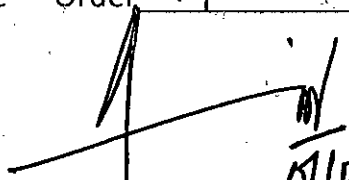


Cost of Rs. 2000/- received in Service Appeal No. 1835/2023

Titled Shafi Ullah vs Police

in the office of Assistant Registrar, Vide Order 19-02-2024

submitted on 01/03/2024.


01/03/24
Assistant Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHWAR

Service Appeal No. 1833/2023


Shafi Ullah Ex-FC Elite ForceAppellant

Versus

Provincial Police officer Khyber Pakhtunkhwa etcRespondent

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S.No.	Description of Documents	Annexure	Pages
1.	Para wise comments		1-3
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3.	Affidavit		05
4.	Copy of FIR	A	06
5.	Copy of Charge Sheet	B	07
6.	Copy Finding Report	C	08
7.	Copy of Dismissal order	D	09
8.	BBA	E	10-11
9.	Acquitted order	F	12-13
10.	Order date 08-09-2022	G	14
11.	Copy of Final Show Cause Notice.	H	15
12.	Summary of Allegation	I	16


(MIAN NIAZ MUHAMMAD)
DSP Legal
Elite Force, Peshawar.

21-05-2024
D.I.K
S.B

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHWAR

**Khyber Pakhtunkhwa
Service Tribunal**

Service Appeal No. 1835/2023

Diary No. 11511

Dated 1-03-2024

Shafi Ullah, Ex-FC Elite ForceAppellant

Versus

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

PARAWISE COMMENTS BY RESPONDENTS

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:-

- a) That the appeal is not based on facts.
- b) That the appeal is badly time 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 stopped to file the instant appeal by his own conduct.
- f) That the instant Service Appeal is badly time barred.
- g) That the appellant has not come to this Honorable Tribunal with clean hands.
- h) That the appellant has got no cause of action and locus standi to file the instant Service Appeal.

FACTS:-

- 1. Pertains to record.
- 2. Pertains to record.
- 3. Incorrect. Appellant absented himself from his duties with effect from 31.03.2022 and involved himself in case FIR No. 76/22 under Section 302/324/34 PPC of Police Station Gul Imam District Tank. After commission of offence, he has gone into hiding and did not join investigation and remained absconder on the record of police station. On account of such misconduct he was proceeded against departmentally by using charge sheet with statement of allegations vide No. 2573-78/EF dated 05-04-2022 and DSP Elite DI Khan was appointed as enquiry officer. Enquiry officer contacted the investigation officer ASI Muhammad Ishfaq who stated that endear ours for the arrest of accused official are still underway who's whereabouts are still unknown and there is no hop of reporting back for duty. Therefore accused official is recommended under ex-part

action for suitable punishment. On receipt of enquiry finding report, the competent authority awarded major punishment of dismissal from service vide order No. 578-85 dated 30-06-2022. (Copies of FIR, Charge Sheet, Finding report and Dismissal order are attached as Annexed as A,B,C and D.

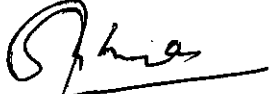
- 4. Para No. 4 of Appeal pertains to the criminal proceedings and acquittal of appellant. Appellant during investigation did not surrender nor joined investigation and remained absent from lawful duties, however appellant when succeeded in compromise with the complainant of criminal case by transferring property in the name of minor legal heirs of deceased (F/E), submitted bail before arrest petition, which was confirmed and later on acquitted (F). More so, at the time of acquittal appellant was no more on the role of police department.
- 5. Incorrect, reply already given vide para No. 3 & 4 in detail.
- 6. Incorrect. The appellant was dismissed vide order dated 30.06.2022 and he has acquitted on 27.10.2022 and his departmental appeal, was badly time barred. Hence was rightly rejected vide No.9265-70 date 08-09-2022 (Copy G)
- 7. Incorrect, reply already given in preceding paras.
- 8. Para No. 8 is correct to the extent of rejection of revision petition vide order No.2203-9 dated 28-08-2023 (Copy H).
- 9. The appellant has got no cause of action to file the instant appeal, which is time barred, is liable to be dismissed with cost on the following grounds:

GROUND:-

- A. Incorrect. The orders of respondent are quite legal in accordance with law and rules.
- B. Incorrect. The orders of respondents are speaking in nature and in accordance with the law and rules.
- C. Incorrect. Proper Departmental enquiry was initiated against appellant. As explained in para No.3 & 4.
- D. Incorrect. Reply already given vide para 3 &4.
- E. Incorrect. The orders of respondents are strictly in accordance with law and rules.
- F. Incorrect. Reply already given vide para 3 &4.
- G. Incorrect. Reply already given vide para 3 &4.
- H. Incorrect. Reply already given vide para 3 &4.
- I. Not relates to respondents.
- J. The respondents may also kindly be allowed to raise additional grounds at the time of arguments.

PRAYER:

It is, therefore, humbly prayed that the Appeal of the appellant may kindly be dismissed with cost.



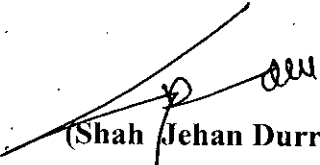
(Mustansar Rehman)

Superintendent, Account Branch, Elite Force,
Khyber Pakhtunkhwa
(Respondent No.6)



(Abdul Rauf Babar Qaiserani)PSP

District Police Officer,
Dhera Ismail Khan,
(Respondent No. 5)



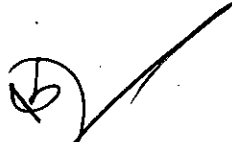
(Shah Jehan Durrani)

SP, HQrs Elite Force, Khyber Pakhtunkhwa,
Peshawar
(Respondent No. 4)

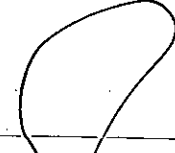


(Abdus Samad)PSP

Deputy Commandant
Elite Force,
Khyber Pakhtunkhwa,
Peshawar
(Respondent No. 3)



(Muhammad Wisal Fakhir Sultan) PSP
Additional Inspector General / Commandant,
Elite Force, Khyber Pakhtunkhwa,
Peshawar
(Respondent No. 2)



DIG/ Legal, CPO
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
Respondent No. 1
(DR. MUHAMMAD AKHTAR ABBAS)
Incumbent

(6)

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1835/2023

Shafi Ullah Ex-FC Elite ForceAppellant

Versus

Provincial Police Officer Khyber Pakhtunkhwa & etcRespondent

AUTHORITY LETTER

Mian Niaz Muhammad Khan DSP/Legal Elite Force Khyber Pakhtunkhwa is hereby authorized to submit para wise comments/reply in the instant service appeal in the Hon'able Service Tribunal Peshawar and also to defend instant case on behalf of respondents.



(Mustansar Rehman)

Superintendent Account Branch
Elite Force Khyber Pakhtunkhwa
Peshawar.

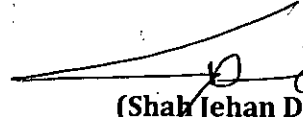
(Respondent No. 6)



(Abdul Rauf Babar Qaiserani) PSP

District Police Officer
Dera Ismail Khan.

(Respondent No. 5)



(Shah Jehan Durrani)

Superintendent of Police HQrs Elite
Force Peshawar

(Respondent No. 4)



(Abdus Samad) PSP

Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar.

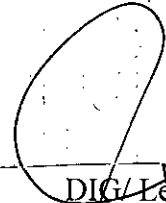
(Respondent No. 3)



(Muhammad Wisal Fakhra Sultan) PSP

Addl: IGP/Commandant
Elite Force Khyber Pakhtunkhwa Peshawar

(Respondent No. 2)



DIG/Legal CPO

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Respondent No. 1

(DR. MUHAMMAD AKHTAR ABBAS

Incumbent

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1835/2023

Shafi Ullah Ex-FC Elite ForceAppellant


Versus

Provincial Police Officer Khyber Pakhtunkhwa & etc.....Respondent

AFFIDAVIT

Abdus Samad Deputy Commandant Elite Force Peshawar respondent No. 3, do hereby solemnly affirmed and declare that the contents of these joint para-wise comments are true and correct to the best of our knowledge and belief and 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.


(ABDUS SAMAD) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar.



22.2.024

ابتدائی اطلاعی رپورٹ

38

(فائل) ابتدائی اطلاع نسبت جرم قتل دست اندازی پولیس رپورٹ شدہ زیر نمبر 153 مجموعہ ضابطہ نو جداری

تعلق نام

قائم علی

76

تاریخ وقوعہ 11/12/55 وقت 20-35 بجے

1	تاریخ حادثہ 11/12/55	وقت 21-11 بجے
2	مقام وقوعہ ایف آئی سٹیشن ایسٹ	مقام واقعہ ایف آئی سٹیشن ایسٹ
3	پتہ وقوعہ ایف آئی سٹیشن ایسٹ	پتہ وقوعہ ایف آئی سٹیشن ایسٹ
4	تاریخ وقوعہ 11/12/55	وقت 20-35 بجے
5	مقام وقوعہ ایف آئی سٹیشن ایسٹ	مقام واقعہ ایف آئی سٹیشن ایسٹ
6	پتہ وقوعہ ایف آئی سٹیشن ایسٹ	پتہ وقوعہ ایف آئی سٹیشن ایسٹ

ابتدائی اطلاع نیچے درج کردہ خبری دراصل جناح ایسٹ ایف آئی سٹیشن کا ہے جس میں 18 مئی 55ء کو ایک شخص نے ایک شخص کو قتل کرنے کا واقعہ بیان کیا۔ اس شخص کا نام مشتاق تھا جو کہ 72 سال کا تھا اور نمبر 1-1883895-1 ایف آئی سٹیشن ایسٹ، لاہور اور نمبر 5345-9337831-1 ایف آئی سٹیشن ایسٹ، لاہور کے رہنے والے تھے۔

وقت 21-45 بجے پشیمانی ایف آئی سٹیشن ایسٹ میں واقعہ رونما ہوا جس میں ایک شخص نے ایک شخص کو قتل کرنے کا واقعہ بیان کیا۔ اس شخص کا نام مشتاق تھا جو کہ 72 سال کا تھا اور نمبر 1-1883895-1 ایف آئی سٹیشن ایسٹ، لاہور اور نمبر 5345-9337831-1 ایف آئی سٹیشن ایسٹ، لاہور کے رہنے والے تھے۔

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اس شخص کے قتل کے واقعہ کے بارے میں پشیمانی ایف آئی سٹیشن ایسٹ میں ایک شخص نے ایک شخص کو قتل کرنے کا واقعہ بیان کیا۔ اس شخص کا نام مشتاق تھا جو کہ 72 سال کا تھا اور نمبر 1-1883895-1 ایف آئی سٹیشن ایسٹ، لاہور اور نمبر 5345-9337831-1 ایف آئی سٹیشن ایسٹ، لاہور کے رہنے والے تھے۔

پشیمانی ایف آئی سٹیشن ایسٹ میں واقعہ رونما ہوا جس میں ایک شخص نے ایک شخص کو قتل کرنے کا واقعہ بیان کیا۔ اس شخص کا نام مشتاق تھا جو کہ 72 سال کا تھا اور نمبر 1-1883895-1 ایف آئی سٹیشن ایسٹ، لاہور اور نمبر 5345-9337831-1 ایف آئی سٹیشن ایسٹ، لاہور کے رہنے والے تھے۔

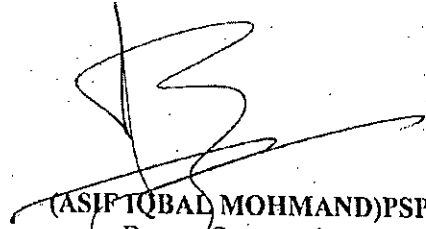
Attest
M. D.
D.S.P-L

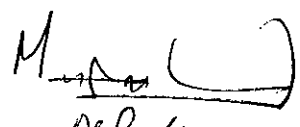
CHARGE SHEET

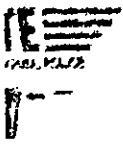
I, Asif Iqbal Mohmand, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority, hereby charge you Constable Shafi Ullah No. 1429, Platoon No. 101 of Elite Force as follows;

As per information report of Acting DSP Elite Force D.I.Khan Region vide No. 210/EF, dated 04.04.2022, you are charged in case FIR No. 76, dated 01.04.2022 U/S 302/324/34 PPC Police Station Gul Imam District Tank and also remained absent from lawful duty without any leave or prior permission from the Competent authority w.e.from 31.03.2022 till to date. Being a member of discipline force, your this act amounts to gross misconduct on your part.

2. By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
3. You are therefore, directed to submit your defense within Seven days of the receipt of this Charge Sheet to the Enquiry Officer.
4. Your written defense, 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 be taken against you.
5. You are directed to intimate whether you desire to be heard in person.
6. A statement of allegation is enclosed.


(ASIF IQBAL MOHMAND)PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

Attested

DSP



Office of the Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar



Subject: DEPARTMENTAL ENQUIRY

Sir,

It is submitted that Constable Shafi Ullah No. 1429, Platoon No. 101 of Elite Force Khyber Pakhtunkhwa was found guilty of gross misconduct on the following grounds:-

He has been charged in case FIR No. 76, dated 01.04.2022 U/S 302B24 34 PPC Police Station Gul Imam District Tank and also remained absent from lawful duty without any leave or prior permission from the Competent authority w.e.f. from 31.03.2022 till to date

3. In this regard he was suspended and Charge Sheet alongwith Summary of Allegations was issued to him and the then Acting DSP Elite Force D.I.Khan Region was appointed as enquiry officer. The Enquiry Officer conducted the enquiry proceedings and reported that according to the statement of Investigation Officer ASI Muhammad Ishaq a raid was carried out for his arrest but the said constable is still hiding after the incident. After completion of legal process on 13.04.2022, Chalan has been completed U/S 512 CRPC and sent from PS Gul Imam to DPP office through receipt vide No. 5121, dated 16.04.2022. Furthermore, his history sheet in PS Gul Imam has also been prepared under Police Rule Chapter No.23, Line No.69 vide No. APO528.
4. The Enquiry Officer further added that keeping in view the statements, record and information on file, the said constable is still absconding and there is no hope to report for his duty.
5. Similarly a Final Show Cause Notice was issued to him vide No. 5607 EF, dated 07.06.2022 which was delivered to him at his home address through Reader A DSP D.I.Khan and received his cousin Namely Zahir ud Din s/o Sulhan Khan (CNIC No. 12201-9479682) on 12.06.2022 (F/A), but his reply is still awaited.
6. Submitted for perusal and kind orders, please.

7.

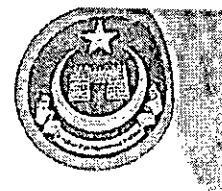
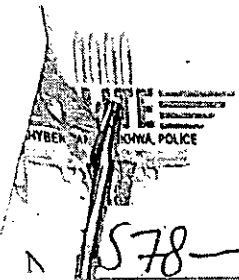
Dy: Commandt/ EF

Dismissed

[Signature]
30/6

[Signature]
DSP-C

[Signature]
OS/EF
25/6
2022



**Office of the Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar**

N 578-85/EF

Date: 30/06/2022

ORDER

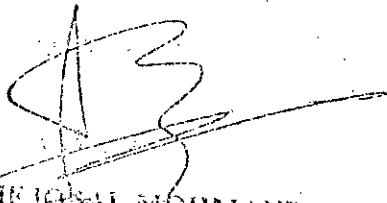
This order will dispose off the departmental proceedings against Constable Shafi Ullah No.1429, of District Police Tank now on deputation to Elite Force Khyber Pakhtunkhwa.

He has been charged in case FIR No. 76, dated 01.04.2022 U/S 302/324/34 PPC Police Station Gul Imam District Tank and also remained absent from lawful duty without any leave or prior permission from the Competent authority w.e. from 31.03.2022 till to date.

In this regard he was suspended and Charge Sheet alongwith Summary of Allegations were issued to him by this office vide No. 3573-78/EF, dated 05.04.2022 and Mr. Masood Khan the then Acting DSP Elite Force D.I.Khan Region was appointed as enquiry officer. The Enquiry Officer conducted the enquiry proceedings and reported that according to the statement of Investigation Officer ASI Muhammad Ishaq a raid was carried out for his arrest but the said constable is still hiding after the incident. After completion of legal process on 13.04.2022. Chalan has been completed U/S 512 CRPC and sent from PS Gul Imam to DPP office through receipt vide No. 51/21, dated 16.04.2022. Furthermore, his history sheet in PS Gul Imam has also been prepared under Police Rule Chapter No.23, Line No.09 vide No. APO528. The Enquiry Officer further added that keeping in view the statements, record and information on file, the said constable is still absconding and there is no hope to report for his duty. Similarly a Final Show Cause Notice was issued to him vide No. 5607/EF, dated 07.06.2022 which was delivered to him at his home address through Reader A/DSP D.I.Khan and received his cousin namely Zahir ud Din s/o Sultan Khan (CNIC No. 12201-9479682) on 12.06.2022, but he failed to reply, nor appeared for duty. It seems that he has no interest in his current job.

Therefore, I, Asif Iqbal Mohmand, Deputy Commandant, Elite Force Khyber Pakhtunkhwa Peshawar as competent authority, keeping in view the above facts take ex-parte action, impose major penalty of "DISMISSAL" from service upon him from the date of absence i.e 31.03.2022 under Police Rules 1975 (amended 2014).

(Order announced)!


(ASIF IQBAL MOHMAND)PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar.

Attested

DSP-C

Copy of the above is forwarded to the:-

1. District Police Officer D.I.Khan for information.
2. Acting Superintendent of Police, Elite Force HQs: Peshawar.
3. Acting Deputy Superintendent of Police, Elite Force D.I.Khan w/r to his office Memo No. 326/EF, dated 13.05 2022.
4. Accountant//C Kot, Elite Force Khyber Pakhtunkhwa Peshawar.
5. OAS//SRC/EC, Elite Force Khyber Pakhtunkhwa Peshawar
6. FMC, Elite Force alongwith complete departmental enquiry files Enls: (39) pages. (Dairy vide No. 3763 /EF, dt .17.05.2022).

Anhr
C

IN THE COURT OF
MALIK MUHAMMAD HASNAIN
ADDITIONAL SESSIONS JUDGE-I, TANK
Criminal Case # 136/2 of 2022

The State Vs Hashim etc

Case FIR #76 dated 01.04.2022 U/S 302/324/34 PPC PS, Gul
Imam District Tank.

Or.....02
27.10.2022

مقررہ فیصلہ / بیان / حکم / ڈیٹا / اس جی
نمبر مقدمہ / 136 / 2
10 / 18 / 022
27 / 10 / 022

1. Present: The accused Hashim Khan and Shafi Ullah on bail alongwith Mr. Kalim Ullah Kundi Advocate while filing W/N; complainant Ameen Jan; Mr. Ikram Ullah APP for the state.
2. Accused have been charged by the complainant for murder of his deceased son Sameen Jan and attempting at his and his relative namely Atta Ullah's life.
3. The perusal of the record would reveal that, deceased Sameen Jan has been survived by his parents, widow and three minors. List of LRs of the deceased is available on file. During the pre arrest bail proceedings of accused, father/complainant, mother, widow of the deceased as well as PW Atta Ullah got recorded their statements, stating therein that, they have affected a compromise with the accused and pardoned them, for the sake of Almighty, by waiving their right of Qisas and Diyat. Pertinent to mention here that per record property has already been transferred in favor of minor LRs of the deceased namely, Muhammad Asad, Muhammad Saad and Sonaina Bibi.

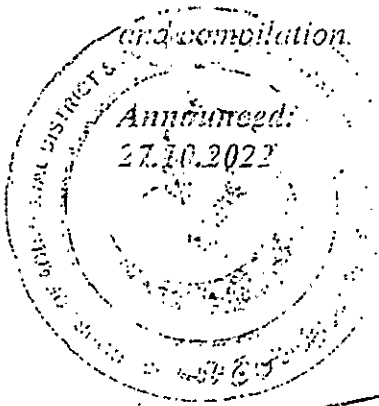
H. P. U.

ATTESTED
EXAMINED &
DISTRICT & Sessions Court, Tank

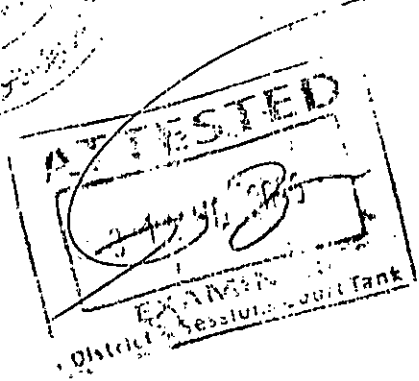
Today Ameen Jan (complainant/father of the deceased) appeared before the court: his statement towards

confirmation of compromise got recorded after obtaining his CNIC copy as EXPA; he authenticated the subsistence of compromise with the accused facing trial at pre arrest bail stage. He verified that factum of compromise already affected at pre arrest bail stage. Since, the LRs of the deceased as well as PW Afta Ullah have effected a compromise, pardoned the accused and no more interested to prosecute them, there seems no prospect of accused being convicted, even if, the matter is proceeded ahead.

5. In view of the foregoing discourse, accused Hashim Khan & Shafi Ullah S/Os Izzat Khan caste Marwat R/Os Wanda Dost Muhammad District Tan are acquitted in present case FIR #75 dated 01.04.2022 U/S 303/324/34 PPC PS, Gul Imam. Since, they are on bail, their bail bonds stands cancelled and sureties are absolved. Case property be disposed off after the period of appeal/revision. File be consigned to record room after its necessary completion



Malik Muhammad Hasnain
 Addl: Sessions Judge-1, Tank



M. Hasnain
 D.S.J.-1

شعبہ

IN THE COURT OF
MALIK MUHAMMAD HASNAIN
ADDITIONAL SESSIONS JUDGE-I, TANK
BBA # 375/4 of 2022

- 14 -

Hashim Khan etc Vs The State

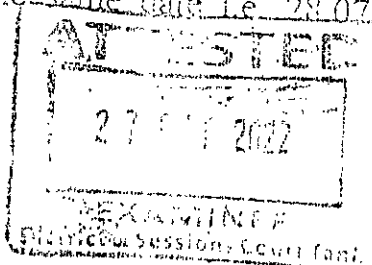
FIR # 76 Dated 01.11.2022
Under Section: 302/324/34 PPC
Police Station: Gul Imam, Tank

Or.....03
07.09.2022

Present: The accused/petitioners namely Hashim Khan & Shafi Ullah on ad interim bail alongwith Mr. Kalim Ullah Kundi Advocate; complainant in person; Mr. Ikram Ullah APP for the state. SHO PS, Gul Imam, in pursuance to court order, submitted list of LR's of the deceased, placed on file.

Learned counsel for the accused/petitioners submitted original registered deed, through which; property has been transferred in favor of the minor LR's of the deceased namely Muhammad Asad, Muhammad Saad & Sonaina Bibi (original seen and returned, copy placed on file).

Accused/petitioners seek confirmation of their pre arrest bail already granted to them on 21.07.2022 by this court. On 28.07.2022, complainant/father Ameen Jan, Mst Sa'ira Bibi (mother of the deceased) & Rozina Bibi (Widow of the deceased) came up with an affidavit of compromise, whereby; they have affected a compromise with the petitioners and pardoned them, in the name of Almighty, by waiving their right of Qisas and Diyat. Their joint statement towards confirmation of compromise has been recorded overleaf the dead, wherein; they endorsed their no objection on acceptance of the present BBA petition or later on acquittal of the accused during the trial. On the same date i.e. 28.07.2022, one, namely Atta Ullah



M. J. I.
D.S.P. L.

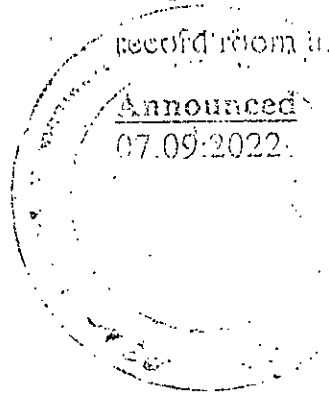
Attendant to be
from copy
W. H. A. I.

Handwritten notes and signatures on the left margin, including 'Mr. T' and 'Mr. W'.

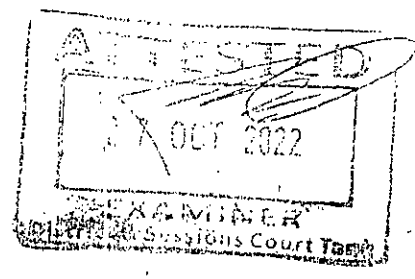
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- 15 -

(injured in the instant case) also tendered an affidavit of compromise, whereby, he has also affected compromise with the accused/petitioners and endorsed his no objection on confirmation of the present BBA petition or later on acquittal of the accused during trial; property has been transferred in the name of minor LRs of the deceased mentioned above in lieu of Diyat. Offence U/S 302/324 PPC are compoundable as per schedule II appended to the Cr.P.C, therefore, without adverting to merit of the case, the compromise being genuine and forthright is accepted. Resultantly, Pre-Arrest Bail already granted to the petitioners is confirmed on existing bail bonds. Copy of this order shall invariably be made part of judicial record, whereafter, the same be returned to quarter concerned. File of this court be consigned to record room after putting it in order.



Muhammad Hasnain
27/9/2022
Jalil Muhammad Hasnain
Addl: Sessions Judge-I, Tank



Muhammad
DSP-L

Attended to be true
copy
Muhammad

Office of the Addl: IGP,
Elite Force Khyber Pakhtunkhwa Peshawar

- 41 - Ann
- 11 E
Date: 28/07/2022

ORDER

This is departmental appeal submitted by Ex-Constable Shafi Ullah No.1429 against the punishment of dismissal from service awarded to him by Deputy Commandant Elite Force vide order No. 6578-85/EF, dated 30.06.2022 as he was charged in case FIR No. 76, dated 01.04.2022 MS 30/224/34, PPC PS Gul Inam, District Tank and also remained absent from lawful duty without any leave or prior permission from the competent authority w.e. from 31.03.2022 from the date of absence.

Hence, the competent authority on the perusal filed his appeal on the grounds of time limitation i.e. time barred.

Order Announced:

-Sd-

(MUHAMMAD WISAL FAKHAR SULTAN) PSP
Addl: Inspector General of Police,
Elite Force Khyber Pakhtunkhwa Peshawar

No. /EF.

Copy of notice is forwarded:-

1. Superintendent of Police, HQrs: Elite Force, Peshawar.
2. DSP Elite Force D.I. Khan Region.
3. OASI/SRC, Elite Force, Khyber Pakhtunkhwa, Peshawar.
4. FMC, Elite Force alongwith complete departmental enquiry files Encl: (48).
5. Ex-Constable Shafi Ullah No.1429, through Reader DSP Elite Force D.I. Khan.

(ASIF IQBAL MOHAMMAD) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar

M. J. Khan
DSP

Shafi

FINAL SHOW CAUSE NOTICE

I, Asif Iqbal Mohmand, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority under Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) do hereby serve you Constable Shafi Ullah No. 1429, (Platoon No. 101) of Elite Force as follows:-

You are charged in case FIR No. 76, dated 01.04.2022 U/S 302/324/34 PPC Police Station Gul Imam District Tank and also remained absent from lawful duty without any leave or prior permission from the Competent authority w.e.from 31.03.2022 till to date, as per information report of Acting DSP Elite Force D.I.Khan Region vide No. 210/EF, dated 04.04.2022. Being a member of discipline force, you're this act amounts to gross misconduct on your part.

That consequent upon the completion of enquiry conducted against you by Mr. Masood Khan Acting DSP Elite Force D.I.Khan but you failed to appear before the Enquiry Officer nor submitted any reply of Charge Sheet.


ii. Ongoing through the finding and recommendation of the enquiry officer, the material available on record, I am satisfied that you have committed the omission/commission specified in Police Rules and charges leveled against you have been established beyond any doubt.

2. As a result therefore, I, Asif Iqbal Mohmand, Deputy Commandant Elite Force, Khyber Pakhtunkhwa Peshawar as competent authority have tentatively decided to impose major penalty upon you, under Police Rules of the said ordinance.

3. You are therefore, directed to show cause as to why the aforesaid penalty should not be imposed upon you.

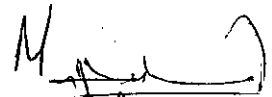
4. If no reply to this show cause notice is received within seven days of its delivery, in the normal course of circumstances, it shall be presumed that you have no defense to put and in that case an ex-parte action shall be taken against you.

5. A copy of the finding of the Enquiry Officer is enclosed.


(ASIF IQBAL MOHMAND)PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

No. 5607 /EF, dated Peshawar the

07/06/2022
FC Shafi Ullah No.1429 of Elite Force through reader A/DSP Elite D.I.Khan.


DSP L

SUMMARY OF ALLEGATIONS

I, Asif Iqbal Mohmand, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority, am of the opinion that Constable Shafi Ullah No. 1429, Platoon No. 101 of Elite Force has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014).

SUMMARY OF ALLEGATIONS

As per information report of Acting DSP Elite Force D.I.Khan Region vide No. 210/EF, dated 04.04.2022, he is charged in case FIR No. 76, dated 01.04.2022 U/S 302/324/34 PPC Police Station Gul Imam District Tank and also remained absent from lawful duty without any leave or prior permission from the Competent authority w.e. from 31.03.2022 till to date. Being a member of discipline force, his this act amounts to gross misconduct on his part.


2. For the purpose of scrutinizing an enquiry is conducted of the said accused with reference to the above allegations, Mr. Masood Khan Acting DSP Elite Force D.I.Khan Region is appointed as Enquiry Officer.

3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within (25 days) after the receipt of this order.

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

Seen

Unrecorded
13.04.22
Deputy Superintendent
of Police Elite Force
D.I. Khan Region



(ASIF IQBAL MOHMAND)PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

No. 3573-78 /EF, dated Peshawar the 05/04/2022.

Copy of the above is forwarded to the:-

1. Acting Deputy Superintendent of Police, Elite Force D.I.Khan Region.
2. Accountant, Elite Force Khyber Pakhtunkhwa Peshawar to stopped his pay.
3. Reader to Deputy Commandant, Elite Force Khyber Pakhtunkhwa Peshawar.
4. SRC/FMC, Elite Force Khyber Pakhtunkhwa Peshawar.
5. FC Shafi Ullah No. 1429, of Elite through reader A/DSP Elite D.I.Khan.

Dy No. 33-EFDIK
13-04-22


DSP-C