


12.06.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Head Constable) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 04.01.2019 whereby he was awarded major punishment of removal from service. Learned counsel for the appellant argued inter-alia that punishment was awarded to the appellant without observing the legal requirements and codal formalities and that the appellant was not treated in accordance with law.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for reply/comments. To come up for written reply/comments on 03.09.2019 before S.B at Camp Court, Swat.


Appellant Deposited  
Security & Process Fee  
14/6/19

  
Member  
Camp Court, Swat.

03.09.2019

Learned counsel for the appellant present and sought withdrawal of the present service appeal by submitting application for conditional withdrawal of the same.

In view of above, the present service appeal is hereby dismissed as withdrawn with the permission to file fresh one in accordance with law/rules. No order as to costs. File be consigned to the record room.

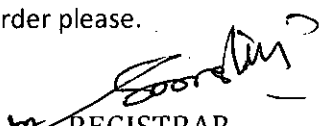

  
(Muhammad Hamid Mughal)  
Member  
Camp Court, Swat.

ANNOUNCED.  
03.09.2019

Form- A  
FORM OF ORDER SHEET

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

Case No.- 655/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/05/2019	<p>The appeal of Mr. Rahim Khan presented today by Mr. Shabir Ahmad Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	24-05-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>12-06-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE SERVICE TRIBUNAL**  
**KHAYBER PUKHTUNKHWA AT PESHAWAR**

Service Appeal No. 655 of 2019

Rahim Khan son of Amir Salam Khan resident of Islampur, Saidu Sharif, District Swat (Ex-Head Constable B. No. 1373).

...Appellant

**Versus**

Inspector General of Police, Khyber Pakhtunkhwa at Peshawar and others.

....Respondents

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2.	Affidavit	....	6
3.	Memo of addresses	....	7
4.	Copy of FIR, Murasila, Card of arrest and medical documents of the appellant.	<b>A, B, C &amp; D</b>	8-27
5.	Copy of Show Cause notice and charge sheets.	<b>E, F &amp; G</b>	28-33
6.	Copy of impugned order dated 04.01.2019	<b>H</b>	34
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Appellant  
Through Counsel

*Shabir Ahmad Khan*  
**Shabir Ahmad Khan (Dawlatkhel)**  
Advocate High Court.  
Dated: 18.05.2019

**BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA  
AT PESHAWAR**

Head constable Rahim Khan Belt No. 1373 Now 66

**V/S**

**IGP and others**

**Service Appeal**


**Application for conditional withdrawal of the above title service appeal.**

Respectfully sheweth!

1. That the above title service appeal is pending before this honorable tribunal and fixed for today i-e 03-09-2019.
2. That vide order dated 18-07-2019 the respondent No.2 re-instated the appellant into service but, awarded punishment of reduction of salary by three stages and the period spent out, out of service be treated as leave without pay (copy of re-instatement order is attached herewith for your kind perusal.
3. That now the appellant filed appeal against the order of respondent No.2 to respondent No.1 and want to withdraw the above titled service appeal with the conditional that if the grievances of the appellant has not been redress then the appellant will approach to this honorable tribunal for filing an appeal afresh one.

It is therefore humbly prayed that the instant application may kindly be accepted as prayed for.

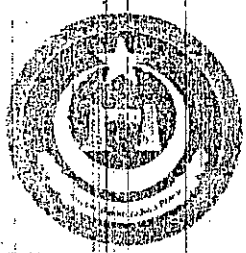
  
Appellant



Head Constable Rahim Khan

Belt No.1373 Now 66

66



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

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

**ORDER:**

This order will dispose off appeal of Ex-Head Constable Rahim Khan No. 1373 of Investigation Wing Swat District for reinstatement in service.

Brief facts of the case are that Ex-Head Constable Rahim Khan No. 1373 of Investigation Wing, Swat while posted to Police Station Buner was alleged of gross misconduct as an application was moved by applicant namely Umar Ishaq and Umar Raziq r/o Islampur, citing an incident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDFO Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against the delinquent Head Constable and following the death of one of the two injured persons. Section 320 had been incorporated in the case. It has been learnt that the delinquent Head Constable was driving the vehicle he was intoxicated condition which resulted in the accident. Consequently he was issued Charge Sheet coupled with statement of allegation and Addl: SP Swat was appointed as enquiry officer. The enquiry officer after conducting proper departmental enquiry against the delinquent HC submitted his findings wherein the allegation leveled against him were proved. The delinquent HC was also called in Orderly Room and heard him in person but he failed to produce any plausible reason in his defence. Being found guilty of the charges leveled against him the DPO, Swat awarded him major punishment of removal from service vide his office QB No. 04 dated 04/01/2019

He was called in Orderly Room on 15/07/2019 and heard him in person. The appellant explained his poor family backgrounds. The punishment awarded to him is seems to be very harsh, hence set aside and Ex-Head Constable Rahim Khan is hereby reinstated in service. However, he is awarded with the punishment of reduction in salary by three stages. The period he spent out of service to be treated as leave without pay.

Order announced.

*(Signature)*  
MUHAMMAD SAEED, PSP  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat  
\*\*Naqi\*\*

No. 97643-43/E,

Dated 17 / 7 / 2019.

Copy of above for information and necessary action to the:

1. District Police Officer Swat with reference to his office Memo: No. 1675/E, dated 28/01/2019.
2. SP Investigation Swat with reference to his office Memo: No. 4543/E, dated 09/04/2019. Service record of the above named HC is returned herewith for record in your office.

\*\*\*\*\*

OB115

(1)

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PUKHTUNKHWA AT PESHAWAR**

Service Appeal No. 655 of 2019

Rahim Khan son of Amir Salam Khan resident of Islampur, Saidu Sharif, District Swat (Ex-Head Constable B. No. 1373).

...Appellant  
Khyber Pakhtunkhwa  
Service Tribunal

VERSUS

Diary No. 784

Dated 21/5/2019

1. Inspector General of Police, Khyber Pakhtunkhwa at Peshawar.
2. Regional Police Officer Malakand Range-III at Saidu Sharif, District Swat.
3. District Police Officer Swat at Gulkada.
4. S.P Investigation District Swat.

...Respondents

Appeal under Section 4 of the Service Tribunal Act, 1974, against the impugned order of respondent No. 3 dated 04.01.2019 whereby appellant was ~~removed~~ from service with immediate effect against which appellant preferred departmental appeal to respondent No. 2 but the departmental appeal as not decided by respondent No. 2 within the stipulated/ prescribed period i.e. 90 days, then the appellant preferred revision to review committee of respondent No. 1 but the same was also pending and not decided by respondent No. 1 yet.

Filed to Day  
Registrar  
21/5/19

Respectfully Sheweth:

The appellant submits as under:

1. That the appellant was initially inducted in Police Department as constable and with the passage of time

the appellant qualifying various courses and promoted to Head Constable. During service, the appellant performed his duty with great zeal and enthusiasm.

2. That on 01.11.2018, an FIR No. 756 dated 01.11.2018 under Section 279, 337 G PPC has been lodged in Police Station Saidu Sharif against unknown person. Later on section 320 and 421 PPC have been added and the appellant has been charged in the above mentioned case. It is pertinent to mentioned here that the appellant got injured in a road accident on the same day but the alleged incident in which the above mentioned FIR lodge, the appellant have no knowledge regarding the said alleged incident but on the very next day the appellant went to the hospital for medical treatment and the local police arrested the appellant in the above mentioned case from hospital. Now the appellant is bail out and the case is still pending before the learned Additional Session Judge-II Swat in which 21.05.2019 has been fixed for evidence. (Copy of FIR, Murasila, Card of arrest and medical documents of the appellant are attached herewith as **Ann: A, B, C & D**).
3. That on 08.11.2018, charge sheet was issued to appellant vide No. 74/E by respondent No. 4 and DSP Matta Pir Said Khan was appointed as inquiry officer while on 12.11.2018 a show cause notice was issued to the appellant vide No. 551/PA dated 12.11.2018 by

respondent No. 3 but in the meanwhile on 17.12.2018 another charge sheet No. 96 was issued to the appellant by respondent No. 3 and Additional S.P Swat was appointed as inquiry officer. (Copy of Show Cause notice and charge sheets are attached herewith as **Ann: E, F & G**).

4. That after conducting inquiry by Additional S.P Swat, submitted his findings report to respondent No. 3 and inquiry documents of the rest charge sheet issued by the respondent No. 4 have also been sent to respondent No. 3, in short inquiry officer Additional S.P on charge sheet No. 96 conducted inquiry and recorded the statements and submitted his finding reports to respondent No. 3. But no opportunity of cross examination, on witnesses was given to the appellant.
5. That on the recommendation of inquiry officer, the respondent No. 3, without giving opportunity of hearing given to the appellant, illegally and unlawfully straightaway removed the appellant from service. (Copy of impugned order is attached herewith as **Ann: H**).
6. That against the impugned order of respondent No. 3 the appellant preferred Department Appeal before respondent No. 2 but the prescribed time i.e. 90 days elapsed but the respondent No. 2 didn't decided the departmental appeal of the appellant. (Copy of departmental appeal is herewith attached as **Ann: I**).



7. That not passing the order on departmental appeal of the appellant by respondent No. 2 within the stipulated period i.e. 90 days, then the appellant preferred revision petition before respondent No. 1 but still yet the respondent No. 1 also not decided the revision petition of the appellant, hence the instant service appeal is submitted on the following amongst other grounds:-  
(Copy of revision petition to respondent No. 1 is attached herewith as **Ann: J**).

**GROUNDS:-**

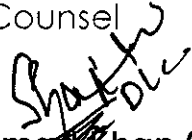
- a. That the inquiry officer run one way traffic and did not provided opportunity to the appellant to present his stance nor given opportunity to cross examined the witnesses, as the local police have charged the appellant baselessly.
- b. That the appellant was not treated in accordance with law and rules on subject and impugned order has passed flagrant violation of law and rules tainted with malafide intention and is therefore not sustainable and liable to be set aside.
- c. That the allegations leveled against the appellant are baseless and frivolous.

- d. That neither proper inquiry of appellant was conducted nor proper opportunity of hearing was given to the appellant.
- e. That the impugned order is un-reasonable, arbitrary and is liable to be aside.
- f. That other important points will be raised during the course of arguments with prior permission of this Hon'ble Court.

**PRAYER:-**

It is, therefore, humbly prayed that by acceptance of this service appeal, the appellant may kindly be re-instated in service with all back benefits and the impugned order of respondent No. 3 may graciously be set aside. Any other relief as deemed appropriate in the circumstances of the case and not specifically asked/prayed for, may also be granted to the appellant.

  
Appellant  
Through Counsel

  
**Shabir Ahmad Khan (Dawlatkhel)**  
Advocate High Court.  
Dated: 18.05.2019

**Certificate:-**

It is certified that no such like appeal is either pending or decided by this Hon'ble Court.

  
**Shabir Ahmad Khan (Dawlatkhel)**  
Advocate High Court.

**BEFORE THE SERVICE TRIBUNAL**  
**KHAYBER PUKHTUNKHWA AT PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2019

Rahim Khan son of Amir Salam Khan resident of Islampur, Saidu Sharif, District Swat (Ex-Head Constable B. No. 1373).

...Appellant

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa at Peshawar and others.

....Respondents

**AFFIDAVIT**

It is stated on oath that all the contents of the attached appeal are true and correct to the best of my knowledge and belief. Moreover, no such like appeal is pending or decided by this Hon'ble Court.

Deponent: \_\_\_\_\_

*[Handwritten Signature]*

Rahim Khan (B. No. 1373) himself



**BEFORE THE SERVICE TRIBUNAL**  
**KHAYBER PUKHTUNKHWA AT PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2019

Rahim Khan son of Amir Salam Khan resident of Islampur, Saidu Sharif, District Swat (Ex-Head Constable B. No. 1373).

...Appellant

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa at Peshawar and others.

....Respondents

**MEMO OF ADDRESSES**

**Address of appellant:**

Rahim Khan son of Amir Salam Khan resident of Islampur, Saidu Sharif, District Swat (Ex-Head Constable B. No. 1373).

NIC No: 15602-0396083-5

Mobile No: 0346-7301500

**Addresses of respondents:**

1. Inspector General of Police, Khyber Pakhtunkhwa at Peshawar.
2. Regional Police Officer Malakand Range-III at Saidu Sharif, District Swat.
3. District Police Officer Swat at Gulkada.
4. S.P. Investigation District Swat.

Appellant  
Through Counsel

  
**Shabir Ahmad Khan (Dawlatkhel)**  
Advocate High Court.  
Dated: 18.05.2019

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زبردستی ۱۵۴ مجموعہ ضابطہ نوچنداری

A

سید شریف

756 15

<p>تاریخ ۱۱/۱۱/۱۸ اور وقت ۱۱:۰۵ بجے</p> <p>نام (۱) امروہ خان ولدیت SI کون جونی کونٹی</p> <p>موبائل نمبر 03443411596</p> <p>تعداد (۲) 279, 3370</p> <p>قیمت کی قیمت جرم (موردفہ) حال اگر کوہ کیا گیا ہو۔</p> <p>جاے وقوعہ فاصلہ تھانہ سے اور دست</p> <p>نام و سکونت بلزم</p> <p>کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہوتو وجہ بیان کرو</p> <p>تھانہ سے روانگی کی تاریخ و وقت</p>	<p>وقت رپورٹ ۱۱/۱۱/۱۸ اور وقت ۲۲:۳۰</p> <p>مقام (۱) امروہ خان ولدیت SI کون جونی کونٹی</p> <p>موبائل نمبر 03443411596</p> <p>تعداد (۲) 279, 3370</p> <p>قیمت کی قیمت جرم (موردفہ) حال اگر کوہ کیا گیا ہو۔</p> <p>جاے وقوعہ فاصلہ تھانہ سے اور دست</p> <p>نام و سکونت بلزم</p> <p>کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہوتو وجہ بیان کرو</p> <p>تھانہ سے روانگی کی تاریخ و وقت</p>
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ابتدائی اطلاع نیچے درج کرو۔ اس وقت ایک تحریر لکھی مہر اسلہ

مذکورہ امروہ خان ایسی ایجارج چوک کو کڑے بست سے اپیل سہارا

سوہیل شیت اطلاع ملی کہ اسد مہر یوم المیسیج میدان سید شریف

یونائٹڈ لیسٹریک و قانونی کارروائی کے خاطر جانے وقوعہ بالا آکر دیکھا تو وہ

اشخاص مسلمان اشرف الرحمن ولد محمد رحیم عمر تقریباً ۲۷/۲۸ سال

وہ عمر رحیم عمر تقریباً ۲۷/۲۸ سال ساکنان اسد مہر یوم المیسیج میدان سید شریف

سے تھانہ سے تشریحی حالت میں لپڑے تھے ملاحظہ کر کے لیسٹریک کے

سے تھانہ سے تشریحی حالت میں لپڑے تھے ملاحظہ کر کے لیسٹریک کے

تھانہ سے تشریحی حالت میں لپڑے تھے ملاحظہ کر کے لیسٹریک کے

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تھانہ سے تشریحی حالت میں لپڑے تھے ملاحظہ کر کے لیسٹریک کے

۱۸/۱۱/۱۵  
SHABIR AHMAD KHAN  
Advocate High Court  
& Federal Shariat Court

756  
11/11/18

9  
صراحتاً لیسٹ میں نام تحریر ہوگا

AMAL KHAN  
B  
Handwritten notes on the right margin.

یافت وقت وقوع 11/11/18 وقت نامعلوم  
تاریخ وقت وقوع 11/11/18 وقت 22:30 ع

جائے وقوع اور شہر نام و اسٹریٹ نام لکھ کر پتہ پتہ لکھ کر

۴ حرم 320-279/3376-427

عزت افسر ایوان خانہ سپرٹرنٹ

پرویز خان صاحب کی گشت (ملازم علی کرم احمد) پر ایوان خانہ  
ایڈمنسٹریٹو کوارٹر میں واقع ہے کیونکہ وہ ملازم (ملازم علی کرم احمد) کے خلاف عدالت وقت ملازم  
نور محمد صاحب سیدان شیخ الرحمان ولد محمد رحمان کو قریب 27/2/18 سے ملازم رکھ کر  
ولد محمد رحمان کو قریب 27/2/18 سے ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
میں نے قریب 27/2/18 سے ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
جو کہ ملازم علی کرم احمد کے ساتھ ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
میں ملازم علی کرم احمد کے ساتھ ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
اس کے ساتھ ساتھ ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
میں ملازم علی کرم احمد کے ساتھ ملازم رکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
صراحتاً لیسٹ میں نام تحریر ہوگا اور اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
نام لکھ کر پتہ پتہ لکھ کر اس کے ساتھ ساتھ ملازم علی کرم احمد کو  
31/11/18

Handwritten signature/initials.

SHABIR AHMAN KHAN  
Advocate (High Court & Federal Shariat Court)

Handwritten signature and date: 01-11-18

صاحب سوان

کام برائے


کارڈ گورنر، ریفرنس نمبر 62

برائے صدر عدالت 756 قریب 11/08 او جی 279/3379 قلم برائے

نام - رحیم خان وہ امیر مسلم لیگ ق (انارک) اور

جائے پیدائش - صدر عدالت رحیم یار مہد مسلم لیگ ق (انارک) اور  
تاریخ 14-08-08 سے حسب اطلاع / شناختی پتہ

کی کوئی سیدھی مثال کے کام پورے سے حسب قلم گورنر  
کارڈ گورنر، اطلاع جاری اور قلم مسلم لیگ ق

  
AS1/11/11/018  
02/11/018

قلم

قلم 8-5 رحیم خان - انگریزی قلم بال  
گورنر ریفرنس - سید انیسیم رحیم P.A قلم  
میاں گل خان - قریب 1500/346730  
بقریہ قریب 35/36 DL - پتہ  
گورنر یو این سوان

NIC - 15602-03 96083-5

18/5/09

SHABIR AHMAD KHAN  
(Dawlat khel)  
Advocate High Court  
& Federal Shariat Court

11

Amex

Refer to private room D

PSYCHIATRY WARD

SAIDU TEACHING HOSPITAL

Central Wing Saidu Sharif Swat

Name	Rahim Khan	Age	35y	Sex	M	Address	Islam Pora
						Admission No:	1007

Date 8/11/18 CLINICAL NOTES

03/11/18

inj Pladex 100mg

inj valium / 11v stat given

inj Serenace

inj Clonidal accuphas 1mg 9pm stat given

Tab Epival 500 1-1

Tab Pinetop 200mg ~~2~~ 2 Noct (over sedate)

Tab EPSENT 5mg 1-1 (10 day)

Tab Rivotil 2mg  $\frac{1}{2}$  Noct

~~ED~~ on Monday

9/11/18 Tab Rivotil 2mg  $\frac{1}{2}$  SOS

Admit psychiatry unit

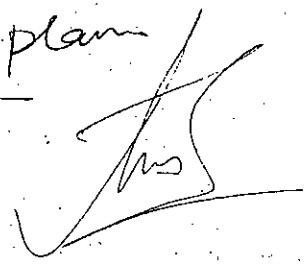
A BAD



5/Nov/18 S/B Dr Ashraf

date

Adv. CT-Brain - plan



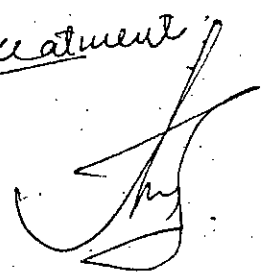
S/B - Dr Gohar

8/Nov/18

patient still elated w/ Aggressive  
behaviour.

Depth

plan Continue same treatment



il.

past psy Hx :- One year ago  
Treated at police training Centre

6/Nov/18

personal Hx :- Married  
2 sons  
3rd year (education)  
Clerk at in police Dept  
Own house  
Family Hx :- Nil

8/Nov/18

past med & surg Hx :- Nil

Drug Hx :- Not present

Name: Rahim Khan

Age: 35y

Add: Islamabad

Attendant: Cousin

OPC: Aggressive Behaviour

→ Irrelevant talking

→ ↓ sleep

HOPI: The patient is known psychiatric patient from the last one year.

He has been aggressive from the

last 4 days. He attended the

Jinazah of his neighbour after

which he came back to home.

At home his ~~son~~ son got ill

which made him so worried. He

started irrelevant talking after

that illness like the qayamat is

going to take place on Friday.

I am going to make a farm etc.

This is his second episode of illness.

14

Date & Time	B.P.	Pulse	Temp.	Sign
4/10 7:15	80/60	-	96	
4/10 8:36 pm	100/70 mmHg	72/min	98 F°	D
4/11/18 6:00 pm	100/70	70/min	98 F°	D
5/11/18 8:20 am	100/70 mmHg	66/min	98 F°	D
5/2:00 pm	85/60 mmHg	-	98 F°	D
6/11/20 8:00 am	110/80	72	98 F°	D
6/11/20 6:00 pm	100/60		98.4 F°	D
7/11/20 6:00 am	110/70	72	98.6 F°	D
8/11/18 7:00 am	110/70	72/min	98 F°	D
6/11/20 6:00 pm	120/80	70	98.4 F°	D
9/11/18 6:00 pm	130/70	75	98 F°	D
10/11/18 6:30 am	100/80	72	98 F°	D
6/11/20 6:00 pm	120/80		98.4 F°	D
11/11/20 6:30 am	100/70	70	98 F°	D
6/11/20 6:00 pm	120/80		98.4 F°	D





17

Date & Time

Sign

# DEPARTMENT OF PSYCHIATRY

Saidu Teaching Hospital Central Wing  
- Saidu Sharif Swat

0650  
127

5/11/8

URU	B-SUGAR (F),(R)	81	
	B-UREA		
	S-CREATININE	1.4	mg/dl
	S.GPT	36	U/L
RRS	ALP	158	U/L
	SBR(Total)	0.5	mg/dl
	SBR(Direct)		mg/dl
	SBR(Indirect)		mg/dl
	URIC ACID		mg/dl
	CALCIUM		mg/dl
	CHOLESTEROL		mg/dl
	AMYLAASE		U/L

36  
158  
0.5

**ABLIXA**  
Escitalopram 10/20mg

**EQUASERT**  
Sertraline 50/100mg

**PINETOP**  
Quetiapine 25/100/200mg

## ہدایات برائے مریض

- ۱ یہ کارڈ سنبھال کر رکھیں اور معائنہ کے وقت ہمراہ لائیں۔
- ۲ ڈاکٹر کی دی گئی ہدایات پر عمل کریں بغیر مشورہ دوائی بند نہ کریں۔ دوائی بند کرنے سے مرض کا دوبارہ حملہ ہو سکتا ہے۔
- ۳ ذہنی امراض قابل علاج ہیں۔ انکا علاج وقت پر کرائیں ان کا تعلق جادو اور جنات سے نہیں ہوتا۔
- ۴ مریض اگر معمول کے مطابق گھر کے کام کاج میں مصروف رہے تو یہ اس کیلئے مفید ہے۔
- ۵ تمام نشہ آور چیزوں سے پرہیز لازم ہے ورنہ مرض کا دوبارہ حملہ ہو سکتا ہے۔
- ۶ ڈاکٹر کی ہدایات کے مطابق مریض کو مقررہ تاریخ پر معائنہ کیلئے ضرور لائیں۔

## DEPARTMENT OF PSYCHIATRY

Saidu Teaching Hospital Central Wing  
Saidu Sharif Swat.

Head Department of Psychiatry  
Assistant Professor

**Dr. Mohammad Rehman**  
MBBS, DCP, MRC Psych. (UK)

Assistant Professor

**Dr. Mian Nizam Ali**  
MBBS, MCPS (Psych)

Senior Registrar

**Dr. Ashfaq Hussain**  
MBBS, DCP, FCPS (Psych)

**Dr. Gohar Ali**

MBBS, MCPS (Psych) FCPS-II (Psych)

Registrar

**Dr. Irshad Ali**  
MBBS, FCPS (Med)

Medical Officers:

**Dr. Abrar Khan**

**Dr. Shabana Afridi**

**Dr. Erum Aftab**

Incharge Medical Technologist

**Mohammad Saleem**

B.Sc Pharmacy (Pesh)

Name Rabim Khan Age/Sex 35 yr.  
Address Islamabad  
Adm: No: 1001 Y.No \_\_\_\_\_ B.No \_\_\_\_\_  
D.O.A 8/11/18 D.O.D 12/11/18  
Diagnosis BAD Cerebrally Mama.

Faisal Press Mingora Ph: 711191



24

Medical No. 2

Rs. 5/-

No.

OUT-PATIENTS DEPARTMENT

NAME.....

YEARLY NO.....

DATE.....

No.

Rs. 3/-

OUT-PATIENTS DEPARTMENT

NAME..... 0621

YEARLY NO..... 11251

DATE..... 24/11/28

DISEASE.....

FACE VALUE RUPEES 5/- FACE VALUE RUPEES 5/-

PSI O.P.D

9 8

✓ 10 ✓ Epival 100  
✓ 10 ✓ Pire 100  
✓ 10 ✓ Pire 100  
✓ 10 ✓ Pire 100

OUT-PATIENTS DEPARTMENT

ME: 062  
YEARLY NO: 189482  
DATE: 28/12/20  
DISEASE:

FACE VALUE RUPEES  
100000

95

9/1/44

-6

F  
Tab Epival 5mg  
✓ Tab - 100  
✓ Tab - 200  
✓ Tab - 100  
Tab - 100  
Tab - 100

26

Rs. 5/-

Medical No. 2

No.

OUT-PATIENTS DEPARTMENT

NAME .....

YEARLY NO. ....

DATE .....

No.

Rs. 3/-

OUT-PATIENTS DEPARTMENT

NAME .....

YEARLY NO. ....

DATE .....

DISEASE .....

*Rahim*

*2531*

*9/1/99*

*2/24*

*(60)*

*✓ 10/10/99. Epival 100*

*✓ 10/10/99. Piracetam 100*

*[Signature]*

FACE VALUE RUPEES 5/-

No.

Rs. 3/-

OUT-PATIENTS DEPARTMENT

(27)

NAME Rehman Khan

YEARLY NO. 388 7 21

DATE 07-12-19

DISEASE \_\_\_\_\_

FACE VALUE RUPEES 5/-

Bipolar disorder

currently improving

but not in full remission

Rx - kindly continue previous treatment

Advised bed rest for

Two weeks

Dr. Ashfaq Hussain  
DCP (Ireland) FCPS (Psych)  
Senior Registrar Psychiatry Unit  
Saldu Teaching Hospital Swat

*[Signature]*



No. 551 /PA. Dated Guikada the 12-11-18

SHOW CAUSE NOTICE.

(Under Rule 5 (3) K.P.K Police Rules, 1975)

You Head Constable Rahim Khan No. 1373/Inv while posted to Police Station Baur have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules, 1975 for following misconduct/s:

An application was moved by applicants, namely Umar Ishaq and Umar Raziq r/o Islam Pur, citing an accident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDPO Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against you vide No. 756, dated 01-11-2018 (No. 279-33/18)-427 PPC, Police Station Saidu Sharif and following the death of one of the two injured persons, Section 320 had been incorporated in the case. It has been learnt that you were driving the vehicle while you were intoxicated which resulted into the accident. Your this act is against discipline and unbecoming of a Police officer which warrants strict departmental action. You are therefore issued this show cause notice.

2. That by reason of above, as sufficient material is placed before the undersigned, therefore, it is deemed to proceed against you in general Police proceeding without aid of enquiry officer;
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force;
4. That your retention in the Police force will amount to encourage in efficient and unbecoming of good Police officer;
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules proposes stern action against you by awarding one or more of the kind punishments as provided in the rules
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above
7. You should submit reply to this show cause notice with 07 days of the receipt of the notice failing when an ex parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person, or not.
9. Grounds of action are also enclosed with this notice.

District Police Officer  
Swat

Received by \_\_\_\_\_  
Dated \_\_\_\_\_/2018.

Migued  
12/15/18  
SHABIR AHMAD KHAN  
(Dawlat Khel)  
Advocate-Hin  
& Federal Shari

29

OFFICE OF THE DISTRICT POLICE OFFICER, SWAT.

No. 551 /PA, Dated Gulkada the 12-11-018


GROUNDS OF ACTION


That you Head Constable Rahim Khan No. 1373/Inv while posted to Police Station Bunr have committed the following misconduct/s:-

An application was moved by applicants, namely Umar Ishaq and Umar Raziq r/o Islam Pur, citing an accident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDPO Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against you vide No. 756, dated 01-11-2018 u/s 279-337(G)-427 PPC, Police Station Saidu Sharif and following the death of one of the two injured persons, Section 320 had been incorporated in the case. It has been learnt that you were driving the vehicle while you were intoxicated which resulted into the accident. Your this act is against discipline and unbecoming of a Police officer which warrants strict departmental action. You are therefore issued this show-cause notice.

By reason of above you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

Head Constable Rahim Khan No. 1373  
Investigation Wing, Police Station Bunr

  
District Police Officer  
Swat

  
18/11/08  
SHABIR AHMAD KHAN  
(Dawlat khel)  
Advocate High Court  
& Federal Shariat Court

30

D.M.A. R

CHARGE SHEET

Zulfiqar Ali Tanoli Superintendent of Police, investigation, as competent authority, hereby charge you, HC Rahim Khan No. 1373 while posted to IHC P.S Buner now Investigation Swat (Suspended) as follows:-

It has been reported against you that during posting as IHC P.S Buner committed the following irregularities during the investigations, which is / are gross misconduct on your part as defined in Rule 2 (iii) of Police Disciplinary Rules 1975.

As per report of I.O P.S Saidu Sharif that you being involved/Charged in case vide S.R No. 756 dated 01-11-2018 u/s 337-G/279-PPC P.S Saidu Sharif Swat as well as you sanctioned two days casual leave from SHO without prior permission from your OI and break strike of command vide D.D No. 17 dated 27-10-2018 P.S Buner.

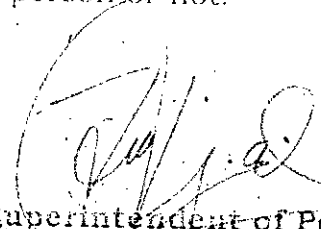
By reasons of the above, you appear to be guilty of misconduct and rendered yourself liable to all or any of penalties specified in Rule-4 of the Disciplinary Rules 1975.

3. You are, therefore, required to submit your written reply within seven (7) days of the receipt of this Charge Sheet to the Enquiry Officer.

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

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

6. A statement of allegations is enclosed.

  
Superintendent of Police,  
Investigation, Swat.

No. 74 / E,  
Dated 01/11/2018.

Messas  
18/11/09  
**SHABIR AHMAD KHAN**  
(Dawlat Khan)  
Advocate High  
& Fed. Court Swat

31

DISCIPLINARY ACTION

I Zulfiqar Ali Tanoli Superintendent of Police, Investigation, as competent authority, is of the opinion that HC Rahim Khan No. 1337 while posted to IHC P.S Bunnr now Hqr. Investigation Swat (Suspended) have rendered himself liable to be proceeded against departmentally as he committed the following acts / omissions as defined in Rule 2 (iii) of Police Rules 1975, as per Provincial Assembly of Khyber Pukhtunkhwa Notification No.PA/Khyber Pukhtunkhwa/Bills/2011/44905 dated 16-09-2011 and C.P.O, K.P.K Peshawar Memo: No.3037-62/Legal, dated 19-11-2011.

STATEMENT OF ALLEGATION

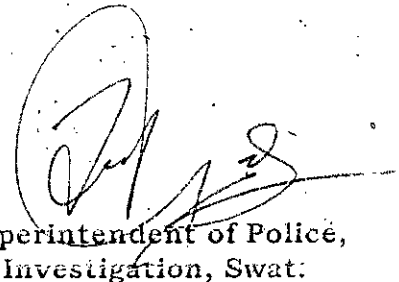
it has been reported against he that while posted to IHC P.S Bunnr committed the following irregularities during the investigations, which is / are gross misconduct on his part as defined in Rules 2 (iii) of Police Rules 1975.

As per report of I.O P.S Saidu Sharif that he being involved/Charged in case vide FIR No. 756 dated 01-11-2018 u/s 337-G/279-PPC P.S Saidu Sharif Swat as well as he sanctioned two days casual leave from SHO without prior permission from his OII and break chain of command vide D.D No. 17 dated 27-10-2018 P.S Bunnr.

2. For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, Mr. Pir Said Khan SDPO Saidu Circle is appointed as Enquiry Officer.

3. The enquiry Officer shall conduct proceeding in accordance with provisions of Police Rules, 1975 and shall provide reasonable opportunity of defense and hearing to the accused officer, record his findings, and make within twenty five (25) days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the enquiry Committee.

  
Superintendent of Police,  
Investigation, Swat.

No. 74 /EB, dated 01/11 /2018.

Copy of above to the:-

1. District Police Officer, Swat, please.
2. Mr. Pir Said Khan SDPO Saidu Circle as Enquiry Officer for initiating proper departmental proceeding against the accused officer under Police Rules, 1975.
3. HC Rahim Khan No. 1337 now Hqr. Investigation Swat (Suspended) with direction to appear before the enquiry officer for the purpose of Enquiry proceeding.

*Attest*  
*12/10/18*  
**SHABIR AHMAD KHAN**  
(Dawlat khel)  
Advocate High Court  
& Federal Shariat Court



32 KMLK G

**DISCIPLINARY ACTION**

1, **Syed Ashfaq Anwar, PSP District Police Officer, Swat** being competent authority, is of the opinion that he **Head Constable Rahim Khan No. 1373/Inv** while posted to **Police Station Bunnr** has rendered himself liable to be proceeded against departmentally as he has committed the following acts/omissions as defined in Rule 2 (iii) of Police Rules 1975 with amendments 2014 vide Notification No.3859/Legal, dated 27-08-2014 of the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar, as per Provincial Assembly of Khyber Pakhtunkhwa Notification No. PA/Khyber Pakhtunkhwa/ Bills/ 2011/44905 dated 16/09/2011 and C.P.O, K.P.K Peshawar Memo: No. 3037-62/Legal, dated 19/11/2011.

**STATEMENT OF ALLEGATIONS**

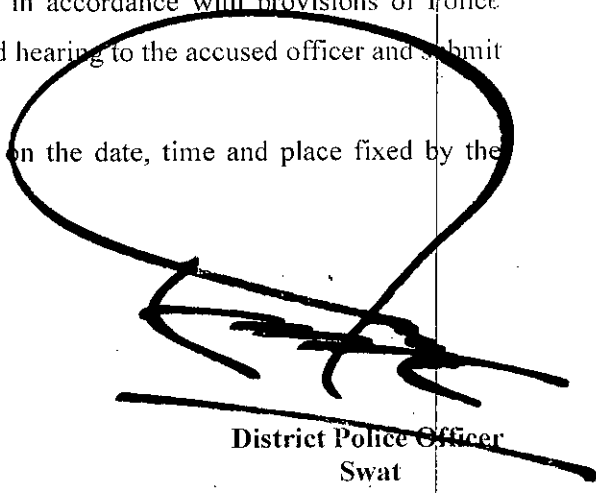
It has been reported that he while posted to **Police Station Bunnr** committed the following act / acts, which is / are gross misconduct on his part as defined in Rules 2 (iii) of Police Rules 1975.

An application was moved by applicants, namely Umar Ishaq and Umar Raziq r/o Islam Pur, citing an accident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDPO Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against him vide No. 756, dated 01-11-2018 u/s 279-337(G)-427 PPC, Police Station Saidu Sharif and following the death of one of the two injured persons, Section 320 had been incorporated in the case. It has been learnt that he was driving the vehicle while he was intoxicated which resulted into the accident. A show cause notice was issued to him vide this office No. 551/PA, dated 12-11-2018 to explain his position but he failed to present any cogent reason to rebut the allegations leveled against him.

2. For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, **Addl: SP Swat** is appointed as Enquiry Officer.

3. The enquiry officer shall conduct proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused officer and submit his findings immediately.

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

  
District Police Officer  
Swat


No. 96 /PA, Dated Gulkada the, 17-12 2018.

Copies of above to:-

1. **Addl: SP Swat** for initiating proceeding against the accused Officer/Official namely **Head Constable Rahim Khan No. 1373/Inv** under Police Rules, 1975.
2. **Head Constable Rahim Khan No. 1373/Inv**

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

\*\*\*\*\*

  
SHABIR AHMAD KHAN  
(Dawlat khel)  
Advocate High Court  
& Federal Shariat Court

33

CHARGE SHEET

1, Syed Ashfaq Anwar, PSP District Police Officer, Swat being competent authority, hereby charge you, Head Constable Rahim Khan No. 1373/Inv while posted to Police Station Buar as follows:-

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

An application was moved by applicants, namely Umar Ishaq and Umar Raziq r/o Islam Pur, citing an accident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDP Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against you vide No. 756, dated 01-11-2018 u/s 279-337(G)-427 PPC, Police Station Saidu Sharif and following the death of one of the two injured persons, Section 320 had been incorporated in the case. It has been learnt that you were driving the vehicle while you were intoxicated which resulted into the accident. A show cause notice was issued to you vide this office No. 551/PA dated 12-11-2018 to explain your position but you failed to present any cogent reason to rebut the allegations leveled against you. You therefore, issued this charge sheet and statement of allegations.

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

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

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

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

6. A statement of allegations is enclosed.

*[Handwritten signature]*  
District Police Officer  
Swat

No. 96 /PA.

Dated: 17-12 /2018.

OR No. 205  
17.12.18

*Alleged*  
*18/12/18*  
**SHABIR AHMAD KHAN**  
(Dawlat khel)  
Advocate High Court  
& Federal Shariat Court

34

AMMOX

H

22

ORDER

This order will dispose of Departmental Enquiry against Head Constable Rahim Khan No. 1373 of Investigation Wing Swat. He while posted to Police Station Bunnr was alleged of gross misconduct as an application was moved by applicants namely Umar Ishaq and Umar Raziq r/o Islamabad, citing an accident in the limits of Police Station Saidu Sharif and complaining against the role of Police personnel in the aftermath of the accident. SDPO Saidu Circle initially probed the matter and reported that an FIR had already been registered in this matter against the delinquent Head Constable vide No. 756, dated 01-11-2018 u/s 279-337(G)-427 PPC, Police Station Saidu Sharif and following the death of one of the two injured persons, Section 320 had been incorporated in the case. It has been learnt that he was driving the vehicle while he was intoxicated which resulted in the accident. A show cause notice was issued to him vide this office No. 551/PA, dated 12-11-2018. He was summoned in Orderly Room and heard in person but he failed to present any cogent reason to rebut the allegations leveled against him.

He was issued a charge sheet and statement of allegations vide this office No. 96/PA, dated 17-12-2018 and Addl. SP Swat was appointed as Enquiry Officer to conduct proper departmental enquiry against the delinquent Head Constable. The Enquiry Officer after carrying out proper enquiry reported that the allegations leveled against the Police Officer under enquiry were proved.

The Head Constable is guilty of gross misconduct as he remained involved in a case of heinous nature. He has hit two individuals in which one has died and another seriously injured. It has also been learnt that the officer was drunk at the time of incident which is serious violation of discipline and code of conduct for Police Officer. By doing so he has brought a bad name for Police Department and stigmatized sanctity of the force. His conduct is detrimental to discipline and his further retention in Police is bound to affect conduct of other personnel of the Force. Hence, in exercise of the powers vested in the undersigned under Rules 2 (iii) of Police Disciplinary Rules - 1975, I Syed Ashfaq Anwar, PSE, District Police Officer, Swat being competent authority, am constrained to award him major punishment of removal from service with immediate effect.

Order announced.

District Police Officer  
Swat

O.B. No. 04

Dated: 6-01-2019

Copy to SP Investigation, Swat for information and necessary action please.

M. Ishaq  
18/1/19

SHABIR AHMAD KHAN  
(Basit Khel)  
Advocate High Court  
& Federal Shariat Court

RPO صاحب مقام بیرون

35

مختور جناب  
Annex  
I



مذکورہ درخواست بابت بحالی ملازمت

جناب عالی؟ گزارش سید سائیل محمد پولیس سوات  
میں بحیثیت ہیڈ سٹریٹبل شعبہ الوٹھی گٹین  
تھانہ بنڈ میں ڈیوٹی سرانجام دے رہا تھا  
اس دوران سائیل کو ایک من گھڑت الزام  
کے پیشیا نظر کیا سے بر طرف کیا گیا ہے۔  
سائیل ایک غریب گھرانے سے تعلق رکھتا ہے۔  
اور اپنے زندگی کا کافی عرصہ سید پولیس  
کے خدمت میں صرف کیا ہے۔ سائیل بے گناہ  
اور بے بنائی ضربے کے وقت ملازمت سے  
علیحدہ کیا گیا ہے۔

No 604  
of 14 of 1019  
Ecl 570 Swat  
For detail  
Comments and  
enquiry file

Malakand at Saidu Sharif, Sw

مذکورہ درخواست استدعا سید سائیل کے عرصہ ملازمت  
اور بے گناہی کو مدنظر رکھتے ہوئے سائیل  
کے حالات ذرا برہم فرما کر بحال کرنے کا حکم  
صادر فرمائیں

Ecl D S P Moga  
District Police Officer  
14/1 SWAT

تو سائیل تاجیا ڈعا گوریما  
العارضی

رحیم خان بڑ 1373 ہیڈ سٹریٹبل سابقہ سوات پولیس ضلع سوات  
گاؤں اسلامپور و ہائیل بڑ

03467301500

14/1/2019

36

NUMERO

T

بھصور جناب انسپکٹر جنرل آف پولیس خیبر پختونخواہ C.P.O پشاور

رجیم خان ولد امیر سلیم خان سکند اسلام پور، ضلع سوات (ھیڈ کانسٹیبل 1373 B. No.)

سائل :-


درخواست بمراد بحالی ملازمت

جناب عالی!

سائل حسب ذیل عرض رساں ہے۔

- ۱۔ یہ کہ سائل محکمہ پولیس میں بحیثیت کانسٹیبل بھرتی ہو کر انٹرمیڈیٹ کورس پاس کر کے بہ عہدہ ہیڈ کانسٹیبل ہوا تھا۔
- ۲۔ یہ کہ مورخہ 01.11.2018 کو ایک مقدمہ علت نمبر 756 مورخہ 01.11.2018 نامعلوم کسان کے خلاف درج رجسٹرڈ ہو کر بعد ازاں مقدمہ متذکرہ میں من سائل کو چارج کیا۔
- ۳۔ یہ کہ بد قسمتی سے اسی روز من سائل کا دیوار سے ٹھکر کی وجہ سے ایسکیڈینٹ ہو کر من سائل زخمی ہوا تھا تو مقامی پولیس نے مستغیث کی ایما و سازش پر اپنی مقدمہ کوٹریس اور مقدمہ کو کامیاب بنانے کی خاطر من سائل کو بے بنیاد طور پر چارج کیا گیا۔ حالانکہ مقدمہ ہذا سے من سائل کو کوئی تعلق یا واسطہ نہیں ہے۔
- ۴۔ یہ کہ من سائل کو DPO صاحب سوات نے من سائل کو اپنی صفائی کا موقع فراہم کئے بغیر محکمہ سے remove کرنے کا حکم صادر کیا ہے، جس کے خلاف من سائل نے جناب DIG صاحب مالاکنڈ رینج III کو درخواست گزاری جس پر تا حال انہوں نے کوئی فیصلہ صادر نہیں کیا ہے، اسلئے آپ صاحبان کو درخواست ہذا دائر کی جا رہی ہے۔

لہذا استدعا ہے کہ بمظوری درخواست ہذا، DPO صاحب سوات کے حکم کو معطل کر کے من سائل کو دوبارہ ملازمت پر back benefit کے ساتھ بحال کرنے کا حکم صادر فرمایا جائے۔

  
عزیز

رجیم خان ولد امیر سلیم خان

سکند اسلام پور، ضلع سوات (ھیڈ کانسٹیبل 1373 B. No.)

مورخہ: 16.04.2019

  
18/5/19  
Advocate High Court & Federal Shariat Court  
Dawat Khel

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**BEFORE THE SERVICE TRIBUNAL KHAYBER PUKHTUNKHWA**  
**AT PESHAWAR**

**WAKALAT NAMA**

Case No: \_\_\_\_\_ of 2019

**TITLE:-**

**Rahim Khan**


**VERSUS**

**I.G.P and others.**

I/we do hereby appoint **SHABIR AHMAD KHAN (DAWLATKHEL)** Advocate High Court in the above mentioned case, to do all or any of the following acts, deeds and things:

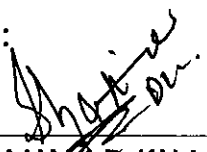
1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
2. To sign and verify and file, petitions, appeals, affidavits and applications as may be deemed necessary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

**IN WITNESS** whereof I/we have signed this **Wakalat Nama** hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this \_\_\_\_\_



\_\_\_\_\_  
**Rahim Khan (appellant)**

**Attested and Accepted by:**



\_\_\_\_\_  
**SHABIR AHMAD KHAN (DAWLATKHEL)**  
Advocate High Court.