

**BEFORE THE HON'BLE, KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. 2073/2023

Muhammad Zeeshan No: 2417 \_\_\_\_\_ Appellant.


Versus

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar etc \_\_\_\_\_ Respondents.

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Through Respondent

  
(Khyal Roz Khan)  
DSP/Legal, SSU (CPEC),  
Peshawar.  
17301-2507764-1  
0315-9867946

07-02-2024  
Peshawar.

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 2073/2023

Muhammad Zeeshan khan...No 2417..... (Appellant)  
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa ..... (Respondents)

**REPLY BY RESPONDENTS NO. 1 TO 5**

RESPECTFULLY SHEWETH

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 10432

Dated 09-01-2024

**PRELIMINARY OBJECTIONS:-**

- a) That the appeal is not based on facts.
- b) That the appeal is barred by law and limitation.
- c) That the appeal is not maintainable in the present form.
- d) That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- e) That the appellant is estopped to file the instant appeal by his own conduct.
- f) That the appellant has not come to this Honorable Tribunal with clean hands.
- g) That the instant Service Appeal is badly time barred.
- h) That the appellant has got no cause of action and locus standi to file the instant Service Appeal.

**FACTS**

1. Pertains to service record of the appellant.
2. Para pertains to the appointment of the appellant.
3. Incorrect, brief facts of the case are that as reported by DSP Hazara region vide letter no 133/SSU/ reader dated 27.04.2023 that constable Muhammad Zeeshan khan no 2417 while posted at lower Kohistan had absented himself from his lawful duties w.e.f 22.03.2023 to 04.07.2023 (104 days) and once again from 06.07.2023 to 01.08.2023 (26 days) for a total period of 130 days without any sanctioned leave or intimation. On account of such misconduct proper departmental proceeding was initiated against appellant. He was issued charge sheet and the summary of allegation and Mr. Muhammad Saeed khan DSP Hazara region SSU (CPEC) was nominated as Enquiry officer to conduct proper departmental enquiry. After completion of all codal formalities, the inquiry officer submitted his finding report and recommended him for punishment **(copy of charge sheet/summary of allegation and enquiry report annexed) are annexure A,B,C.**
4. Correct to the extent of issuance of charge sheet / summary of allegation on account of mis-conduct mentioned in para-3 above.
5. Correct to the extent of final show cause notice , however the same was issued after receipt of recommendation of enquiry officer **(Copies of final show cause notice and statement of the appellant) are annexed D,E)**
6. Correct to the extent of dismissal of appellant, however such order was issued after proper departmental enquiry **(copy of dismissal order is annexed are annexure F).**

7. Correct to the extent of filing of departmental appeal, however the same was rejected on merit (**Copy of rejection order dated 20.09.2023 is annexed as annexure G**).
8. That the appellant has got no cause of action and the instant service appeal is liable to be dismissed on the following grounds.

**GROUND**


- A. Incorrect, the order of respondent are legal and in accordance with rules.
- B. Incorrect, during departmental enquiry appellant fail to justify his sickness and got absented from lawful duties on account of such misconduct he was proceeded against departmentally and after fulfilled of codal formalities dismissed from service.
- C. Incorrect, the appellant has been awarded the major punishment in accordance with law/ rules.
- D. Incorrect, appellant of his initial stage of service proved himself an inefficient official.
- E. Incorrect, After completion departmental inquiry the inquiry officer recommended for major punishment by issuing finding report, on this circumstances the appellant has been dismissed from service according to the law/rules.
- F. Incorrect, the order of respondent are quite legal.
- G. Incorrect, appellant absence is willful hence not entitled for any relief.
- H. The answering respondents may also be allowed to adduce additional grounds at time of hearing of instant Service Appeal.


**PRAYER:-**


Keeping in view the above stated facts and circumstances, it is therefore humbly prayed that the appeal is not maintainable being devoid of merits hence, may kindly be dismissed with costs, please.

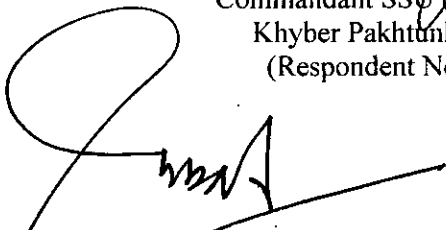
  
(Iftikhar Shah)  
District Police Officer (Bannu)  
(Responded No 5)

District Police Officer  
BANNU

  
(Abdur Rashid) PSP  
Deputy Commandant SSU (CPEC)  
Khyber Pakhtunkhwa  
(Respondent no. 3)

  
(Fazal Hanif)  
SP/Admin/SSU,CPEC  
KPK/POLICE/PESHAWAR  
(Respondent No.4)

  
(Muhammad Zafar Ali) PSP  
Commandant SSU (CEPC)  
Khyber Pakhtunkhwa  
(Respondent No.2 )

  
(DR.MUHAMMAD AKHTAR ABBAS)PSP  
DIG/Legal,CPO  
For Inspector General of police,  
Khyber pakhunkhwa,  
(Respondent No.1)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR**

Service Appeal No. 2073/2023


Muhammad Zeeshan Khan No 2417..... (Appellant)


Versus


Inspector General of Police, Khyber Pakhtunkhwa etc..... (Respondents)


**AUTHORITY LETTER**


Mr. Khyal Roz DSP/Legal, SSU (CPEC), Khyber Pakhtunkhwa, Peshawar is authorized to submit Para-wise Comments/reply in above captioned Service Appeal on behalf of respondents in Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar.

  
**(Iftikhar Shah)**  
District Police Officer (Bannu)  
(Responded No 5)  
**District Police Officer**  
**BANNU**

  
**(Fazal Hanif)**  
SP/Admin/SSU, CPEC  
KPK/POLICE/PESHAWAR  
(Respondent No.4)

  
**(Abdur Rashid) PSP**  
Deputy Commandant SSU (CPEC)  
Khyber Pakhtunkhwa  
(Respondent no. 3)

  
**(Muhammad Zafar Ali) PSP**  
Commandant SSU (CPEC)  
Khyber Pakhtunkhwa  
(Respondent No.2)

  
**(DR.MUHAMMAD AKHTAR ABBAS)PSP**  
DIG/Legal,CPO  
For Inspector General of police.  
Khyber pakhunkhwa,  
(Respondent No.1)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE  
TRIBUNAL, PESHAWAR**

Service appeal No.2073/2023

Muhammad Zeeshan Khan No: 2417 -----(Appellant)

VERSUS

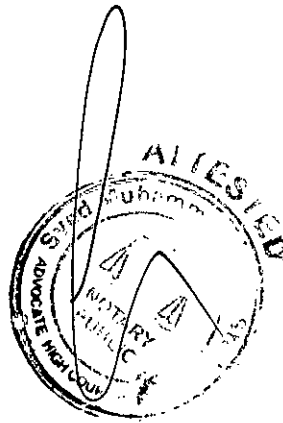
Provincial Police Officer Khyber Pakhtunkhwa Peshawar----- (Respondent)

**AFFIDAVIT**

I, Fazal Hanif SP/Admin SSU (CPEC) do hereby solemnly affirm on oath that the content of writ petition on behalf of Inspector General of Police, Khyber Pakhtunkhwa, Peshawar are correct to the best of my knowledge and belief. Nothing has been concealed from this Honorable court. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.

  
(Fazal Hanif)

SP/Admin SSU, CPEC,  
KPK/Police/Peshawar.  
(Respondent No: 04)



18/2 DEC 2023

## CHARGE SHEET

I, Superintendent of Police, Admin & Minority Wing, Special Security Unit (CPEC), Peshawar, as competent authority, hereby charge that Constable Zeeshan No. 2417 of SSU (CPEC), with the following irregularities.

"That you Constable Zeeshan No. 2417 while posted at Upper Kohistan had absented yourself from your lawful duties w.e.f. 22.03.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 133/SSU/Reader, dated 27.04.2023. Being part of the Disciplined Force, this act of yours is against the Police Rules & shows gross misconduct on your part".


You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

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

Intimate whether you desire to be heard in person.  
A statement of allegation is enclosed.

  
(FAZAL HANIF)

SP Admin & Minority SSU (CPEC).  
Khyber Pakhtunkhwa Peshawar.

  
08-05-2023

N-15

## Disciplinary Action

I, Superintendent of Police, Admin & Minority, Special Security Unit (CPEC) Peshawar as a competent authority, am of the opinion that Constable Zeeshan No. 2417 of SSU (CPEC), has rendered him-self liable to be proceeded against under the provision of Police Disciplinary Rules-1975.

### STATEMENT OF ALLEGATION

"That Constable Zeeshan No. 2417 while posted at Upper Kohistan had absented himself from lawful duties w.e.f. 22.03.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 133/SSU/Reader, dated 27.04.2023. Being part of the Disciplined Force, this act of his is against the Police Rules & shows gross misconduct on his part".

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and Mr. Muhammad Saeed DSP Hazara Region is appointed as enquiry officer.

1. The Enquiry Officer shall, in accordance with the provisions of the Ordinance, provide reasonable opportunity of hearing to the accused officer, record his finding within 15 days of the receipt to this order, make recommendations as to punishment or other appropriate action against the accused.

2. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.

(FAZAL HANIF)

SP Admin & Minority SSU (CPEC).  
Khyber Pakhtunkhwa Peshawar.

No. 1424 /EC, dated Peshawar the 09/05/2023.

08-05-2023

1. Enquiry Officer is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.
2. Official Concerned.

جناب عالی

حوالہ مشنری ڈسپننری ایکٹس 1429/EC مورم 09/23

خارجہ جناب SP/Adm & Minority  
SSU (CPEC)  
معرض حوالہ سے سائنس پر الزامات عائد کرنے کے لئے جس کے آدھان  
دوران لینائی مقام اور کوستان مورم 22/23 سے تاحال سرکاری  
ڈیپارٹمنٹ سے قصداً غرضاً ہوئے حوالے

جناب عالی! بالا الزامات کے جواب میں تفصیلاً عرض ہے کہ  
سائنس کا تبادلہ مورم 10/23 کو حسب اسکیم فی انسانی بالاعتماد  
ضلع اور کوستان کو سوکر فوراً اسکیم کی عمل کرنے سے پہلے تھا  
پر حاضری کی رپورٹ کی سکن بدقسمت سے سائنس کی طبیعت  
نہایت نامناسب سوکر لبتہ عدالت پر گریزا۔ سائنس کے وہاں  
ابتدائی عملہ فعالیہ شروع کیا سکن کوئی آفاقہ نصیب نہ ہوا  
اور سائنس کی طبیعت روز بروز بگڑتی گئی جو اس حالت کے  
میں نظر سائنس نے باآمر جمہوری درخواست مابین مذکورہ  
رہت پلاٹن محرک کو کھجوائی اور خود تحریر آکر حتمی طور پر  
ڈاکٹر صاحب سے عملہ فعالیہ شروع کرنے کے جائز ڈاکٹر صاحب  
نے مکمل آرام کا مشورہ دیا۔ ڈاکٹر کی طبیعت تیزی سے بحال ہونے  
سائنس کی طبیعت میں قدر بہتری کے بعد فوراً حاضری کی رپورٹ کی  
سائنس قصداً غرضاً نہیں ہوا ہے بلکہ باآمر جمہوری اور شدید  
بیماری (سپیشلسٹ) کے باعث غرضاً ہوا ہے۔

مذکورہ نامہ  
طوری شدہ  
19/6  
D88

لیدر اسٹیڈیٹ سائنس کی عمر صد غرضاً کی کو عدالت کے لئے لو میں شمار  
کئے اور ہا ہوا رہا کہونے کا حکم صادر فرما دیا  
سائنس FC ڈسٹن 17/23

03369731760



بیان اذان کا تسلسل ذیشان نمبر 2417 بلا ٹون کے لوگوں کوستان

۱۷- کی نوکری کتنی ہے؟  
میری نوکری تین سال کا ماہ ہے۔

سوال (2)

۱۸- کب غیر حاضر ہوئے؟

میں 22<sup>03</sup>/<sub>03</sub> کو لوگوں کوستان سے غیر حاضر ہوا ہوں۔

سوال (3)

۱۹- ایسے غیر حاضر ہوئے؟

لوگوں کوستان چیک ہوسٹ مٹ بانڈہ پر میں تعینات تھا کہ اچانک میری طبیعت خراب ہو گئی میں (Medicine) استعمال کی لیکن افاقہ نہ ہوا اور مٹ بانڈہ چھوڑ کر دوسرے ہسپتال گئی جہاں ڈاکٹر آدھی موجود نہ تھا جس کو میں بتا سکا کیونکہ عہدہ شماری کی ڈیوٹی چل رہی تھی اور نہ ہی ڈسٹرکٹ کا کوئی اہلکار تھا اس لیے میں گھر خود بغیر افسران بالا کے روانہ ہوا۔

سوال (4)

۲۰- لو جاہے تو الے آپ اپنی بلا ٹون میں حاضر ہوئے ہوتے بلا ٹون روز ناچے سے ہسپتال کیلئے روانگی کرتے آپ ایسے کرنے میں ناکام رہے کیوں؟

جواب

مجھے اس بابت علم نہ تھا (میری طبیعت خراب تھی اور مجھے کوئی سمجھتا نہ تھا جس سے میں گھر خود چلا آیا۔)

سوال (5)

۲۱- تین دنوں سے شرماری ہسپتال سے علاج کیا؟

جواب

میرے کسی بھی شرماری ہسپتال سے علاج نہیں کروایا کیونکہ شرماری ہسپتال بھارے گاؤں سے دور ہے اس وجہ سے میں نے اپنے گاؤں کے گاؤں کے قریب ہسپتال سے علاج کروایا۔

سوال (6)

۲۲- ایسے ہسپتال کے ڈیوٹی چلے گاؤں کے قابل قبول نہیں ہیں۔ اس کے علاوہ کیا آپ نے اس شرماری ہسپتال سے علاج کیا؟

جواب

جی نہیں میرے پاس شرماری ہسپتال سے علاج نہیں کیا۔

سوال (7)

۲۳- آپ نے کبھی تک حاضری کیوں نہیں کی؟

جواب

میرا حاضری کیلئے آیا اور نہ ہوا۔

سوال (8)

۲۴- آپ لوگوں کوستان میں سے غیر حاضر ہوئے لیذا آپ اپنی غیر حاضری کو لوگوں کوستان میں یقینی بنائی جا رہے؟

جواب

میں اپنی انٹوائٹری میرا ضروری کاغذات جو درکار ہیں وہ یو ایس ڈائن ملازمہ میں جمع کر کے لوگوں کوستان اپنی بلا ٹون میں حاضری کیلئے جاؤں گا۔

*[Handwritten signature and text]*  
DSS MSMA

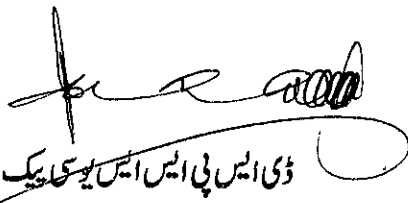
فائنڈنگ رپورٹ

جناب عالی!

بشمولہ چارج شیٹ نمبری EC/1424 مورخہ 09-05-2023 اذال کا نشیبل ڈیشان نمبر 2417 پلاٹون نمبر 51 حال متعینہ لوئر کوہستان کی نسبت معروض خدمت ہوں کہ مذکورہ کا نشیبل پر چارج شیٹ میں یہ الزام ہیکہ وہ مورخہ 22-03-2023 سے بناء کسی رخصت یا اجازت کے اپنی ڈیوٹی سے غیر حاضر رہا۔

دوران انکواری مذکورہ کا نشیبل کو طلب کیا جا کر تحریری بیان و کراس سوالات حاصل کیے گئے۔ دوران انکواری مسائل نے اپنے بیان و کراس سوالات کی روشنی میں بتایا کہ من مسائل کا تبادلہ مورخہ 10-03-2023 کو حسب الحکم جناب افسران بالا صاحبان ضلع لوئر کوہستان ہو کر فوراً حکم کی تعمیل کرتے ہوئے اپنی جائے تعیناتی پر حاضری کی رپورٹ کی لیکن بد قسمتی سے مسائل کی طبیعت نہایت ناساز ہو کر بستر علالت پر گر پڑا۔ مسائل نے وہاں پر ابتدائی علاج معالجہ شروع کیا لیکن کوئی آفاقہ نصیب نہ ہوا اور مسائل کی طبیعت روز بروز بگڑتی گئی جو اس حالات کے پیش نظر مسائل نے بلا آخر مجبوری درخواست بابت منظوری رخصت پلاٹون محرر کو بھجوائی اور خود گھر پر آکر مقامی طور پر ڈاکٹر صاحب سے علاج معالجہ شروع کر کے جناب ڈاکٹر صاحب نے مکمل آرام کا مشورہ دیا۔ ڈاکٹر نسخہ جات ہمراہ لف ہے۔ مسائل کی طبیعت میں قدر بہتری کے بعد فوراً حاضری کی رپورٹ کی۔

انکواری سے پایا جاتا ہیکہ مذکورہ کا نشیبل بحوالہ مد نمبر 07 روز نامچہ 22-03-2023 کو اپنی ڈیوٹی سے بناء کسی رخصت یا اجازت کے اپنی ڈیوٹی سے غیر حاضر رہا۔ جبکہ مذکورہ کا نشیبل بحوالہ مد نمبر 06 روز نامچہ 04-07-2023 کو اپنی جائے تعیناتی پر حاضر ہوا۔ مذکورہ کا تبادلہ مورخہ 10-03-2023 کو حسب الحکم جناب افسران بالا صاحبان ضلع لوئر کوہستان کو ہو کر فوراً حکم کی تعمیل کرتے ہوئے مذکورہ کا نشیبل نے اپنی جائے تعیناتی پر حاضری کی رپورٹ کی لیکن مذکورہ کا نشیبل کی طبیعت خراب ہوئی اور مذکورہ کا نشیبل نے وہاں پر ابتدائی علاج معالجہ شروع کیا لیکن کوئی آفاقہ نصیب نہ ہوا اور مذکورہ کا نشیبل کی طبیعت روز بروز بگڑتی گئی۔ مذکورہ نے اپنی غیر حاضری کی وجہ اپنی بیماری کا ہونا بیان کیا ہے۔ مذکورہ کا نشیبل اپنی بیماری کی وجہ سے (104) ایام ڈیوٹی سے غیر حاضر رہا ہے۔ لیکن مذکورہ کا نشیبل دوران انکواری کوئی سرکاری میڈیکل ریٹ پیش نہ کر سکا اور نہ ہی اس کے پاس غیر حاضریوں کے متعلق کوئی تسلی بخش جواب تھا۔ صرف مذکورہ نے 03 قطعات پرائیویٹ ڈسپنری کے کاغذات پیش کیے جو کہ قابل قبول بالکل نہ ہے۔ مذکورہ کا نشیبل کی کل عرصہ غیر حاضری (104) ایام بنتی ہے۔ اگر افسران بالا رضامند ہوں تو مذکورہ کا نشیبل کو مناسب سزا دینے کی سفارش کی جاتی ہے۔ جملہ کاغذات ہمراہ لف انکواری ہیں۔ انکواری رپورٹ مرتب ہو کر ابلاغ ہے۔



ڈی ایس پی ایس ایس یو سٹیک

سرکل نار تھ ہزارہ

04-7-2023

نمبر 7

6  $\frac{7}{23}$

1  $\frac{7}{23}$

26 Aug 23

مذکورہ کی رپورٹ کا ضمیمہ سب سے ملتا ہے۔

7 مورخہ 22/03/2023 کو تھانہ میں ملا

مورخہ 08/07/2023 کو تھانہ میں ملا

منشی ایچ ایس ایس یو سٹیک  
پیم فاضلی  
180

**FINAL SHOW CAUSE NOTICE**

I Superintendent of Police, Admin & Minority, Special Security Unit (CPEC), Peshawar, as competent authority, under the provision of police Disciplinary Rules 1975. do hereby serve upon you, Constable Zeeshan No. 2417 final show cause notice..

The Enquiry Officer, Mr. Muhammad Saeed Khan DSP Hazara Region SSU (CPEC). after completion of departmental proceedings. has found you guilty of the charges/allegations leveled against you in the charge sheet/statement of allegation & recommended for you Constable Zeeshan No. 2417 suitable punishment.

And whereas, the undersigned is satisfied that you Constable Zeeshan No. 2417 deserve the punishment in the light of the above said enquiry papers.


I, competent authority, have decided to impose upon you the penalty of minor/major punishment under police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the minor/major penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
2. If no reply to this notice is received within 07 days of its receipt. in normal course of circumstances, it shall, be presumed that you have no defense to put in and in that case as ex-parte action shall be taken against you.

  
(FAZAL HANIF)

SP Admin & Minority SSU (CPEC),  
Khyber Pakhtunkhwa Peshawar.

No. 2851 /EC dated Peshawar the 12/07/2023.

  
12-07-2023

Copy to official Concerned.

Name - zeeshan - No. 2417  
CNIC - 811101-9286388-1  
Mobile - 0336 9731760

52 days - 1  
Intimate

جناب عالی!

حوالہ مشمولہ فائنل شو کاز نوٹس نمبر 285/EC

19/07/2023۔ جناب SP ایڈمن اینڈ مائنسٹری ایس ایس لیو  
کی پیک فیبر کا نوٹس اہل شاعر صاحب معروفین خدمت میں  
کہ میرا وہی جواب ہے جو قبل ازیں جاری شدہ امری آف  
ایلیٹیشن کا سارا ڈیٹا دیا گیا ہے۔

لینڈ اینڈ عالج کے مسائل کا خلاف جاری شدہ  
فائنل شو کاز نوٹس اور انکوالتری ریل اعزیز کاروانی و افواج  
مخبر فرمائے جانے کا حکم صادر فرمادے۔

مستطاب صاحبہ کاغذ پر ہے۔  
استوارشیلو جی۔

عروضہ 19/07/2023

العارضین سے  
2-8  
رہنما کے نام پر محمد زلیخان خان ایڈمنسٹریٹو  
پلاٹون (A) و نلاح بیون  
مقامیہ (20-25) و نلاح خان سپرہ



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

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

No. 3786-99 EC/SSU,

dated Peshawar the 17/08/2023.

**ORDER**

This order will dispose the formal departmental inquiry against Constable Muhammad Zeeshan Khan No. 2417 of Special Security Unit (CPEC), District Bannu.

Brief facts of the case are that as reported by DSP Hazara Region vide letter no. 133/SSU/Reader, dated 27.04.2023 that Constable Muhammad Zeeshan Khan No. 2417 while posted at Lower Kohistan had absented himself from his lawful duties w.e.f 22.03.2023 to 04.07.2023 (104 days) & once again from 06.07.2023 to 01.08.2023 (26 days) for a total period of 130 days 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 & summary of allegation vide this office Endst: No. 1424/EC, dated 09.05.2023 and Mr. Muhammad Saeed Khan DSP Hazara Region SSU (CPEC) was nominated as enquiry officer to conduct inquiry into the matter and submit findings report. After completion of all codal formalities, enquiry officer submitted his findings report, wherein he reported that the charge sheet was served upon the constable to which he replied that he was ill due to which he remained absent from duty, in support of which he also produced medical prescriptions from a private doctor, which is unacceptable as per police rules. Thus, the enquiry officer did not found his reply satisfactory & recommended him for suitable punishment.

Later on he was issued/served with final show cause notice vide this office No. 2851/EC, dated 12.07.2023 to which he replied the same as above. He was also heard in orderly room in person by the undersigned & given ample opportunity to prove himself innocent of the charges leveled against him but failed to satisfy the undersigned.

Keeping in view all the above facts as well as recommendation of enquiry officer & material available on record, the above named constable had deliberately absented himself from lawful duties. Therefore, I, Superintendent of Police, Admin & 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 of 130 days is treated as leave without pay and the Accountant SSU HQs: is directed to reckon & recover the amount if paid to him during his absence alongwith Basic Recruit Course charges accordingly.

OB No. 1039

Dated 17/08/2023

(FAZAL HANIF)

SP Admin & Minority SSU (CPEC),  
Khyber Pakhtunkhwa, Peshawar.

Copy of the above is forwarded for information to the:

1. Accountant General, Khyber Pakhtunkhwa.
2. District Police Officer, Bannu.
3. Director ETEA, KPK Peshawar with the request to black list his CNIC No. 15302-6486204-3 from any Government Job in future until he submit pending dues/charges.
4. DSP Bannu & Hazara Region SSU (CPEC), Khyber Pakhtunkhwa.
5. PA to Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
6. PA to Dy: Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
7. Accountant, SRC, LO, OASI, I/C HRMS, I/C KOT and Clothing Godown SSU (CPEC).
8. Official Concerned.

17-08-2023



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

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

No. 4570 - 74/EC,

dated Peshawar the 20/09/2023.

**ORDER**

This order will dispose of the formal departmental appeal preferred by ex-constable Muhammad Zeeshan Khan No. 2417 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 had absented himself from his lawful duties w.e.f. 22.03.2023 to 04.07.2023 (104 days) & once again from 06.07.2023 to 01.08.2023 (26 days) for a total period of 130 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. After completion of inquiry, the enquiry officer reported that the accused ex-constable stated in his reply that he was ill & produced medical prescriptions from a private doctor. The enquiry officer did not found his reply satisfactory & recommended him for suitable punishment.

Later on he was issued/served with final show cause notice to which he replied the same. He was also heard in person in orderly room by SP Admin & Minority and given him ample opportunity but he 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. 3786-99/EC, dated 17.03.2023.

Feeling aggrieved against the impugned orders of SP Admin & Minority SSU (CPEC), Khyber Pakhtunkhwa, Peshawar, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 12.09.2023.

During the course of personal hearing, the applicant failed to prove himself innocent of the charges leveled against him. 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, I, Deputy 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 meritless.

**Order announced.**

(ABDUR RASHID)<sup>PSP</sup>  
Deputy Commandant,  
Special Security Unit (CPEC),  
Khyber Pakhtunkhwa,  
Peshawar.

20-9-23

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 Muhammad Zeeshan No. 2417.