

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 673/2016

Date of Institution ... 23.06.2013

Date of Decision ... 02.03.2018

Mr. Rajid Ali, Assistant Sub Inspector,  
Police Line Mardan.

... (Appellant)

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and 2 others. ... (Respondents)

Mr. Noor Muhammad Khattak,  
Advocate

--- For appellant.

Mr. Ziaullah,  
Deputy District Attorney

--- For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. AHMAD HASSAN,... CHAIRMAN  
... MEMBER(Executive)JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN:- Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The appellant was awarded the major penalty of reduction in rank by the authority (DPO) on 04.04.2016. Against this order the appellant filed departmental appeal (undated). The said departmental appeal was rejected on 13.06.2016 and thereafter filed the present service appeal on 23.06.2016.

ARGUMENTS

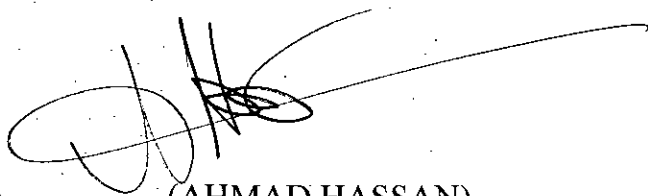
3. Learned counsel for the appellant argued that the competent authority was DPO who had issued the final order of imposing of penalty on 04.04.2016 but charge sheet and statement of allegations were issued by the DIG and the enquiry officer was also appointed by the DIG. He further argued that the final show cause notice was issued on 19.04.2016 much later than final order of imposing of penalty on 04.04.2016.

4. On the other hand learned Deputy District Attorney argued that all codal formalities were fulfilled. That date of show cause notice might be a clerical mistake.


**CONCLUSION.**

5. Admittedly the authority was the DPO and DIG could not issue the charge sheet and statement of allegations nor he could appoint the enquiry officer. The DIG was the appellate authority. Issuance of charge sheet/statement of allegations and appointment of enquiry officer by the appellate authority had have certainly prejudiced the appellant. Because the appellate authority cannot exercise his powers as an appellate authority independently. Secondly, under the rules the competent authority could issue the charge sheet and statement of allegations and not appellate authority. The issuance of final show cause notice after the issuance of final order was not a clerical mistake because there is no mention of final show cause notice in the final order.

6. As a sequel to the above discussion, this Tribunal reaches the conclusion that illegalities are of substantial nature and the order passed thereon cannot be sustained in the eyes of law which is hereby set aside and the appeal is accepted. The department is however at liberty to hold de-novo proceedings within a period of 90 days of the receipt of this judgment. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)  
MEMBER



(NIAZ MUHAMMAD KHAN)  
CHAIRMAN

ANNOUNCED  
02.03.2018

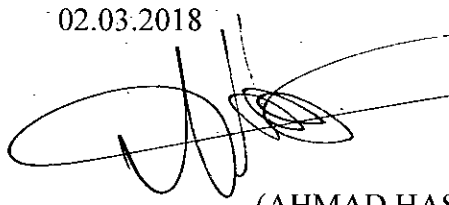
Order

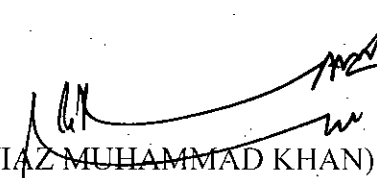
02.03.2018

Counsel for the appellant and Mr. Ziaullah, DDA alongwith Mr. Atta-Ur-Rehman, S.I (legal) for respondents present. Arguments heard and record perused.

Vide detailed judgment of today of this Tribunal placed on file, the appeal is accepted. Parties are left to bear their own cost. File be consigned to the record room.

Announced:  
02.03.2018

  
(AHMAD HASSAN)  
Member

  
(NIAZ MUHAMMAD KHAN)  
Chairman

15.06.2017


Counsel for the appellant present. Mr. Atta-ur-Rehman, S.I (Legal) alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 19.10.2017 before D.B.


  
(GUL ZEB KHAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

19.10.2017


Agent to counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Atta-ur-Rehman, S.I (Legal) for the respondents present. Agent to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 01.01.2018 before D.B.


  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

01.01.2018

Clerk to counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Atta-Ur-Rehman, SI(Legal) for respondents present. Clerk to counsel for the appellant-seeks adjournment as counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 02.03.2018 before D.B.

  
(Ahmad Hassan)  
Member(E)

  
(M.Amin Khan Kundi)  
Member (J)

17.08.2016

Appellant in person and Mr. Muhammad Ghani, SI alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 19.10.2016 before S.B.

  
Member

19.10.2016

Agent to counsel for the appellant and Mr. Muhammad Ghani, S.I alongwith Additional AG for respondents present. Written reply on behalf of respondents submitted, copy whereof handed over to agent to counsel for the appellant. To come up for rejoinder and arguments on 23.01.2017 before D.B.

  
(PIR BAKHSH SHAH)  
MEMBER

23.01.2017

Appellant with counsel and Mr. Muhammad Shafique Khan, Inspector (Legal) alongwith Addl. AG for the respondents present. Learned Addl. AG requested for adjournment. Adjourned for final hearing to 15.06.2017 before the D.B.

Member 

  
Chairman

01.07.2016

Appellant with counsel present. Preliminary arguments heard. Learned counsel for the appellant submitted that penalty of reduction from the substantive rank of ASI to the rank of Head Constable was imposed on the appellant vide order dated 04.04.2016 against which his timely departmental appeal was rejected on 13.06.2016 and the instant appeal is thus within time. He further submitted that charge sheet and statement of allegation was issued by incompetent authority whereas no regular enquiry was conducted. He further submitted that show cause notice was issued to the appellant after imposition of the impugned order. The Learned counsel for the appellant further argued that there is no evidence against the appellant for the alleged illegal gratification from one Zubair, in a 9-C CNSA case. It was also agitated that no specific period has been mentioned in the impugned order for the impugned penalty of reduction of rank.

The points raised at the bar need further consideration and the appeal is well within time, therefore, 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, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on 17.08.2016.

Appellant Deposited  
Security & Process Fee

Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 673/2016

S.No.	Date of order proceedings	Order or other proceedings, with signature of judge or Magistrate
1	2	3
1	23/06/2016	<p>The appeal of Mr. Rajid Ali presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>Dr. Sanghera</i> REGISTRAR</p>
2-	28-6-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>1-07-2016</u>.</p> <p style="text-align: right;"><i>Dr.</i> CHAIRMAN</p>

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

APPEAL NO. 673 /2016

VS

**POLICE DEPARTMENT**

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**APPELLANT**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**



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

APPEAL NO. 673 /2016

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 665

Dated 23-6-2016

Mr. Rajid Ali, Assistant Sub Inspector,  
Police line Mardan .....

**APPELLANT**

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Deputy Inspector General of Police, Mardan Region-I, Mardan.
- 3- The District Police Officer, Mardan.

.....**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 4.4.2016 WHEREBY MAJOR PENALTY OF REDUCTION IN RANK FROM ASSISTANT SUB INSPECTOR TO THE RANK OF HEAD CONSTABLE WAS IMPOSED ON THE APPELLANT WITHOUT CONDUCTING REGULAR INQUIRY IN THE MATTER AND AGAINST THE APPELLATE ORDER DATED 13.6.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT ON NO GOOD GROUNDS**

**PRAYER:** That on acceptance of this appeal the impugned orders dated 4.4.2016 and 13.6.2016 may very kindly be set aside and the appellant may kindly be restored on his original post of Assistant Sub Inspector with all back benefits. Any other remedy which this august tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day

*[Signature]*  
Registrar

**R/SHEWETH:**  
**ON FACTS:**

- 1- That initially the appellant was inducted in the respondent Department as Constable and was later on promoted to the posts of Head Constable and Assistant Sub Inspector on the basis of seniority cum fitness.
- 2- That right from appointment till date the appellant has served the respondent Department quite efficiently and up to the entire satisfaction of his superiors.

- 3- That appellant while posted as Assistant Sub Inspector at Police Station Shergarh a Charge sheet along with statement of allegation was issued to the appellant in which it was alleged that appellant was found guilty of taking illegal gratification of Rs. 4000/- from a one namely Zubair in case FIR No. 100 dated 3.2.2016 U/S 9CNSA Police Station Shergarh. That in response the appellant has submitted his detail reply to the said charge sheet and statement of allegation wherein the appellant denied the allegation leveled against him. Copies of the Charge sheet, statement of allegation and reply are attached as annexure ..... **A, B & C.**
- 4- That vide impugned order dated 4.4.2016 major penalty of reduction in Rank (from the Rank of ASI to that of Head Constable) was imposed on the appellant without conducting regular Departmental inquiry in the matter. Copy of the impugned order is attached as annexure ..... **D.**
- 5- That it is very pertinent to mention that final show cause notice was issued to the appellant after the issuance of impugned order dated 4.4.2016 i.e. vide dated 19.4.2016. Copy of the final show cause notice is attached as annexure ..... **E.**
- 6- That appellant feeling aggrieved from the impugned order dated 4.4.2016 preferred Departmental appeal before the respondent No.2 but the same was rejected by the respondent No.2 vide order dated 13.6.2016 on no good grounds. Copy of the Departmental appeal is attached as annexure ..... **F.**
- 7- That feeling aggrieved from the impugned orders dated 4.4.2016 and 13.6.2016 filed the instant appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned orders dated 4.4.2016 and 19.4.2016 are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That no show cause notice has been issued before issuing the impugned order dated 4.4.2016 while the final show

cause notice has been issued after passing the impugned order dated 4.4.2016.

- D- That no chance of personal hearing, personal defense has been given to the appellant before issuing the impugned order dated 4.4.2016.
- E- That no regular inquiry has been conducted in the matter of appellant which is as per Supreme Court judgments is necessary in punitive actions against the Civil Servant.
- F- That the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 4.4.2016.
- G- That no period has been specified by the respondent No.3 in the impugned order dated 4.4.2016 which is the clear violation of Fundamental Rule-29.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 22.6.2016

**APPELLANT**

*R* *RAJ*

**RAJID ALI**

**THROUGH:**

*N*  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

A-4

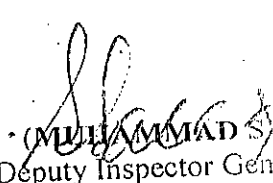
**CHARGE SHEET**

Whereas I am satisfied that formal enquiry as contemplated by Police Rules 1975 is necessary and expedient.


And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4(b) a & b of the aforesaid Rules.

Now therefore as required by Rules 6(1) of the aforesaid Rules, I, **Muhammad Saeed**, Deputy Inspector General of Police, Mardan Region-1, Mardan charge you **ASI Rajid Ali at Police Station Shergarh**, on the basis of statement of allegation attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defense to offer and ex-parte action will be taken against you.

  
(MUHAMMAD SAEED)PSP  
Deputy Inspector General of Police,  
Mardan Region-1, Mardan.

ATTESTED



No. 556/PA.  
dt: 4-3-2016

B-5

DISCIPLINARY ACTION

I, **Muhammad Saeed**, Deputy Inspector General of Police, Mardan Region-1, Mardan as competent authority am of the opinion that SI Hassan Khan has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of Police Rules, 1975.

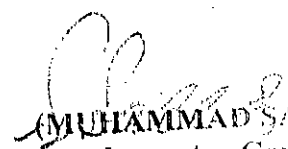
STATEMENT OF ALLEGATIONS

That you, ASI Rajid Ali No.282 while posted as ASI at Police Station Shergarh, have allegedly taken Rs: 4000/- from Zubair Brother of Bacha Khan s/o Amir Khan i/o Jalala involved in case FIR No 100 dated 3-02-2016 u/s 9CNSA PS Shergarh Mardan and has thus tarnished the image of Police Department.


For the purpose of scrutinizing the conduct of the said official with reference to the above allegations, Mr. Shafi Ullah Khan Superintendent of Police Operation Mardan is hereby nominated as enquiry Officer.

The enquiry officers shall in accordance with provision of the Police Rules, 1975 provide reasonable opportunity of hearing to the defaulter Officer, record its findings within 25 days of the receipt of this order, recommendations s to punishment or other appropriate action against the defaulter officer.

ASI Rajid Ali No.282 is directed to appear before the Enquiry Committee on the date, time and place fixed by the Enquiry Officers.

  
(MUHAMMAD SAEED)PSP,  
Deputy Inspector General of Police,  
Mardan Region-1, Mardan.

ATTESTED



6-1

جناب عالی

بحوالہ بشمولہ چارج شیٹ بخاریہ از دفتر جناب DIG صاحب مردان ریج مردان معروفہ خدمت ہوں کہ چارج شیٹ دفتر جناب  
ISP پریشن صاحب سے وصول ہو کر مطالعہ کرنے پر معلوم ہوا کہ میرے خلاف مقدمہ علت 100 جرم 9CCNSA  
تھانہ شیر گڑھ میں ملزم کے بجائی سے 4000 روپے لینے کا الزام ہے۔

جناب عالی

- (1) علاقہ میں عام شکایت تھی کہ باچہ خان ولد امیر خان ساکن برہ شاہ جلالہ منشیات فروشی کا دھندہ کرتا ہے۔ اسی شکایت پر SHO  
صاحب نے اپنی سوز سزا استعمال کر کے مذکورہ سے ٹس فرجیز کیا اور من ASI کو اطلاع دی کہ میں نے باچہ گل مذکورہ سے ٹس  
فرجیز کرائی ہے اس کا معلومات کر کے گرفتار کرے۔ میں حسب القلم اس کے پیچھے لگ گیا۔
- (2) بروز وقوعہ دوران گشت میں مد نظر ہی جائے وقوعہ سے گزر رہے تھے۔ کہ باچہ خان وہاں پر موجود پا کر قابو کر کے جامہ تلاشی لینے پر  
مذکورہ کے قبضے سے چرسے لے کر وزن کرنے پر 1050 گرام نکلی نہ کہہ کو گرفتار کر کے مراسلہ جرم 9CCNSA سال  
تھانہ کیا۔ جس پر مقدمہ علت 100 مورخہ 3/2/016 جرم 9CCNSA تھانہ شیر گڑھ درج رجسٹر ہوا۔ ملزم کو ہمراہ تھانہ لے  
جا کر بحوالہ عد 33 روز تاجی 3/2/016 بند بخواتین تھانہ کر کے مدہم لہان واپس روانہ ہوا۔
- (3) جب ملزم کے گھر والو اور دیگر رشتہ داران کو اس واقعہ کا پتہ چلا تو مختلف سفارشات شروع کئے اور ساتھ ہی مجھے پیسوں کا لالچ  
دے رہا تھا کہ میں یا تو پرچند دیا جرم کی نوعیت کم کر دوں میں نے ان کے سارے ہر بے نام کام کر کے ملزم کے خلاف جرم  
9CCNSA میں مقدمہ درج کیا اس کے بعد ملزم فریق نے مجھے فسانے اور مجھ سے انتقام لینے کیلئے یہ منصوبہ بنایا اور مقدمہ  
کے ایک ماہ بعد میرے خلاف افسران بالا کو شکایت کی۔
- (4) وہ لوگ مجھے اس لئے پیسے کی کوشش میں تھے کہ میں یا تو پرچند دیا جرم کی نوعیت کم کر دوں لیکن میں نے ان کی ایک بھی نہ  
ماندہ ان سے پیسے لی ہے۔ میں نے تو نہ ان کی سفارشات قبول کئے نہ ان سے سوا طے کیا کہ مجھے اتنا پیسے دو تو میں پرچند  
دو لگا جرم کی نوعیت تبدیل کرونگا میں نے وہی کیا جو حقیقت تھا نہ ان لوگوں سے پیسے لی ہے اور نہ کے ساتھ کو ذاتی مال کی ہے  
ملزم فریق نے مجھ سے سفارش اور صحت نہمانے کی وجہ سے مجھے بدنام کرنے اور انتقام لینے کیلئے یہ ایک جھوٹا ذرا منسا کر  
افسران بالا کو میرے خلاف شکایت کی اس میں کوئی حقیقت نہیں ہے یہی میرا بیان ہے۔

ATTESTED

AsiRajidAli/PS/SG

10/03/016

ORDER

D-⑦

This order will dispose of departmental inquiry, which has been conducted against ASI Rajid Khan, on the allegation that he, while posted as I/C PP Akbar Banda at Police Station Sher Garh, was recommended for departmental proceeding on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergoth. He was recommended for departmental action by Deputy Inspector General of Police Mardan Region-I, Mardan vide his order Endorsement No. 1924-25/ES dated 04.03.2016. His this attitude adversely reflected on his performance which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975.

In this connection ASI Rajid Khan, was charge sheeted vide this office No. 110/R, dated 14.03.2016 and also proceeded departmentally through Shemraiz Khan DSP/City Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 195/PA, dated 30.03.2016, as the allegation have been established against him and recommended him for major punishment.

After going through inquiry file and also heard personally the undersigned reached to the conclusion and the alleged ASI Rajid Khan, is hereby reinstated in service from the date of suspension, and reverted to the rank of Head Constable with immediate effect under above rules.

Order announced

O.B No. \_\_\_\_\_

Dated 1/4/2016

(Faisal Shahzad)PSP  
District Police Officer,  
Mardan

No. 2167/21 GB, dated Mardan the 4/4/2016

Copy for information and necessary action to:-

1. The Deputy Inspector of Police Mardan, Region-I, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/HQrs Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

ATTESTED



E-8

FINAL SHOW CAUSE NOTICE

Whereas, you ASI Rajid Ali No. 282, while posted at Police Station, Shergarh, have allegedly taken Rs: 4000/- from one Bakht Munir brother of Bacha Khan s/o Amir Khan r/o Jalala involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh and thus tarnished the image of Police Department.

In this connection, you were proceeded against departmentally through Mr. Shafiullah Khan SP Operations Mardan on the orders of the then Worthy DIG Mardan Region vide his office No. 556/PA dated 04.03.2016, who after fulfilling necessary process, submitted his finding report to the Worthy DIG Mardan Region vide his office letter No. 192/PA dated 28.03.2016, highlighting that the allegations leveled against ASI Rajid Ali have been established with recommending him for major punishment.

On perusal of finding report, the Worthy DIG Mardan Region returned the enquiry papers to this office for further necessary action vide letter No. 738/PA dated 31.03.2016.

Therefore, it is proposed to impose Major/Minor penalty including dismissal as envisaged under Rules 4 (b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Faisal Shahzad (PSP) District Police Officer Mardan, in exercise of the powers vested in me under Rules 5 (3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975, call upon you to Show Cause Finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within 07 days of receipt of this notice, failing which; it will be presumed that you have no explanation to offer.

You are liberty to appear for personal hearing before the undersigned.



(Faisal Shahzad) PSP  
District Police Officer,  
Mardan.

No. 3916 /PA,

Dated 19-04/2016

ATTESTED





Before the Worthy DIG Mardan Range, Mardan.

F-9

Subject: Appeal for Restoration for the Rank of ASI, Reverted  
X-ASI Rajid Khan No: 282 Mardan Police Reverted  
by DPO Mardan Vide O.No: 389 dated 1-4-2016

Respectfully Sheweth:-

FACTS

1. That I inlisted in year of 1996 in Mardan Police. Subsequently after qualifying Intermediate course promoted to the Rank of ASI. I was posted at PS Shergarh. Accd Khan Bacha R/O Jalala was arrested in FIR No 100 dated 3-2-2016 U/S 9 CCNSA, PS Shergarh and recovered one X.G Chars from his possession which were taken in the possession. After one month on 4-3-2016 the brother of the accd Munir alias Zubair moved an application to the DIG Mardan with the concept for taking illegal gratification Rs: 4000/- from him.
2. The applicant recorded statement before X-DIG and the Inquiry papers were sent to DPO Mardan for Inquiry and report DSP City Shamrez Khan was deputed as Inquiry Officer who called the applicant who did not support his previous statement and after completion of Inquiry I was called by DPO Mardan and I was reverted the rank of H.Constable. Hence aggrieved this appeal for restoration of Rank ASI.

ATTESTED



P/2

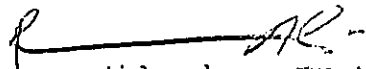
Grounds for Restoration of Rank ASI.

1. That I completed 20 years unblemished service in police force to the satisfaction of my superiors and I have been never convicted or found in such like activities.
2. That due to the conspiracy of some persons of the locality I was blamed.
3. That there is no truth in his complaint as he did not appear to the Inquiry Officer for recording his ~~complaint~~ <sup>Statement</sup> and when a police officer arrest such like persons they make such fictitious stories against police officials.
4. That there is no other stat~~ts~~ to support the allegation except the application.
5. That I have completed long service of 20 years which was totally ignored.
6. That prior to this allegation no other complaint was ever made against me.
7. That I am totally innocent and has been falsly enroped in this false allegation.


So in view of the above facts it is humbly prayed that I may please be restored to the Rank of ASI.

I shall pray for your long life and prosperity.

Obediently

  
H.C. Rajid Khan EX-ASI

Mardan Police

**ATTESTED**  


G- (11) (1)

ORDER.

This order will dispose-off the appeal preferred by Head Constable Rajid Ali of Mardan District Police against the order of District Police Officer, Mardan wherein he was reverted from Officiating ASI to the substantive rank of Head Constable at vide District Police Officer, Mardan OB No. 889 dated 01.04.2016.

Brief facts of the case are that he while posted as I/C PP Akbar Banda at Police Station Shergarh was recommended for departmental proceedings on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh. He was placed under suspension & recommended for departmental action vide this office order endorsement No. 1924-25/ES dated 04.03.2016. This attitude adversely reflected on his performance which is indiscipline act and gross misconduct on his part. In this connection he was charge sheeted and also proceeded departmentally through Deputy Superintendent of Police City, Mardan who after fulfilling necessary process submitted his findings to District Police Officer, Mardan as the allegation have been established against him and recommended him for major punishment. After going through inquiry file and also heard personally. The District Police Officer, Mardan reached to the conclusion and the alleged ASI was reverted to rank of Head Constable.

I have perused the record and heard the appellant in Orderly Room held in this office on 08.06.2016 but he failed to justify his innocence and could not produce any cogent reason about his innocence. Therefore, I Muhammad Tahir 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.

7-21  
(Muhammad Tahir) PSP  
Deputy Inspector General of Police,  
Mardan Region-I, Mardan

No. 5033 /ES, Dated Mardan the 13/06 /2016.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 345/LB dated 27.05.2016. His service record is returned herewith for record in your office.

(\*\*\*\*\*)

**ATTESTED**



VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar  
OF 2016

Rajid Ali (APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Police Department (RESPONDENT)  
(DEFENDANT)

I/We Rajid Ali  
Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, 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 cost. 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.

Dated. \_\_\_/\_\_\_/2016

RAC  
CLIENT

N  
ACCEPTED  
NOOR MOHAMMAD KHATTAK  
(ADVOCATE)

OFFICE:  
Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Phone: 091-2211391  
Mobile No.0345-9383141

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

Service Appeal No. 673/2016

Rajid Ali Ex- ASI No. 282/MR .....Appellant.

**VERSUS.**

District Police Officer, Mardan & others.....Respondents.

**Parawise comments on behalf of respondents.**

**Respectfully Sheweth:**

**PRELIMINARY OBJECTIONS:-**

1. That the appellant has not come to this Honourable Tribunal with clean hands.
2. That the appellant has got no cause of action.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct, by law to bring the instant appeal.
5. That the present appeal is bad in its present form hence not maintainable and liable to be dismissed.
6. That the appeal is bad due to non-joinder of necessary parties and mis-joinder of unnecessary parties.
7. That the instant appeal is barred by law & limitation.

**REPLY ON FACTS.**

1. Pertains to record, hence, no comments.
2. Pertains to record, hence, no comments.
3. Correct, hence, no comments.
4. Correct to the extent of imposing penalty of reduction in rank, however, proper inquiry was conducted as required under rules/law. **Besides**, the appellant was also heard in person by the W/DIG Mardan on 08.08.2016 but he could not defend his guilt. **(Copies of charge sheet, statement of allegation, finding report & final show cause notice are attached as Annexure-A, B & C)**
5. Incorrect. Proper departmental proceedings, as per rules, had been initiated. However, the impugned date pointed out in the Final Show Cause Notice could be a clerical mistake. Hence, denied.
6. Incorrect. The appellant has rightly been punished under rules/law and his appeal was rejected on valid grounds by the departmental-appellate forum. **(Copies of appeal rejection order attached as Annexure-D)**
7. Incorrect. The instant appeal holds no grounds to stand on in this Honorable Tribunal.

**REPLY ON GROUNDS.**

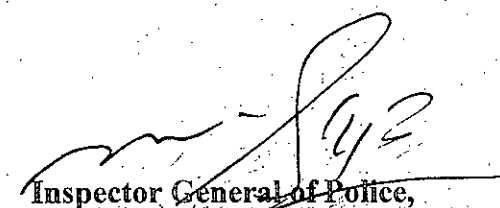
- A. Incorrect. The impugned orders are in accordance with facts, law, norms of natural justice and material on record, hence, tenable in the eyes of law.
- B. Incorrect and baseless. The appellant has been treated as per rules/law and there is no violation of articles 4 & 25 of the constitution of Islamic Republic of Pakistan, 1973.
- C. Incorrect. All codal formalities has been complied with.
- D. Incorrect. The appellant was called upon and heard in person by the W/DIG Mardan on 08.06.2016 but failed to defend himself thereat.
- E. Incorrect. Proper inquiry was conducted as per directions of the Apex Courts.
- F. Incorrect & baseless, hence, denied. Detail reply has been given in above paras.

G. Incorrect. The impugned orders are in accordance with rules/law.

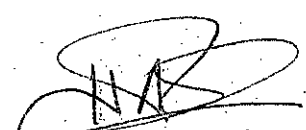
H. The respondents also seek permission of the Honourable Tribunal to advance grounds, if any, at the time of arguments.

PRAYER:-

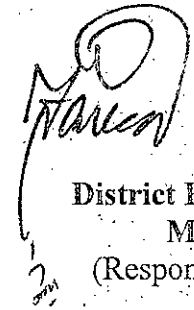
It is, therefore, requested that the appeal of appellant, being devoid of merits, may be dismissed with costs.



**Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.**  
(Respondent No. 01)



**Dy: Inspector General of Police,  
Mardan Region-I, Mardan.**  
(Respondent No. 02)



**District Police Officer,  
Mardan.**  
(Respondent No. 03)

بیان دلفی

طابق علی 1306 / ح 6  
حصہ نمبر سرورال DSB

میں اور فونٹن و واصل کے ساتھ، اندازہ کرنا ہے۔ کہ میں نے کسی  
۱۰۰۰ روپے کے اندر، سائن نمبر ۱۰۰۰ کے ساتھ، اس میں دلفی ہے  
میں سائن نمبر ۱۰۰۰ کے ساتھ، ۱۰۰۰ روپے کے ساتھ، اس میں دلفی ہے

*[Handwritten signature]*

۲۵۲۵۲۵ ۲۵۲۵۲۵ ۲۵۲۵۲۵

اندازہ کرنا ہے، سائن نمبر ۱۰۰۰ کے ساتھ، اس میں دلفی ہے





ORDER

ASI Rajid Ali No. 282 of Mardan District Police (presently posted as I/C Police Post Akbar Banda Police Station Shergarh) is hereby placed under suspension and closed to Police Lines, Mardan with immediate effect, on account of taking illegal gratification of Rs. 4000/- from Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA Police Station Shergarh.

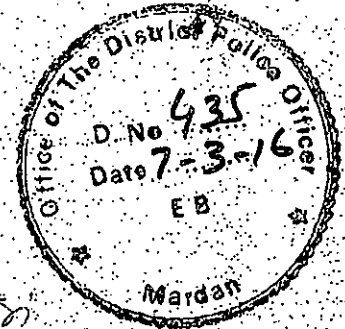
(MUHAMMAD SAJJAD) PSP  
Deputy Inspector General of Police,  
Mardan Region-I, Mardan.

No. 1924-25/ES, Dated Mardan the 04-03-2016.

Copy forwarded for information and necessary action to the:-

1. District Police Officer, Mardan.
2. PA to Region Office, Mardan to issue Charge Sheet and Statement of allegations to the delinquent official.

(\*\*\*\*\*)



585  
-3-16

OB/SC/PA  
for my  
M  
DO: [Signature]

Handwritten signature at the bottom of the page.

**OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN**

No. 110 /R/D.A-P.R-1975.

Dated 14-03-2016

**DISCIPLINARY ACTION UNDER KPK POLICE RULES – 1975**

I, **Faisal Shahzad** District Police Officer, Mardan as competent authority am of the opinion that **ASI Rajid Ali No. 282**, rendered himself liable to be proceeded against as he committed the following acts/omission within the meaning of section-02 (iii) of KPK Police Rules 1975.

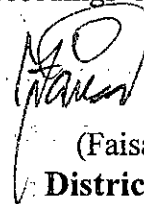
**STATEMENT OF ALLEGATIONS**

That **ASI Rajid Ali No. 282**, while posted as I/C Police Post Akbar Banda Police Station Shergarh is recommended for departmental proceeding on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh. He is recommended for departmental action by Deputy Inspector General of Police Mardan Region-I, Mardan vide his order Endorsement No. 1924-25//ES dated 04.03.2016.

2. For the purpose of scrutinizing the conduct of the said official with reference to the above allegations **Shamraiz Khan DSP/City Mardan** is appointed as Enquiry Officer.

3. The enquiry officer shall conduct proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record its findings and make within twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4. The accused officer shall join the proceedings on the date, time and place fixed by the Enquiry Officer.



(Faisal Shahzad) PSP  
District Police Officer,  
Mardan

**OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN**

No. \_\_\_\_\_ /R, dated Mardan the \_\_\_\_\_ /2016.

**Copy of above is forwarded to the:**

1. DSP/City Mardan for initiating proceedings against the accused official / Officer namely **ASI Rajid Ali No. 282**, under Police Rules, 1975.
2. **ASI Rajid Ali No. 282**, with the directions to appear before the Enquiry Officer on the date, time and place fixed by the enquiry officer for the purpose of enquiry proceedings.

## CHARGE SHEET UNDER KPK POLICE RULES 1975

I, **Faisal Shahzad** District Police Officer, Mardan as competent authority hereby charge you **ASI Rajid Ali No. 282**, as follows.

That you ASI, while posted as I/C Police Post Akbar Banda Police Station Shergarh are recommended for departmental proceeding on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh. You are recommended for departmental action by Deputy Inspector General of Police Mardan Region-I, Mardan vide his order Endorsement No. 1924-25//ES dated 04.03.2016.

This amounts to grave misconduct on your part, warranting departmental action against you, as defined in section - 6 (1) (a) of the KPK Police Rules 1975.

1. By reason of the above, you appear to be guilty of misconduct under section - 02 (iii) of the KPK Police Rules 1975 and has rendered yourself liable to all or any of the penalties as specified in section - 04 (i) a & b of the said Rules.
2. You are therefore, directed to submit your written defense **within seven days** of the receipt of this charge sheet to the enquiry officer.
3. Your written defence if any, should reach to the enquiry officer within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, an ex-parte action shall follow against you.
4. Intimate whether you desired to be heard in persons.



(Faisal Shahzad) PSP  
**District Police Officer,  
Mardan.**

بیان آزان آری رسیدنی خان فرزند کجا سرگز و طلال سید لاری  
نے بدریافت بیان کیا کہ  
صواب عالی

بوالہ بحول خارج نیٹ جاریہ از دفتر جناب DPO

معرض خدمت ہوں کہ میں نے جو ملاکہ میں نے کیا کیا  
علاقہ میں عوام شکایت تھی کہ باجوہ خان ولد امیر خان سکریٹری  
شکایت فروری کے دفعہ کرتا ہے۔

اسی شکایت پر جناب ڈی پی او نے ایسا سوریسٹ اسٹال کیا  
مذکورہ سے ریشی فریڈینر کے من اول کو اطلاع دیا کہ میں  
نے اب اول کے بیٹا میں میں باجوہ خان نامی شخص سے جس  
فریڈینر کے فریڈینر کا ہے اس کی معلومات کے کے کے کے

بہ روز عقود ہوں 2 3/16 دوران گت بمقام راستہ روزہ  
بہ سہاہ علاقہ ملائی صورتاً جو کہ جامہ تلاشی لینے کے لئے  
کے قبضہ سے جس کے برآمد ہوئے اور نے یہ 10/10 گرام لکلی

جس کے قبضہ سے برآمد ہوئے اور نے یہ 10/10 گرام لکلی  
کو صفا پٹا گشتار کے مزاج علم 9ccmsa 1 بیان کیا گیا  
جس پر مقدمہ 100 ہوں 3/16 2 9ccmsa درج دھیر ہوا

تقاضا کیا۔  
جب اس واقعہ کا پتہ ملا کہ بہادران، ریڈر سٹہ داران کو علاقہ  
مذکورہ میں نے طرح طرح کی بھی سفارشات شروع کر کے کہ

ملا کہ طرف مقدمہ درج نہ رہے یا اگر مقدمہ درج کرنا صورتاً  
کی نوعیتاً کم رہے، مگر من اول نے ان کی ایسا نہ مانا اور  
صفت تھا اس کے مطابق صفا بجا کارروائی کی۔

جس پر ملا کہ بہادران، ریڈر سٹہ داران نے صفا بجا کارروائی کی۔  
کارروائی کے بعد میں بھینتا اور  
اور تقریباً مقدمہ درج کرنے کے 10 ماہ بعد مذکورہ میں نے صفا  
حلف دیا اس ساری کے وقت اس کے باا کو شکایت کی  
مجھے ملا کہ طالی سے وہ لینے کے لئے 11/11

اس میں کوئی حقیقت نہیں ہے اور یہ سچ ہے ان سے پیسے لے کر

ان سے پیسے لینے سے تو پھر ان کو کہتے ہیں کہ وہ ان کی فوجیت کم کر دیتا۔

ملازم فریق نے مقدمہ کے 10 ماہ بعد ان کے لئے ایک حکایت کی ہے جو بالکل صحیح ثابت ہو چکی ہے۔

المہ رقم 24/96

Asi

24-3-10

Asi رائے علی مرتضیٰ بخاری شیرازہ حال سندھ لاہور

0345-9343571

From: The Deputy Superintendent of Police,  
City Circle.

To: The District Police Officer,  
Mardan.

No 1305 /S, dated Mardan the 28/03/2016.

Subject: DEPARTMENTAL ENQUIRY OF ASI RAJID ALI KHAN NO.282  
POLICE STATION SHER GARH.

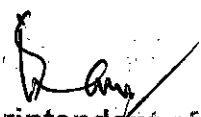
Memo:

Kindly refer to your Worthy Office Dairy No. 110/R dated 14-3-2016 on the subject noted above.

It is submitted that the above mentioned ASI was summoned to the office of undersigned where his statement was recorded. It was noted that the subject enquiry was marked by worthy Deputy Inspector General of Police Mardan Region-I, Mardan vide his office diary No.556/PA dated 4-3-2016 to worthy Superintendent of Police Operation/ Head Quarters. Copy attached.

It is therefore requested if agreed the subject enquiry may please be sent to worthy superintendent of Police Operation / Head Quarters for necessary action.

Submitted Please

  
Deputy Superintendent of Police  
City Circle Mardan.

No 28/R.  
30.3.16



OFFICE OF THE  
SUPERINTENDENT OF POLICE  
OPERATIONS & HEADQUARTERS,  
MARDAN.

No. 192/PA, Ops. dated 28/3 /2016.

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

Subject: **DEPARTMENTAL ENQUIRY.**

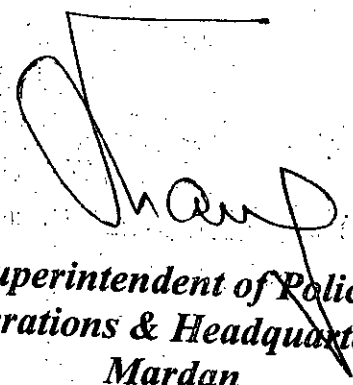
Memo:

Kindly refer to your officer Endst: No. 556/ PA, dated 04.03.2016.

Kindly find enclosed here with finding in departmental enquiry against

ASI Rajid Ali for further Necessary action, please.

(Encl: 28 Pages)

  
Superintendent of Police,  
Operations & Headquarters,  
Mardan

## FINDINGS:

This denovo departmental enquiry conducted against ASI Rajid Ali Khan in accordance with provision of Police disciplinary Rules 1975, on the below mentioned charges:

- I. "That ASI Rajid Ali No. 282, while posted as ASI at Police Station Sher Garh, have allegedly taken Rs. 4000/- from Munair Brother of Bacha Khan s/o Amir Khan r/o Jalala involved in case FIR No. 100 dated 03.02.2016 u/s 9CCNSA PS Sher Garh Mardan and has thus tarnished the image of Police Department".
- II. On the Basis of said charges, the ASI was issued charge sheet with statement of allegations vide Worthy DIG office endorsement No. 556/PA dated 04.03.2016, and the enquiry was marked to the undersigned.
  - i. On receipt of the enquiry papers the alleged official was summoned and a copy of charge sheet was delivered to him, who submitted reply to it. (Which is placed on the enquiry file as Mark "A")
  - ii. All relevant officials and individuals were summoned and heard in person.
  - iii. Statements of the complainant and witnesses produced by him are enclosed as Mark "B".
  - iv. Statements of the alleged and other relevant officials are enclosed as Mark "C".
  - v. Shaukat (witness) was contacted on his Cell No. 0343- 9187745.
  - vi. Relevant record also requisitioned which is placed on enquiry file as Mark "D"
- III. From the statements and record it was found that:
  - SI Perviz Khan SHO Sher Garh made test purchase from Bacha Khan Son of Amir Khan r/o Jalala Sher Garh through HC Tariq No. 1306 of DSB Mardan and the DSB HC further used Muhammad Ishaq Cell No. 0315-9924336 for the purpose.
  - On 02.02.2016 at 10/11:00 hrs, HC Niaz Ali No. 1400 of PP Akbar Banda accompanied by one Shaukat, both were in civvies, brought the complainant / accused to PS Sher Garh hand him over to the alleged ASI although no recovery of Drugs was made from the accused complainant.

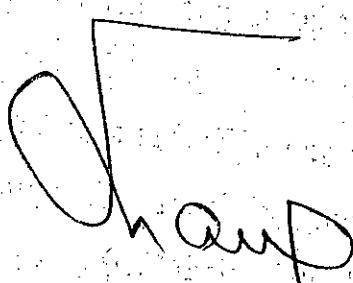


- The alleged ASI registered a proper case vide FIR No. 100 dated 03.02.2016 u/s 9CCNSA PS Sher Garh against the complainant accused.
- After registration of the case, the alleged ASI received Rs. 4000/- as illegal gratification from the complainant / accused. The complainant/ accused also produced video recording regarding receiving the money which could not be rebutted by the alleged ASI. (CD disk of the Video is enclosed as Mark "E")

**CONCLUSION / RECOMMENDATIONS.**

From statements and Video recording produced by the complainant, the allegations mentioned in the charge sheet plus statement of allegations against ASI Rajid Ali stand established. Hence, he is recommended for major punishment.

Finding report is submitted, please.

  
**Superintendent of Police  
Operations & Headquarters  
Mardan**

*M. J. Khan*

*Revert June*

*M*

ORDER

This order will dispose of departmental inquiry, which has been conducted against ASI Rajid Khan, on the allegation that he, while posted as I/C PP Akbar Banda at Police Station Sher Garh, was recommended for departmental proceeding on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh. He was recommended for departmental action by Deputy Inspector General of Police Mardan Region-I, Mardan vide his order Endorsement No. 1924-25//ES dated 04.03.2016. His this attitude adversely reflected on his performance which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975.

In this connection ASI Rajid Khan, was charge sheeted vide this office No. 110/R, dated 14.03.2016 and also proceeded departmentally through Shamraiz Khan DSP/City Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 195/PA, dated 30.03.2016, as the allegation have been established against him and recommended him for major punishment.

After going through inquiry file and also heard personally the undersigned reached to the conclusion and the alleged ASI Rajid Khan, is hereby reinstated in service from the date of suspension, and reverted to the rank of Head Constable with immediate effect under above rules.

*Order announced*

O.B No. 889

Dated 1 / 4 / 2016



(Faisal Shahzad)PSP  
District Police Officer,  
Mardan

No. 216770/GB, dated Mardan the 4-4 /2016

Copy for information and necessary action to:-

1. The Deputy Inspector of Police Mardan, Region-I, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/HQrs Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

No. 556/PA.  
dt: 4-3-2016

**DISCIPLINARY ACTION**

I, **Muhammad Saeed**, Deputy Inspector General of Police, Mardan Region-I, Mardan as competent authority am of the opinion that SI Hassan Khan has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of Police Rules, 1975.

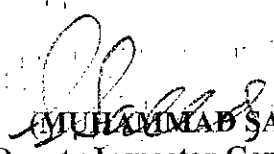
**STATEMENT OF ALLEGATIONS**

That you, ASI Rajid Ali No.282 while posted as ASI at Police Station Shergarh, have allegedly taken Rs: 4000/- from Zubair Brother of Bacha Khan s/o Amir Khan r/o Jalala involved in case FIR No 100 dated 3-02-2016 u/s 9CNSA PS Shergarh Mardan and has thus tarnished the image of Police Department.

For the purpose of scrutinizing the conduct of the said official with reference to the above allegations, **Mr. Shafi Ullah Khan Superintendent of Police Operation Mardan** is hereby nominated as enquiry Officer.

The enquiry officers shall in accordance with provision of the Police Rules, 1975 provide reasonable opportunity of hearing to the defaulter Officer, record its findings within 25 days of the receipt of this order, recommendations s to punishment or other appropriate action against the defaulter officer.

ASI Rajid Ali No.282 is directed to appear before the Enquiry Committee on the date, time and place fixed by the Enquiry Officers.

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

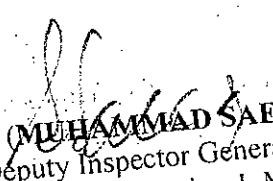
**CHARGE SHEET**

Whereas I am satisfied that formal enquiry as contemplated by Police Rules 1975 is necessary and expedient.

And whereas I am of the view that the allegations if established would call for Major/Minor penalty as defined in Rules 4(b) a & b of the aforesaid Rules.

Now therefore as required by Rules 6(1) of the aforesaid Rules, I, **Muhammad Saeed**, Deputy Inspector General of Police, Mardan Region-1, Mardan charge you **ASI Rajid Ali at Police Station Shergarh**, on the basis of statement of allegation attached to this charge sheet.

In case your reply is not received within seven days without sufficient cause it will be presumed that you have no defense to offer and ex-parte action will be taken against you.

  
**(MUHAMMAD SAEED)PSP**  
Deputy Inspector General of Police,  
Mardan Region-1, Mardan.

11/11/23

Handwritten signature/initials at the top right.

جناب عالی

بجوالہ ٹیمبولہ چارج شیٹ بجاریا ز دفتر جناب DIG صاحب مردان شیخ مردان معروفی خدمات یوں کہ چارج شیٹ دفتر جناب  
SP پر پیش صاحب سے حاصل ہو کر ملا کر کے پر معلوم ہوا کہ میرے خلاف مقدمہ عدالت 100/2/2016 CCNSA  
تھانہ شیر گڑھ میں ملزم کے بھائی سے 4000 روپے لینے کا الزام ہے۔

12

جناب عالی

(1) علاقہ میں عام شکایت تھی کہ باچہ خان ولد امیر خان ساکن برہہ شاہ جلالہ تقیات فروشی کا دھندہ کرتا ہے اسی شکایت پر 10/1/17  
صاحب نے اپنی سوریز استعمال کر کے ذکوعہ سے ٹیس فریج کیا اور من ASI کا اطلاع دی کہ میں نے باچہ خان کے گھر سے اس  
فریج کرائی ہے اس کا حصول کر کے گرفتار کر کے جس حسب اہم اس کے پیچھے لگ گیا۔

(2) برہہ ذکوعہ دوران گشت میں مد نظر ی جائے وقوعہ سے گزر رہے تھے کہ باچہ خان وہاں پر موجود پا کر قابو کر کے چاند لگائی پتھر  
ذکوعہ کے قبضے سے چسپاں کر کے وزن کرنے پر 1050 گرام ٹیلی ذکوعہ گرفتار کر کے اس طرح 100/2/2016 CCNSA  
تھانہ کیا جس پر مقدمہ عدالت 100 سورہ 3/2/016 CCNSA تھانہ شیر گڑھ عدالت رجسٹر ہوا۔ ملزم کو سزا سنائی  
جا کر بحالہ 33 روز تاچہ 3/2/016 بند بخوات تھانہ کر کے مدد میرا ان واپس روانہ ہوا۔

(3) جب ملزم کے گروالو اور دیگر رشہ داران کو اس واقعہ کا پتہ چلا تو مختلف مقامات شروع کئے اور ساتھ ہی مجھے خبروں کا  
دے رہا تھا کہ میں یا تو پر چند دیا جرم کی نوعیت کم کر دو میں نے ان کے سارے ہر بیٹا کام کر کے ملزم کے خلاف ملزم  
9CCNSA میں مقدمہ منع کیا اس کے بعد ملزم فریق نے مجھے سنا ہے اور مجھ سے انتقام لینے کیلئے یہ مشورہ دیا  
کے ایک ماہ بعد میرے خلاف افسران بالا کو شکایت کی۔

(4) لوگ مجھے اس لئے پیدہ کیے کی کوشش میں تھے کہ میں یا تو پر چند دیا جرم کی نوعیت کم کر دو میں نے ان کی ایک  
مانہ اونہ ان سے پیسے کی تونہ ان کی سفارشات قبول کئے نہ ان سے سوراٹے کیا کہ مجھے اٹکا پیسہ تو کئی روپے  
دو لگایا جرم کی نوعیت تبدیل کر دیا میں نے وہی کیا جو حقیقت تھانہ ان لوگوں سے پیسے کی جاننے کے ساتھ کئی لوگوں  
ملزم فریق نے مجھ سے سفارش برداشت نہانے کی وجہ سے مجھے بدنام کرنے اور انتقام لینے کیلئے ایک مشورہ دیا کہ  
افسران بالا کو میرے خلاف شکایت کی اس میں کوئی حقیقت نہیں ہے یہی میرا بیان ہے۔

Handwritten signature: P. A.

Asi Rajda WPS/SG Police liaison

10/03/016

### بیان اذعان پرویز SHO قلعہ شہر گڑھ

(26)

بیان کیا گیا۔ تم میں خود 10/12 سے قلعہ شہر گڑھ میں  
 ڈیوٹی سرنگام کے رہا ہوں۔ قلعہ 3/16 کو راجدھانی A  
 باقی خانہ ولد افسرانہ اساطیل کے قلم سے دوسرا نمبر 1050  
 تک برکھنڈ قلم لیا گیا۔ طبع کو گرفتار کرنے کے لیے  
 نوے 3-2-16 صبح 9 صبح SHO قلعہ شہر گڑھ میں  
 قلم میں 15 کے تقریباً تک طبع حالانکہ عملات کیا جا کر  
 SHO نے حالانکہ نقل دیا گیا ہے۔

علاوہ ازیں طبع باقی خانہ سے طرف Hz DSB  
 فرجنڈ ہو گیا تھا۔ مذکورہ قلمیات فروخت کیے۔ اس کے  
 سبب وہ سبب ہے۔ یہاں یہاں ہے۔ قلم درست ہے۔

SHO PS-54  
 24-3-2016

افسر شہر گڑھ میاں علی احمد صاحب  
 افسر شہر گڑھ میاں علی احمد صاحب

۱۔ بیان کیا کہ میرا وہی بیان ہے جو میرے چارے چارے  
کے جواب میں تفصیل سے لکھا تو میرا کیا ہے۔ اسی  
درست ہے۔ میں اس میں کوئی کمی بیشی نہیں کرتا ہوں

(16)

\_\_\_\_\_

۲۔ کیا علاج سے جوخ میں جرس مر آتا ہے؟

ج۔ ہاں۔ میں نے علاج سے جوخ میں جرس مر آتا ہے جو میں نے ۱۵۵۰  
میں اور حسب شرط مر اس میں لکھا ہے میرا لکھنا میں نے جوخ میں لکھا ہے

۳۔ کیا علاج سے ریح کا نفاذ کیا جا سکتا ہے؟

ج۔ ہاں۔ اگر علاج سے ریح کا نفاذ کیا جا سکتا ہے جوخ میں لکھا ہے  
بارگاہ ریح کو کیا تھا۔ میں نے اس کے خلاف لکھا ہے اور نفاذ کیا جا سکتا ہے

۴۔ درخواست کیا کہ میں نے لکھا ہے کہ ریح سے اس کے نفاذ کے لیے اس کے  
آب میں خیر کے درمیان میں لکھا ہے کہ ریح سے اس کے نفاذ کے لیے اس کے  
آب میں خیر کے درمیان میں لکھا ہے کہ ریح سے اس کے نفاذ کے لیے اس کے

۵۔ میں نے درخواست کیا کہ ریح سے اس کے نفاذ کے لیے اس کے  
\_\_\_\_\_

کئی وقت سے جو سب ملنے سے آگے ہو رہے ہیں اور وہی سوچ رہے ہیں  
 مہنگی کپڑے پہن کر گھر سے باہر آئے ہیں۔

P — A E

۱۔ یہ لوگوں کے کہنے سے ہے اس بارے میں اس وقت سے  
 ۲۔ اس وقت سے کہہ رہے ہیں۔ اس بارے میں اس وقت سے

P — A E



بیان ابراہیم نیا زعلی 1400 1400  
۲۲

بیان کیا کہ میں نے باجر خان کے چچا اور بھائی کو کیا تھا۔ کہ باجر خان کو  
سنبھالو۔ کہ وہ میری فریاد کا دھندہ چھوڑ دے۔ ایسا چھوڑنا ہے۔  
اگر نہیں کرتا ہے۔ تو نہیں ہے۔ اگر کرتا ہے۔ کہ یہ کام چھوڑ دے۔  
4/5 میں نے بعد میں ابراہیم خان اس کا یہ سے کلب میں ڈیڑھ گھنٹہ تھا۔ کہ اس  
دوران ایک بولس والہ آیا۔ اور باجر خان کو بلکرایا۔ کہ باجر خان  
کے بھائی کے پاس آج کا ویڈیو ہے۔ پھر میں نے ہانک کر ڈیڑھ گھنٹہ  
کہ وہ مطمئن ہو جائے۔ مگر یہ سچ اور کل مجھے رہا رہا ہے۔  
اس مسئلہ میں بیان دینے کیلئے اطلاع دی۔ حیا حکم دیا کہ یہ بیان  
مگدوی باقی ہے جس میں بارہ میں ڈیڑھ گھنٹہ معلومات ہیں ہے

18

22-3-2016

1. آپ جو کی اس بارہ میں کب سے لکھتے ہیں؟  
2. تقریباً 9 ماہ سے

3. علاج اور فیکٹس کیا ہیں؟  
2. تقریباً 1/2 لکھتے ہیں۔

4. صحت خرابی کے مسئلہ میں اطلاع اور فیکٹس کے مسئلہ میں صحت خرابی کے

5. معلومات جو کہ اس کا مددگار بنانا چاہتا ہے۔ کہ آپ کا یہ ہے؟  
2. میں کہتا ہوں۔

6. آپ کے ذاتی مسائل کو حل کرنے کے لئے کیا ہے؟  
2. میں کہتا ہوں۔

بیم ایک اور شخص سے ملتا ہے جس سے یہ سب ثابت ہوتا ہے۔  
 ایک شخص کو لیا گیا ہے جس کی طبیعت کھلی ہوئی ہے۔ ان کو آپ کو ملے گا۔  
 یہ سب کچھ ہے۔ اگر آپ کو ملے گا۔ اور ان کو ملے گا۔

(19)

۱۰۔ میں ان سب حالات و واقعات سے بہ فریب ہوں۔ تاہم میں یہ درجہ رکھتا ہوں  
 کے حجاز دار سے سستی سے یہ حالت ہے۔ آج کے حجاز دار کی طرف سے یہ حالت ہے۔  
 جس کی کوئی اور بھی ہے۔ ان کو منع کر دیا۔ اس وقت میری طرف سے یہ حالت ہے۔  
 میں ان حالت اور بھی ہی موجود ہے۔ تاہم یہ سب حالت یہ حالت ہے۔  
 حجاز دار سے ملے گا۔

۱۱۔ یہ سب درجہ رکھتا ہے۔ ان کو منع کر دیا۔ اس وقت میری طرف سے یہ حالت ہے۔

۱۲۔ راجحان کے لئے یہ سب درجہ رکھتا ہے۔ ان کو منع کر دیا۔ اس وقت میری طرف سے یہ حالت ہے۔  
 اگر یہ سب ملے گا۔

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بیان ان کے بارے میں اور ان کے بارے میں

نے طبعاً بیان کیا ہے جسے  $\frac{52}{2016}$  کو صورت دینا

میں ایک لٹریچر جو کہ پوری ہی ہے یہ سب سے پہلے

فہم کی اس کتاب کے بارے میں میرے لیے

ساز علی کا لکرا گیا ہے۔ آپ کا پتہ ہے۔ ساز علی

سے طبعاً ہے۔ کوئی چیز اگر بنا دے

آکر ساز علی کا لکرا گیا ہے۔ یہ

میں آپ کو ملک کرنا ہے۔ مزید کہ

میں تم سے ملنے کے لیے

ایک وقت مدد کرنا چاہتا ہوں

میرے حسی نام سے ہے۔

میں ان کے بارے میں

میں ان کے بارے میں

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میں ان کے بارے میں

500 سے زیادہ رقم جمع کروانے سے پہلے اس کا اہل حق کارکنوں  
 کو اطلاع دینا ضروری ہے۔ لیکن اس کا واحد آئی ڈی کے نام سے  
 سے پہلے اس کا اہل حق کارکنوں۔ اور رقم 6000 روپے کے ساتھ  
 3000 اس وقت اس رقم سے اس کے ساتھ ساتھ اس کے ساتھ  
 کے ساتھ ساتھ اس رقم سے اس کے ساتھ ساتھ اس کے ساتھ  
 سے اس رقم 5000 روپے کے ساتھ ساتھ اس کے ساتھ ساتھ  
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الحمد لله  
 رقم 16102-6881450-1  
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بیان ازالہ ذلت سے پہلے اور ظلم کے بعد اور اس کے بعد

۲۰۱۶ء میں بیان کیا کہ مرحلہ ۵ ۵۲-۵۲ کو تحت میں

ظلم، زیادتی اور ظلم کے بعد اور اس کے بعد

کے بعد اور اس کے بعد اور اس کے بعد

اس وقت وہ بیوی کے لئے اور اس کے بعد

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اسے عداوت کا فریضہ ہے جسے میں نے اپنے اہل خانہ اور اہل وطن سے

کے نام پر 1000 روپے لے کر - مزید کیا ہے سہرا ہائی کر لیت ہمارا کیا ہے

ہا۔ اور ان کے ساتھ ہی رہتا ہوں۔ یہ ہے سہرا لیت ہمارا کیا ہے

9 نومبر 2016ء کو تمام کے دست مبارک علی علی نے سہرا لیت ہمارا کیا ہے

جسے میں نے اپنے چوروں کو لے کر لیا ہے ان کو سہرا لیت ہمارا کیا ہے

خود کھینچ لیا ہے۔ اور اسے 10/15 روپے لے کر لیا ہے اور صاف

کے خاطر آکر گیا کہ ایسا ہائی ہے کبھی حد فتح کروں گا۔ اور

اس کا علاج ہی نہیں ہے۔ کیونکہ میں نے ہار سیکر کی ہے اور

ناخن پھرنے کا ان کو کیا ہے۔ ان کے رولنگ ٹوپی اہل خانہ کا

سہرا لیت ہمارا کیا ہے، سب سے پہلے سہرا لیت ہمارا کیا ہے

یہ اسم جو موجود ہے اور دیکھنا ہمارا کیا ہے کہ کیا ہے



4000 روپے جو اب اس کا نام ہے اسے

اس کے فریضے ہیں۔ ہاں اس کے ہاتھ ہے؟

ہج - اس کا نام اس کے ہاتھ ہے - اور میں اسے سہرا لیت ہمارا کیا ہے

(27)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔

(28)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

(29)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

(30)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

(31)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

(32)

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

علی خان

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
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9913038-16101 CNTR

21-08-2018

علی خان کو امریکہ میں رہنا چاہیے اور وہاں رہ کر اپنی زندگی گزارے۔  
وہاں جا کر اپنی زندگی گزارے۔

23

بہاؤ الدین صاحب مدظلہ العالی

29

میرے ہاؤس کے بارے میں  
اجراء و تدبیریں کیجئے، ہر قسم کی  
راہنمائی اور سہولتیں فراہم کیجئے

- 1) باہر سے لوگوں کو
- 2) سہولتیں فراہم
- 3) سہولتیں فراہم
- 4) سہولتیں فراہم
- 5) سہولتیں فراہم
- 6) سہولتیں فراہم
- 7) سہولتیں فراہم
- 8) سہولتیں فراہم
- 9) سہولتیں فراہم
- 10) سہولتیں فراہم

باہر سے لوگوں کو

21-08-2016

بہاؤ الدین صاحب مدظلہ العالی



1- دہلی میں ایک نئی سڑک بنائی جائے گی۔ اس سڑک کے نام پر ایک نیا علاقہ بنایا جائے گا۔  
 2- اس علاقہ کے لوگوں کو سب سے پہلے نوکریاں دی جائیں گی۔  
 3- اس علاقہ کے لوگوں کو سب سے پہلے نوکریاں دی جائیں گی۔  
 4- اس علاقہ کے لوگوں کو سب سے پہلے نوکریاں دی جائیں گی۔

محمد سعید  
 چیف ایگزیکٹو آفیسر

MOB: 0347-9080598  
 CNR: 1102-1172327-1  
 21-03-2016

ہاں ان کا نام ہے اور ان کے بارے میں

2 خطا ہاں کیا ہے اور ان کے بارے میں

QANSA سے ملنے والے کاپیوں کے بارے میں

تفصیلات دینی ہیں۔ یہ کاپیوں کے بارے میں

تاریخ 2005 میں ڈاکٹر نیاز علی نے ان کے بارے میں

کے بارے میں ہم سے پوچھا۔ اس وقت میں نے ان کے بارے میں

کوئی کچھ نہیں لکھا تھا۔ اس وقت میں نے ان کے بارے میں

کوئی کچھ نہیں لکھا تھا۔ اس وقت میں نے ان کے بارے میں

یہ کاپیوں کے بارے میں جو ڈاکٹر نیاز علی نے ان کے بارے میں

ہم سے ملنے والے کاپیوں کے بارے میں ان کے بارے میں

میں نے ان کے بارے میں ان کے بارے میں ان کے بارے میں

ان کے بارے میں ان کے بارے میں ان کے بارے میں

ان کے بارے میں ان کے بارے میں ان کے بارے میں

Phonic 18102-4845493-9

FINAL SHOW CAUSE NOTICE

2

Whereas, you ASI Rajid Ali No. 282, while posted at Police Station, Shergarh, have allegedly taken Rs: 4000/- from one Bakht Munir brother of Bacha Khan s/o Amir Khan r/o Jalala involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh and thus tarnished the image of Police Department.

In this connection, you were proceeded against departmentally through Mr. Shafiullah Khan SP Operations Mardan on the orders of the then Worthy DIG Mardan Region vide his office No. 556/PA dated 04.03.2016, who after fulfilling necessary process, submitted his finding report to the Worthy DIG Mardan Region vide his office letter No. 192/PA dated 28.03.2016, highlighting that the allegations leveled against ASI Rajid Ali have been established with recommending him for major punishment.

On perusal of finding report, the Worthy DIG Mardan Region returned the enquiry papers to this office for further necessary action vide letter No. 738/PA dated 31.03.2016.

Therefore, it is proposed to impose Major/Minor penalty including dismissal as envisaged under Rules 4 (b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I Faisal Shahzad (PSP) District Police Officer Mardan, in exercise of the powers vested in me under Rules 5 (3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975, call upon you to Show Cause Finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within 07 days of receipt of this notice, failing which; it will be presumed that you have no explanation to offer.

You are liberty to appear for personal hearing before the undersigned.

  
(Faisal Shahzad) PSP  
District Police Officer,

Mardan.

No. 79/16 /PA,

Dated 19-04/2016

28

صواب عالی

15

فائلہ سٹیولک سٹوکارز نوٹس نمبر 3916 PA

گزارہ از دفتر صواب DPB - نوٹس نمبر


مذمت ہوں کہ اس انکوائری رپورٹ میں

4/16 کہ اردلی روم میں صاب طلبی بنا گیا

ہو گیا ہے۔ کوشا ہو کر DPB نے تحقیق

سزا سنتی کی ہے۔ نقل صحرا لے

سٹوکارز نوٹس و افسر دفتر کے نام سے

  
S. H. Khan  
16-10-16

Filed

DPD/MON

FMC

11

**ORDER.**

This order will dispose-off the appeal preferred by Head Constable Rajid Ali of Mardan District Police against the order of District Police Officer, Mardan wherein he was reverted from Officiating ASI to the substantive rank of Head Constable at vide District Police Officer, Mardan OB No. 889 dated 01.04.2016.

Brief facts of the case are that he while posted as I/C PP Akbar Banda at Police Station Shergarh was recommended for departmental proceedings on account of taking illegal gratification of Rs. 4000/- from one Zubair brother of Bacha Khan, involved in case FIR No. 100 dated 03.02.2016 u/s 9CNSA PS Shergarh. He was placed under suspension & recommended for departmental action vide this office order endorsement No. 1924-25/ES dated 04.03.2016. This attitude adversely reflected on his performance which is indiscipline act and gross misconduct on his part. In this connection he was charge sheeted and also proceeded departmentally through Deputy Superintendent of Police City, Mardan who after fulfilling necessary process submitted his findings to District Police Officer, Mardan as the allegation have been established against him and recommended him for major punishment. After going through inquiry file and also heard personally. The District Police Officer, Mardan reached to the conclusion and the alleged ASI was reverted to rank of Head Constable.

I have perused the record and heard the appellant in Orderly Room held in this office on 08.06.2016 but he failed to justify his innocence and could not produce any cogent reason about his innocence. Therefore, I Muhammad Tahir 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.

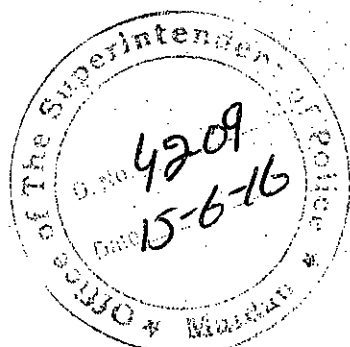
ORDER ANNOUNCED.

7-21  
(Muhammad Tahir) PSP  
Deputy Inspector General of Police,  
Mardan Region-I, Mardan

No. 5033 /ES, Dated Mardan the 13/06 /2016.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 345/LB dated 27.05.2016. His service record is returned herewith for record in your office.

(\*\*\*\*\*)



OB  
/insp. Legal / EC/OAS  
For m/s  
M  
DPo, Mardan