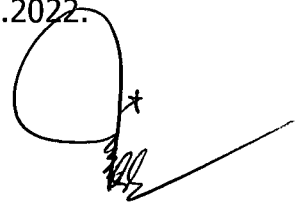


30.08.2022

Mr. Imran Khan, Advocate learned counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 07.10.2022.


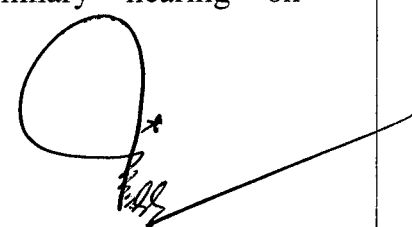

(Mian Muhammad)
Member (E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1127/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/07/2022	<p>The appeal of Mr. Falak Zaib resubmitted today by Mr. Zartaj Anwar Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 20.07.2022. Parcha peshi is given to the appellant/counsel.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>
20.07.2022		<p>Clerk to counsel for the appellant present and seeks adjournment as the appeal was not noted in their diary. Request acceded to. To come up for preliminary hearing on 30.08.2022 before S.B.</p>  <p>(Mian Muhammad) Member (E)</p>

The appeal of Mr. Falak Zaib Ex-Constable No. 2187 at Police Station Mattani Peshawar received today i.e. on 29.06.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 2- Check list is not attached with the appeal.
- 3- Appeal has not been flagged/marked with annexures marks.
- 4- Annexures of the appeal may be attested.
- 5- Copy of departmental appeal and revision petition mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 6- Copies of charge sheet, statement of allegations, Show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2129 /S.T,

Dt. 30/6 /2022

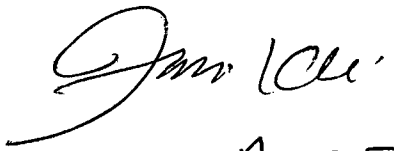

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zartaj Anwar Adv.
High Court Peshawar.

Sir

Re Submitted office copy
Please Put in the Court.

Revision Petition is not
attached.


Date
19/7/22

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No. 1127/2022

Falak Zaib Ex. Constable No. 2187, at Police Station Mattani
Peshawar.

(Appellant)

VERSUS

The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
and others.

(Respondents)

I N D E X

S.No	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Memo of Appeal <i>with Affidavit</i>		1-4
2.	Copy of the impugned office order dated 31.03.2021	A	5
3.	Copy of the departmental appeal and rejection order	B & C	6-7
4.	Copy of the revision petition rejection order dated 02.06.2022	D	8
5.	Other Documents		9-17
6.	Wakalatnama		18

Falak Zaib
Appellant

Through

Zartaj Anwar
ZARTAJ ANWAR

Advocate Supreme Court
Of Pakistan

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa
Service Tribunal

Appeal No. _____/2022

Case No. 558

Dated 29-6-2022

Falak Zaib Ex. Constable No. 2187, at Police Station
Mattani Peshawar.

(Appellant)

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police HQrs: Khyber Pakhtunkhwa, Peshawar.
3. Capital City Police Officer Peshawar

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the Office Order dated 31.03.2021, whereby the appellant has been awarded the major penalty of Dismissal from Service, against which the appellant filed Departmental appeal dated 18.05.2021, which was rejected on 09.09.2021, against which the appellant filed revision petition which was also rejected vide office order dated 02.06.2022.

Filed to-day

Registered

29/6/2022

Prayer in Appeal:

On acceptance of this appeal the impugned orders dated 31.03.2021 and 02.06.2022 may please be set-aside and the appellant may kindly be reinstated into service with all back benefits. Or any other remedy which is not specifically asked for may also be awarded in favour of the appellant.

Respectfully Submitted:

1. That the appellant was initially enlisted as Constable in the Police Department on 04.04.2011 and has at his credit a bright and spot less service career.
2. It is pertinent to mention here that ever since his enlistment the appellant has performed his duties as assigned to him with zeal and devotion and to the entire satisfaction of his superiors and there was no complaint whatsoever regarding his performance.
3. That the appellant while performing his duties in the Police Station Mattani, the wife of the appellant was become seriously sick and was admitted in the hospital as there was no one for the take care of her at hospital and later on at home except appellant, the condition of the wife of the appellant was become worse and a dead child was born.
4. That astonishingly the appellant was informed that he was dismissed from his service on the ground of absentee vide impugned office order dated 31.03.2021. *(Copy of the impugned office order dated 31.03.2021 is attached as annexure A).*
5. That being aggrieved from the impugned order dated 31.03.2021, the appellant has submitted his departmental appeal before the competent authority which was rejected vide office order dated 09.09.2021. *(Copy of the departmental appeal and rejection order are attached as annexure B & C).*
6. That thereafter the appellant submitted revision petitioner before the competent authority under Rule 11-A of the Khyber Pakhtunkhwa Police Rules 1973 (amended 2014), which was also rejected vide office order dated 02.06.2022. *(Copy of the revision petition rejection order dated 02.06.2022 are attached as annexure D)*
7. That the impugned orders are illegal, unlawful, without lawful authority, against the law and facts, hence liable to be set aside on the following grounds;

GROUND OF SERVICE APPEAL:

- A. That the appellant has not been treated in accordance with law, and his right secured and guaranteed under the law have been violated.
- B. That no proper procedure has been followed before awarding the major punishment to the appellant, the appellant has not been served with any charge sheet or statement of allegation, no proper inquiry has been conducted, nor the appellant was ever associated properly with the inquiry proceedings, statement of witnesses, if any, were never taken in presence of the appellant, thus the whole proceedings are defective in the eye of law and orders based on such defective proceedings are liable to be set aside.
- C. That the wife of the appellant was become seriously sick and was admitted in the hospital as there was no one for the take care of her at hospital and at home except appellant, the condition of the wife of the appellant was become worse and a dead child was born.
- D. That according to the section 9 of the E & D Rules the competent authority shall published a notice in at least two leading newspapers directing to resume duty within fifteen days of the publication of the that notice, but in the case of the appellant there was no publication in the newspapers it is also pertinent to mentioned here that in case of absentee there will be removal from service.
- E. That the absence of the appellant from his duties is due to the above mentioned reason not otherwise, therefore the award of major penalty Dismissal From Service is too harsh.
- F. That the appellant has not been allowed opportunity of personal hearing before awarding him the major punishment of Dismissal from service, thus he has been condemned unheard.
- G. That the appellant never committed any act or omission which could be termed as misconduct, he has been illegally awarded the major penalty of dismissal from service.
- H. That the appellant has at his credit bright and spotless service career of more than 11 years, the penalty imposed upon him is too harsh and liable to be set aside.
- I. That the appellant is jobless since his illegal dismissal from service.

- J. That the appellant seeks the permission of this Honourable Tribunal to rely on additional grounds at the hearing of this appeal.

It is therefore prayed that on acceptance of this appeal the impugned orders dated 31.03.2021 and 02.06.2022 may please be set-aside and the appellant may kindly be reinstated into service with all back benefits. Or any other remedy which is not specifically asked for may also be awarded in favour of the appellant.

Falak Zaib
Appellant

Through

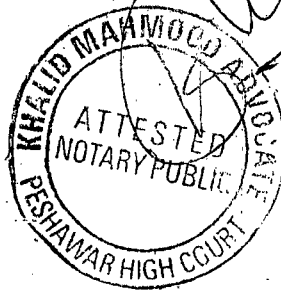
Zartaj Anwar
ZARTAJ ANWAR
Advocate, Peshawar

&

Imran Khan
IMRAN KHAN
Advocate Peshawar

AFFIDAVIT

I, **Falak Zaib** Ex. Constable No. 2187, at Police Station Mattani Peshawar, do hereby solemnly affirm and declare that the contents of the above Appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.



Deponent

(5) *Annexure "A"*

OFFICE OF THE
SUPERINTENDENT OF POLICE,
SADDAR, CCP, PESHAWAR

NO. 85/E /PA

DATE: 31-03 /2021

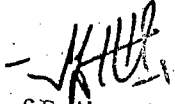
ORDER

This order will dispose off the Departmental Inquiry against FC Falak Zeb No. 2187 of PS Mattani vide this office No. 85/E /PA dated 29.09.2020. The inquiry in hand emanated from that while he posted to PS Mattani, he absented himself from lawful duty from 29.09.2020 till date without permission or information of his seniors. For the said negligence proper departmental inquiry was conducted through SDPO Badaber Circle. He submitted his findings vide memo No. 45/E/ST dated 19.02.2021.

Final show cause notice was issued to him vide this office memo No. 85/E/PA dated 22.02.2021. He neither appeared before EO, nor did reply to any notice i.e Final Show cause notice. He was also called for OR vide this office parwana No. 453/Reader dated 22.02.2021 and parwana No. 644 dated 22.03.2021, but to no avail.

Keeping in view the circumstances and recommendations of inquiry officer, in exercise of the power vested in me under E&D Rules 1975 amended with 2014, he is hereby awarded Major punishment of "Dismissal from Service" from the date of absence i.e 29.09.2020.

Order announced.


Superintendent of Police, Saddar Division
CCP, Peshawar.

OB. No. 1081 dated 31/3/2021.

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

1. The Capital City Police Officer, Peshawar
2. The Senior Superintendent of Police Operations CCP Peshawar.
3. Pay officer CCP Peshawar.
3. FMC along with Inquiry file for record.
4. All concerned

(6)

Annexure "B"

خدمت جناب سی سی پی او، صاحب پشاور

9/5
18/5/2022

By No. 554
Date 18-05-2022

اپیل مسرود بھالی

عنوان:

جناب عالی!

گزارش ہے کہ سائل کو جناب ایس پی صاحب صدر ڈویژن پشاور نے بوجہ غیر حاضر ہونے بحوالہ آرڈر بک نمبر 1031 مورخہ 31.03.21 کو نوکری سے دسمس کیا ہے۔ چونکہ سائل کی غیر حاضری قصداً نہیں تھی بلکہ بوجہ گھریلو مسائل تھی علاوہ ازیں اس دوران سائل کی بیوی زچہ بچہ کی بیمار تھی اور اچانک نامناسب حالات کی وجہ سے سائل کی بیوی کی حالت خراب ہو گئی جسکی وجہ سے سائل نے اپنی بیوی کو ہسپتال میں بغرض علاج و معالجہ داخل کیا لیکن مریض کی حالت مزید خراب ہو گئی اور بچہ مردہ حالت میں پیدا ہوا۔ اس سنگین حالات کی وجہ سے سائل کی بیوی کی دیکھ بھال کے لئے گھر میں کوئی دوسرا فرد موجود نہیں تھا۔ اس لئے بوجہ بخوری سائل نے بغرض دیکھ بھال کے لئے غیر حاضری کی تھی۔

سزاوارہ استدعا ہے کہ سائل کی تنخواہ کی وجہ سے سائل کے گھر کا چولہ جلتا تھا اور نوکری سے فارغ ہونے کی وجہ سے سائل کی معاشی حالات انتہائی خراب ہو گئی ہے۔ اسلئے بذریعہ اپیل آپ صاحبان سے التماس کی جاتی ہے کہ سائل کو دوبارہ نوکری پر بحال کرنے کے احکامات صادر فرما کر مشکور فرمائیں۔ سائل تاحیات دعا گو رہے گا۔

عین نوازش ہوگی۔

العارض
31/5/2022

سی سی پی او، پشاور

آپکا تابع فرمان سابقہ کنسٹیبل فلک زیب نمبر 2187

موبائل فون نمبر 0331-5903818

FMC

Provide record this

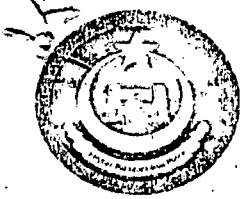
18/5/2022

18/5/2022

18/5/2022

By members of

18/5/2022



(7)

Annexure "C"

OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR

ORDER.

This order will dispose of the departmental appeal preferred by Ex-FC Falak Zaib No. 2187 who was awarded the major punishment of "dismissal from service" under PR-1975 by SP/Saddar vide OB No. 1031, dated 31.03.2021.

2- Short facts leading to the instant appeal are that the accused constable while posted at PS Mattani was proceeded against departmentally on the charges of his wilful absence w.e. from 29.09.2020 till his dismissal i.e 31.03.2021 (Total 06 -months & 02 Days).

3- He was issued proper Charge Sheet and Summary of Allegations by SP/Saddar Peshawar and SDPO Badaber Peshawar was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer after conducting proper enquiry submitted his findings and recommended the official for Ex-Parte action. The competent authority in light of the findings of the enquiry officer issued him Final Show Cause Notice, but he failed to submit his reply to the Final Show Cause Notice, hence awarded the above major punishment.

4- He was heard in person in O.R and the relevant record along with his explanation perused. During personal hearing the appellant failed to submit any plausible explanation in his defence. A report regarding his drug addiction has also been obtained from SP-HQRs: Peshawar and his medical test was reported positive for tetrahydro cannabinol (THC). Therefore, his appeal for setting aside the punishment awarded to him by SP-Saddar, Peshawar vide OB No. 1031 dated 31.03.2021 is hereby rejected/filed, being also time barred.

(ABBAS AHSAN) PSP

No. 2794-97 /PA dated

Copies for information in

1. SP/Saddar: Peshawar.
2. OASI, CRC with the direction to made necessary entry in his S.Roll.
3. FMC along with Fuji Missal.
4. Official Concern.

(8)

Annexure "D"

INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rules-1975 (amended 2014) submitted by Ex-FC Falak Zaib No. 2187. The petitioner was dismissed from service by Superintendent of Police, Saddar, Peshawar vide OB No. 1031, dated 31.03.2021 on the allegations that he while posted at Police Station Mattani absented from duty w.e.f 29.09.2020 till date of dismissal from service i.e. 31.03.2021 (06-months & 02-days). He preferred appeal to Capital City Police Officer, Peshawar wherein a report regarding his drug addiction was also obtained from SP/HQrs: Peshawar and his medical test was reported positive for tetrahydro cannabinol (THC). His appeal was rejected being time barred by Capital City Police Officer, Peshawar vide order Endst: No. 2794-97/PA, dated 09.09.2021.

Meeting of Appellate Board was held on 19.05.2022 wherein petitioner was heard in person. Petitioner contended that he was ill.

Perusal of the record revealed that petitioner remained absent for long period of 06 months & 02 days. Petitioner failed to submit any cogent reason in his self defense. Moreover, he is also addicted to drugs and his medical test was reported positive for tetrahydro cannabinol (THC). The Board see no ground and reasons for acceptance of his petition, therefore, the Board decided that his petition is hereby rejected.

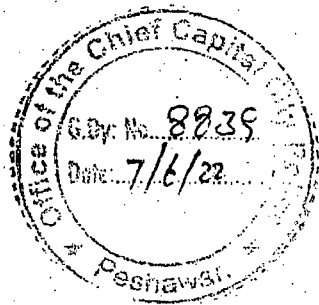
Sd/-
SABIR AHMED, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/1248-54/22, dated Peshawar, the 21/6/2022.

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One Service Roll, one Fauji Missal and one enquiry file of the above named Ex-FC received vide your office Memo: No. 2577/CRC, dated 27.10.2021 is returned herewith for your office record.
2. Superintendent of Police, Saddar, Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

CC/PO _____
 SSP/Coord: _____
 SSP/O _____
 SSP/Invr: _____
 SP/Cant _____
 SP/City _____
 SP/Rural _____
 SP/Sec _____
 SP/HQ _____
 SSP/Tr _____
 DSPA/AS _____
 S/FC-II _____
 S/C.Cell _____
 Arms/S/2622



(DR. ZAHEED ULLAH) PSP
 AIG/Establishment,
 For Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar.



9
OFFICE OF THE
SUPERINTENDENT OF POLICE,
HEADQUARTERS, PESHAWAR

Phone No. 091-9210737

No. 3328/PA, Dt: 31/9 /2021

TO: The Capital City Police Officer,
Peshawar

Subject: MEDICAL TEST

Memo:

As directed, Ex-constable Falak Zaib No.2187 was referred to KMC, Peshawar for dope/toxicology screening test vide this office letter No.3285/PA dated 02.09.2021.

According to the report received from KMC, Peshawar vide No.794/FM/KMC/2021 dated 03.09.2021, the dope screening test of above named official is positive for tetrahydro Cannabinal (THC). Therefore, original medical test is appended herewith.

SUPERINTENDENT OF POLICE
HQRS: PESHAWAR

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
 وَلَا تَلْبَسُوا الْحَقَّ بِالْبَاطِلِ وَتَكْتُمُوا الْحَقَّ وَأَنْتُمْ تَكْفُرُونَ ۝
 اور جگہ جگہ کے ساتھ گواہی کرو۔ اور جان لو جو حقیقت بات کو سب سے بھلا (القرآن)

10

**DEPARTMENT OF FORENSIC MEDICINE & TOXICOLOGY
 KHYBER MEDICAL COLLEGE, PESHAWAR**

(Admissible as evidence under section 510 of the Code of Criminal Procedure)
 of Falak Zaid

by certify that I received by hand a packet from S.P. HERS
S.P. HERS Peshawar alleged to have been dispatched by him/her
 on the 2nd of Sep. 2021 referred to in his office No 3285
 Dated 2-9-2021 and received by me on the 3-9-2021

1. The packet consisted of 1 Parcel was sealed with a seal bearing the impression of the invoice
 here on to attached. And reached me with no seals intact.

The contents of the packet were as follows:-

- | | |
|------------------|-----------|
| (a) <u>URINE</u> | (b) _____ |
| (c) _____ | (d) _____ |
| (e) _____ | (f) _____ |

2. The above seals were opened in my presence and the contents of the packet were duly examined by me
 remaining under my immediate custody until the examination was completed.

3. The material / samples I was led to examine for were Chemical analysis

Sample
 ASSISTANT CHEMICAL EXAMINER
 (BIOCHEMIST)

4. The result was as follows:-

Urine specimen of the above
mentioned person is positive
for Tetrahydrocannabinol (THC)
only.

5. Note:-

- (i) This report is being issued without any cutting/eraser or over writings.
- (ii) For the tests performed to reach the above mentioned results kindly see overleaf.
- (iii) Any report without embossing mark is not genuine.

No. 774 /FM/KMC/2001
 KMC, Peshawar.
 Chemical examiner office:

The 3-9-2021 200
 Enclosures:-

1. GENERAL ALKALOIDS:-

- Heroin: _____
- Morphine _____
- Cannabiol _____
- Atropine _____
- Hyoscine _____
- Strychnine _____
- Brucine _____

2. VOLATILE POISONS:-

- Ethyl Alcohol _____
- Methyl alcohol _____
- Hydrocyanic acid _____
- Formaldehyde _____
- Phenols _____
- Organophosphates _____
- Chlorinated hydrocarbons _____

ALCOHOL ANALYSIS REPORT:-

- Potassiumdichromate Test _____
- Sulphomolybdate Test _____
- Ethylbenzoate Test _____

SEMAN ANALYSIS:-

- Berberio's Test _____
- Florence's Test _____
- Of Spermatozoa _____

3. METALLIC POISONS:-

- Arsenic _____
- Mercury _____
- Lead _____
- Copper _____
- Silver _____
- Tranquillizer _____
- Barbiturates _____
- Hypnotics _____

Sample

بحوالہ مشمولہ انکوائری نمبری 270 مورخہ: 29.11.2017 موصولہ از دفتر PA جناب SP صاحب ہیڈ کوارٹر حسین کنشیل فلک زیب 2187 جو کہ مورخہ 03.11.2017 پولیس لائن سے غیر حاضر ہو کر بدستور غیر حاضری پر شوکا ز نمبری 253 مورخہ 28.09.2017 بحالیہ از دفتر جناب SP صاحب ہیڈ کوارٹر جس کے متعلق مذکورہ کنشیل نے جواب داخل نہ کر کے بالا غیر حاضری پر اسکے خلاف افسران بالا صاحبان نے انکوائری مقرر فرما کر من RI ہیڈ کوارٹر کو انکوائری افسر نامزد کیا ہے۔ اس سلسلے میں ذیل انکوائری ترتیب دی گئی ہے۔

1. کنشیل شذکرہ بالا کا بیان قلمبندی کیلئے بحوالہ پروانہ جات نمبری 561,1076,1428,1563 بل ترتیب مورخہ 12.07.2018، 27.03.2018، 17.05.2018، 28.06.2018، 12.07.2018 تحریر کیا جا کر شامل انکوائری ہے۔
2. محرر پولیس لائن سے جواب موصول ہو کر مذکورہ کو بصورت تبادلہ بحوالہ مد نمبر 61 روز نامہ 10.05.2018 روانہ تھا نہ انقلاب کیا گیا ہے۔ جس پر محرر تھا نہ انقلاب کو پروانہ نمبری 2304 مورخہ 03.10.2018 کو کنشیل بالا کی بیان قلمبندی کیلئے تحریر کیا جا کر شامل انکوائری ہے
3. محرر تھا نہ انقلاب کو دوبارہ بحوالہ پروانہ نمبری 2538 مورخہ 16.10.2019 مذکورہ کی بیان قلمبندی کیلئے تحریر کیا جا کر شامل انکوائری کی گئی۔
4. مذکورہ کنشیل کا پوسٹ بنگ ریکارڈ حاصل کر کے شامل انکوائری کی گئی ہے۔
5. مذکورہ کنشیل کو بارہا بذریعہ ٹیلی فون نمبر 0311-5877878 مطلع کیا گیا۔
6. مذکورہ کی نقلدات غیر حاضری اور حاضری پولیس لائن حاصل کر کے شامل انکوائری ہے۔

کنشیل مذکورہ بحوالہ مد 68 روز نامہ 03.11.2017 حسب اطلاع کنشیل نواد فون آپریٹر جناب SP صاحب رینج FRP کہ شذکرہ بالا کنشیل بیج جناب کلیم ارشد صاحب کے ساتھ بطور گنہگار تھا اور مورخہ 20.10.2017 سے غیر حاضر ہے۔ اطلاع پر سر دست مذکورہ کنشیل کو بحوالہ مد بالا غیر حاضر تصور کیا گیا ہے۔ اس سلسلے میں مذکورہ نے بحوالہ مد 29 روز نامہ 06.12.2017 کو اپنی حاضری کی رپورٹ درج روز نامہ کی ہے۔ جو کہ ٹوٹل غیر حاضری 33 یوم بنتی ہے۔ مذکورہ کو اسی طرح بحوالہ مد 61 روز نامہ 10.05.2018 بصورت تبادلہ پولیس لائن سے تھا نہ انقلاب روانہ کیا گیا ہے۔ محرر انقلاب کو بذریعہ تحریری پروانہ مذکورہ کنشیل کی بیان قلمبندی کیلئے تحریر کیا گیا جو کہ بمطابق مد محرر تھا نہ انقلاب رپورٹ کہ اس نام کا سابقہ یا موجودہ ریکارڈ تھا نہ ہذا پر کوئی بھی ہیکار موجود نہیں ہے۔ اسی بناء پر کنشیل فلک زیب 2187 کو اسکے موبائل نمبر پر بارہا مزید طلب کیا گیا لیکن باوجود بالا حالات و واقعات، جملہ طلبی پروانہ جات اور ٹیلی فون اطلاعات مذکورہ تاحال انکوائری افسر کے روبرو پیش نہیں ہوتا۔

(FINDING REPORT)

درج بالا حالات و واقعات اور جملہ حقائق و انکوائری رپورٹ سے عیاں ہو سکتا ہے کہ مذکورہ کنشیل فلک زیب 2187 جو کہ پولیس لائن سے کل 33 یوم غیر حاضر رہا ہے۔ اور عرصہ غیر حاضری کے متعلق مذکورہ کے پاس کوئی ٹھوس ثبوت یا خاص وجہ نہیں ہے کہ وہ اپنی غیر حاضری کے متعلق انکوائری افسر کو مطمئن کر سکے۔ بدین وجہ روز بروز دستخطی پیش ہونے سے کتراتا ہے اور عرصہ دراز سے باوجود بارہا تحریری پروانہ جات طلبی اور بذریعہ ٹیلی فون اطلاعات حاضر نہ آ کر زیر دستخطی اس نتیجے پر پہنچا ہے کہ مذکورہ نے دیدہ دانستہ بغیر کسی خاص وجہ یا عذر طویل عرصہ پولیس لائن سے غیر حاضری کی ہے۔ کل 33 یوم غیر حاضری کیلئے بلا تخواہ کیے جانے اور دوسری چھوٹی ٹھکانہ سزا کی تجویز پیش کی جاتی ہے۔ اس قدر انکوائری رپورٹ مرتب ہو کر ارسال خدمت ہے۔

ریزرو انسپکٹر

ملک سعد شہید پولیس لائن پشاور

Approved as recommended by E.O.
E.O. 27

Superintendent of Police
HQs: CCP

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OFFICE OF THE
DEPUTY SUPERINTENDENT OF POLICE,
BADHABER CIRCLE PESHAWAR

NO. /E/PA, DATED PESHAWAR / /2021

Subject: DISCIPLINARY PROCEEDINGS AGAINST FALAK ZEB
NO.2187 OF PS/MATTANI.

Memo:

Please refer to your Memo: No.85/E/PA (SP/Saddar) dated 16/10/20 on the subject cited.

STATEMENT OF ALLEGATIONS

Constable Falak Zeb No.2187, of PS Mattani Peshawar
committed the following irregularities:-

- i). "While he posted to Police Station Mattani, he absented yourself from lawful duty from 29.9.20 till to date without permission or information of your senior officers. It was also reported that he is habitual absentee and not taking interest in his legitimate duties.
- ii). That all the above acts amount to gross misconduct, negligence, inefficiency and malafide on his part for which he is liable for punishment as defined in Police Department Rules 1975.

On the basis of above allegations he was charge sheeted and summary of allegations by the Worthy SP/Saddar Division Peshawar and the undersigned was appointed as enquiry officer.

On the basis of the above allegations, charge sheet and summary of allegations against him was prepared by the Worthy Superintendent of Police Saddar Division Peshawar and the undersigned was appointed as enquiry officer.

PROCEEDINGS:-

With reference to the allegations leveled against him, he was called through summons/parwanas (copies attached) and through his cell Phone No.03115877878 and time and again to attend the office of the undersigned, but he did not appear before the undersigned. This shows lack of interest in the duty and slackness. Being a person of the discipline force, his act of non-appearance before the undersigned is high objectionable, condemnable and amounts to gross misconduct on his part & required to be dealt with Ex-Parte action as he intentionally avoided his appearance before the undersigned in spite of repeated summons/parwanas and through his cell phone.

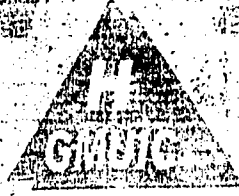
SUB-DIVISIONAL POLICE OFFICER,
BADHABER CIRCLE PESHAWAR.

Hameed Gul Memorial Ultrasonography Institute & Clinics

Medical Education Director

Dr. Nasir Hameed

M.B.B.S (Pak) PhD Medical Ultrasound (UOL PAK)
PhD Radiology (Swiss)
PG Diploma in Medical Education (UK)
Associate Fellow, Higher Education Academy (UK)
Associate Professor in Medical Imaging
University of Central Lancashire, United Kingdom



PMDC Reg No: 3968N
HCC Reg No: 09237

Senior Consultant Sonographer

Dr. Saeeda Gul Momand

M.B.B.S(Pak), P.G Diploma Ultrasound (Pesh),
M.Phil Ultrasound (UOL Pak), ICEAF (USA)
Ultrasound Specialist
Dr. Kulsom Shoab
M.B.B.S(Pak), P.G Diploma Ultrasound (Pesh)

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Name: Mrs. Shaheen / Falak zeb

Dated: 07.10.2020

C-No: TVS-004

Transvaginal Ultrasonography of The Pelvis

Scan shows enlarged retroverted uterus containing a gestational sac with foetal echoes in it.

Foetal Cardiac Activity is NOT appreciated.

A note is made of collapsed yolk sac.

CRL 1.0 Cm

Gestational Age is 07 weeks \pm 5 Days

No adnexal mass is seen.

No free fluid is noted in the cul-de-sac.

Normal urinary bladder.

IMPRESSION

- Transvaginal ultrasound findings are suggestive of MISSED ABORTION.

[Signature]
Dr. Nasir Hameed

D.H.M.S, R.H.M.P., (Islamabad)
F.A.C.C.P, M/S Microscopist Health Department
Rahim Abad No.2,
Shaheen Muslim Town Peshawar
Mobile:0345-9419381

ایم ای آر ای (ایچ آر ای - ایچ ایم - ایچ)
ایڈولٹیو لائیو ویئر (LHV)
ایکٹو ڈیپارٹمنٹ
رحیم آباد شہر شاہین مسلم ٹاؤن پشاور

U

Name: W/O محمد زید Date: 7/10/2020

Ref/ by: _____

FINDINGS

OBSTETRIC U/S

Size & Number of Sac (s) Single

Number of Fetus (s) _____

Presentation: _____

Lie: _____

F. Sex: _____ Spine: _____

F. Heart beat Absent F. Movements Absent

CRL: _____

BPD: _____ FL: _____

HC: _____ AC: _____

Gestation Age (W + U) EDD 7-6-2020

F Weight: _____

Amount of Liquor: _____

Placenta: _____

Fetal Anatomy missed abortion

Dr. Ejaz Khattak

D.M.S., R.H.M.P., (Islamabad)
B.A.C.C.P, M/S Microscopist Health Department
Rahim Abad No.2,
Shaheen Muslim Town Peshawar
Mobile:0345-9419381

سوالنامہ

ڈاکٹر عجاز خٹک

ایم ڈی (ایچ ایس ایم سی) (ایچ ایس ایم سی) پی
ایچ ایس ایم سی (ایچ ایس ایم سی) پی
ایچ ایس ایم سی (ایچ ایس ایم سی) پی
ایچ ایس ایم سی (ایچ ایس ایم سی) پی

Name: w/o [unclear] Date: 8-10-2

Ref/ by: _____

FINDINGS

OBSTETRIC U/S

Size & Number of Sac (s).....

Number of Fetus (s).....

Presentation:.....

Lie:.....

F. Sex:..... F. Spine:.....

F. Heart beat..... F. Movements.....

CRL.....

BPD..... FL.....

HC..... AC.....

F. Gestation Age..... EDD.....

F. Weight.....

Amount of Liquor.....

Placenta.....

Fetal Anatomy.....

+1
3 3
+1
Blood
mp
Hb 12
Fg 9
Fgm
for foz
=

PHONES

PHOTOMETRIC UNIT

NAME

DATE

EXAMINER

ADDRESS

NO. OF VIEWS

IN. REFLECTION

EXPOSURE

FOCUS

APERTURE

IMPRESSION

REMARKS

DATE

TIME

LOCATION

OBJECT

SCALE

TYPE

CONDITION

ENTRY

Electronical Thickness

APERTURE

EXPOSURE

PHOTOMETRIC UNIT

PHONES

PHOTOMETRIC UNIT

120 - Misoprostol - 10

11-11-11

120 - Prostins (10)

1+1

120 - Mercinex (5)

1+1

120 - Flegyl (40)

1+1

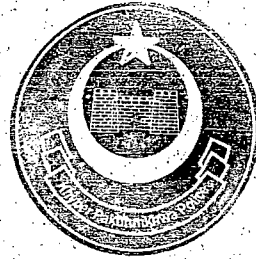
120 - Foliday (30)

120 - Ailux (20)

120 - Nitro (20)

120 - V-Procs (20)

120 - aboxim



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Commendation Certificate

CLASS I

Granted by

Inspector General of Police, Khyber Pakhtunkhwa

To

FC FALAK ZAIB NO. 2187

Son of

District


DISTRICT PESHAWAR

in Recognition of

The officer recovered 10 Kg ice & 10 Kg heroin from the secret cavities of a motor car proper case was Registered against two accused vide FIR No. 160 dated 04.03.2019 u/s 9CCNSA PS Badhber. & awarded cash reward of Rs. 10000 /-

No. 35 / PSO TO IGP

Dated 13 / 3 / 2019


Inspector General of Police
Khyber Pakhtunkhwa

BIO DATE OF FALAK ZAIB s/o JEHAN ZEB FOR APPEARING IN THE ORDERLY ROOM

File No. 930
 No. 14.7.2021
 Date 14/7/21

67

3488
 14/7/21

Sl. No	Home Address	Date of Enlistment	Charges					E.O Name/Recom:	Punishment	Plea of the Applicant	Remarks/Opinion of DSP/Legal	Order of the CCPO					
187	Wazir Bagh Peshawar	04.04.2011	Short facts leading to the instant appeal are that the accused constable while posted at PS Mattani was proceeded against departmentally on the charges of his wilful absence period w.e. from 29.09.2020 till his dismissal i.e 31.03.2021 (Total 06 Months 02 Days).					DSP Badhber EX- Parte	Dismissed From Service. (P.R. 1975) By Mr. Saddar Peshawar vide O.S. No. 1031 Dt. 31.03.2021. (Time barred for 17 Days)	Request to set-aside the punishment	Perusal of the relevant record reveals that punishment order passed by the competent authority is in accordance with law.						
		Total Qty: Services															
		09-years, & 26-days															
		21.06.1986															
		Education											Entries:-				
		Courses											Bad	Minor	Major	Good	
													15	08	02	Nil	

INT

POWER OF ATTORNEY

In the Court of

Muhyo Pakhtun, Deena Service Fozdul
Falah Zeb Registrar

- } For
- } Plaintiff
- } Appellant
- } Petitioner
- } Complainant

VERSUS

The P.P.O. KPI and others.

- } Defendant
- } Respondent
- } Accused

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____

Fixed for _____

I/we the undersigned, do hereby nominate and appoint

ZARAJ ANWAR & IMRAN KHAN ADVOCATES, my true and lawful attorney, for me in my same and on my behalf to appear at Registrar to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits, Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employee any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so. any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court. if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____ the _____ day to _____ the year

Executant/Executants _____
Accepted subject to the terms regarding-fee _____

Imran Khan
IMRAN KHAN
 Advocate High Court
 Mob: 0345-9090618

Zaraj Anwar
ZARAJ ANWAR
 Advocate High Courts

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
 FR-3, Fourth Floor, Dilour Plaza, Saddar Road, Peshawar Cantt
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 BC-10-9
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