

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 691/2012

Date of institution ... 06.04.2015

Date of judgment ... 01.12.2016

Majid Khan (Ex-Constable), S/O Taj Mohammad ,
R/O Mohallah Miangaan, Azakhel Bala, Tehsil & District Nowshera.

... (Appellant)

VERSUS

1. The Deputy Inspector General of Police, Mardan Region-I, Mardan.

2. The District Police Officer, Nowshera.

... (Respondents)

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER NO. OB-280 DATED 20.02.2015 PASSED BY THE DISTRICT POLICE OFFICER NOWSHERA(RESPONDENT NO.2) AGAINST WHICH DEPARTMENTAL APPEAL WAS FILED ON 25.02.2015 BUT THE SAME WAS DISMISSED ON 25.03.2015.

Mr. Rizwanullah, Advocate.

.. For appellant.

Mr. Mohammad Adeel Butt, Additional Advocate General

.. For respondents.

MR. MUHAMAMD AAMIR NAZIR

.. MEMBER (JUDICIAL)

MR. MUHAMMAD AZIM KHAN AFRIDI

.. CHAIRMAN.

JUDGMENT

MUHAMMAD AAMIR NAZIR, MEMBER: Majid Khan, Ex-Constable,

hereinafter referred to as appellant, through the instant appeal under section-4 of Khyber Pakhtunkhwa Service Tribunal Act 1974, has impugned order dated 20.02.2015 vide which the appellant was awarded major punishment of dismissal from service with immediate effect.

Against the impugned order, appellant filed a departmental appeal but the same was also turned down by the competent authority vide order dated 25.03.2015.

2. Brief facts of the case giving rise to the instant appeal are that the appellant joined police department on 01.08.2009 and had five years of unblemished service record to his credit. That DSP, Akora Circle District Nowshera submitted a report to the District Police

01.12.16

Officer Nowshera that the appellant alongwith constable Muhammad Arif had stopped two trailers and demanded Rs. 1000/- each as illegal gratification from their drivers namely Rehmat Ullah and Mewa Gul. That on the basis of this report, appellant was served with a charge sheet and statement of allegations. That the appellant submitted detail reply to the charge sheet, however an enquiry committee was constituted. The Inquiry committee without proper probe into the matter, held the appellant guilty and recommended minor punishment of stoppage of increments. However, the competent authority, while ignoring the recommendation of committee, awarded major punishment of dismissal from service to the appellant. That the appellant filed departmental appeal which was also turned down vide impugned order dated 25.03.2015, hence the instant appeal.

3. Learned counsel for the appellant argued before the court that while the appellant was on duty, an altercation took place between the Custom Squad and the drivers of trailers. That upon the request of the Custom Squad, the appellant helped them and directed the drivers to produce necessary papers to the Custom Squad. That the DSP Circle came there and the drivers complaint that appellant had demanded illegal gratification of Rs. 1000/- from them. That the DSP concerned without enquiring into the matter, reported the matter to the DPO and hence, the appellant was charge sheeted. That the enquiry committee neither recorded that statements of DSP who made a complaint against the appellant nor statements of the drivers were record and the appellant was penalized on the basis of heresy evidence. That the enquiry committee recommended minor punishment of stoppage of annual increments, however, the competent authority without giving any specific reason awarded major punishment of dismissal to the appellant which is against the law, hence by accepting the instant appeal the impugned orders be set aside and the appellant be reinstated into service.

4. In rebuttal learned Addl: AG argued that since the appellant was involved in taking illegal gratification and was apprehended on the spot by the DSP concerned therefore, the appellant was rightly awarded major punishment of dismissal from service. That a proper procedure was adopted and after proper enquiry, the appellant was held guilty, hence there is no force in the instant appeal the same be dismissed.

01.12.16

5. We have heard arguments of learned counsel for the appellant and learned Addl: AG for the respondents and have gone through the record available on file.

6. Perusal of the case file reveals that upon the report of the DSP, Akora Circle District Nowshera, the appellant was issued charge sheet alongwith statement of allegations to the effect that he had demanded Rs. 1000/- each from the drivers of trucks namely Rehman Ullah and Mewa Gul as illegal gratification and was caught red-handed on the spot. An enquiry committee was constituted which without recording the statement of the DSP concerned and drivers of the trucks, recommended punishment of stoppage of increments to the appellant. Despite the fact that the enquiry report was not confidence inspiring, the competent authority awarded major punishment of dismissal from service to the appellant and that too without specifying any proper reason which is not sustainable in the eyes of law. It was incumbent upon the competent authority to have recorded specific reason for disagreeing with the recommendation of the enquiry committee. Reliance in this respect was placed on 2011 PLC (C.S) 1094. Hence in these circumstances, we are constrained to set aside the impugned order dated 20.02.2015 and appellate order dated 25.03.2015 and reinstate the appellant into service by converting the major punishment of dismissal from service into minor punishment of stoppage of two increments for two years without cumulative effect. Parties are left to bear their own cost. File be consigned to the record room.

7. This judgment will also dispose of other connected Appeal bearing No. 289/2015 by Mohammad Arif, involving common question of law, in the same manner.

ANNOUNCED
01.12.2016


(MUHAMMAD AZIM KHAN AFRIDI)
CHAIRMAN

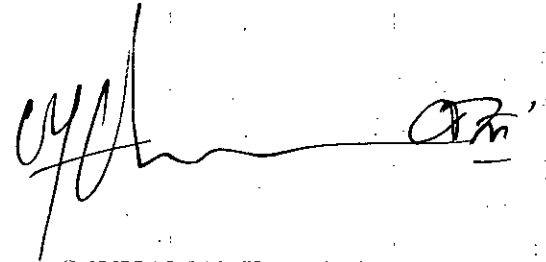

(MUHAMMAD AAMIR NAZIR)
MEMBER

01.12.2016

Counsel for the appellant and Mr. Muhammad Adeel Butt,
Additional Advocate General for respondents present.

Vide our detailed judgment of today consists of three pages placed on file, we are constrained to set aside the impugned order dated 20.02.2015 and appellate order dated 25.03.2015 and reinstate the appellant into service by converting the major punishment of dismissal from service into minor punishment of stoppage of two increments for two years without cumulative effect. Parties are left to bear their own costs. File be consigned to the record.

Announced
01.12.2016




(MUHAMAMD AAMIR NAZIR)
MEMBER



(MUHAMMAD AZIM KHAN AFRIDI)
CHAIRMAN

08.02.2016


Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 2-6-16.


Member


Member

2.6.2016

Counsel for the appellant and Mr. Muhammad Fayaz, HC alongwith Ziaullah, GP for respondents present. From the perusal of the record, it transpired that the complete inquiry proceedings are not before the court, therefore, representative of the respondents is directed to produce the entire inquiry proceedings before the date fixed. To come up for arguments on 29.8.2016.


Member


Member

29.08.2016

Counsel for the appellant and Mr. Fayaz, H.C alongwith Mr. Usman Ghani, Sr.GP for respondents present. Documents by respondents submitted, copy handed over to learned counsel for the appellant. To come for final hearing on 01.12.2016 before D.B.


Member


Chairman

3

13.04.2015

Appellant with counsel present. Learned counsel for the appellant argued that the appellant was appointed as Constable in Police Department in the year 2009 and after putting in five years service charge sheeted for illegal gratification from two truck drivers and dismissed from service vide impugned order dated 20.2.2015 regarding which departmental appeal was preferred on 25.2.2015 which was rejected on 25.3.2015 and hence the instant service appeal on 6.4.2015.

That neither the appellant was associated with the inquiry nor the allegations of illegal gratification were substantiated nor the inquiry conducted in the prescribed manners.

Points urged need consideration. Admit.
Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 2.7.2015 before S.B.

Appellant Deposited
Security & Process Fee ✓




Chairman

4

02.07.2015

Appellant with counsel and Mr. Wisal Ahmed, Inspector (legal) alongwith Addl. A.G. for respondents present. Requested for adjournment. To come up for written reply/comments on 14.10.2015 before S.B.


Chairman

14.10.2015

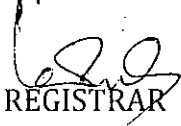

Appellant with counsel and Mr. Wisal Ahmed, Inspector (legal) alongwith Assistant A.G. for respondents present. Para-wise reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 8.2.2016.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 288/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06.04.2015	<p>The appeal of Mr. Majid Khan presented today by Mr. Rizwanullah Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>13-4-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2		

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 288 /2015

1. Majid Khan (Ex-Constable), S/O Taj Mohammad, R/O Mohallah Miangaan, Azakhel Bala, Tehsil & District Nowshere.


APPELLANT

VERSUS

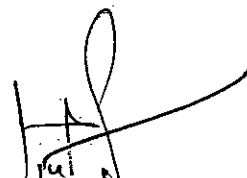
1. The Deputy Inspector General of Police, Mardan Region-I, Mardan, and others.

I N D E X

S.No	Particulars	Annexure	Pages #
1	Service Appeal	—	1-7
2	Affidavit	—	8
3	Copy of report	A	9
4	Copy of charge sheet alongwith statement of allegations	B & C	10-11
5	Copy of reply to charge sheet.	D	12
6	Copy of inquiry report	E	13-14
7	Copy of show cause notice and its reply	F & G	15-16
8	Copy of impugned order	H	17
9	Copy of departmental appeal & its rejection order	I & J	18-19
10	Copy of report of Incharge Custom Squad	K	20
10	Wakalatnama	—	—


Appellant

Through


Rizwanullah
M.A. LL.B

Advocate High Court, Peshawar

Dated: 6-4-2015

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 288 /2015

K.W.P. Province
Service Tribunal
Diary No. 305
Dated 06-4-2015

Majid Khan (Ex-Constable), S/O Taj Mohammad, R/O Mohallah Miangan,
Azakhel Bala, Tehsil & District Nowshera.

APPELLANT

VERSUS

1. The Deputy Inspector General of Police, Mardan Region-I, Mardan.
2. The District Police Officer, Nowshera.

RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED ORDER NO. OB-280 DATED
20-2-2015 PASSED BY THE DISTRICT
POLICE OFFICER NOWSHERA
(RESPONDENT NO.2) AGAINST WHICH
DEPARTMENTAL APPEAL WAS FILED
ON 25-2-2015 BUT THE SAME WAS
DISMISSED ON 25-3-2015.**

Handwritten signature and date 6/4/15

Prayer in Appeal

By accepting this appeal, the impugned order No. OB-280 dated 20-2-2015 passed by the District Police Officer, Nowshera (respondent No.2) may very graciously be set aside and the appellant may kindly be re-instated in service with full back wages and benefits.

Any other relief deemed appropriate in the circumstances of the case, not specifically asked for, may also be granted to the appellant.

Respectfully Sheweth,

Short facts giving rise to the present appeal are as under:-

1. That the appellant joined the service of Police Department as Constable on 1-8-2009. He had 5 years unblemished service record to his credit.
2. That the appellant was performing his duty with great zeal, zest and devotion, but strangely, Tariq Iqbal Deputy Superintendent of Police, Akora Circle District Nowshera made a report to the District Police Officer Nowshera (respondent No.2) that the appellant and Muhammad Arif Constable cum driver had stopped the two trailers Nos. 33584/KBL and 11173/KBL and demanded Rs.1000/- as illegal gratification from their drivers namely, Rehmatullah and Gul Nabi. He further alleged that both the above officials were caught red handed. **(Copy of report is appended as Annex-A).**
3. That on the basis of above report, the appellant was served with a charge sheet alongwith statement of allegation wherein same allegations were reiterated as enumerated in the said report. **(Copy of charge sheet and statement of allegations are appended as Annex-B & C).**
4. That the appellant submitted reply and denied the allegations by stating that there was an **“altercation”** between the Custom Squad and the drivers of trailers. The Incharge of the said Squad asked the appellant for his help and as such the drivers were directed to produce necessary papers to the Custom Squads. He further stated that he had neither demanded a single penny from the concerned drivers but they only annoyed that why he had helped the Custom Squads. He therefore, termed the allegations as fallacious, malicious and misconceived. He prayed that he may kindly be exonerated of the charges/allegations leveled against him in the charge sheet. **(Copy of reply is appended is Annex-D).**

5. That the aforesaid reply was not found satisfactory and as such inquiry Committee was constituted to probe into the allegations leveled against the appellant in the charge sheet. The inquiry Committee neither examined any witness in presence of the appellant nor he was provided any opportunity of cross examination. He was also not provided any chance to produce his defence. But the said Committee, on the basis of bald and naked evidence, held the appellant guilty of the charges/allegations and recommended for major punishment **(stoppage of increments)**. **(Copy of inquiry report is appended as Annex-E)**.
6. That the appellant was served with a show cause notice. He furnished reply, denied the allegations and termed the inquiry as farce and mockery in the eye of law **(Copy of show cause notice and its reply are appended as Annex- F & G)**.
7. That thereafter, the appellant was awarded major penalty of dismissal from service illegally by an order dated 20-2-2015 passed by the District Police officer, Nowshera (respondent No.2) **(Copy of impugned order is appended as Annex-H)**.
8. That the appellant felt aggrieved by the aforesaid order, filed a departmental appeal with the Deputy Inspector General of Police, Mardan Region-I, Mardan, (respondent No.1) on 25-2-2015 within the statutory period of law. But the same was dismissed on 25-3-2014 **(Copies of departmental appeal and its rejection order are appended as Annex-I & J)**.
9. That the appellant is jobless since his dismissal from service.
10. That the appellant now files this appeal before this Hon'ble Tribunal inter-alia on the following grounds:-

GROUND OF APPEAL

- A. That no fair and impartial inquiry was conducted against the appellant in order to substantiate his guilt in respect of the allegations leveled against him in the charge sheet. The inquiry

officer neither examined any witness in the presence of appellant nor he was provided any chance to cross-examine the prosecution witnesses appeared against him in the so-called enquiry. Similarly, the appellant was also not provided any opportunity to produce his defence in support of his version. Thus, the appellant has been condemned/penalized without being heard, contrary to the basic principle of natural justice known as "**Audi Alteram Partem**". Therefore, the impugned order is against the spirit of administration of justice.

- B.** That the Inquiry Committee was under statutory obligation to have examined the complainants (drivers) in order to prove the allegations against the appellant regarding illegal gratification of Rs.1000/- from them. But they failed to do so. Therefore, the impugned order has no sanctity in the eye of law.
- C.** That similarly, the said Committee was also legally bound to have examined Tariq Iqbal Deputy Superintendent of Police, Akora Circle District Nowshera (ocular witness) to confirm his report against the appellant. But he was also not produced. Thus, the impugned order is bad in law.
- D.** That the Inquiry Committee was required to summon Malik Sher Afzal, Inspector/Incharge Custom Squad through Registered post in order to confirm the stance of the appellant. But they failed to do so and stated in their report that the above official was informed by mobile phone but he did not appear in the inquiry. The said Committee neither included the phone data nor summoned any person of the said mobile company in support of his version. Mere verbal assertion regarding informing the said official through mobile phone is not sufficient without any cogent evidence and documentary proof. Therefore, the findings of the Committee are perverse and are not sustainable in the eye of law.
- E.** That the appellant duly produced the report of Incharge Custom Squad before the committee wherein the said official has categorically admitted that the appellant had provided them legal assistance to check the documents of the disputed trailers and that

he had committed no illegality or irregularity. But the Inquiry Committee has discarded this important piece of documentary proof without any cogent and valid reasons. Thus, the impugned order passed on the basis of such report is illegal and improper under the law **(Copy of report of Incharge Custom Squad is appended as Annex-K).**

F. That the Inquiry Committee has drawn adverse presumption regarding the guilt of appellant which is certainly against the legal norms as accused official is stated to be a favourite child of law and he is presumed to be innocent unless proved otherwise and the benefit of doubt always goes to the accused and not to the prosecution as it is for prosecution to stand on its own legs by proving all the allegations to the held against the accused. In the instant case, the respondent department failed to prove the allegations against the appellant through cogent and reliable evidence as neither complainants (drivers) nor the ocular witness (DSP) were examined in the inquiry. Thus, there was not iota of evidence to connect the appellant with the commission of alleged misconduct. Therefore, the impugned order is not warranted under the law.

G. That it is crystal clear from the inquiry report that the Committee has recommended major punishment of stoppage of increments to the appellant. But the Competent Authority (respondent No.2) imposed harsh and extreme penalty of dismissal from service, without taking into consideration the recommendation of the said Committee. If authority was not inclined to agree with findings of said Committee, it was required to record proper reasons for doing so after notice to affected civil servant. It may be added that Public power cannot be exercised arbitrarily or capriciously as per law laid down by august Supreme Court of Pakistan in various judgments. Hence, the impugned order has no sanctity in the eye of law.

H. That the Competent Authority (respondent No.2) was under statutory obligation to examine the record of inquiry in its true perspective and in accordance with law and then to apply his independent mind to the merits of the case but he failed to do so and

awarded major penalty of dismissal from service despite the fact that the allegations of illegal gratification as contained in the charge sheet had not been proved against him in the so-called inquiry. Thus, the impugned order is liable to be set aside on this count alone.

- I. That the appellant was not provided any opportunity of **“personal hearing”** before imposition of Major Penalty of dismissal from service being the requirement of law as laid down by **august Supreme Court of Pakistan in case reported in 2006-SCMR-1641 (citation-c)**. The relevant citation is mentioned below:-

(c) Government Servants (Efficiency and Discipline) Rules, 1973---

**---Rr. 4(b), 5 & 6--Inquiry proceedings--
Major penalty, imposition of---Personal
hearing to civil servant, opportunity of---
Scope---Such opportunity must be
afforded by the authority competent to
impose major penalty or his delegatee.**

But despite thereof, the Competent Authority has failed to honour the above dictum of august Supreme Court of Pakistan. Hence, the impugned order is against the spirit of law.

- J. That the Competent Authority has passed the impugned order in mechanical manner and the same is perfunctory as well as non-speaking and also against the basic principle of administration of justice. Therefore, the impugned order is not tenable under the law.
- K. That the order in question is suffering from legal infirmities and as such it has caused grave injustice to the appellant. Thus, the impugned order has no sanctity under the law.
- L. That the impugned order is based on conjectures and surmises. Hence, the same is against the legal norms of justice.

M. That the appellant would like to seek the permission of this Hon'ble Tribunal to advance some more grounds at the time of arguments.

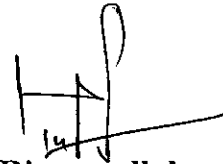
In view of the above narrated facts and grounds, it is, therefore, humbly prayed that the impugned order No. OB-280 dated 20-2-2015 passed by the District Police Officer, Nowshera (respondent No.2) may very graciously be set aside and the appellant may kindly be re-instated in service with full back wages and benefits.

Any other relief deemed proper and just in the circumstances of the case, may also be granted.



Appellant

Through



Rizwanullah

M.A. LL.B

Advocate High Court, Peshawar

Dated: 6-4-2015

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2015

Majid Khan (Ex-Constable), S/O Taj Mohammad, R/O Mohallah Miangaan,
Azakhel Bala, Tehsil & District Nowshere.

APPELLANT

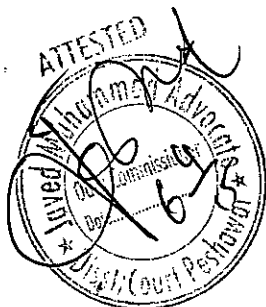
VERSUS

1. The Deputy Inspector General of Police, Mardan Region-I, Mardan, and others.

RESPONDENTS

AFFIDAVIT

I, Majid Khan (Ex-Constable), S/O Taj Mohammad, R/O Mohallah Miangaan, Azakhel Bala, Tehsil & District Nowshere, District Mardan do hereby solemnly affirm and declare that the contents of the accompanied service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.



[Signature]
Deponent



DEPUTY SUPERINTENDENT OF POLICE

AKORA CIRCLE, DISTRICT NOWSHERA
Phone:0923-561619

No. 2272 /S,

Dated AKORA the 13/08/2014

To : The District Police Officer,
NOWSHERA.

Subject: INDUCEMENT ON ROAD BY 7-2 MOBILE(DRIVER MUHAMMAD ARIF NO. 1314 & CONSTABLE MAJID KHAN NO. 699).

Sir:
The under signed was on routine patrol in the area of PS Akora. On main G.T road near Iraq Abad It was noticed that two Trailers Nos. 33584/KBL & 11173/KBL have been stopped by 7-2 Mobile. On enquiry the drivers of Trailers namely Rehman Ullah s/o Gul Nabi r/o Afghanistan Mobile No. 0323-5838433 & Mewa Gul s/o Haji Muhammad Din r/o Afghanistan Mobile No. 0321- 9063944 informed that the police has stopped us and demanding for Rs. 1000/- rupees cash as inducement.

It was found that driver Muhammad Arif No.1314 alongwith constable Majid Khan No. 699 has followed the trucks from P.P Surya Khel while the Incharge IHC Iftikhar went to perform Zuhar Prayer. The driver & constable beside clear instruction from high ups have indulged in mala-practice and were caught red handed. They not only stopped the trailers for illegal gain but also took the mobile without officer incharge on duty. Their conduct is a great violation of law, rules and instructions issued by Worthy PPO which mounts to strict disciplinary action.

It is therefore requested that driver Muhammad Arif No. 1314 & constable Majid Khan No. 699 may be closed to lines and proceeded departmentally.

Report is submitted for your perusal and necessary action please.

(TARIQ IQBAL)
Deputy Superintendent of Police,
AKORA Circle, District NOWSHERA.

ATTESTED

Achr

Submitted for perusal & action

sh/c
RA 15/8/14

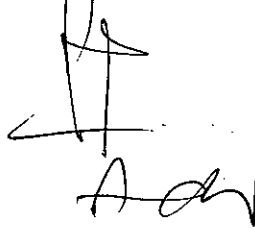
Suspended & closed to lines. and initiate departmental enquiry -
AMS
15/8/14

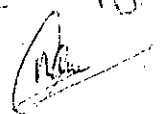
CHARGE SHEET

I, **RABNAWAZ KHAN**, District Police Officer, Nowshera, as competent authority, hereby charge **Constable Majid Khan No. 699** per Statement of Allegations enclosed.

1. By reasons of the above, you appear to be guilty of misconduct under the Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.
2. You are, therefore, required to submit your written defense within **07 days** of the receipt of this Charge Sheet to the Enquiry Officers, as the case may be.
3. Your written defense, if any should reach the Enquiry Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
4. Intimate whether you desire to be heard in persons.

District Police Officer,
Nowshera.

ATTESTED

One Copy Received
Sig - 
dt - 19-08-04

DISCIPLINARY ACTION

I, **RABNAWAZ KHAN**, District Police Officer, Nowshera as competent authority of the opinion that **Constable Majid Khan No. 699** has rendered himself liable to be proceeded against as he committed the following acts/omissions within the meaning of Police Rules, 1975.

STATEMENT OF ALLEGATIONS

Whereas **Constable Majid Khan No. 699** while posted at Police Station, Akora, stopped two trailers bearing Nos. 33584/KBL & 11173/KBL on GT Road near Iraq Abad and demanded Rs 1000/- from their drivers namely Rehmanullah s/o Gul Nabi & Mewa Gul s/o Habib Muhammad Din both r/o Afghanistan. The above constable found indulging in malpractices and was caught red handed which amounts to grave misconduct on his part and render him liable for Minor/Major punishment under Police Rules, 1975.

For the purpose to scrutinize the conduct of the said accused with reference to the above allegations, Enquiry Committee of the following officers is constituted:-

1. **Mr. Iftikhar Shah DSP Cantt. Nowshera.**
2. **Inspector Arshad Ahmad OII PS Cantt.**

The Enquiry Committee shall in accordance with the provision of Police Rules, 1975, provides reasonable opportunity of hearing to the defaulter official, record its findings and make immediate recommendations as to punish or other appropriate action against the defaulter official.

Constable Majid Khan No. 699 is directed to appear before the Enquiry Committee on the date, time and place fixed by the Enquiry Committee.

[Signature]
District Police Officer,
Nowshera.

No. /PA,
Dated /2014.

one copy Received
[Signature]
dt - 19-08-14

ATTESTED
[Signature]

حنا بعالی!


والجوارح والفضیلتی کما درود (آج پوری)
53/PA
8.8.14

13-14

میں نے جاکر ڈرا پروردوں کو
ڈرا دھکا کر کے کم ٹکڑا کر کے
ساتھ لکھنے اور چھپ کر کے
منع کیا۔
میں نے دو ٹریبل روڈ کے بیچ
کم ٹکڑا کر کے ساتھ لکھ کر کے
میں نے جاکر ڈرا پروردوں کو
ڈرا دھکا کر کے کم ٹکڑا کر کے
ساتھ لکھنے اور چھپ کر کے
منع کیا۔

اس دوران صباب - SDPA صباب
اگر وہ سر کھ تشریف لائے تو
ڈرا پروردوں نے انہیں ہمارے
قلندر بھوش موٹ سکائیڈ
کی ہے۔ ہم نے ڈرا پروردوں سے
نہ 1000 روپے لیے ہیں نہ
خطا لیا گیا ہے۔ بلکہ 14 روپے

ATTESTED



معاہدے نہ ہے۔
میں نے علم ہوں، الفضیلتی
میں نے قصور ہوں۔
نہ 1000 روپے لیے ہیں نہ
خطا لیا گیا ہے۔ بلکہ 14 روپے
میں نے جاکر ڈرا پروردوں کو
ڈرا دھکا کر کے کم ٹکڑا کر کے
ساتھ لکھنے اور چھپ کر کے
منع کیا۔

699-910

Subject: FINIDING ENQUIRY AGAINST DRIVER ARIF NO 1314 AND CONSTABLE MAJID NO 699

Brief Facts:

On 13-08-2014 driver constable Muhammad Arif no.1314 along with constable Majid no.699 were on duty at mobile Police Station Akora. They stopped trailers bearing no. 33584/KBL and 11173/KBL on GT road near Irak abad and demanded rupees 1000 from driver namely Rehmanullah s/o Gul Nabi & Mewa Gul s/o Haji Muhammad Din r/o Afghanistan. The above constable found indulging in malpractices and was caught red handed which amounts to grave misconduct on his part and render them liable for Minor/Major punishment under Police Rule 1975. For the purpose to conducts inquiry in to the matter of the above named constables with reverence to the above allegations inquiry committee of the following officer is constituted

1. Mr. Iftikhar Shah DSP/Nowshera Cantt
2. Mr. Inspector Arshad Ahmed OII PS Cantt.

Proceedings:

In this connection the following Police Officers/ Officials were called. They were heard in person and their statements also recorded which are placed in enquiry file:

1. Driver Constable Muhammad Arif No. 1314
2. Duty Constable Majid No. 699.
3. SHO Naseem Khan PS Akora.
4. DD report mobile officer IHC Iftikhar.
5. Statement of IHC Iftikhar.

Statement of Driver Constable Muhammad Arif No. 1314.

He stated that on 13-08-2014 he was on duty at Akora Mobile i/c IHC was out to pray Zohar prayer, while they were present in mobile. Mean while the custom squad stopped two Trailers and were busy in hot words with each other and the trailers were parked on main GT road. For the purpose to solve the issue went there and the drivers were instructed to end the matter. In the mean time SDPO AKora Circle also reached the place of occurrence where the drivers complained against them of demanding rupees 1,000 which is incorrect. He requested in his statement that he is totally innocent and enquiry papers may be filed. (Statement attached) (Anex-A)

Statement of Constable Majid No.699.

He stated that on 13-08-2014 he was on duty at Akora Mobile i/c IHC was out to pray Zohar prayer, while they were present in mobile. Mean while the custom squad stopped two Trailers and were busy in hot words with each other and the trailers were parked on main GT road. For the purpose to solve the issue went there and the drivers were instructed to end the matter. In the mean time SDPO AKora Circle also reached the place of occurrence where the drivers complained against them of demanding rupees 1,000 which is incorrect. He requested in his statement that he is totally innocent and enquiry papers may be filed. (Anex-B)

ATTESTED



Statement SHO Akora SI Naseem Khan.

As per direction worthy DPO during his visit to Police Station Akora on 07-08-2014 the SHO drafted a Perwana instruction all the official and drivers to abstain from stopping trailers and tankers. The Perwana was duly got signed by official of police station Akora.

IHC Iftikhar (Mobile Officer) DD Report

The DD report lodged by IHC Iftikhar (Mobile officer) reveals that both the official present in mobile had gone without the permission of mobile officer. He has parked the mobile pickup at PP Surya Khel and had been to offer Zoher prayer. Meanwhile SDPO akora arrived and caught red handed both the officials who were busy in receiving of amount from vehicles and ordered for both the official to put them in quarter guard and to arrange their substitute from police lines.

In connection of inquiry Custom Squad Inspector Sher Afzal was contacted on his cell No 0321-5712002 to attend this office to confirm the statement of defaulter official as they have mentioned in their statements that the vehicles were stopped by the custom squad. But till date the officer failed to attend this office.

Perusal of record.

From perusal of record it was confirmed that before this incident the District Police officer visited police station Akora on 07-08-2014 in connection with the complaint of oil tankers and container drivers. He briefed Muhammad Naseem Khan SHO AKora to issue notice to all staff officers and mobile drivers to abstain from stopping containers/oil tankers on road as there is a complaint against mobile officers and drivers that they stop oil tankers and containers to take money from them. In compliance of the directives SHO Akora issued a Parwana notice to all mobile officers and drivers, which was signed as noted by all the staff.

Conclusion.

From the perusal of the statements recorded during enquiry an personally hearing the concerned, enquiry committee reached to the conclusion that:-

- 1. A clear contradiction is found in the statements of both the officials that they were busy in removing of containers from GT road who were stopped by custom squad is totally against the record attached with the enquiry.

The enquiry committee suggest that the allegation leveled against both the official are proved as per the available record and they are recommended for major punishment (stoppage of increments).

(Insp: Arshid Ahmed)
Officer i/c investigaion
Nowshera Cantt

Handwritten notes:
IHC Iftikhar
Shah
Notice
Case

Signature:
District Police Officer
Nowshera

(Iftikhar Shah)
Dy: superintendent of police,
Cantt Cirde Nowshera.

ATTESTED

Signature:

FINAL SHOW CAUSE NOTICE

Annex - F (15)

I, **RABNAWAZ KHAN**, District Police Officer, Nowshera as competent authority under the Khyber Pakhtunkhwa Police Rules-1975, do hereby serve you **Constable Majid No. 699** with this final Show Cause Notice, while posted to Police Station, Akora:-

1. That consequent upon the completion of departmental enquiry against you by Mr. Iftikhar Shah DSP Cantt: Nowshera & Inspector Arshad Ahmad OII PS, Nowshera Cantt: It has been submitted in the finding that the allegations leveled against you were found proved.
2. I am satisfied that you have committed the above acts/omission as specified in Police Rules-1975.
3. You are, therefore, required to Show Cause as to why the punishment under Police Rules 1975 should not be imposed upon you.
4. If, no reply to this notice is received within 07 days, it will be presumed that you have no defence to put and in that case ex-parte action shall be taken against you.

[Signature]
District Police Officer,
Nowshera.

No. 190 /PA,

Dated 23/12 /2014.

ATTESTED

[Signature]
[Signature]

[Handwritten]
23/12/14

statement that he is totally innocent and enquiry papers may be filed. (Annex-B)

شہادی

۱۹۹۹/۱۲/۱۱
۱۱.۱۲.۱۹۹۹

حضور میں ہوں نہ میرا وہی خواہ یہ ہے کہ
 مدینہ ۱۳۸۵ کو میں حویلیہ میں ڈھیرٹی پر گیا
 حویلیہ الخراج پر گئے نماز اتر گیا
 ہم سے قاصدے پر حویلیہ سواہ کے پاس
 کے ساتھ ٹریڈرز کے ڈرا ہور اچھے
 پوتے تھے ہم نے ان کے ہم دم بننا
 کیا۔ دریں وقت S.P.O کے ساتھ
 مہذب شریف لاکر ان کو سٹریٹ
 ڈرا ہور نے اچھاری خلیف
 جھوٹی حکایت کی کیونکہ ہم نے
 ان کو سرکاری ریلنگوں کے
 اکٹھے سے زبردستی منہ کیا تھا۔
 درحقیقت زبردستی درحقیقت
 یہ بیان راجل دسترس کے
 جاننے کے ساتھ ساتھ

Handwritten signature

۱۹۹۹

ATTESTED

ORDER

Annex - H

17

This order will dispose off a departmental enquiry under Police Rules 1975 initiated against Constable Majid Khan No. 699, under the allegations that while posted at Police Station, Akora was found indulging in malpractices by demanding illegal gratifications from trailer drivers on GT Road near Iraq Abad, who were caught red handed by DSP Akora.

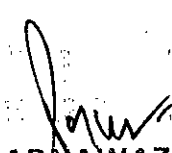
In this connection, he was placed under suspension vide OB No. 1023 dated 18.08.2014 and proceeded him against departmentally through Enquiry Committee, comprising of Mr. Iftikhar Shah DSP Cantt: Nowshera and Inspector Arshad Ahmad I/C Investigation, Nowshera Cantt: vide this office No. 54/PA, dated 18.08.2014, who after completing necessary process, submitted their finding report to undersigned, holding responsible the delinquent Constable of the allegations leveled against him and recommended him for major punishment.

In the light of recommendations of Enquiry Committee, he was served with Final Show Cause Notice, vide this office No. 190/PA dated 23.12.2014, to which, his reply was received and found unsatisfactory.

Being member of a disciplined force, his involvement in such like illegal activities, brought a bad name for whole Police Force, therefore I am of the considered opinion that his further retention in the force will badly affect his colleagues, therefore Constable Majid Khan No. 699 of Police Lines, Nowshera is hereby awarded Major punishment by dismissing from Police Force with immediate effect, in exercise of the powers vested to me under Police Rules, 1975.

OB 280

Dated 20.2.2015.



(RABNAWAZ KHAN)
District Police Officer,
Nowshera.

No. 521-25 /PA, dated Nowshera, the 20.2 /2015.

Copy for information and necessary action to the:-

1. DSP Hqrs: Nowshera.
2. Pay Officer.
3. E.C.
4. OHC.
5. FMC with enquiry file.

ATTESTED


Adu

To:-

The Deputy Inspector General of police,
Mardan Region-1, Mardan.

Subject:

APPEAL AGAINST THE ORDER OF THE DPO NOWSHERA AWARDING
PUNISHMENT OF DISMISSAL FROM SERVICE.

R/Sir,

With profound respect it is submitted that the appellant has been awarded the punishment of dismissal from service be the District Police Officer Nowshera vide OB No. 281 dated 20.02.2015(Copy attached).

1. That the appellant has not indulged in the commission of the alleged offence of Corruption.
2. That on 13.08.2014, during Mobile Gusht at G.T Road near Iraq Abad, Custom officials were on duty called Patrolling Mobile. Incharge mobile was easing him while the driver rushed to the spot where he found that 02 trailer were stopped for checking. The drivers of the trailers were grappling with Custom officials. The matter was patched up and the trailer drivers were allowed by Custom officials. In the mean time, DSP Akora arrived to the spot and asked the trailers drivers about the incident. They told him that the Police demanding illegal gratification but at that time, the Custom officials had slipped away on seeing DSP Akora. The DSP ordered the driver and me (the appellant) to report at Police Lines, Nowshera.
3. In compliance of the order of DSP Akora, he reported his arrival at Police Lines, Nowshera. Later on, both the officials were placed under suspension and issued charge sheet/ statement of allegations and DSP Nowshera Cantt: was nominated as enquiry officer. During enquiry proceedings, he summoned the concerned Custom placed on enquiry file, I was awarded Major punishment of dismissal by the competent authority which is in justice.
4. I solemnly affirmed that I have neither stopped trailers nor got illegal gratification from them.

It is, therefore, entreated that in view of the above mentioned facts, I may very kindly be reinstated in service & obliged please.

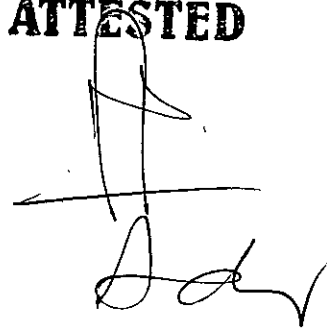
Yours Obediently,

Majid Khan

EX - POLICE

25/2/2015

ATTESTED



ORDER.

This order will dispose-off the appeal preferred by Ex- Constable Majid Khan No. 699 of Nowshera District Police against the order of District Police Officer, Nowshera, wherein he was dismissed from service vide District Police Officer, Nowshera OB No. 280 dated 20.02.2015

Brief facts of the case are that he while posted at Police Station Akora was found indulging in malpractices by demanding illegal gratifications from trailer drivers on GT Road near Iraq Abad, who was caught red handed by Deputy Superintendent of Police Akora, District Nowshera. In this connection he was placed under suspension and proceeded him against departmentally through enquiry committee comprising of the then Deputy Superintendent of Police Nowshera Cantt & Incharge Investigation, Nowshera Cantt, who after completing necessary process, submitted their findings report to District Police Officer, Nowshera, holding responsible the delinquent appellant of the allegations leveled against him and recommended him for major punishment, in the light of recommendations of enquiry committee he was served with Final Show Cause Notice, to which his reply was received and found unsatisfactory. Being member of disciplined forces his involvement in such like illegal activities brought a bad name for whole Police Force therefore his further retention in the force will badly affect his colleagues therefore he was dismissed from service.

I have perused the record and also heard the appellant in Orderly Room held in this office on 18.03.2015, but he failed to justify his innocence and could not produce any cogent reason about his innocence. Therefore, I MUHAMMAD SAEED Deputy Inspector General of Police, Mardan Region-I, Mardan in exercise of the powers conferred upon me reject the appeal and do not interfere in the order passed by the competent authority, thus the appeal is filed forthwith.

ORDER ANNOUNCED

(Signature)
(MUHAMMAD SAEED) PSP
Deputy Inspector General of Police,
Mardan Region-I, Mardan.

No. 1845 /ES, Dated Mardan the 25/3 /2015.

Copy to District Police Officer, Nowshera for information and necessary action w/r to his office Memo: No. 758/PA dated 21.03.2015 His service roll is returned herewith for record in your office.

(*****)

ATTESTED

(Signature)

میان ازان انجمن قریب
افضل ضامن لکھنؤ

تاریخ 13/8/14 کو بیان دیوے گئے اور حسب معمول لکھنؤ قریب میں لکھی گئی

تقدیر موریا قریب میں موجود ہے کہ اس کا دھن لکھنؤ قریب میں لکھی گئی

33584 KBL
11173 KBL

لکھنؤ قریب میں دو دفعہ لکھی گئی اور لکھنؤ قریب میں لکھی گئی

میں لکھنؤ قریب میں اشارے کی لکھنؤ قریب میں لکھی گئی

رنگار اور لکھنؤ قریب میں لکھی گئی اور لکھنؤ قریب میں لکھی گئی

میں لکھنؤ قریب میں لکھی گئی اور لکھنؤ قریب میں لکھی گئی

میں لکھنؤ قریب میں لکھی گئی اور لکھنؤ قریب میں لکھی گئی

15/9/14

0321-5712002
0300-5872934

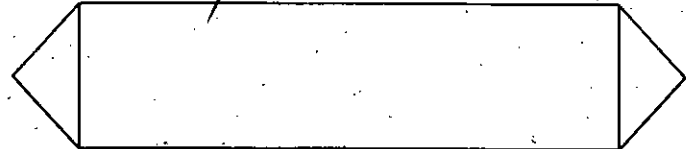
ATTESTED

[Signature]

رضوان خان ایدر کی

سرور ٹریبونل

بعدالت جناب چیمبر میں مدعب اس ٹریبونل شیپور



Service Appeal

مورخہ	2 جناب ایڈوکیٹ	Majid Khan
مقدمہ	بنام	VERSUS
دعویٰ		The Deputy Inspector General
جرم		of Police & others

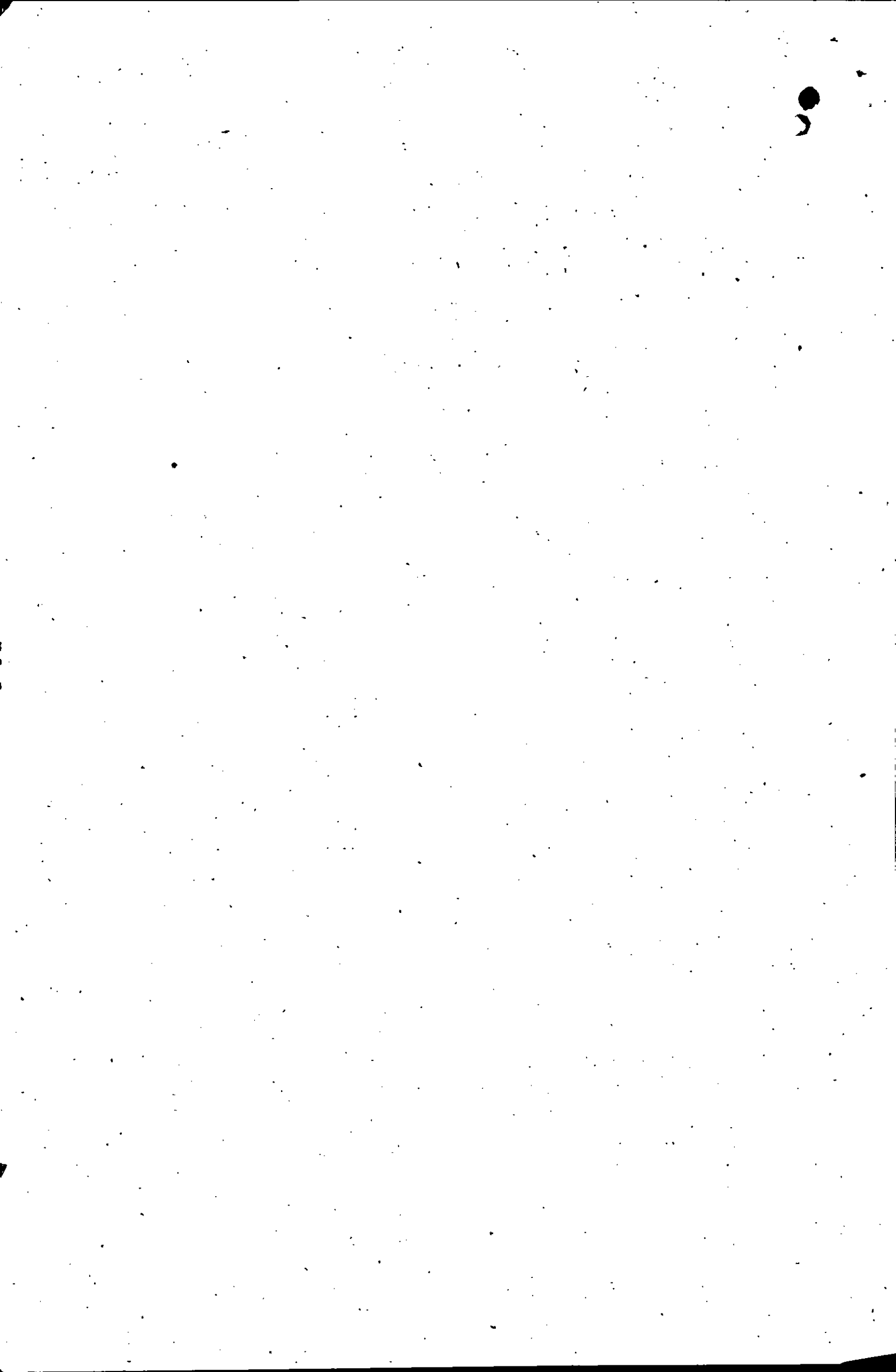
باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام شیپور کیلئے درصوان اللہ اڈووکیٹ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے 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۔ از بصورت ضرورت مقدمہ مذکور 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 بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

المرقوم 3 باہ اپریل 2015

Handwritten signature and text: *At the witness*

مقام شیپور کے لئے منظور ہے۔



**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 288/2015

Majid Khan Ex-Constable S/O Taj Mohammad r/o Mohallah Miangaan,
Azakhel Bala, Tehsil & District Nowshera.

.....Appellant

V E R S U S

1. Deputy Inspector General of Police, Mardan Region-I, Mardan.
2. District Police Officer, Nowshera.

.....Respondents

PARAWISE REPLY ON BEHALF OF RESPONDENTS No. 1&2

Respectfully Sheweth: -

PRELIMINARY OBJECTIONS

1. That the appellant has got no cause of action.
2. That the appeal is badly time-barred.
3. That the appellant has been estopped by his own conduct to file the appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to the Honourable Tribunal with clean hands.

On Facts

1. Para to the extent of enlistment of appellant in Police Department and length of service pertains to record, need no comments, while rest of the para is incorrect because service record of the appellant is tainted with bad entrees.
2. Para to the extent of performing duty with zeal, zest and devotion by the appellant is incorrect hence, denied while rest of the para is also incorrect because on 13-08-2014 the appellant alongwith ex-driver constable Mohammad Arif No. 1314 were on mobile gush of Police Station, Akora Khattak during which they stopped trailers bearing registration No. 33584/KBL and 11173/KBL on main G.T road near Iraqabad and demanded Rs. 1000/- from the drivers. Resultantly, both of them were caught red handed.
3. As the appellant was found indulged in mal practices and was caught red handed due to which proper departmental enquiry was initiated.
4. That the appellant submitted his reply to the charge sheet and denied the allegations wherein he took a plea that there was an altercation between the custom squad and drivers due to which incharge custom squad asked the appellant for help. It is pertinent to mention here that the said trailers were stopped by the appellant and driver Constable Arif for taking illegal gratification due to which SDPO Akora Circle caught the appellant and above named driver Constable red handed. hence:

the story propounded by the appellant is cooked and after thought which is not appeal-able to a prudent mind.

5. Para to the extent of constitution of enquiry committee is correct, needs no comments, while rest of the para is incorrect, hence, denied. The appellant was charge sheeted and statement of allegation was also issued whereupon a proper departmental enquiry was initiated during the course of which all legal and codal formalities were fulfilled and worthy of credence evidence was brought on record, resultantly, the guilt of appellant was proved to the hilt. Therefore, appropriate punishment order was passed which does commensurate with the gravity of his misconduct.
6. Para already explained, needs no comments.
7. Para incorrect. The punishment order passed by the competent authority is in consonance with law and rules.
8. That the appellate authority while disposing the appeal perused the entire record and also heard the appellant personally but he could not produce any cogent reason regarding his innocence, hence, his appeal was filed.
9. Para not related, needs no comments.
10. That the appeal of the appellant is worth to be filed inter alia on the following grounds: -


On grounds

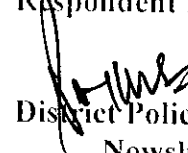
- A. Para incorrect. In order to bring home guilt of the accused, a proper departmental enquiry was initiated. During the course of which all codal formalities were fulfilled and the appellant was provided ample opportunities for defending himself but in fiasco. Therefore, a tailored one plea was taken by the appellant to save his skin.
- B. Incorrect. That the enquiry committee recorded the statements of drivers who supported the version of the SDPO Akora Circle.
- C. Incorrect. The Deputy Superintendent of Police, Akora Circle, District Nowshera through attached report requested the competent authority for initiation of departmental action against the appellant and driver Constable Mohammad Arif because he caught both of them red handed while they were demanding Rs. 1000/- from the drivers of the trailers stopped by them of G.T road near Iraq Abad. As the said enquiry was initiated upon the above mentioned report, therefore, confirmation from the said Circle Officer regarding his report is out of question.
- D. Incorrect. The enquiry committee during the course of enquiry contacted Inspector Sher Afzal of custom squad on his cell vide No. 0321-5712002 for recording his statement but he did not appear, hence, plea taken by the appellant is not tenable in the eyes of law.
- E. Para to the extent of production of report of incharge custom squad. is not related needs no comments, while rest of the para is incorrect. The appellant was required to produce the said incharge before the enquiry committee which they bitterly failed to do so, rather, the enquiry committee has contacted the said official for recording

his statement during the enquiry proceedings but to no avail, hence, plea taken by the appellant is not plausible in the eyes of law.

- F. Para incorrect. A proper departmental enquiry was initiated during the course of which the allegations have been proved to the hilt, hence, stance of the appellant is not tenable in the eyes of law. Moreover, during enquiry proceedings statements of the trailer drivers were recorded, who also supported the report of DSP Akora Circle. As prima facie the accused official/appellant was connected with the commission of offence, hence, the punishment order was passed which does commensurate with the gravity of misconduct of appellant. (Copy of statements of trailer drivers are annexed).
- G. Para to the extent of report of enquiry committee, pertain to record, needs no comments, while rest of the para is incorrect, hence, denied. The appellant alongwith constable driver Arif were caught red handed by demanding illegal gratification from trailer drivers whereupon both of them were proceeded departmentally, after conclusion of which they were recommended for major punishment, hence, the competent authority on the receipt of findings of the enquiry officer awarded the appellant suitable punishment under Police Rules 1975, which does commensurate with the gravity of his misconduct.
- H. Para incorrect. The competent authority after perusal and examination of entire enquiry report and record, decided the case of appellant on merits, because the competent authority had no grudge against the appellant, moreover, during the course of enquiry, the allegations have been proved to the hilt, hence, the order passed by the competent authority is liable to be maintained.
- I. Incorrect. Para already explained, needs no comments.
- J. Para incorrect. The competent authority after taken into consideration the entire material passed the punishment order which is a speaking one and in consonance with principle of natural justice.
- K. Incorrect. Para already explained.
- L. Incorrect. Para already explained.
- M. That the respondents seek permission of this Honourable Tribunal to adduce additional grounds at the time of arguments.

It is, therefore, most humbly prayed that keeping in view the above submissions, appeal of the appellant may very graciously be dismissed with cost.


Deputy Inspector General of Police,
Mardan Region-I, Mardan
Respondent No. 01


District Police Officer,
Nowshera.
Respondent No. 02

**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 288/2015

Majid Khan Ex-Constable S/O Taj Mohammad r/o Mohallah Miangaan,
Azakhel Bala, Tehsil & District Nowshera.

.....Appellant


V E R S U S


1. Deputy Inspector General of Police, Mardan Region-I, Mardan.
2. District Police Officer, Nowshera.

.....Respondents

AFFIDAVIT

We the respondents No. 1&2 do hereby solemnly affirm and declare on Oath that the contents of parawise comments to the appeal are true and correct to the best of our knowledge and belief and nothing has been concealed from the Honourable tribunal.


Deputy Inspector General of Police,
Mardan Region-I, Mardan
Respondent No. 01


District Police Officer,
Nowshera.
Respondent No. 02

بیات اداک رحمن اللہ ولد قلمی سنہ افعال سنہ

میں سے رحمن اللہ ولد قلمی سنہ افعال سنہ بددیانت بیات کیا کہ میں اپنی
ڈریلر 33584 میں سٹیپ طور ہم سے لڑ لڑ کر ڈرون نے جاری کیا میرا
ساکھ دوسرا ڈریلر 11173 بھی تھا دونوں آٹو ہ کے نزدیک لڑی تو اسی
دوران ایک ہوٹل ڈریلر اور کنیل نے مجھ استاء کیا میں نے جائے
دکے دیا تو کھ کو اکھوں نے کیا کہ روٹ پرٹ دے دے ورنہ 500
ہم نے 500/500 روپے دے دیا تھا تو اسی دوران دوسرا سٹیپ ہوٹل
آیا اور اسے میں میرے خیال میں کوئی آفسر کا لوائیوں نے
ہوٹل ڈریلر اور کنیل کو باتیں کئے اور کھر کھے لیڈریوں کے

گھوڑا
ہی میرا بیات ہے

الحمد لله
رحمن اللہ ولد قلمی سنہ افعال سنہ بددیانت
تقریباً 138
2016
03235838433
ڈریلر اور اللہ ولد قلمی
سنہ لال پورہ قلمی

606155

بیان ازان ڈرائنگ میوہ گل ولہ صاحبی محمد دین سلیم افغانستان

—x —x —x —x

میں سے میوہ گل ولہ صاحبی محمد دین سلیم افغانستان بددیانت بنائے گیا
کہ میں اپنی ڈرائنگ ^{K.B.L} 1173 میں سٹیٹ بینک سے لوڈ کر ڈروٹ نے
جاری کیا تھا میں آڈٹ کے نزدیک پہنچی تو اسی دوران ایک
فوربائل ڈرائنگ اور کیشل نے مجھے اشارہ کیا میں نے گاڈ کے رٹ
دیا تو وہ لو اکھروٹ نے کہا کہ روٹ پڑھتے رہ دیے ورنہ
1000 روپے دے دیے تو میں نے 500 روپے دے دیا تھا تو اسی دوران
دوسرا سفیر فوربائل آیا اور اس سے میرے خیال میں کوٹے آفسر کا
کو فوربائل ڈرائنگ اور کیشل کو پاس آئے اور پھر مجھے لیٹر پیسوں کے طور
پر لکے میرا بیان ہے

میوہ گل ولہ صاحبی محمد دین سلیم افغانستان بددیانت

13/11/2014

212721 - 0321-9063944

محمد دین

صرف ولہ صاحبی افغان

VAKALATNAMA

BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service appeal No. 288/2015

Majid Khan

APPELLANT
PETITIONER

VERSUS

Deputy Inspector General of Police & others.

RESPONDENTS

I Majid Khan, do hereby appoint M. Asim Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me as my Counsel / Advocate in the above noted matter, without any liability for his default and with the authority to engage / appoint any other Advocate/Counsel on my costs.

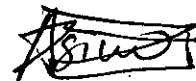
I authorize the said Advocate to deposit, withdraw and receive on my behalf all sums and amounts payable or deposited on my account in the above noted matter. The Advocate/Counsel is also at liberty to leave my case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me.

Dated: 8/2/2016



CLIENT

Approved & Accepted



Muhammad Asim

Advocate

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2079 /ST

Dated 13 / 12 / 2016

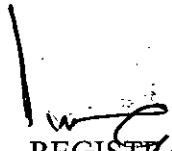
To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Nowshera.

Subject: - **JUDGMENT**

I am directed to forward herewith a certified copy of Judgement dated 1.12.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.