

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

**SERVICE APPEAL NO. 234/2016**

Date of institution ... 14.03.2016

Date of judgment ... 01.02.2017

Rahid Ullah Khan S/o Saad Ali  
Ex.FC 718, Police Department, Khyber Pakhtunkhwa  
R/O Rak Sarkar P.O. Ghoriwala, District Bannu.

... (Appellant)

VERSUS

1. Inspector General of Police/ PPO, Peshawar.
2. Regional Police Officer, Bannu Region, Bannu.
3. District Police Officer, Bannu.

... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORIGINAL IMPUGNED ORDER NO. 371-76 DATED BANNU 08.01.2016 WHEREBY THE APPELLANT WAS DISMISSED FROM HIS SERVICE AND IN ADDITION TO THAT IT WAS ALSO ORDERED TO RECOVER THE AMOUNT/ COST OF THE MISSING RIFLE AGAINST WHICH THE APPELLANT PREFERRED DEPARTMENTAL APPEAL BEFORE RESPONDENT NO. 2, WHICH WAS REJECTED VIDE ORDER NO. 721/EC DATE 03.03.2016.

Mr. Inayat Ullah Khan, Advocate.

.. For appellant.

Mr. Kabirullah Khan Khattak, Assistant Advocate General.

.. For respondents.

MR. AHMAD HASSAN

.. MEMBER (EXECUTIVE)

MR. ASHFAQUE TAJ

.. MEMBER (JUDICIAL)

JUDGMENT

AHMAD HASSAN, MEMBER: The appellant Rahidullah Khan, filed the instant appeal under section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned order dated 08.01.2016, whereunder major penalty of dismissal from service was imposed on him and rejection of his departmental appeal on 03.03.2016, hence, the instant service.

2. Brief facts of the appeal are that the appellant was appointed as Constable in Police Department in 2010. Disciplinary proceedings were initiated against the appellant.

and Constable Irfan Ullah for involvement in a case of missing SMG Rifle, But No. 411 distributed to Constable Irfanullah, Belt No. 409, Police Post Nala Kashu and after conclusion of these proceedings major penalty of dismissal from service was imposed on them.

3. The learned counsel for the appellant argued that the appellant was charge sheeted by respondent No. 3 for the following charges:-

*“That you are involved in carrying/ missing the SMG Rifle bearing But No. 411 distributed upon Constable Irfan Ullah of PP Nala Kashu, as is evident from the preliminary enquiry conducted by DSP/HQR, Bannu, vide letter No. 1152/HQR dated 14.09.2015.”*

During inquiry proceedings statements of Abid Nawaz Belt No. 1837, Moeen Ullah Belt No. 449 and Asmat Ullah Belt No. 587 were recorded as witnesses. All of them denied that while on duty no one either entered the Police Force or took away SMG Rifle. Irfan Ullah, Constable was also dismissed by respondent No. 3 vide impugned order dated 08.01.2016. Constable Irfan Ullah main accused preferred departmental appeal, which was accepted and penalty of dismissal from service was set-aside but penalty of recovery of cost of missing SMG remained intact. However, departmental appeal of the appellant was dismissed by the competent authority. Hence, major penalty of dismissal from service alongwith recovery of cost of missing rifle awarded to the appellant was unjust and discriminatory. Two punishments could not be awarded on one charge. No one can be penalized for the same offence for twice. That no show cause notice was served on the appellant, before imposition of major penalty, as such the appellant was condemned unheard. He was not afforded an opportunity to cross-examine the witnesses and as such right of fair trial and due process of law was denied to him. It was also violative of Principle of natural justice, as enshrined in the maxim *AUDI ALTERM PARTEM*. The punishment awarded to the appellant does not commensurate with the charges leveled against the appellant, as such it was harsh. Article 13 of the Constitution was also violated. Reliance was placed on 2005 PLC (CS) 403, 2009

SCMR 187, PLJ 2006, 452, 2005 PLC (CS) 1160, 2007 PLC (CS) 1234, 2010 PLC (CS) 876, 1987 PLC (CS) 629, PLJ 212 TRc (Services) 150, 2007 SCMR 1860, 2016 SCMR 108 and 1999 SCMR 2321. Counsel for the appellant submitted that on acceptance of this appeal, the impugned original order dated 08.01.2016 and the order passed dated 03.03.2016 passed by the appellate authority may kindly be set-aside and the appellant may please be reinstated in service with all arrears and consequential back benefits.


4. The learned Assistant AG argued that statements of witnesses were recorded during interrogation. It revealed that the appellant was involved and found guilty of theft/ misplacement of SMG Rifle. The inquiry officer opined that based on statements of witnesses charge of missing SMG Rifle proved against the appellant. Appeal of Constable Irfan Ullah was accepted being guilty of negligence and punishment of dismissal from service was converted into recovery/ purchase of SMG Rifle and depositing the same in Police Lines, while appeal of the appellant was rejected for direct involvement in the case. Reliance was placed a Khyber Pakhtunkhwa Service Tribunal judgment in service appeal No. 1316/2010. He submitted that the appeal being devoid of any merits be dismissed.

5. Arguments heard and record perused.

6. Having gone through the record of the case, it transpired that Constable, Irfan Ullah was the main accused in this case. Rifle was allotted to him. In his written statement before the inquiry officer, Constable Irfan Ullah admitted that on receipt of information about illness of his father, he left the Police Post without permission of high ups and leaving the Rifle under his bed. It leaves little doubt that he was guilty of gross misconduct and casual attitude towards duty. As a member of disciplined force, he should have informed/ got leave from the incharge before leaving the PP alongwith rifle to be handed over to some responsible person in the PP. The inquiry officer failed to substantiate charges against the appellant through incriminating evidence. As such there were lacunas in the inquiry report and major punishment awarded without following the proper procedure of inquiry was illegal and nullity in the eyes of law and is a sufficient

to vitiate the whole proceedings. Upon acceptance of departmental appeal of Constable Infan Ullah, major penalty awarded to him was modified/ converted into recovery of cost of missing SMG Rifle. Hence, treatment meted out to the appellant was discriminatory and against the norms of justice and fair play. The appellant deserved same treatment under the principle of consistency, no one can be penalized twice for the same offence under the law under maxim. "*Nemo bis puniture aut vexature pro eodem delicto*" ---Protection against double punishment --- Rule that no one shall be vexed twice for the same offence has its roots in the ancient maxim "*nemo bis puniture aut vexatur pro eodem delicto*". Article 13 of the Constitution prohibits infliction of double punishment on an accused being a fundamental right of a citizen. Show cause notice being a mandatory requirement before imposition of major penalty was not served on the appellant, not only limits of Article- 10 (A) of the Constitution were not observed but was also a serious departure from invogue rules. That the appellant was not afforded an opportunity of cross-examine the witnesses and as such principles of *AUDI ALTERM PARTEM* was violated.

7. We are constrained to accept the appeal and reinstate the appellant in service from the date of dismissal. The intervening period may be treated as leave of the kind due. Parties are left, however, left to bear their own costs. File be consigned to the record room.

  
(ASHFAQUE FAJ)  
MEMBER

  
(AHMAD HASSAN)  
MEMBER

ANNOUNCED  
01.02.2017

01.02.2017

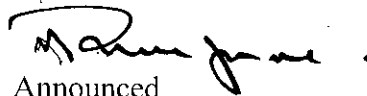
Counsel for the appellant and Assistant AG for the respondents present.

Vide our detailed judgment of today consists of four pages placed on file, We are constrained to accept the appeal and reinstate the appellant in service from the date of dismissal. The intervening period may be treated as leave of the kind due. Parties are left, however, left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)  
MEMBER

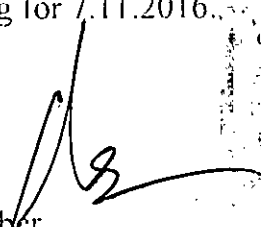
(ASHFAQUE TAJ)  
MEMBER



Announced  
01.02.2017

07.11.2016


Counsel for the appellant and Mr. Muhammad Farooq, Inspector alongwith Addl. AG for respondents present. Para wise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 7.11.2016.

  
Member

07.11.2016

Counsel for the appellant and Assistant AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 1-2-17.

  
(PIR BAKHSH SHAH)  
MEMBER

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

22.03.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Cook Constable when a Government SMG Rifle of 7.62 bore (Kalashnikov) assigned to another constable name Irfanullah was misplaced and appellant accused of stealing the same and therefore dismissed from service vide impugned order dated 8.1.2016 where-against he preferred departmental appeal which was also rejected vide order dated 3.3.2016 and hence the instant service appeal on 14.3.2016.

That the said Irfanullah was also subjected to inquiry alongwith the appellant who was reinstated in service by the appellate authority while discriminatory treatment extended to appellant. That the allegations of stealing SMG Rifle were not substantiated in the inquiry and as such the same is against facts and law and liable to be set-aside.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 23.5.2016 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman

23.5.2016

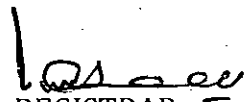

Appellant in person and Mr. Yaqoob Khan, Naib Court alongwith Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 22.06.2016 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 234/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14.03.2016	<p>The appeal of Mr. Rahidullah Khan presented today by Mr. Inayatullah 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</p>
2	21-3-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>22-3-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>



BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. 234/2016

**Rahid Ullah Khan**..... Appellant

Versus

I.G.P/ PPO, Peshawar & others..... Respondents

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7	Copy of statement of allegation.	D	15
8	Copy of charge sheet.	E	16
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Appellant

Through

**Inayat Ullah Khan**  
Advocate High Court  
LL.M (U.K)  
Cell: 0333-9227736

Dated: 14.03.2016

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.Service Appeal No. 234 /2016

N.W.F. Province  
Service Tribunal  
Diary No. 215  
Dated 14-3-2016

**Rahid Ullah Khan** son of Saad Ali

Ex. FC 718, Police Department, Khyber Pakhtunkhwa

R/O Rak Sarkar P.O. Ghoriwala, District Bannu..... Appellant

**Versus**

- 1) Inspector General of Police/ PPO, Peshawar.
- 2) Regional Police Officer, Bannu Region, Bannu.
- 3) District Police Officer, Bannu..... Respondents

Appeal u/s 4 of the N.W.F.P Service Tribunal Act, 1974 against the original impugned order No.371-76 dated Bannu 08.01.2016 whereby the appellant was dismissed from his service and in addition to that it was also ordered to recover the amount/ cost of the missing rifle against which the appellant preferred departmental appeal before respondent No.2, which was rejected vide order No.721/EC dated 03.03.2016.

Prayer:

On acceptance of this appeal, the impugned original order dated 08.01.2016 and the order passed dated 03.03.2016 passed by the appellate authority may kindly be set aside and the

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14/3/16

appellant may please be reinstated in service with all arrears and consequential back benefits.

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**Respectfully Sheweth;**

Brief facts giving rise to the instant appeal are as under:-

- 1) That the appellant was appointed as Constable in the year 2010 in police department, Khyber Pakhtunkhwa, District Bannu. (Copy of police I.D. card of appellant is attached as Annex: "A").
- 2) That the appellant has more than five years service at his credit at the time of imposition of major penalty vide orders dated 08.01.2016 and 03.03.2016. (Copies of impugned orders are attached as Annex: "B and B/1").
- 3) That Syed Inayat Ali Shah, DSP Headquarter, Bannu, conducted preliminary inquiry against constable Irfan Ullah Belt No.409 vide D.D.No.13 dated 02.07.2015 Nala Kashu P.S. Domel No.1152/HQ dated Bannu 14.09.2015. (Copy of finding of preliminary inquiry report is attached as Annex: "C & C/1").
- 4) That statement of allegation was issued by respondent No.3 for allegations contained therein in consequence of preliminary inquiry report mentioned in para-3 vide No.467-68/SRC dated 29.09.2015 and DSP Rural was appointed as inquiry officer. (Copy of statement of allegation is attached as Annex: "D").
- 5) That charge sheet was issued against the appellant by respondent No.3 for the allegations (*that you are involved in carrying/ missing the SMG Rifle bearing But No.411*

*distributed upon Constable Irfan Ullah of PP Nala Kashu) as evident from the preliminary inquiry conducted by D.S.P/ HQR, Bannu vide letter No.1152/ HQR dated 14.09.2015". (Copy of charge sheet is attached as Annex: 'E').*

- 6) That during preliminary inquiry the inquiry officer has recorded the statement of various witnesses duly mentioned therein and copy of the record is attached for ready reference of this Hon'ble Tribunal along with the statements of Abid Zaman Belt No.1837, Moeen Ullah Belt No.449 and Asmat Ullah Belt No.587 IHC wherein all the witnesses categorically denied that while present on their duty nobody either entered the police post or anybody taken the SMG rifle. (Copies of their statements are attached along with record of the case are attached as Annex: "F").
- 7) That beside the appellant the services of constable Irfan Ullah Belt No.409 were also dismissed by respondent No.3 vide impugned order mentioned in para No.2 above.
- 8) That constable Irfan Ullah like the present appellant also preferred his departmental appeal before respondent No.2, which was accepted accordingly and the penalty of dismissal was set aside for the reason that the same is not in consonance with law being a harsh one. (Copy of order No.417/EC dated 10.02.2016 is attached as Annex: "G").
- 9) That the appellant also preferred his departmental appeal before respondent No.2, which was dismissed by the same appellate authority. Impugned order is mentioned in para-2 above.
- 10) That the appellant being aggrieved and dissatisfied with the impugned orders dated 08.01.2016 and 03.03.2016 prefers

the instant service appeal before this Hon'ble Tribunal on the following amongst other grounds for reinstatement in service with all consequential back benefits.

**GROUND OF APPEAL:**

- a) That the impugned orders are against the law, facts and material available on record.
- b) That the departmental appeal of main accused namely Irfan Ullah Constable Belt No.409 was accepted by respondent No.2 for the reason that the punishment is a harsh one while that of the appellant was rejected.

*When main accused was reinstated the appellant deserve the same treatment under the principle of consistency. [2005 PLC (CS) 403]*

- c) That the appellate authority modified the punishment of main accused Constable Irfan Ullah Belt No.409 from dismissal to recovery of cost of the missing SMG Rifle, therefore, major penalty of dismissal from service along with recovery of cost of the missing SMG Rifle could not be justified to be inflicted upon the present appellant. Therefore, discriminated has been practiced against the appellant by subjecting him to the punishment of dismissal from service as well as recovery of the cost of missing SMG Rifle. [2009 SCMR 187], [PLJ 2006 (SC) 452], [2005 PLC (CS) 1160].
- d) That two punishments could not be awarded in an intertwined shape for one charge. Such was another illegality committed by the appellate authority. [2007 PLC (CS) 1234]

No one could be penalized twice for the same offence under the law. [2010 PLC (CS) 876]

No one could be vexed twice for the same cause of action. [1987 PLC (CS) 629].

Besides the above **Article 13** of the Constitution of Pakistan prohibits infliction of double punishment, therefore, imposition of double punishment on the appellant is violative of the above mentioned Article, which could be considered as one of the fundamental right of the appellant provided by the law.

- e) That the inquiry officer had not made any recommendations as to the quantum of penalty. Furthermore the authority had not issued show cause notice to the appellant before passing the impugned orders. The appellant was condemned without getting an opportunity to present his defence against the proposed penalty. [PLJ 2012 Tr.C (services) 150].

Non-issuance of show cause notice would amount to a flagrant violation of the provisions of law and principles of natural justice and was sufficient to vitiate the entire proceedings. [2007 SCMR 1860].

- f) That the inquiry officer did not provide an opportunity of cross examination to the appellant, therefore, the appellant was deprived of the opportunity of cross examining the witnesses during the inquiry proceedings, which amounted to denial of the right of appellant to a **fair trial and due process of law**. [2016 SCMR 108].

As it was held in 1999 SCMR 2321 "..... this is a serious lapse on the part of authorized officer to have not afforded an opportunity of cross examining the prosecution witnesses appearing against the appellant in support of the charges. Having omitted to afford this opportunity to the appellant, resulting in the impugned order, it was violative of the principle of natural justice

enshrined in the maxim: "*audi alterim partim*". The impugned order is, thus, vitiated on this score alone".

- g) That the punishment awarded to the appellant does not commensurate with the charges, hence the penalty imposed is excessive and harsh.

"punishment should always commensurate to the guilt proved"

Keeping in view, what has been stated above, the impugned original order dated 08.01.2016 and the order passed dated 03.03.2016 passed by the appellate authority may kindly be set aside and the appellant may please be reinstated in service with all arrears and consequential back benefits.

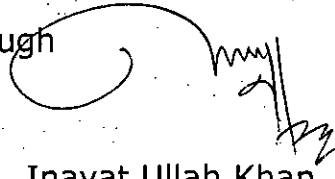
Any other relief, which has not been specifically asked for and to whom the appellant found entitled may also be granted.

Dated: 14.03.2016

راہد اٹلا خان

Appellant  
**Rahid Ullah Khan**  
Ex. Constable  
Belt No.718

through

  
Inayat Ullah Khan  
Advocate High Court  
LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No.\_\_\_\_\_/2016

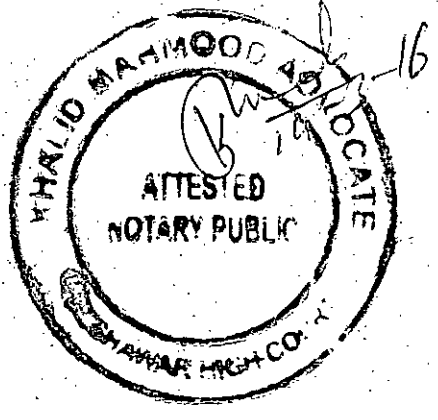
Rahid Ullah Khan..... Appellant

Versus

I.G.P/ PPO, Peshawar & others..... Respondents

**AFFIDAVIT**

I, Rahid Ullah Khan son of Saad Ali Ex. FC 718; Police Department, Khyber Pakhtunkhwa R/O Rak Sarkar P.O. Ghoriwala, District Bannu do hereby affirm and declare on oath that the contents of the application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



دال الہ صان  
Deponent



BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. \_\_\_\_/2016

**Rahid Ullah Khan**..... Appellant

Versus

I.G.P/ PPO, Peshawar & others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

**Rahid Ullah Khan** son of

Ex. FC 718, Police Department, Khyber Pakhtunkhwa


R/O Rak Sarkar P.O. Ghoriwala, District Bannu

RESPONDENTS:

- 1) Inspector General of Police/ PPO, Peshawar.
- 2) Regional Police Officer, Bannu Region, Bannu.
- 3) District Police Officer, Bannu

راہد اہل خان  
Appellant

through




Inayat Ullah Khan  
Advocate High Court  
LL.M (U.K)

Dated: 14.03.2016

A

9


**KHYBER PAKHTUNKHWA POLICE**  
DISTRICT BANNU



*Rahid Ullah Khan*  
District Police Officer,  
Bannu.

S/No: **2037**

**Rahid Ullah Khan**  
FC # 718



B.G  
Nil

In case of lossing please report immediately to the nearest police station & the issuing authority. The finder of this card is requested to deliver it to the nearest police station or drop into any letter box.

**KHYBER PAKHTUNKHWA POLICE**

"A" 9

**Address:**  
Rak Sarkar P/O Ghoriwala District Bannu.


**C.N.I.C:**  
11101-6329535-7

**Date of Appointment:**  
2010


**Issue Date:**  
31.07.2015

**Valid Upto:**  
30.07.2018

**Date of Birth:**  
11.12.1980



K  
P  
K



Issued by District Police Bannu

ORDER:

10 B 10

This order of the undersigned will dispose off the departmental proceedings, initiated against accused Irfan Ullah No. 409 of village Kalki Kakki and Cook Constable Rahid Ullah No. 718 of village Ghori Wala under general proceeding of police rule 1975 (Amended vide Khyber Pakhtunkhwa Gazette Notification, 27 the August 2014).

Brief fact of the enquiry is that a govt. SMG riffle bearing butt no. 418, distributed upon constable Irfan Ullah No. 409 of PP Nala Kashu, allegedly misplaced and reports to this effect were reduced to DD No. 07 & dated 02.07.2015 PP Nala Kashu. Resultantly, preliminary enquiry was initiated through DSP/HQrs to fix the responsibility. Who, (DSP/HQrs) after conducting probe into the case, submitted his facts finding report vide his office letter no. 1152/HQrs Dated 14.09.2015. Wherein, constable Irfan Ullah No. 409 and cook constable Rahid Ullah No. 718 were recommended for proper departmental proceedings.

In the light of preliminary enquiry report, accused Irfan Ullah No. 409 was charge sheeted for his willful absence on 02.07.2015 and for severe negligence in the missing of SMG rifle quoted above while cook constable Rahid Ullah No. 718 was charge sheeted on the basis of involvement in carrying/missing the SMG rifle bearing butt no. 418 distributed upon constable Irfan Ullah No. 409.

DSP/Rural, Circle Bannu was interested with the enquiry papers for conducting proper departmental enquiry into the allegations leveled against both the accused officers. Who, DSP/Rural conducted proper enquiry into the allegations and submitted his findings vide his office letter no. 01 dated 04.01.2016, wherein, it was opined by him that constable Irfan Ullah No. 409 has made severe negligence by throwing carelessly the SMG riffle along with fitted magazine containing 30 rounds on bed and subsequently left the station without handing over the charge of SMG riffle. The enquiry officer further added that all the staff of PP Nala Kashu along with SHO of PS Domel has confirmed the fact that the missing SMG riffle has been taken/stolen by cook constable Rahid Ullah No. 718.

In the conclusion of the findings, the enquiry officer recommended both the accused officers for award of departmental punishments as well as recovery of amount of the missing SMG riffle from both the accused officers.

In light of the departmental proceedings I, GUL AFZAL AFRIDI, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa Gazette Notification, 27 the August 2014) hereby dismiss both the accused officers namely Irfan Ullah, FC No. 409 and Rahid Ullah, cook Constabulary No. 718 from the service. Amount/cost of the missing riffle is also ordered to be recovered from both the accused officers.

OB No. 06  
Dated: 07-01 /2016.

*(Signature)*  
(GUL AFZAL AFRIDI)  
District Police Officer,  
Bannu.

No. 371-76 dated Bannu, the 08-01 /2016

Copies for necessary action to:

1. The DSP/HQrs. Circle, Bannu to co-ordinate with pay officer and SHOs concerned with regard to the cost of missing riffle etc.
2. The Pay Officer, DPO Office, Bannu with the directions to stop the outstanding dues of the above accused officers and make necessary recovery from them.
3. The SHOs of PS Kakki and PS Ghori Wala to co-ordinate with pay officer and ensure recovery of the amount from the above accused officers.
4. The SRC, DPO Office, Bannu.
5. The OASI, DPO Office, Bannu along with the enquiry file for placing it in the Fjui Missal of the concerned officials.

*Arrested by advocate*

*✓*  
*✓*  
*✓*  
*✓*  
*✓*



B/1 II

POLICE DEPARTMENT.

BANNU REGION

ORDER.


My this order will dispose off the appeal in respect of Ex- Cook Constable Rahidullah No. 718 of Bannu District Police against the order of Major punishment of his dismissal from service, passed by DPO/Bannu vide OB: NO.6 dated 7.1.2016 for committing the following omissions:-

1. That a Govt: SMG Rifle bearing butt No. 418 distributed upon constable Irfanullah was allegedly misplaced and reports to this effect were reduced to DD No. 7 & 13 dated 2.7.2015 PP Nala Kashu. Resultantly, the official concerned was charge sheeted on the basis of involvement in carrying/missing the said SMG Rifle.

Service Record of the appellant was thoroughly perused and the appellant was heard in orderly room on 2.3.2016.

Therefore, I, Muhammad Tahir, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room on 2.3.2016 have come to the conclusion that the aforementioned order of dismissal passed by DPO/Bannu cannot be interfered, for the appellant could not convince the undersigned about his innocence in the subject case. Hence, appeal is rejected.

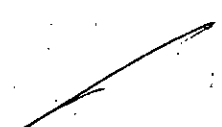
Order Enounced.


  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

No. 721 /EC, dated. 03/3/2016. 

Copy to :-

- The District Police Officer, Bannu for information and n/action w/r to his office Memo: No. 4459 dated 23.02.2016.

  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

  
Arrested  
by  
Advocate

## فائینڈنگ رپورٹ

بلسلسلہ انکوائری ازاں عرفان اللہ نمبر 409 اور کک کا نشیبل راہید اللہ نمبر 718 متعینہ چونکی نالہ کا شو

جناب عالی!

- 1- بحوالہ چارج شیٹ نمبر 66-465 مورخہ 29.9.015 مجاریہ جناب گل افضل خان افریدی DPO صاحب بنوں برخلاف کا نشیبل عرفان اللہ نمبر 409۔
  - 2- بحوالہ چارج شیٹ نمبر 68-467 مورخہ 29.9.015 مجاریہ جناب گل افضل خان افریدی DPO صاحب بنوں برخلاف کک کا نشیبل راہید اللہ نمبر 718۔
- ہر دونوں کا نشیبلان کے چارج شیٹ ہائے کے متعلق معروض ہوں کہ:
- 1- حالات، واقعات چارج شیٹ الزامات برخلاف ہر دونوں الزام علیہ کا نشیبلان کچھ یوں ہیں۔ کہ بحوالہ تقلمد نمبر 7 روز نامچہ 2.7.015 وقت 10:20 بجے چونکی نالہ کا شو علاقہ تھانڈ ڈومیل ضلع بنوں میں نواب خان IHC نے پیش ناکہ بندی Pay Day لگانے کے لئے کا نشیبل عرفان اللہ نمبر 409 کو چونکی میں تلاش کر کے جو عدم موجود پایا۔ اور مذکورہ کا نشیبل نے سرکاری SMG بٹ نمبر 418 جو کا نشیبل مذکورہ پر تقسیم شدہ ہے بھی عدم موجود پایا کر بمعہ SMG بغیر اجازت کے گھر خود چلا گیا ہے کا نشیبل مذکورہ کے خلاف رپورٹ غیر حاضری اور سرکاری SMG نمبر 418 اپنے ساتھ گھر لے جانے کی رپورٹ درج روز نامچہ کر کے نقل مدہمراہ انکوائری لف ہے۔
  - 2- بحوالہ رپورٹ تقلمد نمبر 13 روز نامچہ 2.7.2015 وقت 17:40 بجے چونکی نالہ کا شو علاقہ تھانڈ ڈومیل میں نواب خان IHC نے کا نشیبل عرفان اللہ نمبر 409 غیر حاضر شدہ بحوالہ نمبر 7 روز نامچہ 2.7.015 کی آمد پر حاضری ور رپورٹ گمشدی SMG بٹ نمبر 418 تحریر کر کے جو کا نشیبل عرفان اللہ نمبر 409 سے سرکاری SMG کی پتہ براری کر کے جس نے بتلایا۔ کہ SMG اس سے پس و پیش ہو چکا ہے۔ تلاش کر کے نہ ملا۔ مزید تلاش جاری ہے۔ سرکاری SMG بٹ نمبر 418 معذت میگزین 30 عدد کارٹوس 7.62 بوز تقسیم شدہ بنام کا نشیبل عرفان اللہ نمبر 409 کی گمشدی کی رپورٹ حاضری پر درج روز نامچہ کر کے تقلمد حاضری و گمشدی رپورٹ SMG مہراہ لف ہے۔

- 3- ہر دونوں تقلمدات رپورٹ غیر حاضری ور رپورٹ حاضری اور گمشدی سرکاری کلاشنوف کے متعلق DSP/HQ نے تفصیلی انکوائری کر کے اس سلسلہ میں:
  - 1-SHO تھانڈ ڈومیل عمران اللہ
  - 2-ASI محمد رحمان انچارج چونکی نالہ کا شو
  - 3-IHC نواب خان نمبر 1260 نالہ کا شو۔
  - 4-عصمت اللہ نمبر 587/LHC نالہ کا شو
  - 5-کا نشیبل محمد ظلیل نمبر 523 نالہ کا شو
  - 6-کا نشیبل حکمت علی نمبر 1471 نالہ کا شو
  - 7-کا نشیبل شیر داد نمبر 799 نالہ کا شو
  - 8-کا نشیبل سجاد خان نمبر 6278 پلاٹون نمبر 143 نالہ کا شو
  - 9-کک کا نشیبل راہید اللہ نمبر 718 نالہ کا شو
  - 10-الزم علیہ کا نشیبل عرفان اللہ نمبر 409 نالہ کا شو

کے بیانات لے کر انکوائری مکمل کر کے کا نشیبل عرفان اللہ نمبر 409 کے بیان کے مطابق وہ ڈیوٹی سے فارغ ہو کر اس کو گھر سے والد کی بیماری کی اطلاع مل کر جس نے SMG سرکاری معذت میگزین معمولہ 30 عدد کارٹوس 7.62 بوز چونکی کے اندر کمرے میں بسترے کے نیچے رکھ کر بغیر اجازت کے والد کے علاج کے لئے گھر خود چلا گیا۔ بوقت 17:30 بجے جب واپس آیا تو SMG سرکاری عدم موجود پایا۔ نفی سے معلومات کر کے نہ ملا۔ مزید یہ بھی بیان کیا کہ جس کمرے میں اس نے SMG بسترے کے نیچے رکھا تھا اسی کمرے میں چونکی نفی کے لئے کھانے پینے پکانے (انڈیوالی) کا سامان پڑا رہتا ہے۔ کک کا نشیبل راہید اللہ اسی کمرے میں کھانا تیار کرتا ہے۔ کا نشیبل عرفان اللہ نے سرکاری SMG کے لے جانے کا کک کا نشیبل راہید اللہ پر یقین کا اظہار کیا۔

- 4- DSP/HQ ابتدائی انکوائری افسر نے بیانات لینے کے بعد تحریر کیا کہ SMG کے غائب و لاپتہ ہونے اور لے جانے میں کک کا نشیبل راہید اللہ نمبر 718 ملوث ہے۔ کیونکہ بمطابق عمران اللہ SHO تھانڈ ڈومیل بروز وقوعہ کک کا نشیبل راہید اللہ کے ساتھ ایک پرائیویٹ شخص نافد اللہ والد قادر خان سکنہ کوئٹہ ظفر آیا ہوا تھا۔ اور کک کا نشیبل کا کردار بھی مشکوک ہے۔ DSP/HQ نے کا نشیبل عرفان اللہ نمبر 409 جس نے سرکاری SMG چونکی میں چارپائی پر چھوڑ کر کسی کو حوالہ کے بغیر اجازت

2

کے گھر چلا گیا۔ اور کک کا نیشنل راہدہ اللہ نمبر 718 اور کک نیشنل عرفان اللہ نمبر 409 کے خلاف حکمانہ کارروائی کا تحریر کر کے انکو ازری بھیجوائی۔ ابتدائی انکو ازری مکمل ہونے پر جناب DPO صاحب بنوں نے دونوں کانسٹیبلان کو چارج شیٹ جاری کر کے جو ہر دونوں پر ایک ہی وقوعہ کے الزامات ہے۔ چارج شیٹ بعض حکمانہ انکو ازری میں DSP/R کو مارک ہو کر جو اس سلسلہ الزام علیہ گان کانسٹیبلان عرفان اللہ نمبر 409 اور کک کا نیشنل راہدہ اللہ نمبر 718 دونوں کو طلب کر کے جو ہر دونوں نے چارج شیٹ کا تحریری جواب پیش کر کے جو لف انکو ازری ہے۔ تحریری جواب میں کانسٹیبل عرفان اللہ نمبر 409 اسلحہ کے متعلق اپنی غفلت، لا پرواہی تحریر کر کے ثابت کر چکا ہے۔ کہ اس نے کلاشکوف ڈیوٹی کے بعد چوکی کے اندر کمرے میں چارپائی پر چھوڑ کر چکا ہے۔ علاوہ ازیں کلاشکوف کے لے جانے کا الزام کک کا نیشنل راہدہ اللہ نمبر 718 پر لگا چکا ہے۔

5- کک کا نیشنل راہدہ اللہ نمبر 718 نے بھی تحریری بیان میں چوکی میں اپنی موجودگی بتلائی ہے۔ اور بوقت عصر بیوی اور بیٹی کے علاج معالجہ کے لئے چوکی سے جانا بتلایا ہے اور الزامات کی تردید کی ہے۔

6- جملہ گواہان سلسلہ نمبر 8 تا 1 بالا جن کے بیانات DSP/HQ لے چکا تھا۔ اور ان پر جرح کرنے کا موقع بھی الزام علیہ گان کو دیا گیا تھا طلب کر کے جنہوں نے اپنے سابقہ بیانات کی تائید کی۔ اسی طرح الزام علیہ گان دونوں کانسٹیبلان کو معاملہ حل کرنے اور SMG لانے کا موقع دیا گیا۔ گواہان کے بیانات سے صاف ظاہر ہے۔ کہ کلاشکوف سرکاری کک کا نیشنل راہدہ اللہ نمبر 718 سرقہ کر کے لے چکا ہے۔

عالیجاہ!

المختصر یہ کہ اس سلسلہ میں انکو ازری کی گئی ہے۔ انکو ازری سے کانسٹیبل عرفان اللہ نمبر 409 قصور وار پایا جاتا ہے۔ کیونکہ مذکورہ نے سرکاری SMG ڈیوٹی کے بعد چارپائی پر کھلے عام پھینک کر چلا گیا۔ جس کی غفلت اور لا پرواہی سے سرکاری SMG معوض میگزین معمولہ 30 عدد کارٹوس 7.62 بور روز روشن غائب ہوا۔ اسی طرح کک کا نیشنل راہدہ اللہ نمبر 718 کے خلاف پوری نفری گواہی دینے کے لئے تیار ہے۔ اور دے چکے ہیں۔ کہ کک کا نیشنل راہدہ اللہ نمبر 718 کا کردار مشکوک ہے۔ اور سرکاری SMG سرقہ کر کے لے جانا اس کے خلاف SHO اور دیگر کے بیانات سے ثابت ہو چکا ہے۔

لہذا کی گئی انکو ازری سے ہر دونوں کانسٹیبلان قصور وار پائے جا کر ہر دونوں سے اسلحہ کی قیمت کی ریکوری کی جاوے۔ اور غفلت، گمشدگی اور سرقیدگی کی ضمن میں ہر دونوں کو حکمانہ سزا دیئے جانے کی سفارش کی جاتی ہے۔

ڈی ایس پی رورل سرکل بنوں

Agreed. Make necessary  
from them and they  
are dismissed from service  
in light of the above  
enquiry

6.01.015


Attested

STATEMENT OF ALLEGATIONS:

I, GUL AFZAL KHAN, AFRIDI District Police Officer, Bannu as competent authority, am of the opinion that Cook constable Rahid Ullah No. 409 has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of police rules (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

SUMMARY OF ALLEGATIONS:


- That he is involved in carrying /missing the SMG rifle bearing BUT no. 418 distributed upon constable Irfan Ullah of PP Nala Kashu as evident from the preliminary enquiry conducted by DSP/HQR, Bannu vide letter No. 1152/HQR dated 14-09-2015.
- 2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations DSP/Rural is appointed as Enquiry Officer.
- 3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within (17 days) after the receipt of this order.
- 4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

  
(GUL AFZAL AFRIDI) P.S.  
District Police Officer,  
Bannu.

No. 467-68 / SRC dt- 29- 9- 2015

Copies to :-

- 1. The Enquiry Officer
- 2. The Accused Officers/Officials.

  
Attested



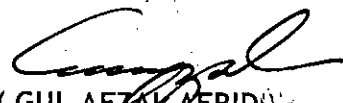
(7)

Annex : E - (16)

CHARGE SHEET:


I, GUL AFZAL KHAN, AFRIDI, District Police Officer, Bannu, as competent authority, hereby charge you, Cook constable Rahid Ullah No. 409 as follows:-

- That you are involved in carrying /missing the SMG rifle bearing BUT no. 418 distributed upon constable Irfan Ullah of PP Nala Kashu as evident from the preliminary enquiry conducted by DSP/HQR, Bannu vide letter No. 1152/HQR dated 14-09-2015.
2. By reason of the above you appear to be guilty of misconduct under the police Rules 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
3. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
4. Your written defense, 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 ex-parte action shall be taken against you.
5. You are directed to intimate whether you desire to be heard in person.
6. A statement of allegation is enclosed.

  
( GUL AFZAL AFRIDI )  
District Police Officer,  
Bannu.

راہد اُلاہ کو چارج کیا گیا ہے

02/10/15

  
Attested

Submitted please.

  
E.O.

(SYED INAYAT ALI SHAH)



(12) (2)

تین اس دن فرح 7/15 لاٹری سے افطاری ماہرمان گنا وطرہ لگا کر بیٹے کو جان  
 مان ہوا۔ موقع پر جو روئے تھا۔ میرے گلشن کوفے سے گم لہری جوتی ہیں انوار کیل  
 گنج۔ میر لہری در تا تم کرنا۔ کہ ایسا نہ ہو۔ نہ گلشن کوفے لاٹری لے لیا ہو۔ کہ نہ اسکا  
 چال چلن جسے نہیں۔ لیس کی زبان پر بدنام صدا آرہا ہے۔ دانت لڈرئی ہے۔  
 آگے در فرح 7/15 جب کہ لاٹری گنا لگانے لگا۔ عاز طہر سے چلے آیا۔ اور اس کے  
 اسکا آیت صافی نافذ الہ نامی لڑکی بھی آیا۔ بچہ 7 جوتی اور اسلین سے ہر فلا اعلیٰ لیا  
 کہ کوئی بھی جوتی ہے یا میر نہیں لگے گا۔ گلشن کوفے بار باٹ ہوگی۔ ہم جوتی صاف والوں  
 سے آگیا افطاری کی۔ تین لاٹری اور اسکا صافی ہمارے ساتھ شامل نہ تھے۔ انور علیہ افطاری  
 کی۔ اور افطاری سے دو دن لاٹری دا احمد الہ نے اپنے صافی نافذ الہ کی اپنا وٹر حاصل کر کے  
 جوتی سے نکال دیا۔ وٹو مٹھدی گلشن کوفے الطبع سے ہلاک ہلاک کر دیئے۔ ہلاک ہلاک  
 فوڈر جوتی لہنے لے آیا۔ اسے نافذ الہ نامی شخص نے نکل جانے سے روکا ہلاک ہلاک  
 نے فوراً لاٹری دا احمد الہ کو ساتھ لے کر نافذ الہ کی افطاری بار روانہ ہوا۔ کہ لاٹری سے ہلاک ہلاک  
 کو بھڑکا۔ کہ وہ بلال کوک پر چڑھے۔ اور ورین لوٹ کر نافذ الہ کو بدل کوک ہے  
 گنہگار کے جوتی لے آیا۔ انما و اسٹین سے دو دن نافذ الہ نے ہلاک ہلاک فوڈر تاش لیا۔  
 کہ اسے دا احمد الہ نے لیا تھا۔ کہ وہ ان پر ایک گلشن کوفے ہے۔ وہ لاس ۴۰۔ 3 اس  
 لاس ۴۰ اور ماشا اللہ سے لاس لاٹری دا احمد الہ نے ہلاک ہلاک کو وٹو دیا۔ کہ وہ گلشن کوفے ورین  
 لاس ۴۰۔ اور ماشا اللہ لیا۔ تین دا احمد الہ لاٹری نے دوسرا گلشن کوفے لیا۔ کہ وہ اسکا  
 صافی ہلاک ہے جوتی ماڈرر بھانڈ کر بھاگ لیا تھا۔ کہ اسکا ہلاک ہے کہ وہ گلشن کوفے  
 لرا۔ خان 11۱۱ جوتی سے چور کیا۔ ۱۶۔ جوتی اسے ساتھ لے کر۔ اصل گلشن کوفے اسٹین  
 نہ دے کر لاٹری اس باٹ پر آگاہ ہو۔ کہ وہ لہف قیمت آدے آگے ہمارے ہے۔  
 جسے گوارہ جوتی صاف دالے ہیں

لاٹری

عالمجاہ! اسروافہ بارے میں گفتگو بیان حقیقت پر مبنی ہو رہی ہے۔ 3 اس  
 بارے میں حلف دینے کی بھی ہمارے ہیں۔ وہ ان کی خدمت اولاد پر فرقی نہیں ہے  
 سارے والوں کی جان لیا کہ انہ سے باہر۔ میری چند گنتی جوتی سے عدم موجودگی ہے۔

Attested

(13)

دیرہ داکٹر جونی سے غیر حاضر ہیں مگر ہیں۔ علاج نافذ کرنے کے لئے اس کے لئے  
 اور لائبریری کے لئے پھر تبادلہ مڈل کورف سے صاف ظاہر ہوا ہے۔ کہ پوری  
 مڈل کورف کو لائبریری کے لئے لیا ہے۔ اور وہ ہی اس کا ذمہ دار ہے۔  
 پھر صدف طاری مادی درجہ میں ہے۔ انگریزی اس میں ہے تاکہ اس  
 میں لکھا ہے۔ کہ وہ لیس لائبریری کے لئے لیا ہے۔ اس کے لئے اس کے لئے  
 میں لکھا ہے کہ لائبریری کے لئے لیا ہے۔ اس کے لئے اس کے لئے  
 لکھا ہے۔ اس کے لئے لکھا ہے۔ اس کے لئے لکھا ہے۔

عمران اللہ

کا نیشنل مینجمنٹ ایم ۱۹۹۱ جونی ٹائم ماسٹر  
 سال لیس لکھا ہے۔  
 واپس لکھا ہے ۰۳۳۶

نوٹ

۱۔ لیس لائبریری کے لئے لکھا ہے۔ اس کے لئے لکھا ہے۔  
 ۲۔ لکھا ہے۔ اس کے لئے لکھا ہے۔

Accepted

جہا - عالی

بوالدیوارج شہد نمبر 68-467 مورخہ 2015-09-29

مجازہ جہا - 02-08-015 وقت معروپہ گھو اپنے گھر سے پڑھو تو  
 بیمار کی اطلاع ملی۔ جو میں نے گھر والوں کو سنا اور  
 لگانے کے بعد گھر جانے اور فریق کو بعض علاج عالج کیا  
 نے جانیکا کیا، تو شام روتی تزدید بھی متاثرین کے گھر  
 کودے کر میں چوکی سے اپنے گھر کو روانہ ہوا۔ مری روز  
 کے وقت شہدات وقت کے لئے ~~بہتر~~ ~~بہتر~~ وقت موجود

تو اور جو ڈائری ہے کہ

و وہ مالک کاشٹو کے کئی عرفان اللہ کے راجل <sup>بھی</sup> نمبر 418  
 کے لئے جانے میں برابر کاشٹو ہے۔

عالیجاہ -

<sup>میں</sup> معنی تکمیل نے مورخہ 015-08-02 کو اپنی گھر میں  
 کے لئے حسب اجازت منشی انم AP مالہ کاشٹو گیا ہوا۔  
~~اور ایسی روز اپنے گھر میں~~ ~~بہتر~~ ~~بہتر~~ ~~بہتر~~  
 کا عدالت کے وقت موجود ہے۔  
 مقررہ کہ جس میں چوکی سے کلے تو اس وقت شہدات  
 ڈھولکے پر جو ڈھولے۔

جو در عائد شدہ الزامات نے میں دیکھ رہا ہوں  
 علیحدہ پارٹی کے مورخہ داخل وقت کے لئے جانیکا  
 اصیات سے ڈھولکے - مات پروری ہوا

015/01/02  
 [Signature]

بیان ازالہ عصمت اللہ 587 متعبر چونکہ ماہر کاشو

LHC

مدیریت بیان کیا کہ میرا چہرہ کتاب میں عصمت اللہ 449  
عابد لٹوار 1837 10 سے 02 ظہر بندی دہلوی تھی۔ ہماری دہلوی  
کے دوران نہ کوئی چونکہ اندر آتا ہے۔ اور نہ ہی کسی  
نے رائفل دیا ہے۔ مزید کہ میں لاعلم ہوں  
بیان میں لیا جو درست ہے۔

عصمت اللہ 587

الہ

عبدون شہ

ک  
بک

S.D.P.O. RURAL  
BANNU

L-1-016

MSD No. 0334-8803137

23. 11. 015

On

Att. chof

(22) بیان اترال ماہ نوواز 1837 صیفہ چوٹی نامہ کا سہو

587  
بدربانت بیان کیا کہ میرا کھیل حسین اللہ 449 کی بیٹی اللہ کی  
اچاریج کے ساتھ ~~10~~ 10 تاکہ میری ڈیوٹی تھی۔ ہماری  
ڈیوٹی کے دوران اتروٹی چوٹی کے اندر آیا ہے۔ اور  
مذہب کسی اقل سے گیا ہے۔ مذہب میں اسلام ہیں  
بیان میں بیا جو درست ہے۔

لکھنؤ شہرہ

ال ماہ نوواز 1837  
A. Q. Khan

S.D.P.O. RURAL  
BANNU

MOB NO - 0345-9798062

6-11-016

23.11.015

Original  
Accepted

بیان اڑان معین اللہ 449 حقیر جوگی ناہر کاسو

بدرمانت بیان کیا کہ میرا کسٹل عابد لواز 1837 کی عفت اللہ 587  
 انچارج کے ساتھ 10 سے 02 تا کہ میری ڈیوٹی تھی، ہماری  
 ڈیوٹی کے دوران نہ کوئی جوگی کے اندر آیا ہے اور  
 نہ ہی کسی نے رفل سے کیا ہے۔ مزید میں لایم ہیں  
 بیان سن لیا جو درست ہے

صدر قی شدہ

الو معین اللہ 449

معین اللہ 449

mob No 0332-9547017

23.11.015

S  
 S.D.P.O. RURAL  
 BANNU  
 6-1-016

Original  
 Attached



بیانی ہو کہ مورخہ 7/2 کو نواب ۱۸۰ نے اخراج دی کہ

نالاکاشو میں عقینہ نیٹیل عسراں اللہ ۶۴۵ سے ایک کتب

کھاری ملا شکیوف کھر خود میں پس و پیش ہو گیا ہے جس

کے خلاف باقاعدہ گشتہ کی ملا شکیوف رپورٹ درج ہو اور

بالا کے نوٹس میں لائی گئی۔ اس میں سلسلہ جوگی میں جلد

نیٹیلان وغیرہ کو سرسری اشارہ کیٹ لیا گیا تو جلا نیٹیلان

نے جوگی میں نئے ڈرائنگ مشین لگ مسی رسید اللہ 718 کے

ملوث ہونے کی طرف اشارہ کیا گیا۔ اس سے پہلے بھی

مسی رسید اللہ کی رپورٹیں گھیل ہیں لہذا اس کے ساتھ

کے ساتھ اس کا ایک دوست مسی نامید جو کہ پینہ کے کھانڈ

سے درنگ ہے اور ماہ رمضان میں جو اس کا جوگی لگ کے ساتھ

دوکان چھوڑ کر آنا مزید شک کو تقویت دیتا ہے۔ علاوہ اس میں

جوگی نام لکاشو کے قریب مسی ایوب (متاثرین) کو بھی اس سلسلے

میں اشارہ کیٹ لیا گیا مگر کوئی سفید انکشاف نہ ہوا۔

۶۴۵  
عسراں اللہ  
۶۴۵ ڈویژن  
۱۱-۹-۱۵

تصدیق شدہ  
Amby  
DSP/HO  
۱۱-۹-۰۱۵

Amby  
Amby

بیان اوقات قمر حان آئی ایچ آر جوئی مالہ ماسو حال مکانہ میرپور

(39)

یروز وقوع میں حسب اجازت  $SHO$  جوئی سے رخصت پر تھا اور فوائض و  
 $HC$  بطور ایچ آر جوئی انجام دے رہا تھا۔ یہ فرقہ  $\frac{7}{15}$  کو جب جوئی آیا

وایسرا آیا تو معلوم ہوا کہ کسٹل عمرانیہ 409 سے سرکاری  $SMG$  سے  
پیسر ہوا ہے۔ فوائض  $HC$  سے صلہ مینگی تو اس باجوابہ کیا گیا

بقاعدہ بحوالہ تقاعدت 7 اور 13 اور باقی  $\frac{7}{15}$  کسٹل عمرانیہ 409  
کی غیر حاضر اور سرکاری  $SMG$  کی مڈرنٹی کی ڈولٹر درج لرا گیا ہے

وقوع سے متعلق  $SHO$  تھا ڈولٹر عمرانیہ کو آتا کیا۔ عدویہ اس  
جوئی میں وجود کسٹل عمرانیہ کے ان سے زمانی صلہ مینگی مگر

د علی کا اظہار کیا۔ البتہ بعض کسٹل عمرانیہ نے صلہ مینگی سے  $SMG$   
جوئی ان کا شک کیا۔ جو  $SHO$  کے فوٹو میں لاکر  $SHO$

نے فوٹو سے زمانی صلہ مینگی کی مگر اس نے علی کا اظہار کیا۔ یہ  
اس دوران فرقہ  $\frac{7}{15}$  کو بصورت پیادہ صلہ مینگی اس میں 44 فوٹو

تار کاسٹو سے مکان میرا ہوا انکی کی 6۔ لکیرہ سے صلہ مینگی  
میں سے۔ کم کا صلہ مینگی رو ما عورتیں ہیں۔ یہ امر ایسا ہے

*Amir*

Ani. P.S. mirpur

05-08-2015

Mob: 03335016275

لکیرہ شہ

*Amir*

DSP/HO

5.8.015

*Amir*  
Amir

پان رٹرن LHC عہدہ رٹرن 587 متعلقہ نام ماشو کہ  
عقد 26104 میں 10 سے 2 ڈیوٹی پر موجود تھا۔ لیو فردی ڈیوٹی

میں فوج میں موجود تھا۔ کہ پتہ حکم نامہ ٹائپل بحران 406 سے

اسکا رٹن نام ماشو موجود ہے تو مفصل کر سکتے۔ کہ ایسی ہمتی

دھل جوت۔ ٹنگری راجہ اور نام ہی ایک اور شخص فوج میں

تو ہم نے رٹرن کے متعلق ٹنگری راجہ اور نام کو رٹن اور سینی لیا ہے۔

کہ میں مطلع ہوا کہ رٹن اسکا نام پورا ہے۔ اور نام ہی راجہ

شخص کے متعلق میں پوچھا تو انہوں نے کہا کہ میرا مہمان ہے۔ SH0

میرے کہ نام میر فوجی انکم۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

SH0 نے اسکا نام لیا ہے۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

ٹنگری راجہ اور نام لیا ہے۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

SMR ہے۔ اسکا نام لیا ہے۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

تو وہ SH0 نے اسکا نام لیا ہے۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

کو لہو لہو۔ تو اس نے اسکا نام لیا ہے۔ تو وہ صوبہ کل میں ورڈ فوجی لیا ہے

میں ہے۔

Signature  
LHC  
05348803137

صبح بخیر  
صبح بخیر

الحمد لله

بحران 406

Amir  
Arrested

Amir  
OSD-HCO  
6.8.017

میان اذان محمد صلی اللہ علیہ وسلم نمبر 583 عرفینہ جوگی نامہ لکھنؤ  
 مورخہ 15/7 کو میری ذمہ سے 6 ڈیوٹی معذور تھی۔ جس کے لئے  
 امان نمبر 406 کی 6 سے 10 ڈیوٹی شروع تھی۔ بعد  
 فراغت ڈیوٹی کرنل عرفان 406 ایم سینٹی پر تھی  
 خود صلہ گیا۔ جب واپس آیا تو اس کا سہارا  
 رائفل غائب تھا۔ صبح میں کرنل عرفان ریاست پور  
 ہے۔ دستکری راجہ اسی گھر میں دستکری خانہ کا سامان  
 دیکھا ہے۔ اور اسی گھر میں اس کا پانا چانا ہوتا ہے  
 نہ کوئی ہیرا پھونڈ شوقیا ہوگی میں آیا ہے۔ صبح  
 نے رائفل چرائی ہے۔ عزیزہ العالم ہو۔

اللہ

4/8/15

mob. 0344-9238147

تعمیر شدہ

Amulya

DSP/HQ

4/8/15

Amulya  
 Accepted

بیان اذین حکمت علی بن ۱۴۷۱ مضمینہ جو کمال گاشوکہ  
 ۷/۱۵ کو کیشل عرفان اللہ فر 406 کی 6 سے 10 ڈیوٹی تھی۔ بعد  
 قدرت ڈیوٹی کیشل عرفان ریم جنسی کی صورت میں گھنٹہ خود چل گیا۔  
 جبکہ ان سے سہرگاری رانفل مکرے میں چارپائی پر رہ گئی۔ پوری 2 بجے  
 ڈیوٹی ختم ہوئی۔ اور رانفل سہرگاری میں نے خود عرفان کیشل کے چارپائی  
 پر سہرپانے کے لیے دیکھی تھی۔ سنگری راجد نے تقریباً 8 یا 8:30 بجے  
 بیان بنا کر گھر چل گیا۔ اور چونکہ میں لگلا۔ جب کیشل عرفان وی  
 روز دوبارہ چوکی حاضر آیا۔ تو پرتال کرنے پر ان کا سہرگاری رانفل  
 غائب تھا۔ جبکہ سنگری راجد گاڑی لایا تھا۔ جب سنگری راجد  
 صبح 7/15 کو بوقت 17:00 بجے چوکی آیا۔ روٹین کے کام میں مصروف  
 تھا۔ بوقت تقریباً 20:00 بجے دوبارہ بیان بنا کر گاڑی جانے کا حکم دیا تھا۔  
 کہ چوکی میں موجود کیشل نے یہ بات ان پر واضح کر دی۔ کہ عمل بھی  
 کئے تھے۔ اور 2 بجے چارپے میں رہی پر چوکی میں موجود کیشل کو  
 میں پر شک ہوا کہ شاید سہرگاری رانفل انہوں نے چرائی ہو۔ اس کے دوسرا  
 جو پراسٹیوٹ بندہ آیا تھا۔ یہ بات سن کر چوکی سے غائب ہوا۔  
 سنگری راجد سے پتہ دریاغت پر اس کا عوباسٹیل نمبر بھی نہیں تھا۔

الم  
 mob: 0313-9068482

تعمیر شدہ  
 Ammy  
 DSP/HO  
 3.8.05

م عجاب رانگرائی آؤٹ

Ammy  
 Absent

سک۔ پراسٹیوٹ بندہ جو سنگری راجد آئے ساتھ لایا تھا۔ اور 2 بجے صاحب  
 نے اس کو چوکی میں بند کیا۔ اس کے بارے آپ کو کیا پتہ ہے۔؟  
 پراسٹیوٹ بندہ نے کہا کہ سنگری راجد نے مجھ سے کہا کہ چوکی کے نزدیک  
 ایک کلاشنکوف ہے۔ اور سودا ہوا تو ساتھ لے آئیں گے۔

تعمیر شدہ  
 Ammy  
 DSP/HO  
 3.8.05

الم

بیان برائے لنگری در صدر ایڈیشن 718 مسند چوکی نامہ فاشو

مورخ 7 اپریل کو روس کے مطابق میں چوک کو تقریباً 1600 تا 3000  
بے روزگار لوگوں کا رہنا ہے۔ اسی روز ہی جو کہ ماہ رمضان تک ہی آیا  
رونگ لنگری کے بارے میں معروف رہا۔ اقلتاہ تک روس  
سزا کا لنگری۔ لنگری افغان اور ہندی اور پنجابی چوک  
ایہ وقت میں خود طلبہ ہیں۔ یوں کہ گھر سے اطلاع ہے کہ

یوں کہ ایہ ہی بیماری ہے۔ صبح مورخ 7 اپریل کو میں نے یوں کہا اور  
یہی کوئی وقت لنگری کے لئے ہے۔ دورانہ دن کے بعد  
خود لنگری سے۔ کامنڈا میں لنگریوں۔ یوں کہ 1700

چوک نامہ فاشو آیا۔ اور لنگری کے دورانہ میں معروف رہا۔  
مانسٹر عمران 406۔ جس سے تم شدہ سرکار اور نیشنل SMP  
کے متعلق معلوم کیا۔ میں نے لنگری کے بارے میں اس کا رشتہ وقت

SHO عمران خان آیا۔ اور پنجاب سے روس کے متعلق پتہ لگا  
اس نے جواب دیا۔ کہ وہ لنگری میں ہے۔ بعد میں SHO  
کا کہ لنگری سے لنگری کے لئے چوک سے لنگری تو نہیں ہے۔

پنجاب اور لنگری کے بارے میں لنگری کے لئے لنگری اور صدر ایڈیشن  
لنگری کے لئے SHO عمران خان نے لنگری کے لئے لنگری اور صدر ایڈیشن

یوں کہ میں نے جواب دیا۔ کہ لنگری میں بیمار لنگری کے لئے  
وقت لنگری کے لئے لنگری کے لئے لنگری کے لئے لنگری کے لئے

یوں کہ میں نے لنگری کے لئے لنگری کے لئے لنگری کے لئے لنگری کے لئے  
یوں کہ میں نے لنگری کے لئے لنگری کے لئے لنگری کے لئے لنگری کے لئے

مصدق شدہ  
AmAm  
DSP/LHO  
27/7/02

AmAm  
Actual

( )

منزب SHO صاحب و شکرے ایلغاروں سے کیا۔ کہ ہم

اُن سے باقیوں کو نہیں دیکھے ہیں۔ لہذا میں SHO صاحب سے

مجھے فارا مینا۔ اس وقت کہ لہو لہان کیا۔ کجی حالت

میں درت نڈلاں۔ صبح سویرا SHO فرمایا۔ اور کہا کہ

اب اور الزم علیہ عرفان 406 دو سالہ شکرے کا بندوبست

کریں۔ توئیٹ میں تہذیب اور ایک لایزم علیہ سے جو لگے آئے

میرا دل کا فرط و غم تھا۔ اور الزم علیہ دے دیئے لگاتار

میرا ایک بھائی ناقد خان و لہو فارخان کہہ توئیٹ لکھ کر عورتوں کو

فیس SHO صاحب سے مارا ہے۔ درت کو چوک میں نڈلاں۔

اور صبح تقریباً 10 میرا منہ فرودگ میں چل گیا ہے۔ دو سالہ

علاقہ روزنا تم رپورٹ اور فارا مینا شکرے کا بندوبست الزم

نے فرمایا تھا۔ لہذا الزم علیہ سے زین لگنے وقت فر

دستخط لکھے۔ یہی میرا بدل ہے۔

المراد صاحب الزم خان

03439325616

لاہور پاکستان

شکرے کا بندوبست

Amir

057-110-277-0137

صبح پنجاب الزم علیہ عرفان 406

++ آج آفریقا کے جدید ترین ٹیکسٹ کو میں لکھا۔ 26

جو اب میرا عمر جتنی ہی۔ تاثریں اور بیگانہ کو میں سے

لکھا تھا۔ کہ آج فرما دیکھا میں کہہ رہی تھی کہ امانت دہرے

کریں۔ تو میں نے منشی اسماعیل سے اردو میں لکھا ہے

Amir

دوسرا دورہ اور اس کے نتیجے میں

(۶۳) ۲۱۸  
 دوسرا دورہ

جس کے میں لنگر خانہ نما سامان خریدنا - اس کے بعد میں  
 الزم عظیم کاشی خان روٹنگ سے مل گیا - اور قاضی امین خان  
 ولدہ معلوم حال تیز چوگا نام عاشق نے میں اس کے سے  
 آگے گیا - شاید روسی سرکاروں کے جو رہا ہوا ہوگا -

۳۱ مارچ ۱۹۷۱ء میرا سرکاروں سے مل گیا -  
 ساتھ افغانیہ اور لنگر خانہ سے مل گیا -  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو  
 ۳۱ مارچ ۱۹۷۱ء میرا سرکاروں سے مل گیا -  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو

۳۱ مارچ ۱۹۷۱ء

۳۱ مارچ ۱۹۷۱ء میرا سرکاروں سے مل گیا -  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو

۳۱ مارچ ۱۹۷۱ء

۳۱ مارچ ۱۹۷۱ء میرا سرکاروں سے مل گیا -  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو  
 میرا ٹیوٹ شعلہ لکھا تم چوگا لکھا آیا - بیورن انٹرو

۳۱ مارچ ۱۹۷۱ء



POLICE DEPARTMENT.BANNU REGIONORDER.

My this order will dispose off the appeal in respect of Ex-Constable Irfanullah, No. 409 of Bannu District Police against the order of Major punishment of dismissal from service, passed by DPO/Bannu vide OB: NO. 6 dated 7.1.2016 for committing the following omissions:-

1. That a govt. SMG rifle bearing butt No. 418 distributed upon appellant was allegedly misplaced and reports to this effect were reduced to DD No. 07 & 13 dated 2.7.2015 PP Nala Kashu..

Service Record of the appellant was thoroughly perused and the appellant was heard in orderly room on 9.2.2016.

Therefore, I, Muhammad Tahir, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room on 9.2.2016 have come to the conclusion that the aforementioned order of dismissal passed by DPO/Bannu is not in consonance with law being a harsh one. Hence, the said order is set aside with regard to the dismissal of the appellant, while with regard to recovery of amount/cost of the missing rifle is still maintainable.

Order Enounced.

*Muhammad Tahir*  
(Muhammad Tahir)PSP

Regional Police Officer,  
Bannu Region, Bannu.

No. 417 /EC, dated. 10 /2/2016. *17/2/16*

Copy to :-

- The District Police Officer, Bannu for information and n/action w/r to his office Memo: No. 1158 dated 21.1.2016.

*Muhammad Tahir*  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

*Only  
Arrested  
by  
Subordinate*

H = 32

Associate Professor

**Dr. Rafat Ullah**

MBBS, MCPS (Medicine)

F.C.P.S (Medicine)

**Medical Specialist**

District Headquarter Hospital Bannu

Bannu Medical College, Bannu



NOT VALID IN COURT

ایسوسی ایٹ پروفیسر

**ڈاکٹر رفعت اللہ**

ایم بی بی ایس، ایم سی پی ایس (میڈیسن)

ایف سی پی ایس (میڈیسن)

میڈیکل سپیشلسٹ

ڈسٹرکٹ ہیڈ کوارٹر ہسپتال بنوں

بنوں میڈیکل کالج بنوں

درون

Age

Date

3.7.15

<p>Left side of Back Number Headache fever - chill.</p>	<p>Anaemia T T T</p>	<p>Dichloro sup 171 ① Mevat sup 2 sup</p>
<p>swell sup mp. hb. rca</p>	<p>T T T</p>	<p>sup Ca. C 1000 sup</p>
<p>Cap vander sup Cap استندہ ملاقات: 26</p>	<p>T T T</p>	<p>Damochu 171 sup AG. Fix 407 sup</p>

Adnan 992-634333

کلینک: نیورشیڈ میڈیکل سٹورز و بنوں سٹی سکین بالقابل ڈی ایچ کیو ہسپتال بنوں

Associate Professor

**Dr. Rafat Ullah**

MBBS, MCPS (Medicine)

F.C.P.S (Medicine)

**Medical Specialist**

District Headquarter Hospital Bannu

Bannu Medical College Bannu



NOT VALID IN COURT

33

ڈی ایٹ پروفیسر

**ڈاکٹر رفعت اللہ**

ایم بی بی ایس، ایم سی پی ایس (میڈیسن)

ایف سی پی ایس (میڈیسن)

میڈیکل سپیشلسٹ

ڈسٹرکٹ ہیڈ کوارٹر ہسپتال بنوں

بنوں میڈیکل کالج بنوں

3-7-15

Name

کافور

Age

Date

Headache

RTD

fever, dypur

Tad

Levon 25/12

mp tu

penicillin 12/12

Syr

penicillin 12/12

Syr

آئندہ ملاقات:

0300-000000

کیو ہسپتال بنوں

سٹورنوز بنوں ٹی سکین بالقابل

The Regional Police officer  
Bannu Range Bannu.

Subject: REPRESENTATION AGAINST THE ORDER OF WORTHY  
D.P.O BANNU VIDE OB NO. 06 DATED 07/01/2016 VIDE HIS  
LETTER NO. 371-76 DATED 08/01/2016 THROUGH WHICH THE  
PETITIONER WAS DISMISSED FROM THE SERVICE.

Respected Sir,

The petitioner Prayed as under:-

1. That Detail facts and figures pertaining to the departmental proceedings have been advanced by the petitioner in shape of reply to the charge sheet, as well as during the course of statement to the inquiry officer but the inquiry officer has altogether ignored the real facts and recommended the petitioner for major penalty. In the inquiry proceedings petitioner was hold responsible for the misappropriation of SMG rifle. In spite of the fact that the petitioner was neither the sentry nor Kot Incharge of the police post.
2. That the inquiry officer has in haphazard manner submitted his finding, ignoring the real facts because nothing has been brought on record during the course of inquiry connecting the accused with the charges. The authority has also ignored the real facts of the inquiry proceedings and blindly relied upon the finding of inquiry officers against the spirit of law. As per the finding of the EO, actual culprit of misappropriating SMG rifle has been declared on the shoulder of myself but as per police rules neither the same SMG rifle has been distributed upon me nor any kind of entrustment has been given to me on the said rifle. The rifle in question was distributed upon constable Irfan Ullah and he is responsible to safeguard the same.
3. According to the procedure of inquiry and dicta of Superior courts, the inquiry officer and the authority are bound to based upon their finding on solid reasons connecting the accused with the charges without breaking any channels but in my case, a single iota of evidence is not available on record connecting me with the charges but even then I have been dismissed from the service without any fault. The major penalty is justified when someone commits the fault willfully regarding any responsibility shouldered upon the person by the authority or by the act.
4. That the inquiry officer has not brought on record any solid evidence connecting me that I have stolen the SMG rifle and what I had been stated in my reply to the charge sheet and statement before the EO, the inquiry officer has not established any domain of myself upon the said SMG rifle. Furthermore I was neither the Kot incharge nor incharge of the police post

*(Signature)*  
Abusafar

to deal with the SMG rifle. I am cook by profession in the said police station and had got no authority to deal with the arms ammunition distributed upon other constables. I have got no linkage with any criminal's activities. Even a single thing is not available in inquiry proceeding showing me that I have misappropriated the SMG rifle nor I have facilitated the misappropriation of the said SMG rifle but the inquiry officer brushed aside the real facts and I was recommended for major penalty including the actual culprit. The authority has also agreed with the enquiry officer without any reason and rebutting my statement and grounds taken in the charge sheet. The constable Irfan ullah was duty bound to, hand over the rifle to the concerned official while leaving the Police post and this much has been mentioned in the police rules.

- 5. That on the day of occurrence, constable Irfan Ullah left the PS without prior permission of the authority without depositing the expensive SMG rifle with any official or in quarter concern and on no way he can be exonerated from the charges of misappropriation.
- 6. That the DPO Bannu while passing an order of dismissal has not consulted the record according to the procedure of inquiry because my duty and act cannot lead toward major penalty. Even being a poor person I was ready to deposit the amount of SMG as per the police rules to the government, so that my family may be rescued from ruin.
- 7. That according to the finding of DPO double punishment has been given which is against the spirit of law and constitution of Pakistan. On one hand I have been dismissed from service and on other hand recovery of the amount has been ordered which is quite against the spirit of law.
- 8. The brief resume of the facts leading to my departmental proceedings are as under:-
  - a. That the petitioner has joined the police deptt as Cook in the year 2010 and after necessary directions by the authority regarding the performance of duty, the petitioner has performed the duty in various establishment of police department including the police stations with great zeal and zest without any complaint.
  - b. That when the petitioner was practically posted for performance of duty in the different police stations anywhere in the district, the petitioner has performed the duty with utmost satisfaction of superior officers and this is why that no complaint what so ever has been made against the petitioner as evident from the service record of the petitioner pertaining to the charges or otherwise. but this unlucky incident of missing of SMG rifle has been occurred because act of Irfan

OM/2

*[Handwritten signature]*

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Ullah constable and the petitioner has got no concern with the said misappropriation.

- c. That during posting as constable/cook anywhere in police department I have performed my duty without caring the consequences at the hands of miscreants/militants and whatever situation arises to the petitioner for performance of duty, no stone was left unturned. I had not hesitated in performance of duty anywhere when proper order has been issued by the authority. The allegation of charges of misappropriation of the SMG rifle is not understandable to the undersigned being a poor man and the responsibility of Irfan Ullah constable has been shifted to the petitioner without recouring to the police rules and practice. I have not been involved or in league with any criminal or mal practices of corruption and misappropriation of government property like SMG etc because the same was not allotted to me.
- d. That the charges mentioned in charge sheet are based upon presumption and hearsay evidence because since posting of petitioner anywhere in the police station or else, petitioner has not indulged himself in any such like activities / corrupt practices mentioned in the charge sheet. The charges attributed to the petitioner are not proved in the inquiry proceedings as evident from the record but even then the petitioner has been put in the agony of inquiry and charge sheet against the spirit of service. The EO officer has clearly stated that the SMG rifle has been mis- appropriated by the Irfan ullah constable and the same stance has been taken by the petitioner during the whole proceeding.
- e. That throughout my service, I have not indulged myself in any such activities which are against the spirit of police rules or which is a black stigma for the police department. I have performed the duty in the para-meters of police rules and law of the land.
- f. That the charge sheet as well as the finding of the inquiry are based upon the evidence of presumption and the same has not accompanied with single instance that I have committed / facilitated the illegal acts in any matter, therefore, the same allegation is not tenable in the eyes of law for the purpose of inquiry or charge sheet but even then I have been charge sheeted without cogent reasons on hearsay evidence and thereafter dismissed without bringing home the charges to the petitioner.
- g. That costable Irfan ullah without communicating information to the authority left the PP without observing the codal formality about the arms and ammunition and departing because he took the false plea of serious illness of his father and the same was not proved in the inquiry proceeding. I known the duty of police and the allegations

Oy  
Arrested

leveled against me are not based upon cogent reasons and the same might has been misrepresented to the authority.

h. That the charges of misappropriation of SMG rifle from the PP is not based upon fact because at that time I was performing the duty of cook in the PP and as your good self know cook has got no concern with the government arms and ammunition distributed upon other official as prescribed in the police rules. Throughout my service I have performed my duty with too much honestly and devotion.

That I am a poor man having the responsibility of large family and the service is my only bread earning. The action taken on the basis of charge sheet and inquiry proceedings has ruined not only my life but also so many dependents of my family. Being the police officer I know my bound and cannot dare to commit, not only this fault but any other too.

j. That according to the dictas of superior courts the charge sheet and order of dismissal must be based upon solid and cogent reasons and without such solid reasons, any kind of action against the officers/officials is against the spirit of law and had been condemned by the courts and in my case the reply to the charge sheet has not been contradicted by the EO as well as by the DPO while passing the order of dismissal.

k. That the dismissal order passed against any official by the authority must be of such a nature that the charges leveled against the official must be proved without shadow of doubt but in my case the whole story and finding of the inquiry officer is based upon material connecting constable Irfan ullah with the charges.

l. According to Police rules when ever anything has been missed, then committee is constituted for tracing out the cause of missing and in case of fixing of responsibility on any official, opportunity is provided to the official for redressing the damaged caused to the department and in case the official is ready for redressing the same, no further action will be taken against the accused, but in my case two punishment has been awarded which is against the spirit of police rules.

PRAYER:-

Keeping in view the above, it is requested that the order of DPO OB NO. 06 DATED 07/01/2016 VIDE HIS LETTER NO. 371-76 DATED 08/01/2016 may be set-aside and the petitioner may be re-instated in to the service from the date of dismissal. I may also be heard in person.

*Original Attached*

Yours obedient

Rahid Ullah

No. 718

Ex: Cook Constable

Village Ghorī wala

# WAKALATNAMA

(Power of Attorney)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Rahid Ullah Khan .....

Petitioner)  
(Plaintiff)  
(Applicant)  
Appellant) ✓  
(Complainant)  
(Decree Holder)

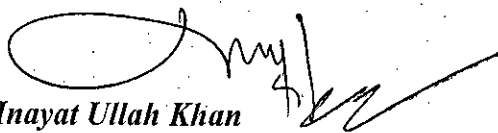
VERSUS

I.G.P/ PPO, Peshawar & others .....

(Respondents) ✓  
Defendant)  
(Accused)  
(Judgment Debtor)

I, Rahid Ullah Khan (appellant) in the above noted case, do hereby appoint and constitute **Inayat Ullah Khan** Advocate Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/ us as my/ our Counsel in the above noted matter, without any liability for that default and with the authority to engage/ appoint any other Advocate/ Counsel at my/ our matter.

Attested & Accepted



**Inayat Ullah Khan**  
Advocate High Court, Peshawar.  
**LL.M (UK)**  
House No.460 Street No.12,  
E/4, Phase-VII, Hayatabad Peshawar.  
Cell: 0333-9227736

راشد اللہ خان  
CLIENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No.234 /2016

Rahid Ullah Khan .....

Appellant

Versus

Provincial Police Officer & other .....

Respondents

PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS

Respectfully Sheweth:-

Preliminary Objections

1. That the appeal of appellant is badly time-barred.
2. That the appeal is not maintainable in its present form.
3. That appellant has concealed the actual facts from the honorable tribunal.
4. That the appeal is bad in law due to none-joinder and mis-joinder of necessary parties.
5. That the appellant has approached the Honorable Tribunal with unclean hands.
6. That the appellant has got no cause of action and locus-standi to file the instant appeal.
7. That the appellant has been stopped by his own conduct.

Objections on facts:

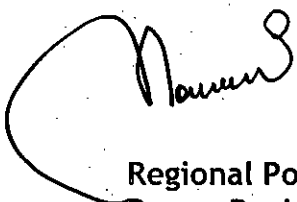
1. Pertains to record. Hence no comments.
2. Pertains to record. Hence no comments
3. Pertains to record. Hence no comments.
4. Correct. Hence no comments.
5. Correct. Hence no comments.
6. Correct to the extent. The statements of all concerned witnesses were recorded but rest of the para is incorrect that no body has taken SMG Rifle. As per the statements of SHO Imran Ullah, initially he has interrogated all Police nafri of the said Police Posts. During interrogation, it was revealed that Constable Rahid Ullah Khan No.718 involved in theft/misplacing of the said rifle and during inquiry proceedings, it was proved that Constable Rahid Ullah found guilty of theft of Govt. Kalashnikov and Irfan Ullah for negligence.
7. Pertains to record. Hence no comments.
8. Incorrect. The appeal of Constable Irfan Ullah was accepted and punishment of dismissal from service due to his negligence/misplacing of Govt. Kalashnikov was converted into recovery/purchase of SMG Rifle and depositing it in Govt./Police Lines Kot while the appeal of the Appellant Rahid Ullah Khan rejected by the competent authority due to his direct involvement in theft of Govt. Kalashnikov.
9. Reply has been given in Para-8.

Ground of Appeal

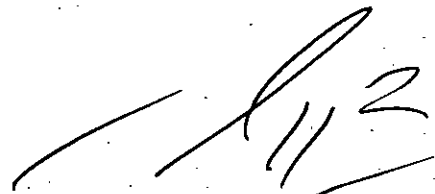
- a. Incorrect. The impugned order is quiet legal according to law/rules, based on facts.
- b. Incorrect. As stated in para-8 that the appeal of Constable Irfan Ullah was accepted and punishment of dismissal from service converted into recovery/purchase of SMG Rifle and depositing it in Govt./Police Lines Kot Bannu while the appeal of the Appellant Rahid Ullah Khan rejected by the competent authority due to his direct involvement in theft of Govt. Kalashnikov. The role of both the Appellant was different therefore; principle of consistency is not applicable in the subject case.
- c. Detail reply has already been given in Para-b.
- d. Incorrect. Dismissal from service was imposed on the present Appellant due to his direct involvement in theft of Govt. Kalashnikov and the competent authority (RPO Bannu) rejected his appeal which is not punishment.
- e. Incorrect. During the inquiry proceedings charges against the Appellant was proved and all opportunity of hearing and defense was provided to the appellant, hence recommended for major punishment.
- f. Incorrect. All the opportunities of having defense and cross examination was provided to the Appellant during the inquiry proceedings. Rest of the para pertains to record. Hence no comments.
- g. Incorrect. The charges that the Appellant is involved in carrying/missing the SMG rifle butt No.418 distributed upon Constable Irfan Ullah of PP Nala Kashu evident from the preliminary enquiry conducted by DSP/HQrs Bannu. It was also proved in departmental proceedings. All the witnesses are ready to give evidence that the Appellant Rehid Ullah Khan is responsible for carrying/misplacing of the said rifle and then the enquiry officer recommended for major punishment and recovery should also be made from them.

Prayer:-

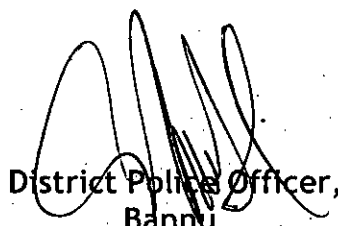
Keeping in view of the above facts and circumstances, it is humbly prayed that the Appeal of the Appellant is divide of legal force; same may kindly be dismissed with cost.



Regional Police Officer,  
Bannu Region, Bannu  
(Respondent No.2)



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



District Police Officer,  
Bannu  
(Respondent No.3)

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

Appeal No.234/2016

Rahid Ullah Khan.....(Appellant)

Versus

Provincial Police Officer & Others.....(Respondent)

**AFFIDAVIT.**

I, .....*Ferooz Khan*..... Inspector, representative for respondents PPO & others, do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments submitted by me are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

**Regional Police Officer,  
Bannu Region, Bannu  
(Respondent No.2)**

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

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No.234 /2016

Rahid Ullah Khan .....

Appellant

Versus

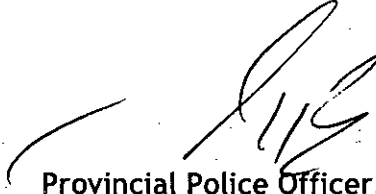
Provincial Police Officer & other .....

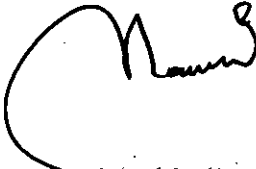
Respondents

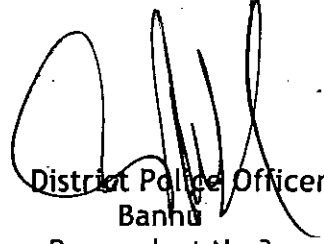
AUTHORITY LETTER.

Mr. Farooq Khan Inspector, is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar on behalf of the Provincial Police Officer, KPK & Others in the above cited Appeal.

He is authorized to submit and sign all documents pertaining to the present Petition.

  
Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar  
Respondent No.1

  
Regional Police Officer  
Bannu Region, Bannu  
Respondent No.2


  
District Police Officer  
Bannu  
Respondent No.3

A 9

**KHYBER PAKHTUNKHWA POLICE**  
**DISTRICT BANNU**

S/No: 2037 "A" "9" B.G  
 Nil

**Rahid Ullah Khan**  
 FC # 718

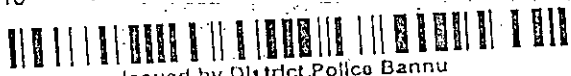
  
 District Police Officer,  
 Bannu

**KHYBER PAKHTUNKHWA POLICE**

Address: "A" "9"  
 Rak Sarkar P/O Ghoriwala District Bannu.

C.N.I.C: 11101-6329535-7 Issue Date: 31.07.2015

Date of Appointment: 2010 Valid Upto: 30.07.2018 Date of Birth: 11.12.1980

  
 Issued by District Police Bannu

ORDER:

This order of the undersigned will dispose off the departmental proceedings, initiated against accused Irfan Ullah No. 409 of village Kalanjer Kakki and Cook Constable Rahid Ullah No. 718 of village Ghorī Wala under general proceeding of police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014).

Brief fact of the enquiry is that a govt. SMG riffle bearing butt No. 418, distributed upon constable Irfan Ullah No. 409 of PP Nala Kashu, was allegedly misplaced and reports to this effect were reduced to DD No. 07 & 13 dated 02.07.2015 PP Nala Kashu. Resultantly, preliminary enquiry was initiated through DSP/HQrs to fix the responsibility. Who, (DSP/HQrs) after conducting probe into the case, submitted his facts finding report vide his office letter no. 1152/HQrs Dated 14.09.2015. Wherein, constable Irfan Ullah No. 409 and cook constable Rahid Ullah No. 718 were recommended for proper departmental proceedings.

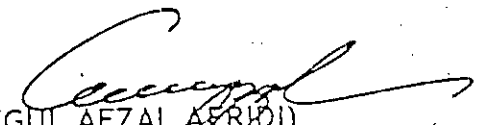
In the light of preliminary enquiry report, accused Irfan Ullah No. 409 was charge sheeted for his will'ul absence on 02.07.2015 and for severe negligence in the missing of SMG rifle quoted above while cook constable Rahid Ullah No. 718 was charge sheeted on the basis of involvement in carrying/missing the SMG riffle bearing butt no. 418 distributed upon constable Irfan Ullah No. 409.

DSP/Rural, Circle Bannu was interested with the enquiry papers for conducting proper departmental enquiry into the allegations leveled against both the accused officers. Who, DSP/Rural conducted proper enquiry into the allegations and submitted his findings vide his office letter no. 01 dated 04.01.2016, wherein, it was opined by him that constable Irfan Ullah No. 409 has made severe negligence by throwing carelessly the SMG riffle along with fitted magazine containing 30 rounds on bed and subsequently left the station without handing over the charge of SMG riffle. The enquiry officer further added that all the staff of PP Nala Kashu along with SHO of PS Domel has confirmed the fact that the missing SMG riffle has been taken/stolen by cook constable Rahid Ullah No. 718.

In the conclusion of the findings, the enquiry officer recommended both the accused officers for award of departmental punishments as well as recovery of amount of the missing SMG riffle from both the accused officers.

In light of the departmental proceedings I, GUL AFZAL AFRIDI, District Police Officer, Bannu in exercise of the power vested in me under police rule 1975 (Amended vide Khyber Pakhtunkhwa gazette Notification, 27 the August 2014) hereby dismiss both the accused officers namely Irfan Ullah, FC No. 409 and Rahid Ullah, cook Constabulary No. 718 from the service. Amount/cost of the missing riffle is also ordered to be recovered from both the accused officers.

OB No. 06  
Dated: 07-01/2016

  
(GUL AFZAL AFRIDI)  
District Police Officer,  
Bannu.

No. 371-76 dated Bannu, the 08-01/2016

- Copies for necessary action to:
1. The DSP/HQrs. Circle, Bannu to co-ordinate with pay officer and SHOs concerned with regard to the cost of missing riffle etc.
  2. The Pay Officer, DPO Office, Bannu with the directions to stop the outstanding dues of the above accused officers and make necessary recovery from them.
  3. The SHOs of PS Kakki and P. Ghorī Wala to co-ordinate with pay officer and ensure recovery of the amount from the above accused officers.
  4. The SRC, DPO Office, Bannu.
  5. The OASI, DPO Office, Bannu along with the enquiry file for placing it in the Fjui Missal of the concerned officials.

*Copy of  
investigation  
by  
advocate*

*P ✓*

*PS ✓*

*LN ✓*

*Y ✓*

ORDER.


My this order will dispose off the appeal in respect of Ex- Cook Constable Rahidullah No. 718 of Bannu District Police against the order of Major punishment of his dismissal from service, passed by DPO/Bannu vide OB: NO.6 dated 7.1.2016 for committing the following omissions:-

1. That a Govt: SMG Rifle bearing butt No. 418 distributed upon constable Irfanullah was allegedly misplaced and reports to this effect were reduced to DD No. 7 & 13 dated 2.7.2015 PP Nala Kashu. Resultantly, the official concerned was charge sheeted on the basis of involvement in carrying/missing the said SMG Rifle.

Service Record of the appellant was thoroughly perused and the appellant was heard in orderly room on 2.3.2016.

Therefore, I, Muhammad Tahir, Regional Police Officer, Bannu Region, Bannu in exercise of the powers vested in me, after thoroughly perusal the record and hearing the appellant in orderly room on 2.3.2016 have come to the conclusion that the aforementioned order of dismissal passed by DPO/Bannu cannot be interfered, for the appellant could not convince the undersigned about his innocence in the subject case. Hence, appeal is rejected.

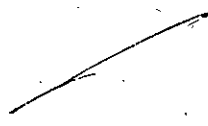
Order Enounced.

  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

No. 721 /EC, dated 03 / 03 / 2016. 4-2/3/16

Copy to :-

- The District Police Officer, Bannu for information and n/action w/r to his office Memo: No. 4459 date 03.02.2016.

  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

*checked by Advocate*

POLICE DEPARTMENT.

BANNU REGION

ORDER.


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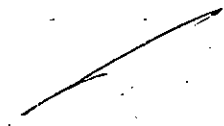
Order Enounced.

  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

No. 721 /EC, dated. 03/3/2016. 47-2/3/16

Copy to :-

- The District Police Officer, Bannu for information and n/action w/r to his office Memo: No. 4459 dated 23.02.2016.

  
(Muhammad Tahir)PSP  
Regional Police Officer,  
Bannu Region, Bannu.

*Attested by Advocate*



سلسلہ انکوائری ازاں عرفان اللہ نمبر 409 اور گلگ کاٹھیل راہید اللہ نمبر 718 متعینہ چونکہ نالہ کاشو

جناب عالی!

1- بحوالہ چارج شیٹ نمبر 66-465 مورخہ 29.9.015 مجاریہ جناب گلگ انٹل خان فریدی DPO صاحب بنوں برخلاف کاٹھیل عرفان اللہ نمبر 409۔

2- بحوالہ چارج شیٹ نمبر 68-467 مورخہ 29.9.015 مجاریہ جناب گلگ انٹل خان فریدی DPO صاحب بنوں برخلاف گلگ کاٹھیل راہید اللہ نمبر 718۔  
ہر دونوں کاٹھیلان کے چارج شیٹ ہائے کے متعلق معروض بنوں کہ:

1- حالات، واقعات چارج شیٹ الزامات برخلاف ہر دونوں الزام علیہ کاٹھیلان کچھ یوں ہیں۔ کہ بحوالہ تقلمد نمبر 7 روز نامہ 2.7.015 وقت 10:20 بجے چونکہ نالہ کاشو علاقہ تھانڈو میل ضلع بنوں میں نواب خان IHC نے سٹیشن ناکہ بندی Pay Day لگانے کے لئے کاٹھیل عرفان اللہ نمبر 409 کو چونکہ میں تلاش کر کے جو عدم موجود پایا۔ اور مذکورہ کاٹھیل نے سرکاری SMG بٹ نمبر 418 کو کاٹھیل مذکورہ پر تقسیم شدہ ہے بھی عدم موجود پایا کر جمعہ SMG بغیر اجازت کے گھر خود چلا گیا ہے کاٹھیل مذکورہ کے خلاف رپورٹ غیر حاضری اور سرکاری SMG نمبر 418 اپنے ساتھ گھر لے جانے کی رپورٹ درج روز نامہ 2.7.015 کے نقل مدعا انکوائری لف ہے۔

2- بحوالہ رپورٹ تقلمد نمبر 13 روز نامہ 2.7.2015 وقت 17:40 بجے چونکہ نالہ کاشو علاقہ تھانڈو میل میں نواب خان IHC نے کاٹھیل عرفان اللہ 409 غیر حاضر شدہ بحوالہ نمبر 7 روز نامہ 2.7.015 کی آمد پر حاضری اور رپورٹ گمشدی SMG بٹ نمبر 418 تحریر کر کے چونکہ کاٹھیل عرفان اللہ نمبر 409 سے سرکاری SMG کی پتہ برابری کر کے جس نے بتایا کہ SMG اس سے پس روپیش ہو چکا ہے۔ تلاش کر کے نہ ملا۔ مزید تلاش جاری ہے۔ سرکاری SMG بٹ نمبر 418 معدت میگزین 30 عدد کا رتوس 7.62 پور تقسیم شدہ بنام کاٹھیل عرفان اللہ نمبر 409 کی گمشدی کی رپورٹ حاضری پر درج روز نامہ 2.7.015 کے تقلمد حاضری و گمشدی رپورٹ SMG ہمراہ لف ہے۔

3- ہر دونوں تقلمدات رپورٹ غیر حاضری اور رپورٹ حاضری اور گمشدی سرکاری کھانڈو کے متعلق DSP/HQ نے تفصیلی انکوائری کر کے اس سلسلہ میں:

1- SHO تھانڈو میل عمران اللہ

2- ASI محمد رحمان انچارج چونکہ نالہ کاشو

3- IHC نواب خان نمبر 1260 نالہ کاشو۔

4- عصمت اللہ نمبر 587/LHC نالہ کاشو

5- کاٹھیل محمد ظلیل نمبر 523 نالہ کاشو

6- کاٹھیل حکمت علی نمبر 1471 نالہ کاشو

7- کاٹھیل شیر داؤد نمبر 799 نالہ کاشو

8- کاٹھیل سجاد خان نمبر 6278 پائون نمبر 143 نالہ کاشو

9- گلگ کاٹھیل راہید اللہ نمبر 718 نالہ کاشو

10- الزم علیہ کاٹھیل عرفان اللہ نمبر 409 نالہ کاشو

کے بیانات لے کر انکوائری مکمل کر کے کاٹھیل عرفان اللہ نمبر 409 کے بیان کے مطابق وہ ذیوبنی سے فارغ ہو کر اس کو گھر سے والد کی بیماری کی اطلاع مل کر جس نے SMG سرکاری معدت میگزین 30 عدد کا رتوس 7.62 پور چونکہ کے اندر کمرے میں بسترے کے نیچے رکھ کر بغیر اجازت کے والد کے علاج کے لئے گھر خود چلا گیا۔ وقت 17:30 بجے جب واپس آیا تو SMG سرکاری عدم موجود پایا۔ نفری سے معاملات کر کے نہ ملا۔ مزید یہ بھی بیان کیا کہ جس کمرے میں اس نے SMG بسترے کے نیچے رکھا تھا اس کمرے میں چونکہ نفری کے لئے خانے پینے پکانے (انڈیوانی) کا سامان پڑا رہتا ہے۔ گلگ کاٹھیل راہید اللہ اسی کمرے میں کھانا تیار کرتا ہے۔ کاٹھیل عرفان اللہ نے سرکاری SMG کے لے جانے کا گلگ کاٹھیل راہید اللہ پر یقین کا اظہار کیا۔

4- DSP/HQ ابتدائی انکوائری انفرنے بیانات لینے کے بعد تحریر کیا کہ SMG کے نائب واپس ہونے اور لے جانے میں گلگ کاٹھیل راہید اللہ نمبر 718 ملوث ہے۔ کیونکہ برطان عمران اللہ SHO تھانڈو میل ہر دونوں عدت گلگ کاٹھیل راہید اللہ کے ساتھ ایک پرائیویٹ شخص نافذ اللہ والد قادر خان سکنہ کوٹکہ ظفر آیا ہوا تھا۔ اور گلگ کاٹھیل راہید اللہ کا کردار بھی مشکوک ہے۔ DSP/HQ نے کاٹھیل عرفان اللہ نمبر 409 جس نے سرکاری SMG چونکہ میں چار پائی پر چھوڑ کر کسی کو حوالہ کئے بغیر اجازت

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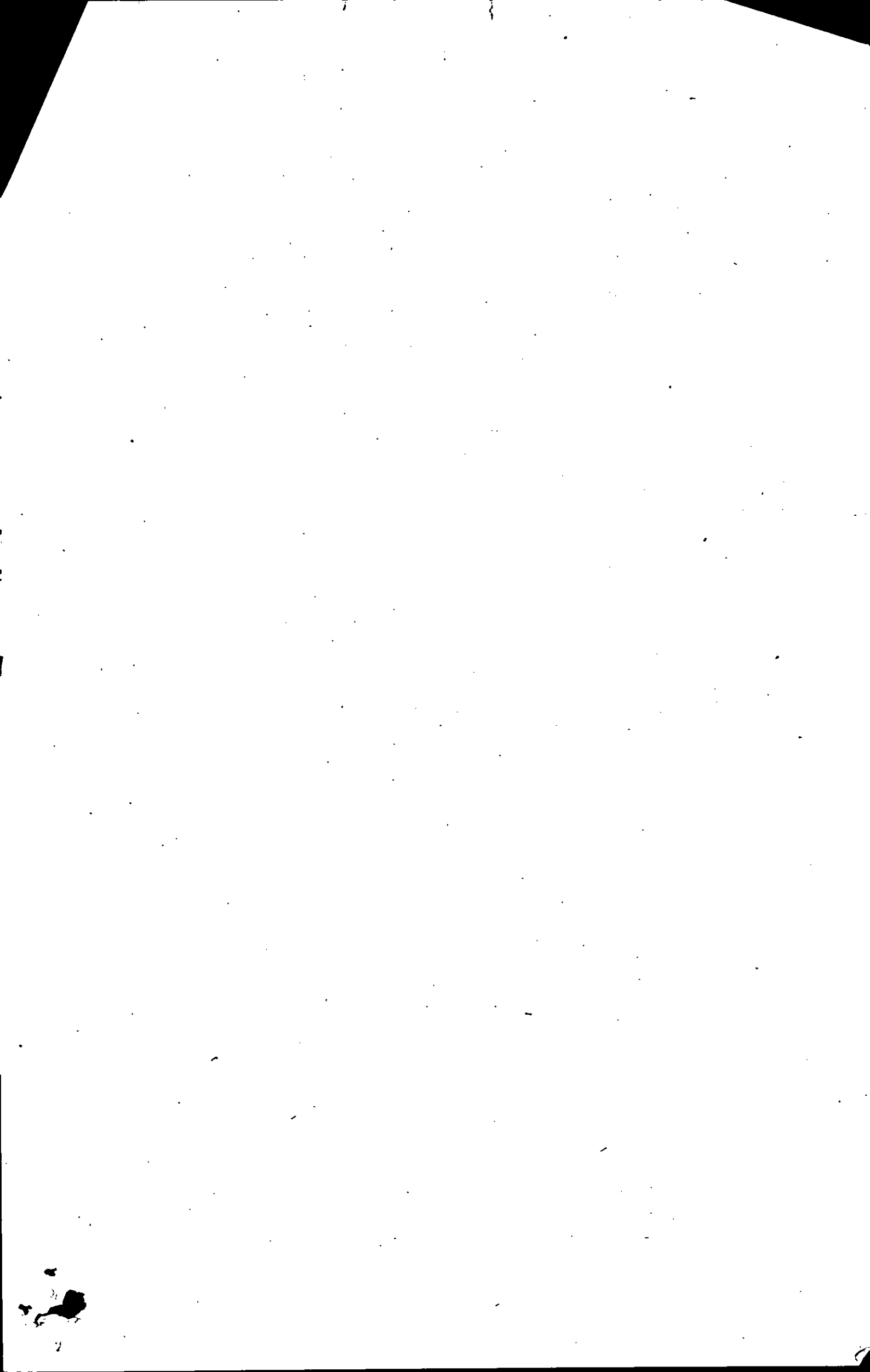
6.01.015

For Agreed. Make account from item and they are dismissed from service as per the above order.

ذاتی نوٹوں پر عمل کرنا

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Main body of handwritten text in Urdu, containing a list of items and their details, including references to SMG, DSP/HQ, and various dates.



BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. 234/2016

Rahid Ullah Khan..... Appellant

Versus

I.G.P/ PPO, Peshawar & others..... Respondents

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**REJOINDER ON BEHALF OF  
APPELLANT WITH REGARD TO THE  
PARA-WISE COMMENTS SUBMITTED ON  
BEHALF OF RESPONDENTS.**

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*Respectfully Sheweth;*

Reply Preliminary objections:

- 1) Objection No.1 is incorrect, hence denied. The appeal is well within time.
- 2) Objection No.2 is incorrect, nothing has been brought on the record that how the appeal is not maintainable.
- 3) Objection No.3 is incorrect, hence denied. All the statements of witnesses charge sheet and statement of allegations has been duly annexed with the appeal, so therefore, no question of concealment of material facts arises, hence stereotype objection has been raised, which carries no weight in the eyes of law.

- 4) Objection No.4 is incorrect, hence denied. All necessary parties have been arrayed in the main appeal, therefore, the objection is without force and substance.
- 5) Objection No.5 is incorrect, hence denied. The appellant has been discriminated and illegally imposed the penalty of dismissal from service against the canons of law.
- 6) Objection No.6 is incorrect, hence denied. The appellant has good prima facie case arguable case.
- 7) Objection No.7 is incorrect, hence denied. Rule of estoppel is not applicable in the given facts and circumstances of the case.

REPLY ON FACTS:

- 1-5) Paras 1 to 5 need no reply.
- 6) Para-6 is incorrect, hence denied. Nobody as seen as to who has taken the alleged SMG Rifle. In fact it was one Irfan Ullah who was allotted the alleged SMG Rifle and he is solely responsible for its misplacing/ theft and the responsibility of constable Irfan Ullah on the shoulders of the present appellant and that too when its departmental appeal was accepted and he was reinstated in service while the present appellant's departmental appeal had been dismissed, therefore, the appellant was discriminated for the charges which were not established as per statement of the witnesses.
- 7) Para-7 needs no reply.
- 8) In para No.8 respondents admitted the responsibility of constable Irfan Ullah and even then his departmental appeal was accepted and his punishment of dismissal was converted

into recovery of cost of the alleged missing SMG Rifle, therefore, under what authority of law when the main accused Irfan Ullah was held responsible for misplacing his allotted SMG Rifle, imposed the penalty of dismissal from service on the present appellant for none of his fault.

- 9) Para-9 is incorrect, reply has been in para-1 above.

REPLY ON GROUNDS:

- A. Para-a is incorrect, hence denied.
- B. Para-b is incorrect, hence denied. When the main accused was reinstated who was held responsible for misplacing of SMG Rifle then under what authority of law the present appellant was dismissed from service. The present appellant was meted with naked discrimination. It is further stated that no admissible substantiated evidence was brought on record to warrant dismissal of the present appellant, hence the entire action from start to end is void ab-initio. **(2005 PLC (CS) 403)**.
- C. Para-c is incorrect, hence denied. The reply mentioned in para-b is incorrect, hence denied.
- D. Para-d is incorrect, hence denied. Under Article 13 of the Constitution of Islamic Republic of Pakistan nobody can be vexed/punished twice for the same cause. **(2007 PLC (CS) 1234), (2010 PLC (CS) 876), (1987 PLC (CS) 629)**.
- E. Para-e is incorrect, hence denied. Ground-e of the appeal is well reasoned.
- F. Para-f is incorrect, hence denied. There is no documentary evidence that the appellant was afforded an opportunity of cross

examination, therefore, the appellant was deprived of this opportunity which amounted to denial of a fair trial and due process of law. (2016 SCMR 108) (1999 SCMR 2331).

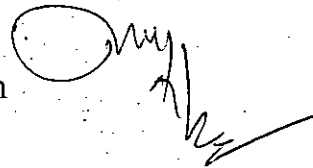
G. Para-G is incorrect, hence denied.

In view of the above submissions, it is, most humbly prayed that the legal points raised in the rejoinder to be considered in its true perspective and the appeal of the appellant may please be accepted.

راشد الشرحان

Appellant

Through



**Inayat Ullah Khan**  
Advocate High Court  
LL.M (U.K)

Dated: 29.10.2016

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. \_\_\_\_/2016

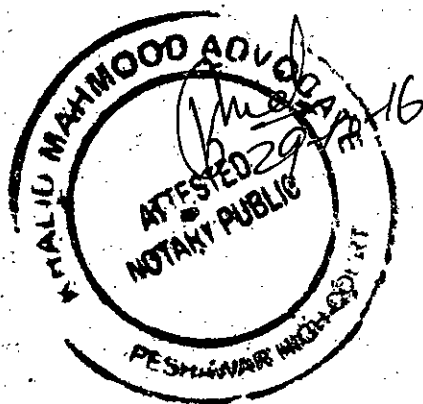
**Rahid Ullah Khan**..... Appellant

Versus

I.G.P/ PPO, Peshawar & others..... Respondents

**AFFIDAVIT**

I, **Rahid Ullah Khan** son of Saad Ali Ex. FC 718, Police Department, Khyber Pakhtunkhwa R/O Rak Sarkar P.O. Ghoriwala, District Bannu do hereby affirm and declare on oath that the contents of the **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



*Rahid Ullah Khan*

Deponent



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 367 /ST

Dated 16 /2 / 2017

To


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

Subject: -

JUDGMENT

I am directed to forward herewith a certified copy of Judgement dated 1.2.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.