


05.06.2024 1. Junior to learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Written reply on behalf of respondent received through office which is placed on file. A copy whereof is handed over to junior counsel for the appellant. Adjourned. To come up for rejoinder, if any, and argument on 03.07.2024 before D.B at Camp Court swat. P.P given to the parties.


(Rashida Bano)
Member (J)
Camp Court, Swat


SCANNED
KPST
Peshawar

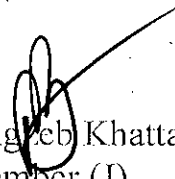
Kaleemullah

03.07.2024 1. None present on behalf of the appellant Mr. Muhammad Jan, District Attorney alongwith Mr. Niaz Muhammad, DSP (Legal) for the respondents present.

02. The appeal in hand was called on for hearing after various intervals, however, neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default. Consign.

03. *Pronounced in open court at Camp Court Swat and given under our hands and seal of the Tribunal on this 03rd day of July, 2024.*


(Muhammad Akbar Khan)
Member (E)
Camp Court Swat


(Aurangzeb Khattak)
Member (J)
Camp Court Swat

SCANNED
KPST
Peshawar


Kaleemullah

02.01.2024

Clerk of learned counsel for the appellant present.
Mr. Muhammad Jan, District Attorney for the respondents
present and requested for some time for submission of
reply/comments. Adjourned. To come up for
reply/comments on 06.02.2024 before the S.B at Camp
Court Swat. Parcha Peshi given to the parties.

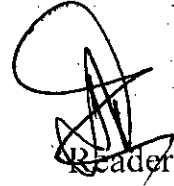
SCANNED
KPST
Peshawar

Naeem Amin


(Salah-Ud-Din)
Member (J)
Camp Court Swat

06.02.2024

Tour to Camp Court Swat has been cancelled, therefore to come
up for the same as before on 02.04.2024.


Reader


Due to cancellation of tour case is
adjourned to 5-6-2024.



05.12.2023

Learned for the appellant present and argued that appellant was dismissed from service vide order dated 12.05.2023 without providing proper opportunity of personal hearing and self-defense by conducting regular enquiry despite knowing the fact that appellant was ill and unable to perform his duties. Appellant filed departmental appeal against the said order on 09.06.2023 which was not responded within statutory period of ninety days, hence the instant service filed under section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. Points raised need consideration. The appeal is admitted to regular hearing subject to all just and legal objections. Appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant. To come up for written reply/comments 02.01.2024 before 2.B at camp court, Swat. P.P given to learned counsel for the appellant.

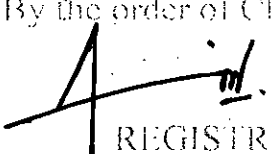

SCANNED
KPST
Peshawar


(Rashida Bano)
Member (J)
Camp Court, Swat

FORM OF ORDER SHEET

Court of _____

Appeal No. 2203/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/10/2023	<p>The appeal of Mr. Aleem Khan resubmitted today by Mr. Anwar Ali Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on <u>8-11-2023</u></p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p> <p>01. Counsel for the appellant present and requested for time to prepare the brief. Granted. To come up for preliminary hearing on 05.12.2023 before the S.B at Camp Court, -Swat. Parcha Peshi given to learned counsel for the appellant.</p> <p style="text-align: right;">  (Fareeha Paul) Member(E) Camp Court, Swat</p>

**SCANNED
KPST
Peshawar**

08th Nov. 2023

**SCANNED
KPST
Peshawar**

Fazle Subhan, P.S

The appeal of Mr. Aleem Khan Ex-Constable no. 4472 son of Karoye Khan r/o village Parusap Tehsil Mastuj Cistrict Chitral Upper received today i.e on 05.10.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal be placed on it.
- 2- Annexures A&B of the appeal are illegible which may be replaced by legible/better one.

No. 3357 /S.T.

Dt. 6/10 /2023.



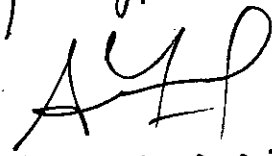
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Anwar Ali Khan Adv.
High Court Peshawar.

Respected Sir,

I had received ^{charge sheet} and submitted its reply within two days, of receiving the same. Rest of the documents, neither served on me nor I have any knowledge of receiving of the same, or the contents of the same. Moreover, I submitted better copies of page No. 6 and page No. 7, in compliance of the order.

Counsel for appellant



23.10.2023

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Alam Khan **versus**

I.C Police KPK etc

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Arif Ali Khan

Signature:- [Signature]

Dated:- 5/9/2022



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.. 2203 / 2023

Aleem Khan Ex. Constable No. 4472 S/o Karoye Khan R/o Village Parkusap Tehsil
Mastuj, District Chitral Upper.....
"Appellant"

SCANNED
KPS
PESHAWAR

VERSUS

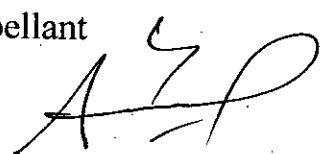
1. Inspector General Police, KPK, Peshawar.
2. Commandant Elite Force, KPK, Peshawar
3. Deputy Commandant Elite Force, KPK, Peshawar..... "Respondents"

INDEX

S#	Description of the Documents	Annex	Pages
1.	Grounds of Appeal alongwith affidavit	*	1-4
2.	Address of parties	*	5
3.	Copy of the impugned order	"A"	6
4.	Copy of the Departmental Appeal dated 09.06.2023 and medical treatment documents	"B" and "C"	7-17
5.	Wakalat Nama		18

Appellant

Through


Anwar Ali Khan
Advocate, High Court

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 2203 /2023

Aleem Khan Ex. Constable No. 4472 S/o Karoye Khan R/o Village Parkusap Tehsil
Mastuj, District Chitral Upper.....
"Appellant"

VERSUS

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8152

Dated 05/10/23

1. Inspector General Police, KPK, Peshawar.
2. Commandant Elite Force, KPK, Peshawar
3. Deputy Commandant Elite Force, KPK, Peshawar..... "Respondents"

**SERVICE APPEAL U/S 04 OF THE SERVICE TRIBUNAL ACT , 1974 AGAINST
THE IMPUGNED ORDER DATED 12.05.2023 WHEREBY THE APPELLANT
WAS DISMISSED FROM SERVICE AND AGAINST THE INACTION OF THE
RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE
APPELLANT WITHIN THE STATUTORY PERIOD.**

PRAYER:

**ON ACCEPTANCE OF THE INSTANT APPEAL, THE IMPUGNED ORDER
DATED 12.05.2023 MAY KINDLY SET-ASIDE AND THE APPELLANT MAY
KINDLY BE RE-INSTATED INTO SERVICE WITH ALL BACK BENEFITS.**

RESPECTFULLY SHEWETH:

1. That the appellant was initially appointed as a Constable vide office order dated 22.08.1995.
2. That after initial appointment, the appellant performed his duties regularly, honestly and up to the entire satisfaction of his superiors.
3. That it is pertinent to mention here that at the hard days of **Swat Operation against Taliban**, when a number of District Police Swat personnel deserted from service, the appellant was transferred to District Swat and served there from 2008 to 2014.
4. That the appellant was transferred to District Police, Chitral in 2014 and was serving there till 2022.

Filed by day
5/10/23
Registrar

Re-submitted to day
23/10/23
Registrar

5. That in November, 2022, the appellant was ordered to report in respondent No. 2 residency at Islamabad and since then the appellant was serving there.
6. That it is also pertinent to mention here that basically the appellant was a personnel of District Police, Chitral and had not gone for Elite course ever, and the appellant transfer was not known to him.
7. That on dated 19.03.2023, the appellant suffered from sever pain in stomach and after informing the Respondent No. 2 Misses, the appellant went to the Alsafia & Diagnostic Centre Islamabad for treatment from where the appellant was already under treatment where the Doctor advised him to adopt strict dieting and preventive measures in terms of food which was not available to the appellant at Islamabad. Besides, the appellant was feeling acute weakness and stomach pain and was completely unable to perform his duties and on return from hospital the appellant verbally brought the same into the notice of Respondent No. 2 Misses and obtained leave for one month and Twenty days and went to Chitral, as in normal routine personnel serving at the residence take leave from the Misses and not from the office. Further at that time the appellant was not aware of his transfer to Elite Force as the appellant had not been informed of the same.
8. That while on leave, the appellant was charge sheeted and the appellant submitted its reply.
9. That the respondent No. 3 neither provide any final show cause notice nor called the appellant for hearing in Orderly Room and issued the **impugned dismissal order dated 12.05.2023. (Copy of the impugned order is Annexure "A")**.
10. That feeling aggrieved, the appellant filed a **Departmental Appeal dated 09.06.2023** before the respondent No. 2, but the same was not

disposed off till the end of statutory period. (Copy of the Departmental Appeal dated 09.06.2023 is Annexure "B").

11. That feeling aggrieved, the appellant files the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia;

GROUND:

- A. That the impugned order dated 12.05.2023 is against the law, facts, norms of natural justice, hence liable to set-aside.
- B. That the impugned order is contrary to the KP Police Rules, 1975 (Amended 2014) as well as other laws, rules, regulations on the subject.
- C. That the codal formalities have not been fulfilled in accordance with law while issuing the impugned order.
- D. That no statement of allegations was served nor any detail of the same was provided at the time of inquiry which is an utter contravention of the law.
- E. That no opportunity of the defence and cross examination was provided to the appellant at the time of inquiry which is a gross violation of law on the subject.
- F. That no final show cause was issued and served on the appellant which is a disregard of law on the subject.
- G. That it is a common routine that the police personnels serving at the residencies verbally took leave at residency and not from the concerned office.
- H. That the appellant had no knowledge of his transfer from District Police, Chitral to Elite Force, KP as no such written order was

served on him and the appellant was considering it a temporary detailment for duty with the Commandant Elite Force, KP.

- I. That the impugned order has been passed in violation of the golden principles of Audi Alterm Partem.
- J. That penalty of dismissal from service is too harsh as the inquiry officer has not recommended the penalty of dismissal from service.
- K. That the appellant has 28 years long unblemished service and out of which 06 years during the operation in Swat against Taliban from 2008 to 2014.
- L. That any other ground will be raised at the time of argument with kind permission of this Hon'ble court.

It is therefore, most humbly prayed that on acceptance of the instant service appeal, the impugned order dated 12.05.2-023 may kindly be set-aside and the appellant may kindly be re-instated into service with all back benefits.

Any other remedy not specifically asked for, which this Hon'ble Tribunal may deems fit in the circumstances may also be granted in favor of the appellant.

[Signature]
Appellant

Through

[Signature]
Anwar Ali Khan
Advocate, High Court

AFFIDAVIT:

I do hereby solemnly affirm and declare that the contents of the instant service appeal are true and correct to the best of my knowledge and belief.



[Signature]
DEPONENT

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No...../2023

Aleem Khan Ex. Constable No. 4472 S/o Karoye Khan R/o Village Parkusap Tehsil
Mastuj, District Chitral Upper.....
"Appellant"

VERSUS

1. Inspector General Police, KPK, Peshawar.
2. Commandant Elite Force, KPK, Peshawar
3. Deputy Commandant Elite Force, KPK, Peshawar..... "Respondents"

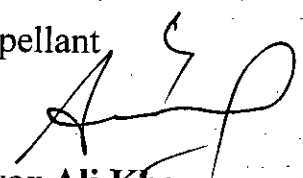
ADDRESSES OF PARTIES

APPELLANT

Aleem Khan Ex. Constable No. 4472 S/o Karoye Khan R/o Village Parkusap Tehsil
Mastuj, District Chitral Upper

RESPONDENTS

1. Inspector General Police, KPK, Peshawar.
2. Commandant Elite Force, KPK, Peshawar
3. Deputy Commandant Elite Force, KPK, Peshawar

Appellant
Through 
Anwar Ali Khan
Advocate, High Court

Office Of the Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar

100-371

100-371

6
A
Huss

ORDER

This office order relates to disposal of departmental enquiry against Constable Aalam Khan No. 4472 of Elite Force on the following facts:-

As per report of Mohana Elite HQrs vide DD No. 100-371-2023, Constable Aalam Khan No. 4472 of Elite Force was absent from his official duty without any leave or prior permission from 02/05/2023 to 08/05/2023 (07 days).

In this regard charge sheet along with summary of allegation were issued on 04/05/2023 vide office vide No. 4873-761E, dated 17/04/2023 and DSP HQrs Elite Force was appointed as Enquiry Officer. Enquiry Officer conducted enquiry proceedings and reported that he does not have any interest in his official duty and still absence from place of posting. In this context his relatives and neighbors were also approached through District Commander Elite Force Chitral and reported vide DD No. 5412-SV11-CH dated 02/05/2023 that his brother named Muhammad Ali received charge sheet & summary of allegations and stated that his brother leave the home on 01/05/2023 and not contacted with any family member and his cell phone is switch off but despite that no signal about his appearance was found during the course of enquiry till to 08/05/2023.

However, he was appeared before the enquiry officer on 08/05/2023 also received charge sheet along with Summary of Allegation and submitted written statement along with medical documents of Al-Safia Medical Center Islamabad about his illness, but he did not submit application for leave, so, he has committed of gross misconduct and did not defend himself against allegations as leveled against him and irresponsibility is still shown in discipline force or vice versa, therefore, he does not deserves leniency and mercy. And Enquiry Officer also recommended to be awarded major punishment.

Therefore, I Lt Col Tariq Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar in view the above facts and circumstances impose major punishment of dismissal from service upon him and his absence period treated as without pay.

RA

(TARIQ) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

- Copy to the:-
- 01- DSP Elite Force HQrs Khyber Pakhtunkhwa vide office letter No. 4873-761E, dated 17/04/2023
- 01- DSP Elite Force Mahakand Person
- 01- DSP Elite Force HQrs Peshawar
- 01- DSP Elite Force Khyber Pakhtunkhwa Peshawar

ATTESTED

6-A

Better copy

Office of The Deputy Commandant Elite Force Khyber Pakhtunkhwa,
Peshawar

..... Dated 12.05.2023

ORDER

This office order relates to disposal of departmental enquiry against Cook Constable Aleem Khan No.4472, of Elite Force on the following grounds.

As per report of the Moharir Elite HQrs vide DD No..... dated 19.03.2023 he remained absent from official duty without any leave or prior permission from the competent authority from 19.03.2023 to 08.05.2023 , total 49 days.

In this regard charge sheet alongwith summary of allegation were issued to him by this office Vide No.4873-76/EF dated 17.04.2023 DSP HQrs Elite Force was appointed as enquiry officer . Enquiry officer conducted enquiry proceedings and reported that he does not take interest in his official duty and still absent from place of posting. In this context his family members were also approached through District Commandant Elite Force Chitral and reported vide No..... dated 02.03.2023 that his brother namely Muhammad Ali received charge sheet and summary of allegations and stated that his brother leave the home on 31.03.2023 and not contacted with any family member and his cell phone is switch off but despite that no signal of his appearance was found during the course of enquiry till to 08.05.2023.

However, he was appeared before the enquiry officer on 08.05.2023 also received charge sheet and summary of allegations and submitted written statement alongwith medical documents of Alsafia Medical Center Islamabad about his illness but he did not submit application for leave, so, he has committed gross misconduct and did not defined himself against allegations as leveled against him and irresponsibility is still shown in discipline force on his part, therefore, he does not deserve leniency and mercy. And enquiry officer also recommended to be awarded major punishment.

Therefore, I Irfan Tariq Deputy Commandant Elite Force Khyber Pakhtunkhwa keeping in view the above facts and circumstances impose major punishment of dismissal from upon him and his absent period treated as without pay.

Irfan Tariq (PSP)

Deputy Commandant

ATTESTED

To

The Commandant Elite Force,
Khyber Pakhtunkhwa Peshawar.

Aweez "B"
7

Subject: DEPARTMENTAL APPEAL AGAINST THE ORDER OF DY: COMMANDANT ELITE FORCE KHYBER PAKHTUNKHWA DATED 12.05.2023 WHEREBY I WAS DISMISSED FROM SERVICE.

Respected Sir,

Most humbly and respectfully Sheweth as under:

1. That I belong to a far flung area of upper Chitral village Perkusap and having large family with poor financial position.
2. That I have served in Police department to the best of my honestly faithfully and obediently and have 28 years unblemished spotless service, not a single previous conviction on my service record.
3. That basically I was a district Police personnel and has never gone any Elite course and my posting in Elite Force is also not known to me.
4. That on November 2022 I was Ordered to report in Commandant Elite Force residency and since then I was serving in Commandant residency.
5. On 19.03.2023 I felt acute Pain in my stomach and went to Alsafia Medical and Diagnostic Center Islamabad where I had to undergo long medical and treatment procedure which is still continue. I was completely incompetent to perform domestic duties and my health was worsening. I informed my problem in the bungalow and as the Doctor had directed me to observe strict preventive and dieting in home which in Islamabad were not available to me and hence informing the begum Sahiba I came to Chitral.
6. In the meantime I was considered as absent in Peshawar which was not in my knowledge and also I was not aware from this fact that from where I have to obtain leave/permission and I was also not aware about the departmental proceeding however on information I appeared before the Enquiry Officer but the Enquiry Officer gave me no details about the charges and to give me chance of defence or to cross the witnesses etc and sent an ex parte report to the Dy: Commandant Elite Force who without giving me any final show cause notice and hearing me in O.R issued the dismissal Order.
7. That the report of Enquiry Officer and order of Dy: Commandant is against law, facts, Police Rules and all norms of justice.
8. That the Enquiry Officer has not given me chance of defence and fair trial and even the Dy: Commandant has not heard me in O.R or issued any final Show Cause notice which is a gross material illegality in light of Supreme Court of decision on departmental appeals.
9. That the order of Dy: Commandant is too harsh and dictatorial and not maintainable.
10. That the Dy: Commandant has ignored my glorious and unblemished previous long service and also ignored my financial, health and family problems.
11. That the Order of competent authority is brutal and merciless.
12. That I reserve my other points to raise later on and in O.R when chance is given.

In light of these facts it is humbly prayed that the Order of Dy: Commandant Elite Force Khyber Pakhtunkhwa Peshawar may be set-aside and I may be reinstated in service to meet the end of Justice, law and rules please

Your Obediently

Ex: Constable Aleem Khan No.4472
Village Perkusap Mastuj
District Chitral Upper (Appellant)

ATTESTED

9/6/2023

(7-A)

Better copy

To,

The Commandant Elite Force,
Khyber Pakhtunkhwa, Peshawar

Subject; Departmental appeal against the order of Dy; Commandant Elite Force Khyber Pakhtunkhwa dated 12.05.2023 whereby I was dismissed from service.

Respected Sir:

Most humbly and respectfully sheweth as under.

1. That I belong to a far flung area of Upper Chitral village Parkusap and having large family with poor financial position.
2. That I have served in police department to the best of my honestly, faithfully and obediently and have 28 years unblemished spotless service, not a single previous conviction on my service record.
3. That basically I was a district police personnel and has never gone to any Elite course and my posting in Elite Force is also not known to me.
4. That on November, 2022 I was ordered to report in Commandant Elite Force residency and since then I was serving in commandant residency.
5. On 19.03.2023 I felt acute pain in my stomach and went to Alsafia Medical and Diagnostic Center Islamabad where I had to undergo long medical and treatment procedure which is still continue. I was completely incompetent to perform domestic duties and my health was worsening.

I informed my problem in the bungalow and as the doctor had directed me to observe strict preventive and dieting in home which in Islamabad were not available to me and hence informing the begum sahiba I came to Chitral.

6. In the meantime I was considered as absent in Peshawar which was not in my knowledge and also I was not aware from this fact that from where I have to obtain leave/permission and I was also not aware about the departmental proceeding, however, on information I appeared before the inquiry officer but the inquiry officer gave me no details about the charges and to give chance of defence or to cross the witnesses etc and sent an ex parte report to Dy:Commandant Elite Force who without giving me any final show cause notice and hearing me in O.R issued the dismissal order.
7. That the report of inquiry officer and order of Dy: Commandant is against the law, facts, Police Rules and all norms of justice.
8. That the inquiry officer has not given me chance of defence and fair trial and even the Dy: Commandant has not heard me in O.R or issued

ATTESTED


7-B

Better copy

any final show cause notice which is a gross material illegality in light of Supreme Court decisions on departmental appeal.

9. That the order of Dy: Commandant is too harsh and dictatorial and not maintainable.
10. That the Dy: Commandant has ignored my glorious and unblemished previous long service and also ignored my financial health and family problems.
11. That the order of the competent authority is brutal and merciless.
12. That I reserve my other points to raise later on and in O.R when chance is given.

In the light of these facts it is humbly prayed that the order of Dy: Commandant Elite Force Khyber Pakhtunkhwa Peshawar may be set-aside and I may be reinstated in service to meet the end of justice, law and rules.



Aleem Khan

Yours' obediently

Ex-constable Aleem Khan No. 4472
Village Parkusap, Mastuj,
District Chitral Upper (Appellant)



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

(8)

Annexure
"C"

Dr. QURRATULAIN HYDER

FCPS (Gastroenterology-Hepatology)

Professor/Consultant (PIMS)

Islamabad.

Date: 05-04-2023

Patient Name: Mr Aleem Khan Age: 42/M Wt. 70kg B.P 130/90

S. Cholest & TG (↓) from
>400 to <240 c
Stable TRT & LFT (M)

— subjective relief

— gen. & systemic exam
(MAD)

≠ TRT Contd

R/Op after one month —

DR. QURRATULAIN HYDER
FCPS (Gastroenterology-Hepatology)
Professor/Consultant
Pakistan Institute of Medical
Sciences (PIMS) IOP, S7A, J-8
G-8/3, Islamabad

ATTACHED

⊘ Not Valid For Court & Medico
Legal Purpose

AL SAFIYA Medical and Diagnostic Center, Behind PSO Pump, near UBL Bank,
G-8 Markaz, Islamabad. ☎ 051-23 40 101 / 23 40 111 ☎ 0310-0577776 / 0333-0577776

in @ alsafiyamdc@gmail.com



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

9

Dr. QURRATULAIN HYDER

FCPS (Gastroenterology-Hepatology)
Professor/Consultant (PIMS)
Islamabad.

Follow-up

Date: 13-03-2023

Patient Name: Mr Aleem Khan Age: 42/M Wt. - B.P. -

S.T9 (1297) ✓
S. Ch1 (491) ✓

ALT 117

TRT (Contra)

Add Aspirin 20mg x 45 X(1m)

(repeat
Scho, T9, LFT)
after 2 wk
TRT)

[Handwritten signature]

[Handwritten signature]

DR. QURRATULAIN HYDER
FCPS (Gastroenterology-Hepatology)
Professor/Consultant
Pakistan Institute of Medical
Sciences (PIMS) IBP, SZAD
G-8/3, Islamabad

⊘ Not Valid For Court & Medico
Legal Purpose

2



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

(10)

Dr. QURRATULAIN HYDER

FCPS (Gastroenterology-Hepatology)

Professor/Consultant (PIMS)

Islamabad.

Follow-up

Date: 09-03-2023

Patient Name: Mr Haleem Khan Age: 42/M Wt. - B.P. -

ALT (117)

AST (97)

HBV, HCV (-)

TRT (m/2)

Pr. A41 Si Niver Tab 1x2/d

suggest - x S. cholesty Triglyc (12hr fasting)

REGISTERED

Dr. QURRATULAIN HYDER
FCPS (Gastroenterology-Hepatology)
Professor/Consultant
Pakistan Institute of Medical
Sciences (PIMS) IBP, SZABM,
G-8/3, Islamabad

Not Valid For Court & Medico
Legal Purpose

3

AL SAFIYA Medical and Diagnostic Center, Behind PSO Pump, near UBL Bank,
G-8 Markaz, Islamabad. ☎ 051-2340101 / 2340111 ☎ 0310-0577776 / 0333-0577776

alsafiyamde@gmail.com



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

(11)

Dr. QURRATULAIN HYDER

FCPS (Gastroenterology-Hepatology)

Professor/Consultant (PIMS)

Islamabad.

Date: 09-03-2023

Patient Name: MR Haleem Khan Age: 42/M Wt. 72kg B.P. 140/90
 (fp) indigestion x (5yrs)

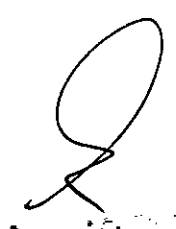
my 2/9/18, 2018/19/19
No fever, N-V, GI bleed
wt gain

MTM°
DM°
MSAIDS°

Smoker, opium
gen & systemic exam (NAD)
except palpable nontender liver

suggest

1. LFT
2. U/S abdomen
3. anti HAV, HBsAg



1. Voniga 20mg x 1
2. Prokinetic 1x2/d
3. Dysentery 29xstat

Dr. Qurratulain Hyder
 FCPS (Gastroenterology-Hepatology)
 Professor/Consultant
 Pakistan Institute of Medical Sciences (PIMS) (IBP, SZA) 100
 G-8/A, Islamabad

Not Valid For Court & Medical Legal Purpose



Lab:	Name: Haleem Khan	Sex : M	Age: 24 years
Ultrasound:	Abdomen	Date: : 09-03-23	
Referred By:	Prof Dr. Qurratulain Hyder		

ULTRASOUND ABDOMEN

LIVER:

Is enlarged measuring 19 cm in CC extent with increased parenchymal echogenicity up to grade I. Intrahepatic biliary ducts are not dilated. No intrahepatic cyst or mass is seen. Portal vein is normal in caliber.

GALL BLADDER:

Is partially distended with normal wall thickness and no sonological evidence of intraluminal stone in current scan. CBD is normal in caliber.

PANCREAS:

Is normal in echotexture and size. No fluid seen around pancreas.

SPLEEN:

Is normal in echotexture and size (11cm). No fluid seen around spleen.

RIGHT KIDNEY:

Normal in size, shape and position. Parenchymal echogenicity is normal. Cortical thickness is normal. No calculus, hydronephrosis, cyst or mass seen.

LEFT KIDNEY:

Normal in size, shape and position. Parenchymal echogenicity is normal. Cortical thickness is normal. No calculus, hydronephrosis, cyst or mass seen.

URINARY BLADDER

Is minimally filled with normal wall thickness.

GENERAL ABDOMEN:

No free fluid is seen in peritoneal cavity. No significant abdominal lymphadenopathy seen. Most of the abdomen is obscured due to bowel gas shadows however visualized gut loops are normal in caliber with normal peristalsis at time of scan.

CONCLUSION:

Fatty Hepatomegaly

Dr. Waqar
Radiologist

Not Valid For Court & Medico
Legal Purpose



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

(13)

Page 1 of 2

Patient Name : MR HALEEM KHAN	Age / Sex : 42 Years / Male
Lab No : 23542	Reg Date : 09-03-23 06:34 PM
Panel : AL SAFIYA MED & DIAG CENTRE	Consultant : DR.QURRAT UL AIN HYDER

Chemical Parameters

Test Name	Result	Unit	Reference Range
-----------	--------	------	-----------------

Liver Function Tests

Serum Bilirubin-Total	0.5	mg/dL	Adults: 0.1 - 1.2 Children >1 month: 0.2 - 1.0
Serum Bilirubin (Direct)	0.2	mg/dL	Adults and Childs: <= 0.2
Serum Bilirubin (Indirect)	0.3	mg/dL	Upto 0.8
Serum ALT (SGPT) ✓	117	u/L	Upto 40 U/L
Serum AST (SGOT) *	47 ✓	u/L	Upto 40 U/L
Serum Alkaline Phosphatase	287	u/L	Child (15 years) : 645 Female: 65 - 240 Male: 80 - 270 Adolescents : 483 3 - 4 months child: 730

Not Valid For Court or Medical Use unless electronically verified by pathologist / radiologist. No signature(s) required.

Legal Purpose

Printing Date: Thu 09 Mar, 2023 07:17 PM

Printing By: NAVEED SHAH

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G-8 Markaz, Islamabad. ☎ 051-23 40 101 / 23 40 111 ☎ 0310-0577776 / 0333-0577776



AL SAFIYA

MEDICAL AND DIAGNOSTIC CENTER

14

Page 2 of 2

Patient Name :	MR HALEEM KHAN	Age / Sex :	42 Years / Male
Lab No :	23542	Reg Date :	09-03-23 06:34 PM
Panel :	AL SAFIYA MED & DIAG CENTRE	Consultant :	DR.QURRAT UL AIN HYDER

Serology

Test Name	Result	Reference Range
Hep.Bs Antigen (HBsAg) By ICT	Negative	Negative
Hep.C Antibody (HCV) by ICT	Negative	Negative


ATTESTED

Not Valid For Court & Medical Legal Purpose. Digitally verified by pathologist / radiologist. No signature(s) required.

Printing Date: Thu 09 Mar, 2023 07:17 PM

Printing By: NAVEED SHAH

AL SAFIYA Medical and Diagnostic Center, Behind PSO Pump, near UBL Bank,
G-8 Markaz, Islamabad. ☎ 051-23 40 101 / 23 40 111 ☎ 0310-0577776 / 0333-0577776

Vital Diagnostic Centre

Ground Floor shop # 5, United Plaza Fazal-e-haq Road Blue Area Islamabad. Contact: 03335638662, 03015203134

Lab No. : **23714** Age / Sex : 42 Years / Male
 Patient Name : **ALEEM KHAN** Reg Date : 10-03-23 10:43 AM
 Ref. By : Phone :
 Panel : **VITAL DIAGNOSTIC CENTRE**

Lipid Profile

Test Name	Result	Unit	Reference Range
Cholesterol	491	mg/dl	Normal < 200 Borderline 200-239 High 240 & Above
Triglyceride	1297	mg/dl	Male 40-160 Female 50-150
HDL	42	mg/dl	Low Risk > 50 Normal Risk 35-50 45-60 High Risk < 35 < 45
LDL	163	mg/dl	Levels of Risk Desirable < 100 Medium 100-160 High > 160

[Handwritten signature]
 23/03/23

Dr. Syed Ahmed Abdullah
Consultant Radiologist

Dr. NADEEM IKRAM
Consultant Pathologist



RUMAISA DIAGNOSTIC CENTRE

16

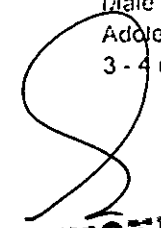
Quality Assurance is an Essential Part of our Service & Profession

Page 1 of 2

Lab No. :	23803	Age / Sex :	42 Years / Male
Patient Name :	MR. ALEEM KHAN	Reg Date :	05-04-23 02:23 PM
Ref. By :	DR. QURAT UL AIN HAIDER	Phone :	03135631133
Panel :	RUMAISA DIAGNOSTIC CENTRE		

Chemical Parameters

Test Name	Result	Unit	Reference Range
Liver Function Tests			
Serum Bilirubin-Total	0.5	mg/dL	Adults: 0.1 - 1.2 Children >1 month: 0.2 - 1.0
Serum ALT (SGPT)	26	u/L	Female: 09 - 36 Male: 09 - 43
Serum AST (SGOT)	21	u/L	woman: 10 - 31 Male: 10 - 35
Serum Alkaline Phosphatase	129	u/L	Child (15 years) : 645 Female: 65 - 240 Male 80 - 270 Adolescents . 483 3 - 4 months child. 730


ATTESTED

Dr. Asma Mustafa
Clinical Pathologist
Consultant Hematologist

Dr. Talal Wasif
MBBS, MD (FCPS)
Consultant Cardiologist

Dr. Noor Khan Lkhana
MBBS, MCPS, M.Phil, FCPP
Professor of Pathology
Consultant Histopathologist

Dr. Syed Asghar Ali
Consultant Sonologist
Medical Director / CEO

Not for Medicolegal/Court Use

Computerized verified report by Pathologist, therefore signature is not required.

Timings:
8:30 am to 10:00 pm
Sundays and Holidays

Shop No. 4 - A, Basen. : United Plaza, Fazal-e-Haq Road, Blue Area, Islamabad - Pakistan
Cell : : 333 5326210 ; Email : drasgharali7292@gmail.com



RUMAISA DIAGNOSTIC CENTRE

17

Quality Assurance is an Essential Part of our Service & Profession

RDC

Page 2 of 2

Lab No. :	23803	Age / Sex :	42 Years / Male
Patient Name :	MR. ALEEM KHAN	Reg Date :	05-04-23 02:23 PM
Ref. By :	DR. QURAT UL AIN HAIDER	Phone :	03135631133
Panel :	RUMAISA DIAGNOSTIC CENTRE		

Asma Mustafa
Clinical Pathologist
Consultant Hematologist

Talal Wasif
BS, MD (FCPS)
Consultant Cardiologist

Noor Khan Lkhnana
BS, MCPS, M.Phil, FCPP
Professor of Pathology
Consultant Histopathologist

Syed Asghar Ali
Consultant Sonologist
Medical Director / CEO

Lipid Profile

Test Name	Result	Unit	Reference Range
Cholesterol	✓ 204	mg/dl	Normal < 200 Borderline 200 - 239 High 240 & Above
Triglyceride	✓ 263	mg/dl	Male 40 - 160 Female 35 - 135
HDL	34	mg/dl	Men Low Risk > 50 Normal Risk 35 - 50 High Risk < 35 Women > 60 45 - 60 < 45
LDL	120	mg/dl	Levels of Risk: Desirable < 100 Medium 130 - 160 High > 160
Cholesterol/HDL Ratio	6.0 ✓		Up to 05

Note:- * Results have been rechecked.

For Medicolegal/Court Use

Computerized verified report by Pathologist, therefore signature is not required.

Timings:
10 am to 10:00 pm
Sundays and Holidays
10 am to 7:00 pm

Shop No. 4 - A, Basement, United Plaza, Fazal-e-Haq Road, Blue Area, Islamabad - Pakistan
Cell : +92 333 5326210 • Email : drasoharali7292@gmail.com

POWER OF ATTORNEY

Before The Hon'ble KP Service Tribunal Peshawar

18

Aleem Khan

vs

Inspector General Police, KP
and others

Plaintiff
Appellant
Petitioner
Decree Holder

Defendants
Respondent
Judgment Debtor


I, (We) Aleem Khan

The appellant above named hereby appoint ANWAR ALI KHAN Advocate, in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear acts, and plead for me/us in the above mentioned case in this Court/ Tribunal or any other Court/ Tribunal which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
2. To sign verify and file or withdraw all proceedings, petitions, appeals, affidavits, and applications for compromise or withdrawal, or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said at all its stages.

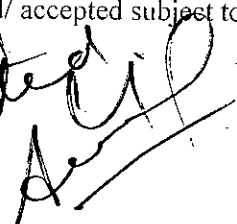
AND HEREBY AGREE:

- a. To ratify whatever the said Advocate may do in the proceedings.
- b. Not to hold the Advocate responsible if the said case be proceeded ex-parte or dismissed in default in consequence of their absence from the Court/ Tribunal when it is called for hearing.
- c. That the Advocate shall be entitled to withdraw from the prosecution of the said case if the whole of any part of the agreed fees remains unpaid.



Signature of executant/s

Attested/ accepted subject to the term regarding payment of fee.

Attested
and accepted



Anwar Ali Khan

Advocate High Court
Cell: 0332-9197729
BC No.12-3659

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHWAR

Service Appeal No. 2203/2023

Aleem Khan, Ex-FC Elite Force


**SCANNED
KPST
Peshawar**
Appellant

Versus

Provincial Police Officer Khyber Pakhtunkhwa and othersRespondent

INDEX

S#	Description of Documents	Annexure	Pages
1.	Para wise comments		1-3
2.	Copy of Authority letter		04
3.	Affidavit		05
4.	Copies of extract of punishment	A	06
5.	Copy of Transfer order	B	07
6.	Copy of Order transfer to Elite 14-12-2022	C	08
7.	Copy of Charge Sheet & Summary of Allegation and Enquiry	D & E	09-12
8.	Copy of Dismissal order	F	13


(MIAN NIAZ MUHAMMAD)
DSP Legal
Elite Force, Peshawar

*Order Sheet not
uploaded
SW.ets.*

B

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service appeal no .2203/2023

Aleem Khan FC 4472/, 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 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 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.

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 12055

Dated 22-04-24

Reply on FACT:-

1. Para pertains to record, hence need no comments.
2. Incorrect. Appellant during service proved himself on inefficient office and found habitual absentee, on account of which he was awarded minor/ major punishments in accordance with the rules. (copies of extract of punishment is attached as **Annexure A**).
3. Para is incorrect and misleading. Appellant was not transferred to swat in the hard days of operation against Taliban. However, as per record the appellant was transferred to upper chitral district vide RPO Malakand Swat office order No.4696-97 dt:09-04-2021 and remained posted in Chitral District till 16-11-2022. (Copy of Transfer Order is attached as **Annexure B**).
4. Para pertains to record, as explained above.
5. Para is incorrect and misleading. As replied above.

6. Para is incorrect and misleading. Appellant was transferred to Elite Force vide order dated 14.12.2022. (Copy of order is attached as **Annexure C**).
7. Para is incorrect. Appellant being a member of the disciplined force was supposed to follow the procedure for obtaining medical leave in case of any illness and by showing irresponsible attitude, absented himself from official duty on account of such gross misconduct he was served with charge sheet/ summary of allegation and proper inquiry was conducted against the appellant in accordance with rules. (Copies of Charge Sheet and Inquiry are **Annexure D & E**).
8. Para is incorrect. As explained above para, appellant has never obtained Leave from the competent authority.
9. Para is incorrect. Proper departmental enquiry was conducted against the appellant during which the charge against him stands proved, hence awarded punishment of dismissal from service. (Copy attached as **Annexure F**).
10. Pertain to record. Hence no comments.
11. That the appellant has got no cause of action to file the instant appeal, which is liable to be dismissed on the following grounds:

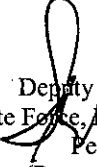
Grounds:-


- A- Incorrect, order passed by the competent authority is quit legal and in accordance with law/ rules.
- B- Incorrect. Reply already given vide paras above.
- C- Incorrect. As explained in the preceding Paras before passing final order proper departmental enquiry was conducted against the appellant in accordance with the rules.
- D- Incorrect. On account of willful absence, appellant was served with charge sheet which was delivered at his home address through District Commander Chitral and received by the brother of appellant.
- E- Incorrect, as explained in Para above.
- F- Incorrect, as explained in Para above.
- G- Incorrect and misleading. In fact all the members of the Force following the rules/ procedure for obtaining any leave.
- H- Already explained in para 6.
- I- Incorrect, order passed by the competent authority is in accordance with law and rules.
- J- Incorrect, The order of respondent No. 3 is in accordance with the law/ rules..
- K- Incorrect, reply already given vide paras above. Record is not unblemished and has earned one minor on account of absence from duty and the instant major punishment of dismissal from service.
- L- That respondent will also raise additional grounds at the time of hearing of appeal with the kind permission of this Hon'ble Tribunal.

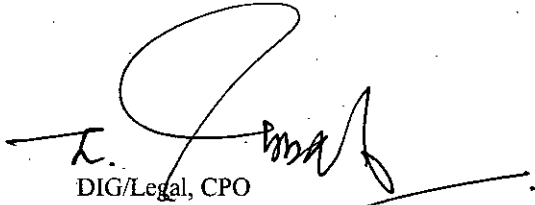
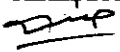
3

Prayer:

In view of above, the instant appeal may very kindly be dismissed being time barred.


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


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


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


47

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 2203/2023

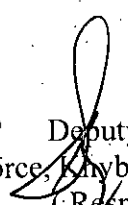
Aleem Khan Ex-FC Elite ForceAppellant

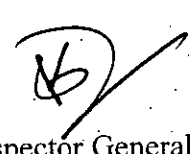
Versus

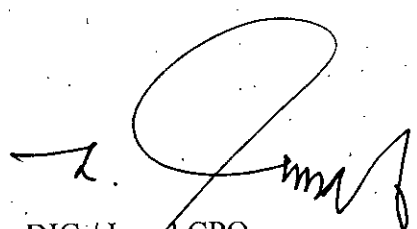
Provincial Police Officer Khyber Pakhtunkhwa etcRespondent

AUTHORITY LETTER

I, **Main Niaz Muhammad (DSP) Elite Force Khyber Pakhtunkhwa Peshawar** do hereby solemnly affirmed that the contents of these joint parawise comments on behalf of Respondents No. 1 to 3 are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


Deputy Commandant
Elite Force, Khyber Pakhtunkhwa Peshawar
(Respondent No. 3)
(**Abdus Samad Khan**) Psp


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


DIG / Legal CPO
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 1)
(**Dr. Muhammad Akhtar Abbas**) PSP

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 2203/2023

Aleem Khan Ex-FC Elite ForceAppellant

Versus

Provincial Police Officer Khyber Pakhtunkhwa etcRespondent

AFFIDAVIT

I, **Abdus Samad Khan Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar responded No. 3**) do hereby solemnly affirmed that the contents of these joint parawise comments on behalf of Respondents No. 1 to 3 are true and correct to the best of my 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/*CoB* -

[Signature]
Deputy Commandant
Elite Force, Khyber Pakhtunkhwa
Peshawar
(Respondent No. 3)
(**ABDUS SAMAD KHAN**) PSP

ATTESTED

[Signature]
Azmat Ali Khan
Notary Public
Judicial Complex Peshawar
2-4-2024



OFFICE OF THE SUPERINTENDENT OF POLICE
HQrs, ELITE FORCE, PESHAWAR.

No. 292-96 /R, SP/HQr, EF,

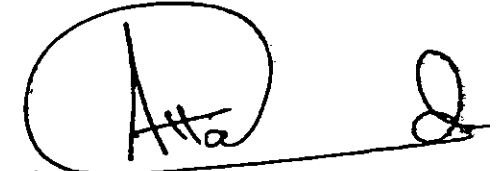
Date: 11-05-2023.



D. No 292/20
Date 15-5-23
Commandant Elite Force

ORDER

Constable Halim Khan No.4472 is still absent from 08.05.2023 from lawful duty without prior permission his salary is hereby stopped with immediate effect.



(ATTA MUHAMMAD)
Superintendent of Police,
HQrs, Elite Force, Peshawar.

Copy for information to the:-

1. Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
2. Accountant Elite Force Khyber Pakhtunkhwa, Peshawar.
3. OASI/SRC Elite Force, Khyber Pakhtunkhwa Peshawar along with DD reports 02 pages.



Serial No.

14—COMMENDATORY ENTRIES—concld.

TR-143

TR-366
18/05/2021

Hand amount pay \rightarrow All
Rs 13196/2 due to loss drawn.

Ch

Pa

[Handwritten signature]

ORDER

Transferred & adjusted in Upper Chitral District vide R.P.O Mkd Swat office order NO. 4696-97/E dt, 09-04-2021

01-08-2013 30-04-2021

[Signature]
District Police Officer
Upper Chitral

[Signature]

ORDER

Transferred to Elite Force KPK Peshawar vide CPO Order No. 10956-58/E-IV, dated 16-11-2022, RPO Mkd Swat Endst. No. 13707/E, dated 08-12-2022 & this office order No. 3941-50/E-II, dated 14-12-2022.

ABS

Service from 01-05-2021 to 14-12-2022
Has been verified from the pay & acc: rolls
Kept in this office record.

[Signature]
District Police Officer
Upper Chitral

[Signature]
DPO Upper Chitral

Attested
[Signature]
D.P.O.

C-2/8

14-COMMENDATORY ENTRIES—concl'd.

Serial No.

TR. 153

TR-366
18/05/2021

hand amount pay \rightarrow All
srs: 13196/2 due to loss drawn

PAOT
MMS

ORDER

Transferred & adjusted in upper Chitral District vide R.P.O Mkd Swat office order NO. 4696-97/E dt, 09-04-2021

01-08-2013 30-04-2021 -

V. M. M.
District Police Officer
Upper Chitral

ORDER

Transferred to Elite Force KPK Peshawar vide CPO Order No. 10956-58/E-IV, dated 16-11-2022, RPO Mkd Swat Endst. No. 13707/E, dated 08-12-2022 & this office order No. 3941-50/E-II, dated 14-12-2022.

Service from 01-05-2021 to 14-12-2022
Has been verified from the pay & acc. rolls
Kept in this office record.

A. N. S.
District Police Officer
Upper Chitral

A. N. S.
DPO Upper Chitral

M. S. J.

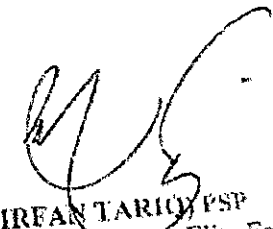
D. and E / Enquiry

(9)

CHARGE SHEET

I, Irfan Tariq, Deputy Commandant, Elite Force Khyber Pakhtunkhwa, Peshawar as competent authority hereby charge you Cook Constable Halim No. 4472 /EF.

1. As per report of Moharrar Elite HQrs: Peshawar vide DD No. 13 dated 19.03.2023, you were absent from lawful duty without any leave or prior permission from the competent authority wef 19.03.2023 to till date. Being a member of discipline force, your act is highly objectionable and against the norm of disciplined force, which is 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 (Amended 2014) and have rendered yourself liable to all or any of the penalties specified in the rules.
3. You are therefore, directed to submit your defence within 07 days of the receipt of this charge sheet to the enquiry officer.
4. Your written defence, 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 allegations is enclosed.


(IRFAN TARIQ) PSP
Deputy Commandant, Elite Force
Khyber Pakhtunkhwa Peshawar.



10

SUMMARY OF ALLEGATIONS

I, Irfan Tariq, Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar as competent authority, am of the opinion that Cook Constable Halim No. 4472 /EF has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Khyber Pakhtunkhwa Police Rules, 1975 (Amended 2014).

SUMMARY OF ALLEGATIONS

As per report of Moharrar Elite HQrs: Peshawar vide DD No. 13 dated 19.03.2023, you were absent from lawful duty without any leave or prior permission from the competent authority wef 19.03.2023 to till date. Being a member of discipline force, your act is highly objectionable and against the norm of disciplined force, which is gross misconduct on your part.

2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations, Mr. Amir Nawaz DSP HQrs Elite Force Peshawar is appointed as Enquiry Officer.

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

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

(IRFAN TARIQ) PSP
Deputy Commandant, Elite Force
Khyber Pakhtunkhwa Peshawar.

No. 4873-76 /EF, dated Peshawar the: 17/04 /2023.

Copy of the above is forwarded to the:-

- 5. Superintendent of Police HQrs: Elite Force Peshawar.
- 6. Deputy Superintendent of Police HQrs: Elite Force Peshawar.
- 7. Accountant, Elite Force Khyber Pakhtunkhwa Peshawar.
- 8. This charge sheet and summary of allegation to be served upon the accused Cook Constable Halim No. 4472 /EF through reader to DSP/HQrs Elite Force, Peshawar

میں نے اپنا چارج شیٹ و سمٹری آن ایڈیشن
درسن طور پر وصول کر لیا ہے

08-05-2023



1 E = 113
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
HEADQUARTERS, ELITE FORCE, PESHAWAR.



No 74 /R, DSP/EF, HQrs

Date: 09 /05/2023.

To: The Deputy Commandant,
Elite Force, Khyber Pakhtunkhwa, Peshawar

D. No 2739
Date 10-5-23
Commandant Elite Force

Subject: DEPARTMENTAL ENQUIRY AGAINST CONSTABLE HALIM NO.4472

Memo: Kindly refer to your office Endst: No.4873-76/EF, dated: 17.04.2023 Peshawar.

Respected Sir,

In pursuance of your kind directives, the undersigned completed enquiry in the above cited case. Its stepwise detail is given below:

ALLEGATIONS:

As per report of Moharrar Elite Force HQrs Peshawar vide DD No.13 dated: 19.03.2023, the delinquent Cook Constable Halim was absent from lawful duty without any leave or prior permission from the competent authority w.e. from 19.03.2023 to till to date. Being a member of discipline force, his act is highly objectionable and against the norm of disciplined force, which is gross misconduct on his part.

PROCEEDINGS:

In this regard, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar issued him charge sheet & summary of allegations and Deputy Superintendent of Police Headquarters Elite Force was appointed as enquiry officer.

Charge Sheet and Summary of Allegations was served upon the delinquent constable through District Commander Elite Force Chitral vide this office letter No.69/R/DSP/HQrs, EF, dated: 27.04.2023 and received by brother of the delinquent constable namely Mohammad Ali Khan on 27.04.2023.

In reply to charge sheet and summary of allegations neither the delinquent constable appeared in person before the undersigned nor submitted his written statement till to 08.05.2023.

STATEMENT OF HALIM KHAN NO.4472:

Similarly, the delinquent constable vide DD No.32 dated: 08.05.2023 ensured his arrival at Elite Force HQrs Peshawar and he was handed over a copy of Charge Sheet & Summary of Allegations responding of which he submitted his written statement and appeared in person before the undersigned, stating in his statement that he is patient of stomach due to which he is feeling physical and mental weakness, in this context he went to Al-Safia Medical Centre Islamabad for medical treatment he further stated that enquiry against him may be filed (Statement & Medical documents attached).

M. Ali Khan

CROSS EXAMINATIONS:

In addition to above the delinquent constable was examined with several cross questions enclosed for ready reference.

FINDINGS:

Keeping in view all the circumstance it has been reflected through DD report No.05 dated: 01.05.2023 during the course of enquiry that the delinquent Constable Halim Khan No.4472 has left home on 31.03.2023 and has not contacted with any family member. Further revealed by his brother that father of the delinquent constable has passed away and he has been living with his elder brother as well as has not got married yet. In accordance with the information of family members present location of the delinquent constable Halim Khan No.4472 was unknown.

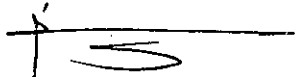
CONCLUSION:


Having gone through all materials placed on record the undersigned has reached to the conclusion that the delinquent constable do not take interest in duty and still is absence from place of posting from 19.03.2023, in this context his family members were also approached by district commander Chitral but despite that no signal about his appearance was found during the course of enquiry till to 08.05.2023.

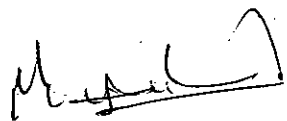
However, the delinquent constable alongwith medical documents appeared in person before the undersigned and submitted his written statement on 08.05.2023, reflecting that he suffered from illness of stomach and in this connection he went to Al- Safia Medical Centre Islamabad but he did not submit an application for leave, so, he has committed gross misconduct and did not defend himself against allegations as leveled against him and irresponsibility is still shown in discipline force on his part, therefore, he does not deserves leniency and mercy.

RECOMMENDATIONS:


Keeping in view of the above facts and other materials placed on record the delinquent constable was absent from lawful duty w.e.f 19.03.2023 to 08.05.2023, therefore, he is recommended to be awarded "Major punishment" if deemed possible.


AMIR NAWAZ
Deputy Superintendent of Police,
Headquarters Elite Force, Peshawar.

Dismissed

10/5/23.



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

No. 6504-10 EF,

Dated: 12/05/2023

ORDER


This office order relates to the disposal of departmental enquiry against Cook Constable Aaleem Khan No. 4472 of Elite Force on the following ground:-

As per report of Moharar Elite HQrs vide DD No. 13, dated 19.03.2023, he remained absent from official duty without any leave or prior permission from the competent authority w. e. from 19.03.2023 to 08.05.2023 (total 49 days)

In this regard charge sheet along with summary of allegation were issued to him by this office vide No. 4873-76/EF, dated 17.04.2023 and DSP HQrs Elite Force was appointed as enquiry officer. Enquiry Officer conducted enquiry proceedings and reported that he does not take interest in his official duty and still absence from place of posting, in this context his family members were also approached through District Commander Elite Force Chitral and reported vide No. 511-5/SA/EF-CH, dated 02.03.2023 that his brother namely Muhammad Ali received charge sheet & summary of allegations and stated that his brother leave the home on 31.03.2023 and not yet contacted with any family member and his cell phone is switch off but despite that no signal about his appearance was found during the course of enquiry till to 08.05.2023.

However, he was appeared before the enquiry officer on 08.05.2023 also received his Charge Sheet along with Summary of Allegation and submitted written statement along with medical documents of Al- Safia Medical Center Islamabad about his illness, but he did not submit an application for leave, so, he has committed of gross misconduct and did not defined himself against allegations as leveled against him and irresponsibility is still shown in discipline force on his part, therefore, he does not deserves leniency and mercy. And Enquiry Officer also recommended to be awarded major punishment.

Therefore, I Irfan Tariq Deputy Commandant Elite Force Khyber Pakhtunkhwa, keeping in view the above facts and circumstances impose **major punishment of dismissal form Service** upon him and his absence period treated as without pay.


11/05/23.
(IRFAN TARIQ) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

Copy to the:-

01. DSP Elite Force HQrs Khyber Pakhtunkhwa w/r to his office letter No. 74/R, DSP/EF/HQrs, dated 09.05.2023.
02. SP Elite Force Malakand Region.
03. Accountant, Elite Force Khyber Pakhtunkhwa, Peshawar.
04. OASI, Elite Force Khyber Pakhtunkhwa, Peshawar.
05. EC, SRC, EMC, Elite Force Khyber Pakhtunkhwa, Peshawar along with completed departmental enquiry file Encls: (27pages)

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