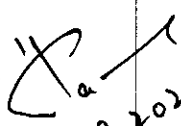


Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	04.03.2020	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>At Camp Court, Swat.</u> Service Appeal No. 954/2019</p> <p style="text-align: center;">Date of Institution 27.07.2019 Date of Decision 04.03.2020</p> <p>Taimoor Khan son of Muhammad Gul, resident of Shawkalay Koper, Tehsil Dargai, District Malakand (Ex-Constable no.1680).</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <ol style="list-style-type: none"> 1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar. 2. Regional Police Officer Malakand Range-III at Saidu Sharif Swat. 3. District Police Officer Swat at Gulkada Swat. 4. Additional S.P Swat. <p style="text-align: right;">Respondents</p> <p>Mr. Muhammad Hamid Mughal-----Member(J) Mr. Hussain Shah -----Member(E)</p> <p style="text-align: center;"><u>JUDGMENT</u> <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Khawas Khan S.I (Legal) present.</p> <p>2. The appellant (Ex-Constable) has filed the present service appeal against the order dated 09.05.2019 whereby the appellant was awarded major punishment of dismissal from service and against the order dated 16.07.2019 of the appellate authority through which the departmental appeal filed by the appellant was regretted/filed.</p>


4.3.2020

3. Learned counsel for the appellant argued that the appellant was recruited as Constable in the Police Department; that the appellant was dismissed from service vide order dated 15.02.2018 and his departmental appeal against the order of dismissal dated 15.02.2018 was also filed however consequent upon the judgment dated 05.03.2019 in Service Appeal No.968/2018 filed by the appellant he was reinstated in service for the purpose of de-novo departmental inquiry; that the de-novo departmental inquiry was entrusted to Additional S.P Swat who after conducting one sided inquiry, submitted his finding report. Further argued that the appellant was again dismissed from service vide the impugned order dated 09.05.2019 without affording him opportunity of hearing; that feeling aggrieved against the impugned order dated 09.05.2019 the appellant filed departmental appeal however the same was also filed, hence the present service appeal. Further argued that impugned orders are against law and norms of justice; that no proper opportunity of defense was given to the appellant; that the appellant was not treated in accordance with law and rules on the subject; that the impugned orders were passed in flagrant violation of law and are tainted with malafide intention.

4. As against that learned District Attorney argued that the appellant has not come to this Tribunal with clean hands; that the appellant was dismissed from service on the charges of developing illicit relations with women ; that the directions of this Tribunal were complied with by reinstating the appellant for de-novo inquiry;

4.3.2020

that the requirement of law was fully observed before the issuance of the impugned order; that charge sheet/statement of allegation was issued; that the inquiry officer has verified the charges of illicit relations with married women and dealing in narcotics; that the appellant was provided all the opportunities of personal hearing and self-defense; that the allegation leveled against the appellant was fully established during the course of inquiry; that the appellant was treated in accordance with law and after observing all the codal formalities, he was awarded punishment.

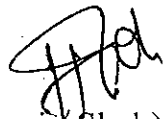
5. Arguments heard. File perused.

6. On the allegations of illicit relations, Show Cause Notice was served upon the appellant followed by order dated 15.02.2018 of dismissal from service. Service Appeal filed there against by the appellant was accepted and the appellant was reinstated in service with the direction to the respondents to conduct proper inquiry. Consequent upon the judgment of this Tribunal dated 05.03.2019 in Service Appeal No.968/2018 charge sheet/statement of allegation was issued to the appellant on the allegation that he was transferred and posted to Police Station Kalam on complaint basis after developing illicit relations with a girl in Asharay locality; that after some time, he was posted as DFC Police Post Dewlai by using external influence and in the same area he developed illicit relation with another girl (married one) and he was in the practice of frequently visiting her house and persuading her to get divorce from her husband.

4.3.2020

7. The competent authority appointed Additional S.P Swat as inquiry officer. The appellant was associated with the inquiry proceeding. The inquiry officer submitted his report wherein he gave findings against the appellant. The appellate authority also personally heard the appellant. Learned counsel for the appellant could not demonstrate that the finding report submitted by the inquiry officer is arbitrary or actuated with malice. With their joint comments, the respondents also annexed complaint of the S.H.O Police Station Shah Dheri and report of Incharge DSB Swat against the appellant. The technical questions raised by learned counsel for the appellant are not found sufficient for setting aside the impugned orders.

8. In view of the facts and circumstances of the case, this Tribunal is of the considered opinion that the impugned orders do not call for any interference. Consequently the present service appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.



(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member
Camp Court, Swat.


ANNOUNCED

04.03.2020

02.03.2020

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Khawas Khan S.I (Legal) present. Arguments heard. To come up for order on 04.03.2020 before D.B at Camp Court, Swat.


Member.

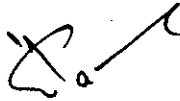

Member
Camp Court, Swat.

04.03.2020

Learned counsel for the appellant, Mr. Usman Ghani learned District Attorney alongwith Khawas Khan S.I (Legal) present.

Vide separate judgment of today of this Tribunal placed on file, the present service appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

ANNOUNCED.
04.03.2020

04.11.2019

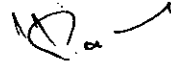
Appellant alongwith his counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Mir Faraz, DSP (Legal) for the respondents present. Written reply on behalf of respondents not submitted. Representative of the respondents requested for adjournment. Adjourned to 03.12.2019 for written reply/comments before S.B at Camp Court Swat.



(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

03.12.2019

Appellant in person present. Written reply on behalf of respondents not submitted. Khawas Khan S.I (Legal) representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 06.01.2020 before S.B at Camp Court, Swat.



Member
Camp Court, Swat

06.01.2020

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Mir Faraz, DSP (Legal) for the respondents present. Representative of the department submitted para-wise reply. The same is placed on record. Case to come up for rejoinder, if any, and arguments on 02.03.2020 before D.B at Camp Court Swat.



(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

04.09.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Constable) has filed the present service appeal against the order dated 09.05.2019 whereby he was awarded major punishment of dismissal from service. The appellant has also assailed the order dated 16.07.2019 through which his departmental appeal against the punishment of dismissal from service was filed. As per impugned orders the appellant was in the practice of establishing illicit relations with the girls in the areas of his posting and he was also bringing Charas to Shah Dheri illegally and selling the same to notorious drug seller. Learned counsel for the appellant contended inter alia that legal requirements were not observed prior to the issuance of punishment order.

Points raised urged consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 04.11.2019 before S.B at Camp Court, Swat.

Appellant Deposited
Security & Process Fee

18/9/19



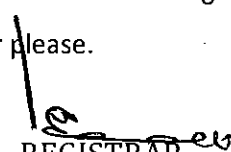

Member
Camp Court, Swat

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 954/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/07/2019	<p>The appeal of Mr. Taimoor Khan presented today by Mr. Shabir Ahmed Khan 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;">  REGISTRAR 24/7/19 </p>
2-	20/08/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>20/09/19</u>. At Camp Courts Swat.</p> <p style="text-align: right;">  CHAIRMAN </p>

BEFORE SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA AT PESHAWAR

Service Appeal no 954 2019

Taimoor Khan Versus Provincial Police Officer and others

SERVICE APPEAL

INDEX

S.no	Description	Annexure	Page no
1	Memo of Appeal		1-4
2	Affidavit		5
3	Addresses of parties		6
4	Copy of order/judgment of reinstatement dated 5-3-2109.	"A"	7-10
5	Copy of Charge sheet	"B"	11-12
6	Copy of Findings report of EO	"C"	13
7	Copy of dismissal order of Respondent No.3 dated 9-5-19 along with Better Copy	"D"	14-15
8	copy of departmental appeal	"E"	16-20
9	Copy of order of Respondent No.2 dated 16-7-2019 along with better copy	"F"	21-22
10	Wakalat Nama		23

Taimoor
Appellant

Through Council

Shabir Ahmad Khan
Shabir Ahmad Khan (Dawlat Khel)

Advocate High Court

Office address:

Hamza Law chamber, Near Azad Medicine

Company post office road Mingora Swat.

Cell: 0341-566-6363 /0333-949-9466

I

BEFORE SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA AT PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal no 954 2019

Diary No. 1034
Dated 24/7/19

Taimoor Khan S/O Muhammad Gul R/O Shawkalay Koper,
Tehsil Dargai, District Mlakand (Ex-Constable No.1680)
.....(Appellanat)

Versus

1. Provincial Police Officer Khyber Pakhtunkhwa at CPO Peshawar
2. Regional police Officer Malakand Range-III at Saidu Sharif Swat.
3. District Police Officer Swat at Gul Kada Swat.
4. Additional SP Swat.....(Respondents)

SERVICE APPEAL U/S 4 OF THE KHYBER
PUNKHWA SERVICE TRIBUNAL ACT,1974
AGAINST THE IMPUGNED ORDER OF
RESPONDENT NO 3 DATED 9/5/2019, WHEREBY
THE RESPONDENT NO 3 DISMISSED THE
APPELLANT FROM SERVICE ,AGRIEVED FROM
THE SAID ORDER THE APPELLANT PREFERRED
A DEPARTMENTAL APPEAL BUT THE SAME
WAS ALSO FILLED BY THE RESPONDENTS NO 2

Filed to-day
Registrar
24/7/19

Respectfully sheweth:

Facts arising to the present appeal as under:

- 1) That the appellant was initially recruited as a constable into police department but later on 15-2-2018 the appellant was dismissed from service.

- 2) That aggrieved from the above said order a departmental appeal was preferred and was also filled ,then the appellant filled service appeal which was accepted by this honorable tribunal and the appellant was reinstated into service vide order /judgment dated 5-3-2019.(Attested copy of order/Judgment is Annexed as Annexure "A")

- 3) That in the said order/judgment this honorable tribunal directed the respondents to conduct proper Enquiry under police rules 1975 within a period of 90 days and the back benefit would be subject to denovo-enquiry.

- 4) That the appellant was reinstated into service as per the said order/judgment and a Charge sheet Vide No. 17/PA dated 8-4-2019 was issued to the appellant.(Copy of Charge Sheet is annexed as Annexure "B")

- 5) That the enquiry was entrusted into Additional SP Swat for Denovo enquiry and Enquiry officer after conducting enquiry submitted his findings report. (Copy of Findings report of the EO is annexed as annexure "C").

- 6) That on the basis of findings report of the enquiry officer the respondent No.3 without giving any opportunity of hearing second time dismissed the appellant from service.(Copy of order of dismissal is Annexed as Annexure "D")

- 7) That aggrieved from the order of respondent No.3 the appellant preferred a departmental appeal which was also filled by the respondent No.2(Copy departmental appeal is annexed as annexure "E" and copy of the order of Respondent No.2 is Annexed as annexure "F")

8) That aggrieved from the orders of respondents the present appeal is submitted on the following grounds before this honorable tribunal.

Grounds:-

- a) That the enquiry was entrusted to Additional SP Swat for Denovo enquiry but the enquiry officer ran one way traffic and made a dishonest and baseless improvements in his findings report which clearly shows the malafide intention and biasness of the enquiry officer as well as the other respondents.
- b) That no proper opportunity of being fairly hearing was given to the appellant by respondents and the appellant has been illegally dismissed from service by the respondents which is against the law, service rules and norms of justice.
- c) That the allegations leveled against the appellant are baseless, frivolous, and not sustainable and untenable under the law and rules on the subject.
- d) That the universal canon of natural justice have been set aside and no ample opportunity of presenting the delinquent stance /version has been given to the appellant.
- e) That the impugned order is unreasonable ,arbitrary and is liable to be set aside.
- f) That the appellant was not treated accordance with law and rules on the subject and the impugned order has been passed away in flagrant violation of law and rules

tainted with mala-fide intention and is therefore not sustainable and is liable to be set aside.

g) That the other important points will be raised during the course of arguments with the kind permission of this honorable court.

Therefore, it is humbly prayed that
That by acceptance of the instant
Service appeal the impugned
Order of respondents may kindly
Be set aside and the appellant may
Kindly be reinstated into service
With all back benefits.

Any other relief which may appropriate
In the circumstances may also be
Awarded to the appellant not specifically
Prayed for.

Appellant *Tase*
Through counsel *Shabir*
Shabir Ahmad Khan (Dawlat khel)
Advocate High Court

(5)

BEFORE SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA AT PESHAWAR

Service Appeal no _____ 2019

Taimoor Khan

Versus

Provincial Police Officer and others

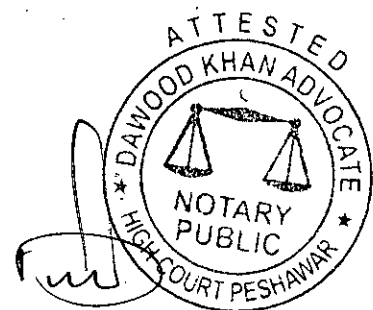
SERVICE APPEAL

Affidavit

I Taimoor khan (Ex-Constable No.1680) district Swat do hereby states on oath that all the contents of the instant Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this honorable tribunal.

Taimoor Khan

Deponet
Taimoor khan



24 JUL 2019

6

BEFORE SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA AT PESHAWAR

Service Appeal no _____ 2019

Taimoor Khan

Versus

Provincial Police Officer and others

SERVICE APPEAL

Memo of Adresses

Addresses of the appellant:

Taimoor Khan S/O Muhammad Gul R/O Shawkalay Koper,
Tehsil Dargai, District Mlakand (Ex-Constable No.1680)

Addresses of respondents:

1. Provincial Police Officer Khyber Pakhtunkhwa at CPO
Peshawar
2. Regional police Officer Malakand Range-III at saidu
Sharif Swat.
- 3) District Police Officer Swat at Gul Kada Swat
- 4) Additional SP Swat at Saidu sharif swat.

Taimoor Khan

Appellanat Taimoor Khan

Through Counsel

Shabir Ahmad Khan (Dawlat kheel)

Advocate High Court

Annexure
A

(1)

7

BEFORE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR



Service Appeal No. 968 of 2018

Taimoor Khan S/o Muhammad Gul R/o Shawkalay R/o
Koper, Tehsil Dargai, District Malakand (Ex-constable
No. 1680)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1234
...Appellants

Dated 6/8/2018

VERSUS

1. Inspector General of Police Khyber Pakhtunkhwa at Peshawar
2. Regional Police Officer Malakand Range - III at Saidu Sharif Swat.
3. District Police Officer Swat.

.....Respondents

SERVICE APPEAL U/S 4 OF THE KPK SERVICE
TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED
ORDER OF RESPONDENT NO. 3 DATED 15/02/2018,
WHEREBY APPELLANT WAS DISMISSED FROM
SERVICE WITH IMMEDIATE EFFECT AGAINST
WHICH APPELLANT FILED DEPARTMENTAL
APPEAL ON 17/02/2018 WHICH WAS ALSO FILED BY
RESPONDENT NO. 2 THEN THE APPELLANT
PREFERRED AN APPLICATION TO THE REVIEW
COMMITTEE OF RESPONDENT NO. 1 BUT THE
SAME WAS ALSO REJECTED BY REVIEW

6/8/18

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT SWAT.

Service Appeal No. 968/2018

Date of Institution ... 06.08.2018

Date of Decision ... 05.03.2019



Taimoor Khan S/o Muhammad Gul R/o Shawkalay R/o Koper, Tehsil Dargai,
District Malakand (Ex-constable no. 1680). ... (Appellant)

VERSUS

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

MR. SHABIR AHMAD KHAN,
Advocate

For appellant.

MIAN AMIR QADAR,
District Attorney

For respondents

MR. AHMAD HASSAN,
MR. HAMID FAROOQ DURRANI

MEMBER (Executive)
CHAIRMAN


JUDGMENT

AHMAD HASSAN, MEMBER:- Arguments of the learned counsel for the
parties heard and record perused.

ARGUMENTS.

2. Learned counsel for the appellant argued that on the basis of a complaint received from SDPO, a show cause notice was served on him and thereafter major penalty of dismissal from service was awarded vide impugned order dated 15.02.2018. He preferred departmental appeal which was dismissed on 24.04.2018 followed by review petition under Rule-11(A) of Police Rules 1975 and was also turned down vide order dated 31.07.2018, hence, the instant service appeal. Though charges leveled against the appellant were frivolous and baseless but for the purpose

ATTESTED


CHAIRMAN
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

of ensuring justice, proper enquiry was required to be conducted. In the present circumstances, the appellant was condemned unheard.

3. Learned District Attorney argued that the appellant was found guilty of having illicit relations with a girl and was proceeded under Police Rules 1975. Major punishment was awarded to him after observance of codal formalities.


CONCLUSION.

4. We would like to first highlight that the allegations of illicit relations with a local girl were leveled against the appellant in a report of SDPO and resultant show cause notice was served under Sub-rule-3 of Rule-5 of Police Rules 1975 on 01.02.2018. However, copy of the said complaint is not annexed with the parwise comments of the respondents. In these circumstances, it is really difficult for this Tribunal to give any clear findings on the veracity/contents of the above reference. We are also unable to comprehend as to what abtained the respondents from holding formal enquiry. Perusal of the show cause notice further revealed that no reason has been recorded for dispensing with regular enquiry. As major penalty was awarded to the appellant so the principle of natural justice supported by numerous judgments of the superior courts demanded that for the proper dispensation of justice regular/^{inquiry}should have been conducted in the case in hand. Action taken by the respondents appeared to be harsh, arbitrary and against the laid down procedure.

5. As a sequel to above, the appeal is accepted, the impugned order dated 15.02.2018 and 31.07.2018 are set aside and the appellant is reinstated in service.

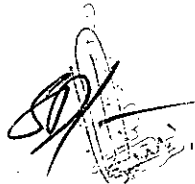
The respondents are directed to conduct proper enquiry under the Police Rules 1975

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

10

within a period of ninety days from the date of receipt of this judgment. The issue of back benefits shall be subject to the outcome of the de-novo enquiry. Parties are left to bear their own costs. File be consigned to the record room.




(HAMID FAROOQ DURRANI)
Chairman

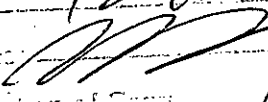


(AHMAD HASSAN)
Member
Camp court Swat

ANNOUNCED

05.03.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application	18-03-19
Number of Words	1600
Copying Fee	10-00
Urgent	2-00
Total	12-00
Name of Copyist	
Date of Copying of Copy	18-03-19
Date of Delivery of Copy	18-03-19

Amor

B

CHARGE SHEET

I, Syed Ashfaq Anwar, PSP District Police Officer, Swat being competent authority, hereby charge you, Constable Taimoor No. 1680 while posted as DFC Police Station Shah Dherai as follows:-

You committed the following act/acts, which is/are gross misconduct on your part as defined in Rules 2 (iii) of Police Disciplinary Rules 1975 with amendments 2014 vide Notification No.3859/Legal, dated 27-08-2014 of the General of Police, Khyber Pakhtunkhwa, Peshawar.

You were transferred and posted to Police Station Kalam on complaint basis after developing illicit relations with a girl in Asharay locality. After sometimes you were posted as DFC Police Post Dewlai by using external influence. In the same area you developed illicit relation with yet another girl (married one). You were in the practice of frequently visiting her house and persuading her to get divorce from her husband. You were proceeded against departmentally and subsequently dismissed from service vide this office OB No. 27, dated 15-02-2018. In compliance of the Honorable Service Tribunal Peshawar Judgment in appeal No. 968/2018 you are provisionally re-instated for the purpose of denove departmental enquiry. You are therefore issued this Charge Sheet and statement of allegations.

2. By reasons of the above, you appear to be guilty of misconduct and rendered yourself liable to all or any of penalties specified in Rule-4 of the Disciplinary Rules 1975.

3. You are, therefore, required to submit your written reply within seven (07) days of the receipt of this Charge Sheet to the Enquiry officer.

4. Your written reply, 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 in that case ex-parte action shall follow against you.

5. Intimate as to whether you desire to be heard in person or not.

6. A statement of allegations is enclosed.

No. 17 /PA,

Dated: 08.04 /2019.

District Police Officer
Swat

Attested to be True Copy
Siddiq
Siddiq Ahmad Khan (Bawlat Khat)
Advocate High Court
& Federal Shariat Court

SHO. PS. 5/2005/2

19

DISCIPLINARY ACTION

1. **Syed Ashfaq Anwar, PSP District Police Officer, Swat** being competent authority, is of the opinion that he **Constable Taimoor No. 1680** while posted as **DFC Police Station Shah Dherai** has rendered himself liable to be proceeded against departmentally as he has committed the following acts/omissions as defined in Rule 2 (iii) of Police Rules 1975 with amendments 2014 vide Notification No.3859/Legal, dated 27-08-2014 of the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, as per Provincial Assembly of Khyber Pakhtunkhwa Notification No. PA/Khyber Pakhtunkhwa/ Bills/ 2011/44905 dated 16/09/2011 and C.P.O, K.P.K Peshawar Memo: No. 3037-62/Legal, dated 19/11/2011.

STATEMENT OF ALLEGATIONS

It has been reported that he while posted as **DFC Police Station Shah Dherai** committed the following act / acts, which is / are gross misconduct on his part as defined in Rules 2 (iii) of Police Rules 1975.

He was transferred and posted to Police Station Kalam on complaint basis after developing illicit relations with a girl in Asharay locality. After sometimes he was posted as DFC Police Post Devlai by using external influence. In the same area he developed illicit relations with yet another girl (married one). He was in the practice of frequently visiting her house and persuading her to get divorce from her husband. He was proceeded against departmentally and subsequently dismissed from service vide this office OB No. 27, dated 15-02-2018. In compliance of the Honorable Service Tribunal Peshawar Judgment in appeal No. 968/2018 you are provisionally re-instated for the purpose of denove departmental enquiry.

2. For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, **Add: SP Swat** 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 officer and submit his findings immediately.

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

District Police Officer
Swat

No. 17 /PA, Dated Gulkada the, 08.04 2019.

Copies of above to:-

1. **Add: SP Swat** for initiating proceeding against the accused Officer/Official namely **Constable Taimoor No. 1680** under Police Rules, 1975.
2. **Constable Taimoor No. 1680**

With the direction to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer for the purpose of enquiry proceeding.

Attested to be True Copy

Shabir Ahmad Khan (Dawlat Khel)
Advocate High Court
& Federal Shariat Court

Amex
C



از دفتر ایڈیشنل سپرنٹنڈنٹ آف پولیس
ضلع سوات

فون نمبر 0946-9240253

Email: additionalspswat@gmail.com

فائینڈنگ رپورٹ

برخلاف تیمور کانسٹیبل نمبر 1680 متعینہ پولیس لائن کبل سوات

الزامات: کانسٹیبل تیمور نمبر 1680 پر الزام ہے کہ اس نے بمقام اثاڑے شاہ ڈھیرنی ایک لڑکی کے ساتھ ناجائز تعلقات استوار کر کے اس شکایت پر وہ تھانہ کلام تبدیل ہو کر بعدہ ذاتی اثر سوخ کے خاطر وہ بحیثیت DFC چوکی دیولہی تعینات ہو کر جہاں پر اس نے دوسری شادی شدہ عورت کے ساتھ ناجائز تعلقات استوار کر کے ان کے گھر آنا جانا کرتا تھا اور اسے اپنے شوہر سے طلاق لینے پر اکساتا۔ ان الزامات کے خاطر جناب DPO صاحب سوات نے الزام علیہ کانسٹیبل کو چارج شیٹ نمبری PA/17 جاری کر کے من ایڈیشنل SP کو انکو ایئرڈ ایفیسر ہفت روزہ کے حکم صادر فرمایا۔

تحقیق: انکو ایئرڈ ہذا کے سلسلہ میں تحقیقات و معائنات ہو کر پایا گیا کہ الزام علیہ کانسٹیبل جو درگنی کا رہنما ہے دوران تعیناتی بحیثیت DFC تھانہ شاہ ڈھیرنی گھر خود سے بواہی بھاری مقدار میں چرس لا کر دیہہ شاہ ڈھیرنی میں بذریعہ صاحب جان ولد محمد علی خان بدنام زمانہ منشیات فروش فروخت کرواتا تھا۔ اس نسبت مذکورہ کے خلاف DSB انچارج نے باقاعدہ سوس رپورٹ مرتب کیا جس کا تصدیق SHO تھانہ شاہ ڈھیرنی نے کی ہے۔ اس طرح مذکورہ الزام علیہ کانسٹیبل کا سخی حمید اللہ ساکن شاہ ڈھیرنی کے ساتھ دوستانہ تعلقات تھے جب وہ روزگار کے سلسلہ میں بیرون ملک سعودی عرب چلا گیا تو الزام علیہ نے اس کے بیوی کے ساتھ ناجائز تعلقات استوار کئے اور متعدد بار اس کے گھر بسواری موٹر سائیکل آتے جاتے ہوئے دیکھا گیا ہے۔ اس سلسلہ میں دیہہ شاہ ڈھیرنی جا کر عوام الناس کے ان الزامات کی تصدیق کی لیکن الزام علیہ محکمہ پولیس میں ہونے کی وجہ سے کوئی بھی تحریری بیان دینے کو تیار نہیں ہے۔

نتیجہ تحقیق: انکو ایئرڈ ہذا سے پایا جاتا ہے کہ کانسٹیبل تیمور نمبر 1680 پولیس لائن ذیل تین سنگین غلطیوں کا شکار ہوا ہے۔

- 01- دیہہ خود درگنی سے منشیات از قسم چرس کی سنگٹنگ کرتا۔
- 02- دیہہ شاہ ڈھیرنی میں بدنام زمانہ منشیات فروش صاحب جان ولد محمد علی خان کے ذریعے وہی چرس فروخت کرتا تھا۔
- 03- مختلف مقامات پر لڑکیوں (عورتوں) کے ساتھ ناجائز تعلقات استوار کر کے، طلاق لینے پر انہیں اکساتا اور ان کے گھر آتا جاتا جو کہ محکمہ پولیس کی بدنامی کا باعث ہے رپورٹ عرض ہے۔

Dismissed from Service

خان خلیل
ایڈیشنل ایس بی سوات
15 اپریل 2019ء

Attested to be True Copy
Shabir Ahmad Khan (Dawlat Kbel)
Advocate High Court
& Federal Shariat Court

18/2/19

Attested to be a true copy

Notary Public for the State of New York
My Commission Expires on _____
Notary Public for the State of New York

Annex

D

ole

14

ORDER

This order will dispose of Denove Departmental enquiry against Constable Taimoor No. 1680 (re-instated in service for the purpose of Denove Departmental Enquiry). He while posted as DFC Police Station Shah Dherai was alleged of gross misconduct as it was reported that he was transferred and posted to Police Station Kalam on complaint basis after developing illicit relations with a girl in Asharray locality. After sometime he was posted as DFC Police Post Dewlai by using external influence. In the same area he developed illicit relations with yet another girl (married one). He was in the practice of visiting her house and persuading her to get divorce from her husband.

He was proceeded against departmentally and subsequently dismissed from service vide this office OB No. 27 dated 15-02-2018. In compliance of the Honorable Service Tribunal Peshawar judgment in Service Appeal No. 968/2018, he was provisionally reinstated for the purpose of denove departmental enquiry.

He was issued a charge sheet and statement of allegations vide this office No. 17/PA, dated 08-04-2019 and Addl: SP Swat was directed to carry out denove departmental enquiry against the provisionally reinstated Constable. The Enquiry Officer after carrying out the needful reported that apart from keeping illicit relations with various girls, the Constable under enquiry was also in the practice of bringing "charas" to Shah Dherai locality. The Enquiry Officer held the delinquent Constable guilty of gross misconduct.

The Constable under enquiry was in the practice of establishing illicit relations with girls in the areas of his posting which is against discipline and unbecoming of a Police Officer. He was also bringing charas to Shah Dherai locality and selling the same to a notorious drug seller namely Sahib Jan which is a blatant violation of discipline. By doing so the Constable under discussion has brought a bad name for Police Department. His conduct is detrimental to discipline and his further retention in Police is bound to negatively influence attitude of other personnel of the Force. His further retention in Police will also facilitate him to commit wrongdoings and evade law by using Police uniform. Hence, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules - 1975, I Syed Ashfaq Anwar, PSP, District Police Officer, Swat being competent authority, am constrained to again award him major punishment of dismissal from service.

Order announced.

Attested to be True Copy

Shabir Ahmad Khan (Dawlat Khan)
Advocate High Court
& Federal Shariat Court

District Police Officer
Swat

O.B. No. 77
Dated: 9-5-19

Copy to:-

1. AIG/Legal with reference to CPO Peshawar Memo: No. 1649/Legal, dated 28-03-2019 please.
 2. Establishment Clerk
 3. OSI
- For necessary action, please.

BETTER COPY

ORDER:

This order will dispose of Denove departmental enquiry against Constable Taimoor No.1680 (re-instated in service for the purpose of Denove Departmental enquiry). He while posted at DFC police station Shah Dherai was alleged of gross misconduct as it was reported that he was transferred and posted to police station kalam on complaint basis after developing illicit relation with a girl in Asharray locality. After some he was posted as DFC police post Dewlai by using external influence. In the same area he developed illicit relations with yet another girl (married one). He was in the practice of visiting her house and persuading her to get divorce from her husband.

He was proceeded against departmentally and subsequently dismissed from service vide this office OB No.27 dated: 15-02-2018. In compliance of the honorable Tribunal Peshawar judgment in service appeal No.668/2018. He was provisionally reinstated for the purpose of Denove Departmental enquiry.

He was issued a charge sheet and statements of allegations while this office No. 17/PA, dated 08-04-2019 and Addl: SP Swat was directed to carry out denove departmental enquiry against the provisionally reinstated constable. The enquiry officer after carrying out the needful reported that apart from keeping illicit relation with various girls, the constable under enquiry was also in the practice of bringing "charas" to Shah Dherai locality. The enquiry officer held that the delinquent Constable guilty of gross misconduct.

The Constable under enquiry was in the practice of establishing illicit relations with girls in the areas of his posting which is against discipline and unbecoming of a notorious drug seller namely Sahib jan which is a blatant violation of discipline .by doing soup the constable under discussion his brought a bad name for police department. His conduct is detrimental to discipline and his further retention in police is bound to negatively influence attitude of other personnel of the force. His further retention in police will also facilitate him to commit wrongdoings and evade law by using police uniform. Hence, in exercise of the powers vested in the undersigned under Rules 2 (iii) of police Disciplinary Rules 1975, I Syed Ashfaq Anwar, PSP, District Police Officer, Swat being competent authority, am constrained to again to award him major punishment of dismissal from service

Order announced

SD

District police officer

Swat

O.B No. 77

Dated 9-5-2019

Copy to:

- 1) AIG/legal with reference to CPO Peshawar Memo No. 1649/Legal,dated 28-3-2019 please.
 - 2) Establishment Clerk
 - 3) OSI
- For Necessary action,please

Attested to be True Copy
Shahid Ali
 Shariat Khelt
 Advocate High Court
 & Federal Shariat Court

16

Annex
E

**BEFORE REGIONAL POLICE OFFICER
MALAKAND RANGE III AT SAIDU SHARIF,
DISTRICT SWAT**

Departmental Appeal No. _____ of 2019

Taimoor Khan

VERSUS

District Police Officer Swat

DEPARTMENTAL APPEAL

INDEX

S.No.	Descriptions	Annexure	Page No.
1.	Memo of Departmental Appeal		1-4
2.	Copy of re-instatement	"A"	5-9
3.	Copy of arrival report	"B"	10
4.	Copy of show cause notice, finding report and impugned order dated 09/05/2019	"C", "D", "E"	11-13
5.	Copy of CNIC of appellant		14

Taimoor Khan S/o Muhammad
Gul R/o Shawkalay Koper, Tehsil
Dargai, District Swat
(Ex. Constable No. 1680 newly
allotted No. 1257)

Dated: 14/05/2019

Attested to be True Copy

Shahid
Shahid Ahmad Khan (Dawlat Khan)
Advocate High Court
& Federal Shariat Court

17

BEFORE REGIONAL POLICE OFFICER
MALAKAND RANGE III AT SAIDU SHARIF,
DISTRICT SWAT

Departmental Appeal No. _____ of 2019

Taimoor Khan S/o Muhammad Gul R/o Shawkalay R/o
Koper, Tehsil Dargai, District Malakand (Ex-constable
No. 1680 newly allotted no. 1257)

...Appellant

VERSUS

District Police Officer Swat at Gulkada, Swat

.....Respondent

DEPARTMENTAL APPEAL AGAINST THE
IMPUGNED ORDER DATED 09/05/2019 OF DISTRICT
POLICE OFFICER, SWAT.

Respectfully Sheweth:

Facts arising to the present departmental appeal are as
under;

- 1) That appellant was initially recruited in police
department on 15/12/2008 as Constable, but
later on, on 01/01/2018 a Show cause notice vide
no. 71/PA was issued to the appellant and after
conducting enquiry the appellant was
dismissed from service by respondent,
whereby, later on the appellant was re-instated

Attested to be True Copy
Shahir
Shahir Ahmad Khan (Dawlat Khet)
Advocate High Court
& Federal Shariat Court

in compliance of Honorable Service Tribunal Peshawar judgment dated 05/03/2019 in appeal No. 968/2018 into service for the purpose of denove enquiry with immediate effect. (Copy of re-instatement is attached herewith as annexure "A")

- 2) That on 03/04/2019, the appellant made arrival report at JIS Police Line, Swat. (Copy of arrival report is annexed herewith as annexure "B")
- 3) That on 08/04/2019, a charge sheet No. 17/PA was issued to the appellant and after conducting enquiry on the recommendation of the enquiry office respondent without giving opportunity to the appellant, the appellant was condemned unheard and straight away dismissed the appellant again from service. (Copy of notice, finding report and impugned order dated 09/05/2019 are attached herewith as annexure "C, D & E" respectively)
- 4) That no proper opportunity of being fairly heard, was given to appellant by respondent and illegally dismissed the appellant from

Attested to be True Copy
Shahid
Shahid Ahmad Khan (Dawat Khel)
Advocate High Court
& Federal Shariat Court

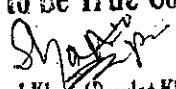
service which is against law and service rules and norms of natural justice.

- 5) That the order of respondent is illegal, so the impugned order of respondent may kindly be set aside and the appellant may be re-instated into service. Furthermore, back benefits may also be given to the appellant.

Hence the present departmental appeal is submitted on the following amongst other grounds.

GROUND:-

- i. That the allegations leveled against the appellant are baseless, frivolous and not sustainable and untenable under the law and rules on the subject.
- ii. That neither proper inquiry of the appellant was conducted nor proper opportunity of hearing was given to the appellant.
- iii. That the universal cannon of natural justice have been set aside and no ample opportunity of presenting the delinquent stance / version has been given.

Attested to be True Copy

 Shabir Ahmad Khan (Dawlat Khel)
 Advocate High Court
 & Federal Shariat Court

iv. The impugned order is unreasonable, arbitrary and is liable to be set aside.

It is therefore, humbly prayed that on acceptance of this service appeal, the impugned order of respondent may graciously be set aside and appellant may be reinstated in service with all back benefits.

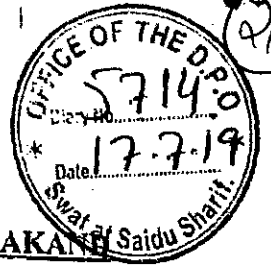
Taimoor Khan S/o Muhammadi Gul
R/o Shawkalay Koper, Tehsil Dargai,
District Malakand (Ex-Constable No
1680 newly allotted No. 1257).

Dated: 14/05/2019

Attested to be True Copy
Shahir
Shahir Ahmad Khan (Dawlat Khet)
Advocate High Court
& Federal Shariat Court

AWMOK

F



OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND AT SAIDU SHARIF SWAT.

Ph: 0946-9240381-88 & Fax No. 0946-9240390
Email: digmalakand@yahoo.com

ORDER:

This order will dispose off appeal of Ex-Constable Timur No. 1680/1257 of Swat for reinstatement in service.

Brief facts of the case are that Ex-Constable Timur No. 1680/1257 while posted as LFC Police Station Shah Dherai was alleged of gross misconduct as he had developed illicit relations with a girl in Asharray locality. Consequently he was transferred and posted to Police Station Kalam on complaint. However, after sometime he managed to get posted himself as DFC PP Dewlai by using external influence. In the same area he developed illicit relations with another girl (married one). He was in the practice of visiting her house and persuading her to get divorce from her husband. He was proceeded against departmentally and subsequently dismissed from service vide OB No. 27 dated 15/02/2018. The applicant lodged an appeal before this office which was filed vide this office memo: No. 3990/E, dated 24/04/2018. After that the applicant preferred the service appeal No. 968/2018 before the Service Tribunal Peshawar which was accepted for Denovo enquiry and he was re-instated in service provisionally for the purpose of Denovo enquiry vide OB No. 58 dated 02/04/2019. He was issued a charge sheet with statement of allegations and Addl: SP Swat was directed to carry out denovo departmental enquiry against the provisionally reinstated Constable. The Enquiry Officer after conducting enquiry submitted his report stating therein that apart from keeping illicit relations with various girls, the Constable under enquiry was also in the practice of bringing "Charas" to Shah Dherai locality. The Enquiry Officer held the delinquent Constable guilty of gross misconduct. Being found guilty of the charges leveled against him, the delinquent Constable was again awarded major punishment of dismissal from service vide DPO, Swat office OB No. 77 dated 09/05/2019.

He was called in Orderly Room on 15/07/2019 and heard him in person. The applicant could not produce any cogent reason in his defense. His enquiry was perused wherein the enquiry officer held him responsible for the charges against him. Therefore, his appeal for reinstatement in service is hereby filed.

Order announced.

Ect 081

For inspection

**OLUJAH MAD SAIED), PSP
Regional Police Officer,
Malakand, Saidu Sharif Swat
Naqil**

Attested to be True Copy
Shahid
Shabir Ahmad Khan (Dawat Khel)
Advocate High Court
& Federal Shariat Court
No. 7611

Dated 16-07 /2019.

**District Police Officer
171 SWAT**

Copy to District Police Officer, Swat for information and necessary action with reference to his office Memo: No. 8703/Legal, dated 30/05/2019. Service Roll and Fauji Roll of the above named Ex-Constable is enclosed herewith for record in your office.

BETTER COPY

99

OFFICE OF THE
REGIONAL POLICE OFFICER MALAKAND

AT SAIDU SHARIF SWAT

Ph:0946-9240381-88 & fax No, 0946-90

Email:digmalakandayahoo.com

ORDER:

This order will dispose of appeal of Ex-constable Timur No.. 1680/1257 of Swat for Reinstatement in service.

Brief facts of the case are that Ex-Constable Timur No.1680/1257 while posted as DPC Police Station Dherai was alleged of gross misconduct as he had developed illicit relations with a girl in Asharray locality. Consequently he was transferred and posted to police Station kalam on complaint, However, after sometime he managed to get posted himself as DFC PP Dewlai by using external influence. In the same area he developed illicit relations with another girl (married one). He was in the practice of visiting her house and persuading her to get divorce from her husband. He was proceeded against departmentally and subsequently dismissed from service vide OB No. 27 dated 15/02/2018 The applicant lodged an appeal before this officer which was field vide this officer memo: No. 3990/E, dated 24/04/2018. After that the applicant preferred the service appeal No. 968/2018 before the service Tribunal Peshawar which was accepted for denovo enquiry and he was reinstated in service provisionally for the purpose of denovo enquiry wide OB No.58 dated 2-04-2019 . he was issued a charge sheet along with statement of allegations and Addl: SP Swat was directed to carry out denovo departmental enquiry against the provisionally reinstated constable. The enquiry officer after conducting enquiry submitted is report stating therein that apart from keeping illicit relation with various girls, the constable under enquiry was also in the practice of bringing "charas" to Shah Dherai locality. The enquiry officer held that the delinquent Constable guilty of gross misconduct .Being found guilty of the charged leveled against the delinquent constable was again awarded a major punishment of dismissal from service vide DPO, swat office OB No. 77 dated 9-05-2019.

He was called in orderly room on 15/07/2019 and heard him in person. The appellatant could not produce any cogent reason in his defense. His enquiry was perused wherein the enquiry officer held him responsible for the charges against him. Therefore his appeal for reinstatement in service is hereby filled.

Order announced.

SD

(Muhammad Saeed) PSP

Regional Police Officer

Malakand at Saidu

SharifNo.7611E,1

Dated 16-7-2019

Attested to be True Copy
Shahin
Shahir Ahmad Khan (Dawlat Khel)
Advocate High Court
& Federal Shariat Court

Copy of District Police Officer ,Swat for information and necessary action with reference to his office Memo No.8703/Legal,dated30-05-2019.service Roll and fauji misal of the above named Ex- Constable is attached herewith for record in your office..

**BEFORE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA
AT PESHAWAR**

WAKALT NAMA

Title:

Taimoor Khan versus IGP and others

I/we do hereby appoint **SHABIR AHMAD KHAN (Dawlat khel)** Advocate High Court in the above cited case/ suit/ appeal/ revision/ petition to do all or any of the following acts, deeds and things:

- 1) To appear, act and plead for me/us in the above cited case/ suit/ appeal/ revision/ petition in this court/tribunal and which the same may tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file , case/ suit/ appeal/ revision/ petition , affidavits etc. as may be deemed necessary or advisable by them for the conduct , prosecution or defense of the said case at all its stages.
- 3) To receive payment of, and issue receipt for, all money that may be or become due and payable to me/us during the course of proceeding.
- 4) To do any act necessary or ancillary to the above acts , deed and things.
- 5) To appoint any other counsel to do any/all of the acts, deeds and things.
- 6) I/We shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our non- appearance, any adverse judgment/ order/decree is passed, he will not be held responsible.

IN WITNESS whereof I/We have signed this Waklat Nama hereunder , the contents of which have been read/ explained to me/us and fully understood by me/us this.

Taimoor Khan

Taimoor khan (Appellant)

Attested and Accepted by:

Shabir Ahmad Khan

SHABIR AHMAD KHAN (Dawlat khel)

Advocate High Court

Dated:23-07-2019

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 954/19

Taimoor khan S/O Muhammad Gul R/O Shawkalay, Koper, Tehsil
Dargai, District Malakand (EX-Constable NO.1680)

..... Appellant

VERSUS

1. Provincial Police officer, Government of Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Malakand at Saidu Sharif Swat.
3. District Police Officer Swat.

..... Respondents

INDEX

S.No:	Description of Documents	Annexure	Page
1	Para-wise Comments	-	1-3
2	Affidavit	-	4
3	Authority Letter	-	5
4	Report of SHO & I/C Intelligence	"A"	6-7
5	Statement of Ex-Constable	"B"	8-9

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 954/2019

Taimoor Khan S/O Muhammad Gul R/O Shawkalay, Koper, Tehsil Dargai,
District Malakand (Ex-Constable No.1680)

..... Appellant

VERSUS

- 1. Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.
- 2. Regional Police Officer, Malakand at Saidu Sharif Swat.
- 3. District Police Officer, Swat.
- 4. Additional SP Swat.

..... Respondents

PARAWISE REPLY BY RESPONDENTS

Respectfully Shewith,

PRELIMINARY OBJECTIONS

- 1. That the appeal is badly barred by Law & limitation.
- 2. That the appellant has got no Cause of action and locus standi to file the present appeal.
- 3. That the appeal is bad due to misjoinder and nonjoinder of necessary parties.
- 4. That the appellant has not come to the Tribunal with clean hands.
- 5. That the instant appeal is not maintainable in its present form.
- 6. That the appellant has concealed the material facts from this Hon'ble Tribunal.

FACTS:

- 1) Correct to the extent the appellant was dismissed from service on the charges of developing illicit relations with a married women and dealing of narcotics.
- 2) Pertains to record of honorable Tribunal. The directions of honorable Tribunal have been complied with in accordance with law/rules.
- 3) Pertains to record. The appellant was re-instated for denovo enquiry and all opportunities of fair defense etc were provided to the appellant in accordance with law/rules.

Sir,
Checked
EN Hamid
insp. legal, 470
10-12-19

AG legal, 470
Attach all documents.
h2
15/12/19

- 4) Pertains to record, hence needs no comments.
- 5) Correct to the extent that in the said enquiry the charges against the appellant were proved.
- 6) Incorrect. As explained above, all the opportunities of personal hearing and self defence were provided to the appellant during departmental probe.
- 7) Departmental appeal of the appellant was not based on cogent grounds, hence rejected in accordance with facts and rules.
- 8) Incorrect. The appellant has wrongly invoked the legal orders of the respondents on baseless grounds.

GROUND:

- a) Incorrect. The Enquiry Officer has verified the charges of illicit relations with married women and dealing of narcotics from the intelligence sources and SHO Police Station Shah Dherai as well as from the general public which have been fully proved against the appellant. (Copy of intelligence report is annexure "A")
- b) Incorrect. The respondents have provided all the opportunities of personal hearing and self defence to the appellant during departmental probe and the whole departmental proceeding was carried out in accordance with facts and rules. The orders of the respondents are legal lawful and in accordance with law rules.
- c) Incorrect. As stated above, the allegations leveled against the appellant were established during the course of Enquiry.
- d) Incorrect. The respondents have provided all the opportunities of personal hearing and self defence to the appellant during departmental probe. (Copy of statement of appellant is enclosed as annexure "B")
- e) Incorrect. The orders of the respondents are based on facts, justice and in accordance with law/rules.
- f) Incorrect. The appellant was treated in accordance with facts, law and rules and after observing all codal formalities he was awarded appropriate punishment.

g) The respondents may be allowed to add any other grounds at the time of hearing of appeals.

PRAYER:

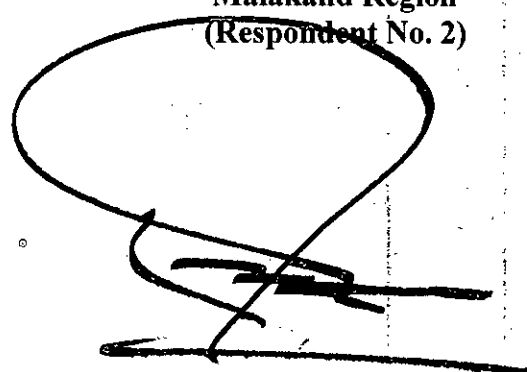
Keeping in view the above facts and circumstances, it is humbly prayed that the appeal of appellant being devoid of legal force may kindly be dismissed with costs.



**Provincial Police officer,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)**



**Regional Police Officer,
Malakand at Saidi Sharif, Swat
Regional Police Officer
Malakand Region
(Respondent No. 2)**



**District Police Officer Swat
(Respondent No. 01)**

Service Appeal No. 954/19

Taimur Khan S/O Muhammad Gul Shawkalay, Koper, Tehsil Dargai District
Malakand (EX-Constable NO.1680)

..... **Appellant**

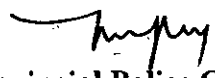
VERSUS

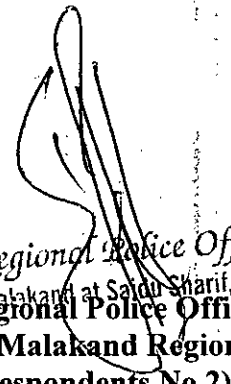
1. Provincial Police officer, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer Malakand at Saidu Sharif Swat.
3. District Police Officer Swat.

..... **Respondents**

AFFIDAVIT

We, the above respondents do hereby solemnly affirm on oath and declare that the contents of the appeal are correct/true to the best of our knowledge/ belief and nothing has been kept secret from the honorable Tribunal.


**Provincial Police Officer
Khyber Pakhtunkhwa Peshawar
(Respondents No.1)**


**Regional Police Officer,
Malakand at Saidu Sharif, Swat
Regional Police Officer
Malakand Region
(Respondents No.2)**


**District Police Officer, Swat
(Respondents No.3)**

Service Appeal No. 954/19

Taimoor khan S/o Muhammad Gul R/O Shawkalay, Koper, Tehsil Dargai District
Malakand (EX-Constable No.1680)

..... **Appellant**


VERSUS


1. District Police Officer Swat.
2. Regional Police Officer Malakand at Saidu Sharif Swat.
3. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
4. Govt: of Khyber Pakhtunkhwa through Secretary Home at Peshawar.

..... **Respondents**

AUTHORITY LETTER

We, the above respondents do hereby authorize Mr. Mir Faraz Khan DSP/Legal & Mr. Khawas Khan SI Legal to appear before the Tribunal on our behalf and submit reply etc in connection with titled Service Appeal.


**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.01)**


**Regional Police Officer,
Malakand at Saidu Sharif Swat,
Regional Police Officer Malakand
Malakand Region
(Respondent No. 2)**


**District Police Officer Swat
(Respondent No.01)**

Amex "A"

۱۱

خبر عالی

حوالہ مشورہ کاغذات بر خلاف نیشنل سیمور خان 1680 مہینہ
 ۶ 10/13 کو زیر دیکھی تحریر مہینہ رپورٹ ارسال
 کی گئی، جس میں ایسیاں دینے کے رد عمل ظاہر کیا گیا ہے۔ نیشنل
 سیمور خان 1680 مہینہ جمہوریت کے لئے شاہ ڈھیر کا جو بیرونی مدد
 سیمور خان میں مقیم ہے، یہ بیرونی سے موبائل فون کا سہارا لے کر
 کر کے تنگ کر رہی ہے اور ساتھ ہی نیشنل سیمور خان کے خلاف ایجنسی
 کو بھی یہ گورنمنٹ کے وقت اپنے ساتھ چھپنے سے ڈرا کر مہینہ
 ۶ 10/13 کو خلیفہ خان کے لئے شاہ ڈھیر کے ذریعے فریفت کرتا ہے۔
 کھانا شاہ ڈھیر کا دار فرائض ہے، جس میں سیشن ڈائری ہے
 نیشنل سیمور خان 10/13 کے لئے رپورٹ مہینہ ہے۔

[Handwritten signature]
 1C/DSB/sweet
 17.7.2013

خبر عالی

رپورٹ بر خلاف نیشنل سیمور خان 1680 مہینہ
 شاہ ڈھیر کے خلاف ایجنسی کے ساتھ
 مفصل رپورٹ کے ملاحظہ میں آ رہی ہے
 17-7-13

[Handwritten signature]

[Handwritten signature]

بیان آزان ٹیمورخان کا طویل 1680 متعین پولیس لائن

نے دریافت بیان کیا کہ سال 2009ء کا قسما پولیس میں بھرتی
ہوں مختلف تھانہ جات پولیس میں ڈیوٹی انجام دی ہے۔
وہاں شاہ ڈھیری میں بجٹ DFC تعینات تھا۔ مختلف فسیان
اور حمان ایشیوں کے متعلق مسلسل انفارمیشن اکٹھا کرتا رہا۔
ظاف بے طالبان دکانے لگے ہیں۔ جن سے میرا کوئی تعلق نہیں
اس معاملہ میں، میں بالکل بے تباہ ہوں۔ یہی میرا بیان ہے
درست ہے۔

الغرض

ٹیمورخان کا طویل 1680

0345.9346509

الہ قوم:- 9 اپریل 2019ء

کراس عجائب E.O

1- کیا آپ حمید اللہ سانی شاہ ڈھیری کو جانتے ہو؟

جی نہیں۔

2- آپ یہ الزام ہے کہ آپکا حمید اللہ بیوی سے ناجائز تعلقاً ہے کیا در

جی جھپیر یہ الزام بالکل بے بنیاد ہے۔

3- حمید اللہ کیسیا سے سوری مرگ جانے سے پہلے لکڑی سے تعلقاً تھا؟

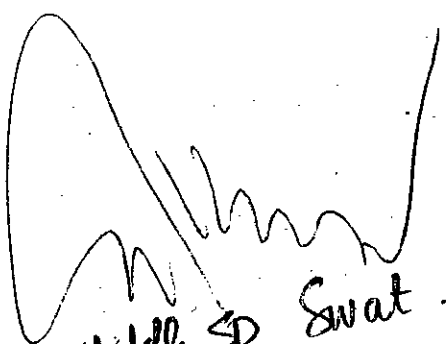
جی میں حمید اللہ نامی شخص نہیں جانتا ہوں۔

”کاری“

س 4 :- آپ تمام ڈھیری میں کتنے عرصہ تک کھیت دFC رہ چکے ہیں ؟
ج 2 :- تقریباً 2 سال تک دFC رہ چکے ہیں ۔

س 5 :- کھیت دFC جو ایک ڈیڑھ لڑائی میں شامل ہے کیا تم بدنام زمانہ منڈیا
کووش صاحب جان ولد محمد علی خان کو جانتے ہو ؟
ج 2 :- جی میں صاحب جان نہیں جانتا ہوں ۔

س 6 :- آپ یہ بھی الزام ہے کہ آپ گاؤں خود درگئی سے لوالپی چرس لال
مسی صاحب جان کے ذریعے خروقت کرتا تھا کیا یہ درست ہے ؟
ج 2 :- نہیں جی یہ الزام بالکل درست ہے ۔


Addl. Sp Swat.
09.04.019.