


FORM OF ORDER SHEET

Court of _____

Appeal No. 1798/2023

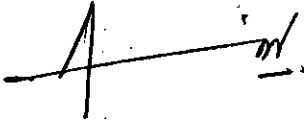
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/09/2023	<p>The appeal of Mr. Azhar Ullah resubmitted today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p> REGISTRAR.</p>

The appeal submitted by Mr. Taimur Ali Khan Advocate today i.e. on 17.08.2023 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. Checklist is not attached with the appeal.
2. Appeal has not been flagged/marked with annexures.
3. Copies of show cause notice, enquiry report and statement of allegations is not attached with the appeal which may be placed on it.
4. Annexures B, C, D, E of the appeal are illegible which may be replaced with legible/better one.
5. Affidavit must be attested by oath commissioner.
6. Annexures of the appeal are unattested.
7. Five more set of copy/set along with annexures i.e. complete in all respect may also be submitted with the appeal.
8. The documents that are to be provided must be legible.

No. 3086 /S.T.

DT. 24/8 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Taimur Ali Khan
High Court Peshawar.

Respected Sir.

1- Removed

2- Removed

3- Copies of show cause notice, enquiry report and statement of allegations are not provided to appellant, therefore he is unable to annex with the appeal.

4- Removed


5- Removed

6- Removed

7- Removed

8- Removed

Resubmitted after compliance

 7/9/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1798 2023

Azhar Uddin

V/S

Police Department

INDEX

S.No.	Documents	Annexure	P. No.
1	Memo of Appeal	-----	01-03
2	Affidavit	-----	04
3	Copy of medical reports of the father of the appellant	A	05-09
4	Copies of application dated 02.05.2023 and dismissed order dated 02.01.2023	B&C	10-11
5	Copies of order dated 15.06.2023, revision and order dated 19.07.2023	D,F&F	12-14
6	Vakalat Nama	-----	15

THROUGH:

APPELLANT



(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
Cell# 0333-9390916

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1798/2023

Mr, Azhar Uddin Ex-Constable No.293,
Special security Unit (CPEC) Peshawar.

(APPELLANT)

Khyber Pakhtunkhwa
Service Tribunal

Case No. 7079

Dated 17/8/2023

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Commandant, Special Security Unit (CPEC) Khyber Pakhtunkhwa, Peshawar.
3. The Superintendent of Police, Admin & Minority, SSU (CPEC) Khyber Pakhtunkhwa, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 02.01.2022, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE, AGAINST THE ORDER DATED 15.06.2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AND AGAINST THE ORDER DATED 19.07.2023 RECEIVED BY APPELLANT ON 13.06.2023, WHEREBY THE REVISION OF THE APPELLANT WAS ALSO REJECTED.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDERS DATED 02.01.2022, 15.06.2023 AND 19.07.2023 MAY KINDLY BE SET ASIDE AND APPELLANT MAY BE REINSTATED INTO HIS SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS HONORABLE TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.

A
17/8/23

RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was appointed as Constable in the year 2007 in the respondent department. The appellant since his appointed has performed his duty with devotion and honesty, whatsoever assigned to him and no complaint has been filed against him regarding his performing.
2. That the father of the appellant was seriously ill and the appellant properly applied for leave through applications to care and for treatment of his father no action has taken on his applications and due to engagement in the care and treatment of his father and the appellant has also suffered from kidney disease due to which the appellant was compelled to remains absent from his duty. **(Copy of medical reports of father of the appellant are attached as Annexure-A)**
3. That when the appellant was recovered and his father was also little bit recovered from illness, the appellant went to join his duty, but he was informed that he has been dismissed from service on 02.01.2023 and handed him his removal order dated 02.01.2023 through an application dated 02.05.2023. **(Copies of application dated 02.05.2023 and dismissed order dated 02.01.2023 are attached as Annexure-B&C)**
4. The appellant being aggrieved from the order dated 02.01.2023 filed departmental appeal which was rejected on 15.06.2023, however the appellant did not keep the copy of departmental appeal, which may be requisite from the department, the appellant then filed revision on 10.07.2023 which was also rejected on 19.07.2023. **(Copies of order dated 15.06.2023, revision and order dated 19.07.2023 are attached as Annexure-D,E&F)**
5. That the appellant has no other remedy except to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

GROUNDS:


- A) That the impugned orders dated 01.02.2023, 15.06.2023 and 19.07.2023 are against the law, rules, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That in the inquiry proceeding the appellant was never associated and whole action was taken against on the basis of ex-parte proceeding which is against the law and rules and as such the impugned order is liable to be set aside.

- C) That charge sheet along with statement of allegations were not communicated to the appellant before passing removal order which is violation of law and rules.
- D) That the appellant did not intentionally remain absent from his duty but his father was also seriously ill and due to engagement in the care and treatment his father he was unable to perform his duty and was compel to remain absent from his duty, therefore, needs to be treated with lenient view.
- E) That the penalty of dismissal from service imposed upon the appellant is very harsh, which is passed in violation of law and rule, therefore, the same is not sustainable in eyes of law and hence liable to be set aside.
- F) That the absence period of the appellant was already treated as leave without pay, therefore, there remain no ground the penalize the appellant on that absence and as such the impugned orders are liable to be set aside.
- G) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.
- H) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT
Azhar Uddin

THROUGH:


TAIMUR ALI KHAN
(ADVOCATE HIGH COURT)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2023

Azhar Uddin

VS

Police Department

AFFIDAVIT

I, Azhar Uddin Ex-Constable No.293, Special security Unit (CPEC) Peshawar, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.


DEPONENT



EMERGENCY DEPARTMENT

LADY READING HOSPITAL
MEDICAL TEACHING INSTITUTION
PESHAWAR, KHYBER PAKHTUNKHWA

(30) A (3)

Invoice Date: 30-DEC-22 21:18:06

No: K0200004824993 Name: M Rafiq Khan
Gender: Male Age: 50 Year(s)

District: Peshawar

Father / Husband Name: MOHMAND KHAN
Visit Type: Acute Emergency Department: EMERGENCY

Serial No. 104913

Operator: HAZRAT BILAL

Counter: EMERGENCY

Complaints:

Drowsy -

Findings:

B.P = 157/91
S.P.O2 96%
PBI

RX

Hemorrhoides sursey / post OP

by Piran hospital

by left hand 2 gm

Investigations:

ECG - (W)

by ansaf 1.4 gm
by flasyf local
def NK stool 1.4 gm

B.P. 160/100

Diagnosis:

(34)

30/12/22 Profus local

RBS: 128 mg/dl

Next Visit:

Consultant Name:

Signature:

Hx of stroke of Sodium Citrate at a time

Er. S. note

1st part of Hemorrhoidectomy

Hx of fall while walking

LOC now unstable. Responding

To deep stimulus

Surgical site is ok with no active bleed

Pt is unstable with occasional shallow Breathing, Systolic 160 mmHg

RBS 128 mg/dl

Refer to medicine

Time Surgery

NTIN Notes

(*) Sudden LOC on Presentation

(*) Disoriented

* GCS 15/15

E → 4
V → 5
M 6

CT Shows

(SDH)

(*) FITS → (-)

(*) LOC (-)

(*) Refer to

HMC / KTH

→



General & Laparoscopic Surgeon
Dr. Ehsan Ullah

6

MBBS (Pak)
 MCPS (Pak), FCPS (Pak)

Name Muhammad Rafiq MR No. Age 57y Sex M Date 27/12/2020

R_x

- Something coming out of ear
 - Bleeding PR

Pre-opex Hemorrhoids

Admitted for Hemorrhoidectomy

(E 1920)

Ad
 FBS
 HbA1c
 A/G/P/B
 ECG

(Klean Enema)

جنرل اینڈ لاپرو سکوپک سرجن

ڈاکٹر احسان اللہ

ایم بی بی ایس (پاک)، ایم سی پی ایس (پاک)

ایف سی پی ایس (پاک)

چارسدہ روڈ بلقاعیل عیدگاہ نزد مفتی محمود ظانی آدر پشاور شہر

Tel: 0092 (91) 52 43 286 - 52 44 443

Not Valid For Medico Legal Purposes

email: dr@irfanhospital@gmail.com



Irfan Genral Hospital

Charsadda Road Opp, Eidgah Near
Musti Mahmood Flayover Peshawar
(91) 52 43 286 - 52 44 443

Discharge Patient Summary Report

(7)

Patient Name M. Rafiq Age 59y Sex M Consultant Dr. Elwanullah

Admitted TO DOA 29/12/20 DOD 30/12/20 Address _____

Diagnosis Hemorrhoids (prolapse)

Patient History Smoking since 10 years
Bleeding PR

Procedure Hemorrhoidectomy

OT. Notes Large prolapsed hemorrhoids
at 3, 7 and 11 o'clock

Hospital Medication(s) lyl 100mg
lyl 100mg
lyl 100mg

Home Medication(s) Tias Augmentin 1g
1-1 lyl laxobon
1-1 2x2x2
lyl Ceflexon 500

Medical Officer Name Dr. Elwanullah
Don't forget to take _____
Catheter _____
Dialysis _____

E-mail: irfangeneralhospital@gmail.com چارسدہ روڈ مقابل عید گاہ نزدیکی محمود فلائی آؤر پشاور

Again visit After (15) days

PTO [Signature]

REGULAR MEDICINES

(8)

N/C	Treatment Chart			Nurse delivery Chart									
	Start date	Time		Date	Time		Nurse		Date	Time		Nurse	
				3/1/11					3/1/12				
	Prescribing	Doctor		Time	Nurse		Time	Nurse		Time	Nurse		
	Drug	Mj N/S		7/1	2/1		5pm	Q		6A	5		
	Dose	11	Route 1/1										
	Stop date	Time	Doctor										
		BD	D										
				3/1/12					1/1/23				
	Prescribing	Doctor		Time	Nurse		Time	Nurse		Time	Nurse		
	Drug	Mj ANSER		7/1	2/1		8pm	Q		7A	5		
	Dose	8mg	Route 1/1										
	Stop date	Time	Doctor										
		BD	D										
				3/1/12					1/1/23				
	Prescribing	Doctor		Time	Nurse		Time	Nurse		Time	Nurse		
	Drug	Mj Pullins		7/1	2/1		8pm	Q		6A	5		
	Dose	4mg	Route 1/1										
	Stop date	Time	Doctor										
		BD	D										
				3/1/12					1/1/23				
	Prescribing	Doctor		Time	Nurse		Time	Nurse		Time	Nurse		
	Drug	Mj Optipss		7/1	2/1		6/1	1		6A	5		
	Dose	500mg	Route 1/1										
	Stop date	Time	Doctor										
		BD	D										
				3/1/12					1/1/23				
	Prescribing	Doctor		Time	Nurse		Time	Nurse		Time	Nurse		
	Drug	Mj Depo		7/1	2/1		6A	Q		12:30	8		
	Dose	4mg	Route 1/1										
	Stop date	Time	Doctor										
		BD	D										

3/1/12
6A-5

3/1/12
6A-5

3/1/12
6A-5

2/1/23
5A-8

N: Newly Prescribed C: Continued from above

(1)

9

Hayatabad Medical Complex
 Hayatabad, Peshawar, Pakistan. Phone: 091-9217140-46, Fax: --
 Email: pathoff@hmcgp.gov.pk, Website: www.hmcgp.gov.pk
DISCHARGE SUMMARY



Medical Record Number : K0100002542005

Name : M Rafiq
 Sex : Male
 Age : 58 Year(s)
 Address : PESHAWER Peshawar Pakistan
 City : Peshawar , Pakistan
 Person Phone :
 Home Phone :

Admission No : K0122000103084
 Admission Date : 31-DEC-2022 02:54:00
 Admission Status : Elective
 Discharge No :
 Discharge Date : 05-JAN-2023 11:43:27
 Discharge Status : Improved
 Primary Consultant :
 Admitting Consultant : DR SHAHID AYUB

Diagnosis During This Admission :

Background Medical Problem(s) (List any chronic medical conditions that the patient may have, such as diabetes mellitus, asthma, hypertension etc.):

Reason for Admission:
 SEVERE HEADACH
 SUDDEN LOSS OF CONCIOSNESS

Significant Physical Findings on Admission :

GCS 15/15
 PUPIL INTACT AND REACTIVE B/L
 SENSORY AND MOTOR INTACT

Management During Admission :

IV FLUIDS
 IV ANALGESICS
 IV STEROIDS
 IV ANTIPILEPTIC
 IV PP

Diagnostic & Therapeutic Procedures Performed :

ALL BLIS
 CT BRAIN WITH BONE WINDOW
 PT MANAGED CONSERVATIVELY

Condition at Discharge:
 IMPROVED

Followup Instructions:

INJ QBACT, ZGM IV 1+1 10DAYS
 VISIT OPD AFTER 14 DAYS ON TEUSDAY/THURSDAY

Hayatabad Medical Complex
 Hayatabad, Peshawar, Pakistan. Phone: 091-9217140-46, Fax: --
 Email: pathoff@hmcgp.gov.pk, Website: www.hmcgp.gov.pk
DISCHARGE SUMMARY



Medications to Take at Home:

SR#	Medicine	Dose	Instructions	Remarks
1	Ciprofloxacin Tablets 500 mg	500 mg	Take ONE tablet by mouth once a day for 5 days	
2	ParaCETamol + Orphenadrine Tablets 650/50 mg	5	Take FIVE tablet(s) by mouth two-times a day for 5 days	
3	LEVELL:acetamin Tablets 500 mg	500 mg	Take ONE tablet by mouth two times a day for 15 days	
4	Esomeprazole Magnesium Capsules 40 mg	40 mg	Take ONE capsule by mouth once a day for 14 days	

A - Dismissal order
 B - Medical report

درج ذیل کے لئے ایک طبی رپورٹ طلب کرنا 6409 بیلٹ نمبر کے لئے
 ایس آر کے ایف کے لئے ایک طبی رپورٹ طلب کرنا
 Dismissal order کے لئے ایک طبی رپورٹ طلب کرنا
 Communicate کے لئے ایک طبی رپورٹ طلب کرنا

درج ذیل کے لئے ایک طبی رپورٹ طلب کرنا
 Dismissal order کے لئے ایک طبی رپورٹ طلب کرنا
 Medical report کے لئے ایک طبی رپورٹ طلب کرنا
 گزشتہ سال کے لئے ایک طبی رپورٹ طلب کرنا
 Dated: 02-05-2023

ایس آر کے ایف کے لئے ایک طبی رپورٹ طلب کرنا
 6409 Belt No. - 293
 02-05-2023
 Received
 Dismissal order
 Ex complete
 2023

محضور جناب کمانڈنٹ ایس ایس یو سیک پولیس خیبر پختونخوا پشاور

فوٹو کاپی آف پشاور

درخواست برائے حوالگی

A. Dismissal Order

B. Medical Report Photostate Copies

جناب عالی

مودبانہ گزارش ہے کہ مسنی اظہر الدین بیلٹ نمبر 6409 سپیک پولیس پشاور کا کنشیل تھا۔ فدیوی غیر حاضری کی بناء پر ملازمت سے برخاست کیا گیا ہے۔ فدیوی کو محکمہ مجاز آفیسر بالانے Dismissal Order کالی آب تک کسی پوسٹ آفس Or کسی بھی ذریعہ سے Communicate نہیں کیا گیا ہیں۔

فدیوی آپ کے صاحبان سے گزارش کرتے ہیں کہ مذکورہ بالا Dismissal Order اینڈ میڈیکل کی ایک ایک فوٹو سٹیٹ کاپی دینے کے احکامات جاری کریں۔ تاکہ مزید کارروائی کے استعمال میں لایا جاسکے۔

عین نوازش ہوگی

مورخہ 02.05.2023

آپکا تابعدار اظہر الدین Ex کنشیل سپیک پولیس پشاور

Belt No. 6409/293

بتاریخ: 02.05.2023

OFFICE OF THE COMMANDANT
SPECIAL SECURITY UNIT (SSU)
KHYBER PAKHTUNKHWA POLICE

CENTRAL POLICE OFFICES, S.A.O. ROAD PESHAWAR CANTT (PH: 091-9244056)

151-59

LC/SSU

dated Peshawar the 02/10/2022

ORDER

This order will dispose the formal departmental inquiry against Constable Azhar Uddin No. 293 of Special Security Unit (CPEC), District Peshawar.

Brief facts of the case are that as reported by LO SSU lines vide DD report No. 43 dated 10/10/2022 that Constable Azhar Uddin No. 293 was nominated for Basic Elite Course 2022 in CPEC commencing from 30/09/2022 by High Ups but he failed to join the said course & absented himself from his lawful duties w.e.f. 30/09/2022 up to 05/12/2022 (66 days) & once again from 8/12/2022 till date without any sanctioned leave or intimation.

In this regard his pay was stopped and proper departmental proceeding was initiated against him. He was issued charge sheet as summary allegation vide this office Under No. 751873 dated 03/10/2022 and Mr. Bushan Gul DSP SSU (CPEC) was nominated as enquiry officer to conduct inquiry into the matter and submit findings report. Who after fulfilling all procedural formalities submitted his findings report, wherein he reported that the delinquent constable was summoned time & again to receive charge sheet and submit reply but he failed to do so. The EO further added that the constable is a habitual absentee and was awarded minor punishment of (20) day leave without pay, Rs. 200/- fine per day and stoppage of (03) annual increments with cumulative effect vide SP Admn & HQrs order No. 191-97/OHC/SSU, dated 11/01/2022. Thus the EO recommended him for suitable punishment.

Later on he was issued/served with final show cause notice vide office No. 11426/EC, dated 30/11/2022, to which he replied that he is suffering from kidney disease. He also produced medical prescriptions duly issued from private doctor. His reply of final show cause notice is also unsatisfactory. He was heard in orderly room in person but he baldly failed to prove himself innocent.

Keeping in view all the above facts as well as recommendation of enquiry officer & material available on record that the above named constable is a habitual absentee as he is not taking interest in the discharge of his official obligations and has disobeyed the order of High Ups. Therefore, I, Superintendent of Police, Admn & Minority Wing SSU (CPEC), being the competent authority in the exercise of powers vested to me under section 5(4) of Khyber Pakhtunkhwa Police Rules, 1975 (amended in 2014) hereby awarded him major punishment of "Dismissal from Service" and his absence period w.e.f. 30/09/2022 up to 05/12/2022 (66 days) and 08/12/2022 till date is treated as leave without pay and the Accountant SSU HQrs is directed to reckon & recover the amount if paid to him during his absence along with Basic Recruit Grade charges accordingly.

By No. 20

Dated 02/10/2022

(FAZAL HANFI)
SP Admn & Minority SSC (CPEC)
Khyber Pakhtunkhwa, Peshawar

Copy of the above is forwarded for information to the

1. Accountant General, Khyber Pakhtunkhwa
2. Capital City Police Officer, Peshawar
3. DSP HQrs & Malakand Region SSU (CPEC)
4. PA to Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
5. Reader to Dy: Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar
6. Accountant, NRC, LO, GASI, DC, HRMS, IC/KOP and IC/Cloning Gondwa, (Ph: 5511199)

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OFFICE OF THE COMMANDANT
SPECIAL SECURITY UNIT (SSU)
KHYBER PAKHTUNKWA POLICE
POLICE OFFICE A Q ROAD

No. 151-59

Dated Peshawar the 02/01/

ORDER

This order will be dispose the departmental inquiry against Constable Azhar Ud Din Special Secretary Unit CPEC District Peshawar.

Brief Facts of the case are that reported by LO SSU Lines vide DD report No. 43 dated 2022 the Constable Azhar Ud Din No. 293 was nominated for Basic Course 2022 as from 30.09.2022 by high ups but he failed to join the said course & absented from his lawful duties w.e.f 30.09.2022 up to 05.12.2022 (60 days) and once again from 2022 till date without any sanction leave or intimation.

In this regard he pay was stopped and proper departmental proceedings was initiated he was issued charge of allegation vide this office endst No. dated 2022 and Mr. Bashir Gul DSP SSU (CPEC) was nominated as enquiry officer to conduct inquiry into matter and submit findings report. Who after fulfilling all codal formalities submitted his findings report wherein he reported that the delinquent constable was summoned time and again to receive charge sheet and submit reply but he failed to do so. That the Constable is a habitual absentee and was awarded minor punishment of (200) day leave without Pay Rs. 200 fine per day and stoppage of (03) annual increment with effect vide SP Admin & HQrs order No. 191-97/OHC/SSU, dated 11.01.2022 the recommended him for suitable punishment.

Later on he was issued/served with final show cause notice vide office No. 111426 dated 2022 to which he replied that the suffering from kidney disease. He also produced medical prescription duly issued from private doctor. His reply of Show Cause Notice is also unsatisfactory. He was heard in orderly in person but he badly failed to prove himself.

Keeping in view all the above facts as well as recommendation of inquiry officer and material available on record that the above name Constable is a habitual absentee he is taking in the discharge of and his disobeyed the order of High-ups. Therefore, Superintendent of Police, Admin & Minority Wing SSU (CPEC) being the competent authority in exercise of powers vested to me under section 5 (4) of Khyber Pakhtunkhwa Police Rules 1975 amended in 2014 hereby awarded him major punishment "Dismissal from service" and his absence period w.e.f 30.09.2022 upto 05.12.2022 and 02.12.2022 till date is treated as leave without pay and the Accountant SSU/HQrs is directed and recover the amount if paid to him during his absence Basic Recruitment charges accordingly.

(FAZAL HANIF)
SP Admin & Minority SSU (CPEC)
Khyber Pakhtunkhwa Peshawar

No. 20

Dated 02.01.2022

Copy of the above is forwarded for information to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. Capital City Officer, Peshawar.
3. DSP HQrs & Malakand Region SSU/(CPEC).
4. PSA to Commandant SSU (CPEC), Khyber Pakhtunkhwa, Peshawar.
5. Reader Dy Commissioner SSU (CPEC) Khyber Pakhtunkhwa, Peshawar.
6. Accountant SRC, HRMS and PC.



SPECIAL SECURITY UNIT (SSU)
KHYBER PAKHTUNKHWA POLICE



CENTRAL POLICE OFFICES, S.A.Q ROAD, PESHAWAR CANTT (PH: 091-9214056)

No. 2416-20 /EC.

dated Peshawar the 15/06/2023.

ORDER

This order will dispose of the formal departmental appeal preferred by ex-constable Azhar Uddin No. 293 of Special Security Unit (CPEC) against the order of SP Admin SSU (CPEC), wherein he was awarded major punishment of "Dismissal from Service" on the allegations that he was nominated for Basic Elite Course-2022 commencing from 30.09.2022 at EPTC but failed to join the said course & absented himself from his lawful duties w.e.f. 30.09.2022 to 05.12.2022 (66 days) and once again from 05.12.2022 till the date of dismissal i.e. 02.01.2023 (27 days) for a total period of 93 days without any sanctioned leave or intimation.

In this regard, proper departmental inquiry was carried out. He was issued/served with charge sheet and summary of allegation and summoned time & again to receive charge sheet and submit reply or appear before enquiry officer but he did not bother to do so. Thus, the enquiry officer recommended him for suitable punishment.

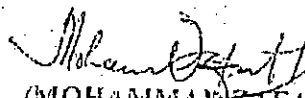
Later on he was issued/served with final show cause notice & heard in person in orderly room and given ample opportunity to prove himself innocent of the charges leveled against him but failed to satisfy the competent authority.

In the light of recommendation of enquiry officers and other material available on the record, he was awarded major punishment of "Dismissal from Service" vide order No. 151-59/EC, dated 02.01.2023.

Feeling aggrieved against the impugned orders of SP Admin & Minority SSU (CPEC), Khyber Pakhtunkhwa, Peshawar, the applicant preferred the appeal on 24.05.2022 which is badly time barred. Furthermore, from perusal of enquiry file it has been found that the allegations were fully established against him by the Enquiry Officer during the course of enquiry. There doesn't seem any infirmity in the order passed by the competent authority, therefore, no ground exist to interfere in same.

Based on findings narrated above, Commandant SSU (CPEC), Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected & filed being meritless and badly time barred.

Order announced.


(MOHAMMAD ZAFAR ALI)^{SP}
COMMANDANT,
Special Security Unit (CPEC),
Khyber Pakhtunkhwa, Peshawar.

Copy of the above is forwarded for information to the:

1. SP Admin & Minority SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
2. PA to Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
3. Reader to Dy. Commandant-SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
4. Ex-Constable Azhar Uddin No. 293.

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OFFICE OF THE COMMANDANT
SPECIAL SECURITY UNIT (SSU)
KHYBER PAKHTUNKHWA POLICE
CENTRAL POLICE OFFICE S.S.Q

ROAD PESHAWAR CANTT PH 091-9214056

NO. 2416 dated 15.06.2023

Order

The order will dispose of the Departmental appeal preferred by ex-constable Ajar Ullah No.293 of the special Security Unit (CPEC) against the order of SP Admin SSU (CPEC) wherein he was punishment of "Dismissal from Service" on the allegations he was nominated for Basic Elite Course 2022 commencing from 30.09.2022 at EPTC but failed to join the said Course & absented himself from his lawful duties w.e.f 30.09.2022 to 05.12.2022 (66 days) and once again from 05.12.2022 till the date of dismissal i.e 02.01.2023 (27 days) for a total period of 90 days without any sanctioned leave or intimation.

In this regard prepare department inquiry was carried out. He was issued/served with charge sheet and summary of allegation and summoned time and again to receive charge sheet and submit reply or appear before inquiry officer but he did not bother to do so. Thus, the enquiry officer recommended him for suitable punishment.

Later on he was issued/served with final show cause notice in person in orderly room and given ample opportunity to prove himself innocent of the charges leveled against him but failed satisfied the competent authority.

In the light of the recommendation of enquiry officers and other material available on the record he was awarded major punishment pod "Dismissal from Service" vide order No. 151-59/EC Dated 02.01.2023.

Feeling aggrieved against the impugned orders of SP Admin and Minority AS (CPEC) Khyber Pakhtunkhwa Peshawar applied preferred appeal on 24.05.2022 which is badly time. Furthermore, from perusal of enquiry has been found that the allegations were fully established against him by the enquiry officer during the course of enquiry. There does not seems any affinity in the order passed by the competent authority, therefore, no ground exist to interfere in same.

Based on findings above Commandant SSU (CPEC) Khyber Pakhtunkhwa Peshawar, being the competent authority has found no substance in the appeal, therefore, the same is rejected and filed being badly time barred.

Order announced

(MOHAMMAD ZAFAR ALI)

COMMANDANT

Special Unit (CPEC)

Khyber Pakhtunkhwa Peshawar.

Copy of the above is forwarded to the for information to the

1. S.P Admin & Minority SSC (CPEC) Khyber Pakhtunkhwa Peshawar.
2. PA Commandant SSU (CPEC) Khyber Pakhtunkhwa Peshawar.
3. Reader to Dy Commandant SSU (CPEC) Khyber Pakhtunkhwa Peshawar.
4. Ex-Constable Ajar Us Din No. 293.

To,

Honourable Inspector General
Police Khyber Pakhtunkhwa C.P.O.
Fort Road Peshawar Cantt.

E (13) ~~13~~

Appeal for Favourable Modification in S.P admin & HQRS. S.S.U CPEC Peshawar
order No: 191-97/OHC/SSU, dated 11/01/2022.
order No: 151-59 Dated 05-12-2022.
by reinstate service & (03) Annual increments with all salaries & abolishing all fines
in the best interest of constable & his poor family

Respected sir

with due respect and humble submission,

the applicant Azharuddin constable 6409 submitting appeal for your kind consideration favourable orders on this paras of appeal.
Great Sir, the constable Azharuddin had received heavy head injuries fallen heavy weighty main gate of home during demolishing works on 20 march 2022.
Azharuddin was unable to move or sit. Doctors advised full bed rest Doctor implant (Twelve 12) Surgical Tanka in his head after that his medical treatment was continue for six (06 months) the applicant medical report present & the applicant father personally visited S.P admin office at that time. reader of S.P admin could not entertain and returned leave application & demand some personal gratification and 60 to 80 days unlawfully added to applicant absentee days.
Now applicant father had been suffered in (34) dangerous Diseases. father health position had badly damaged in August 2022. Doctor advised appendix operation promptly.
due the father health grievances applicant could not able to join Elite Training due to this S P Admin Stopped salary of applicant. in this time doctors conducted appendix operation. the applicant father was present in hospital is well in home as a taimardar (care Father), after some time the applicant father got comma, Admitted in LRH then admin of LRH referred to HMC Emergency. a huge amount of rupees spent on father medical treatment due to sehat card was not availed at that time. now doctors advised medical treatment will be continue for next 06 months.
all medical treatment documents is present with us.
the father diseases Hematoma was declared. due to Hematoma diseases four to five other diseases or health complexes is come to effect father health for which doctors prescribed medicens test (infusion Drips).
the S.P admin has dismissed applicant services.
applicant is a MA education and well trained & ready for all risky and dangerous situation with normal skill under the supervision of officers in the best interest of department and general public.
the applicant and whole family always pray for your kind & favourable consideration & Restortion Service and 03 annual increments my Kindly Issue all Salaries in the best welfair of poor family & your kind orders Will Be Appreciated the applicant assure he will perform his duty with great zeal & satisfactory under kind supervision of officers.

Thanks great sir,
yours obediently
Azharuddin
Constable 6409
S.S.U - CPEC Police
Khyber Pakhtunkhwa Peshawar
Contact: 0332-9992149

DD: 12167

Date 10/7/23

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Honourable Inspector General Police Khyber Pakhtunkhwa Peshawar Cantt
Fort Road Peshawar Cantt

Appeal for favourable Modification in SP Admin & HQrs SSU SSU CPEC Peshawar.

Order No. 191-97/OHC/SSU dated 11.01.2022

Order No. 151-59 dated 05.12.2022

By reinstate service and (03) Annual increments with all salaries & abolishing all fines in the best interest of constable and his poor family.

Respected Sir:

The applicant Azhar Ud Din constable 6409 submitting for your kind consideration favourable orders on this paras of appeal.

Great Sir the constable Azhar Ud Din had received heavy head injuries fallen heavy weightly main gate of home during demolishing works on 20 March 2022.

Azhar Ud Din was unable to move or set Doctors advised full bed rest doctor implant (Twelve 12) Surgica Tanka in his head after that his medical treatment was continue for (06 months) the applicant medical report present and the applicant father personally visited S.P Admin office at that time reader of SP Admin could not entertained and returned leave application and demand some personal gratification and 60 to 80 days unlawfully added to applicant absentee days.

Now applicant father head been suffered in (04) dangerous Diseases father health position has badly damaged in August 2022. Doctor advised appendix operation promptly.

Due the father health grievances applicant could not able to join Elite Training due to this SP Admin Stopped salary of applicant in this time doctors conducted appendix operation the applicant father was present in hospital is well in home as a timardar (care Father) after some the applicant father got comma. Admitted in LEG then Admin in LEG referred to HMC Emergency, a huge amount of rupees spent on father medical treatment due to sehat card was not availed at that time now doctors advised medical treatment will be continued for next 06 months.

All medical treatment documents is present with us.

The father diseases Hematoma was declared due to Hematoma diseases four to five other diseases. Or health Complexes is come to effect that father health for which doctors prescribed medicines test (Infusion Drips).

The SP Admin has dismissed application services.

Applicant is a MA education and we'll trained and ready for all risky and dangerous situation with normal skill under the supervision of offices in the best interest of departmental and general public.

The applicant and whole family always pray for your kind and favourable consideration & Restoration Services and 03 Annual increments my kindly issue all Salaries in the best welfair of poor family & and your kind order will be Appreciated the applicant assure he will perform his duty with great zeal & satisfactory under kind supervision of officers.

Thanks great sir
Yours obediently
Azhar Ud Din
Constable 6409
S.S.U CPEC Police
Khyber Pakhtunkhwa Peshawar
Contact No. 033-99921



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. SI/ 1796 /23, dated Peshawar the 19/07 /2023.

To : The Commandant,
Special Security Unit (CPEC),
Khyber Pakhtunkhwa, Peshawar.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-FC Azhar Uddin No. 6409 of SSU (CPEC) against the punishment of dismissal from service awarded by SP Admin. & Minority SSU (CPEC) vide OB No. 20, dated 02.01.2023.

being bad time barred

The applicant may please be informed accordingly.

[Signature]
19/07

(AFSAR JAN)

Registrar.

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

19/07

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

No S/1796/23 dated Peshawar the 19/07/2023

To-

The Commandant
Special Security Unit (CPEC)
Khyber Pakhtunkhwa Peshawar

Subject: REVISION PETITION

Memo:-

The Competent Authority has examined and filed the petition submitted by EX-FC Azhar Ud Din No. 6409 of SSU (CPEC) against the punishment of dismissal from service awarded by SP Admin & Minority SSU (CPEC) void OB No. 20, dated 02.01.2023 being badly time barred.

The applicant may please be informed accordingly.

(AFSAR JAN)
Inspector General of Police
Khyber Pakhtunkhwa Peshawar

VAKALAT NAMA

NO. _____/2023

IN THE COURT OF KP Service Tribunal, Peshawar

Azhar Uddin

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Department

(Respondent)
(Defendant)

I/We, Azhar Uddin

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2023

Azhar Uddin
(CLIENT)

ACCEPTED

TAIMUR ALI KHAN
Advocate High Court

BC-10-4240
CNIC: 17101-7395544-5
Cell No. 03339390916