#### 05.05.2017

Counsel for the petitioner and Addl: AG for the respondents present. Learned counsel for the petitioner produced order dated 05.01.2017, vide which after conducting de-novo inquiry minor punishment of censure was awarded to the appellant. To come up for implementation report on 14.07.2017 before S.B.

(Ahmad Hassan) Member

14.07.2017

None present on behalf of the petitioner. Mr. Aziz Shah, Reader alongwith Mr. Kabirullah Khattak, Assistant AG for the respondents present. Notice be issued to petitioner and his counsel for attendance for 08.09.2017 before S.B.

MA

(Muhammad Amin Khan Kundi) Member

08.09.2017

Appellant present. Learned Assistant Advocate General alongwith Mr. Aziz Shah, Reader for respondent present. Appellant stated that the judgment of this tribunal under execution has now been implemented and in this respect he also submitted copy of order dated 29.08.2017 issued by the Inspector General of Police Khyber Pakhtunkhwa. Consequently the present petition for implementation of judgment of this Tribunal be consigned to the record room, having been implemented.

> (Muhammad Hamid Mughal) Member (J)

	IN SPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA CENT VAL POLICE OFFICE, PESHAWAR Ph# 091 - 9210239/091 - 9210345 No. /E-IL dt: 3 St. / 9 /2017
00000	

#### ORDER.

Farid Shah Inspector contended that he was reverted to the rank of SI by CCPO Peshawar and later-on, he was reinstated by Service Tribunal. His name has been removed from Seniority, List of Inspectors. He requested that his name may be placed in the list of Inspectors with his colleagues.

As per AIG/Legal report, the relevant record was checked which revealed that penalty of reduction in ank was imposed on Inspector Farid Shah vide order dated 27.10.2014 by CCP(), Peshawar. His departmental appeal was also rejected vide order dated 25.02.2015 of Worthy Inspector General of Police. He filed service appeal No. 245/2015 which was decided vide order dated 06.06.2015 and the impugned orders dated 27.1.2014 and dated 25.02.2015 were set aside and appellant was reinstated to the status of his substantive rank before he was reduced to the rank of Sub-Lispector. It was also directed that "if" the departmental deems proper, denove proceedings may be started against the appellant in which full opportunity c) defense and hearing be provided to him. Accordingly CCPO, Peshawar was approached with approval of Deputy Inspector General of Police, Headquarters CPO, Peshawar for conducting de-novo enquiry proceedings against Farid Shah Inspector vide order dated 05.06.2017. During the course of enquiry found Inspector Farid Shah was guilty of poor investigation yet enquiry officer recommended him or minor penalty and accordingly CCPO Peshawar imposed penalty of "Censure" vide No.30-37/PA, dated 05.01.2017.

The Sub-Committee constituted in this case proposed that his name may be included in the relevant list according to rules/procedure or as the DPC may decide. The DPC agreed with the Sub-Committee report.

As per recommendation of DPC dated 20.07.2017 his name is hereby placed in the seniority list of Inspectors at serial No.246 issued vide No.1327-43/E-II, dated 31.05.2017 with his coll lagues.

#### Sd∕∙

#### (SALAH UD DIN KHAN)PSP Inspector General of Police. Khyber Pakhtunkhwa Peshawar.

No. 1829-53 \_ /E-II.

Copy of above is forwarded for information and necessary action to the:-

- 1. All Addl: Inspectors General of Police in Khyber Pakhtunkhwa.
- 2. All Deputy Inspectors General of Police in Khyber Pakhtunkhwa.
- 3. All Regional Police Officers, in Fhyber Pakhtunkhwa.
- 4. Capital City Police Officer, Pesh-war.
- 5. Commandants Elite Force, FRP and PTC Hangu.
- 6. PSO to Worthy Inspector General of Police Khyber Pakhtunkhwa.
- 7. PRO to Worthy Inspector General of Police Khyber Pakhtunkhwa.
- 8. Registrar CPO, Peshawar.
- 9. Office Supdt: Secret CPO.
- 10. Office Supdt: Career Planning Eranch, CPO,
- 11. UOP file.

(ARIF SHAHBAZ KHANJESE AIG/Establishmen For Inspector Generator Police. 06.01.2017

10.03.2017

Counsel for the petitioner and Mr. Aziz Shah alongwith Addl: AG for the respondents present. Learned requested for adjournment. Request accepted. To come implementation report on 10.03.2017.



8 2016

(AHMAD HASS MEMER

712-68-2016

None present for the petitioner. Mr. Aziz Shah, Reader the alongwith Assistant AG for respondents present. Notice be issued to the petitioner and his counsel. To come up for further proceedings on the 05.05.2017 before S.B.

#### FORM OF ORDER SHEET

	Execution Petit	ion No 155/2016
S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1.	2	3
1	10.08.2016	The Execution Petition of Syed Farid Shah submitted to-day by
		Mr. Fazal Shah Mohmand Advocate may be entered in the relevant
		Register and put up to the Learned Member for proper order please.
		DECISIONAD
2-	11-08-2016	REGISTRAR • This Execution Petition be put up before S. Bench & Stee on -
Ζ-	11,00 00,0	<u>17-08-2016</u>
.* • •		$\langle \langle \langle \rangle \rangle$
· .		MIMBER
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•		
۰.	17.08.2016	Clerk to counsel for the petitioner and Addl. AG
· ' .'		for respondents present. Notice be issued to the
		respondents. To come up for implementation report on
		18.11.2016 before S.B.
1		1st
		V 2 Member
· .		
. ·	18.11.2016	None present for petitioner. Mr. Aziz Shah, H.C
• .		alongwith Addl. AG for the respondents present.
		Learned AAG requested for adjournment. To come up
·		for implementation report on 06.01.2017 before S.B.
•		
		Chairman
• •		

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# **BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Implementation Petition No 155 /2016

In

Service Appeal No 245/2015.

Syed Farid Shah.....Applicant/Appellant.

# VERSUS

Provincial Police Officer and another......Respondents

# INDEX

S.No	Description of documents	Annexure	Pages
1.	implementation Petition with Affidavit		1-3
2.	Copy of the Order and Judgment dated 01-06-2016	A	4-7
3.	Copy of application and letters	В	8-10
4.	Wakalt Nama		11

#### Dated:-10-08-2016 Applicant/Petitioner

Through Fazal Shah Mohmand

#### Advocate Peshawar.

**OFFICE:-** Cantonment Plaza Flat 3/B Khyber Bazar Peshawar. Cell# 0301 8804841

# (1)

# **BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Implementation Petition No\_155\_\_\_2016

In

Service Appeal No 245/2015.

Khyber Pakhtukhwa Service Tribunal Diary No. 868 Dated

#### VERSUS

- Provincial Police Officer, KPK Peshawar.
- Capital City Police Officer Peshawar......Respondents

# PETITIONFORTHEIMPLEMENTATIONOFORDER/JUDGMENT DATED 01-06-2016PASSEDBY THISHONORABLE TRIBUNAL IN THE ABOVE TITLED SERVICEAPPEAL.

#### **Respectfully Submitted:-**

- 1. That the applicant/appellant earlier filed Service Appeal No 245/2015 against the order of his reversion from the post of Inspector to that of Sub-Inspector, which was accepted vide Order and Judgment dated 01-06-2016. (Copy of the Order and Judgment is enclosed as Annexure A).
- 2. That the applicant/appellant time and again approached respondents through written applications for the implementation of the Order and Judgment dated 01-06-2016 of this honorable Tribunal thereby restoring him to the rank of Inspector, but of no avail. Even the competent authority approved the implementation but even then though denovo

inquiry has been ordered yet he is not restored to his original rank of inspector. (Copy of application and letters are enclosed as Annexure B).

3. That the respondents are not ready to implement the Order and Judgment of this honorable Tribunal dated 01-06-2016 for no legal and valid reasons, this act of the respondents is unlawful, unconstitutional and goes against the Orders and Judgment dated 01-06-2016 of this honorable Tribunal.

It is therefore prayed, that on acceptance of this Application/Petition, respondents may kindly be directed to implement the Order and Judgment of this honorable Tribunal dated 01-06-2016 passed in Service Appeal No 245/2015.

Dated:-10-08-2016 Applicant/Petitioner

Through Fazal Shah Mohmand

Advocate Peshawar.

# **BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Implementation Petition No\_\_\_\_\_/2016

In

Service Appeal No 245/2015.

Syed Farid Shah.....Applicant/Appellant.

# VERSUS

Provincial Police Officer and another......Respondents

# <u>AFFIDAVIT</u>

I, Syed Farid Shah Inspector CTD, Peshawar, R/O Akra Pura, District Nowshera, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Implementation Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

#### **Identified by**

PONENT

nand

Fazal Shah Mohmand

**Advocate Peshawar** 

# BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No\_245\_/2015

#### <u>VERSUS</u>

1. Provincial Police Officer KPK Peshawar.

2. Capital City Police Officer Peshawar.

.....Respondents

### APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 25-02-2015 PASSED BY RESPONDENT NO 1 WHERE BY DEPARTMENTAL APPEAL OF THE APPELLANT FILED AGAINST THE ORDER DATED 27-10-2014 OF RESPONDENT NO 2 HAS BEEN REJECTED/FILED.

#### PRAYER:-

ib<sub>un</sub>al,

shawar

On acceptance of this appeal the impugned order dated 25-02-2015 of respondent No 1 and Order dated 27-10-2014 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be restored to his original rank of Inspector with all back benefits.

## **Respectfully Submitted:-**

1. That the appellant joined Police Department as constable in the year 1985 and after qualifying/passing of lower and intermediate course was promoted as ASI in the year, 2008.

That the appellant was then selected for upper class course, which he qualified successfully and brought on promotion list 'F'.

Date of S.No Order or other proceedings with signature of judge or Magistrate order proceeding 12/AP 1 2 PAKHTUNKHWA SERVICE <u>PESHAWAR</u>. APPEAL NO.245/2015 PMUXUN (Syed Farid Shah-vs-Provincial Police Officer Khyber Pakhtunkhwa, Peshawar and others). JUDGMEN 01.06.2016 PIR BAKHSH SHAH, MEMBER: Appellant with counsel (Mr. Fazal Shah Mohmand, Advocate) and Hayat Muhammad, Reader alongwith Mr. Muhammad Jan, GP for respondents present. 2. Appointed as Police Constable in the year 1985, the appellant was stated to be Inspector Incharge Investigation, at Police Station Daudzai, Peshawar. That he was departmentally proceeded against and show cause notice was issued to him by CCP Peshawar containing the following charge:-"During re-investigation conducted by Investigation" Branch of CPO you were held responsible for defective investigation in case FIR No. 517 dated 05.11.2013 u/s 302/324/427/34 PPC P Daudzai as a result of which the court granted bail to the accused Misal Khan etc who were charged by complainant Mumtaz Ahmad for the murder of his daughter Mst: Seema and injured daughter-in-law (Aiman). Besides, Taxi driver who was later-on identified as Kamran r/o Hayatabad was also killed in the incident. You neither obtained CDR of both the deceased and

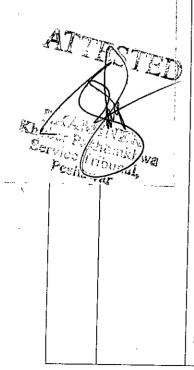
accused nor sent the recovered empties and damaged car to

FSL for analysis and thus spoiled the cases."

The appellant he submitted his reply to this show cause notice. However, CCP Peshawar vide his order dated 27.10.2014 reduced him to the rank of Sub-Inspector and his departmental appeal was also rejected vide order dated 25.02.2015, hence this appeal under section-4 of the Khyber Pakhtunkhwa Service Tribunal, 1974.

3. Arguments heard and record perused.

4. Evidently, no charge sheet was issued to the appellant nor any regular enquiry was conducted in the case. Charge against the appellant is that he conducted poor investigation in case vide FIR No. 517 dated 05.11.2013 when he neither obtained CDR of both the deceased and accused nor sent the recovered empties and damaged car to FSL. The appellant in his reply has denied the allegations. According to him S.I Naseem Akbar Incharge of the P.S Naguman, at the first instance had reached on the spot and no Mobile was recovered from the deceased nor the accused were arrested on the spot, therefore the question of CDR does not arise. That the empties were not sent to the Laboratory for the reason as weapon of offence was not recovered/available and the motor car was got examined from the Arms experts as well as Mechanic and all the case property was duly secured. On record, there is no judgment or order of the Court or any finding of the officer who had re-investigated the case, to show as to whether investigation by the appellant infact was poor and faulty and that it was the same poor and faulty investigation which turned out to be the cause of damaging the case The above factual position in view, this cannot be denied also that no time limit has been prescribed in the impugned orders for imposition of penalty of reduction in rank awarded to the appellant which is a conflicting situation with FR.29. For the said reasons in brief, the Tribunal is of the



considered opinion that ample opportunity of defense has not been provided to the appellant for which reason the impugned orders cannot be maintained. Consequently, the impugned orders dated 27.10.2014 and dated 25.02.2015 are set aside and appellant reinstated to the status of his substantive rank before he was reduced to the rank of Sub-Inspector. However, if the department deems proper, de-novo proceedings may be started against the appellant in which full opportunity of defense and hearing be provided to him. Appeal is allowed in the above terms. Parties are left to bear their own cost. File be consigned to the record room.

sdf- fis Bakhsh Shah, Mencher SNJ- Abdul Latik, Mencher

ANNOUNCED 01.06.2016 Certified to be fure copy Date of Presentation of Application 08-06-2016 Number of Words. Copying Fee Urgent Total Name of Copysest Date of Completina CC Date of Delivery of C.,....

11/11

# OFFICE OF THE, ADDL: INSPECTOR GENERAL OF POLICE, COUNTER TERRORISM DEPARTMENT, KHYBER PAKHTUNKHWA, PESHAWAR.

No. 7552/EC/CTD dated Peshawar the 26 /07/2016

 The Capital City Police Officer,
Peshawar.

# SUBJECT: APPLICATION

MEMO:

To:

Enclosed please find herewith an application (self explanatory) submitted by Sub Inspector Syed Farid Shah of your Region presently posted in this Unit on deputation basis is sent herewith for consideration and further necessary action, please.

MSP/HQrs: For Addl: Inspector General of Police, \_\_\_\_\_CTD, Khyber Pakhtunkhwa, Peshawar.

4709

22-7-16

جناب عالى:\_

د ک

بخدمت جناب چیف کیپیٹل مٹی پولیس(CCPO) صاحب پشاور مضمون ۔ درخواست بمراد بحالی بعہدہ انسپکٹر حسب الحکم عدالت عالیہ سروس ٹریبیونل خیبر پختو نخواہ

لہٰذامندرجہ بالاحقائق کی روشنی میں تحریری استد عاہے کہ من سائل کو حسب الحکم عدالت عالیہ سروسز ٹریبیونل وہائی پر وفائل کمیٹی CPO ایپنے عہدے پر بحیثیت انسپکٹر بحالی کانتکم جاری فرمائی جاویں۔ نہا یت مشکور رہوں گا۔

نوٹ: ۔ آرڈ رعدالت سروسٹر بیونل اورلیگل برائچ کا بی ہمراہ لف ہے۔ آیکا تابع فرمان: - سب انسپکر سیفریدشاه

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22/0711

Service Friday

متعینہ ی ٹی ڈی، یشاور

forwarder 266/11

Attestul

بخدمت جناب چيف ليپيل سي ايجي مضمون: ۷۰ درخواست بمراد بحالی بعهده انسپک<sup>ر حس</sup> ماليه سروس ٹريبيونل خيبر پختونخواہ

جناب عالیٰ:۔

معروض خدمت ہوں کہ من سائل آپ کے زیر ساید بحیثیت Cii/Inv تھا نہ داؤدز کی میں سال 2013 میں دوران تعیناتی مقدمہ نبر 51 مورخہ 2013-11-01 جرم 34, 427, 32, 322 PPC تھا نہ داؤدز کی الزام ناقص تفتیش پر تحکمانہ کا ردائی پر بعہدہ انسپکٹر سے تنز لی کر کے سب انسپکٹر بنادیا گیا جورولز کے مطابق Major Punishment ہے۔ جواس سلسلہ میں تحکمانہ اپیل دائر کرتے ہوئے تحکمانہ اپیل نامنظور ہو کر عد الت عالیہ سر وسز ٹر بیونل KPK میں بعہدہ انسپکٹر بحالی کے لئے اپیل دائر کیا گیا۔ بعد ساعت سر وسز ٹر بیونل KPK نے من سائل کی اپیل مورخہ 600-00-00 کو منظور کرتے ہوئے بعدہ انسپکٹر بحالی کا تحکم انہ اپیل نامنظور ہو کر عد الت عالیہ سر وسز ٹر بیونل KPK میں بعہدہ کو منظور کرتے ہوئے بعدہ انسپکٹر بحالی کا تحکم جاری کیا۔ جو بعدہ بحوالہ چھٹی نمبر 1007 مورخہ 6002-00-00 پر اینچ CPO نے سر وسز ٹر بیونل KPK کی فیل سائل کی اپیل مورخہ 6002-00-00 برانچ CPO نے سر وسز ٹر بیونل KPK کے فیلے کو منظور کرتے ہوئے عدالتی تھم کی تقیل کے لئے تر فرمایا جو تا حال

بعد Discuss کے من سائل کوہدایت دیئے گئے کہ CCPO پشاورکوبعدہ انسپکٹر بحالی کے لئے ایک تحریری درخواست - دس-

لہذا مندرجہ بالاحقائق کی روشنی میں تحریری استدعا ہے کہ من سائل کو حسب الحکم عدالت عالیہ سروسز ٹریبیونل وہائی پروفائل سمیٹ CPO اپنے عہدے پر بحیثیت انسپکٹر بحالی کا حکم جاری فرمائی جاویں۔ نہایت مشکوررہوں گا۔

نوٹ: ۱٫۱ رڈ رعدالت سروں ٹر بیونل اورلیگل برا پنج کا پی ہمراہ لف ۔

آپکا تابع فرمان:۔ سب انسپکٹر سید فرید شاہ متعینہی ٹی ڈی، پشاور

6. 1 how the for the Bo مرزین برزین بنام کور وغرخ مقمدم دعوكي ج م باعت جرب ک مقد مه مندرجه عنوان بالامیں اپنی طرف سے داسطے بیردی وجواب دہی دکل کاروائی متعلقہ آن متام <u>سم جس فرد مومن</u> سے کیلئے <u>صنصل میں اصحی الدی کم کم سے م</u>کر رس مقرر کر کے قرار کہا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی گل کاردائی کا کامل اختیار ، وگا۔ نیز ومیل صاحب کوراضی نامه کرنے وتقرر مثالت ہ فیصلہ برحلف دیہتے جواب دہی اورا قبال دعو کا اور بهسورت ذكرى كرين اجراءا درصولى چيك درويبيار عرضى دعوى ادر درخواست ہرتىم كى تقىديق زرایں بردستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیردی یا ڈگری یکطر فیہ یا اپیل کی برامدگی ادرمنسوخی نیز دائر کرنے اپیل حکرانی دنظر ثانی دبیردی کرنے کا اختیار ہوگا۔از بصورت ضرورت مقدمہ مذکور کے کل یاجزوی کاردان کے واسط اور دلیل یا مختار قانونی کواپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ین است احسب بفرر شده کرچمی وای جمله بند کوره با اختیارات حاصل ہوں کے اوراس کا ساختہ م واخت منظور قبول ہوگا۔ دوران مقدمہ میں جوخر چہ دہر جانہ التوا<sub>س</sub>ے مقدمہ کے سبب سے وہوگا۔ الحديث فالمعام دور، پر به ویاحدے باہر ہوتو دیل صاحب پاہند ہوں کے۔ کہ بیر دی مدکور میں۔لہداد کالت نامہ کھدیا کہ سندر ہے۔ ·2016 \_\_\_\_\_ . <u>م ل</u>ے منظور ہے۔ بمقام 1 you Attested ? Hacapted and how

#### OFFICE OF THE CAPITAL CITY POLICE OFFICER, <u>PESHAWAR</u>

Phone No. 091-9210989 Fax No. 091-9212597

#### ORDER

dated 24.9.201

Inspector Farid Shah while posted as IO PS Daudzai (now CTD) was issued SCN vide No. 1867/PA on the basis of following allegations :-

化二氟基酮 医加强性神经 化二氯甲基二甲酮

"During re-investigation conducted by Investigation Branch of CPO, held him responsible for defective Investigation in case FIR No. 517 dated 5.11.2013 u/s 302/324/427/34 PPC PS PS Daudzai. as result of which the court granted bail to accused Misal Khan etc. who were charged by complainant Mumtaz Ahmad for the murder of his daughter Mst: Seema and injured his daughter-in-law (Aiman). Besides, Taxi driver who was later-on indentified as Kamran r/o Hayatabad was also killed in the incident. But he neither obtained CDR of both the deceased and accused nor sent the recovered empties and damaged car to FSL for analysis and thus spoiled the case".

2- In response to the SCN, he submitted his written reply which was found unsatisfactory, hence, awarded the punishment of Reversion from the rank of inspector to the rank of Sub:Inspector vide order No. 2048-55/PA dated 27.10.2014.

3- He filed departmental appeal before the W/IGP-KPK which was filed vide order No. S/1356/15 dated 25.2.2015.

4- Feeling aggrieved he filed service appeal No. 245/2015 before the Khyber Pakhtunkhwa Service Tribunal Peshawar, which was decided vide judgment dated 1.6.2016 to the effect that the impugned orders are setaside and the appellant is re-instated to the status of his substantive rank before he was reduced to the rank of subinspector. However if the department decuis proper, de-novo proceedings may be started against the appellant in which full opportunity of defense and hearing be provided to him.

5- In pursuance of the direction of Hon'ble Service Tribunal the SP-Security conducted De-novo enquiry vide his No. 242/PA dated 22.12.2016, against Inspector Farid Shah. The E.O called him (Insp: Farid Shah) with all concerned Police officials and fathers of the deceased Kamran and Seema Ahmad. They all were heard patiently and their statements were recorded. In his findings, he mentioned that although weapon of offence was not recovered by Inspector Farid Shah from the spot. However, he (Inspector Farid Shah) failed to send the empties to the FSL for obtaining report which show his poor investigation in the line of duty. As far as CDR of the cell numbers of the deceased are concerned, the same was not provided to bim (Inspector Farid Shah) by the family of deceased. The E.O recommended him for award of minor punishment.

6- He was called in O.R and heard him in person on 4.1.2017. He was provided opportanity of personal hearing/self defense. Keeping in view the recommendation of the F.O. and his (Inspector Parid Shah) explanation, he is awarded the minor punishment of Censure.

(MUHAMMAD FAHIR) PSP ( CAPITAL CITY POLICE OFFICER. PESHAWAR 5 A 16

Copies to the :-

- **1**-1 - 1 - 1

;

L : Addl: IGP-CTD, KPK, Peshawar

No. 30-37 /FA dated Peshawar the 5.1 . 2017

- (enclosed enquiry papers: 79
- 2. SSP-Inv: Peshawar
- 3. PO/EC-I-EC-D/AS/UMC
- 4. Official concerned.

#### OFFICE OF THE CAPITAL CITY POLICE OFFICER, PESHAWAR

Phone No: 091-9210989 Fax No章091-9212597\*\*

#### ORDER

Inspector Farid Shah while posted as IO PS Daudzai (now CTD) was issued SCN vide No. 1867/PA dated 24.9.2014 on the basis of following allegations :-

> "During te-investigation conductor by Investigation Branch of CPO, held him responsible for defective Investigation in case FIR No. 517 dated 5.11.2013 u/s 302/324/427/34 PPC PS PS Daudzai as result of which the educt an interfact bail to accused Misal Khan etc who were charged by complainant Mumtaz Ahmad for the muchae of his daughter Mst. Seema and injured his daughter-in-law (Aiman). Besides, Taxi driver who was later-on indentified as Kamran r/o Hayatabad was also killed in the incident. But he peither obtained CDR of both the deceased and accused nor sent the recovered empties and damaged car to FSL for analysis and thus spoiled the case".

In response to the SCN, he submitted his written reply which was found unsatisfactory, hence 2awarded the punishment of Reversion from the rank of Inspector to the rank of Sub-Inspector vide order No. 2048-55/PA dated 27.10.2014.

He filed departmental appeal before the W/IGP-KPK which was filed vide order No. S/1356/15 dated 3.-25.2.2015.

Feeling aggrieved he filed service appeal No. 245/2015 before the Khyber Pakhtunkhwa Service 4-Tribunal Peshawar, which was decided vide judgment dated 1.6.2016 to the effect that the impugned orders are setaside and the appellant is re-instated to the status of his substantive rank before he was reduced to the rank of sub inspector. However if the department deems proper, de-novo proceedings may be started against the appellant in which full opportunity of defense and hearing be provided to him. -- \*

In pursuance of the direction of Fion/ble Service Tribunal the SP-Security conducted De-novo enquiry 5vide his No. 242/PA dated 22.12.2016, against Inspector Farid Shah. The E.O called him (Insp: Farid Shah) with all concerned Police officials and fathers of the deceased Kamran and Seema Ahmad. They all were heard patiently and their statements were recorded. In his findings he mentioned that although weapon of offence was not recovered by Inspector Farid Shah from the spot. However, he (Inspector Farid Shah) failed to send the empties to the FSL for obtaining report which show his poor investigation in the line of duty. As far as CDR of the cell numbers of the deceased are concerned, the same was not provided to him (Inspector Farid Shah) by the family of deceased. The E.O recommended him for award of minor punishment.

He was called in O.R and heard him in person on 4.1.2017. He was provided opportunity of personal 6hearing/self defense. Keeping in view the recommendation of the E.O. and his (Inspector Farid Shah) explanation, he is awarded the minor punishment of Consure.

2017

HIR) PSP (MUHAMMAD TI U. CITY POLICE OFFICER. PESHAWAR 2.1 16

No. 30 - 37 /PA dated Peshawar the 5-1.

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- (enclosed enquiry papers: 79
- SSP-Inv: Peshawar
- PO/EC-I-EC-II/AS/FMC 3~
- Official concerned. A.