotics. Proper departmental enquiry was conducted by DSP/Hqrs: against the defaulter Ex-Head Constable Faqir Ali No. 369. The Enquiry Officer in his finding report recommended the name of defaulter Ex-Head Constable for appropriate punishment. On 12/06/2014 he was heard in person by District Police Officer, Buner but his reply was found unsatisfactory and awarded him major punishment of reduction of rank vide DPO/ Buner office OB No. 62 dated 13/06/2014.

He was called in Orderly Room on 28/08/2014 and heard in person, perused the Enquiry File and also examined statement of the Enquiry Officer. But he did not produce any substantive materials, in his defense. Therefore I uphold the order of District Police Officer, Buncr, whereby the appellant has been awarded punishment of reduction of rank. His appeal is rejected.

Order announced

Regional Police Officer, Malakandyat Saidu Sharif Swat

Naqi

Copy District Police Officer, Buner for information and necessary action with reference to his office Memo: No. 14167/E, dated 10/07/2014.

AHENTED

Buner

ORDER:

Buner District.

This order will dispose off departmental appeal of ASI Bakht Farin Shah of

Brief is that, during the posting of the appellant (Ex-S! Bakht Farin Shah now ASI) as SHO Police Station Chinglai, the sale of narcotics was continued in the jurisdiction of his Police Starion, but he did not take any legal action against the sellers of narcotics and loo not brought the same into the notice of District Police Officer, Buner. On 18/02/2014 during the night patrolling the Police party received information regarding the selling of narcotics in a shop. The Police party search the said shop and recovered 32 grams chars run and maintained by one Malak Zia S/o Rani Zai R/o Chinglai. A proper case vide FTR No. 108 dated 18/02/2014 U/S 4PO Police Station Chinglai was registered. He was proceeded against departmentally. The Enquiry Officer submitted findings with the conclusion that during the course of enquiry no evidence or proof was reported against the defaulter Ex-SI/Applicant. Being a Station House Officer he was required to be aware about his jurisdiction, recommended him for minor punishment. He was heard in person in orderly room by District Police Officer, Buner but his reply was not found satisfactory. The District Police Officer, Buner being not satisfied with the recommendation of Enquiry Officer and awarded him major punishment i.e reduction of rank vide Para No. 4 (b) (i) under NWFP Police Rules 1975 on amount of negligence / irresponsibility vide his office QB No. 42, dated 23/04/2014.

He was called in Orderly Room on 26/06/2014 and heard him in person. The order of District Police Officer, Buner is too harsh and is not based on justice. Therefore, keeping in view 37 years service of the appellant, a lenient view is taken, order of District Police Officer, Buner is set aside and he is awarded minor punishment of forfeiture of one year approved service.

Order announced.

AH KHAI Regional Police Officer. at Saidu Sharif Swat Malakand. *Naqi*

No. 5449.

Copy for information and necessary action to the:-

 \bigcirc Worthy Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

2. District Police Officer, Buner.

Munter.

DO NO DA

لا المن المول المراق الموالي المن الم عقر على الله والم اله والم الله والم الله والم الله والم الله والم الله والم الله وال منتكرم دعوى جرم ياعث تحرم آك مقدمهمندرجه عنوان بالامين ابني طرف سے داسطے بيروي وجواب دہي وکل کاروا کی متعلقہ مقرر کرے اقر ارکیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی ن کاروائی کا کامل اختیار : وگا۔ نیز وکیل صاحب کوراستی نامه کرنے وتقرر رثالت و فیصله برحلف دیجے جواب دہی اورا قبال دعو کی اور بصورت ڈگری کرنے اجراءاورصولی جیک در دیبیار عرضی دعوی اور درخواست ہرمتم کی تقیدیق زراین پردستخط کرانے کا ختیار ہوگا۔ نیز صورت عدم پیروی یاڈ گری میکطرفہ یاا بیل کی برامد گی اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی دبیروی کرنے کا انتیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسلے اور وکیل یا مقار قانونی کواپیے ہمراہ یا اپنے بجائے تقر رکا اختیار ہوگا۔اورصاحب مقررشدہ کوبھی دہی جملہ ندکورہ باانتیاران ماصل ہوں گےاوراس کا ساختہ پر واخته منظور قبدل ہوگا۔ دور؛ ن مقدمہ میں جوخر چہ دہر جانب التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ بیشی مقام درره پر ہویا حدے باہر ہوتو دکیل صاحب پابند ہوں گے۔ کہ پیروی مذکورگریں۔ آبذاوکالت نامہ کھدیا کے سندر ہے کے لئے منظور ہے۔

Attested & accepted

Before the Service Tribumal WPK, Perhansas Appeal No 1292/14.

Fagis Ali Vs Govt

appeal:

A/s: 1, What The above cited appeal in fixed for today befor this Honoroble Tribunel.

What The appellant is not interested in
The above meastimed appeal & want to
withdraw The same, as The grievances of
the appollant has been reducted departmentally.

It is, therefore, trajed that The appellant may be allowed to withdraw The ested above of appeals.

Deted 9 4 2015

Moured

Appellant

- Brough Aci Muhammad Zazo

Advocate Resh.

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