From:-

To:-

The Regional Police Officer, Bannu Region, Bannu.

The Registrar, Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

Khyber Pakhtukhwa Service Tribunal 10550 -2024

No. 137

/RK, dated Bannu, the OS /01/2024.

Subject:- <u>APPEAL NO.2569 OF 2023 M. ALI APPELLANT / PETITIONER</u> VERSUS P.P.O (IGP) KPK PESHAWAR RESPONDENT.

Memo:

The Service Appeal No.2569/2023 preferred by Muhammad Ali s/o Nascer Ullah Jan r/o Village Muhammad Akbar Tehsil & District Tank versus Inspector General of Police and others was received to this office for necessary reply. It is pointed out that the petitioner Muhammad Ali, Ex: Constable / Driver Belt No.231 of District Tank was dismissed by D.P.O Tank on 31.07.2023 vide his office Order No.4560/PA, dated 31.07.2023. The appellant is bonafide resident of District Tank and District Tank falls within the territorial jurisdiction of D.I.Khan Division. The appeal was marked to this office which pertains to Regional Police Officer, D.I.Khan.

It is therefore requested that the subject appeal is resubmitted herewith which may kindly be sent to Regional Police Officer, D.I.Khan for further action please.

fficer, Regional Bannu Region.

Bannu. Ph# 0928-920076 Fax# 0928-920075 Email: rpobannu2@gmail.com



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.

Note:

Appeal No.	2569	of	2023	
M.	AL	Арре	ellant/Petitione	r
P.P.O	Versus (IGP)		Respondent	
P.P.O Notice to: _ Deputy Police	Inspector Office Bar	Respondent No(5 General MU	2) of Polic	e/Regional

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....dated

Given under my hand and the seal of this Court, at Peshawar this......

1an 2024 Dav of..... R VLUB Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

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BEFORE KNYBER PKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR CHECK LIST

<u>S.#</u>	Conien(s	Yes	No
1.	This appeal has been presented by:		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	-	1
3.	Whether Appeal is within time?		
4.	Whether the enactment under which the appeal is filed mentioned?	1	÷
5.	Whether the enactment under which the appeal is filed is correct?		
6.	Whether affidavit is appended?		
7.	Whether affidavit is duly attested by competent oath commissioner?		· · -···
<u>S.</u>	Whether appeal/annexares are properly paged?		· · · · · · · · · · · · · · · · · · ·
. 9,	Whether certificate regarding filing any earlier appeal on the		-
	Laubjeet, furnished?		
<u> </u>	Whether annoxares are legible?		
<u> </u>	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	2	
13.	Whether copy of append is delivered to Λ G/O Λ G?		1
14.	Whether Power of Attorney of the Counsel engaged is attested and		
	signed by petitioner/appellant/respondents?		· · · · · · · · · · · · · · · · · · ·
15.	Whether numbers of referred cases given are correct?		
16.	Whether appeal contains cultings/overwriting?	A	
17.	Whether list of books has been provided at the end of the appeal?	L	
18.	Whether case relate to this Court?		
<u>• 19.</u>	Whether requisite number of spare copies attached?	V	
-20.	Whether complete spare copy is filed in separate file cover?		
21	Whether addresses of parties given are complete?	······	1
22.	Whether index filed?	6	•
23	Whether index is correct?		
24.	Whether Security and Process Fee deposited? on		
	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974		
25.	Rule 11, notice along with copy of appeal and annexmes has been sent	A	1
	to respondents? on		
26. '	Whether copies of comments reply/rejoinder submittee? on	~	
27.	Whether copies of comments/reply/rejoinder provided o opposite	Charman	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

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annual Ac

2013

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Signature:

Dated:

12 _ --

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN

Service Appeal No. 2569/2023

Muhammad Ali

VERSUS

Inspector General of Police and others

SERVICE APPEAL

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Date: 07/12/2023

Yours Humble Appellant

Muhammad Ali Through Coursel

Sufeikn Iftiknar ul Haq Auvocate Supreme Court Cell#0345-9785920

BEFORE THE HUNOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN

Service Appeal No. ____/2023

Muhammad A.i son of Naseer Ullah Jan r/o village Muhammad Akbar Tehsil & District Tank. Ex-Constable/Driver Belt No. 231 District Police Tank. Cell#0305-9041384

1. Provincial Police Officer (IGP), Knyber Päkhtunkhwa, Pesnawar

Appellant

- 2. The pepticy Inspector General of Police/Regional Police Onice Bannuk
- 3. The District Ponce Officer Fank.

SERVICE APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT. 1974 AGAINS. THE IMPOGNED ORDER#4560 DATED 31/07/2023 VIDE WHICH THE APPELLANT IS DISMISSED FROM SERVICE WHICH THE APPELLANT IS DISMISSED FROM SERVICE WHICH THE APPELLANT OF APPELLATE AUTHORITY/ACSPONDENTER (IF ANY) AND PRESENTE SILENCE QUA THE DEPARCHENTAL APPEAL OF THE APPELLATE AUTHORITY ING IS MEANING THEREBY REJECTION.

PRAYER

On acceptance of the instant Service Appeal the impugned order dated 31/07/2023 issued by the DPO Tank may please

be set aside and the order of the appellate authority (if any) passed on the departmental appeal of appellant may also be set aside and the appellant may kindly be reinstated into service with all back benefits including salaries from August 2023 till the reinstatement and onwards.

Respectfully Sheweth:-

The Appellant most respectfully submits as under:-

BRIEF FACTS:

- That the appellant was appointed as Driver Constable in the incumbency of respondents/authority on 18/07/2007 in the District Police Tank after observing all the legal and codel fulfillments and was allotted Belt No. 231. Copy of the service card is annexed as <u>Annexure-A</u>.
- 2. That during the performance of duties with full satisfaction of superiors the appellant received on 12/06/2023 the charge sheet vide letter No. 3170/PA dated 06/06/2023 along with letter of statement of allegation which was properly replied by the appellant on 17/06/2023. Copies of charge sheet and its reply are annexed as <u>Annexure-B & C</u>.
- 3. That the appellant was on emergency duty in District Kurram and received a massage from Line Police on 31/07/2023, that you have been dismissed from service, then the appellant was not permitted for two days and respondents taken duties from him. As the appellant was not in knowledge of any proceeding therefor the appellant submitted an applications to procure the impugned order along with any other relevant documents (if any). In response the said applications the respondents handed over (قيما ولل المعالية) the impugned order No. 4560 dated 31/07/2023 of 'dismissal from service along with alleged finding report No. 233 dated 19/07/2023. Copies of impugned order, finding report dated 19/07/2023 are annexed as Annexure-D & E and the application in respondent.
- 4. That after receiving the impugned order the appellant filed departmental appeal to the respondent#2 (appellate

authority) on 16/08/2023. Copies of the departmental appeal along with postal receipt are annexed as **Annexure-F**.

5. That the learned respondent#2 (appellate authority) uptill now not decided the appeal of appellant within stipulated period, hence, the instant appeal is being filed, inter alia, on the following ground.

GROUND:

- a. That the impugned order No. 4560 dated 31/07/2023 issued by the respondent#3 is against law, facts, natural justice, void ab initio, hence, liable to be set aside and the order of the respondent#2 (if any) on the departmental appeal may also be set aside.
- b. That impugned order No. 4560 dated 31/07/2023 is against law, principle of service laws, policy, rules, regulations and also against the Police Rules, 1934 as amended in 2014 and is also not in the commence of EASTA,Code.
- c. That the allegations in the charge sheet, and in statement of allegations are false and the appellant has no relevancy whatsoever with the allegations as alleged against the appellant in respect of loading of cartridges of 30 bore because there is no proof including recording of message.
- d. That no initial show cause notice, final show cause notice issued to the appellant and no inquiry whatsoever has been conducted including statements of the witnesses and an opportunity of cross examination by the respondents authority and the appellant has been made an escape goat for the alleged allegations as the colleagues of the
 - appellant namely Aleem Khan Gonstable and Inam Ullah Constable have been exonerated from the allegations. The appellant has been clear cut discriminated on the presumption, speculation, conjectures and surmises, although the appellant could not think out such an act, and the appellant was nor in the knowledge of alleged taking and handing over of ammunition as alleged against him.

Copies of the documents in respect of colleagues of appellant are annexed herewith for ready reference as **Annexure-G**.

- e. That the whole proceedings (although not admitted) whatsoever has been done by the respondents/authority in slipshod manner expeditiously.
- f. That the appellant is a poor fellow having family with children and there is no earning hand except the service of appellant, hence, the service of appellant is liable to be reinstated along with all back benefits.
- g. That counsel for appellant may kindly be allowed to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that on acceptance of the instant Service Appeal the impugned order dated 31/07/2023 issued by the DPO Tank may please be set aside and the order of the appellate authority (if any) passed on the departmental appeal of appellant may also be set aside and the appellant may kindly be reinstated into service with all back benefits including salaries from August 2023 till the reinstatement and onwards.

Date: 27/11/2023

Yours Humble Appellant

Muhammad Ali Through Counsel

Sheikh Iftikhar ul Haq Advocate Supreme Court Cell#0345-9785920

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN

Service Appeal No.____/2023

Muhammad Ali

VERSUS

Inspector General of Police and others

SERVICE APPEAL

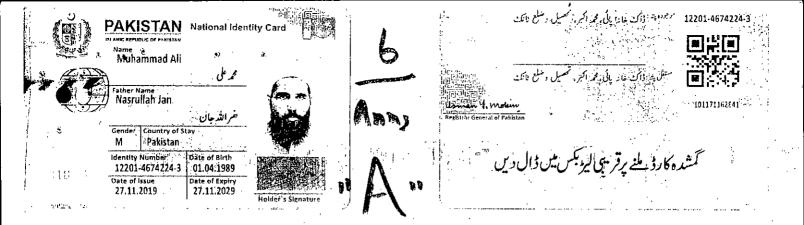
<u>AFFIDAVIT</u>

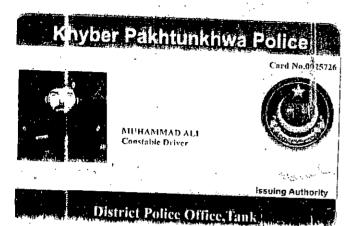
I, **Muhammad Ali** son of Naseer Ullah Jan r/o village Muhammad Akbar Tehsil & District Tank, do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and the allegations of admission in the impugned order of appellate authority in respect of Hiring of Iwazi and involving in private business is false, facticious and thus nothing has been concealed from this Honourable Court.

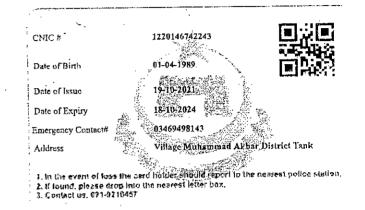
Dated: 07/11/2023

DEPONENT

Identified by in fil 49 A.S.C Sheithe Affiltar ulitor H.S.C







And the



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OFFICE OF DISTRICT POLICE OFFICER, TANK Tel: 0963-510257, Fax: 511257 -2023 Dated Tank the C/S.No.108 $/\mathbf{P}$ CHARGE SHEET WAQAR AHMED: DISTRICT POLICE OFFICER, TANK, as competent authority under Khyber Pakhtunkhwa Police Rules (amendments 2014) 1975, am of the opinion that you Driver Constable Muhammad Ali No.231 rendered yourself liable to be proceeded against, as you have committed the following act/omissions within the meaning of Rule 3 of the Police Rules 1975, on the following allegations that: As reported by DPO Kohat vide his office Letter No.3443/GC dated 10.05.2023, that according to daily diary No.21 dated 05.05.2023, government police pickup No.4177-Tank was stopped by Kohat Police and recovered 4000 rounds of 30 bore from the government. pickup. The ammunition was loaded in the government pickup at Dara Adam Khel which highly sensitive area keeping in view the prevailing law and order situation. On the said report, a preliminary enquiry was conducted thorugh DSP HQrs Tank in which he stated that you called Driver Inam Ullah No.489 to brought 400 rounds of 30

÷, bore from your friend at Dara Adam Khel. All this shows negligence, lack of interest in official duty and amounts to gross misconduct

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on his part, which is punishable under KP Police Rules 1975 amended 2014. iii.

By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Rules ibid and have rendered yearself liable to all or any of the penalties specified in the Rule 4 of the Rules ibid:

You are, therefore, required to submit your written statement within 07 days of the receipt of this Charge Sheet to the enquiry officer.

Your written defense if any should reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and ex-parte action shall be taken against you.

A statement of allegation is enclosed.

(WAQAR ARMED) District Police Officer, Tank

Attacted to be true agong

OFFICE OF DISTRICT POLICE OFFICER, TANK

Tel: 0963-510257, Fax: 511257

Dated Tank the

<u>2023</u> C/Ś No.108

DISCIPLINARY ACTION

i, <u>WAQAR AHMED, DISTRICT POLICE OFFICER, TANK</u> as competent authority, am of the opinion that you <u>Driver Constable Muhammad Ali No.231</u> have recared yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (Amendment 2014) as you have committed the following acts/omissions.

STATEMENT OF ALLEGATIONS

As reported by DPO Kohat vide his office Letter No.3443/GC dated 10.05.2023, that according to daily diary No.21 dated 05.05.2023, government police pickup No.4177-Tank was stopped by Kohat Police and recovered 4000 rounds of 30 bare from the government pickup. The ammunition was loaded in the government pickup at Dara Adam Khel which highly sensitive area keeping in view the prevailing law and order situation.

On the said report, a preliminary enquiry was conducted thorugh DSP HQrs Tank in which he stated that you called Driver Inam Ultah No.489 to brought 400 rounds of 30 bore from your friend at Dara Adam Khel.

All this shows negligence, lack of interest in official duty and amounts to gross misconduct on his part, which is punishable under KP Police Rules 1975 amenaed 2014.

The accused official shall join the proceeding on the date, time and place

fixed by the enquiry officer.

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Μn

(WAQAR AHMED) District Police Officer, Tank

06-06/2023. /PA, dated_

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ii.

iii.

Copy of above to:-______The Enquiry Officer for initiating proceedings against the accused under the provisions of Police Rule-1975.

under the provisions of rome Runo-1775. The <u>Accused Officer:-</u> with the directions to appear before the Enquiry Officer, on the date, time and place fixed by him, for the purpose of enquiry proceedings. Marked to be tra-Marked Mr. بحواله مشموله چارج شيث نمبر 3169 و 3170/BA مورخه 2023-06-02 مواحد C/S No. 108 مواجد وقار احمد صاحد دسترکت بوليس آفيسر ثانک

ی گزارش بخفورانور بیہ ہے کہ مجھ پرالزام مندرجہ چارن شیٹ بالکل غلط ہے بحیثیت گورنمنٹ ملازم مجھ سے ایسا کوئی فعل نہیں ہوا ہے جس میں اسلحہ کی تر سل کی بابت میں ذمہ دارکھ ہرایا جاؤں۔

۲۔ اسلحہ وغیرہ کی برآمد گی جہاں سے اور جن سے ہوئی اُن کو تحکمہ کی طرف سے بحوالہ OB نمبر 489 مورخہ 2023-05-24 و د 2942/PA مورخہ 2023-05-23 OB نمبر 490 مورخہ 2023-26-24 کو برطرف کردیا گیا ہے۔

۳۔ ابتدائی سرسری انگوائری میں مجھ سے موبائل پر بات کی جس کو میں نے ایسی تفصیل نہیں بتائی جس کا ذکر انگوائری پیپرز میں کر دیا گہا ہے

1 _ادض محمطى نمبر 123 درائيوركانشيبل متعينه MT ساف ٹائك Affert d to be مورخه 17/06/2023 رابطه نبير: 30590413847

Ann "/ "

جناب عالى!

OFFICE OF THE DISTRICT POLICE OFFICER, DISTRICT TANK Tel: 0963-510257, Fax: 511257

Anny

31 - 7- 2023

No. 93 57 ORDER . /PA

Dated Tank the

This order will dispose of departmental proceedings conducted against <u>Driver Constable Muhammad</u> <u>Ali No.231 (hereinafter called accused official) under the Khyber Pakhtunkhwa, Police Rules, 1975</u>. (amendment 2014).

Facts arising of the case are that as reported by the DPO Kohut vide his office letter No.3443/GC dated 10.05.2023, that according to daily diary No.21 dated 05.05.2023, government police pickup No.4177-Tank was stopped by Kohat Police and recovered 4000 rounds of 30 bore from the government pickup. The ammunition was loaded in the government pickup at Dara Adam Khel which highly sensitive area keeping in view the prevailing law and order situation.

ii.

On the said report, a preliminary enquiry was conducted through DSP HQrs Tank in which he stated that he called Driver Inam Ullah No.489 to brought 400 rounds of 30 bore from his friend at Darra Adam Khe'.

2. For the above, serious/professional misconduct of the accused officer, he was served with charge sheet/statement of allegations. An enquiry was conducted into the matter through Mr. <u>Masir Khan SP</u> <u>Investigation Tank</u> under Police Rules-1975, ammended-2014. The Enquiry Officer submitted his finding report in which he stated that Driver Constable Muhammad Ali No.231 called Driver Inam Ullah No.489 to brought 400 rounds of 30 bore from his friend at Dara. Adam Khei, While bringing the ammunition, he was caught red-handed by the Kohar police. The police challan party did not care about the reputation and defame for police department, in which driver constable Muhammad Ali is the main character. Therefore, Driver Constable Muhammad Ali No.231/MT staff is found guilty of the charges leveled against him and recommended for Major punishment.

3. Keeping in view of the finding and recommendations of the Enquiry Officer, the undersigned came to the conclusion that the charge leveled against the accused official has been established beyond any shadow of doubt.

4. Nevertheless, in the light of above, I, WAQAR AHMED, DISTRICT POLICE OFFICER, TANK, in exercise of the powers conferred upon me under section 4 (b) clause (iv) of the Police Rules 1975, hereby award him Major Punishment of DISMISSAL FROM SERVICE, with immediate effect, being found guilty.

Angent tope true

(WAQAR AHMED) District Police Officer, Tank

ENDST: NO. & DATE EVEN.

OBINU. 696- 124-31-7.2

Copy to: 1. The District Police C^{*}ficer, Kohat w.r.t letter No.3443/GC dated 10.05 2. The SRC/OASL

(WAQAR AHMED) District Police Officer, Tank

Ann.

تارى<u>ق 21/70/</u>19 ، فانترنگ رپورٹ انگوانزی برخلاف ڈرائیور کنسٹیبل محمد علی مبر MT،231 سٹاف ٹائک

بحوالد چارج شیٹ معہ سمری آف الیگیشز نمبری PA/PA مور خد 06.06.2023، مجاریہ جناب ڈسٹر کٹ پولیس آفیسر صاحب ٹانک، انکوائری بر خلاف ڈرائیور کنسٹیبل محم علی نمبر MT،231 سٹاف ٹانک، جو کہ بغر ض انکوائری مجھے مارک ک گٹی ہے ۔ انکوائری عمل میں لاتے ہوئے معروض ہوں کہ ڈسٹر کٹ پولیس آفیسر کوہاٹ نے ایک قطعہ لیٹر انگریزی نمبری محمر 2023.05.2023 معہ نقل مد روزنامچہ نمبری 21 مور خد 05.05.2023 تھانہ MRSار سال کی ۔ نقل در نمبر 21 روزنامچہ مور خد 10.05.2023 متن ذیل ہے۔

یہ کہ مور خد 2023.05.02 کو SHO تھاند SHO (اسلام الدین) کو اطلاع موصول ہوئی کہ ٹائک پولیس موبا کل پک اپ میں غیر قانونی ایمونیش لایا جادہا ہے جو کہ اس اطلاع پر SHO اسلام الدین نے ناکہ بند کی کرتے ہوئے پک اپ نمبر کہ 47.74 کورو کتے ہوئے جبکی ڈرائیونگ انعام اللہ نمبر 480 کر دہا تھا جبکہ انچارج حلیم خان IDI دور دیگر دو کنہ سیبلان علی زمان نمبر 46، کنسٹیس ندیم زمان نمبر کی 227 پولیس پک اپ میں موجود ہتھے۔ جن سے پتہ بر ارک پر معلوم ہوا کہ دو ملز م جانباز افغان جو کہ 14 فار زا یک میں گر فاز کیا گیا تھا اسکو سنٹرل جیل پشادر جح کر انے کیلئے گئے شصر معلوم ہوا کہ دو ملز م جانباز افغان جو کہ 14 فار نر ایک میں گر فاز کیا گیا تھا اسکو سنٹرل جیل پشاد رجح کر انے کیلئے گئے شصر یہ چیک کرنے پر پک اپ میں 80 کا ٹن کار تو س 30 پور معند معلوم ہو دیا ہے ہیں بر ارک پر معلوم ہوا کہ نہ کورہ ایمونیشن انحوں نے درہ آدم نیل سے دو کہ 20 فان کن کار تو س فرانٹیور کنٹ سیسل افعام فمبر 480 نے حرید جلایا کہ ڈرائیور محمد علی غیر 210 نے نیز کی گی معلوم ہو کے دوہ آدم خان کار کو کن 23 پر کے جارب شیر ڈرائیور کنٹ سیسل افعام فمبر 480 نے حرید جلایا کہ ڈرائیور محمد علی غیر 210 نے دام قدی کے مواجل فون ٹیر دی تیں 2014 کو کہ موجود پائے ہو بر 1400 نے حرید جلایا کہ ڈرائیور محمد علی غیر 210 نے دورہ 150 نے 20 ہوں فرن ٹر

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انگوائری کے سلسلے میں ذیل موبائل نمبرات زیر استعال ڈرائیور کنسٹیبل محمہ علی نمبر 231، ڈرائیور کنسٹیبل انعام س نمبر480،اسلحہ ڈیلر درہ آدم خیل کاCDR ڈاٹاحاصل کیا گیا۔

مد بائل تمبر	سم نمبر زیر استعال	نمبرهم
0314.9495082	درائيور كنسٹيبل محمد على نمبر 231	1
 0317.8347103	دْرائيور كنسٹيبل انعام اللَّد نمبر 480	2 ·
0333.9159344	اسلحه ڈیلر درہ آدم خیل	3

مذکورہ CDR سے عیاں ہو تاہے کہ مذکورین کے آپس میں ذیل روابط پائے گئے ہیں۔ (نقول CDR ہمراہ لف قابل ملاحظہ ہیں)

16 م ئېر	ڈرائیور کنسٹیبل انعام اللہ تمبر 480	ڈرائیور کنسٹیبل محمد علی نمبر 231	مور خه 05.05.2023
04 تير	اسلحه ويلروره آدم نتيل	ڈرائیور کنسٹیبل انعام اللہ نمبر 480	\$

جناب عالى:-

جناب والا:-

مېرىينى تف بولىس ـ الوس كيبش طانك_

Attended to be time com

Anns "F 13

مېين ماتحت پر وري ہوگی۔

المحمد معدم معدم معدم المار حن

زرائنوركنى مىيل محرعلى نمير 231.

. الطريس 0314-9495082

an Al

جضور جناب والاشان ديثي انسپكر جزل آف يوليس ريخ ديره اساعيل خان

ان بل برائے بحالی ملازمت از تاریخ دوقت Dismissal از مورد 31/07/2023

ا۔ انتہائی ظلم کی بات تو بیہ ہے کہ۔ا۔نہ جھے۔ےکوئی برآمدگی ہوئی۔۲۔نہ ریکارڈیس میر ےخلاف کوئی شہادت آئی۔۳۔اور نہیں موقع پر موجو دقعااور مجھے بلاوجہ کوالیفا تیڈ سروں 17/18 سال سے بلاوجہ Dismiss کر ڈالا۔

جناب انکوائری آفیسر صاحب نے ایک فرضی انکوائری کا عمل شروع کیا اور جناب D P O صاحب کوہاٹ کے لیٹر نمبر 3443/GC مورخہ 10/05/2023 و بحوالہ روز نامچہ مدنمبر 21 مورخہ 05/05/2023 کوہاٹ کو آلہ کار بناتے ہوئے ایک فرضی انکوائر کی کاعمل کمل کیااور مجھے بغیر سے اور بغیر دیتے فائنل شوکا زنوٹس وکابی انکوائر کی مجھے میر کی کوالیفائیڈ سروں سے ڈسمس کر ڈالا اور اس لحاظ <u>سے میر </u>ے کمن بچوں واہل دعیال کا ذریعید دوزگار مارڈ الامیر ی کوالیفا تیڈ سروں 17/18 سال کا بھی کوئی خیال نہ رکھا گیا اور اپنی ڈیو ٹی <u>پر موجود صورتحال میں برخاست کر ڈالا جوانتہائی ظلم کے مترادف ہے۔ پیلحدہ بات ہے کہ کوئی ملزم اپنے سرے ذمہ داری ہٹانے کے لئے کیا</u> <u>پچٹر بیس کرتا اگرمیر بے خلاف کسی نے کوئی زبان درازی کی بھی ہے تو وہ بالکل غلط ہے اور قانو ٹی لحاظ سے جھے ہرگز ذمہ دار نہیں تھہر ایا جاسکتا۔</u> ۲۔ <u>رہی بات ٹیلیفونک را لیلے کی تو بحثیبت ڈرا ئیورک</u>ی ڈرائیور کے ساتھ موبائل پر ملنایا رابطہ کرنا کیا کوتی جرم ہے ہرگزنہیں ۔ ا^{س ض}من میں کوئی گفتگو ماہین ڈرائیوران کاریکارڈ کوئی انگوائری آفیسر کے پاس ہرگزنہیں تھااوراس طرح فرضی انگوائری کائمل پروان چڑ ھااور <u>مجھے خوانخواہ</u> اسبے ذریعہ روزگار بچھے ادر میر ہے کمسن بچوں اور اہل وعیال کا ذریعہ روزگار مارڈ الا۔ س جناب انگوائری آفیسرصاحب جنہوں نے جو فائنڈنگ رپورٹ جناب DPO صاحب کو پیش کی قانون سے ہٹ کر ہے میرے خلاف الیی شہادت برآ مدگی یا FIR ریکارڈ برنہیں ہے۔ ۲ ۔ ۔ ایمونیشن جس شخص کا تھاوہ بذریعہ عدالت اپنے ہمراہ لے جاچکا ہے اور ہم خوامخواہ انگوائری کی بھینٹ چڑ ھ کرایک فرضی عمل انگوائری ے ملازمت سے برخاست ہو چکے ہیں جوانتہا کی ظلم کے مترادف ہے۔ <u>عدالتی س</u>طح برمیر بےخلاف کوئی ایسی قابل ادخال شہادت نہیں ہے جس سے معاملہ ایمونیشن کی بر**آ مد**گی کاذمہ دارتھ برایا جاؤں یہ لہر امیر کی انتہائی مؤدیا نہ گزارش ہے کہ بچھے از تاریخ ووفت برخائی سے ہمیہ جملہ مراعات بحال فرمایا جائے اور میر بے کم سن بال بچوں اور عیال خانہ کی دعائمیں کی جائمیں۔

مورخه:16/08/2023

After tobe Then tobe

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("FFICE OF THE REGIONAL POLICE OFFICER DERA ISMAIL KHAN REGION (© 0966-9'80291 Fax # 9280290 /08/2023. dared D.I.Khan the ORDER

1. This order disposes off departmental appeal filed by Ex-Head Constable Aleem Khan No 321 of District Police Tank has preferred an appeal against the order of major punishment of (Dismissal from service) by the DPO Tank vide his office OP No.489 dated 24,05,2023 on the following allegations that:

2. "He was involved in illegal activities regarding smuggling of arms many times before and his recent journey/proceed from Tank to Peshawar in context of producing of accused in the concerned court of law, speak the volume of such homous practice and show his involvement in aforementioned activity.

OPO Tank served the appellant with the charge sheet. Enquiry into the matter was i got conducted into through Asghar Ali Shah, DSP HQrs Tank who in his finding, is held responsible for the charged leveled against him.

Hence, the appellant was awarded major punishment of "Dismissal from service" 3 by the DPO Tank vide OB No. 489 dated 24.05.2023.

Perusal of the service record of the applicant and findings of inquiry officers and .1 also appeared in person before the undersigned in orderly room held on 09.08.2023

Nevertheless, E Abdul Ghafeor Afridi, PSP, Regional Police Officer, Dera Ismail 5 Khan, in exercise of the powers conferred upon me under Rule-11, clause-4 (b), of Police Rules 1975 and section-3 of the ESTA code (Establishment Code Khyber Pakhtunkhwa). hereby take a lenient view and set wide the impugned order of major consorrent of dismissal from service passed by DEP DW upper vide his office Order No. 410 dated 24.05.2023 immediate effect

Order Announced

(ABDUE GHAF (MARADIDI) "SP Regional Bolice Officer Dera Ismail Khan

195 No Copy of above, is sent to the DPO Tary & with reference to his office letter No. 1691/ES. dated 05.07.2023, (Encl. Service Roll & Fauji Missal).

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Mike johin like (ABDUS GHAPDOR APRIMPSP Regional Police Officer

Dera Ismail Khan

Restrict to be trance off-

-UI-Haq Supreme Court 2201-0316740-9 Ld for un day de 13 die a Chez Charlen (March) E D. i. Khan م من التقديمات به الانوان ثله الريال لمراب التويين المرابية - التويين التقرير الم التوقيق التوليم تعام من م الات المديد أن حاض مدافت أرداما تلا أكر فينى بي الأير ما شراحات الدفار التدمة مرى غير حاضرى أن اجد مع مى طور مرسط خلاف الدعميا الواصاحب ب المالى المدوارة من مك الترويك مدالية موسوف مدر القام كرو من الالال كرو مك الالك ف يبلغ الم يجع الم يرود العلي الم تح ومد دار تد مور الله او الدر مدر بكري ت طاده او بكر الات موت إ بروا تعطيل إ كري ك اولات ت الله بالحج في موت بنی تعمان بینی تو ای ک وسرار یا اینے دائین کی سادند کے ادا کرت یا محت ند داریں کرت کے کی صاحب موصوف وسد دار ند زدن کے بھ المركز مانت به وخد ساحب موسو تد مثل كرده ذات خود الله وقول مو لا اور صاحب موسوف كو مرش وال يا جراب دعوى يا درخواست اجرام اساست وكرى الا^{ر الم}ال^{ل الأرا}لي و برقتم والخاصف برقتم سک وإن وسط الار بر التي با را من مار و فيله برعل كرف اقرال داري كالجمي التمار وديكا الدر بصورت مغرر وب ف الاز 👘 مندسه مزور بیرون از کربری سد. بیروی مقدمه مزکر خلل ناتی ایل و از ایران و برآ درگی مندسه 🛔 سروتی (زُری کیک طرفه یا درخواست تکم استا می یا قرق 🚆 م المار أله الرفيله الرابطة ذكرتا أن ساحب موسونه كو يتريأ الداش عليماه خالتي وفي كا القيار دو 7 الدركام ساعلة برداخته صاحب موسوف مثل كررا المري المسل الدلكة الديمورية المرارية صاحب موسوف كالتي المتيار الأكم مقدت مركور بالاس المح محمل الماواتي بالمسارية ورخواست أظراداتي 👘 یا منگر معالمه د قدمه خدکار کنی دومرت وکیل یا مر از کو اینها بجانده یا استه امراد متر، تحرین از میلی طلیق کو تلحی بر امر میں وی اور ویل j., التراب حاص بول کے فیت ساحب وضف کو حاص ور اور در ی متدحد می جر بات اللہ ج یہ کا وہ صاحب موصف، کا من و کا تکر سادر المحاف کو بیدی تیمی تاریخ فی سے پہلے ادا ت کر ن کا تو صاحب موسوف کو بیدا اعتبار و کا کر مقدمہ کی بروی شاکریں اور تک صورت شور سر ارتی حطال کمسی مشم کا حداجت مصوف کے بروزان شمس اور اورکا ليذاؤكالمت إسكمريا سيتأكدس م مصحون دیکاسته نامه زباب به اورا شیخی طرب سمجولیا ب اور منالور ... » Accepted in me the filmer able she ffilmer able A) li

J Com egistrur, "they Pathtunk MA R'Service Tribunal, Peshawar

