

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

Service Appeal No. 1448/2024

C. S. J. S.

Noor Muhammad Ex-ASI No. 599, posted at Police Station Shahbaz Garhi District
Mardan.....Appellant

VERSUS

Regional Police Officer , Mardan and others
.....Respondents

INDEX

S. No.	Description of Documents	Annexure	Pages.
1.	Copy of Written Reply.	--	1-4
2.	Reply to the application for condonation of delay	--	5-6
3.	Copy of Affidavit.	--	7
4.	Copies of previous dismissal order dated 27.09.2011, tribunal order dated 29.01.2014, dismissal order dated 19.06.2014, compulsory retirement order dated 01.09.2014, Tribunal Orders dated 28.11.2017 and list of bad entries	A, B, C, D, E & F	8-26 28-2
5.	Copy of charge sheets with statement allegations, enquiries proceedings, Final Show Cause Notice and dismissal order dated 18.03.2019	G, H, I & J	27-48
6.	Copy of rejection order dated 12.08.2024	K	49-50
7.	Copy of Authority Letter	--	51


**DSP Legal
Mardan**

①

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

Service Appeal No. 1448/2024

Noor Muhammad Ex-ASI No. 599, posted at Police Station Shahbaz Garhi District
Mardan.....Appellant

VERSUS

Regional Police Officer , Mardan and others
.....Respondents

Para-wise comments by respondents:-

**Khyber Pakhtunkhwa
Service Tribunal**

Respectfully Sheweth,

Diary No. 16975

PRELIMINARY OBJECTIONS

Dated 22-10-24

1. That the appellant has not approached to this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed the actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action and locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the Hon'ble Tribunal has no jurisdiction to adjudicate the matter.
7. That the appeal is bad for miss joinder and non joinder of necessary and proper parties.
8. That the appeal is barred by law and limitation.

REPLY ON FACTS

1. Pertains to record, hence need no comments.
2. Incorrect. Plea taken by the appellant is not plausible because every Police Officer is under obligation to perform his duty upto the entire satisfaction of his superiors. However, from the perusal of service record of appellant, it reveals that appellant had been awarded major punishment of dismissal from service vide order book No. 3494 dated 27.09.2011 on account of involvement in receiving stolen vehicles, however later on he filed service appeal No. 35/2012 before this hon'ble Tribunal, which was partially allowed with the direction to conduct de-novo enquiry, hence appellant was reinstated in service for the purpose of de-novo enquiry. During de-novo enquiry proceedings he was again dismissed from service vide order book No. 1422 dated 18.06.2014, thereafter, he preferred departmental appeal which was decided and converted major punishment of dismissal from service into compulsory retirement from service vide order No. 5829/ES dated 01.09.2014. The appellant again approached before this hon'ble Tribunal by filing Service Appeal No. 1206/2014 against the above mentioned order No. 5829/ES dated 01.09.2014, which was allowed, against which the department filed CP No. 94-P/2018 before the Apex Court of

2

Pakistan, which is pending adjudication. However, the appellant was conditionally reinstated into service subject to outcome of CPLA. Appellant during service proved himself an inefficient and non professional official, his entire service record is tainted with bad entries (**Copies of previous dismissal order dated 27.09.2011, tribunal order dated 29.01.2014, dismissal order dated 19.06.2014, compulsory retirement order dated 01.09.2014, Tribunal Orders dated 28.11.2017 and list of bad entries are attached as Annexure A, B, C, D, E & F**).

3. Para No. 3 of appeal is misleading and against the facts. Appellant despite of previously dismissal/compulsory retirement did not mend his way and continued his involvement in illegal business of receiving stolen vehicle/vehicle lifting, hence, he was charged in case FIR No. 889/2018 u/s 411 PC Police Station Katlang Mardan and FIR No. 89/2018 u/s 381-A PPC Police Station Kabal Swat. On account of involvement of appellant in such cases he was proceeded against departmentally, for which he was served with charge sheet/statement of allegations and proper departmental enquiry was conducted in accordance with the rules (**Copy of Charge Sheets with statement of allegations are attached as Annexure-G**).

4. Para is correct to the extent that due to involvement of appellant in above refer criminal cases, he was arrested and investigated, however the Apex Court of Pakistan has laid down the principle that departmental proceedings and judicial proceedings are two different entities, both can run parallel to each other without affecting the result of each other, hence, release on bail does not mean acquittal from the charges rather the same is release from the custody. This Controversy was resolved by the Apex Court of Pakistan in case titled "**Khalig Dad Vs Inspector General of Police and 02 others**" (2004 SCMR 192" wherein it was held that:-

"Disciplinary proceedings and criminal proceedings---Difference---Acquittal from criminal case---Effect---Both such proceedings are not interred dependent and can be initiated simultaneously and brought to logical end separately with different conclusions---Criminal proceedings do not constitute a bar for initiation of disciplinary proceedings relevant to Efficiency and Disciplinary Rules---Acquittal in criminal case would have no bearing on disciplinary action".

5. Correct to the extent of service of issued Charge Sheets with statements of allegations, however the same were issued on account of his involvement in criminal activities.

6. Incorrect. Plea taken by the appellant is bereft of any substance in order to save his skin in terms of his involvement in vehicle theft, propounded the instant story. However, the appellant being involved in two criminal cases vide FIR No. 889 dated 15.10.2018 u/s 411 PPC Police Station Katlang Mardan and FIR No. 89 dated 27.01.2018 u/s 381-A PPC Police Station Kabal Swat, was proceeded against departmentally in accordance with rules and after proper enquiry during which the allegations against appellant stands proved, hence dismissed from service. The Apex Court of Pakistan has laid down the principle that

departmental proceedings and judicial proceedings are two different entities, both can run parallel to each other. *Both such proceedings are not interred dependent and can be initiated simultaneously and brought to logical end separately with different conclusions Criminal proceedings do not constitute a bar for initiation of disciplinary proceedings relevant to Efficiency and Disciplinary. Acquittal in criminal case would have no bearing on disciplinary action.*

7. Incorrect. Plea taken by the appellant is not plausible, because he while posted at Police Station Shahbaz Garh was placed under suspension on account of involvement in case FIR No. 889 dated 15.10.2018 u/s 411 PPC PS Katlang Mardan & FIR No. 89 dated 27.01.2018 u/s 381-A PPC PS Kabal (Swat). On account of such misconduct, the appellant was issued Charge Sheets with Statements of allegations and enquiry was entrusted to the then SP Operations, Mardan vide Nos. 7774/PA dated 17.10.2018 and 8927/PA dated 28.11.2018. During the course of enquiry and perusal the statements of the appellant and all concerned the enquiry officer fulfilled all legal and codal formalities & recommended the appellant for awarding major punishment. Consequently, Final Show Cause Notice vide No. 10/PA dated 28.01.2019 was issued to appellant, which was served through Superintendent Jail Mardan and the same was received by the appellant himself on 08.02.2019, but he failed to submit his reply within stipulated time, hence, he was awarded major punishment of dismissal from service through speaking order (**Copy of enquiries proceedings, Final Show Cause Notice and dismissal order dated 18.03.2019 are attached as annexure "H, I & J"**).
8. Correct to the extent that the appellant preferred departmental appeal before the appellate authority which was rejected and filed. As the appellant was summoned and heard in person in orderly room held on 07.08.2024 by providing opportunity of defending himself but he failed to produce any cogent proofs/reasons to justify his innocence. Hence, after perusal of entire material available on record coupled with enquiry report as well as the order of punishment, the departmental appeal was rejected and filed, being devoid of merit **as well as badly time barred for 05 years 03 months and 24 days (Copy of rejection order dated 12.08.2024 is attached as annexure "K")**.
9. Appellant has got no cause of action, to file the instant appeal, as it is well settled principle of law that once the departmental appeal is time barred the service appeal is also time barred, hence the instant appeal being badly time barred is liable to be dismissed on this grounds.

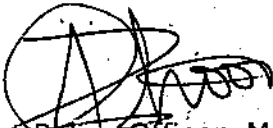
REPLY ON GROUNDS:


- A. Incorrect. The orders passed by the competent authority as well as appellate authority are strictly in accordance with law/rules. The respondents after fulfilling all legal and codal formalities by providing full-fledged opportunity of defending himself before the competent as well as appellate authority but he bitterly failed to produce any cogent reasons in his defense.

- B. Incorrect. Appellant was treated as per law. Proper departmental enquiry was conducted against appellant in accordance with law/rules.
- C. Incorrect. Plea taken by the appellant is not plausible, on account of involvement in criminal cases, the appellant was issued Charge Sheets with Statements of allegations and enquiry was entrusted to the then SP Operations, Mardan after proper departmental enquiry, the enquiry officer recommended the appellant for awarding major punishment. Consequently, a Final Show Cause Notice was issued to appellant, which was served through Superintendent Jail Mardan which was received by the appellant himself, but he failed to submit his reply within stipulated time, hence, he was awarded major punishment of dismissal from service through speaking order.
- D. Incorrect. During enquiry proceedings proper opportunity of defence was provided but appellant failed to justify his innocence. Orders passed by the respondents are legal and in accordance with law, facts and norms of natural justice.
- E. Incorrect. Proper departmental enquiry proceedings were conducted in accordance with law/rules.
- F. Incorrect. Plea taken by the appellant is bereft of any substance because the Apex Court of Pakistan has laid down the principle that departmental proceedings and judicial proceedings are two different entities, both can run parallel to each other without affecting the result of each other. This Controversy was resolved by the Apex Court of Pakistan in case titled "**Khalig Dad Vs Inspector General of Police and 02 others**" (2004 SCMR 192" wherein it was held that:-
"Disciplinary proceedings and criminal proceedings---Difference---Acquittal from criminal case---Effect---Both such proceedings are not interred dependent and can be initiated simultaneously and brought to logical end separately with different conclusions---Criminal proceedings do not constitute a bar for initiation of disciplinary proceedings relevant to Efficiency and Disciplinary Rules---Acquittal in criminal case would have no bearing on disciplinary action".
- G. Para already explained in Para F above, hence needs no comments.
- H. The respondents also seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.

PRAYER:-

It is therefore, most humbly prayed that on acceptance of above submissions, appeal of the appellant may very kindly be dismissed **being a badly time-barred** and devoid of merits.


 District Police Officer, Mardan.
 (Respondent No. 2)
(ZAHOOR BABAR)^{PSP}
 Incumbent


 Regional Police Officer, Mardan.
 (Respondent No. 1)
(NAJEEB-UR-REHMAN BUGVI)^{PSP}
 Incumbent

5

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

In Re S.A No. 1448/2024

Noor Muhammad Ex-ASI No. 599, posted at Police Station Shahbaz Garhi District
Mardan.....Appellant

VERSUS

Regional Police Officer , Mardan and others
.....Respondents

Reply to the application for condonation of delay:-

Respectfully Sheweth,


1. That the above appeal of appellant is badly time barred, which is liable to be dismissed with cost.
2. Para is correct to the extent of dismissal of appellant after proper departmental enquiry in accordance with law/rules. Appellant was associated with the enquiry proceedings and he was well aware/informed about the outcome of his departmental enquiry, i.e dismissal. The order of dismissal was communicated to the appellant, but he has not preferred any departmental appeal within statutory period, however after laps of 05 years, 03 months and 24 days, he filed time barred departmental appeal which was rejected by the appellate authority, and now filed the instant service appeal which is also time bared.
3. Incorrect. Plea taken by the applicant is bereft of any substance in order to save his skin in terms of his involvement in vehicle theft, propounded the instant story. However, ignorance of law has no excuse. Appellant has not approach the appellate authority against the order of dismissal within statutory period, hence the instant appeal is also time barred. *"Disciplinary proceedings and criminal proceedings---Difference---Acquittal from criminal case---Effect---Both such proceedings are not interred dependent and can be initiated simultaneously and brought to logical end separately with different conclusions---Criminal proceedings do not constitute a bar for initiation of disciplinary proceedings relevant to Efficiency and Disciplinary Rules---Acquittal in criminal case would have no bearing on disciplinary action".*
4. Incorrect, plea taken by the applicant is whimsical/concocted rather fanciful hence, liable to be set at naught. As the apex court of Pakistan has held that the question of limitation cannot be considered a "technicality" simpliciter as it has got its own significance and would have substantial bearing on merits of the case. *Reliance is placed on the case of „Muhammad Islam versus Inspector General of Police, Islamabad and others" (2011 SCMR 8). In an another judgment it has been held that the law of limitation must be followed strictly. In this regard reliance is placed on the dictum laid down in Chairman, District Screening committee, Lahore and another v. Sharif Ahmad Hashmi (PLD 1976 SC 258), S. Sharif Ahmad Hashmi v. Chairman, Screening Committee Lahore and another (1978 6 Civil Revision No.3364 of 2011 SCMR 367), Yousaf Ali v.*


6

Muhammad Aslam Zia and 2 others (PLD 1958 SC (Pak) 104), Punjab Province v. The Federation of Pakistan (PLD 1956 FC 72), Muhammad Swaleh and another v. Messers United Grain and Fodder Agencies (PLD 1949 PC 45), Hussain Bakhsh and others v. Settlement Commissioner and another (PLD 1969 Lah. 1039), Nawab Syed Raunaq Ali and others v. Chief Settlement commissioner and others (PLD 1973 SC 236), Chief Settlement Commissioner, Lahore v. Raja Muhammad Fazil Khan and other (PLD 1975 SC 331), WAPDA v. Abdul Rashid Bhatti, (1949 SCMR 1271), Inspector General of Police, Balochistan v. Jawad Haider and another (1987 SCMR 1606), WAPDA v. Aurganzeb (1988 SCMR 1354), Muhammad Naseem Sipra v. Secretary, Government of Punjab (1989 SCMR 1149), Muhammad Ismail Memon v. Government of Sindh and another 1981 SCMR 244), Qazi Sardar Bahadar v. Secretary, Ministry of Health, Islamabad and others (1984 SCMR 177), Smith v. East Elloe Rural District Council and others (1956 AC 736), Province of East Pakistan and others v. Muhammad Abdu Miah (PLD 1959 SC (Pak), 276 and Mehr Muhammad Nawaz and others. V. Government of Punjab and others (1977 PLC (C.S.T) 165) and Fazal Elahi Siddiqi v. Pakistan (PLD 1990 SC 692)".

5. Incorrect. The case of appellant is on different footings details already explained in Para 4 above.
6. The respondents also seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.
7. Para is for the applicant to prove.
8. Para already explained needs no comments.
9. Correct to the extent that the appellant preferred departmental appeal before the appellate authority which was rejected and filed. As the appellant was summoned and heard in person in orderly room held on 07.08.2024 by providing opportunity of defending himself but he failed to produce any cogent proofs/reasons to justify his innocence. Hence, after perusal of entire material available on record coupled with enquiry report as well as the order of punishment, the departmental appeal was rejected and filed, being devoid of merit **as well as badly time barred for 05 years 03 months and 24 days.**

Keeping the above in view, it is humbly prayed that appellant has failed to justify each and every in support of his application for condonation of delay, hence the application for condonation of delay of 05 years 03 months and 24 days may kindly be dismissed with special cost please.


District Police Officer, Mardan.
(Respondent No. 2)
(ZAHOOR BABAR)^{PSP}
Incumbent


Regional Police Officer, Mardan.
(Respondent No. 1)
(NAJEEB-UR-REHMAN BUGVI)^{PSP}
Incumbent

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

Service Appeal No. 1448/2024


Noor Muhammad Ex-ASI No. 599, posted at Police Station Shahbaz Garhi District
Mardan.....Appellant

VERSUS


Regional Police Officer , Mardan and others
.....Respondents

COUNTER AFFIDAVIT.

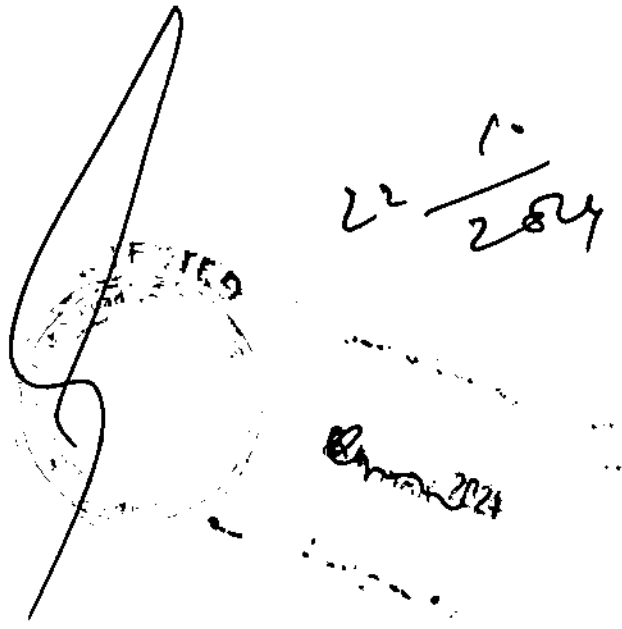
I, the respondent do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off.



District Police Officer, Mardan.
(Respondent No. 2)
(ZAHOOR BABAR)^{PSP}
Incumbent



Regional Police Officer, Mardan.
(Respondent No. 1)
(NAJEEB-UR-REHMAN BUGVI)^{PSP}
Incumbent



ORDER

This order will dispose-off a departmental enquiry under NWFP, Removal from Service (Special Power) Ordinance 2000, initiated against ASI Noor Muhammad, under the allegations that while posted at Police Station Shergarh (now under suspension Police Lines) has been found involved in illegal business of stolen cars as evident from his charging in a case vide FIR No. 16 dated 19.04.2011 u/s 381-A/109/34/411 PPC Levy Thana Malakand Agency.

In this connection, he was placed under suspension and closed to Police Lines with immediate effect vide this office O.B No. 2196 dated 06.06.2011 followed by orders, issued vide endst: No. 1280-84/EC dated 09.06.2011 and proceeded against departmentally through Mr. Ihsan Ullah Khan, Addl: S.P/Mardan and Inspector Noor Jamal R.I Police Lines vide this office endorsement No. 100/PA/DA/2000/R dated 16.06.2011, who after probing into the matter, submitted their findings, presenting that the involvement of ASI Noor Muhammad in such ugly business of stolen car has been proved. They added that he seems to be a habitual stolen car dealer and is a black sheep in the sacred/glorious department, while there is no expectation that he will become a responsible/good police officer and his further retention in the Police Force, will not be in favour of Police department.

On receipt of findings, ASI Noor Muhammad was served with a final Show Cause Notice, issued vide this office No. 11/PA/FSCN/R dated 09.08.11, to which, his reply was received and found not satisfactory.

Conclusion

Being serving in Police Force, his involvement in illegal business of vehicles is a very shameful act in the eyes of general masses, besides badly affecting the force members, therefore there is no place to remain him further in Police department Mardan district, so ASI Noor Muhammad, under suspension Police Lines is awarded major punishment of dismissal from service with immediate effect, as suggested by enquiry officers, in exercise of the power vested in me, under NWFP, Removal from service (Special Power) Ordinance 2000.

Order announced

Dr. Syed Zeeshan Reza)
District Police Officer,
Mardan

OB No. 3494 /

Dated 27-9- /2011.

No. 5744-S1 /PA dated Mardan the 28/9 /2011.

Copy forwarded for information and necessary action to:-

1. The Deputy Inspector General of Police Mardan Region-1, Mardan.
2. The District Coordination Officer, Malakand Agency.
3. The Addl: SP/Mardan
4. The DSP/Hqrs: Mardan
5. The DSP/Takht Bhai.
6. The Pay Officer (DPO) Mardan.

**DSP Legal
Mardan**

⑨

ORDER

My this order will dispose off the appeal of Ex-ASI Noor Muhammad No. 599 of Mardan District Police against the order of dismissal passed by the District Police Officer, Mardan vide OB: No. 3494 dated 27.09.2011.

Brief facts of the case are that he while posted at Police Station Shergarh has been found involved in illegal business of stolen cars evident from his charging in case FIR No. 16 dated 19.04.2011 u/s 381-A/109/34/411PPC Levy Thana Malakand Agency.

In this connection he was placed under suspension and closed to Police Lines, Mardan vide OB: No. 2196 dated 06.06.2011. He was proceeded against departmentally through Mr. Ihsan Ullah Khan Additional SP Mardan and Inspector Noor Jamal Khan the then RI, Mardan. after conducting proper departmental enquiry he was issued Final Show Cause Notice vide District Police Officer, Mardan letter No. 11/PA/FSCN/R dated 09.08.2011 to which his reply was received and found not satisfactory. Being serving in Police Force his involvement in illegal business of vehicle is a very shameful act in the eyes of general masses, hence he was dismissed from Service under NWFP Removal from Service Special Power Ordinance 2000.

I have perused the record and also heard the appellant in person in orderly room held on 29.11.2011. Having examined the case carefully I am of the considered opinion that the appellant could not produce any solid reason about his innocence. Therefore I up hold the order of dismissal issued by the District Police Officer, Mardan vide OB: No. 3494 dated 29.11.2011 and the appeal is filed forthwith.

Muhammad Alam Shiwari
(Muhammad Alam Shiwari) PSP
Deputy Inspector General of Police,
Mardan Region-I, Mardan.

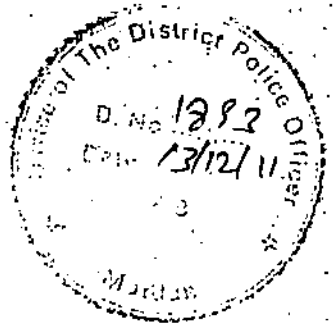
No. 4345 /ES, Dated Mardan the 08/12 /2011.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office memo: No. 430/LB dated 22.11.2011.

His Service Record is returned herewith.

Ec
For file
Khalid Noor
8/12/2011

[Signature]
**DSP Legal
Mardan**



10

Annexure "B"

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO. 35/2012

Date of institution ... 07.01.2012

Date of judgment ... 29.01.2014



Noor Muhammad, Ex-ASI, District Mardan,
S/o Gul Karim, R/o Pirano Banda,
Tehsil & District Mardan.

(Appellant)

VERSUS

1. The District Police Officer, Mardan,
2. The Deputy Inspector General of Police,
Mardan Region-I, Mardan.
3. The Provincial Police Officer, KPK, Peshawar. (Respondents)

SERVICE APPEAL UNDER SECTION 10 OF THE
KHYBER PAKHTUNKHWA REMOVAL FROM
SERVICE (SPECIAL POWERS) ORDINANCE, 2000.

Mr. Naveed Maqsood Sethi,
Advocate.

For appellant

Mr. Muhammad Adeel Butt,
Addl. Advocate General.

For respondents

Mr. Qalandar Ali Khan
Mr. Muhammad Aamir Nazir,

Chairman
Member

JUDGMENT

QALANDAR ALI KHAN, CHAIRMAN: The appellant, Noor-

Muhammad, having served the Police Department as ASI for around 23 years,

was served with charge sheet and statement of allegations on 16.6.2011

containing the following charge:

"That you ASI Noor Muhammad while posted at P.S Shergarh,
(now under suspension Police Lines) have been found involved
in illegal business of stolen Cars as evident from your charging
in a case vide FIR No.16 dated 19.4.11 u/s 381-A/109/34/411
PPC Levy Thana Malakand Agency."

The appellant submitted written reply to the charge sheet and statement of

allegations wherein he denied the allegations; where-after, inquiry was

conducted by the Inquiry Committee, comprising Ihsanullah Khan, Addl. SP

Mardan and Inspector Noor Jamal RI/Police Lines Mardan, which was

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
PESHAWAR

DSP Legal
Mardan

11

ORIGINAL

2

constituted by the District Police Officer (DPO), Mardan (Respondent No.1), who had served the charge sheet and statement of allegations on the appellant. After inquiry, the Inquiry Committee found the appellant guilty of the charge and recommended imposition of major penalty/punishment upon the appellant. There-after, a final show cause notice was issued which too was replied to by the appellant; and, eventually, respondent No.1 passed the impugned order dated 28.9.2011, thereby, awarding the appellant major penalty of dismissal from service with immediate effect. The appellant, then, preferred departmental appeal to the Regional Police Officer, Mardan (Respondent No.2), which was filed by the latter vide order dated 8.12.2011; hence this appeal on 07.01.2012 on the grounds that the impugned orders of both the respondents No.1 & 2 were against law and rules and that the inquiry proceedings were conducted in a summary manner, during which no opportunity of defence and hearing was afforded to the appellant, against whom, according to appeal, no incriminating evidence was forthcoming on record of the departmental proceedings. The appellant alleged that he was charged with the case at the instance of accused Luqman who was notorious dealer in such like cases.

2. The respondents contested the appeal and filed a joint written reply, wherein, besides raising other legal and factual objections, the respondents vehemently defended departmental/inquiry proceedings against the appellant, and alleged that as a result of properly conducted departmental/inquiry proceedings, the appellant was held guilty of the charge against him.

3. After filing of rejoinder by the appellant, arguments of the learned counsel for the appellant and learned AAG heard, and record perused.

4. Though the appellant, earlier, in his appeal, raised no objection with regard to competency of the DPO to initiate departmental/inquiry proceedings, who served charge sheet and statement of allegations on the appellant and passed the impugned order, the learned counsel for the appellant, at the outset of

ATTACHED

his arguments, raised objection to the competency of DPO to embark on such an exercise, being not a competent authority for the purpose under the NWFP (KPK) Removal from Service (Special Powers) Ordinance, 2000 (hereinafter referred to as Ordinance 2000). While admitting the fact that appointing authority of ASI is Deputy Inspector General of Police/Regional Police Officer and, as such, competent authority for the purpose of Ordinance 2000, the learned AAG objected to raising the plea by the learned counsel for the appellant at such a belated stage when no such objection was raised at the time of filing of the appeal. Notwithstanding objection on behalf of the respondent-department to raising the issue by the appellant at such a belated stage, there are no two opinions that departmental/ inquiry proceedings initiated by an authority not competent to do so will render the entire proceedings, including the final order, not sustainable in law.

5. The learned counsel for the appellant next argued that after acquittal of the appellant in the criminal case, referred to in the charge sheet and statement of allegations; the departmental proceedings against the appellant would be rendered invalid and could not be made basis for imposition of major penalty on the appellant. Apart from the objection of the learned AAG to the effect that acquittal of the appellant under section 249-A Cr.PC, before conclusion of trial and recording complete evidence, was result of compromise between parties to the case, the charge, reproduced above, would show that the appellant was 'found involved in illegal business of stolen cars as evident from his charging in a case vide FIR No.16 dated 19.4.2011.....'. In other words, involvement of the appellant in the criminal case was mentioned as a piece of evidence/proof in support of the charge of involvement of the appellant in the illegal business of stolen cars. Besides, the appeal was lodged on 07.01.2012, wherein the departmental/inquiry proceedings were challenged; while the appellant was acquitted in the criminal case after institution of the appeal on 19.01.2012. In

any case, the departmental proceedings could proceed independent of the criminal proceedings if charge against the accused was not only his involvement in the criminal case and there was an allegation of mis-conduct against him and his involvement in a criminal case ~~was~~ mentioned just as an additional evidence/proof against him.

6. Adverting to the departmental/inquiry proceedings, it has been noted, after going through record of departmental proceedings, particularly statements recorded during inquiry proceedings, provided by the respondent-department during the course of arguments, that not only the appellant was not provided the opportunity of cross-examination on the statements of the witnesses recorded by the Inquiry Committee, namely, Luqman, Muhammad Tahir alias Babu, Akbar Ali and Aziz Khan, I.O; but there is also no proof that he was present at the time of recording statements of the said witnesses. Even the Inquiry Committee mentioned this fact in its report that they contacted the witnesses and discussed the case with them, without mentioning this fact that the appellant was present at the time of 'discussion' of the case with the witnesses and that the appellant was afforded opportunity to cross-examine the witnesses. Instead, the Inquiry Committee mentioned this fact that the appellant was summoned and cross-examined by the Committee.

7. Therefore, in view of the fact that departmental/inquiry proceedings were initiated and impugned order passed by an authority not competent to do so, together with the above discussed irregularities found in the conduct of departmental/inquiry proceedings, it would be a futile exercise to evaluate and scan through the evidence/proof against the appellant, as urged by the learned counsel for the appellant during the course of his arguments; as both the impugned orders dated 28.9.2011 of the District Police Officer, Mardan and 8.12.2011 of D.I.G of Police, Mardan Region-I, Mardan are found not maintainable under the law/rules in the light of the foregoing reasons.

ATTESTED
Tahir Tahir
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

8. Consequently, on the partial acceptance of the appeal, both the impugned orders dated 28.9.2011 and 8.12.2011 are set aside and the appellant is reinstated in service to face denovo departmental proceedings, during which, the appellant shall remain suspended in view of gravity of the charge. The case is accordingly sent back/remanded to the 'competent authority' within the meaning of Ordinance, 2000, for denovo departmental/inquiry proceedings against the appellant strictly in accordance with the prescribed provisions of law/rules, explained in the judgment, by affording opportunity of defence and hearing to the appellant. There shall, however, be no order as to costs.

Sd/- Balaram Das Ali Khan
Chairman

ANNOUNCED
29.01.2014 (M)

Sd/- Muhammad Asim Raza
Member

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

POLICE DEPARTMENT

(15)

Annexure "C"

MARDAN DISTRICT

ORDER

This order will dispose off denov Enquiry against ASI Noor Mohammad Khan as per direction of Service Tribunal, KPK appeal No. 35/2012 received through Letter No. 194/ST dated 07.02.2014.

In this regard the denov departmental inquiry against ASI Noor Mohammad Khan has been initiated through Mian Naseeb Jan DSP/HQrs: Mardan. In order to the completion of denov departmental inquiry against ASI Noor Mohammad Khan the inquiry officer was summed the defaulter official but the defaulter ASI Noor Mohammad Khan was failed to appear before Inquiry officer in connection with his inquiry. Statement of his brother namely Mr: Dolat Khan s/o Kareem Khan has been recorded on dated 22.04.2014 in which he disclosed that his brother (ASI Noor Mohammad) has gone abroad (Afghanistan) and he did not known about his return back to country/home. The defaulter ASI did not report uptill now and found remain absent. Beside this 03 good entries and 09 bad entries on his credit during his service. The inquiry officer has recommended the defaulter ASI Noor Mohammad Khan for major punishment and export action may be taken against him.

The undersigned agreed with the findings of enquiry officer and the alleged ASI Noor Mohammad Khan, is dismissed from service and his absence period counted as without pay, in exercise of the power vested in me under the quoted rules 1975.

Order announced

O.B No. 1422

Dated 18/6 /2014


(Gul Aszad Afridi)
District Police Officer,
Mardan.

No. 83843/R dated Mardan the 18/6 /2014

Copy for information and necessary action to:-

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

⑧ Service Tribunal kpk Peshawar,


**DSP Legal
Mardan**

16

Annexure "D"

ORDER.

This order will dispose-off the appeal preferred by Ex-ASI Noor Muhammad No. 599 of Mardan District Police against the order of his dismissal from service issued by the District Police Officer, Mardan vide OB: No. 1422 dated 18.06.2014.

Brief facts of the case are that he while posted at Police Station Mergarh found involved in illegal business of stolen cars as evident from his involvement in case No. 16 dated 19.04.2011 u/s 381-A/109/34/411 PPC Levy Thana Malakand Agency. He was placed under suspension and closed to Police Lines, Mardan vide OB: No. 2196 dated 06.11.2011. He was proceeded against departmentally by Additional Superintendent of Police, Mardan Police Lines, Mardan. After fulfillment of departmental enquiry he was issued Final Show Notice reply to which received and found not satisfactory. Being part & parcel of discipline his involvement in illegal business of vehicles was very shameful act in the eyes of general masses, hence he was dismissed from Service under NWFP Removal from Service (Special Power Ordinance 2000). He submitted an appeal against the order passed on by the District Police Officer, Mardan to the then DIG/Mardan Region, appeared & heard in orderly room held in this office on 29.11.2011. His appeal was filed vide this office endorsement No. 4345/ES dated 08.12.2011. Later on he submitted an appeal to Hon'ble Service Tribunal Khyber Pukhtunkhwa, Peshawar. The Hon'ble Tribunal, on the partial acceptance of the appeal, both the impugned orders dated 28.09.2011 and 08.12.2011 was set-aside and the appellant was re-instated in service to face denovo departmental proceedings, during which, the appellant was remain suspended. In this regard the denovo departmental enquiry against the appellant was initiated by the then Deputy Superintendent of Police Headquarter, Mardan. In order to complete denovo departmental inquiry against the appellant, the inquiry Officer summoned the defaulter Ex-ASI who failed to appear before inquiry Officer. Statement of his brother namely Mr. Dolat Khan s/o Kareem Khan was recorded on 22.04.2014, in which he disclosed that his brother defaulter Ex-ASI has gone abroad (Afghanistan) and he did not know about his return back to country/home. The defaulter Ex-ASI did not report up-till now and found remain absent. The inquiry Officer recommended the defaulter ASI for ex-parte action, therefore he was dismissed from service by District Police Officer, Mardan vide OB: No. 1422 dated 15.06.2014.

I have perused the record and also heard the appellant in person in orderly room held on 27.08.2014 in this office. Having examined the case carefully, the punishment is too harsh, keeping in view his prolong service, poor family circumstances, the order of District Police Officer, Mardan issued vide his office OB: No. 1422 dated 18.06.2014 is hereby converted into compulsory retirement from service with immediate effect.

ORDER ANNOUNCED.

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

No. 5829 /ES, Dated Mardan the 01/09 2014.

Copy forwarded to the:-

1079
4/9/14

- 1. District Police Officer, Mardan for information & necessary action w/ to his office Memo: No. 680/LB dated 18.07.2014. His Service record is returned herewith.

(*****)

(Signature)
**DSP Legal
Mardan**

17

Annexure "E"

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1206/2014

Date of Institution ... 22.09.2014

Date of Decision ... 28.11.2017



Noor Muhammad, Ex-ASI, District Mardan Son of Gul Karim R/O Pirano Banda
Tehsil and District Mardan. ... (Appellant)

VERSUS

1. The District Police Officer, Mardan and 2 others. ... (Respondents)

MR. NAVEED MAQSOOD, ... For appellant
Advocate

MR. KABIRULLAH KHATTAK, ... For respondents.
Addl. Advocate General

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. AHMAD HASSAN, ... MEMBER

ATTESTED

JUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN. - Arguments of the

learned counsel for the parties heard and record perused.

FACTS

2. The appellant was dismissed from service, against which he filed service appeal before this Tribunal on 07.01.2012 which was decided on 29.01.2014. This Tribunal reinstated the appellant in service and remanded the case back to the competent authority for denovo departmental proceedings in accordance with the prescribed provisions of law/rules. The department then again dismissed the appellant from service on 19.06.2014 against which he filed departmental appeal

on 07.07.2014. The departmental appellate authority converted the punishment of dismissal into compulsory retirement on 01.09.2014, against which the appellant filed the present service appeal on 22.09.2014.

ARGUMENTS.

3. The learned counsel for the appellant argued that the department after remand of the case by this Tribunal proceeded ex-parte against the appellant without any efforts of service of notice upon him. That a statement of his brother was recorded regarding presence of the appellant in Afghanistan. That the appellant never went to Afghanistan and was present in his village. That no charge sheet and statement of allegations was issued to the appellant. That the whole proceedings are illegal.

4. On the other hand, the learned Addl. Advocate General argued that the appellant in fact went to Afghanistan and there could be no other reliable source except his brother who better knew about presence of the appellant in Afghanistan at the relevant time. That there was no other option for the department but to proceed ex-parte against the appellant. That the appellate authority has already taken a lenient view by converting the dismissal order to compulsory retirement.

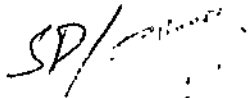
CONCLUSION.

5. Regardless of the factum of the appellant being in Afghanistan or in Pakistan, the very ex-parte enquiry report does not say anything about the charge for which the appellant was dismissed. The enquiry officer has only relied upon bad entries in service record of the appellant. In case of ex-parte proceedings it was incumbent upon the enquiry officer to have had recorded the statement of relevant witnesses or have had taken into consideration the relevant documents in proof of the charge mentioned in the concerned FIR (The basis of the proceedings).

6. As a nutshell of the above discussion, this Tribunal reaches the conclusion that the enquiry report is faulty and the penalty on the basis of such faulty report cannot be sustained in the eyes of law. This appeal is, therefore, accepted and the appellant is reinstated in service. The intervening period of the appellant should be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record.

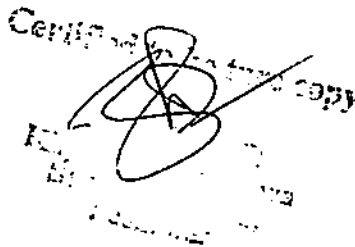


(AHMAD HASSAN)
MEMBER



(NIAZ MUHAMMAD KHAN)
CHAIRMAN

ANNOUNCED
28.11.2017



20



OFFICE OF THE
DISTRICT POLICE OFFICER
MARDAN

Tel: 0937-9230109
Fax: 0937-9230111
Email: dpo_mardan@yahoo.com
Facebook: District Police Mardan
Twitter: @dpomardan

ORDER.

In compliance with the judgment/order dated 28.11.2017 passed by the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No.1206/2014 titled **Ex ASI Noor Muhammad Vs DPO Mardan Others**, Ex-ASI Noor Muhammad has been Conditionally re-instated in service and his intervening period is treated as leave of the kind due subject to provision/ furnishing bond regarding return of the amount paid in the share of salaries if CPLA is accepted by the August Apex supreme court of Pakistan. This order is being passed by the undersigned after seeking guidance in case of the same nature from the office of AIG Legal CPO Peshawar vide his official letter No. 1543/Legal dated 30.05.2016.

OB No 616.

Date 19-3-2018.


District Police Officer,
Mardan

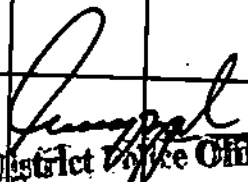

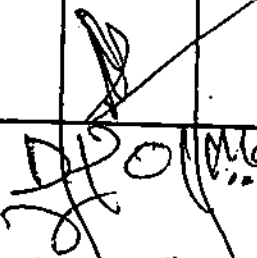
No. 2893-95 /EC, dated Mardan the, 20-3 - 2018.

Copy forwarded to the:

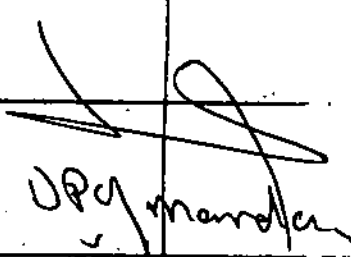

1. DSP HQrs: Mardan.
2. Insp: Legal Mardan.
3. Pay Officer.


**DSP Legal
Mardan**

9	10	11	12	13		14	15	
				Leave				
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitale to another Government		Reference to any recorded punishment or censure, or reward or praise of the Government Servant ✓	
					Period	Government to which debitale		
				<u>ORDER</u>				
				<p>He is reprimanded and warned only to be careful in future, in exercise of the power vested in me under NWFP removal from Service (Special Power) door</p>				
				<p>OB No 1228 13-4-2010</p>		<p><i>(Signature)</i> DPO Mardan</p>		
				<u>ORDER</u>				
				<p>He is hereby placed under suspension with immediate effect being involved in case RIL No-18 dt: 19/4/2011 u/s 301-A/109/34, 411/PPE heavy Thana Malakand Agency and also dealing business of Stolen cars. on suspension his is closed to Police Lines Mardan.</p>				
				<p>OB No 296 6/6/11</p>		<p><i>(Signature)</i> DPO Mardan</p>		
				<p><i>(Signature)</i> DSP Legal Mardan</p>				

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
<u>ORDER</u>							
In Compliance with the							
Judgement dated 29.1.2014 Passed							
by the Honorable KPIS Service Tribunal							
Deshawar in Service Appeal No. 35/2012							
titled EX-ASI Noor Mohammad vs DPO							
Mardan & others. The said ASI NOOR							
Mohammad is hereby re-instated for the							
purpose of de novo departmental Enquiry							
/ Proceedings, during which the appellant							
shall remain under suspension, and pay							
fixed Rs:- 13800/pm.							
OBNO: 569							
Dated: - 5.3.14.							
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  District Officer Mardan </div> <div style="text-align: center;">  DSP Legal Mardan </div> </div>							
<u>ORDER</u>							
On the result of de novo Enquiry							
he is once again dismissed from service							
while his absence period counted as leave w/o							
pay.							
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> OBNO: 1422 18/6/2014 </div> <div style="text-align: center;">  DSP Mardan </div> </div>							

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
		ORDER					
		Being charged in case vide FIR No. 411 P/C Ps Matlung ASI Noor Muhammad posted at Ps Shalibzgam is hereby placed under suspension with immediate effect.					
		OB No 2028					
		DT: 15-10-18.					
		ORDER					District Police Officer Mardan
		Being involved in criminal cases suggestions of Enquiry officer and non submitting reply in compliance of Final show cause notice till date Ex-Parte Action is taken against him by awarding Major Punishment of dismissal from Police Force with effect from 15-10-2018 (suspension date) in exercise of power vested in me under PR-1975.					
		OB No - 612					
		DT: 18-03-2019.					
							District Police Officer Mardan
							DSP Legal Mardan

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 4 to 9	10 Date of termination or appointment	11 Reason of termination (such as Promotion, transfer, dismissal, etc)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant	
				Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government				
				Nature and duration of leave taken	Period	Government to which debitable		
				Appeal Rejected & filed by				
				RPO Mardan being deputed				
				at Muzaffargarh as well as badly				
				Time barred for 05y-3m, & 24 days				
				vide his office endorsement NO: 2669/ES dt 12 th 24				
						 DPO Mardan		
 DSP Legal Mardan				MEMO-670 dt: 10/7/18 Drawn Arrear Rs: 1 on also Pay & Alies / Encashment of L.P.R. w.e.f. 19/3/18 to 31/3/18 Less GPF 150/- RE&DC 105/- Tax Not Rs: 1867/- District Comptroller of Accounts Mardan. 2/7/18		18/7/2018		



26

OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email dpo_mardan@yahoo.com




ORDER.

Being charged in case vide FIR No.889, dated 15.10.2018 U/S 411 PPC PS Katlang ASI Noor Muhammad posted at PS Shahbaz Garh is hereby placed under suspension with-immediate effect.

OB No. 2028

Dated. 15 / 10 / 2018.


District Police Officer,
Mardan.

No. 1375-79 /EC, dated 15 / 10 / 2018.

Copy for information to: -

1. Deputy Inspector General of Police Mardan Region-1 Mardan.
2. Superintendent of Police Operation Mardan.
3. DSP/Katlang.
4. DSP/Rural.
5. P.A to DPO Mardan with the direction to issue charge sheet /summary of allegation to the defaulter ASI.


**DSP Legal
Mardan**

27 Annexure "G"



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

Tel. No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com

2018

No. 77475 /PA

Dated 17/10/2018

DISCIPLINARY ACTION

I, Wahid Mehmood (PSP), District Police Officer Mardan, as competent authority am of the opinion that ASI Noor Muhammad, himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATIONS

Whereas, ASI Noor Muhammad, while posted at Police Station Shahbaz Garh (Now under suspension Police Lines) has been charged in a case vide FIR No.889 dated 15.10.2018 U/S 411 PPC PS Katlang.

For the purpose of scrutinizing the conduct of the said accused Official with reference to the above allegations, Mr. Gul Nawaz Jadoon SP Operations Mardan is nominated as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Officer, record/submit his findings and make within (30) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused Official.

ASI Noor Muhammad is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.

*(Wahid Mehmood) PSP
District Police Officer,
Mardan.*

*DSP Legal
Mardan*



28

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com



CHARGE SHEET

I, Wahid Mehmood (PSP), District Police Officer, Mardan, as competent authority, hereby charge ASI Noor Muhammad, while posted at Police Station Shahbaz Garh (Now under suspension Police Lines), as per attached above Statement of Allegations.

1. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.

2. You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.

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

4. Intimate whether you desired to be heard in person.

*(Wahid Mehmood) PSP
District Police Officer,
Mardan.*

[Signature]
**DSP Legal
Mardan**



44
P/S 29

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com



No. 8927-28 /PA

Dated 20/11/2018

DISCIPLINARY ACTION

I, Sajjad Khan (PSP), District Police Officer Mardan, as competent authority am of the opinion that ASI Noor Muhammad, himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of Police Rules 1975.

STATEMENT OF ALLEGATIONS

Whereas, ASI Noor Muhammad, while posted at Police Station Shahbaz Garh (Now under suspension Police Lines in another case vide FIR No.889 dated 15.10.2018 U/S 411 PPC PS Katlang) has been involved in a case vide FIR No. 89 dated 27.01.2018 U/S 381-A PPC PS Kabal (Swat).

For the purpose of scrutinizing the conduct of the said accused Official with reference to the above allegations, Mr. Amjad Khan SP Operations Mardan is nominated as Enquiry Officer.

The Enquiry Officer shall, in accordance with the provision of Police Rules 1975, provides reasonable opportunity of hearing to the accused Police Officer, record/submit his findings and make within (30) days of the receipt of this order; recommendations as to punishment or other appropriate action against the accused Official.

ASI Noor Muhammad is directed to appear before the Enquiry Officer on the date, time and place fixed by the Enquiry Officer.


(SAJJAD KHAN) PSP
District Police Officer,
Mardan.


**DSP Legal
Mardan**



30

20

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com



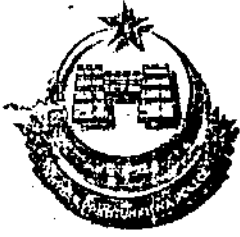
CHARGE SHEET

I, Sajjad Khan (PSP), District Police Officer Mardan, as competent authority, hereby charge ASI Noor Muhammad, while posted at Police Station Shahbaz Garh (Now under suspension Police Lines in another case vide FIR No.889 dated 15.10.2018 U/S 411 PPC PS Katlang), as per attached above Statement of Allegations.

1. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.
2. You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.
3. Your written defense, if any, should reach the Enquiry Officers within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, ex-parte action shall follow against you.
4. Intimate whether you desired to be heard in person.

(Sajjad Khan) PSP
District Police Officer,
Mardan.


**DSP Legal
Mardan**



46
15

31

OFFICE OF THE
SUPERINTENDENT OF POLICE
OPERATIONS & HEADQUARTERS
MARDAN

Tell: 0937-9230117
Fax: 0937-9230111
E.Mail: Spops1506@gmail.com

No. 7659 /PA,(Ops)

Dated 30/11/2018.

To The Superintendent Jail
District Swat

Subject: DELIVERY OF CHARGE SHEET WITH SUMMARY OF ALLEGATIONS.

Memo:

Enclosed please find herewith Charge Sheets with Summary of Allegations issued from Office of the District Police Officer, Mardan vide his office Memo: Nos. 7774-75/PA dated 17.10.2018 and No. 8927-18PA dated 28/11/2018 for service upon ASI Noor Muhmmad of this District Police presently confined in Swat Jail in case Vide FIR No. 89 dated 27.01.2018 u/s 381-A PPC PS Kabal (Swat) while Duplicate copies of the same after doing the needful may be returned to this office for further proceeding, please.

Superintendent of Police
Operations & Headquarters
Mardan

DSP Legal
Mardan

40
16

32

OFFICE OF THE SUPERINTENDENT DISTRICT JAIL SWAT

No. 7245/WE

November 30th, 2018

To,

The Superintendent,
District Jail Timergara.

Subject: DELIVERY OF CHARGE SHEET WITH SUMMARY OF ALLEGATIONS.

Dear Sir,

Enclose please find herewith letter No. 5659/PA,(Ops) Dated: 30.11.2018 of the Superintendent of Police Operations and Head Quarters Mardan received through fax today on 30.11.2018 for information and necessary action, please.

sd/-
**SUPERINTENDENT
DISTRICT JAIL SWAT**

Endst. No. 7246

Copy of the above is forwarded to the Superintendent of Police Operations and Head Quarters Mardan for information with reference to his letter No. referred to above, please.

[Signature]
**SUPERINTENDENT
DISTRICT JAIL SWAT**

[Signature]
**DSP Legal
Mardan**



Handwritten initials 'YB' and the number '27'.

33

**OFFICE OF THE
HEAD OF INVESTIGATION
DISTRICT SWAT.**

Ph# 0946-9240319 & Fax # 0946-9240396
Email Address: spinvswat@yahoo.com

No. 10126 /GB/Inv, dated Saidu Sharif the : 29/10/2018.

To: **The District Police Officer, Mardan.**

Subject: **DEPARTMENTAL ACTION VIDE IN CASE FIR NO. 89 DATED
27-01-2018 U/S 381-A PPC P.S KABAL.**

Respected Sir,

It is submitted that accused (ASI) Noor Muhammad s/o Gul Karim r/o Perano Banda Katlang Mardan is involved in the subject case. During the course of investigation it came to the notice that the above named accused is serving under your kind control as ASI in P.S Shahbaz Ghari District Mardan.

It is therefore, requested that departmental action may please be taken against the above named accused (ASI) under intimation to this office for further investigation in the case, please.

Still in Swat 7 and
as per KTG
[Signature]
15/11

[Signature]
Head of Investigation, Swat.

No. _____ /GB,

Copy to OII P.S Kabal for information with reference to his application dated 24-10-2018.

[Signature]
Head of Investigation, Swat.

[Signature]
08/11

[Signature]
For departmental
action

Already suspended
in another case vide
FIR No. 889, DT: 15-X-18
U/S 411 PPC P.S KTG

E.O → SP → P.S.

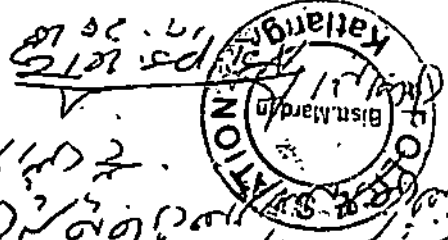
[Signature]
12/11/18

[Signature]

[Signature]
**DSP Legal
Mardan**

ATTESTED

M. Shan



Handwritten text in Urdu script, likely a list or record of shops, including names and addresses.

Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text
Handwritten Urdu text	Handwritten Urdu text

Vertical handwritten text on the right margin.

Handwritten Urdu text at the bottom of the table area.

34

Handwritten Urdu text at the bottom of the page.

Handwritten Urdu text.

Handwritten Urdu text.

Handwritten Urdu text.

Handwritten Urdu text.

156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200

1	156	156
2	157	157
3	158	158
4	159	159
5	160	160
6	161	161
7	162	162
8	163	163
9	164	164
10	165	165
11	166	166
12	167	167
13	168	168
14	169	169
15	170	170
16	171	171
17	172	172
18	173	173
19	174	174
20	175	175
21	176	176
22	177	177
23	178	178
24	179	179
25	180	180
26	181	181
27	182	182
28	183	183
29	184	184
30	185	185
31	186	186
32	187	187
33	188	188
34	189	189
35	190	190
36	191	191
37	192	192
38	193	193
39	194	194
40	195	195
41	196	196
42	197	197
43	198	198
44	199	199
45	200	200

156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200

55

ASIA-PACIFIC (ASIA-PACIFIC)
27.01-18

Handwritten text in Urdu script, appearing to be a list or report with various entries and dates.



(1/7/16 - Annexure "H")

OFFICE OF THE
SUPERINTENDENT OF POLICE
OPERATIONS & HEADQUARTERS
MARDAN

77

Tell: 0937-9230117
Fax: 0937-9230111
E.Mail: Spops1506@gmail.com

No. 5719 /PA,(Ops)

Dated 25/01/2019

To The District Police Officer,
Mardan.

Subject: DEPARTMENTAL ENQUIRY AGAINST ASINOOR
MUHAMMAD.

Memo: Kindly refer to your office Memo: No. 7774-75/PA dated
17.10.2018 on the subject noted above.

ALLEGATIONS:

The subject enquiry proceeding against ASI Noor Muhammad Khan
posted at Police station Shahbaz Garh was initiated being charged in case vide FIR
No. 889 dated 15.10.2018 u/s 411 PPC PS Katlang.

PROCEEDING:

Enquiry into the matter was initiated. Vide this office letter Memo:
No. 5659 /PA (Ops) addressed to Superintendent District Jail Swat copies of (02 X)
Charge Sheets with Summary of Allegations are duly served upon the accused
official (Copies placed on the enquiry file) in response to the charge sheets he
submitted his statement placed on the file for kind perusal.

In reply to the Charge Sheets, he stated that he has wrongly been
charged in the under reference FIRs and alleged that one Mr. Javid Azam is the real
owner of the Motor Car and even no one has touched/enquired the role of Javid
Azam in the instant case. Thus rebutted the allegations leveled against him.

In this regard SI Mohmand Khan SHO PS Katlang and Investigation
officer of the case along with case file were called in the office. They were heard at
length and recorded their statements. Investigation officer, in his statement sated
that in the instant case, SI/SHO Mohmand Khan has recovered a Motorcar No.
006/AML Engine No. LZB 204259 Chasis No. NZE 12103261748 Toyota Corolla
Model:2005, Golden Color, wanted in case vide FIR No. 446 dated 14.10.2018 u/s
381-A PPC PS Golra Sharif from possession of ASI Noor Muhammad.


DSP Legal
Mardan

38

Consequently a case vide FIR No. 889 dated 15.10.2018 u/s 411 PPC 18 was registered against the accused official and was arrested accordingly, whereby during investigation the accused official disclosed the names of other two accused namely Alamgir s/o Muhammad Ishaq & Ali Zar s/o Shahzad residents of Parhoti Mardan both the accused were also associated with the investigation of the said case Parwana for arrestment / preparation of history sheet of the above named accused was sent to concern PS in which accused Alamgir has got BBA from the court while proclamation proceeding have been initiated against the absconder and has been declared as PO. It is to mentioned here that the accused ASI Noor Muhammad is also wanted in another cases (i.e) FIR No. 106/2016 u/s 381-A/401/413 PS Ismalabad & FIR No. 89/2018 u/s 381 PPC PS Kabal Swat. So far as roll of one Mr. Javid Azam in the instant case as mentioned/alleged by the accused official ASI Noor Muhammad is concerned, SHO Katlang in his written statement stated that he along-with SDPO Katlang Subdivision and investigation staff in presence of the accused official ASI Noor Muhammad proceeded to Peshawar (Khyber agency and Karkhani) but no one was found whereby the accused official was availed much opportunity in his defense but he produced no clue leading to trace the culprits. (statement of SHO is placed on the enquiry file for kind perusal)

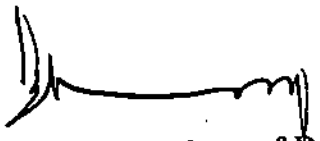
Furthermore, Service Roll of the accused official was also examined whereby he has earned 06 X good entries with 19 X Bad entries.

CONCLUSION RECOMMENDATIONS:


To sum up the enquiry papers, it is transpired that the allegations leveled against ASI Noor Muhammad carry weight. He is found guilty of gross misconduct which adversely affected the image of Police Department in eyes of general public.

Keeping in view the above, it is therefore, recommended that ASI Noor Muhammad Khan may be awarded Major Punishment under Police Rules 1975.

Submitted please.


 Superintendent of Police
 Operations & Headquarters
 Mardan

PA
 Issue F. sen


 DSP Mardan
 22/01/19


 DSP Legal
 Mardan



17

OFFICE OF THE
SUPERINTENDENT OF POLICE
OPERATIONS & HEADQUARTERS
MARDAN

39

Tell: 0937-9230117
Fax: 0937-9230111
E.Mail: Spops1506@gmail.com

No. 5720 /PA,(Ops)

Dated 15/01/2019

To The District Police Officer,
Mardan.

Subject: DEPARTMENTAL ENQUIRY AGAINST ASI NOOR
MUHAMMAD.

Memo:

Kindly refer to your office Memo: No. 8927-28/PA dated 28.11.2018 on the subject noted above.

ALLEGATIONS:

The subject enquiry proceeding against ASI Noor Muhammad Khan posted at Police station Shahbaz Garh was initiated being charged in case vide FIR No. 889 dated 15.10.2018 u/s 411 PPC PS Katlang and also involved in case vide FIR No. 89 dated 27.01.2018 u/s 381-A PPC PS Kabal (Swat).

PROCEEDING:

Enquiry into the matter was initiated. Vide this office letter Memo: No. 5659 /PA (Ops) addressed to Superintendent District Jail Swat copies of (02 X) Charge Sheets with Summary of Allegations are duly served upon the accused official (Copies placed on the enquiry file) in response to the charge sheets he submitted his statement placed on the file for kind perusal.

In reply to the Charge Sheets, he stated that he has wrongly been charged in the under reference FIRs and alleged that one Mr. Javid Azam is the real owner of the Motor Car and even no one has touched/enquired the role of Javid Azam in the instant case. Thus rebutted the allegations leveled against him.

In this regard SI Mohmand Khan SHO PS Katlang and Investigation officer of the case along with case file were called in the office. They were heard at length and recorded their statements. Investigation officer, in his statement stated that in the instant case, SI/SHO Mohmand Khan has recovered a Motorcar No. 006/AML Engine No. LZB 204259 Chasis No. NZE 12103261748 Toyota Corolla Model 2005, Golden Color, wanted in case vide FIR No. 446 dated 14.10.2018 u/s 381-A PPC PS Golra Sharif from possession of ASI Noor Muhammad.


**DSP Legal
Mardan**

Consequently a case vide FIR No. 889 dated 15.10.2018 u/s 411 PPC PS Katlang was registered against the accused official and was arrested accordingly, whereby during investigation the accused official disclosed the names of other two accused namely Alamgir s/o Muhammad Ishaq & Ali Zar s/o Shanzad residents of Parhoti Mardan both the accused were also associated with the investigation of the said case Parwana for arrestment / preparation of history sheet of the above named accused was sent to concern PS in which accused Alamgir has got BBA from the court while proclamation proceedings have been initiated against the absconder and has been declared as PO. It is to mentioned here that the accused ASI Noor Muhammad is also wanted in another cases (i.e) FIR No. 106/2016 u/s 381-A/401/413 PS Ismalabad & FIR No. 89/2018 u/s 381 PPC PS Kabal Swat. So far as roll of one Mr. Javid Azam in the instant case as mentioned/alleged by the accused official ASI Noor Muhammad is concerned, SHO Katlang in his written statement stated that he along-with SDPO Katlang Subdivision and investigation staff in presence of the accused official ASI Noor Muhammad proceeded to Peshawar (Khyber agency and Karkhani) but no one was found whereby the accused official was availed much opportunity in his defense but he produced no clue leading to trace the culprits. (statement of SHO is placed on the enquiry file for kind perusal)

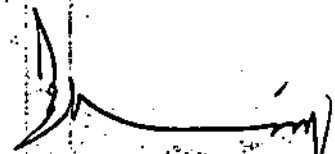
Furthermore, Service Roll of the accused official was also examined whereby he has earned 06 X good entries with 19 X Bad entries.

CONCLUSION RECOMMENDATIONS:

To sum up the enquiry papers, it is transpired that the allegations leveled against ASI Noor Muhammad carry weight. He is found guilty of gross misconduct which adversely affected the image of Police Department in eyes of general public.

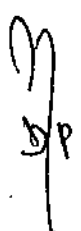
Keeping in view the above, it is therefore, recommended that ASI Noor Muhammad Khan may be awarded Major Punishment under Police Rules 1975.

Submitted please.


Superintendent of Police
Operations & Headquarters
Mardan


DSP Legal
Mardan

PA
Issue F. S. C. N.


DSP Mardan
22/10/19

40

DSP Legal
Mardan

10-12-2018
889

Handwritten notes in Urdu script, appearing to be a list or set of instructions. The text is written in a cursive style and is somewhat difficult to decipher due to the handwriting and the quality of the scan. It seems to contain several lines of text, possibly related to a legal or administrative process.

Handwritten word or phrase

(4)

Handwritten text at the bottom of the page



10.12.2018
M.M. 589

~~Handwritten signature~~

Handwritten text in Urdu, appearing to be a legal notice or statement. The text is written in a cursive style and is somewhat difficult to read due to the handwriting and the angle of the page. It seems to contain several lines of text, possibly detailing a legal matter or a dispute.

Handwritten signature or mark.

Handwritten text at the bottom of the page.

Handwritten signature or mark at the bottom.

20-11-18
MSPS K76

Handwritten text in Urdu, appearing to be a legal document or a list of entries. The text is dense and covers most of the page. It includes various numbers and names, such as '381A', '381B', and '381C'. There are also some words that look like 'MSPS' and 'K76'.

Handwritten text at the bottom of the page, possibly a signature or a date. It includes the number '889' and some other illegible characters.

7-1-019
S HAKR M C

Handwritten text in Urdu script, appearing to be a legal document or a list of entries. The text is dense and covers most of the page.

Handwritten text at the bottom of the page, possibly a signature or a date.

[Handwritten signature]

8-1-019

~~ASB-PS-176~~
~~For Mardan~~

Forwarded PL
[Handwritten signature]
OSP-Katung
10/11/2019

ASB-PS-176
8-1-019

[Main body of handwritten text, appearing to be a letter or report, written in Urdu. The text is dense and covers most of the page.]

[Handwritten note or signature at the bottom left of the main text block.]

[Handwritten text at the bottom of the page, possibly a signature or reference.]

[Handwritten signature or note at the bottom left.]

[Handwritten signature or note at the bottom center.]

[Handwritten signature or note at the bottom right.]

[Handwritten signature or mark at the bottom center.]

45

Annex 1



OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com

2019

46

No. 10 /PA

Dated 28/1/2019

FINAL SHOW CAUSE NOTICE

Whereas, ASI Noor Muhammad, while posted at Police Station Shahbaz Garh (now under suspension & presently at Dir Lower Jail) has been involved in the following cases:-

- 1) FIR No.89 dated 27-01-2018 U/S 381-A PPC PS Kabal (Swat).
- 2) FIR No. 889 dated 15-10-2018 U/S 411 PPC PS Katlang (Mardan)

In this connection, during the course of departmental enquiry conducted by Mr. Mushtaq Ahmad SP Operations Mardan vide his office letter Nos.5719 & 5720/PA (Ops) dated 15-01-2019, in pursuance of this Office Disciplinary Action Nos.7774-75/PA dated 17-10-2018 & No.8927-28/PA dated 28-11-2018 respectively, holding responsible you of gross misconduct with recommending for Major Punishment.

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

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

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

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

Received by _____

Dated: 1 / 1 /2019

**DSP Legal
Mardan**

(SAJJAD KHAN) PSP
District Police Officer,
Mardan.

Copy to Superintendent Prison Dir Lower at Timergara to deliver this notice upon the alleged Official & its receipt be returned to this Office at the earliest for further necessary action, please.

Senior Asst Suddi
Central Prison Dir Lower

8/2/19

ASI
28/1/19

Received on 08/02/19



A/O ✓

47

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com



REFERENCE ATTACHED

ASI Noor Muhammad, while posted at PS Shahbaz Garh (Now under suspension & in Mardan Jail) was proceeded against departmentally through SP/Operations Mardan on account of involving in following cases:-

1. Case FIR No.89 dated 27.01.2018 U/S 381-A PPC PS Kabal (Swat).
2. Case FIR No.889 dated 15.10.2018 U/S 411 PPC PS Katlang

The enquiry officer, after fulfilling necessary process, submitted his findings to this office vide his office letter Nos.5719 & 5720/PA (Ops) dated 15.01.2019, holding responsible the alleged official of gross misconduct and recommended for Major Punishment.

Final Show Cause Notice, issued vide this office No.10/PA dated 28.01.2019 was delivered upon him through Superintendent Jail Mardan on 08.02.2019.

In compliance, he was bound to submit his reply within (07) days, but he failed to comply with till date.

Submitted, please.

P.A. 02/03/19

Worthy DPO Mardan.

DPO Mardan
7 Service
97

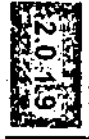
**DSP Legal
Mardan**



(9) Annexure J

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpo_mardan@yahoo.com



(48)

No. 1846-53 /PA

Dated 26/13/2019

ORDER ON ENQUIRY OF ASI NOOR MUHAMMAD

This order will dispose-off two Departmental Enquiries under Police Rules 1975, initiated against the subject official, under the allegations that while posted at PS Shahbaz Garh (now under suspension & is in Central Jail Mardan) was placed under suspension vide this Office OB No.2028 dated 15-10-2018, issued vide order/endorsement No.1375-79/EC dated 15-10-2018 on account of charging in two cases vide (1) FIR No.889 dated 15-10-2018 U/S 411 PPC PS Katlang (Mardan) & (2) FIR No.89 dated 27-01-2018 U/S 381-A PPC PS Kabal (Swat) with proceedings against departmentally through Mr. Mushtaq Ahmed SP Operations Mardan vide this office Statement of Disciplinary Action/Charge Sheet Nos. 7774-75/PA dated 17.10.2018 & 8927-28/PA dated 28.11.2018, who (E.O) after fulfilling necessary process, submitted his Findings to this Office vide his Office letter Nos. 5719/PA (Ops) & 5720/PA (Ops) dated 15.01.2019, holding responsible the alleged official of gross misconduct with recommending for Major Punishment.


On 08.02.2019, the alleged official was served with a Final Show Cause Notice, under K.P Police Rules 1975, issued vide this office No.10/PA dated 28-01-2019, to which, his reply was due to reach this office within (07) days i.e up-to 15.02.2019, but he failed to comply with till-date, verifying that he has nothing to offer in his defense & the allegations leveled against him are true.

Final Order

Being involved in two cases, quoted above, suggestions of Enquiry Officer & Non-submitting reply in compliance of delivered Final Show Cause Notice till-date, Ex-parte Action is taken against ASI Noor Muhammad by awarding Major Punishment of dismissal from Police Force with effect from 15-10-2018 (suspension's date), in exercise of the power vested in me under Police Rules 1975.

OB No. 612

Dated 18/03/2019.


(SAJJAD KHAN) PSP
District Police Officer
Mardan

Copy forwarded for information & n/action to:-

- 1) The Regional Police Officer Mardan, please.
- 2) The SP/Operations Mardan.
- 3) The SP/Investigation Mardan.
- 4) The SP/Inv: Swat w/r to his Office letter No. 10126/GB/Inv dated 29.10.2018.
- 5) The Superintendent Central Jail Mardan, to inform official concerned.
- 6) The SDPO Katlang.
- 7) The P.O & E.V (Police Office) Mardan.
- 8) The OSI (Police Office) Mardan with () Sheets.


**DSP Legal
Mardan**

F

Annexure K

49

ORDER

This order will dispose-off the departmental appeal preferred by Ex-ASI Noor Muhammad No. 599 of Mardan District Police against the order of the then District Police Officer, Mardan, whereby he was awarded major punishment of dismissal from service vide OB: No. 612 dated 18.03.2019. The appellant was proceeded against departmentally on the allegations that he while posted at Police Station Shahbaz Garh was placed under suspension on account of involvement in case vide FIR No. 889 dated 15.10.2018 u/s 411 PPC Police Station Kallang Mardan and FIR No. 89 dated 27.01.2018 u/s 381-A PPC Police Station Kabal (Swat).

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Superintendent of Police, Operations, Mardan was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings report to the then District Police Officer, Mardan wherein he found the delinquent Officer guilty of misconduct and recommended him for major punishment.

He was served with a Final Show Cause Notice on 08.02.2019 by the then District Police Officer, Mardan to which, he was bound to submit his reply within stipulated time of (07) days, but failed to comply till date of his dismissal, verifying that he was nothing to offer in his defense and the allegations leveled against him are true.

Being involved in two cases, suggestions of Enquiry Officer and non submission of his reply in compliance of Final Show Cause Notice till date of dismissal, ex-parte action was taken and awarded him major punishment of dismissal from service with effect from 15.10.2018 by the then District Police Officer, Mardan vide OB: No. 612 dated 18.03.2019.

Feeling aggrieved from the order of the then District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 07.08.2024.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations leveled against the appellant have been proved beyond any shadow of doubt. Besides, case property in shape of stolen motorcars has been taken into possession by the local Police of Police Station Kallang which clearly shows the nexus of appellant with the commission of offence. Moreover, the



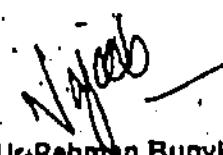


**DSP Legal
Mardan**

Involvement of appellant in this heinous criminal case is clearly a stigma on his conduct. Hence, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force as instead of fighting crime, he has himself indulged in criminal activities. On perusal of service record of the appellant, it was noticed that prior to this, the appellant was also dismissed from service for his involvement in an identical set of allegations in the year 2011. He could not present any cogent justification to warrant interference in the order passed by the competent authority. Besides the above, the appellant approached this forum at a belated stage by filing the instant appeal which is badly time barred for 05 years, 03 months and 24 days without advancing any cogent reason regarding such delay.

Keeping in view the above, Lt. Najeeb-Ur-Rehman Bugvi, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit as well as badly time barred for 05 years 03 months and 24 days.

Order Announced.


Najeeb-Ur-Rehman Bugvi) PSP
Regional Police Officer,
Mardan.

No. 2669 /ES, Dated Mardan the 12 /09 /2024.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 204/Legal dated 25.07.2024. His service record is returned herewith.

(*****)


**DSP Legal
Mardan**

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

(SI)

Service Appeal No. 1448/2024

Noor Muhammad Ex-ASI No. 599, posted at Police Station Shahbaz Garhi District

Mardan.....Appellant


VERSUS

Regional Police Officer, Mardan and others

.....Respondents

AUTHORITY LETTER.

Mr. Atta-ur-Rehman Deputy, Superintendent of Police Legal Mardan is hereby authorized to appear before the Honorable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.



District Police Officer, Mardan.
(Respondent No. 2)
(ZAHOOR BABAR)^{PSP}
Incumbent



Regional Police Officer, Mardan.
(Respondent No. 1)
(NAJEEB-UR-REHMAN BUGVI)^{PSP}
Incumbent