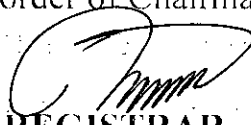


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No. 903/2024**

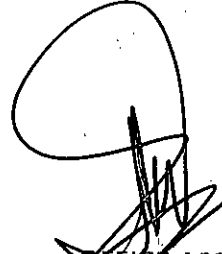
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/06/2024	<p>The appeal of Mr. Shamsul Wahab resubmitted today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 02.07.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p><b>REGISTRAR</b></p>

The appeal of Mr. Shamsul Wahab received today i.e. on 24.06.2024 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Affidavit is not attested by the Oath Commissioner.
- 3- Check list is not attached with the appeal.
- 4- Annexures of the appeal are unattested.
- 5- Annexure-C, D, F & G of the appeal are illegible.
- 6- Four more copies/sets of the appeal along annexures i.e. complete in all respect may also be submitted with the appeal.

No. 253 /Inst./2024/KPST,

Dt. 25/6 /2024.

  
25/6/24  
OFFICE ASSISTANT  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Taimur Ali Khan Adv.  
High Court Peshawar.

Respected Sir,

- 1- Removed
- 2- Removed
- 3- Removed
- 4- Removed
- 5- Better copies of C, D, F and G are prepared
- 6- Removed

Resubmitted, after removing office objections

Adv: Shaleer Hussain Sohani

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

SERVICE APPEAL NO. 903/2024

Shams Ul Wahab

VS

Police Deptt.

**INDEX**

S.No	Documents	Annexure	Page No.
01	Memo of Appeal	----	01-06
02	Affidavit	----	07
03	Copy of commendation certificate	A	08-10
04	Copy of letter dated 17.11.2023	B	11
05	Copies of memo dated 31.01.2024, show cause notice and reply to show cause	C, D&E	12-15
06	Copies of charge sheet along with statement of allegations and reply.	F&G	16-19
07	Copies of application, inquiry report and questionnaire	H, I&J	20-23
08	Copies of final show cause notice and reply.	K&L	24-26
09	Copies of order dated 21.02.2024 and departmental appeal	M&N	27-29
10	Vakalat Nama	----	30

APPELLANT

THROUGH:

(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT

Cell No.03339390916

&

(SHAKIR ULLAH TORANI)

ADVOCATE

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

SERVICE APPEAL NO. 903 /2024

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 13727

Dated 24-06-2024

Shams UJ Wahab, Ex-Cook Constable No.559,  
Elite Force, Peshawar.

(APPELLANT)

VERSUS

1. The Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
2. The Superintendent of Police, HQrs, Elite Force, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 21.02.2024, WHEREBY THE APPELLANT HAS BEEN DISMISSED FROM THE SERVICE AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

-----

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 21.02.2024 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY KINDLY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

-----

2

**RESPECTFULLY SHEWETH:**  
**FACTS**

1. That the appellant was appointed as Cook Constable in Elite Police Training Centre Nowshera in the year 2013 after fulfilling all codal formalities by the respondent department and since his appointment, the appellant was performing his duty with devotion and honesty, whatsoever, assigned to him and no complaint has been filed by his superiors regarding his performance.
2. That the appellant was regularly performing his duty with his best ability and capability and has also granted commendation certificates for his good performance along with cash reward by the his high ups and has given training in his field/cadre i.e cooking by in the EPTC, Nowshera and on completion of his course/training the Principal of the EPTC Nowshera has granted commendation certificate to the appellant for successfully completion of course and clearly mentioned in commendation certificate as *qualified*. (Copy of commendation certificates is attached as Annexure-A)
3. That the appellant being cook constable along with the other officials were sent to Shiraz Ronaq Hotel Peshawar for training in their respective cadre vide memo dated 17.11.2023, but the concerned administration of the Shiraz Ronaq Hotel assigned other duties instead of giving training in the field of cooking on which the appellant along with other cook constable informed his high-ups through phone about that issue, however, no action has taken on his phone/ complaint and the appellant continue his work in such capacity in the Shiraz Ronaq Hotel. (Copy of letter dated 17.11.2023 is attached as Annexure-B)
4. That the appellant after completing his work in the Shiraz Ronaq Hotel, Peshawar reported back to Police Lines Peshawar, but the appellant was transferred to Manshara on basis of departmentally proceeding through memo dated 31.01.2024 and show cause notice was also served to him on the same day, 31.01.2024 in which following allegation was leveled against him that you have been enlisted as cook in Elite Force, moreover, you were also departed to get experience by virtue of incapability in respective cadre but you did not take interest and returned without obtaining any training, which shows a gross misconduct on your part. The appellant submitted his reply to show cause notice in which clearly mentioned that he was enlisted as cook constable in the department and has performed his duty with honesty and has full command on cooking and due to good performance in the field of cooking the high ups also awarded commendation certificates and he is ready for any kind of test in cooking. (Copies of memo dated 31.01.2024, show cause notice and reply to show cause are attached as Annexure-C, D & E)

5. That charge sheet along with statement of allegations on above mentioned charge were issued to the appellant. The appellant submitted his reply to the charge sheet and gave the same stance as given in show cause notice. **(Copies of charge sheet along with statement of allegations and reply are attached as Annexure-F&G)**
6. That inquiry was conducted against the appellant, but the appellant was never associated with the inquiry proceeding in order to defend himself, even the inquiry report was not provided to the appellant to the appellant along with final show cause notice, therefore the appellant filed an application to provide the inquiry report on which inquiry report was provided to the appellant and in the inquiry report the inquiry officer mentioned that the delinquent Cook Constable (appellant) appeared before the undersigned in person and recorded his written statement and was also cross examined but it necessary to mention here that the appellant was never appeared before the inquiry officer rather reader of SP HQrs Mohsin handed over questionnaire to the appellant through Class-IV and directed the appellant to answer the questions. It is also necessary to mention here that in the inquiry report, the inquiry officer mentioned that the delinquent Cook Constable Shams Ul Wahab No.559 (appellant) was examined in his cadre (Cooking). Cooking test was conducted through CDI Elite Force HQrs. He could not qualify and failed, but test has not been taken from the appellant by any official. **(Copies of application, inquiry report and questionnaire are attached as Annexure-H,I&J)**
7. That final show cause was issued to the appellant. The appellant submitted his reply to the final show cause notice and gave the same stance as given to show cause notice and charge sheet. **(Copies of final show cause notice and reply are attached as Annexure-K&L)**
8. That on the basis of above baseless allegation and without conducting proper inquiry, the appellant was dismissed from service vide order dated 21.02.2024 and in the dismissal order dated 21.02.2024 besides allegation mentioned in the charge sheet, it also was mentioned that similarly once again the delinquent Cook Constable Shams Ul Wahab No.559 (appellant) was examined in his cadre (Cooking). Cooking test was conducted through CDI Elite Force HQrs but could not qualify and failed, but test has not taken from the appellant by any official. The appellant filed departmental on 07.03.2024 against the dismissal order dated 21.02.2024, which was not responded within the statutory period of ninety days. **(Copies of order dated 21.02.2024 and departmental appeal are attached as Annexure-M&N)**
9. That the appellant now wants to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

GROUNDS:

- A) That the orders dated 21.02.2024 and not taking action on the departmental appeal of the appellant within the statutory period of ninety days are against the law, rules, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That in the inquiry proceeding, the appellant was never associated with the inquiry proceeding in order to defend himself, which is violation of law and rules and as such the impugned order is liable to be set aside on this ground alone.
- C) That in the inquiry proceeding the appellant was never appeared before the inquiry officer rather Reader of SP HQrs Mohsin handed over questionnaire to the appellant through Class-IV and directed the appellant to answer the questions and such conduct of the respondent department is against the law and rules and such the impugned order dated 21.02.2024 is liable to be set aside.
- D) That in the impugned dismissal order dated 21.02.2024, it was mentioned that cooking test was conducted through CDI Elite Force HQrs from the appellant, but he could not qualify the test and failed, but test has not been taken from the appellant by any official and the appellant was dismissed from service without any solid reason and proof to judge the efficiency in his field i.e cooking, and as such the impugned dismissal order dated 21.02.2024 is against the norms of justice and fair play.
- E) That the appellant was appointed as Cook Constable in the year 2013 after fulfilling all the codal formalities by the respondent department and served the department for about 11 years and in this respect recommendation certificates were also awarded to him for his good performance and after serving for about long period of 11 years, he was dismissed from service on the ground of incapability in respective cadre, which is against the norms of justice and fair play.
- F) That the appellant was sent to Shiraz Ronaq Hotel Peshawar for training in the field of cooking, but the concerned administration of the Shiraz Ronaq Hotel assigned other duties instead of giving training in the field of cooking on which the appellant informed his high ups through phone about that issue, however, no action has taken on his phone/complaint and the appellant continue his work in such capacity in the Shiraz Ronaq Hotel, but he was dismissed from service on baseless allegations of not taking interest and returned without obtaining any training, which means that the appellant has performed

his duty in the Shiraz Ronaq Hotel as the concerned administration of the Shiraz Ronaq Hotel directed to perform and was dismissed from service for the fault of the others on baseless allegations without conducting regular to dig out the reality about the allegation, which is against the norms of justice and fair play.

- G) That the appellant has properly attended the training at Shiraz Ronaq Hotel Peshawar arranged by the department and after completing his training/work he reported back to Police Lines Peshawar but he dismissed from service on baseless allegations of not taking interest and returned without obtaining any training, which means that the appellant was dismissed from service on baseless allegations without conducting regular to dig out the reality about the allegation, which is against the norms of justice and fair play.
- H) That the appellant was also discriminated as Deputy Commandant Elite Force directed respondent No.2 vide memo dated 31.01.2024 to initiate disciplinary proceeding against different officials, but no action has taken against some of them, while the appellant was dismissed from service on baseless allegation which is clear violation of Article-25 of the Constitution of Pakistan.
- I) That the opportunity of personal hearing and personal defense was not provided to the appellant, which is against the spirit of Article 10-A of the Constitution.
- J) That the appellant has been condemned unheard and has not been treated according to law and rules and has been punished for no fault on his part and as such the impugn order dated 21.02.2024 is liable to be set aside.
- K) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

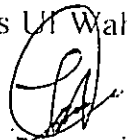


It is, therefore, most humbly prayed that the acceptance of this appeal, the order dated 21.02.2024 may please be set aside and the appellant may kindly be reinstated into service with all back and consequential benefits. Any other remedy which this Honorable Tribunal deems fit and appropriate that may also be awarded in favour of appellant.



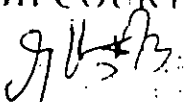
APPELLANT  
Shams Ul Wahab

THROUGH:



(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT

&



(SHAKIR ULLAH TORANI)  
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

SERVICE APPEAL NO. \_\_\_\_\_ /2024

Shams Ul Wahab

VS

Police Department

AFFIDAVIT

I, Shams Ul Wahab, Ex-Cook Constable No.559, Elite Force, Peshawar, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.

  
DEPONENT

**POLICE TRAINING SCHOOL MANSEHRA**

Commendation Certificate III  
is awarded to

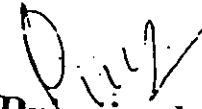
Shams-ul-Wahab 559

In recognition of

Good performance

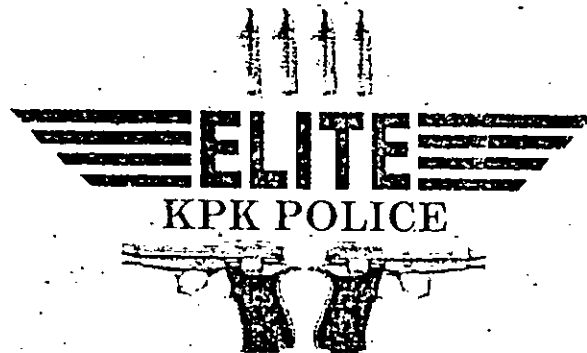
OB No. 285

Date 17.11.2017

  
Principal,  
PTS, Mansehra

A 8

Elite Police Training Center, Nowshera



Commendation Certificate  
Class III

*This Certificate is Awarded to*

*Mr. Shams Ul Wahab, Fc Cook-SSS/O Faqih Gul*

*R/O Baker Swabi, Saleem Khan*

*Is Hereby Granted Cash Reward of Rs. 1000/- & C-III Certificate*

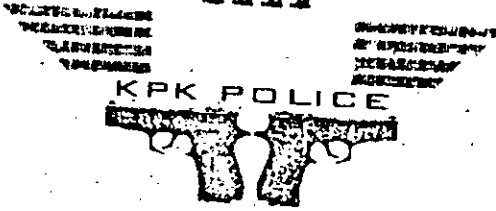
*Account of Good Performance*

O.B. NO. *08*

DATED *24-1-2022*

Senior Superintendent of Police,  
Admn./Security  
Elite Police Training Center, Nowshera

Elite Police Training Center, Nowshera



Commendation Certificate  
Class III

*This Certificate is Awarded to*

Mr. SHAMS-UL-WAHAB, CFC 559 S/O FAQIR GIL

This Certificate is Awarded on Successful Completion of Cooking Course

*Qualified*

O.B. NO \_\_\_\_\_

DATED 23-06-2023

  
**PRINCIPAL**  
Elite Police Training Center  
Nowshera

B

11

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



No. 1244 L.C/R/SPI/HQr, EF.


Date: 17/11/2023

To: The Manager of Shiraz Ronaq, Hotel  
Peshawar.

Subject: COOKING TRAINING

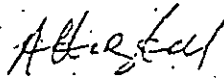
It is submitted that the following officials of Elite Force are sent to be trained in their respective cadres, please.

S.No.	Name	Designation	Posting
1.	FC Shams Ul Wahab No.559	Cook	Elite HQrs Peshawar
2.	FC Usman, Sher No.177	Cook	Elite HQrs Peshawar
3.	Sheryar	Cook	Elite HQrs Peshawar

  
(SHAH JEHAN DURRANI) PSP  
Superintendent of Police,  
HQrs, Elite Force, Peshawar.

Copy for information to the:-

1. Principal ERTC, Nowshera
2. DSP/HQrs, Elite Force, Peshawar.
3. Office Superintendent, Elite Force, Peshawar.
4. Line officer, Elite Force, Peshawar.
5. OASI, Elite Force, Peshawar.
6. CDI, Elite Force, Peshawar.





C 12

RECEIVED

ELITE FORCE KHYBER PAKHTUNKHWA PESHAWAR



No. 1556-63/111

Dated: 31/01/2024

Subject: DIRECTIONS OF ADDL IGP ELITE FORCE KHYBER PAKHTUNKHWA DURING HEARING OF COOK.

S.No.	Name of Official	Decision	Action by
1.	Shehreyar Cook	To be dismissed from service after issuing a Show Cause Notice	SP HQrs: Elite Force Peshawar
2.	Murad Cook	Should be transfer to Miransha to report today, Pay stop, Proceed departmentally	SP HQrs: Elite Force Peshawar
3.	Mahir Ex CDI	Pay stop for keeping unqualified cooks.	Deputy Commandant
4.	Sher Khan Line officer	To be suspended, Pay stop & issue Show Cause Notice.	Deputy Commandant EF / SP HQrs: Elite Force Peshawar
5.	Humt Cook	Transfer to Chitral, take test in cooking, in case of no. qualify should be dismissed.	SP HQrs: Elite Force Peshawar
6.	Akhtar Munir Cook	Take test in cooking and report, In case of not qualifying be dismissed.	SP HQrs: Elite Force Peshawar
7.	Haron Cook	Transfer to D-I Khan today followed by dismissal after enquiry	Deputy Commandant EF / SP HQrs: Elite Force Peshawar
8.	Shamsul Wahab Cook	Transfer to Miransha, To be awarded major punishment on medical grounds	SP HQrs: Elite Force Peshawar
9.	Usman Sher Cook	Pay stop. Transfer to Miransha, to be awarded major punishment on medical grounds	SP HQrs: Elite Force Peshawar

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

Copy to the:-

1. Superintendent of Police, Elite Force, HQrs: Peshawar.
2. Regional Commander Elite Force Malakand Region.
3. SP NMDs Elite Force Khyber Pakhtunkhwa.
4. Accountant, Elite Force, RRI Peshawar & EPIC Nowshera.
5. CDI Elite Force Peshawar

Best copy

12

9

**Elite Force Khyber Pakhtunkhwa Peshawar**

No1556-63/FF

dated 31.01.2024

**Subject: DIRECTION OF ADDL: IGP ELITE FORCE KHYBER PAKHTUNKHWA DURING HEARING OF COOK.**

S.No	Name of Official	Decision	Action
1	Shehreyar cook	To be dismissed from service after issuing show cause notice	SP Hqrs: Elite Force Peshawar
2	Murad Cook	Should be transfer to Mansehra to report today, pay stop, proceed departmentally	SP Hqrs: Elite Force Peshawar
3	Mahir Ex CDI	Pay stop for keeping unqualified cooks	Deputy Commandant
4	Sher Khan Line officer	To be suspended pay stop & issue show cause notice	Deputy Commandant EF/SP HQrs: Elite Force Peshawar
5	Himat Cook	Transfer to Chitral take test in cooking in case of not qualify should be dismissed	SP Hqrs: Elite Force Peshawar
6	Akhter Munir Cook	Take test in cooking and report, in case of not qualifying be dismissed	SP Hqrs: Elite Force Peshawar
7	Haroon Cook	Transfer to Di Khan today followed by dismissal after enquiry	Deputy Commandant EF/SP HQrs: Elite Force Peshawar
8	Shamsul Wahab Cook	Transfer to Mansehra, to be awarded major punishment on medical grounds	SP Hqrs: Elite Force Peshawar
9	Usman Sher Cook	Pay stop, transfer to Miransha to be awarded major punishment on medical grounds	SP Hqrs: Elite Force Peshawar

(ABDUS SAMAD) PSP

Deputy Commandant

Elite Force Khyber Pakhtunkhwa Peshawar

Copy to the:

1. Superintendent of Police, Elite Force, HQrs: Peshawar.
2. Regional Commander Elite Force Malakand Region.
3. SP NMDs Elite Force Khyber Pakhtunkhwa.
4. Accountant Elite Force, RRF Peshawar & EPTC Nowshera.
5. CDI Elite Force Peshawar.





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

13



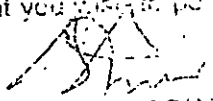
SHOW CAUSE NOTICE

Under Rule 5 (3) (c) of Khyber Pakhtunkhwa Police Rules, 1975 (Amended 2014)

That you constable Shams Ul Wahab No.559 (Cook) have rendered yourself liable to be proceeded against departmentally under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules 1975 (Amended 2014) for the commission of misconduct and negligence in duty enumerated below:-

*You have been enlisted as cook constable in Elite Force, moreover, you were also departed to get experience by virtue of incapability in respective cadre but you did not take interest and returned without obtaining any training, which shows a gross misconduct on your part.*

2. That by reason of above and sufficient material placed before the competent authority; it is decided to proceed against you in General Police Proceeding without aid of enquiry officer as contemplated in Rule 5(3)(c) of Police Rules 1975 (Amended 2014).
3. That the misconduct on your part is prejudicial to good order and service discipline.
4. That your retention in the Police force will amount to encourage of anti social elements, inefficient and corrupt Police officers.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by imposing upon you one or more of the major punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 (Amended 2014) for the commission of misconduct mentioned above.
7. You should submit reply to the show cause notice within 03 days of its receipt failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.

  
SHABIR HUSSAIN SHAH  
Superintendent of Police,  
HQrs, Elite Force, Peshawar.

No. 351-62 /R,SP/HQrs, EF.

Date: 5/10/2024

This show cause notice served upon the delinquent Constable Cook Shams Ul Wahab No.559 through CDI Elite Force HQrs Peshawar.

01/10/2024  
13:15

Letter copy

13

1

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

SHOW CAUSE NOTICE

Under Rule 5 (3) (c) of Khyber Pakhtunkhwa Police Rules 1975 (Amended) 2014.

That you constable Shams Ul Wahab No.559 (Cook) have rendered yourself liable to be proceeded against departmentally under Rule 5(3) of the Khyber Pakhtukhwa Police Rules 1975 (amended 2014) for the commission of misconduct and negligence in duty enumerated below

You have been enlisted as cook constable in Elite Force, moreover, you were also departed to get experience by virtue of incapability in respective cadre but you did not take interest and returned without obtaining any training which shows a gross misconduct on your part.

2. That by reason of above and sufficient material placed before the competent authority, it is decided to proceed against you in General Police Proceeding without aid of enquiry officer as contemplated in Rule 5(3)(c) of police Rules 1975 (Amended 2014).
3. That the misconduct on your part is prejudicial to good order and service discipline.
4. That your retention in Police Force will amount to encourage of anti social elements, inefficient and corrupt police officers.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by imposing upon you one or more of the major punishment as provided in the rules.
6. You are therefore, called upon show cause as why you should not be dealt strictly in accordance with Khyber Pakhtunkhwa Police Rules 1975 for the commission of misconduct mentioned above.
7. You should reply to show cause notice within 03 days of its receipt failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.

**SHABIR HUSSAIN SHAH**  
Superintendent of Police  
HQrs, Elite Force Peshawar.

No.361-62/R,SP/HQrs, EF

This show cause notice served upon the delinquent constable cook Shams Ul Wahab No.559 through CDI Elite Force HQrs Peshawar.



01-2-2024

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0329 5088718

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F (16)

**OFFICE OF THE SUPERINTENDENT OF POLICE.  
HQRS. ELITE FORCE PESHAWAR**

**CHARGE SHEET**

Shabir Hussain Shah, Superintendent of Police HQrs Elite Force  
Peshawar as competent authority hereby charge you  
Shams Ul Wahab No 559 of Elite Force for the following

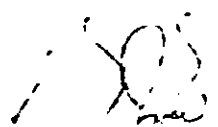
*You have been enlisted as Jock in Elite Force, moreover, you were  
sent to get experience by virtue of incapability in respective cadre but you  
did not take interest and returned without obtaining any training, which shows a  
poor conduct on your part.*

*As per the above you are liable to be dismissed under  
Article 107 of the Police Rules, 1973 and have to pay  
the amount of the penalties specified in the rules.*

You are therefore directed to submit your defence within **07 days** of the  
date of the charge sheet to the enquiry officer.

If any defence is submitted to the enquiry officer within the  
stipulated period failing which, it shall be presumed that you have no defence to offer  
and appropriate action shall be taken against you.

You are directed to intimate whether you desire to be heard in person.

  
**SHABIR HUSSAIN SHAH**  
Superintendent of Police  
HQrs Elite Force Peshawar

*Handwritten signature*

F (16) Better copy

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

CHARGE SHEET

I, Shabir Hussain Shah, Superintendent of Police HQrs, Elite Force Khyber Pakhtukhwa Peshawar as competent authority hereby charge you cook constable Shams Ul Wahab No.599 of Elite Force for the following omission/commission.

*You have been enlisted as cook constable in Elite Force, moreover, you were also departed to get experience by virtue of incapability in respective cadre but you did not take interest and returned without obtaining any training which shows a gross misconduct on your part.*

2. By reason of above, you appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Rules, 1975 (Amended 2014) and have rendered yourself liable to all of the penalties specified in the said rules.
3. You are, therefore, directed to submit your written 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 defence 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.

SHABIR HUSSAIN SHAH  
Superintendent of Police  
HQrs, Elite Force Peshawar.

Better copy 17

**OFFICE OF THE SUPERINTENDENT OF POLICE,  
HQRS, ELITE FORCE PESHAWAR.**

**SUMMARY OF ALLEGATIONS**

I, Shabir Hussain Shah, superintendent of police HQrs, Elite Force Khyber Pakhtukhwa Peshawar as competent authority hereby charge you cook constable Shams Ul Wahab No.559 has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Khyber Pakhtunkhwa Police rules, 1975 (Amendment 2014)

**SUMMARY OF ALLEGATIONS**

*You have been enlisted as cook constable in Elite Force, moreover, you were also departed to get experience by virtue of incapability in respective cadre but you did not take interest and returned without obtaining any training which shows a gross misconduct on your part.*

2. For the purpose scrutinizing the conduct of the said constable with reference to the above allegation Mr. Ijaz Abazai DSP/HQrs, Elite Force Peshawar is appointed as enquiry officer.
3. The enquiry officer shall provide reasonable opportunity of hearing to the delinquent constable, record statement etc and findings within (25 days) after the receipt of this order.
4. The delinquent constable shall join the proceeding on the date time and place fixed by the enquiry officer.

**SHABIR HUSSAIN SHAH**  
Superintendent of Police  
HQrs, Elite Force Peshawar

No. 4048.403 R/SP/HQrs/EF

Dated Peshawar the 02/01/2024.

Copies to the

1. Deputy commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
2. Accountant of the Elite Force Khyber Pakhtunkhwa, Peshawar.
3. OASI/SRC/FMC, Elite Force Khyber Pakhtunkhwa, Peshawar.

**SHABIR HUSSAIN SHAH**  
Superintendent of Police  
HQrs, Elite Force Peshawar.





دستور العمل و ضوابط و مقررات

شماره ۸۴ - ۰۶ - ۲۰۱۳

تاریخ تصویب

۰۳ - ۲ - ۲۰۱۴

۰۳۳۲۵۰۸۷۱۹

۱۹

مجلس شورای اسلامی شهرستان ارومیه

شماره

دستورالعمل

در خصوص نحوه برگزاری انتخابات

در کمیته انتخاباتی

شماره ۸۴ - ۰۶ - ۲۰۱۳

تاریخ تصویب

۰۳ - ۲ - ۲۰۱۴

شماره ۸۴ - ۰۶ - ۲۰۱۳

تاریخ تصویب

۰۳ - ۲ - ۲۰۱۴

شماره ۸۴ - ۰۶ - ۲۰۱۳

تاریخ تصویب

۰۳ - ۲ - ۲۰۱۴

شماره ۸۴ - ۰۶ - ۲۰۱۳

تاریخ تصویب

۱۹

Better Copy

Back page



19

19

جناب عالی!

من سائل نہایت غریب اور شریف خاندان سے تعلق رکھتا ہے ایلٹ فورس کے سنٹر کے بنگلہ جات میں رہ کر اپنی ڈیوٹی نہایت خوش اسلوبی اور ایمانداری سے سرانجام دی اور آفسران بالا صاحبان کو کسی قسم کی شکایت کا موقع نہیں دیا من سائل کو طرح کی وکونگ اور ہر قسم کے کھانے بنانے تیار کرنے کی مہارت رکھتا ہے۔ من سائل کے تیار کردہ کھانوں پر قبل ازیں کسی بھی پولیس آفسران کو کوئی اعتراض نہیں کیا۔ بلکہ من سائل کی محنت کی تعریف کی۔ من سائل کو آفسران بالا صاحبان کسی بھی مقام / جگہ پر کرانے اور وکونگ کرانے کے مجاز ہے۔ قبل ازیں وکونگ کرانے کے بارے میں کسی قسم کی کوتاہی، غفلت بے اختیاطی اور لاپرواہی نہیں کی۔ من سائل کی ایلٹ فورس میں ہر قسم کے ٹیسٹ کے لیے تیار ہے۔

من سائل کی ایلٹ فورس میں دی گئی وکونگ / کھانے پکانے کی مہارت کو مد نظر رکھتے ہوئے منافع فرما کر جاری شدہ چارج شیٹ فائل کے متعلق مناسب احکامات صادر فرمائیں۔

دعا گو

سائل کنگ کنسٹیبل شمس الوہاب نمبر 559 شمالی وزیرستان

03325022712

03-02-2024

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12/6/2011

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OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,  
HEADQUARTERS, ELITE FORCE, PESHAWAR.



No. 13 /R, DSP/EF, HQrs

Date: 13 /02/2024

To: The Superintendent of Police,  
HQrs, Elite Force, Peshawar.

Subject: DEPARTMENTAL ENQUIRY AGAINST COOK CONSTABLE SHAMS UL WAHAB NO.559

Kindly refer to your office Endst: No:404-8/EF, dated Peshawar the 02.02.2024.

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

ALLEGATIONS:

That the delinquent Cook Constable Shams Ul Wahab No.559 has been enlisted as cook constable in Elite Force, moreover, he was also sent to get experience by virtue of incapability in respective cadre but he did not take interest and returned without obtaining any training, which shows a gross misconduct on his part.

PROCEEDINGS:

In this regard, Superintendent of Police, HQrs, Peshawar issued him Charge Sheet & Summary of Allegations and Deputy Superintendent of Police Headquarters Elite Force was appointed as enquiry officer.

Charge Sheet & Summary of Allegations was served upon the delinquent Cook Constable on 02.02.2024, in reply to Charge Sheet & Summary of Allegations the delinquent Cook Constable appeared before the undersigned in person and recorded his written statement and was also cross examined (Enclosed).

Mob: 0310 9872684

MIL 17301 1499517-5

22

FINDINGS:

Keeping in view all the circumstance it has been reflected that the delinquent Cook Constable Shams Ul Wahab No.559 was examined in his cadre (Cooking), cooking test was conducted through CDI Elite Force HQrs. He could not qualify and failed. Moreover, Upon perusal vide order No.6789-95/OASI/EF, dated: 18.05.2023, he was sent to EPTC Nowshera as well as vide orders No.1037-43/R, SP/HQrs, EF, dated: 17.11.2023 and No.1044-50/R, SP/HQrs, EF, dated: 17.11.2023 the delinquent Cook Constable was also sent to hotels (Shiraz Ronag & Serena) for obtaining training in his respective cadre (Cooking) but he did not take interest and returned without getting experience and just passing his time.

He also takes advantage of medical documents on medical grounds and usually makes excuses to escape from his responsibility.

CONCLUSION/ RECOMMENDATION:

Having gone through the all materials placed on record as under:

- Show Cause Notice,
- Reply to Show Cause Notice,
- Statement of CDI,
- Statement of the delinquent Cook Constable,

The undersigned has reached to conclusion that the delinquent Cook Constable Shams Ul Wahab No.559 does not take interest to perform his duty as cook and despite of training he could not cook and not even tried to take interest in cooking. Therefore the charges leveled against him in Charge Sheet are stand proved.



IJAZ ABAZAI  
Deputy Superintendent of Police,  
HQrs, Elite Force, Peshawar.

140 20 20

Muzib 00 10 00 70 100





OFFICE OF THE SUPERINTENDENT OF POLICE,  
HQRS, ELITE FORCE PESHAWAR



FINAL SHOW CAUSE NOTICE

I, Shabir Hussain Shah, Superintendent of Police HQrs, Elite Force, Peshawar, as competent authority, under Khyber Pakhtunkhwa Police Disciplinary rules, 1975 (Amendment 2014) do hereby serve upon you Cook constable Shams Ul Wahab No.559 of Elite Force as follow:

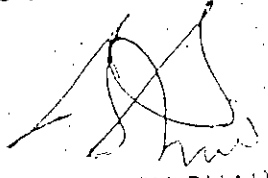
That you have been enlisted as cook constable in Elite Force, moreover, you were also sent to get experience by virtue of incapability in respective cadre but you did not take interest, and returned without obtaining any training, which shows a gross misconduct on your part.

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

2. As a result therefore, I, Shabir Hussain Shah, Superintendent of Police HQrs, Elite Force, Peshawar as competent authority have tentatively decided to impose major penalty upon you, under Police Rules of the said ordinance.

3. You are, therefore, directed to show cause as to why the aforesaid penalty should not be imposed upon you, also intimate whether you desire to be heard in person.

4. If no replay to this notice is received within stipulated time of its delivery in normal course of circumstances, it shall be presumed that you have no defence to put in and in that case an ex- parte action shall be taken against you.

  
SHABIR HUSSAIN SHAH  
Superintendent of Police,  
HQrs, Elite Force, Peshawar.

No. 467-68 /R,SP/HQrs, EF,

Date: 13/02/2024

This final show cause notice served upon the delinquent Cook constable Shams Ul Wahab No.559 through reader to DSP HQrs, Elite Force, Peshawar and report this office.

میں نے اس پر عمل درآمد کیا اور اسے مطلع کیا

الذ

انگریزی کے ساتھ ساتھ عربی میں بھی لکھا گیا ہے۔

اس کتاب کے بارے میں کوئی اور معلومات نہیں مل سکی ہیں۔

اس کتاب کے بارے میں کوئی اور معلومات نہیں مل سکی ہیں۔

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OFFICE OF THE SUPERINTENDENT OF POLICE,  
HQRS, ELITE FORCE PESHAWAR,



No. 506-13/R, SP/HQr, EF,

Date 22-02-24

date 21/02/2024

Commandant Elite Force

ORDER

This order will dispose of the departmental enquiry against the delinquent Cook Constable Shams Ul Wahab No.559. That he was enlisted as Cook Constable in Elite Force, moreover, he was also sent to get experience by virtue of incapability in respective cadre but he did not take interest and returned without obtaining any training.


Similarly once again the delinquent Cook Constable Shams Ul Wahab No 559 was examined in his cadre (Cooking), cooking test was conducted through CDI Elite Force HQrs but could not qualify and failed.

In this regard Charge Sheet and Summary of Allegations vide No.404-08/R/SP/HQrs/EF dated: 02.02.2024 was issued him and Mr. Ijaz Abazar, Deputy Superintendent of Police, HQrs, Elite Force, Peshawar, was appointed as enquiry officer. Enquiry officer found him guilty during the course of enquiry.

Similarly, the delinquent Cook constable was issued vide final Show Cause Notice No.467-68/R,SP/HQrs, EF, dated: 13.02.2024. Responding to Final Show Cause Notice he submitted his written reply in OR but could not satisfy the undersigned.

Therefore, I, Mr. Shabir Hussain Shah, Superintendent of Police, HQrs, Elite Force, Peshawar, being a competent authority in view of the above facts and recommendation of enquiry officer, major punishment "*dismissal from service*" is hereby awarded upon the delinquent Cook Constable Shams Ul Wahab No.559 under Police Rules 1975 (Amended 2014)

Order announced!

  
SHABIR HUSSAIN SHAH  
Superintendent of Police,  
HQrs, Elite Force, Peshawar.

Copy of the above is forwarded for information to the:

1. Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Superintendent of Police, HQrs, Elite Force, Peshawar.
3. Accountant, of Elite Force, Khyber Pakhtunkhwa, Peshawar.
4. PA to Additional Inspector General of Police, Elite Force, Khyber Pakhtunkhwa, Peshawar.
5. Incharge Kot Elite Force, HQrs, Peshawar.
6. SRC /OASI Elite Force Khyber Pakhtunkhwa, Peshawar.
7. FMC Elite Force Khyber Pakhtunkhwa, Peshawar along with (19Pages).



P.T.O.

The Government of Punjab, Lahore  
 has the pleasure to inform you that  
 you have been selected for the post of  
 Cook in the Punjab Police. The  
 details of your appointment are as  
 follows:-  
 Name: Mr. [Name]  
 Post: Cook  
 Station: [Station]  
 Date of joining: [Date]  
 Salary: [Salary]  
 Allowances: [Allowances]  
 The Government of Punjab, Lahore  
 is pleased to inform you that you  
 have been selected for the post of  
 Cook in the Punjab Police. The  
 details of your appointment are as  
 follows:-  
 Name: Mr. [Name]  
 Post: Cook  
 Station: [Station]  
 Date of joining: [Date]  
 Salary: [Salary]  
 Allowances: [Allowances]

Issued by the Secretary to Government  
 Punjab, Lahore.  
 21-2-24  
 SP/HOR/EF/490-97/R  
 Dismissal from Service  
 1572  
 7-3-24  
 28

15/6/24

Ms  
7/3  
EC

CNIC # 16102-5857290-7

0332-5022712

Signature - SS9 (Cook Constable)

Signature -

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62

**VAKALAT NAMA**

NO. \_\_\_\_\_/2024

IN THE COURT OF KP Service Tribunal, Peshawar

Shams-ul-Wahab

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Police Department

(Respondent)  
(Defendant)

I/We, Shams-ul-Wahab

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

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

Dated \_\_\_\_\_/2024



(CLIENT)

ACCEPTED

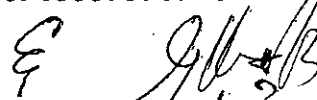


**TAIMUR ALI KHAN**  
Advocate High Court

BC-10-4240

CNIC: 17101-7395544-5

Cell No. 03339390916



Adv: Shabir Hussain Toxani