

16.12.2016

Counsel for the appellant present. Arguments of learned counsel for the appellant heard. Learned Asst: A.G was busy before Chairman Bench and could not argue the case. To come up for arguments of Asst: AG and order on 19.12.2016.

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

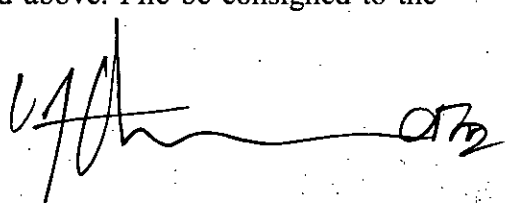
  
(ASHFAQUE TAJ)  
MEMBER

19.12.2016

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

Vide our detailed judgment of today in the connected Service Appeal No. 146/2014 titled "Fazal Rehman-vs-the Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others", this appeal is also decided as per detailed judgment referred above. File be consigned to the record room.

ANNOUNCED  
19.12.2016

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

  
(ASHFAQUE TAJ)  
MEMBER

10.09.2015

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Due to shortage of time therefore, case is adjourned to 8.2.16 for arguments.

  
Member

  
Member

08.02.2016

Counsel for the appellant and Mr. Muhammad Asif, Head Constable alongwith Addl: AG for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 27.4.16.

  
Member

  
Member

27.04.2016

Agent of counsel for the appellant and Mr. Usman Ghani, Sr.GP for respondents present. Due to general strike of the Bar learned counsel for the appellant is not in attendance. Adjourned for arguments to 09.08.2016 before D.B.

  
Member

  
Chairman

09.08.2016

Agent to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to general strike of the bar. To come up for arguments on 16.12.16.

  
Member

  
Member

11.9.2014

Counsel for the appellant and Mr. Muhammad Khan, Reader to Inspector (Legal) Tank on behalf of respondents with Mr. Kabirullah Khattak, AAG present. Written reply received on behalf of the respondents, copy whereof is handed over to the learned counsel for the appellant for rejoinder alongwith connected appeals on 12.1.2015.

  
Chairman

12.01.2015

Counsel for the appellant and Mr. Shad Muhammad, S.I (legal) on behalf of respondents with Addl: AG present. Rejoinder received on behalf of the appellant, copy whereof is handed over to the learned Addl: AG for arguments alongwith connected appeals on 29.06.2015.

  
Chairman

29.06.2015

Appellant with counsel and Mr. Muhammad Jan, GP with Syed Saghir Gillani, SI (Legal) for the respondents present. During the course of arguments, it came to know that copy of enquiry report is not available on the file. Representative of the respondents is directed to produce the same on the next date positively. To come up for full arguments on 10.09.2015.

  
Member

  
Member

Appeal No. 143/2014.  
Mr. Shahab-ud-Din.

3. 20.03.2014

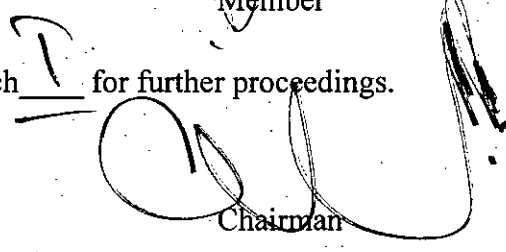
Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the original order dated 09.12.2013, he filed departmental appeal which has been rejected on 13.01.2014, hence the present appeal on 06.02.2014. He further contended that the appellant has been treated under wrong law and the impugned order dated 13.01.2014, has been issued in violation of Rule-5 of the Civil Servant (Appeal) Rules 1986. 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 for submission of written reply/comments on 05.06.2014.

Appellant Deposited  
Security & Process Fee  
Rs. 180/- Bank  
Receipt is attached with File.

  
Member

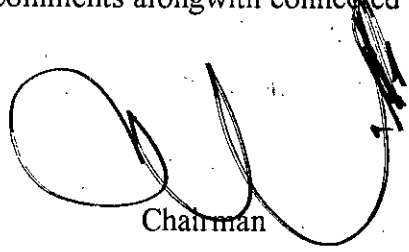
4. 20.03.2014

This case be put before the Final Bench 1 for further proceedings.

  
Chairman

5.6.2014



Counsel for the appellant present. Respondents are absent despite their service through registered post/concerned official. However, AAG is present on behalf of the respondents and would be contacting them for written reply/comments alongwith connected appeals on 11.9.2014.

  
Chairman

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 143/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/02/2014	<p>The appeal of Mr. Shahab-ud-Din presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>20-3-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

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

Appeal No. 147 /2014

Mr. Amjad Yasir

V/S

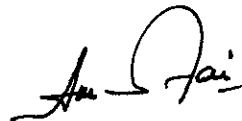
P.P.O. KPK & Others.

**INDEX**

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-04
2.	Copy of Charge sheet	- A -	05
3.	Copy of Statement of Allegations	- B -	06
4.	Copy of Reply to Charge-sheet	-B-1-	07
5.	Copy of Order (2/12/2013)	- C -	08
6.	Copy of Appeal	- D -	09
7.	Copy of Rejection Order (13.1.2014)	- E -	10
8.	Vakalat Nama	-----	11

APPELLANT  
Amjad Yasir

THROUGH:



( M. ASIF YOUSAFZAI )  
ADVOCATE, PESHAWAR.

1

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

Appeal No. 147 /2014

Mr. Amjad Yasir, Ex-Constable No.318,  
District Police, Tank.

M:W.S. Peshawar  
146  
6/2/14

**APPELLANT**

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The D.I.G. D.I.Khan (Region), D.I.Khan.
3. The District Police Officer, Tank.

**RESPONDENTS**

.....

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 02.12.2013 WHEREBY THE APPELLANT HAS BEEN DISMISSED FROM SERVICE AND AGAINST THE ORDER DATED 13.01.2014 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED FOR NO GOOD GROUNDS.

.....

**PRAYER:**

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 02.12.2013 AND 13.01.2014 MAY BE SET ASIDE AND THE APPELLANT MAY VERY GRACIOUSLY BE REINSTATED WITH ALL BACK BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

6/2/14

2

**RESPECTFULLY SHEWETH:**

1. That the appellant joined the Police Force in the year 2005 and completed all his due training etc and also has good service record throughout.
2. That all of sudden, the appellant was served with charge sheet and statement of allegations under the Police Rules, 1975 in which though the charges of corruption, ill-reputation and inefficiency were leveled against the appellant but without specification of any incident or occurrence which led to formulate such statement of allegations. However, the appellant submitted his reply and denied all allegations. Copies of Charge-sheet, Statement of Allegations and Reply to Charge-sheet are attached as Annexure-A and B, B-1.
3. That then one sided enquiry was conducted against the appellant in which neither the appellant was associated with the enquiry proceedings nor any statement was recorded in the presence of appellant to cross examine the same. The appellant was also not provided enquiry report till date.
4. That on 2.12.2013, the penalty of dismissal from service was imposed on the appellant under the Police Rules, 1975. The appellant preferred Departmental Appeal on 11.12.2013 which was also rejected for no good ground on 13.1.2014. Copies of Order, Appeal and Rejection Order are attached as Annexure-C, D and E.
5. That now the appellant comes to this Honourable Tribunal on the following grounds amongst the others.

**GROUND:**

- A) That the impugned order dated 02.12.2013 and 13.01.2014 are against the law, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.



- B) That the appellant has been condemned unheard and has not been treated according to law and rules.
- C) That neither the appellant was associated with the enquiry proceedings nor any statement of the witnesses have been recorded in the presence of appellant. Even a chance of cross examination was also not provided to the appellant which is violation of norms of justice.
- D) That even no final show cause notice was served on appellant which before imposing major penalty of dismissal from service which is the violation of principle of personal hearing and fair play.
- E) That no enquiry paper was provided to the appellant which is the violation of law as held by the Honourable Supreme Court of Pakistan in the case of Mir Muhammad Khan.
- F) That the charge sheet and statement of allegations is vague and contains no specification about in incident or nothing which could based to level in allegations.
- G) That the appellant has not been treated under the proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.
- H) That the penalty of dismissal from service is very harsh which was passed in violation of law and rules, therefore, the same is not sustainable in the eyes of law.
- I) That the appellant has been discriminated because similar like allegations were leveled against 35 officials of District Tank Police and more than 15 officials are reinstated while the same benefits were not extended to the appellant.
- J) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

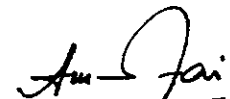
4

It is, therefore, most humbly prayed that the appeal  
of the appellant maybe accepted as prayed for.

APPELLANT  
Amjad Yasir



THROUGH:

  
( M. ASIF YOUSAFZAI )  
ADVOCATE, PESHAWAR.

5

A

CHARGE SHEET

WHEREAS, I, am satisfied that a formal enquiry contemplated under Khyber Pakhtunkhwa Police Rules 1975 is necessary and expedient.

AND WHEREAS, I am of the view that the offence(s) if established would call for a Major Penalty including dismissal from service as defined in Rules(4(i)(B) of the aforesaid Rules.

AND THEREFORE, as required by Police Rules 6 (I) of the aforesaid Rules, I, ANWAR SAEED KUNDI (PSP) District Police Officer Tank being a competent authority hereby charge you Constable Amir Javir 318 with the misconduct on the basis of statement of allegation attached to this Charge Sheet.

AND hereby direct you further under rule 6(I) of the said rules to put in written defence within Seven (7) days of receipt of this Charge Sheet as to why the proposed action should not be taken against you and also state that the same time whether you wish to heard in person or otherwise.

In case your reply is not received within the prescribed period, without sufficient cause, it would be presumed that you have not defence to offer and ex parte action proceedings will be initiated against you.

  
(ANWAR SAEED KUNDI) PSP  
District Police Officer,  
Tank

11/2/16

**ATTESTED**  
A

©

(C) B

**STATEMENT OF ALLEGATION**

That you while serving Police Department have been found involved in the following misconduct:-

1. Corruption.
2. ill-reputation.
3. Inefficiency.

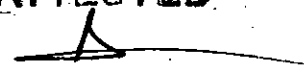
This amounts to gross misconduct on your part and punishable under the Khyber Pakhtunkhwa Police Rule 1975.

Hence the statement of allegation.

  
(ANWAR SAEED KUNDI) PSP  
District Police Officer,  
Tank

28/10

**ATTESTED**



B-1 (7)

جناب عالی بحوالہ چارج شیٹ آف الیکیشن مشمولہ معروض ہوں۔ کہ من سائل حکم کے تابع اپنی ڈیوٹی نہایت جانفیشانی اور دیانداری سے سرانجام دیتا چلا آرہا ہے۔ سائل کے خلاف نہ تو محکمانہ طور پر اور نہ ہی سپیک کے جانب سے شکایات بابت کرپشن بری شہرت اور ناقص کارکردگی کے حوالہ سے کی گئی ہے۔ اور نہ ہی زیر غور ہے۔ سائل کا ریکارڈ اعمال نامہ از بابت روز روشن کی طرح عیاں ہے۔ سائل محکمہ پولیس میں مورخہ: 08.12.2004 کو بطور کانسٹیبل بھرتی ہوا۔ سائل نے 9 سال ملازمت کی مختلف مقامات پر اور ضلع ٹانک میں تعینات رہا ابتداء سے لیکر اب تک جانفیشانی سے ڈیوٹی کی ہے۔ کارکردگی کے بارے میں مختصر تحریر ہے۔ کہ جو ڈیوٹی من سائل کے حوالہ ہوئی۔ ہر وقت ڈیوٹی کی ہے۔ لہذا استدعا کی جاتی ہے۔ کہ حکم مطلق پر نظر ثانی فرما کر لگائے گئے الزامات میں کوئی صداقت نہیں ہے۔ چارج شیٹ مجاریہ داخل دفتر کر کے ملازمت پر بحال فرمایا جائے۔

ارض

محمد

کانسٹیبل امجد یاسر نمبر: 318 پولیس لائن ضلع ٹانک

ATTESTED



OFFICE OF THE  
DISTRICT POLICE OFFICER  
DISTRICT TANK

*Handwritten signature/initials*

Ph: No. 0963-510257.  
Fax no. 0963-510565.

**OFFICE ORDER.**

My this office will dispose off departmental enquiry initiated against Constable Amjad Yasir No. 318 of this district police on the allegations of ill reputation, corruption and inefficiency against whom proper departmental enquiry was initiated. Charge Sheets along with statement of allegations was issued and served upon him properly. Inspector Faridullah Khan, Circle Officer, Investigation, Tank was nominated as Enquiry Officer. The defaulter constable was summoned and examined. He produced his written reply which is placed on file. After finalization of inquiry, the Enquiry Officer has submitted his finding report. The enquiry report was received and perused. His previous service record was also checked. As per his service record, the accused official is habitual absentee and there is no chance of becoming him good and punctual Police Official in future. His general reputation in the department is not good. His further retention in the department is un-adviceable in total. The allegations framed in the charge sheet are substantiated against him. He is fully deserves to be dismissed from service, therefore **I ANWAR SAEED KUNDI, (PSP)** District Police Officer, Tank being competent authority under the Powers vested me under Khyber PakhtunKhwa Police Rules 1975, award Major Punishment of **"DISMISSAL FROM SERVICE"** to defaulter Constable Amjad Yasir No. 318 of this district police with immediate effect.

**Announced.**

02/12/13

OB No. 1646  
Date 12-12-2013

(ANWAR SAEED KUNDI) PSP  
District Police Officer,  
Tank.

**ATTESTED**

Attested.

*Handwritten signature*  
CO. Tank  
5.12.13

بھظور واہ شان ڈپٹی انسپکٹر جنرل آف پولیس ضلع ڈیرہ اسماعیل خان (ریجن)

اپیل برائے بحالی ملازمت

عنوان 9

جناب عالی!

- ۱۔ گزارش بھظور انوار ہے کہ جناب ڈی، پی، اوصاحب ٹانک نے من سائل کو مورخہ: 02.12.2013 کو سروس سے (Dismiss) کی سزا دیکر محکمہ سے برطرف کرنے کا حکم صادر فرمایا ہے۔
  - ۲۔ جناب انکوآری آفیسر فرید اللہ خان (C.O) ٹانک نے جو فائنڈینگ رپورٹ انکوآری پیش کی ہے وہ فرضی اور اپنی طرف سے قیاس شدہ ہے۔
  - ۳۔ دوران انکوآری بابت الزامات من سائل کے خلاف لگائے گئے الزامات میں سے بفضل خدا کوئی بھی الزام سامنے نہیں آیا ہے۔ صرف محض بالائی سطح پر حکم احکام کی تعمیل کرتے ہوئے انکوآری آفیسر نے فرضی فائنڈینگ رپورٹ دی ہے۔
  - ۴۔ میرے 9 سالہ ریکارڈ کو نہ دیکھا گیا اور نہ مجھے سنا گیا اور نہ ہی دوران انکوآری کیس کر اس کا موقع دیا گیا ہے اور نہ ہی انکوآری کا حصہ بنایا گیا ہے۔
  - ۵۔ دوران سروس پبلک کی طرف سے کوئی تحریری یا زبانی شکایت نہیں ہوئی ہے۔ بلکہ میرے خلاف پبلک کی طرف بابت الزامات کوئی شخص انکوآری آفیسر کو پیش نہیں ہوا ہے۔ اور نہ ہی کسی طور پر الزامات ثابت ہوئے ہیں۔
  - ۶۔ انکوآری کے دوران میرے سروس ریکارڈ کو نظر انداز کیا گیا۔ اور میرے 9 سالہ شفاف کیریئر کو چھپایا گیا ہے۔
  - ۷۔ میرے 9 سالہ سروس ریکارڈ میں میڈیکل لیو اور غیر حاضری بلا تخواہ کو اشوبنا کر میرے خلاف سزا کا تحریر کیا گیا ہے۔ جو میرے خلاف کارروائی (Dismissal) کی گئی ہے۔ حالانکہ انہی میڈیکل وغیر حاضری کی سزا پہلے بھی بھگت چکا ہوں۔
- برائے کرم میری عرضداشت بصورت اپیل پر منصفانہ غور فرما کر مجھے سنا بھی جائے اور بلاوجہ بدترین سزا جو اسلامی وانگریزی قانون کی جامب سے ظلم کی مترادف ہے سے نجات دی جائے۔ اور مجھے دوبارہ سروس پر بحال کرنے کا حکم صادر فرمایا جاوے۔

مورخہ: 11.12.2013

العارض

سائل کنسٹیبل امجد یاسیر نمبر: 318/Ex و لد رضا محمد قوم مغل سکنہ محلہ شیخان والہ ٹانک

رابطہ نمبر: 0300-9095601

ATTESTED

ORDER:

(10)

E

This order is meant to dispose off the appeal preferred by Ex-Constable Amjad Yasir No.318 of Tank District against the order of major punishment i.e. dismissal from service, awarded to him by DPO Tank vide OB No.1646 dated 02.12.2013. He was proceeded against on the allegations of ill-reputation, corruption and inefficiency. A proper departmental enquiry was initiated and Mr. Farid Ullah, Circle Officer Investigation Tank was appointed as Enquiry Officer to conduct proper departmental enquiry against him. On the recommendation of Enquiry Officer, DPO Tank awarded him major punishment of dismissal from service.

The appellant/ Ex-Constable preferred the instant appeal against the order of DPO Tank. I have gone through the enquiry file as well as service record of the appellant and also heard him in person on 01.01.2014.

Therefore in exercise of power conferred upon me I **Abdul Ghafoor Afridi** Dy: Inspector General of Police DIKhan, the competent authority in exercise of the powers conferred upon me find no substance in appeal and hold that DPO has correctly passed this order, therefore, this appeal is dismissed and filed.



(ABDUL GHAFOOR AFRIDI)

PSP, PPM

Deputy Inspector General of Police,  
Dera Ismail Khan Region

No. 128

IES dated 13-1-14

Copy to the District Police Officer, Tank for information with reference to his office memo: No.5721 dated 30.12.2013. His Service Record is returned herewith.

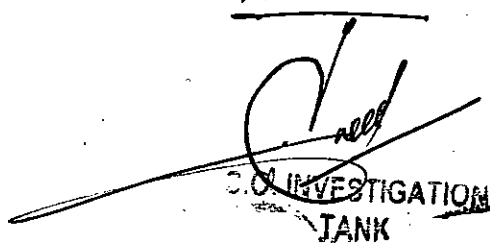


(ABDUL GHAFOOR AFRIDI)

PSP, PPM

Deputy Inspector General of Police,  
Dera Ismail Khan Region

Attested.



Enquiry Officer  
C.O. INVESTIGATION  
TANK



# VAKALAT NAMA

NO. \_\_\_\_\_/20

IN THE COURT OF Service Tribunal Peshawar

Amjad Yasein

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

P.P.O And others

(Respondent)  
(Defendant)

I/~~We~~ Amjed Yasein

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our 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/our costs.

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

Dated \_\_\_\_\_/20

[Signature]  
( CLIENT )

ACCEPTED

[Signature]  
**M. ASIF YOUSAFZAI**  
Advocate

**M. ASIF YOUSAFZAI**  
Advocate High Court,  
Peshawar.

**OFFICE:**

Room No.1, Upper Floor,  
Islamia Club Building,  
Khyber Bazar Peshawar.

Ph.091-2211391-  
0333-9103240

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

**Service Appeal No. 147/2014**

Mr. Amjad Yasir, Ex-Constable No. 318,  
District Police, Tank.....(Appellant)

**Versus**

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General of Police, D.I.Khan Range.
3. District Police Officer, Tank..... (Respondents 1 to 3)

**WRITTEN REPLY ON BEHALF OF RESPONDENTS.**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no cause of action & locus standi.
2. That the appeal is bad for misjoinder/non-joinder of necessary parties.
3. That the appeal is time barred.
4. That the appellant has not come with clean hands.
5. That the appellant is estopped due to his own conduct.
6. That the appellant has concealed the material facts from this Honourable Tribunal.
7. That appeal is not maintainable & incompetent.

**BRIEF FACTS**


1. Correct to the extent that the appellant joined Police department in the year 2005 and completed his due training but remaining portion of the para is incorrect.
2. Incorrect. Infact a proper charge sheet and statement of allegations under the rules has been issued on charges of Corruption, Ill-reputation & Inefficiency. The appellant also submitted his reply which was he found unsatisfactory.
3. Incorrect. A proper departmental enquiry was conducted against the appellant in which all the lawful opportunities of defence were provided to him.
4. Pertains to record.
5. May be treated in accordance with law & rules.


## GROUNDS


- A. Incorrect. The orders were passed by the competent authorities under the existing law & rule, thus are sustainable.
- B. Incorrect. All the lawful opportunities of defence were provided to him including personal hearing.
- C. Incorrect. A proper departmental proceeding under the law were initiated against him in which all the lawful opportunities of defence have been provided.
- D. Incorrect. All the legal formalities under the law & rules have been observed before passing order by the competent authorities.
- E. Incorrect. All the relevant documents under the rules have been provided to the appellant.
- F. Incorrect. A proper charge sheet and statement of allegations were issued and served upon the appellant.
- G. Incorrect. A proper departmental enquiry was initiated against the appellant on the charges of Corruption, Ill-reputation & Inefficiency under the law & rules. In which appellant was found guilty, thus the orders are sustainable.
- H. Incorrect. The penalty of dismissal from service was awarded under the law & rules by the competent authority after proper departmental proceeding on the severe and chronic charges of Corruption, Ill-reputation & Inefficiency.
- I. As stated above.
- J. The respondent may also be allowed to advance other grounds at the time of hearing.

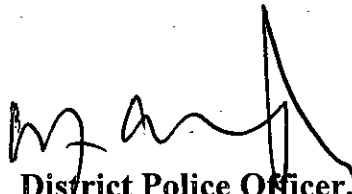
**PRAYER**

It is, therefore, most humbly prayed that on acceptance of instant parawise comments, the Appeal of the Appellant is devoid of legal footings and merit may graciously be dismissed.

  
**Provincial Police Officer,**  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)  
*Amir*

  
**Deputy Inspector General of Police**  
DIKhan Range  
(Respondent No.2)

*Noted*  
  
Govt: Pleader  
KPK High Court Tribunal  
Camp Court D.I.Khan

  
**District Police Officer,**  
Tank  
(Respondent No.3)

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

**Service Appeal No. 147/2014.**

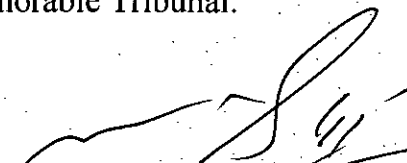
Amjid Yasir, Ex-Constable No. 318,  
District Police Tank ..... (Appellant)

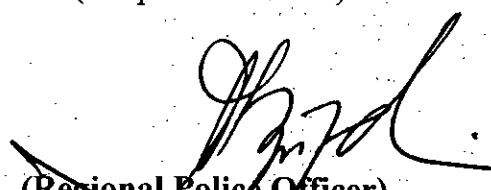
**Versus**

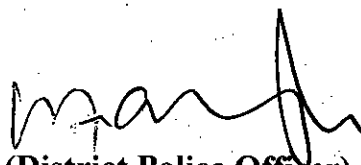
1. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, Dera Ismail Khan Region.
3. The District Police Officer, Tank..... (Respondents 1 to 3)

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS.**

We, the respondents do hereby solemnly affirm and declare on oath that the contents, of Comments/Written reply to Ap peal are true and correct to the best of our knowledge and nothing has been concealed from this Honorable Tribunal.

  
(Provincial Police Officer)  
Khyber Pakhtunkhwa Peshawar  
(Respondent No. 1)

  
(Regional Police Officer)  
Dera Ismail Khan Region  
(Respondent No. 2)

  
(District Police Officer)  
Tank  
(Respondent No. 3)

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

**Service Appeal No. 147/2014.**


Amjid Yasir, Ex-Constable No. 318,  
District Police Tank ..... (Appellant)

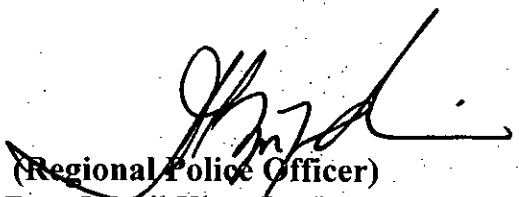
**Versus**

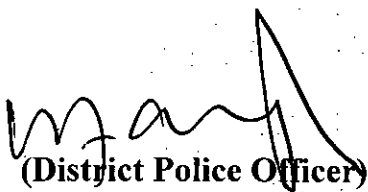
1. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. The Regional Police Officer, Dera Ismail Khan Region.
3. The District Police Officer, Tank..... (Respondents 1 to 3)

**AUTHORITY**

We, the respondents do hereby authorized DSP/Legal, DIKhan to appear before the Service Tribunal Khyber Pakhtunkhwa, Peshawar, on our behalf. He is also authorized to produce/withdraw any application or documents in the interest of Respondents and the Police Department.

  
(Provincial Police Officer)  
Khyber Pakhtunkhwa Peshawar  
(Respondent No. 1)

  
(Regional Police Officer)  
Dera Ismail Khan Region  
(Respondent No. 2)

  
(District Police Officer)  
Tank  
(Respondent No. 3)

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

Service Appeal No. 147/2014

Amjid Yasir

VS

Police Deptt:

.....

**REJOINDER ON BEHALF OF APPELLANT**

.....

**RESPECTFULLY SHEWETH:**

**Preliminary Objections:**

(1-8) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

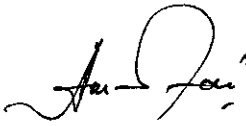
**FACTS:**

- 1 Admitted correct by the respondents as the service record is laying in the custody of department.
- 2 First portion of the para is admitted correct. While the remaining portion of the para is incorrect as the charges of corruption, ill reputation and inefficiency were leveled against the appellant but with out specification of any incident or occurrence which led to formulate such charges.
- 3 Incorrect. While para 3 of the appeal is correct.
- 4 Admitted correct by the respondents as the service record is laying in the custody of department.
- 5 No comments.

APPELLANT

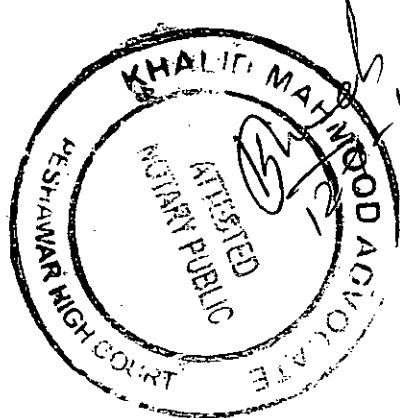

Amjid Yasir

Through:

  
( M. ASIF YOUSAFZAI )  
ADVOCATE,

**AFFIDAVIT**

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.

   
DEPONENT