## BEFORE THE HON'BLE, KHYBERPAKHTUNKHWA,

### SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtukhwa Service Tribunal

.... Appellant

Service appeal No.2039/2023

Saeed Khan No.1305

#### **VERSUS**

Inspector General of Police KPK and others

.... Respondents

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Through Respondent

(KHYAL ROZ KHAN) DSP/Legal SSU (CPEC),

Peshawar. 17301-2507764-1

0315-9867946

S.B.
64-03.83



## BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 2039/2023	
Saeed Khan.	(Appellant)
VERSUS	
Inspector General of Police, Khyber Pakhtunkhwa etc	(Respondents)

#### REPLY BY RESPONDENTS NO. 1 TO 8

RESPECTFULLY SHEWETH:

#### PRELIMINARY OBJECTIONS: -

That the appeal is not based on facts.

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

#### Facts

- I. Para pertainto record, hence need no comments.
- II. Incorrect, appellant while posted at District Haripur absented himself from lawful duties w.e.f 12-04-2023 till 04-07-2023 without any sanctioned leave on account of such misconduct proper departmental enquiry was initiated against appellant for which he was issued charge sheet & summary of allegation while Mr Muhammad Saeed Khan DSP Hazara region was nominated as enquiry officer to conduct properenquiry into the allegation During enquiry, appellant was found guilty for the misconduct. Thus the enquiry officer recommended to take ex-parte action against the appellant in his finding report.

Later on the appellant was issued /served with final showcase notice on 21.06.2023 to which the appellant replied in written, that he was suffering from lungs infection and admitted in hospital. In support of his version he also produced medical prescriptions issued from North west hospital Peshawar. According to the medical documents

(2)

provided by the appellant that he had been admitted in hospital from 20.04.2023 to 22.05.2023 but the appellant has neither reported for his lawful duties nor appeared before the competent authority for personal hearing in orderly room and he also did not apply for any type of leave nor informed his seniors as per police rules which shows his lack of interest towards official duties. In the light of all the above facts as well as recommendation of enquiry officer & material available on the record, the appellant deliberately absented himself from his lawful duties.

Therefore, the Superintendent of Police, Admin & Minority Wing SSU(CPEC) being the competent authority in the exercise vested to him under section 5(4) of KPK Police rules 1975 (amended in 2014) awarded major punishment to the appellant of dismissal from service and his absence period w-e-f 12.04.2023 to 04.07.2023 was treated as leave without pay. Copies of charge sheet/ summary of allegation, reply and enquiry report attached Annexure A, B, and C.

- III. Incorrect, during the departmental enquiry the appellant was summoned time & again to receive charge sheet and submit his written reply to the enquiry officer or appear before him for personal hearing but the appellant deliberately remained absent and then brother of the appellant namely Ahmad Khan was contacted on his personal Mobile No.0346-8005620 and he was directed to receive charge sheet & summary of allegation to submit the written reply of the same but the appellant failed to receive charge sheet & summary of allegation, he denied to record his written statement and also could not produce any medical prescription at that time regarding illness of his brother ( the appellant).On account of willful absence appellant was proceeded against departmentally, found guilty for his misconduct, hence he was served with final showcase notice and after fulfillment of codal formalities dismissed from service through speaking order dated 04.07.2023. Feeling aggrieved from the order of dismissal he filed departmental appeal on 30.08.2023 which was rejected being timebarred. Copy of final showcase notice, reply of the appellant, dismissal order and departmental appeal rejection order are attached as Annexure D, E and F and complete record of enquiry officer are attached as well.
- IV. Incorrect, the appellant has got cause of action and the orders of respondents as quite legal in accordance with law/ rules hence, the instant appeal being timebarred is liable to be dismissed, on the following grounds.

#### Grounds

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I. Incorrect, the respondents acted in accordance with law & rules.



- Incorrect, appellant being member of discipline force was supposed to applied for proper leave, but he availed self-sanctioned leave and got willful absence on account of such misconduct he was proceeded against departmentally and after fulfillment of codal formalities dismissed from service through speaking order.
- Incorrect, Reply already given vide para alone. III.
- Incorrect, after proper departmental enquiry appellant was awarded punishment of IV. dismissal from service in accordance with law & rules.
- Incorrect, the appellant willfully remained absent from official duty without any . V. sanctioned leave or intimation on account of which proper departmental enquiry was initiated against him and after fulfillment of all codal formalities dismissed form service.
- Incorrect, Appellant is habitual absentee as evidence from his service record. VI.
- VII. Incorrect, appellant is treated as per law.
- VIII. Incorrect, the appeal of appellant is timebared and liable to be dismissed.
  - IX. That the respondentsalso seek permission to raised further points at the time of arguments.

#### Prayers

In view of above, it is humbly prayed that the instant appeal may kindly be dismissed being time barred.

DEPUTY SUPERINTENDENT OF POLICE, HEADQUARTERS AND MALAKAND REGION SSU (CPEC). (Respondent No. 06) (RAEES KHAN)

Incumbent

(Respondent No. 05) SHAFI ULLAH (Gandapur)

SAIDU SHARÌF

(DPO) SWAT AT G

Incumbent

(SP) ADMIN & MINORITY SSU (CPEC) KHYBER PAKHTUNKHWA PESHAWAR

(Respondent No.4) (FAZAL HANIF)

Incumbent

KHYBER PAKHTUNKHWA POLICE PESHWAR

(Respondent No.3)

(MOHAMMAD ZAFAR ALI)<sup>PSP</sup>

Incumbent

DIG/Legal,€PO

For Inspector General of pelice,

Khyber Pakhtunatiwa, Peshawar (Respondent No 1)

(DR.MUHAMMAD AKHTAR ABBAS)<sup>PSP</sup>

## BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR



Service Appeal No. 2039/2023	! i	
Saeed Khan No:1305		(Appellant)
	Versus	
Inspector General of Police, Khyb	er Pakhtunkhwa etc	(Respondents)

#### **AUTHORITY LETTER**

Mr. Raees Khan DSP/HQ, SSU (CPEC), Malakand region, Khyber Pakhtunkhwa, Peshawar is authorized to submit Para-wise Comments/reply in above captioned Service Appeal on behalf of respondents in Hon'bleService Tribunal Khyber Pakhtunkhwa, Peshawar.

DEPUTY SUPERINTENDENT OF POLICE,
HEADQUARTERS AND MALAKAND
REGION SSU (CPEC).
(Respondent No. 06)
(RAEES KHAN)
Incumbent

(SP) ADMIN & MINORITY
SSU (CPEC) KHYBER
PAKHTUNKHWA PESHAWAR
(Respondent No.4)
(FAZAL HANIF)
Incumbent

(DPO) SWAT AS GULKADA, SAIDU SHARIF (Respondent No. 05) SHAFI ULLAH (Gandapur) Incumbent

COMMANDANT \$80 (CPEC) KHYBER PAKHTUNKHWA POLICE PESHWAR (Respondent No.3)

(MOHAMMAD ZAFAR ALI)<sup>PSP</sup>
Incumbent

DIG/Legal,CPO

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For Inspector General of police, Khyber Pakhtunkhwa, Peshawar

(Respondent No 1)

(DR.MUHAMMAD AKHTAR ABBAS) PSP

ncumbent



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

Service appeal No.2039/2023

Saeed Khan No: 1305-----(Appellant)

VERSUS

Provincial Police Officer KPK/ Peshawar and others-----(Petitioner)

### <u>AFFIDAVIT</u>

I, Fazal Hanif SP/Admin SSU (CPEC) do hereby solemnly affirm on oath that the content of service appeal on behalf of Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and others 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 exparte nor their defense has been struck off/lost.

(FAZAT HANIF)
SP/Admin SSU (CPEC)
Khyber Pakhtunkhwa, Peshawa
(Respondent No.3)





. Hv

## ARGE SHEET

Superintendent of Police, Admin & Minority Wing, Special Security Unit Picc), Peshawar, as competent authority, hereby charge that Constable Sacra Khan No. 1305 of SSU (CPEC), with the following irregularities.

"That you <u>Constable Saeed Khan No. 1305</u> while posted at SSU Hazara Region had absented yourself from your lawful duties w.e.f. 12.04.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 135/R, dated 28.04.2023. 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 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

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#### Disciplinary Action

I, Superintendent of Police, Admin & Minority, Special Security Unit (CPEC) Peshawar as a competent authority, am of the opinion that <u>Constable Saced Khan No. 1305</u> 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 Saeed Khan No. 1305 while posted at SSU Hazara Region had absented himself from lawful duties w.e.f. 12.04.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 135/R. dated 28.04.2023. 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 Peshe war.

No. 1430 /EC, dated Peshawar the 09/05 /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.

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Superintendent of Police

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29-02-024



جناب عالى!

بشوله بياري شيك نمبري 1430/EC مورند 2023-05-99 اذال كانشيل سعيد خان نمبر 1305 يلانون نمبر 26 مال منعبنه ضلع ہر پیور کی نسبت معروض غدمت ہوں کہ مذکورہ کانشیبل پر جارج شیٹ میں یہ الزام ہیکہ 2023-12-04 سے بناء کسی رخصت یا میازت سے این ڈیوٹی سے غیر حاضر رہا۔

ا عوائری کی ہابت مذکورہ کانشیبل کو طلب کرنے کے لیے بذریعہ موبائل فون ربطہ کیا گیا۔لیکن مذکورہ کا موبائل نمبر مسلس بند بھلا آرہا ہے۔ مذکورہ کی انگوائری کے سلسلہ میں مذکورہ کے بڑے بھائی احمد خان سے بذریعہ موبائل فون نمبر 3468()05620) ابط كياكيا- مذكوره كانشيل ك بهائى احمد خان نے تحرير بيان دفتر بذابذريعه وائس ايپ ججوايا- مذكوره كانشيبل ك بھائی نے تحریر بیان میں بتایا کہ میرے بھائی سعید خان نمبر 13(15 کے پھیچھڑوں میں زخم ہے اور داخل ہیتال ہے۔ ڈاکٹرز کی ہدایات کے مطابق وہ تین ماہ تک داخل ہسپتال رہے گا۔

ا تکوائری سے پایا جانا ہیکہ ند کورہ کا نشیبل بحوالہ مد نمبر 12 روز نامچہ 2023-04-12 کو اپنی ڈیوٹی سے بناء کسی رخصت یا اجازت ے اپنی ڈیوٹی سے غیر صاضر رہا۔ مذکورہ کانشیبل کو طلب کرنے کے لیے بار بار بذریعہ موبائل فون رابط کرنے کی کوشش کی گئی مگر مذکورہ کا موہائل نمبر بند چلا آرہا ہے۔ مذکورہ کی انگوائری کے سلسلہ میں مذکورہ کے بھائی احمد خان سے بدریعہ موہائل فون نمبر 03468005620 رابطہ کیا گیا۔ مذکورہ کے بھائی احمد خان نے مذکورہ کا نشیبل کے وفاع میں بتایا کہ مذکورہ کے چھیچھڑوں میں ذخم ہے اور داخل سپتال ہے جس وجہ سے دہ اپن ڈیوٹی پر نہیں جا سکتا۔ ند کورہ کا نشیبل کے بھائی نے بیاری کے متعلق زبانی بتایا ہے مگر تحریری کوئی ثبوت بابت میڈیکل پیش نہ کر سکا۔ مذکورہ کانشیل پرستور غیر حاضر ہے۔ مستقبل قریب میں مذکورہ کی حاضری کرناناممکن نظر آرہاہے۔ ا تکوائری کو اتنا لیے عرصہ تک پنڈیگ رکھنا ہے سود بے مقصد نظر آرہاہے۔اگر آفسران بالا رضامند ہوں تو مذکورہ کانشیبل کے خلاف كيطرفه كاورائي عمل ميں لانے كى سفارش كى جاتى ہے۔ مذكورہ كانشيبل كى انكوائرى ميں ويرى كى وجه مذكورہ كانشيبل كابيان جمع نه كروانا ے۔ جملہ کاغذات ہمراہ لف انگوائری ہیں۔انگوائری رپورٹ مرتب ہو کر اہلاغ ہے۔

Deputy Superintendent of Police

SSU Hazara Region

13-6-2023.

Allested

29/02/024

DSP/L-884 حاب عالى ا 9/02/02 بوالم معدا كوارى عنات برطلاف سنبار منر508 بدائن من 26 منا سوات معروض مزمن برس كسير فركرر و ملم ي جرا سے وال مر ١٤ رورا في 12/ مر سے بر سي عرام مع ما بالرس مامب سبارت می سب من ۱۶۵ ملائن در بین کرا نوازی اندس کالم معلوم ہوا مرتق کی مرتورہ مناع بری بورے بوالہ مر ۱۱وراقیم المار مع المسائل المرام الرمات 13، 15، ارزاد م مواد مار المراد المراد المرام المراد المر ور کارکسیل فیکوره کای آنی می و صبر قای و ایرفت او دیگرام ر رست فرر رومول ر کوایان به بی در شخط دعولی کی کسینی مذكوره ما شو كاز ع رواب من كريرى بنان كا كريس صلح الم عن ما كريور مين السي بلون ك الته و رون براي رو با بقار الجانب مرس می درد برا ادر می و تر ی بستال تباد با نجار داکرمامه سافید المحبر عراب عن من على بري المرا المرور ما المرور ما المرور ما المرور ما الم ول بلیشال نا رکھوریٹ امیر رسر دھ ڈائل میا اور اے بی میں داخل بسیال مرا كرا الم ما كوراني ما محداني فسمى وهيم خان ولا مف ل مولا سكورا و ريم الم ما مان ا میں بھیت انواری افسیر بھرازائر اڑی جان بڑال در انویارڈک المحتايين الله المحالي المنظم المحالية المحالية

- 2 0, 5/2 July 3 (10 ) 3 - 12/29 - 36,01 عزرا مر ما من الله المستقبل مركوره مركب كا عدات ميد كان الم لعرص عام جھو ی گھو ہی وعدد سی ہاہے کرلیں سے تعلی برا کر انسٹ اور رہ دلایت ل در کاورست اورزر بسر ی بسا ور سے بارونہ عدی و سی را الم جا د دلعد من گردالوں نے اور زہیب ہمیالی فیلے سورت میں 1212 Was Sing 2 May play 2 2 2 2 1. 05 20 E 0 90 - 0 2 5 0 0 0 0 10, 10, 10 2 0 , 10 . فرائع كاعترات فلافظ من معلوم عرا كرنسول فرنوره ولراسال عالى ما المراكز الرمامي عند و مامي راكز مامي عند عليه المراكز المراكز مامي عند المركز والمركز مامي عند المركز والمركز مريد علمات الريالا صلمان عالمف المراج المريد 1-2-2/5-2/6 D8FSSU.MKD DSP/L-SSU 29/02/024



## FINAL SHOW CAUSE NOTICE

I. Superintendent of Police, Admin & Minority, Special Security Unit SPEC). Peshawar, as competent authority, under the provision of police Disciplinary Rules 1975 do hereby serve upon you, Constable Saeed Khan No. 1305 of SSU (CPEC) final show cause notice.

The Enquiry Officer, Mr. Muhammad Saeed DSP Hazara Region, after completion of departmental proceedings, has recommended ex-parte action against you constable Saeed Khan No. 1305 as you failed to submit reply or appear before enquiry officer in defence of the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you Constable Saeed Khan No. 1305 deserve the punishment in the light of the above said enquiry reports.

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

- You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
- 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 2. that case as ex-parte action shall be taken against you.

SP Admin & Minority SSU (CPEC).

Khyber Pakhtunkhwa Peshawar.

No. 2504 /EC dated Peshawar the 21 / 06 /2023.

Copy to official Concerned.

Attested

بحوالہ مشمولہ چاری شیٹ نمبری 2504/EC محردہ 2023/06/2025 مجاریہ ایس پی ایڈ من صاحب بینارٹی تی بیک پیٹاور معروش خدمت ہوں کہ میں ضلع ہری پور میں اپنے پلاٹون کے ساتھ ڈیوٹی سر انجام دے رہاتھا کہ اچانک میرے جم میں در د موااور میں قر جی ہیٹال گیاوہاں جاکرڈاکٹر صاحب نے مجھے بتایا کہ اپ کے پھیپڑے خراب ہے۔ تواس وجہ سے میں اپنے ابائی گاؤں گیااور وہاں جاکر دوبارہ معائینہ کے لئے ہیٹال گیا توڈاکٹر صاحب نے پھر بتایا کہ اپنے پھیپڑے سخت خراب ہے اسلنے اپکو داخل کرنا پڑے گا اس جاکر دوبارہ معائینہ کے لئے ہیٹال گیا توڈاکٹر صاحب نے پھر بتایا کہ اپنے پھیپڑے سخت خراب ہے اسلنے اپکو داخل کرنا پڑے گا

میں اپنے افسران بالاے در خواست کر تاہوں کہ میرے پھیپڑے خراب ہے اور میں ایک غریب گھرانے سے تعلق رکھتاہوں اور نوکری کرنے کاخواہش مند ہوں اس بار معانی فرماکر مشکور فرمائیں توسائل تاحیات دعا گور ہیگا۔

> العارض! الكاتابعد اركانشيل سعيد غان تمبر 1305 يلاثون نمبر 26 متعينه ضلع سوات مور خد - 25/06/2023

> > Attestice\*
> >
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> > DSP/L-850
> >
> > 29/02/024.



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

2659-73 EC/SSU.

dated Peshawar the 04 107/2023.

ORDER

This order will dispose the formal departmental inquiry against Constable Saced Khan No. 1305 of Special Security Unit (CPEC), District Swat.

Brief facts of the case are that as reported by DSP Hazara Region vide letter No. 135/R, dated 28.04.2023 that Constable Saeed Khan No. 1305 while posted at District Haripur had absented himself from lawful duties w.e.f. 12.04.2023 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 & summary of allegation vide this office Endst: No. 1430/EC, dated 09.05.2023 and Mr. Muhammad Saeed Khan DSP Hazara Region 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 delinquent constable was summoned time & again to receive charge sheet and submit reply or appear before the enquiry officer for personal hearing but in vain. The enquiry officer further added that brother of the accused constable namely Ahmad Khan was contacted on his personal mobile No. 0346-8005620 and when he asked about his brother constable Saeed Khan No. 1305, he replied that his brother is suffering from lungs infection and admitted in hospital but denied to record his statement in written. Thus, the enquiry officer recommended that ex-parte action may be taken against him.

Later on he was issued/served with final show cause notice vide office No. 2504/EC, dated 21.06.2023 to which he replied he is suffering from lungs infection and admitted in hospital. In support of his version he also produced medical prescriptions from North West Hospital, Peshawar. According to medical documents provided by the accused constable, he was admitted on 20-04-2023 and discharged from the hospital on 22-05-2023 but so far he has neither reported for his lawful duties nor appeared before undersigned for personal hearing in orderly room, which shows his lack of interest towards official duties. Also he has not applied for any type of leave or informed his seniors as per police rules.

Keeping in view all the above facts as well as recommendation of enquiry officer & material available on record, the above named constable has deliberately absented himself from his 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 major punishment of "Dismissal from Service" and his absence period w.e.f. 12.04.2023 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 alongwith Basic Recruit Course charges accordingly.

04/07/023

(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, Swat.
- 3. DSPs HQrs: and Malakand Region SSU (CPEC).
- 4. PA to Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
- 5. PA to Dy: Commandant SSU (CPEC), Khyber Pakhtunkhwa Peshawar.
- 6. Accountant, SRC, RI, OASI, I/C HRMS, I/C KOT and I/C Clothing Godown SSU (CPEC).
- 7. Mr. Saced Khan No. 1300 S/O Fazal Maula, District Swat.





## بخدمت جناب كمانذنث صاحب ى پيك پيثاور

جناب عالى!

معروض خدمت ہوں کہ سائل 2019 میں بحیثیت کنسٹیبل پولیس ڈیپار ٹمنٹ میں بھرتی ہو كراج تك النة فرائض منصى انتهائي خوش اسلولى كے ساتھ سر انجام دے ديا ہے۔ سائل بوجہ باری غیر حاضر ہوا جسکے وجہ سے سائل کو بمور ند 07/07/2023 ارڈر بک نمبری 773/04/07/23 كولوليس ديار منت يرفاست كيا كياب سائل ايك غريب كمرات ہے تعلق رکھاہے۔

نبذا بذریعہ ورخواست استدعا ہے کہ سائل کے سابقہ خدمات کو مد نظر رکھتے ہوئے ہو لیس ڈیمار ٹمنٹ میں دوبارہ بحال کرنے کے احکامات صادر فرما کر مشکور فرمائیں تو عین نو ازش ہو گی۔

العارض!

سعيد خان نمبر 1305 گاؤل او ذيگر ام

موبائل نبر- 1983 773 - 1980

ا شاخی نبر - 7-0381966 م 1560

Lor nia asper rules.

01/08/023

SP/Admin

Comatiss J 30/8/2023 Altesteel

DSP/L-SSU

29/02/024

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

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

397 - 99 /EC.

dated Peshawar the 41/09/2023.

#### ORDER

This order will dispose of the formal departmental appeal preferred by ex-constable Saced Khan No. 1305 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. 12.04.2023 till the date of dismissal from service i.e. 04.07.2023 (83 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. During the course of inquiry, the enquiry officer summoned the accused constable summoned time & again to receive charge sheet and submit reply or appear before enquiry officer for personal hearing but he did not bother to do so. Thus, the enquiry officer recommended him for ex-parte action.

Later on he was issued/served with final show cause notice and summoned time & Flain to submit reply and appear before undersigned but in vain.

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. 2659-73/EC, dated 04.07.2023.

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 08.09.2023.

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 seems any infirmity in the order passed by the competent authority, therefore, no ground exist to interfere in same. Moreover, the appeal is also badly time barded.

Based on findings narrated above, I, 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 & badly time barded.

Order announced.

(MOHAMMAD ZAFAR ALI)PSP 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 Saeed Khan No. 1305.

Altestica W = 2 DSP/L-SS, U 29/02/024,

J-10/1/0/14/1 400 3c 1305 m Attestic 05//6551 jeri x com inters مرده وادراد سل 4

29/1/10 indication Alestines

We DS/C! Clack بوالر مراكراري ما نات برطان سر الراكران ما نات برطان سر الراكران ما نات برطان سر الراكران ما نات برطان المراكران ما نات برطان المراكزان المر July 305, 12 19 19 26 3 4 1305, 12 10, 2, 3 me 12/64 31,0) 12 no 1/3 en 30, 20 pto 0, 200 70/ - July 3/2/200 12/62 July 12 1 2 1 2 1 2 24/06 3 1, 1/5/13 cho 113. ور کارکسیل فید کوره کا کالی سمی و صبر کای ولیرفعیل ولا کرد اور گرار مركوره ما تو از ي واب من و برى سان بين ي كوس ملام وروا مرابع المرائع والمراع ومراج المارا والمارا والمارا والمارا والمراع المعادر المارا والمارا والمراع المعادر المارا والمارا والمارات والمراع المراء المر المرادرمين وروي الميسال تراو بالمار دالرمام عقيدر Elen 11,13 5 - 150/2 2 - 1/0 2 - 1/0 - 5 5 1/1 مرا المان المان وهم مان ولا من المان ولا من المراد المراد المان الم عرباز کاواب و فیرانه کی این کافت کافت این کافت کی این کافت کی این کافت کی کافت کی کافت کی کافت کی کافت کی کافت ک 

Allestra USP/L-550 05P/L-550 12/04 3 6,0) = 5 cio - he bet d'in o Joist, 13 - Ou job je 12-12/2/2003 de co 22 en de de l'appendit العرص على المحرى المحرى وعرادة مى المحرس عن معلى المراكم المسطولان الاستال المقويس المريد وي المريد وي والمريد dender of the selection 2- 6- cm, prol 3 = colo //13, 12 / 120 2000 مريع ما الما ما ت العران الا مامان ما الفيل المرات المركا -3-02/50/50/50 DS F.SSU: MKD 02-07-2023

#### FINAL SHOW CAUSE NOTICE

final show cause notice.

I, Superintendent of Police, Admin & Minority, Special Security Unit PEC), Peshawar, as competent authority, under the provision of police Disciplinary Rules 1975 do hereby serve upon you, Constable Saeed Khan No. 1305 of SSU (CPEC)

The Enquiry Officer, Mr. Muhammad Saeed DSP Hazara Region, after completion of departmental proceedings, has recommended <u>ex-parte action</u> against you <u>constable Saeed Khan No. 1305</u> as you failed to submit reply or appear before enquiry officer in defence of the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas, the undersigned is satisfied that you <u>Constable Saeed Khan</u>
No. 1305 deserve the punishment in the light of the above said enquiry reports.

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

- You are, therefore, required to show cause as to why the aforesaid 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.

21-06-20

No. 2504 /EC dated Peshawar the 21 / 06 /2023.

Copy to official Concerned.

Allester DSP1L-SSL

بحوالہ مشمولہ چارج شیٹ نمبری 2504/EC محررہ 2023/06/20 مجاریہ ایس پی ایڈ من صاحب بینار ٹی سی پیک پیٹاور معروض خدمت ہوں کہ میں ضلع ہری پور میں اپنے پلاٹون کے ساتھ ڈیوٹی سرانجام دے رہاتھا کہ اچانک میرے جسم میں در دہوااور میں قریبی ہیتال گیاوہاں جاکر ڈاکٹر صاحب نے جھے بتایا کہ اپ کے چھیڑے خراب ہے۔ تواس وجہ سے میں اپنے ابائی گاؤں گیااور وہاں جاکر دوبارہ معائینہ کے لئے ہپتال گیا توڈاکٹر صاحب نے پھر بتایا کہ اپلے پھیپڑے سخت خراب ہے اسلنے ایکو داخل کرنا پڑے گا اج میں نارتھ ویسٹ اینڈر یسر چ ہپتال میں زیر علاج اور داخل ہوں۔

میں اپنے افسران بالاسے درخواست کر تاہوں کہ میرے پھیپڑے خراب ہے اور میں ایک غریب گھرانے سے تعلق رکھتاہوں اور نوکری کرنے کاخواہش مند ہوں اس بار معافی فرماکر مشکور فرمائیں توسائل تاحیات دعا گور ہیگا۔

> العارض! إنكاتا بعد اركانشيبل سعيد خان ممبر 1305 يلانون نمبر 26 متعينه ضلع سوات

> > مورخه\_2023/06/2023

- 2m di mer 26 silvi de Assfolo Ilo olijob. 26 Miller Jas si viene July 10 july 26/11/20 11/ -2-cm, , 13.2-vc PSI/pc SSU suat Allestine 28/06/023 DSP/L-SSU

Za do vieno ville do MM c/j' ob City Ne in the MM ON/2 the children سان کیا می کستیر طان کامل کا لی این کمیر کا و ضاح بری 2 pils of de Colo ( ) 2 0 men) MM-SSM Swat

PL26 W\_G 28-06-2023 DSP/L-550 29/02/029

24/06 3/10/13 18 0181 (elil) MHC en 14:00 14:00 MHC (11) 13 no كسيبل وسيم اجتر عمر 1170 له في لعميل فانتل شوكاز ilops find i// 21/06 0 5 2504 Cit. - 1/100 / cls ( Sel 5/16 1305) . Mulie Block نعتل بمطابق اجل ہے MM/PL 26 SSU SWAT Allestin 24 - 06 - 2023 M DSP/L-SSU 29/02/029

# 

منانعال ا

نقل بيعانق الل يع

MALLIN

min - SS4 - Swat

27-06-013

Attestud Mar DSP/L-SSV 29/02/029

sul Colop lio Cuis CASC له سر کار فرایر لعنی دیل طریقان کو الله Con Continue of the continue of the service of the - Of Co of 1 20/00 / 023 P-10 (12) CARO 2850 jelle RB Frence 2719 Grant Raco Altosteil 1349 W/ 6 FC 3 1305 Strew R. B 03/16-550 29/02/024 wie flustant ited ر الورائع في مر علال mullow inguly 2 coulomos so الماه كما جاسكا -Waheed Khan 15607-0447980-5

## CHARGE SHEET

Superintendent of Police, Admin & Minority Wing, Special Security Unit (CPEC). Peshawar, as competent authority, hereby charge that Constable Saced Khan No. 1305 of SSU (CPEC), with the following irregularities.

"That you <u>Constable Saeed Khan No. 1305</u> while posted at SSU Hazara Region had absented yourself from your lawful duties w.e.f. 12.04.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 135/R, dated 28.04.2023. 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 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

## **Disciplinary Action**



I, Superintendent of Police, Admin & Minority, Special Security Unit (CFEC) Peshawar as a competent authority, am of the opinion that Constable Saced Khan No. 1305 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 Saeed Khan No. 1305 while posted at SSU Hazara Region had absented himself from lawful duties w.e.f. 12.04.2023 till date without any sanctioned leave or intimation, received vide DSP Hazara Region letter No. 135/R. dated 28.04.2023. 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.
- The accused shall join the proceeding on the date time and place fixed by 2. the Enquiry Officer.

TO SO NOM SP Admin & Minority SSU (CPEC)

Khyber Pakhtunkhwa Peshawar

/EC, dated Peshawar the \_09/05

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

2. Official Concerned.

(1)	5)
٣	

Name	-Saeed khan	Hospital No	042305625
Age/Gender	25-Year(s) Male	Address	Odigram swat
Ward/Bed No	W9 Multi H-2 /909-C	Consultant	Dr. Khatira Wahid
Date of Admission	20-april-2023	Date of Discharge	22-may-2023

#### **DIAGNOSIS**

**BRONCHIACTASIS-**

#### **HISTORY**

C/c.

Cough

Sputum production.

SOB

#### HOPI.

Patient is a known asthamatic from the last 5 years now presented with above chief complains It started gradually . And is progressive.

He produce copious amount of sputum daily with small amount of blood seen in it.

He has hx of TB about 4 years back.

Past hx

TB.

Asthama

ILD

#### **PROCEDURE**

Nil.

#### **PROGRESS**

Patient presented with above chief complains. On arrival IV line passed Labs sent and traced. Medication given.

CLINICAL CORRELATION IS ADVISED.

Renal Profile

20-april-2023

Urea: 28Creatinine: 0.54eGFR: 132.89Sodium: 136.4Patassium:

4.19Chloride: 94.6Bicarbonate: 27.2

Urine

20-april-2023 Examination

color: BrownPH: 5,05P.Gravity: 1.020,Albumin: +Sugar; NilKetone

bodies: ++Leukocytes: NilNitrite: NilBilirubin; +urobilinogen: NormalRed

cells: 12-14PUS Cells: 03-04Epith Cells: +Mucus: +Bacteria: +

CRP

20-april-2023 . C-reactive protein (CRP): 25.61

**TSH** 

20-april-2023

TSH: 0.27

Complete

20-april-2023 **Blood Count** 

Hemoglobin: 10.30Total RBC Count; 4.37Total Leukocytes: 15.10Platelet

Count: 483,00HCT: 31,40MCV: 71,80MCH: 23,70MCHC: 33,00RDW:

16.60Neutrophils: 76Lymphocytes: 11Monocytes: 06Eosinophil:

07 Neutrophils: 11.48 Lymphocytes: 1.66 Monocytes: 0.91 Eosinophil: 1.06

Abdomen and Pelvis (US)

**HRCT** Chest

(CT)

**ECHO** 

HOSPITAL MEDICATION

CAP : AZOMAX 250 MG TAB : POLYMALT-F

TAB: ZOPENT 40 MG

TAB: NUBEROL FORTE TAB: MYTEKA 10MG TAB: ZYRTEC 10MG

SYR: PELTON 120 ML INJ: KONCEPT 40 MG SYR: PELTON-V 120 ML

TAB : QALSAN D

TAB: AVELOX 400MG INJ.: TANZO 4:5 GM

دوا لنے کیے گھر / HOME MEDICATION

Medicine

Quantity

Days

INJ: TANZO 4.5 GM

3 Day(s)

Allostel

SSIL-SEV

O'Cand Me

Vitals recorded every 4 hourly.

Patient is now stable.

Discharged by home medication



#### **INVESTIGATION**

T3 20-april-2023 <u>73: 0.54</u>

HBA1C 20-april-2023 <u>HBA1C</u>: 5.5

Creatinine 20-april-2023 Creatinine: 0.54eGFR: 132.89

Cortisol 20-april-2023 Cortisol (AM): 9.2

Free T4 20-april-2023 Free T4: 0.99

Hemoglobin: 10.00Total RBC Count: 4.20Total Leukocytes Count:

11.70Platelet Count: 478.00PCV/HCT: 30.20MCV: 71.90MCH:

23.90MCHC: 33.20RDW: 16.50Neutrophils: 67Lymphocytes:

12Monocytes: 09Eosinophil: 11Basophils: 01Neutrophils:

7.84Lymphocytes: 1.40Monocyte: 1.05Eosinophil: 1.29Basophil:

0.12 Malarial Parasite: No MP Seen Opinion::

ANISOCYTOSIS, HYPOCHROMIC, MICROCYTIC.

ADV: SERUM IRON /TIBC OR FERRITIN LEVEL.

LEUCOCYTOSIS.

Peripheral 20-april-2023 Smear

NEUTROPHILIA.

? CAUSE.

? INFECTION.

**EOSINOPHILIA.** 

? CAUSE.

PLATELET INCREASED ON FILM.

? CAUSE.

? REACTIVE.

Allesture DSP/L-SSY 29102/024

Or Sold Resident



TAB: AVELOX 400MG

, صبح 1

7 Day(s)

SYR: PELTON-V 120 ML

شام , صبح 2+2

30 Day(s)

TAB: 2YRTEC 10MG

أشام 1 at night

30 Day(s)

CAP: AZOMÁX 250 MG

1 on every alternate day صبح,

Continue Day(s)

TAB: QALSAN D

ردوبهر 1

30 Day(s)

TAB: ZOPENT 40 MG

رصبح 1

30 Day(s)

MIS: VENTOLIN RESPIRATOR SOLUTION QID then SOS بشام ,دوپېر , صبح

5 Day(s)

MIS : ATEM NEBULISER SOLUTION 0.025% QID then SOS شام ,دوپېر , صبح

5 Day(s)

MIS: SALTRA 250 MCG

2 puffs via revolizer BD شام ر صبح

Continue

MIS: OPTRA INHALAR

2 puffs QID via revolizer شام ,دوپېر , صبح, Continue

TAB: MYTEKA 10MG

, صبح 00

1 Month(s)

**TAB: NUBEROL FORTE** 

شام , صبح BD then SOS

SOS Month(s)

TAB: POLYMALT-F

رضيح 00

1 Month(s)

**FOLLOW UP** 

3 months bed rest.

Home oxygen and pulse oxymeter

If saturation gets down from 90 administered 2 liters oxygen

Follow up after 2 month.

حلصل نعبر بیشگی لازم سے ڈاکٹر اپنے پہلے سے آنے دوبارہ بسپتال کیلنے بچنے سے زحمت کے بے در خواست سے مریضوں

PGT/MO/HO: Saud Khan

Dr. Khatira Wahid

