

Sr. No.	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
	22.01.2016	<p style="text-align: center;">BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, <u>PESHAWAR.</u></p> <p style="text-align: center;">Appeal No. 209/2014</p> <p style="text-align: center;">Saecdullah Versus Government of KPK through Secretary Health Department Peshawar and others.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>PIR BAKHSH SHAH, MEMBER.-</u> Appellant</p> <p>with counsel (Mr. Amjad Ali, Advocate) and Government Pleader (Mr. Muhammad Jan) for the respondents present.</p> <p>2. It was submitted by the learned counsel for the appellant that after securing 56.5 score in the test/interview, the appellant was placed at S.No.8 of the merit list who was appointed as Junior Clerk BPS-7 in Mardan Medical Complex, Teaching Hospital, Mardan by the competent authority vide order dated 01.06.2011 after fulfilling all codal formalities. That after change of the M.S, the appellant was terminated from service vide impugned order dated 04.11.2013 and as his departmental appeal was also not responded, therefore, the instant appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. He argued that no charge sheet was issued to the appellant, no regular enquiry was conducted and no show cause notice was served upon the appellant and without giving any opportunity of defence and personal hearing to the appellant,</p>

he was unlawfully terminated from service. He submitted that the impugned order is based on personal whims of the competent authority and passed with malafide intentions, therefore, the same may be set aside and the appellant reinstated into service with all back benefits.

3. Conversely, the learned Government Pleader resisted the appeal on the ground that a fact finding enquiry was conducted as a result of which it was found that the appellant was appointed as a result of malafide of the Departmental Selection Committee and that his appointment order was illegal, hence, he was rightly terminated from service. He submitted that as preliminary enquiry has been conducted and there was sufficient material in the hands of the competent authority, hence there was no need for regular enquiry and the competent authority was vested with power to pass the impugned order.

4. It was found that appointment of the appellant was made after recommendation being made by the Departmental Selection Committee. He was appointed on 01.06.2011 and terminated from service vide impugned order dated 4.11.2013 after lapse of about two years in between the two dates. The record shows that no charge sheet was issued to the appellant, no regular enquiry was conducted nor any show cause notice was issued to the appellant. The opportunity of defence, thus seems to have not been

provided to the appellant. In the stated circumstances of the case, the Tribunal is of the considered view that as departmental appeal of the appellant has not been decided, therefore, the appellate authority is directed to decide departmental appeal of the appellant strictly in accordance with law/rules within a period of 30 days after receipt of this judgment and after giving full opportunity of hearing and defence to the appellant. In case his departmental appeal is not decided within the stipulated period, then the impugned order dated 4.11.2013 be deemed to have been set aside and the instant appeal allowed accordingly. The issue of back benefits be also decided by the appellate authority in accordance with law/rules. The appeal is disposed off in the above terms. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
22.01.2016.



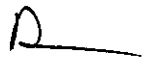
(ABDUL LATIF)
MEMBER



(PIR BAKHSH SHAH)
MEMBER

29.09.2015

Appellant in person, M/S Inamullah, Asssistant, Amjid Ali, Assistant and Asad Ullah, Assistant Director (Lit) alongwith Addl: AG for respondents present. Arguments could not be heard due to learned Member (Judicial) is on official tour to D.I. Khan, therefore, case is adjourned to 22-01-16 for arguments.



Member

5
16.10.2014

Appellant with counsel and Mr. Inamullah, Junior Clerk for respondent No. 3 with Mr. Muhammad Adeel Butt, AAG for the respondents present. Written reply has not been received on behalf of remaining respondents No. 1 and 2 and learned AAG requested for further time. Another chance is given for written reply/comments, positively, on behalf of remaining respondents No. 1 and 2, on 29.01.2015.


Chairman

06

29.01.2015

Appellant in person, M/S Sheharyar, Assistant for respondents No. 1 and 2 and Iltaf Ahmed, Litigation Officer on behalf of respondent No. 3 alongwith learned Addl: AG present. Comments submitted. To come up for rejoinder and final hearing/arguments before D.B on 27.07.2015.


Chairman

27.07.2015

Appellant in person and Addl: AG for the respondents present. Rejoinder received on behalf of the appellant, copy whereof is handed over to the respondent-department. Due to incomplete bench, case is adjourned to 29.09.2015 for arguments before D.B.


Chairman

Appeal No: 209/2014
Mr. Faeedullah.

3. 07.04.2014

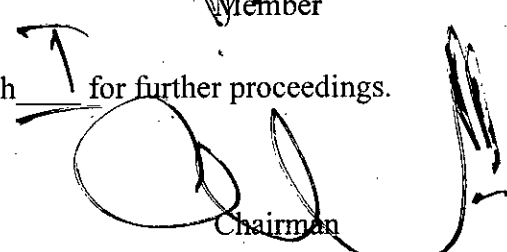
Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the impugned order dated 04.11.2013, he filed departmental appeal on 06.11.2013, which has not been responded within the statutory period of 90 days, hence the present appeal on 10.01.2014. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 23.06.2014.

Appellant Deposited
Sec. Fee & Process Fee
Rs. 180/- Bank
Receipt is Attached with File.


Member

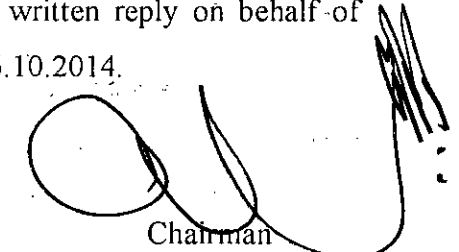
4. 07.04.2014

This case be put before the Final Bench  for further proceedings.


Chairman

23.6.2014



Appellant with counsel, M/S Sheharyar, Assistant for respondents No. 1 and 2 and Gul Afsar Khan, Litigation Officer Mardan for respondent No. 3 with AAG present. Written reply/para-wise comments received on behalf of respondent No. 3, copy whereof is handed over to the learned counsel for the appellant for rejoinder. Written reply has not been received on behalf of remaining respondents No. 1 and 2, and request for further time made on their behalf. To come up for written reply on behalf of remaining respondents No. 1 and 2 on 16.10.2014.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 209/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18/02/2014	<p>The appeal of Mr. Saeedullah resubmitted today by Mr. Amjad Ali Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>21-2-2014</u> 7-4-2014</p> <p style="text-align: right;"> CHAIRMAN</p>

This is an appeal filed by Mr. Saeedullah today on 10/01/2014 against the order dated 04.11.2013 against which he preferred a department appeal on 11.11.2013 which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 55 /ST,

Dt. 10/01/2014

[Signature]
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Amjid Ali Adv. Mardan

Sir,
As per Rule 19 (2) of the *Code of Rules*
2011 compulsory waiting period
is 60 days and there is
no judgment of this Tribunal
or Supreme Court
may please be placed
before Tribunal for authentication
judgment

[Signature]
Advocate
SUPREME COURT

18/2/2014

Sir,
The case has been
matured and may please
be placed before the Tribunal
[Signature]

BEFORE THE K.P.K SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 209 / 2014

Saeedullah Appellant

Versus


Government of K.P.K. and others Respondents.

I N D E X

S. No.	Description of documents	Annexures	Pages
1.	Grounds of appeal with affidavit		1 - 4
2.	Copy of appointment order dated 1-06-2011.	'A'	0 - 5
3.	Copy of termination order dated 4-01-2013	'B'	0 - 6
4.	Application for provision of record.	'C'	7 - 8
5.	Departmental appeal dated 6-11-2013.	'D'	9 - 10
	Vakalat Nama		

Appellant
through

Dated 9-01-2014


(Anjad Ali)
Advocate,
Supreme Court of Pakistan
Cell No. 0321-9882434

①

BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 209 / 2014

A.W.F. Peshawar
35
10-01-2014

Saeedullah son of Habibullah,
resident of palosai P.O. Atusai, Tehsil and
District Peshawar

Appellant

Versus

1. Government of K.P.K. through secretary Health, Civil Secretariat, Peshawar.
2. Director General, Health Services, K.P.K. Peshawar
3. Chief Executive, Mardan Medical Complex Teaching Hospital, Mardan.

..... Respondents.

APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, against the order of respondent No.3 dated 4-11-2013 whereby appellant is terminated from service and departmental appeal dated 11-11-2013 is unresponded even after lapse of 60 days which is illegal against law and facts.

Handwritten signature and date: 10/11/2014

PRAYER: On acceptance of this appeal, termination order dated 4-11-2013 may please be set aside and appellant may please be re-instated in service with all back benefits.

re-submitted to-
and filed;

Handwritten signature and date: 18/2/2014

Respectfully sheweth;

Appellant humbly submits as under:-

1. That the appellant was appointed as Junior Clerk (B-7) in Mardan Medical Complex Teaching Hospital, Mardan by competent authority vide order dated 01-06-2011 after fulfilling all codal formalities. (Copy of the appointment order is attached as Annexure 'A').

- 2. That the appellant has been terminated from service vide order dated 4-11-2013. (Copy of termination order is attached as Annexure 'B').
- 3. That the appellant satisfactorily performed his duty for more than 2 years and there is no complaint against the appellant regarding his duty.
- 4. That the appellant is not served with any charge sheet or show cause notice and the procedure prescribed under E&D Rules is not complied with.
- 5. That the appellant has not been associated with any sort of inquiry.
- 6. That the appellant has been condemned unheard.
- 7. That the service of appellant cannot be terminated on the suggestion of so called inquiry report without giving show cause notice and opportunity of hearing.
- 8. That the appellant has been prejudiced as copy of inquiry report is not provided to the appellant inspite of oral and requests in writing. (Copy of application is Annex 'C').
- 9. That the appellant filed departmental appeal dated 06-11-2013 but not responded even after lapse of 60 days. (Copy of departmental appeal is attached as Annexure 'D').
- 10. That the impugned order dated 4-11-2013 is illegal against law and facts on the following grounds :-

G R O U N D S

- a) That the appellant satisfactorily performed his duty for more than 2 years and there is no complaint against the appellant regarding his duty.
- b) That the appellant is a confirmed civil servant.
- c) That the appellant is not served with any charge sheet

or show cause notice and the procedure prescribed under E&D Rules, 2011 is not followed.

- d) That the appellant has not been associated with any sort of inquiry.
- e) That the appellant has not been afforded an opportunity of cross-examining the witnesses.
- f) That none of the witness has been examined in presence of the appellant.
- g) That the appellant has not been shown any documentary evidence nor produced in presence of the appellant.
- h) That the appellant has been condemned unheard.
- i) That service of the appellant cannot be terminated on the suggestion of so called inquiry report, without giving show cause notice and opportunity of hearing.
- j) That the inquiry report, though not admitted but is at the most of preliminary inquiry and there is no regular inquiry in the case.
- k) That as per judgment of Hon'ble Supreme Court of Pakistan and this Hon'ble Tribunal major penalty of termination cannot be inflicted without regular inquiry.
- l) That the appellant has been prejudiced in his defence as copy of inquiry report/proceedings has not been provided, inspite of repeated oral and written request.
- m) That vested right has accrued to the appellant and appellant cannot be divested off the same.
- n) That the appellant cannot be punished for the omission of respondents if any, as per judgment of Supreme Court of Pakistan reported in 1996 SCMR page 412-413.

(4)

It is, therefore, humbly requested that on acceptance of this appeal, termination order dated 4-11-2013 may please be set aside and the appellant may please be re-instated in service with all back benefits.

Any other relief deemed fit may also be graciously granted.

Appellant

through

(Arjad Ali)
Advocate,

Supreme Court of Pakistan

Dated 9-01-2014

AFFIDAVIT

I, Saeedullah son of Habibullah, resident of palosai P.O. Atuzai, Tehsil and District peshawar solemnly affirm and declare on oath that the contents of the above service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Deponent





DR. QAIM SHAH,
Medical Superintendent.

**MARDAN MEDICAL COMPLEX,
TEACHING HOSPITAL MARDAN.**

Appointment Order.

On recommendation of the Selection Committee, the undersigned is pleased to appoint Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar against the vacant post of Junior Clerk BPS-07, plus usual allowance as admissible under the rules in Mardan Medical Complex, Teaching Hospital Mardan on the following terms. & condition.

Terms & Conditions.

1. He / She will be on probation initially for one year.
 2. His / Her services can be terminated straight away if his / her work and conduct remained un-satisfactory or his / her documents at any stage is / are found fake.
 3. His / Her appointment will be subject to Medical Fitness and verification of character and attendance.
 4. He / She will not be entitled to any TA / DA for Medical Examination and joining the 1st appointment.
 5. He / She will be governed by such services rules and ordered as framed by the Govt: from time to time for category of Govt: servant to which he / she belongs.
 6. If he / she wishes to resign his / her service, he / she will submit his / her resignation in written or one month salary in lieu thereof to Govt: treasury, however he / she will continue to serve the Govt: till his / her resignation is accepted by the competent authority.
 7. As laid down vide Govt: of NWFP E&D Act-2 vide S&GAD Notification No.6(E&AD) 1-13 dated.10-08-2005 and also according to the Finance Department Notification No.801 / 5-8 / 2006-07 / FD dated.13-12-2006, he / she will not be entitled for Pension or Gratuity, however in lieu thereof, will be entitled to receive such amount contributed by him / her towards the contributory provident fund (CP Fund along with the contributions made by the Govt: of his / her account in the said fund.
- If he / she accept the above mentioned terms and condition, he / she should report to the Chief Executive Mardan Medical Complex, Teaching Hospital Mardan for duty on his / her own expenses within 07 days of the receipt of his / her letter, otherwise his / her appointment order will be considered as cancelled.

Medical Superintendent,
Mardan Medical Complex,
Teaching Hospital Mardan.

Dated..07.../.../2011.

No. 2487-89 / MMC, Mardan.

Copy to;

1. Chief Executive MMC, Teaching Hospital Mardan.
2. District Comptroller of Accounts Mardan for n/action.
3. Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar

Medical Superintendent
Mardan Medical Complex

Dr.

Amxc
DST
Dr.

The Chief Executive
Morden Medical
Complex,
Teaching Hospital
Morden

Subject: Request for provision of

inquiry proceedings, findings

recommendation in case

of applicant, if any.

Dr

1. That I have been terminated

vide order No. 10272-77/MAC

dt 4/11/2013

2. That I have not been provided

the documents mentioned in

the heading of application

3. That as per Access to Justice

Act as well as Art 10A of

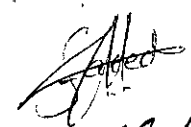
constitution of Pakistan

1973 (right to information), it is

(8)

my legal as well as fundamental
right under Constitution of
Pakistan 1973.

It is therefore humbly requested
that documents mentioned in
the heading of application
may please be provided.

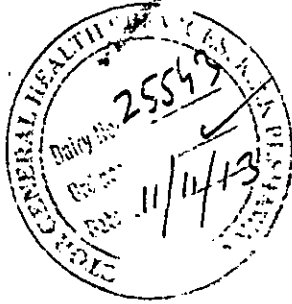

Saeedullah %

dt 5/11/2013

Habeeshullah R/o

Palusai P.O Atuzai

Teh & Distt Peshawar.



Respected Sir,
The Director General,
Health,
Khyber Pakhtoon Khwa
Peshawar.

Subject: Departmental appeal
against order dt 4-11-2013
passed by Chief Executive
Mardan Medical Complex
Teaching Hospital Mardan
whereby appellant is
terminated from service
which is illegal, against
law and facts.

Sir,

1. That appellant was appointed as junior clerk (BPS-7) in Mardan Medical Complex Teaching Hospital Mardan by competent authority vide order dt 1-6-2011, after fulfilling all codal formalities.
2. That appellant satisfactorily performed his duty for more than 2x years and there is no complaint against appellant regarding his duty.

3. That appellant ⁽¹⁰⁾ is not served with any chargesheet or show cause notice and the procedure prescribed under E & D Rules is not complied with.

4. That appellant has not been associated with any sort of injury.

5. That appellant has been condemned unheard.

6. That service of appellant cannot be terminated on the suggestion of so called inquiry report, without giving show cause notice and opportunity of hearing.

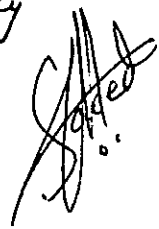
7. That appellant has been prejudiced as copy of inquiry report is not provided to appellant, inspite of oral and requests in writing.

8. That no opportunity of cross-examination is provided to appellant. It is therefore humbly requested

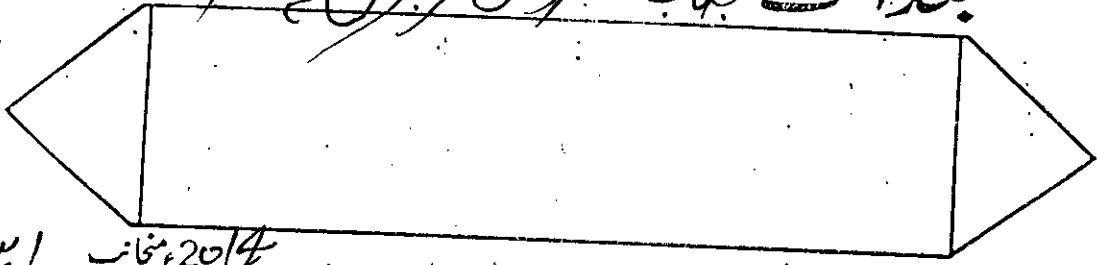
That Termination order dt 4-11-2013 may please be set aside and appellant may please be reinstated in service with all back benefits, being jobless.

dt 6/11/2013

Yours obediently
Saeedullah S/O
Haisibullah
R/o Palusa, P.O.
Atugai Teh &
Distt Peshawar.



بعد الت صواب سروس سرنهول لندون



2014ء منجانب ابراهیم بنام

9-1-2014

کلونڈ

سید اللہ

Service Appeal

باعث تحریر آنکے

موزعہ
مقدمہ
دعویٰ
جرم

مسید اللہ ولد حبیب اللہ بلوچی الوندی

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و گل کاروائی متعلقہ آن مقام کے لئے انجری علی ابرو لہری کے نام سے درخواست کی گئی ہے۔

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی گل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالتہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ از عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے گل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ درہر جائد التوائے مقدمہ کے سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام ذرہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 6 ماہ جنوری 2014

پشاور
Acipru
Attestada ee l Amtoel Ae.
Arduo e m on den

03219870175

Handwritten signature

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 209/2014

Saeedullah S/o Habibullah.....

(Appellant)

Versus

Govt. of KPK through Secretary Health & Others..... (Respondents)

PARAWISE COMMENTS ON BEHALF OF RESPONDANT NO.3

Respectfully Sheweth,

PRELIMINARY OBJECTIONS;

1. That the appellant has got no cause of action and locus standi to file the instant appeal.
2. That the appellant has not come to this Hon'ble Tribunal with clean hands.
3. That the Respondent No.3 issued the termination order dated 04.11.2013 accordingly after completion of all codal formalities.
4. That the appellant was appointed on 01.06.2011 and the then Departmental Selection Committee malafidely and due to collusion with the appellant, the D.S.C members show the appellant at Serial No. 08 of the merit list and enhance the score of the appellant to **64.5 out of 100** instead of **56.5 out of 100** which was incorrect, against facts and against the available record/Testimonials. Hence the termination order rightly issued by the answering respondent. **(Copy of merit list is attached as Annex-I)**
5. That the then Medical Superintendent Mardan Medical Complex Mardan advertised various posts and last date for submission of application forms supported with relevant documents was kept 27.02.2010. **(Copy of Advertisement is attached as Annex-II)**
6. That another candidate namely Mr. Tufail Muhammad S/o Gul Muhammad was mentioned at S.No.3 of the merit list which is already appended as Annex-I and in the result of the Advertisement with last date 27.02.2010 he was appointed as Junior Clerk on 04.05.2010 and the appellant was

appointed on 01.06.2011 in continuation of the said Advertisement after lapse of more than one year which is illegal, against law and facts as such the concession of waiting list was deleted

vide circular No. SOR-VI (E&AD)1-10/05 (IV) dated 31.12.2008 **(Copy of the appointment order of Mr. Tufail Muhammad and the appellant as well as relevant page of the Esta Code KPK are attached as Annex-III, IV, V)**

7. That according to the Advertisement qualification for the post of Junior Clerk was mentioned as Matric/F.Sc. preferable Computer Skilled with age limit 18 to 30 years and last date for submission of applications 27.02.2010 while date of birth as per S.S.C is 17.04.1994 thus the appellant was under aged with 15 years 10 months and 10 days. **(Copy of SSC is attached as Annex-VI)**
8. That the then Medical Superintendent issued the illegal appointment order of the appellant and then as Chief Executive being DDO approved the salary bill amounting to Rs. 293988/- from the date of appointment i.e. 01.06.2011 till 31.05.2013 collectively and adjusted him against the post of Assistant for the purpose of drawl of pay for illegal compensation of the appellant. **(Copy of office order dated 12.06.2013 and pay bill are attached as Annex-VII, VIII)**
9. That when the actual facts came into the knowledge of the answering respondent and in the result of the complaint moved by one Mr. Younas Shah. An Enquiry Committee comprising of Senior and responsible Doctors constituted vide remarks on the face of the complaint filed by Mr. Younas Shah . The Enquiry Committee thoroughly examined all the available record/Correspondence/letters issued regarding subject matter and then submitted their report with suggestions. **(Copy of the Complaint and Enquiry report are attached as Annex-IX,X)**
10. After completion of all codal formalities and termination of the appellant by the answering respondent informed his high ups vide letter No. 10220/MMC dated 04.11.2013 for taking legal action against all the dealing hands who were involved in the illegal and irregular appointment as well as drawl of salary. **(Copy of the letter is attached as Annex-XI)**
11. That the instant appeal is not maintainable.
12. That the instant appeal is barred by law.

ON FACTS

1. Para 1 is pertains to record and thoroughly explained supra.
2. Para 2 is correct and the termination order was issued accordingly.
3. Para 3 pertains to record.
4. Para 4 is denied because E&D Rules are not applicable in the instant case. As the appointment of the appellant was illegal and irregular. Hence Khyber Pakhtunkhwa Civil Servants A.P.T Rules 1989 and Recruitment Policy are applicable to the subject matter.
5. That the Enquiry Committee gave full and free opportunity to the appellant for recording his statement. **(Copy is attached as Annex-XII)**. Hence whole para 5 is denied and is incorrect.
6. Para 6 is incorrect and explained in para No. 5. Hence need no comments.
7. Para No.7 is incorrect, baseless, against law and facts. Hence denied.
8. Para No. 8 is incorrect, baseless, against law and facts. Hence denied.
9. Para 9 is related to Respondent No.2. Hence no comments.
10. Para 10 is incorrect, the answering respondent is competent authority for the staff BPS-01 to 15 and termination order dated 04.11.2013 is legal and issued after completion of codal formalities. **(Copy of Delegation of powers is attached as Annex-XIII)**

GROUNDS

- a. Para -a pertains to record and thoroughly explained supra.
- b. Para -b pertains to record and subject to proof. Hence denied.
- c. Para-c is incorrect and thoroughly explained Supra.
- d. Para-d is incorrect and thoroughly explained Supra.
- e. Para-e is irrelevant in the instant case. Hence denied.
- f. Para-f is irrelevant in the instant case. Hence denied.
- g. Para-g is incorrect the appellant was fully aware regarding the whole proceedings. Hence denied.
- h. Para-h is already explained above along with documentary proof in para-5 of the Facts. Hence denied.
- i. Para-i is incorrect, baseless, against law and facts.
- j. Para-j is incorrect, baseless, against law and facts.
- k. That the subject matter pertains to irregular and illegal appointment and the

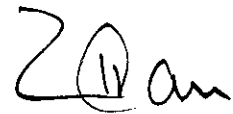
answering respondent proceeded the entire process according to law.

- l. Para-l is incorrect and thoroughly explained supra. Hence denied.
- m. Para-m is incorrect, baseless, against law and facts.
- n. In respect of para-n as per verdicts of Appex Courts that "ill gotten appointments could not be protected by any Court or Tribunal".(Copy is attached as Annex-XIV)

Therefore it is humbly prayed that keeping in view the above mentioned facts and records the instant appeal may kindly be dismissed with cost.

Dated: 04.06.2014

RESPONDANT NO.3



CHIEF EXECUTIVE
MMCTH MARDAN

AFFIDAVIT

I Prof: Dr. Ziaul Islam Chief Executive Mardan Medical Complex Teaching Hospital Mardan do hereby solemnly affirm and declare that all the contents of the written comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



DEPONENT

Amir - I
②

Merit List of Candidate for Junior Clerk at MMC, Mardan.

No	Name/Father Name	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
		1 st	2 nd	3 rd					
	Mr. Naveed khan S/o Noor khan	50/50			20/20	6/12	Nil	6.5	82.5/100
	Mr. Sheraz S/o Saeed ur Rehman	50/50			20/20	6/12	Nil	6	82/100
	Mr. Toufail Mohammad s/o Gul Mohammad		38/50		20/20	12/12	Nil	6.5	76.5/100
	Mr. Adnan khan S/o Roz Amin khan		38/50		20/20	8/12	Nil	7	73/100
X	Mr. Muhammad Ishaq S/o Iqbal Mohammad		38/50		20/20	8/12	Nil	6	72/100
	Mr. Abdul Kabir S/o Salik shah		38/50		20/20	8/12	Nil	6	72/100
	Mr. Majid Ali shah S/o Tilawat shah		38/50		20/20	6/12	Nil	6	70/100
	Mr. Saeed ullah S/o Habib ullah			30/50	20/20	Nil	Nil	6.5	64.5/100
	Mr. Akhlaq Ahmad S/o Mir Ghulam		38/50		20/20	Nil	Nil	6.5	64.5/100
	Mr. Saghir Nawab S/o Amir Nawab		38/50		20/20	6/12	Nil	6	64/100
3	Mr. Kamran Ahmad S/o Nisar Ahmad			30/50	20/20	8/12	Nil	6	56/100
1	Mr. Ziyad khan S/o Abdul jabbar			30/50	20/20	Nil	Nil	6	56/100
2	Mr. Murad Ali S/o Nisar		38/50		20/20	8/12	Nil	5(F)	Failed
3	Mr. Ajab khan S/o Anwar Shah	50/50			20/20	6/12	Nil	5(F)	Failed
1	Mr. Yasir Naveed S/o Anar Gul	50/50			20/20	6/12	Nil	5(F)	Failed
3	Mr. Raheem Taj S/o Pir Mohammad		38/50		20/20	6/12	Nil	5(F)	Failed
5	Mr. Sherwali S/o Sher Ali		38/50		20/20	Nil	Nil	5(F)	Failed
7	Mr. Farhad S/o Zahidullah		38/50		20/20	6/12	Nil	5(F)	Failed

56.5
23/10/15

Member
Dr. Jamil
Vice Principle
BKMC, Mardan

Member
Dr. Rab Nawaz
DMS Admn
MMC, Mardan

Member
Mr. Mohd Younis
SOG,
Health Department
NWFP, Peshawar.

Member
Mr. Mumtaz
Office Superintendent
MMC, Mardan

Chairman
Dr. Qaim Shah
Medical Superintendent
Mardan Medical Complex

MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL, MARDAN.

Annex-10

Dr. Qaim Shah,
Medical Superintendent

Dated 04/5 /2010.

Appointment Order.

On the recommendation of the Selection Committee, Mr. Tufail Mohammad S/o Gul Mohammad Turo Tehsil and Distt. Mardan. Is hereby appointed as Junior Clerk BPS-07 against the vacant post at Mardan Medical Complex, Teaching Hospital, Mardan plus usual allowances as admissible under the rules on the following terms and conditions:

Terms & Condition.

1. He will be on probation initially for one year. His services can be terminated during the probation period, if his work and conduct found unsatisfactory.
2. He will be governed by such service rules and order as framed by the Govt. from time to time for the category of Govt. Servant to which he belongs.
3. He will for all intents and purposes, be civil Servant except for the purpose of pension, commutation or gratuity. In lieu of pension, commutation or gratuity, he will be entitled to receive such amount as contributed by him toward contributory provident Fund (CP Fund) along with contribution made by Govt. to his account in the said fund, in the prescribed manner.
4. If he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
5. He will produce as undertaking on judicial stamp paper that the documents provided by him are genuine/not fake and he has not been dismissed from any Govt. organization.

If he accepts this offer of appointment with the above mentioned terms and conditions, he is directed to report to the undersigned, within 07 days of the receipt of this order, along with fitness certificate.


Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

No. 2163-66 /MMC, TH, Dated 04/5 /2010.

1. The Chief Executive, MMC, Mardan.
2. The Distt. Comptroller of Accounts, Mardan, for n/action.
3. The Accountant, MMC, Mardan for n/action.
4. Mr. Tufail Mohammad S/o Gul Mohammad Turo Tehsil and Distt. Mardan.


Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

- (f) The Regional/Zonal quota if not filled will be carried forward till suitable candidates are available from the Region/Zone concerned. No "Substitute" recruitment shall be made. Existing backlog, if any, in respect of any zone will not be carried forward and the Commission shall take a fresh start in respect of all posts under its purview. However, this condition will not be applicable in respect of posts which have already been advertised by the NWFP Public Service Commission.

⁶²In case female candidates with prescribed qualification do not become available in Zone-I after advertising at least three times, such vacancy/ vacancies shall be advertised fourth time for Merit Quota.

- (g) The vacancies in all the Departments shall be advertised in leading newspapers on ⁶³(Sunday). The advertisement in electronic media should be to the extent of drawing attention of all concerned to the relevant newspapers in which the vacancies are advertised.
- (h) Initial Recruitment to all the vacant posts shall be made on regular known periodic intervals in February and August each year after proper advertisement through electronic and national/regional media. After advertisement, a minimum period of 30 days should be allowed for receipt of applications. ⁶⁴[]
- (i) (Deleted).

⁶⁵(j) i) 2% quota for disabled persons already fixed shall stand and should be enforced strictly.

ii) 10% quota has also been fixed for female candidates in all the Provincial services which are filled up through initial recruitment in addition to their participation in the open merit. However, it shall not be applicable to cadres exclusively reserved for females. The vacancies reserved for women for which qualified women candidates are not available shall be carried forward and filled by women.

iii) The above orders shall also apply to initial appointments in all autonomous/semi-autonomous bodies/ corporations etc which are administratively controlled by the Provincial Government.

iv) The Commission shall revise the Requisition Form for all such posts for specifying the women's quota in the available vacancies and the Administrative Department shall intimate the quota for the women in the Requisition Form accordingly.

v) The above reservation shall not apply to:-

- *the percentage of vacancies reserved for recruitment on the basis of merit;*
- *Short term vacancies likely to last for less than six months; and*
- *Isolated posts in which vacancies occur only occasionally;*

⁶² Entry added at the end of sub-para (f) vide No SOR-I(S&GAD)1-117/91 (C), 23-05-2000.

⁶³ The words "Friday" substituted in para(g) by Notification No. SOR-I(S&GAD)1-117/91 (C), 22-11-97

⁶⁴ Last sentence of sub-para (h) i.e. "A waiting list of eligible candidates shall be maintained for a period of six months" was deleted vide circular No. SOR-VI (E&AD)1-10/05 (IV), dated 31-12-2008.

Sub-Para-J substituted vide circular No. SOR-VI (E&AD)1-10/05 (IV), dated 25-07-2007.

⁶⁵ The one percent substituted by Notification No.SOR.I(S&GAD)4-1/80, Vol.III dated 19.2.1999

Annex-iv



**MARDAN MEDICAL COMPLEX,
TEACHING HOSPITAL MARDAN.**

3

DR. QAIM SHAH,
Medical Superintendent.

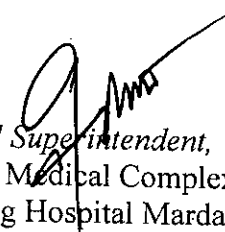
Appointment Order.

On recommendation of the Selection Committee, the undersigned is pleased to appoint Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar against the vacant post of Junior Clerk BPS-07, plus usual allowance as admissible under the rules in Mardan Medical Complex, Teaching Hospital Mardan on the following terms. & condition.

Terms & Conditions.

1. He / She will be on probation initially for one year.
2. His / Her services can be terminated straight away if his / her work and conduct remained un-satisfactory or his / her documents at any stage is / are found fake.
3. His / Her appointment will be subject to Medical Fitness and verification of character and attendance.
4. He / She will not be entitled to any TA / DA for Medical Examination and joining the 1st appointment.
5. He / She will be governed by such services rules and ordered as framed by the Govt: from time to time for category of Govt: servant to which he / she belongs.
6. If he / she wishes to resign his / her service, he / she will submit his / her resignation in written or one month salary in lieu thereof to Govt: treasury , however he / she will continue to serve the Govt: till his / her resignation is accepted by the competent authority.
7. As laid down vide Govt: of NWFP E&D Act-2 vide S&GAD Notification No.6(E&AD) 1-13 dated.10-08-2005 and also according to the Finance Department Notification No.801 / 5-8 / 2006-07 / FD dated.13-12-2006, he / she will not be entitled for Pension or Gratuity , however in lieu thereof, will be entitled to receive such amount contributed by him / her towards the contributory provident fund (CP Fund along with the contributions made by the Govt: of his / her account in the said fund.

If he / she accept the above mentioned terms and condition, he / she should report to the Chief Executive Mardan Medical Complex, Teaching Hospital Mardan for duty on his / her own expenses within 07 days of the receipt of his / her letter, otherwise his / her appointment order will be considered as cancelled.



Medical Superintendent,
Mardan Medical Complex,
Teaching Hospital Mardan.

No. 2487-89 / MMC, Mardan.

Dated..01/.../06.../2011.

Copy to;

1. Chief Executive MMC, Teaching Hospital Mardan.
2. District Comptroller of Accounts Mardan for n/action.
3. Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar


Medical Superintendent
Mardan Medical Complex,
Teaching Hospital Mardan.

(17)

S. No. 056317

Roll No. 143478

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



Annex-VI

Board of Intermediate and Secondary Education Peshawar

P. O. F. P. Pakistan

Secondary School Certificate Examination

SESSION 2009- ANNUAL

(Science Group)



This is to Certify that Saeed Ullah Son of Habib Ullah
and a student of Falcon Grove Academy Palosi Adda Peshawar has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Peshawar held in March/April, 2009 as a Regular candidate. He obtained 495 Marks out of 1050 and has been placed in Grade D Representing Fair

The Candidate passed in the following subjects:

- | | | | |
|------------|------------|---------------------|---------------------|
| 1. English | 2. Urdu | 3. Islamiyat (Comp) | 4. Pakistan Studies |
| 5. Maths | 6. Physics | 7. Chemistry | 8. Biology |

Date of birth according to the admission form is 17 April, 1994

Asstt Secretary
Ma

Secretary

This certificate is issued without alteration or erasure.



MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN


No 6153-55 /MMC

Dated: 12 / 6 /2013

Dr. Qaim Shah
CHIEF EXECUTIVE

Office Order:

Mr. Saeedullah Junior Clerk of this office is hereby adjusted against the post of Assistant MMC Mardan from 01/06/2011 to 31/05/2013 for the purpose of drawl of pay.


Chief Executive
MMC, Mardan

Copy to,

1. Medical Superintendent MMC, Mardan
2. District Account Officer Mardan.
3. Account officer MMC, Mardan


Chief Executive
MMC, Mardan

NT OF N.-W.F.P.
 DEPARTMENT
 GOVERNMENT SERVANT.

GOVT. OF N.W.F.P. 1960 P.S. 6990 Price 168-14-7-1960

Annex-VIII

variation in respect of money or cheque bill made over to a messenger.

for the month of 196

Voucher No.

Grant No.

Classification (Summary)

List of Payments for

Appropriation figures

Pay

Code/Audit No.

For.....
 Progressive Expenditure
 Including this bill

Allowances

Grand Total

Deduction

Net Payable

299816/-
 5928/-
 Net: 293988/-

Nov 2 0
 Deduction
 4300/-
 B. Fund 1608/-
 5928/-

DEDUCTIONS

and ation ance	Leave Salary	Total	Total Establish- ment Charges	General Provident Fund	Provident Fund and Advan- ces to Government Servants (Grade 1 & 2)	Contribu- tory Provi- dent Fund	Group Insurance Fund	Beno- voient Fund	Postal Life Insurance Fund	Income Tax	Trade Tax	Attachment Order at Court	House Building Advance	Motor- cycle Advance	Cycle Advance	Recoveries of overdrawals	Recoveries of Loans & Advances Government Servants Other	House Rent	Total Deductions	Net
5)	(038)	(030)	(000)	(1502)	(4109)	(1514)	(3337)	(3336)	(1601)	(012)	(070)	(0272)	(2253)	(225)	(2254)	()	(2259)	(1241)		
<p>Agood Aasth Saadullah J/Clarke M.C. Mada Pay from 1/6/2011 to 30/11/2011 (6 months) pay 5800/- 10591/- 15/-</p>					<p>Pay</p>	<p>ARA</p>	<p>FA</p>	<p>MA</p>	<p>AR-2010</p>	<p>A-2011</p>	<p>AR-2012</p>	<p>Total</p>				<p>B.Fund</p>	<p>G.D.</p>		<p>Net</p>	
					34800/-	6354/-	6900/-	6000/-	11160/-	3348/-			68562/-			1080/-	402/-		67080/-	

Name of Section and of Incumbent	Name of post	Basic Pay of Other Staff (012)	House Rent Allowance (022)	Conveyance Allowance (023)	Local Compensatory Allowance (026)	Washing Allowance (027)	Dearness Allowance (025)	Additional Dearness Allowance (025)	Other Regular Allowances (e.g. HRA Allowances) (029)	Total (020)	Overtime Allowance (031)	Night Duty Allowance (032)	Honoraria (033)	Medical Charges (034)	Rest and Recreation Allowance (035)	Leave Salary (038)

① S-Book attached
 ② Arrived report attached
 ③ Medical attached
 ④ Source note attached
~~⑤ Attached to...~~

Jm
Chief Executive
 Mardan Medical Complex, Mardan
Xi

73 87 84
 3 6 20/2

B.F. 93988/-

(Two line ...
 Night ...

Jm
Chief Executive
 Mardan Medical Complex, Mardan
Xi

The Chief Executive
MMC Mardan

Annex IX

Srs. Salary adjustment

Son

Respectfully state that

I am working in MMC
Madam as a Clerk. Initially

at the time of my transfer

Salary was adjusted against

post of Assistant. Later on, on

transfer of Mr Adnan clerk

was adjusted to my original

post in the relieving order of

Mr Adnan. Now, again my

Salary is coming on the wrong post of

Assistant.

Kindly investigate and

advise correctures of my Idam.

S/A = Salary
bel in dia
of S/A = 26

Y. Shan
LE Office MMC
3019113

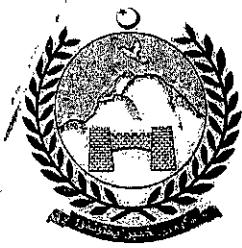
A.O. (Mardan) (Ch.)
Please provide the
relevant document
regarding this

1. No file of the
original records.
2. The records are
not available in
the office.

- 1. Dr. Shan
- 2. A. Shan
- 3. Dr. Shan cannot

Dr. Shan
2/10/13

Chief Executive
Mardan Medical Complex
Mardan



**MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN**

No 700/79 /MMC

Dated 29/10 /2013

Annex-7

To

The Chief Executive
MMCTH Mardan.

Subject: INQUIRY REPORT ON THE COMPLAINT OF MR. YOUNIS SHAH JUNIOR
CLERK/ASSISTANT (THE SUBJECT SALARY ADJUSTMENT).

Sir,

As per your directives, an inquiry has been initiated on the subject matter with the following details.

INTRODUCTION:

Mr. Younis Shah Junior Clerk has submitted an application to the Chief Executive with the complaint that being a junior clerk he was not adjusted on his original post for the withdrawal of his salary. During the inquiry, looking into the details of the available record and statement of the concerned officials, the following findings were revealed.

FINDINGS:


1. Mr. Younis Shah is Junior Clerk, not assistant.
2. He is drawing salary against the post of Assistant.
3. Being a Junior Clerk, Mr. Younis Shah was not adjusted on the post of Junior Clerk, vacant due to transfer of Mr. Adnan Khan to PGMI through letter No. 5952/54 dated 28/05/2011.
4. The adjustment of Mr. Younis Shah on the post of Junior Clerk ordered by the then Medical Superintendent through a letter No. 2452-55 dated 31/05/2011 was not implemented.
5. A partial modification to the office order No. 2452-55 dated 31/05/2011 was made through another office order 2503-04 dated 02/06/2011 by the Ms in spite of the fact that the Junior clerk post was vacant at that time.
6. On 01/06/2011 an appointment order in r/o Mr. Saeedullah s/o Habibullah as a Junior Clerk was issued by the then MS in spite of the fact that there was no vacant post of the junior clerk. (Mr. Younis Shah junior clerk was on the strength of MMC Mardan.)
7. The newly appointed Junior Clerk Mr. Saeedullah s/o Habibullah who was appointed on 01/06/2011 is not fulfilling the codel formalities for the Junior Clerk i.e required qualification, test, Interview etc.


Younis

8. This newly appointed junior clerk Mr. Saeedullah was shown at serial No. 08 at the merit list obtaining marks 64.5 out of 100 while the actual numbers given were 56.5 out of 100 which is a melafidae intention on the part of the selection committee.
9. The merit list which was provided to the enquiry committee was showing appointment of the various junior clerks including Mr. Saeedulla was prepared in March 2010 while Mr. Saeedullah was given an appointment in June 2011, which is also a big question mark. (Statement of Mr. Saeedullah Junior Clerk is available for ready reference)
10. Although, Mr. Saeedullah s/o Habibullah was appointed on 01/06/2011, while he was given 1st salary on 31/05/2013 with laps of almost 02 years which is itself is a big question mark.
11. A sum of Rupees 293988/- paid to junior clerk Mr. saeedullah in lump sum and through a manual bill shows melafidae intention of the accounts section and the administration.
12. The appointment of junior clerk Mr. Saeedullah apparent from the available file and documents is illegal and against the required codel formalities.

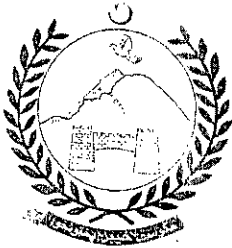
SUGGESTIONS

1. Mr. Younis Shah Junior Clerk may be adjusted against his original post of Junior Clerk for the withdrawal of his salary.
2. Being an illegal ^{irregular} appointment Mr. Saeedullah Junior Clerk may be terminated.
3. A detail inquiry under the Rules may be initiated against all concerned who are involved in illegal appointment and unauthorized withdrawal of salary amount in r/o Mr. Saeedullah Junior Clerk.


Dr. Abdul Aziz Zia
Member Enquiry Committee


Dr. Muhammad Israr
Chairman Enquiry Committee


Dr. Muhammad Shoaib
Member Enquiry Committee



Prof. Ziaul Islam
Chief Executive

**MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN**

No. 10280 /MMM

Dated 4/11 /2013

To

The Secretary to Govt of
Khyber Pukhtunkhwa, Health
Department Peshawar

The Director General,
Health Services, Khyber Pakhtunkhwa
Peshawar

Sub: ENQUIRY REPORT IN R/O MR. SAEEDULLAH EX JUNIOR CLERK
BPS-07 MARDAN MEDICAL COMPLEX MARDAN

Memo:

Enclosed please find herewith an enquiry report alongwith termination order in r/o Mr. Saeedullah Ex Junior clerk BPS-07 MMC Mardan with the request to initiate disciplinary proceedings against the Dealing Hands as recommended by the Enquiry Committee under sub Section-3 (suggestion) of the enquiry report. The same is reproduced as under;

• “ A detail enquiry under the rules may be initiated against all concerned who are involve in the illegal appointment and unauthorized drawl of salary amount in r/o Mr. Saeedullah Junior Clerk”.

Ziaul Islam
CHIEF EXECUTIVE

1

سوال :- آپ کا نام کیا اور ~~تعلیمی~~ تعلیمی کیا ہے۔

جواب :- میرا نام سعید الدین ہے اور میرا پوسٹ Gr. clerk ہے۔

انگریزی
Anne

سوال :- آپ کی تعلیم کیا ہے

جواب :- میرا ~~تعلیمی~~ تعلیم میرا تعلیم = FAc ہے

سوال :- آپ کا تعلق کس جگہ سے ہے۔

جواب :- میرا تعلق پشاور پولیٹیکنک سے ہے۔

سوال :- آپ مردان میں کیا برقی ہوئے۔

جواب :- مردان میں میرا الونٹ 1-6-2011 میں ہوا ہے

سوال :- آپ کو کیا پتہ چلا کہ مردان میں رجسٹر آئی ہے

جواب :- مجھے اخبار کہ ذریعہ پتہ چلا اور پھر میں نے اُس کی ابتدائی کیا

سوال :- کیا آپ نے برقی ہونے کے لیے درخواست دی تھی۔

جواب :- جی ہاں پتہ چلا اور پھر میں نے اپنا سارا ڈاؤنٹ جمع کیا

سوال :- کیا برقی ہونے سے پہلے آپ کا لٹیک ہوا تھا۔

جواب :- جی ہوا تھا

سوال :- کیا برقی ہونے سے پہلے آپ کا انٹرویو ہوا تھا۔

جواب :- جی ہوا تھا

سوال :- کیا آپ کی یاد ہے کہ آپ کا لٹیک اور انٹرویو کس سال ہوا تھا

جواب :- الٹی یاد نہیں ہے (لیکن سال 2011 میں ہوا تھا)

(2) (3)

سوال: کیا بیری نیوز نے بعد آپ کا حیران کن سوال کیا تھا۔ اگر ہوا تھا تو بیری نیوز
جی ہوا تھا۔ ^{ms-office} حیران کن سوال کیا تھا۔ اور اس کا جواب

سوال: آپ نے کیا میگزین کا امتحان پاس کیا۔
جواب: میں نے میگزین سال 2009 میں کیا تھا۔

سوال: آپ نے ایف اس سے کیا کیا تھا۔
جواب: میں نے ایف اس میں سال 2011 میں کیا تھا۔

سوال: کیا آپ ایف ایس سے کہ ڈیٹا ہاؤسنگ جھوٹے تھے۔
جواب: جی ہاں۔

سوال: کیا آپ نے کو ^{Doblaun} تعلیم حاصل کی ہے۔
^{ms-office}

جواب: جی ہاں کی ہے۔ (Computer Course) (massia)

سوال: کیا یہ درست ہے کہ آپ نے (BA-CH) سے کیا کیا ہے اور کیا ہے
جواب: جی ہاں۔ (2012) اور اب پڑھ رہے ہیں

سوال: کیا آپ رات کو ^{Regular} سونے لیتے ہیں۔
جواب: جی ہاں۔ Evening

سوال: آپ نے پہلی تنخواہ کیا ہے۔

جواب: ایک تو بہت کم ہے اور دوسری تو زیادہ ہے۔
31-5-2013

سوال: کیا آپ بتا سکتے ہیں کہ آپ کو تنخواہ اتنی دیر سے کیوں ملی۔
جواب: جی ہاں۔ میں نہیں بتا سکتا۔

سوال: جون 2011 سے آپ کتنا آپ نے کس کس جگہ پر اپنی ڈیوٹی سرانجام دی ہے۔
جواب: پہلے میں ^{ms-office} میں تھا۔ اور پھر پریسٹونٹ رووم اور گائیڈ میں اس

کہ بعد ^{ms-office} اور آپ پر گائیڈ میں بنوں۔

(3)

سوال: کیا آپ اپنے حافی رجسٹر میں لگاؤ سے کوئی چیز

جواب: جی ہاں لگاتا ہوں۔

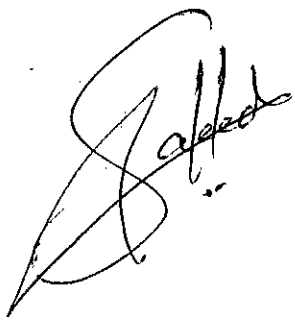
سوال: کیا آپ کی یاد ہے کہ آپ سے امر ویو کس وقت لیا گیا تھا۔

جواب: نام کا لکھنا پتہ نہیں لیکن ایک شخص سڈرٹریٹ سے لیا تھا

اور ڈائریکٹ قائم شاہ بھی موجود تھا چار پانچ ہفتے سے

سوال: کیا آپ کو یقین ہے کہ آپ نے written لکھتے ہو دیا تھا

جواب: جی ہاں۔



21/10/2013

GOVT OF KHYBER PAKHTUKHWA
HEALTH DEPARTMENT

Annex-XIII

No. SOH-III/8-90 / 10 (Delegation of Powers)
Dated 24th September 2010

To,

The Director General
Health Services,
Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: DELEGATION OF POWERS.

I am directed to refer to your two letters No. 2199/Personnel dated 06.05.2010 and letter No. 5043/Personnel dated 30.08.2010 on the subject noted above and to state that under the KPK, Appointment, Promotion and Transfer (APT) Rules, 1989 (copy attached), the Head of the Attached Offices are Competent to make appointments through initial recruitment, to the posts in BPS-01 to BPS-15, whereas DGHS is Competent to exercise the powers of Appointing Authority, to posts in BPS-01 to BPS-15 falling vacant within his administrative control, as Head of the Attached Department.

The Medical Colleges and attached Teaching Hospitals, Khyber Pakhtunkhwa are directly under the administrative control of the Provincial Govt. (Health Department) and are headed by their respective Chief Executives who act as Heads of the Attached Offices.


It is therefore, requested that a fresh proposal for delegation of powers to Head/Incharge of sub-offices, falling under the administrative control of DGHS, as Head of the Attached Department, may be sent to this Department for delegation of powers of Appointing Authority for the posts in BPS-01 to BPS-15, so that no duplication occurs.

Encl: As above.

SECTION OFFICER-III

Copy forwarded to:-

1. Chief Executive, Group of Teaching Hospitals, Bannu.
2. Chief Executive, Saidu Group of Teaching Hospitals, Saidu Sharif Swat.
3. Chief Executive, MM Teaching Hospital, D.I.Khan.
4. Chief Executive, Mardan Medical Complex Teaching Hospital Mardan.


SECTION OFFICER-III

C.P. 2026/13 & 2029/13

P-145

although many other illegal appointees in his department have been removed from service, but against many others such action is in process at various stages and they are still in service.

3. In view of the above statement, he is directed to finalize the action against such illegal appointees within one month from today and submit his report through Registrar of this Court. In case, he faces any difficulty in this regard, those difficulties may also be brought to our notice so that appropriate orders may be passed.

Sd/- Anwar Zaheer Jamali, J
Sd/- Ejaz Afzal Khan, J



Certified to be True Copy

[Handwritten Signature]
18/1/14

Superintendent
Supreme Court of Pakistan
Islamabad

GR No: 640/14 Civil/Criminal

Date of Presentation: 15-1-14

No. of Words: 650

No. of Follies: 6

Requisition Fee Rs: 5.00

Copy Fee in: 3.22

Court Fee stamps: 8.00

Date of Completion of Copy: 18-1-14

Date of delivery of Copy: 18-1-14

Compared by/Prepared by: Zahirul Islam

Received by: _____

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 209/2014

Saeedullah S/o Habibullah.....

(Appellant)

Versus

Govt. of KPK through Secretary Health & Others..... (Respondents)

PARAWISE COMMENTS ON BEHALF OF RESPONDANT NO.3

Respectfully Sheweth,

PRELIMINARY OBJECTIONS;

1. That the appellant has got no cause of action and locus standi to file the instant appeal.
2. That the appellant has not come to this Hon'ble Tribunal with clean hands.
3. That the Respondent No.3 issued the termination order dated 04.11.2013 accordingly after completion of all codal formalities.
4. That the appellant was appointed on 01.06.2011 and the then Departmental Selection Committee malafidely and due to collusion with the appellant, the D.S.C members show the appellant at Serial No. 08 of the merit list and enhance the score of the appellant to **64.5 out of 100** instead of **56.5 out of 100** which was incorrect, against facts and against the available record/Testimonials. Hence the termination order rightly issued by the answering respondent. **(Copy of merit list is attached as Annex-I)**
5. That the then Medical Superintendent Mardan Medical Complex Mardan advertised various posts and last date for submission of application forms supported with relevant documents was kept 27.02.2010. **(Copy of Advertisement is attached as Annex-II)**
6. That another candidate namely Mr. Tufail Muhammad S/o Gul Muhammad was mentioned at S.No.3 of the merit list which is already appended as Annex-I and in the result of the Advertisement with last date 27.02.2010 he was appointed as Junior Clerk on 04.05.2010 and the appellant was

appointed on 01.06.2011 in continuation of the said Advertisement after lapse of more than one year which is illegal, against law and facts as such the concession of waiting list was deleted

vide circular No. SOR-VI (E&AD)1-10/05 (IV) dated 31.12.2008 **(Copy of the appointment order of Mr. Tufail Muhammad and the appellant as well as relevant page of the Esta Code KPK are attached as Annex-III, IV, V)**

7. That according to the Advertisement qualification for the post of Junior Clerk was mentioned as Matric/F.Sc. preferable Computer Skilled with age limit 18 to 30 years and last date for submission of applications 27.02.2010 while date of birth as per S:S.C is 17.04.1994 thus the appellant was under aged with 15 years 10 months and 10 days. **(Copy of SSC is attached as Annex-VI)**
8. That the then Medical Superintendent issued the illegal appointment order of the appellant and then as Chief Executive being DDO approved the salary bill amounting to Rs. 293988/- from the date of appointment i.e. 01.06.2011 till 31.05.2013 collectively and adjusted him against the post of Assistant for the purpose of drawl of pay for illegal compensation of the appellant. **(Copy of office order dated 12.06.2013 and pay bill are attached as Annex-VII, VIII)**
9. That when the actual facts came into the knowledge of the answering respondent and in the result of the complaint moved by one Mr. Younas Shah. An Enquiry Committee comprising of Senior and responsible Doctors constituted vide remarks on the face of the complaint filed by Mr. Younas Shah . The Enquiry Committee thoroughly examined all the available record/Correspondence/letters issued regarding subject matter and then submitted their report with suggestions. **(Copy of the Complaint and Enquiry report are attached as Annex-IX,X)**
10. After completion of all codal formalities and termination of the appellant by the answering respondent informed his high ups vide letter No. 10220/MMC dated 04.11.2013 for taking legal action against all the dealing hands who were involved in the illegal and irregular appointment as well as drawl of salary. **(Copy of the letter is attached as Annex-XI)**
11. That the instant appeal is not maintainable.
12. That the instant appeal is barred by law.

Dr

ON FACTS

1. Para 1 is pertains to record and thoroughly explained supra.
2. Para 2 is correct and the termination order was issued accordingly.
3. Para 3 pertains to record.
4. Para 4 is denied because E&D Rules are not applicable in the instant case. As the appointment of the appellant was illegal and irregular. Hence Khyber Pakhtunkhwa Civil Servants A.P.T Rules 1989 and Recruitment Policy are applicable to the subject matter.
5. That the Enquiry Committee gave full and free opportunity to the appellant for recording his statement. **(Copy is attached as Annex-XII)**. Hence whole para 5 is denied and is incorrect.
6. Para 6 is incorrect and explained in para No. 5. Hence need no comments.
7. Para No.7 is incorrect, baseless, against law and facts. Hence denied.
8. Para No. 8 is incorrect, baseless, against law and facts. Hence denied.
9. Para 9 is related to Respondent No.2. Hence no comments.
10. Para 10 is incorrect, the answering respondent is competent authority for the staff BPS-01 to 15 and termination order dated 04.11.2013 is legal and issued after completion of codal formalities. **(Copy of Delegation of powers is attached as Annex-XIII)**

GROUNDS

- a. Para -a pertains to record and thoroughly explained supra.
- b. Para -b pertains to record and subject to proof. Hence denied.
- c. Para-c is incorrect and thoroughly explained Supra.
- d. Para-d is incorrect and thoroughly explained Supra.
- e. Para-e is irrelevant in the instant case. Hence denied.
- f. Para-f is irrelevant in the instant case. Hence denied.
- g. Para-g is incorrect the appellant was fully aware regarding the whole proceedings. Hence denied.
- h. Para-h is already explained above along with documentary proof in para-5 of the Facts. Hence denied.
- i. Para-i is incorrect, baseless, against law and facts.
- j. Para-j is incorrect, baseless, against law and facts.
- k. That the subject matter pertains to irregular and illegal appointment and the


answering respondent proceeded the entire process according to law.

- l. Para-l is incorrect and thoroughly explained supra. Hence denied.
- m. Para-m is incorrect, baseless, against law and facts.
- n. In respect of para-n as per verdicts of Appex Courts that "ill gotten appointments could not be protected by any Court or Tribunal".(Copy is attached as Annex-XIV)

Therefore it is humbly prayed that keeping in view the above mentioned facts and records the instant appeal may kindly be dismissed with cost.

Dated: 04.06.2014

RESPONDANT NO.3



CHIEF EXECUTIVE
MMCTH MARDAN

AFFIDAVIT

I Prof: Dr. Ziaul Islam Chief Executive Mardan Medical Complex Teaching Hospital Mardan do hereby solemnly affirm and declare that all the contents of the written comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



DEPONENT

Annex-12

Merit List of Candidate for Junior Clerk at MMC, Mardan.

No	Name/Father Name	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
		1 st	2 nd	3 rd					
	Mr. Naveed khan S/o Noor khan	50/50			20/20	6/12	Nil	6.5	82.5/100
	Mr. Sheraz S/o Saeed ur Rehman	50/50			20/20	6/12	Nil	6	82/100
	Mr. Toufaiil Mohammad s/o Gul Mohammad		38/50		20/20	12/12	Nil	6.5	76.5/100
X	Mr. Adnan khan S/o Roz Amin khan		38/50		20/20	8/12	Nil	7	73/100
	Mr. Mutammad Ishaq S/o Iqbal Mohammad		38/50		20/20	8/12	Nil	6	72/100
	Mr. Abdul Kabir S/o Salik shah		38/50		20/20	8/12	Nil	6	72/100
	Mr. Majid Ali shah S/o Tilawat shah		38/50		20/20	6/12	Nil	6	70/100
	Mr. Saeed ullah S/o Habib ullah			30/50	20/20	Nil	Nil	6.5	64.5/100
	Mr. Akhlaq Ahmad S/o Mir Ghulam		38/50		20/20	Nil	Nil	6.5	64.5/100
	Mr. Saghir Nawab S/o Amir Nawab		38/50		20/20	6/12	Nil	6	64/100
1	Mr. Kamran Ahmad S/o Nisar Ahmad			30/50	20/20	8/12	Nil	6	64/100
2	Mr. Ziyad khan S/o Abdul jabbar			30/50	20/20	Nil	Nil	6	64/100
3	Mr. Murad Ali S/o Nisar		38/50		20/20	8/12	Nil	5(F)	Failed
4	Mr. Ajab khan S/o Anwar Shah	50/50			20/20	6/12	Nil	5(F)	Failed
5	Mr. Yasir Naveed S/o Anar Gul	50/50			20/20	6/12	Nil	5(F)	Failed
6	Mr. Raheem Taj S/o Pir Mohammad		38/50		20/20	6/12	Nil	5(F)	Failed
7	Mr. Sherwali S/o Sher Ali		38/50		20/20	Nil	Nil	5(F)	Failed
8	Mr. Farhad S/o Zahidullah		38/50		20/20	6/12	Nil	5(F)	Failed

56.5
23/10/15

Member
Dr. Jamil
Vice Principle
BKMC, Mardan

Member
Dr. Rab Nawaz
DMS Admn
MMC, Mardan

Member
Mr. Mohd Younis
SOG,
Health Department
NWFP, Peshawar.

Member
Mr. Mumtaz
Office Superintendent
MMC, Mardan

Chairman
Dr. Qaim Shah
Medical Superintendent
Mardan Medical Complex

MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL, MARDAN.

Amna-10

Dr. Qaim Shah,
Medical Superintendent

Dated 04/5 /2010.

Appointment Order.

On the recommendation of the Selection Committee, Mr. Tufail Mohammad S/o Gul Mohammad Turo Tehsil and Distt. Mardan. Is hereby appointed as Junior Clerk BPS-07 against the vacant post at Mardan Medical Complex, Teaching Hospital, Mardan plus usual allowances as admissible under the rules on the following terms and conditions:

Terms & Condition.

1. He will be on probation initially for one year. His services can be terminated during the probation period, if his work and conduct found unsatisfactory.
2. He will be governed by such service rules and order as framed by the Govt. from time to time for the category of Govt. Servant to which he belongs.
3. He will for all intents and purposes, be civil Servant except for the purpose of pension, commutation or gratuity. In lieu of pension, commutation or gratuity, he will be entitled to receive such amount as contributed by him toward contributory provident Fund (CP Fund) along with contribution made by Govt. to his account in the said fund, in the prescribed manner.
4. If he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
5. He will produce as undertaking on judicial stamp paper that the documents provided by him are genuine/not fake and he has not been dismissed from any Govt. organization.

If he accepts this offer of appointment with the above mentioned terms and conditions, he is directed to report to the undersigned, within 07 days of the receipt of this order, along with fitness certificate.


Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

No. 2163-66 /MMC, TH, Dated 04/5 /2010.

1. The Chief Executive, MMC, Mardan.
2. The Distt. Comptroller of Accounts, Mardan, for n/action.
3. The Accountant, MMC, Mardan for n/action.
4. Mr. Tufail Mohammad S/o Gul Mohammad Turo Tehsil and Distt. Mardan.


Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

Annex-iv



**MARDAN MEDICAL COMPLEX,
TEACHING HOSPITAL MARDAN.**

3

DR. QAIM SHAH,
Medical Superintendent.

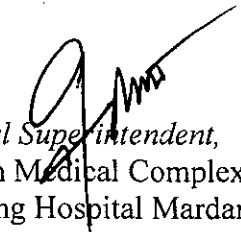
Appointment Order.

On recommendation of the Selection Committee, the undersigned is pleased to appoint Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar against the vacant post of Junior Clerk BPS-07, plus usual allowance as admissible under the rules in Mardan Medical Complex, Teaching Hospital Mardan on the following terms. & condition.

Terms & Conditions.

1. He / She will be on probation initially for one year.
2. His / Her services can be terminated straight away if his / her work and conduct remained un-satisfactory or his / her documents at any stage is / are found fake.
3. His / Her appointment will be subject to Medical Fitness and verification of character and attendance.
4. He / She will not be entitled to any TA / DA for Medical Examination and joining the 1st appointment.
5. He / She will be governed by such services rules and ordered as framed by the Govt: from time to time for category of Govt: servant to which he / she belongs.
6. If he / she wishes to resign his / her service, he / she will submit his / her resignation in written or one month salary in lieu thereof to Govt: treasury , however he / she will continue to serve the Govt: till his / her resignation is accepted by the competent authority.
7. As laid down vide Govt: of NWFP E&D Act-2 vide S&GAD Notification No.6(E&AD) 1-13 dated.10-08-2005 and also according to the Finance Department Notification No.801 / 5-8 / 2006-07 / FD dated.13-12-2006, he / she will not be entitled for Pension or Gratuity , however in lieu thereof, will be entitled to receive such amount contributed by him / her towards the contributory provident fund (CP Fund along with the contributions made by the Govt: of his / her account in the said fund.

If he / she accept the above mentioned terms and condition, he / she should report to the Chief Executive Mardan Medical Complex, Teaching Hospital Mardan for duty on his / her own expenses within 07 days of the receipt of his / her letter, otherwise his / her appointment order will be considered as cancelled.



Medical Superintendent,
Mardan Medical Complex,
Teaching Hospital Mardan.

Dated..01/.....06..../2011.

No...2487-89...../MMC, Mardan.

Copy to;

1. Chief Executive MMC, Teaching Hospital Mardan.
2. District Comptroller of Accounts Mardan for n/action.
3. Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar


Medical Superintendent
Mardan Medical Complex,
Teaching Hospital Mardan.

- (f) The Regional/Zonal quota if not filled will be carried forward till suitable candidates are available from the Region/Zone concerned. No "Substitute" recruitment shall be made. Existing backlog, if any, in respect of any zone will not be carried forward and the Commission shall take a fresh start in respect of all posts under its purview. However, this condition will not be applicable in respect of posts which have already been advertised by the NWFP Public Service Commission.

⁶²In case female candidates with prescribed qualification do not become available in Zone-I after advertising at least three times, such vacancy/ vacancies shall be advertised fourth time for Merit Quota.

- (g) The vacancies in all the Departments shall be advertised in leading newspapers on ⁶³(Sunday). The advertisement in electronic media should be to the extent of drawing attention of all concerned to the relevant newspapers in which the vacancies are advertised.

- (h) Initial Recruitment to all the vacant posts shall be made on regular known periodic intervals in February and August each year after proper advertisement through electronic and national/regional media. After advertisement, a minimum period of 30 days should be allowed for receipt of applications. ⁶⁴[]

- (i) (Deleted).

- ⁶⁵(j) i) 2% quota for disabled persons already fixed shall stand and should be enforced strictly.

ii) 10% quota has also been fixed for female candidates in all the Provincial services which are filled up through initial recruitment in addition to their participation in the open merit. However, it shall not be applicable to cadres exclusively reserved for females. The vacancies reserved for women for which qualified women candidates are not available shall be carried forward and filled by women.

iii) The above orders shall also apply to initial appointments in all autonomous/semi-autonomous bodies/ corporations etc which are administratively controlled by the Provincial Government.

iv) The Commission shall revise the Requisition Form for all such posts for specifying the women's quota in the available vacancies and the Administrative Department shall intimate the quota for the women in the Requisition Form accordingly.

- v) The above reservation shall not apply to:-

- *the percentage of vacancies reserved for recruitment on the basis of merit;*
- *Short term vacancies likely to last for less than six months; and*
- *Isolated posts in which vacancies occur only occasionally;*

⁶² Entry added at the end of sub-para (f) vide No SOR-I(S&GAD)1-117/91 (C), 23-05-2000.

⁶³ The words "Friday" substituted in para(g) by Notification No. SOR-I(S&GAD)1-117/91 (C), 22-11-97

⁶⁴ Last sentence of sub-para (h) i.e. "A waiting list of eligible candidates shall be maintained for a period of six months" was deleted vide circular No. SOR-VI (E&AD)1-10/05 (IV), dated 31-12-2008.

Sub-Para-J substituted vide circular No. SOR-VI (E&AD)1-10/05 (IV), dated 25-07-2007.

⁶⁵ The one percent substituted by Notification No.SOR.I(S&GAD)4-1/80, Vol.III dated 19.2.1999

17

S. No 056317

Roll No 143478

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



Annex-VI

Board of Intermediate and Secondary Education Peshawar

P. W. F. P. Pakistan

Secondary School Certificate Examination

SESSION 2009- ANNUAL

(Science Group)



This is to Certify that Saeed Ullah Son of Habib Ullah
and a student of Falcon Grove Academy Palosi Adda Peshawar has passed the Secondary School Certificate
Examination of the Board of Intermediate and Secondary Education, Peshawar held in March/April, 2009 as a Regular
candidate. He obtained 495 Marks out of 1050 and has been placed in Grade D Representing Fair

The Candidate passed in the following subjects:

- | | | | |
|------------|------------|---------------------|---------------------|
| 1. English | 2. Urdu | 3. Islamiyat (Comp) | 4. Pakistan Studies |
| 5. Maths | 6. Physics | 7. Chemistry | 8. Biology |

Date of birth according to the admission form is 17 April, 1994

Asstt Secretary
M.A.

Secretary

This certificate is issued without alteration or erasure.

Annex - VII
⑧



MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN


No 6153-55 / MMC

Dated: 12 / 6 / 2013

Dr. Qaim Shah
CHIEF EXECUTIVE

Office Order:

Mr. Saeedullah Junior Clerk of this office is hereby adjusted against the post of Assistant MMC Mardan from 01/06/2011 to 31/05/2013 for the purpose of drawl of pay.


Chief Executive
MMC, Mardan

Copy to,

1. Medical Superintendent MMC, Mardan
2. District Account Officer Mardan.
3. Account officer MMC, Mardan



Chief Executive
MMC, Mardan

adjusted against the period 01/06/2011 to 31/05/2013 for the purpose of drawl of pay.


Chief Executive
MMC, Mardan

Copy to,

1. Medical Superintendent MMC, Mardan
2. District Account Officer Mardan
3. Account officer MMC, Mardan


Chief Executive
MMC, Mardan

30/9/13
LE Office mm
y. swm

Kindly investigate and
correct my salary
and my salary

Chief Executive
Jordan Medical Centre
Amman
2/10/13

Mr. Adam
is coming to Jordan
part of

was advised to my
salary and my salary

Post of Assistant
Salary was advised
my salary

at the time of my transfer
Madam as a clinic in
my

respectfully
Mme

Salary advised
Mme Madam

Amman-IX

1
2
3
Dr. Sarah
A. R. M.
No file of records
No file of records
Please provide the relevant documents regarding this
A.O. (Numbered) (Amman)

The only documents
Mme Madam

for

Srs.



**MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN**

No 760/79 MMC

Dated 29/10/2013

Annex-7

To

The Chief Executive
MMCTH Mardan.

Subject: INQUIRY REPORT ON THE COMPLAINT OF MR. YOUNIS SHAH JUNIOR
CLERK/ASSISTANT (THE SUBJECT SALARY ADJUSTMENT).

Sir,

As per your directives, an inquiry has been initiated on the subject matter with the following details.

INTRODUCTION:

Mr. Younis Shah Junior Clerk has submitted an application to the Chief Executive with the complaint that being a junior clerk he was not adjusted on his original post for the withdrawal of his salary. During the inquiry, looking into the details of the available record and statement of the concerned officials, the following findings were revealed.


FINDINGS:

1. Mr. Younis Shah is Junior Clerk, not assistant.
2. He is drawing salary against the post of Assistant.
3. Being a Junior Clerk, Mr. Younis Shah was not adjusted on the post of Junior Clerk, vacant due to transfer of Mr. Adnan Khan to PGMI through letter No. 5952/54 dated 28/05/2011.
4. The adjustment of Mr. Younis Shah on the post of Junior Clerk ordered by the then Medical Superintendent through a letter No. 2452-55 dated 31/05/2011 was not implemented.
5. A partial modification to the office order No. 2452-55 dated 31/05/2011 was made through another office order 2503-04 dated 02/06/2011 by the Ms in spite of the fact that the Junior clerk post was vacant at that time.
6. On 01/06/2011 an appointment order in r/o Mr. Saeedullah s/o Habibullah as a Junior Clerk was issued by the then MS in spite of the fact that there was no vacant post of the junior clerk. (Mr. Younis Shah junior clerk was on the strength of MMC Mardan.)
7. The newly appointed Junior Clerk Mr. Saeedullah s/o Habibullah who was appointed on 01/06/2011 is not fulfilling the codel formalities for the Junior Clerk i.e required qualification, test, Interview etc.

8. This newly appointed junior clerk Mr. Saeedullah was shown at serial No. 08 at the merit list obtaining marks 64.5 out of 100 while the actual numbers given were 56.5 out of 100 which is a melafidae intention on the part of the selection committee.
9. The merit list which was provided to the enquiry committee was showing appointment of the various junior clerks including Mr. Saeedulla was prepared in March 2010 while Mr. Saeedullah was given an appointment in June 2011, which is also a big question mark. (Statement of Mr. Saeedullah Junior Clerk is available for ready reference)
10. Although, Mr. Saeedullah s/o Habibullah was appointed on 01/06/2011, while he was given 1st salary on 31/05/2013 with laps of almost 02 years which is itself is a big question mark.
11. A sum of Rupees 293988/- paid to junior clerk Mr. saeedullah in lump sum and through a manual bill shows melafidae intention of the accounts section and the administration.
12. The appointment of junior clerk Mr. Saeedullah apparent from the available file and documents is illegal and against the required code formalities.

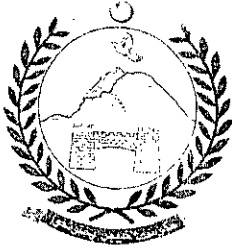
SUGGESTIONS

1. Mr. Younis Shah Junior Clerk may be adjusted against his original post of Junior Clerk for the withdrawal of his salary.
2. Being an illegal ^{irregular} appointment Mr. Saeedullah Junior Clerk may be terminated.
3. A detail inquiry under the Rules may be initiated against all concerned who are involved in illegal appointment and unauthorized withdrawal of salary amount in r/o Mr. Saeedullah Junior Clerk.


Dr. Abdul Aziz Zia
Member Enquiry Committee


Dr. Muhammad Israr
Chairman Enquiry Committee


Dr. Muhammad Shoaib
Member Enquiry Committee



Prof: Ziaul Islam
Chief Executive

**MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN**

No. 10280 /MMM

Dated 4/11 /2013

To

The Secretary to Govt of
Khyber Pukhtunkhwa, Health
Department Peshawar

The Director General,
Health Services ; Khyber Pakhtunkhwa
Peshawar

Sub: ENQUIRY REPORT IN R/O MR. SAEEDULLAH EX JUNIOR CLERK
BPS-07 MARDAN MEDICAL COMPLEX MARDAN

Memo:

Enclosed please find herewith an enquiry report alongwith termination order in r/o Mr. Saeedullah Ex Junior clerk BPS-07 MMC Mardan with the request to initiate disciplinary proceedings against the Dealing Hands as recommended by the Enquiry Committee under sub Section-3 (suggestion) of the enquiry report. The same is reproduced as under;

• “ A detail enquiry under the rules may be initiated against all concerned who are involve in the illegal appointment and unauthorized drawl of salary amount in r/o Mr. Saeedullah Junior Clerk”.

Ziaul Islam
CHIEF EXECUTIVE

سوال :- آپ کا نام کیا اور ~~کون سا~~ کیا ہے۔
جواب :- میرا نام سعید الدین ہے اور میرا پوسٹ Gr-clerk ہے۔

Annex

سوال :- آپ کون کون سے قلم لکھتے ہیں؟
جواب :- میرا قلم Fae ہے۔

سوال :- آپ کا تعلق کس جگہ سے ہے۔
جواب :- میرا تعلق پشاور پولیٹیکنک سے ہے۔

سوال :- آپ مرزاں میں کیا بری ہوئے۔
جواب :- مرزاں میں میرا الونٹ 2011-6-1 میں ہوا ہے۔

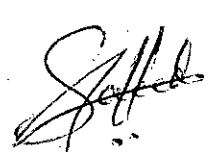
سوال :- آپ کو کیا پتہ چلا کہ مرزاں میں ~~کون سا~~ آئی ہے۔
جواب :- مجھے اخبار کہ ذریعہ پتہ چلا اور پھر میں نے اس کی پہچان کیا۔

سوال :- کیا آپ نے بری ہونے کے لیے درخواست دی تھی۔
جواب :- جی ہاں پتہ چلا اور پھر میں نے اپنا سارا ڈاؤنٹ چھوڑ دیا۔
سوال :- کیا بری ہونے سے پہلے آپ کا لٹیک ہوا تھا۔
جواب :- جی ہوا تھا۔

سوال :- کیا بری ہونے سے پہلے آپ کا انٹرویو ہوا تھا۔
جواب :- جی ہوا تھا۔

سوال :- کیا آپ کی یاد ہے کہ آپ کا لٹیک اور انٹرویو کون کون سے قلم لکھا گیا۔
جواب :- ہوا تھا۔

سوال :- ایسی یاد نہیں ہے (تین سال 2011 میں ہوا تھا)۔



سوال :- کیا بری بیوف نہ لیم آپ کا سیکرٹریل بیوا تھا۔ اگر بیوا تھا تو کیا اور کیا
جواب :- جی ہوا ^{us name} تھا۔ سیکرٹریل سے یاد میں نا اس کا نام ^{us name} درست

سوال :- آپ نے کیا میٹرک کا امتحان پاس کیا۔
جواب :- میں نے میٹرک سال 2009 میں کیا تھا۔

سوال :- آپ نے ایف اس سے کیا کیا تھا۔
جواب :- میں نے ایف اس بی بی سال 2011 میں کیا تھا۔

سوال :- کیا آپ ایف ایس سے کہ ڈیولپمنٹ چھوڑنے لگے۔
جواب :- جی نہ لگے۔

سوال :- کیا آپ نے کو ^{Doklana} تعلیم حاصل کی ہے۔
جواب :- جی ہاں کی ہے۔ (Computer Operator) (massia)


سوال :- کیا یہ درست ہے کہ آپ نے (BA-CH) سے کیا ہے اور کیا ہے
جواب :- جی ہاں۔ ^{سالہ} (2012) اور اب چارہ ہے

سوال :- کیا آپ ^{Regular} نہ لگے۔
جواب :- جی ہاں۔ Evening

سوال :- آپ نے پہلی تنخواہ کیا کی۔
جواب :- پہلے تو بند ^{لگتی} لیم میں تھے وہ پہلے لگے۔
31-5-2013

سوال :- کیا آپ بتا سکتے ہیں کہ آپ کو تنخواہ اتنی دیر سے کیوں ملی۔
جواب :- عجب پتہ نہیں لیکن تنخواہ بند تھی۔

سوال :- جون 2011 سے اب تک آپ نے کس کس جگہ پر اپنی ڈیوٹی سرانجام دی۔
جواب :- پہلے یہو ⁵⁰⁰⁰⁻⁷⁵⁰⁰ میں تھا۔ اور پھر پریسٹونٹ روم اور گائی میں اس

کہ لیم ^{Office} اور آپ پر گائی میں بیوی۔


GOVT OF KHYBER PAKHTUKHWA
HEALTH DEPARTMENT

Annex-XIII

No. SOH-III/3-90 / 10 (Delegation of Powers)
Dated 24th September 2010

To,

The Director General
Health Services,
Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: DELEGATION OF POWERS.

I am directed to refer to your two letters No. 2199/Personnel dated 06.05.2010 and letter No. 5043/Personnel dated 30.08.2010 on the subject noted above and to state that under the KPK, Appointment, Promotion and Transfer (APT) Rules, 1989 (copy attached), the Head of the Attached Offices are Competent to make appointments through initial recruitment, to the posts in BPS-01 to BPS-15, whereas DGHS is Competent to exercise the powers of Appointing Authority, to posts in BPS-01 to BPS-15 falling vacant within his administrative control, as Head of the Attached Department.

The Medical Colleges and attached Teaching Hospitals, Khyber Pakhtunkhwa are directly under the administrative control of the Provincial Govt. (Health Department) and are headed by their respective Chief Executives who act as Heads of the Attached Offices.

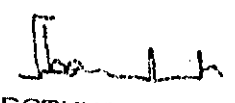
It is therefore, requested that a fresh proposal for delegation of powers to Head/Incharge of sub-offices, falling under the administrative control of DGHS, as Head of the Attached Department, may be sent to this Department for delegation of powers of Appointing Authority for the posts in BPS-01 to BPS-15, so that no duplication occurs.

Encl: As above.

SECTION OFFICER-III

Copy forwarded to:-

1. Chief Executive, Group of Teaching Hospitals, Bannu.
2. Chief Executive, Saidu Group of Teaching Hospitals, Saidu Sharif Swat.
3. Chief Executive, MM Teaching Hospital, D.I.Khan.
4. Chief Executive, Mardan Medical Complex Teaching Hospital Mardan.


SECTION OFFICER-III

although many other illegal appointees in his department have been removed from service, but against many others such action is in process at various stages and they are still in service.

3. In view of the above statement, he is directed to finalize the action against such illegal appointees within one month from today and submit his report through Registrar of this Court. In case, he faces any difficulty in this regard, those difficulties may also be brought to our notice so that appropriate orders may be passed.

Sd/- Anwar Zaheer Jamali, J
Sd/- Ejaz Afzal Khan, J

Certified to be True Copy

Supintendent
Supreme Court of Pakistan
Islamabad



GR No: 640/14 Civil/Criminal

Date of Presentation: 15-1-14

No. of Words: 650

No. of Follies: 6

Requisition Fee Rs: 6.00

Copy Fee in: 3.22

Court Fee stamps: 8.22

Date of Completion of Copy: 18-1-2014

Date of delivery of Copy: 18-1-2014

Compared by/Prepared by: Zohra Jinnah

Received by: _____

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 209/2014

Saeedullah S/o Habibullah.....

(Appellant)

Versus

Govt. of KPK through Secretary Health & Others..... (Respondents)

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDANTS NO.1, 2 AND 3

Respectfully Sheweth,

PRELIMINARY OBJECTIONS;

1. That the appellant has got no cause of action and locus standi to file the instant appeal.
2. That the appellant has not come to this Hon'ble Tribunal with clean hands.
3. That the Respondent No.3 issued the termination order dated 04.11.2013 accordingly after completion of all codal formalities.
4. That the appellant was appointed on 01.06.2011 and the then Departmental Selection Committee malafidely and due to collusion with the appellant, the D.S.C members show the appellant at Serial No. 08 of the merit list and enhance the score of the appellant to **64.5 out of 100** instead of **56.5 out of 100** which was incorrect, against facts and against the available record/Testimonials. Hence the termination orders rightly issued by the answering respondent. **(Copy of merit list is attached as Annex-I)**
5. That the then Medical Superintendent Mardan Medical Complex Mardan advertised various posts and last date for submission of application forms supported with relevant documents was kept 27.02.2010. **(Copy of Advertisement is attached as Annex-II)**
6. That another candidate namely Mr. Tufail Muhammad S/o Gul Muhammad was mentioned at S.No.3 of the merit list which is already appended as Annex-I and in the result of the Advertisement with last date 27.02.2010 he was appointed as Junior Clerk on 04.05.2010 and the appellant was

appointed on 01.06.2011 in continuation of the said Advertisement after lapse of more than one year which is illegal, against law and facts as such the concession of waiting list was deleted

vide circular No. SOR-VI (E&AD)1-10/05 (IV) dated 31.12.2008 **(Copy of the appointment order of Mr. Tufail Muhammad and the appellant as well as relevant page of the Esta Code KPK are attached as Annex-III, IV, V)**


7. That according to the Advertisement qualification for the post of Junior Clerk was mentioned as Matric/F.Sc. preferable Computer Skilled with age limit 18 to 30 years and last date for submission of applications 27.02.2010 while date of birth as per S.S.C is 17.04.1994 thus the appellant was under aged with 15 years 10 months and 10 days. **(Copy of SSC is attached as Annex-VI)**
8. That the then Medical Superintendent issued the illegal appointment order of the appellant and then as Chief Executive being DDO approved the salary bill amounting to Rs. 293988/- from the date of appointment i.e. 01.06.2011 till 31.05.2013 collectively and adjusted him against the post of Assistant for the purpose of drawl of pay for illegal compensation of the appellant. **(Copy of office order dated 12.06.2013 and pay bill are attached as Annex-VII, VIII)**
9. That when the actual facts came into the knowledge of the answering respondent and in the result of the complaint moved by one Mr. Younas Shah. An Enquiry Committee comprising of Senior and responsible Doctors constituted vide remarks on the face of the complaint filed by Mr. Younas Shah . The Enquiry Committee thoroughly examined all the available record/Correspondence/letters issued regarding subject matter and then submitted their report with suggestions. **(Copy of the Complaint and Enquiry report are attached as Annex-IX,X)**
10. After completion of all codal formalities and termination of the appellant by the answering respondent informed his high ups vide letter No. 10220/MMC dated 04.11.2013 for taking legal action against all the dealing hands who were involved in the illegal and irregular appointment as well as drawl of salary. **(Copy of the letter is attached as Annex-XI)**
11. That the instant appeal is not maintainable.
12. That the instant appeal is barred by law.

ON FACTS

1. Para 1 is pertains to record and thoroughly explained supra.
2. Para 2 is correct and the termination order was issued accordingly.

3. Para 3 pertains to record.
4. Para 4 is denied because E&D Rules are not applicable in the instant case. As the appointment of the appellant was illegal and irregular. Hence Khyber Pakhtunkhwa Civil Servants A.P.T Rules 1989 and Recruitment Policy are applicable to the subject matter.
5. That the Enquiry Committee gave full and free opportunity to the appellant for recording his statement. **(Copy is attached as Annex-XII)**. Hence whole para 5 is denied and is incorrect.
6. Para 6 is incorrect and explained in para No. 5. Hence need no comments.
7. Para No.7 is incorrect, baseless, against law and facts. Hence denied.
8. Para No. 8 is incorrect, baseless, against law and facts. Hence denied.
9. Para 9 is related to Respondent No.2. Hence no comments.
10. Para 10 is incorrect, the answering respondent is competent authority for the staff BPS-01 to 15 and termination order dated 04.11.2013 is legal and issued after completion of codal formalities. **(Copy of Delegation of powers is attached as Annex-XIII)**

GROUNDS

- a. Para -a pertains to record and thoroughly explained supra.
- b. Para -b pertains to record and subject to proof. Hence denied.
- c. Para-c is incorrect and thoroughly explained Supra.
- d. Para-d is incorrect and thoroughly explained Supra.
- e. Para-e is irrelevant in the instant case. Hence denied.
- f. Para-f is irrelevant in the instant case. Hence denied.
- g. Para-g is incorrect the appellant was fully aware regarding the whole proceedings. Hence denied.
- h. Para-h is already explained above along with documentary proof in para-5 of the Facts. Hence denied.
- i. Para-i is incorrect, baseless, against law and facts.
- j. Para-j is incorrect, baseless, against law and facts.
- k. That the subject matter pertains to irregular and illegal appointment and the
 answering respondent proceeded the entire process according to law.
- l. Para-l is incorrect and thoroughly explained supra. Hence denied.
- m. Para-m is incorrect, baseless, against law and facts.

n. In respect of para-n as per verdicts of Appex Courts that "ill gotten appointments could not be protected by any Court or Tribunal".(Copy is attached as Annex-
XIV)

Therefore it is humbly prayed that keeping in view the above mentioned facts and records the instant appeal may kindly be dismissed with cost.

Dated: (To be substituted with same date)



1. CHIEF EXECUTIVE
MMCTH MARDAN

RESPONDANT NO.3



2. DIRECTOR GENERAL
Health Services KPK,
Peshawar

RESPONDANT NO.2

Copy
28/15



3. SECRETARY TO
GOVT: of KPK, Health
Deptt: Peshawar
RESPONDANT NO.1

AFFIDAVIT

I Prof: Dr. Ziaul Islam Chief Executive Mardan Medical Complex Teaching Hospital Mardan do hereby solemnly affirm and declare that all the contents of the written comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



DEPONENT



(5)

**MARDAN MEDICAL COMPLEX,
TEACHING HOSPITAL MARDAN.**

DR. QAIM SHAH,
Medical Superintendent.

And A
Sultan (Signature)

Appointment Order.

On recommendation of the Selection Committee, the undersigned is pleased to appoint Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar against the vacant post of Junior Clerk BPS-07, plus usual allowance as admissible under the rules in Mardan Medical Complex, Teaching Hospital Mardan on the following terms, & condition.

Terms & Conditions.

1. He / She will be on probation initially for one year.
 2. His / Her services can be terminated straight away if his / her work and conduct remained un-satisfactory or his / her documents at any stage is / are found fake.
 3. His / Her appointment will be subject to Medical Fitness and verification of character and attendance.
 4. He / She will not be entitled to any TA / DA for Medical Examination and joining the appointment.
 5. He / She will be governed by such services rules and ordered as framed by the Govt: from time to time for category of Govt: servant to which he / she belongs.
 6. If he / she wishes to resign his / her service, he / she will submit his / her resignation in written or one month salary in lieu thereof to Govt: treasury, however he / she will continue to serve the Govt: till his / her resignation is accepted by the competent authority.
 7. As laid down vide Govt: of NWFP E&D Act-2 vide S&GAD Notification No.6(E&AD) 1-15 dated.10-08-2005 and also according to the Finance Department Notification No.801 / 5-8 / 2006-07 / FD dated.13-12-2006, he / she will not be entitled for Pension or Gratuity, however in lieu thereof, will be entitled to receive such amount contributed by him / her towards the contributory provident fund (CP Fund along with the contributions made by the Govt: of his / her account in the said fund.
- If he / she accept the above mentioned terms and condition, he / she should report to the Chief Executive Mardan Medical Complex, Teaching Hospital Mardan for duty on his / her own expenses within 07 days of the receipt of his / her letter, otherwise his / her appointment order will be considered as cancelled.

Medical Superintendent,
Mardan Medical Complex,
Teaching Hospital Mardan.

Dated..07...../...../2011.

2487-89...../MMC, Mardan.

- to;
1. Chief Executive MMC, Teaching Hospital Mardan.
 2. District Comptroller of Accounts Mardan for n/action.
 3. Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar

(Signature)
Medical Superintendent
Mardan Medical Complex

Steel

(B)

Aux B

(AS)

MARDAN MEDICAL COMPLEX
MARDAN HOSPITAL MARDAN

NO 1272-77 RWSIC

Date 4/11/2013

CE ORDER

As per suggestion of the inquiry committee, being an illegal and
irregular appointment, you Mr. Saeedullah s/o Habibullah r/o palosai P O Atuzai
District Peshawar Junior clerk BPS-07 Mardan Medical Complex is
hereby terminated with effect from the date of appointment i.e 01/06/2011 as
senior Clerk BPS-07.

Chief Executive

Mardan Medical Complex

Teaching Hospital Mardan.

Medical Superintendent Mardan Medical Complex

DMS (AMC) Mardan

DAO Mardan

To Director General Health Services, Ayub Khan Hospital, Mardan Peshawar

Account Officer Mardan

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D/S

The Chief Executive
Mardan Medical
Complex,
Teaching Hospital
Mardan

Subject: Request for provision of
inquiry proceedings, findings
recommendation in case
of applicant, if any.

SW

1. That I have been terminated
vide order No 10272-77/MAC
Dt 4/11/2013
2. That I have not been provided
The documents mentioned in
The heading of application
3. That as per Access to Justice
Act as well as Art 10A and
19A^{of Constitution of PAK 1973} (right to information), it is

That appellant is not served with

any chargesheet or show cause notice

and the procedure prescribed under
E & D Rules is not complied with

4. That appellant has not been
associated with any sort of inquiry

5. That appellant has been condemned
to be heard.

6. That service of appellant cannot be
terminated on the suggestion of so called
inquiry report, without giving show cause
notice and opportunity of hearing

7. That appellant has been prejudiced
as copy of inquiry report is not
provided to appellant, in spite of oral
and written requests in writing

8. That no opportunity of cross-examination
is provided to appellant.
It is therefore humbly requested

That Termination order dt 4-11-2013

may please be set aside and
appellant may please be reinstated
in service with all back benefits,
being jobber.

dt 6/11/2013

Yours Obediently

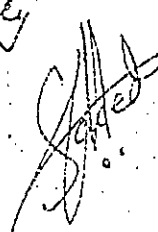
Saeedullah s/o

Habibullah

R/o Galusan p.o

Atugai Teha

District



MA ————— 100/-
 AR-2010 ——— 1860/-
 AR-2011 ——— 558/-
 From 1/12/2011 to
 30/11/2012
 (12 months)

From 1/12/2012 to
 31/5/2013 (6 months)

Day ————— 6120/-
 HRH ————— 1059/-
 CH ————— 1150/-
 MH ————— 1000/-
 AR 2010 ——— 1860/-
 AR 2011 ——— 558/-
 AR-2012 ——— 1224/-

Day ————— 6440/-
 HRH ————— 1059/-
 CH ————— 1840/-
 MH ————— 1000/-
 AR 2010 ——— 1860/-
 AR 2011 ——— 558/-
 AR 2012 ——— 288/-

73	440/-	12708	13800/-	12000/-	22320/-	6696/-	6120/-	147084/-	2160/-	804/-	144125/-
38	640/-	6354/-	11040/-	6000/-	11160/-	3348/-	17728/-	84270/-	1080/-	402/-	32788/-
14	6880/-	25416/-	31740/-	24000/-	44640/-	13392/-	13848/-	299916/-	4320/-	1608/-	293988/-

Rs. 293938/- from
Account Section of
MNC Mardani.

Saeed

Mr. Saeedullah
Clerk.

Annex-IV

**MARDAN MEDICAL COMPLEX,
TEACHING HOSPITAL MARDAN.**

3



DR. QAIM SHAH,
Medical Superintendent.

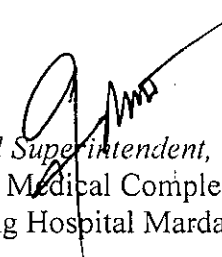
Appointment Order.

On recommendation of the Selection Committee, the undersigned is pleased to appoint Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar against the vacant post of Junior Clerk BPS-07, plus usual allowance as admissible under the rules in Mardan Medical Complex, Teaching Hospital Mardan on the following terms. & condition.

Terms & Conditions.

1. He / She will be on probation initially for one year.
2. His / Her services can be terminated straight away if his / her work and conduct remained un-satisfactory or his / her documents at any stage is / are found fake.
3. His / Her appointment will be subject to Medical Fitness, and verification of character and attendance.
4. He / She will not be entitled to any TA / DA for Medical Examination and joining the 1st appointment.
5. He / She will be governed by such services rules and ordered as framed by the Govt: from time to time for category of Govt: servant to which he / she belongs.
6. If he / she wishes to resign his / her service, he / she will submit his / her resignation in written or one month salary in lieu thereof to Govt: treasury , however he / she will continue to serve the Govt: till his / her resignation is accepted by the competent authority.
7. As laid down vide Govt: of NWFP E&D Act-2 vide S&GAD Notification No.6(E&AD) 1-13 dated.10-08-2005 and also according to the Finance Department Notification No.801 / 5-8 / 2006-07 / FD dated.13-12-2006, he / she will not be entitled for Pension or Gratuity , however in lieu thereof, will be entitled to receive such amount contributed by him / her towards the contributory provident fund (CP Fund along with the contributions made by the Govt: of his / her account in the said fund.

If he / she accept the above mentioned terms and condition, he / she should report to the Chief Executive Mardan Medical Complex, Teaching Hospital Mardan for duty on his / her own expenses within 07 days of the receipt of his / her letter, otherwise his / her appointment order will be considered as cancelled.

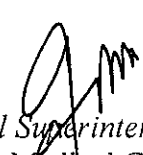

Medical Superintendent,
Mardan Medical Complex,
Teaching Hospital Mardan.

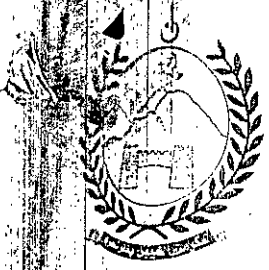
No. 2487-89 / MMC, Mardan.

Dated.. 01.06.2011.

Copy to;

1. Chief Executive MMC, Teaching Hospital Mardan.
2. District Comptroller of Accounts Mardan for n/action.
3. Mr. Saeed ullah S/O Habib ullah Palosi Atozi Teh: & Disstt: Peshawar


Medical Superintendent
Mardan Medical Complex,
Teaching Hospital Mardan.



**MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN**

No. 10280 /MMM

Dated 4/11 /2013

Prof. Ziaul Islam
Chief Executive

To

The Secretary to Govt of
Khyber Pukhtunkhwa, Health
Department Peshawar

The Director General,
Health Services, Khyber Pakhtunkhwa
Peshawar

Sub: ENQUIRY REPORT IN R/O MR. SAEEDULLAH EX JUNIOR CLERK
BPS-07 MARDAN MEDICAL COMPLEX MARDAN

Memo:

Enclosed please find herewith an enquiry report alongwith termination order in r/o Mr. Saeedullah Ex Junior clerk BPS-07 MMC Mardan with the request to initiate disciplinary proceedings against the Dealing Hands as recommended by the Enquiry Committee under sub Section-3 (suggestion) of the enquiry report. The same is reproduced as under;

- "A detail enquiry under the rules may be initiated against all concerned who are involve in the illegal appointment and unauthorized drawl of salary amount in r/o Mr. Saeedullah Junior Clerk".

Ziaul Islam
CHIEF EXECUTIVE

**MARDAN MEDICAL COMOLEX
TEACHING HOSPITAL MARDAN**

No 70079 /MMC

Dated 29/10 2013

Annex-8

The Chief Executive
MMCTH Mardan.

Subject: INQUIRY REPORT ON THE COMPLAINT OF MR. YOUNIS SHAH JUNIOR
CLERK/ASSISTANT (THE SUBJECT SALARY ADJUSTMENT).

Sir,

As per your directives, an inquiry has been initiated on the subject matter with the following details.

INTRODUCTION:

Mr. Younis Shah Junior Clerk has submitted an application to the Chief Executive with the complaint that being a junior clerk he was not adjusted on his original post for the withdrawal of his salary. During the inquiry, looking into the details of the available record and statement of the concerned officials, the following findings were revealed.

FINDINGS:


1. Mr. Younis Shah is Junior Clerk, not assistant.
2. He is drawing salary against the post of Assistant.
3. Being a Junior Clerk, Mr. Younis Shah was not adjusted on the post of Junior Clerk, vacant due to transfer of Mr. Adnan Khan to PGMI through letter No. 5952/54 dated 28/05/2011.
4. The adjustment of Mr. Younis Shah on the post of Junior Clerk ordered by the then Medical Superintendent through a letter No. 2452-55 dated 31/05/2011 was not implemented.
5. A partial modification to the office order No. 2452-55 dated 31/05/2011 was made through another office order 2503-04 dated 02/06/2011 by the Ms in spite of the fact that the Junior clerk post was vacant at that time.
6. On 01/06/2011 an appointment order in r/o Mr. Saeedullah s/o Habibullah as a Junior Clerk was issued by the then MS in spite of the fact that there was no vacant post of the junior clerk. (Mr. Younis Shah junior clerk was on the strength of MMC Mardan.)
7. The newly appointed Junior Clerk Mr. Saeedullah s/o Habibullah who was appointed on 01/06/2011 is not fulfilling the codel formalities for the Junior Clerk i.e required qualification, test, Interview etc.

This newly appointed junior clerk Mr. Saeedullah was shown at serial No. 08 at the merit list obtaining marks 64.5 out of 100 while the actual numbers given were 56.5 out of 100 which is a melafidae intention on the part of the selection committee.

9. The merit list which was provided to the enquiry committee was showing appointment of the various junior clerks including Mr. Saeedulla was prepared in March 2010 while Mr. Saeedullah was given an appointment in June 2011, which is also a big question mark. (Statement of Mr. Saeedullah Junior Clerk is available for ready reference)
10. Although, Mr. Saeedullah s/o Habibullah was appointed on 01/06/2011, while he was given 1st salary on 31/05/2013 with laps of almost 02 years which is itself is a big question mark.
11. A sum of Rupees 293988/- paid to junior clerk Mr. saeedullah in lump sum and through a manual bill shows melafidae intention of the accounts section and the administration.
12. The appointment of junior clerk Mr. Saeedullah apparent from the available file and documents is illegal and against the required codel formalities.

SUGGESTIONS

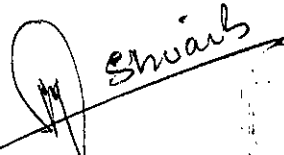
1. Mr. Younis Shah Junior Clerk may be adjusted against his original post of Junior Clerk for the withdrawal of his salary.
2. Being an illegal appointment Mr. Saeedullah Junior Clerk may be terminated.
3. A detail inquiry under the Rules may be initiated against all concerned, who are involved in illegal appointment and unauthorized withdrawal of salary amount in r/o Mr. Saeedullah Junior Clerk.



Dr. Muhammad Israr
Chairman Enquiry Committee



Dr. Abdul Aziz Zia
Member Enquiry Committee



Dr. Muhammad Shoaib
Member Enquiry Committee

(1)

سوال :- آپ کا نام کیا اور پوسٹ کیا ہے -

جواب :- میرا نام سعید اللہ ہے اور میرا پوسٹ Clerk ہے

انگریزی
Anne

سوال :- آپ کی تعلیم کیا ہے
جواب :- میرا پوسٹ تعلیم FAc ہے

سوال :- آپ کا تعلق کس جگہ سے ہے -

جواب :- میرا تعلق پشاور پولیٹیکنک سے ہے

سوال :- آپ مردان میں کیا برنی ہوئے

جواب :- مردان میں میرا ایونٹ 1-6-2011 میں ہوا ہے

سوال :- آپ کو کیا پتہ چلا کہ مردان میں رجسٹر آئی ہے

جواب :- مجھے اخبار کہ ذریعہ پتہ چلا اور پھر میں نے اس کی اپڈیٹ

سوال :- کیا آپ نے برنی ہوئے سلیکٹ درفوانت دی تھی

جواب :- جی مجھے پتہ چلا اور پھر میں نے اپنا سارا ڈاؤنٹ جمع کر لیا

سوال :- کیا برنی ہونے سے پہلے آپ کا لٹیک ہوا تھا

جواب :- جی ہوا تھا

سوال :- کیا برنی ہونے سے پہلے آپ کا انٹرویو ہوا تھا

جواب :- جی ہوا تھا

سوال :- کیا آپ کو یاد ہے کہ آپ کا لٹیک اور انٹرویو کس وقت ہوا تھا

جواب :- ایسی یاد نہیں ہے (کیونکہ سال 2011 میں ہوا تھا)

سوال: بیوف نہ بعد آپ کا سیڈیکل پورا تھا۔ اگر بیوف نہ ہو تو
بیوف پورا تھا۔ سیڈیکل عجب یاد نہیں نا اس کا وقت

سوال: آپ نے کیا میڈیکل کا امتحان پاس کیا
جواب: میں نے میڈیکل سال 2009 میں کیا تھا

سوال: آپ نے ایف اس سے کیا کیا تھا
جواب: میں نے ایف اس بی بی سال 2011 میں کیا تھا

سوال: کیا آپ ایف ایس سے کہ ڈائمنٹ جھوٹے تھے
جواب: جی ہاں تھے

سوال: کیا آپ نے کو ^{Dobla} فلم حاصل کی ہے
ms-office

جواب: جی ہاں کی ہے (Computer Graphics) (massia)

سوال: کیا یہ درست ہے کہ آپ نے (BA-CH) سے کیا کیا
جواب: جی ہاں (2012) اور اب جاری ہے

سوال: کیا آپ نے Regular سے ڈگری ہے

جواب: جی ہاں Evening

سوال: آپ نے پہلی تنخواہ کیا کی

جواب: پہلے تو بند (بھی) لیکن بعد میں مجھے رہا ہے علیے
31-5-2013

سوال: کیا آپ بتا سکتے ہیں کہ آپ کی تنخواہ اتنی دیر سے نہیں ہے

جواب: عجب پتہ پورا نہیں کیا تنخواہ بند تھی

سوال: جون 2011 سے آپ تھا آپ نے کس کس جگہ پر اپنی ڈگری پورا کیا

جواب: پہلے میں ^{MS} میں تھا۔ اور پھر پریسٹنٹ روم اور پھر ^{MS} میں تھا

کہ بعد ^{MS} اور آپ پھر گائی میں ہیں

Handwritten signature or mark at the bottom left.

GOVT OF KHYBER PAKHTUKHWA
HEALTH DEPARTMENT

Annex-XIII

No. SOH-III/8-90 / 10 (Delegation of Powers)
Dated 24th September 2010

To,
The Director General
Health Services,
Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: DELEGATION OF POWERS.

I am directed to refer to your two letters No. 2199/Personnel dated 06.05.2010 and letter No. 5043/Personnel dated 30.08.2010 on the subject noted above and to state that under the KPK, Appointment, Promotion and Transfer (APT) Rules, 1989 (copy attached), the Head of the Attached Offices are Competent to make appointments through initial recruitment, to the posts in BPS-01 to BPS-15, whereas DGHS is Competent to exercise the powers of Appointing Authority, to posts in BPS-01 to BPS-15 falling vacant within his administrative control, as Head of the Attached Department.

The Medical Colleges and attached Teaching Hospitals, Khyber Pakhtunkhwa are directly under the administrative control of the Provincial Govt. (Health Department) and are headed by their respective Chief Executives who act as Heads of the Attached Offices.

It is therefore, requested that a fresh proposal for delegation of powers to Head/Incharge of sub-offices, falling under the administrative control of DGHS, as Head of the Attached Department, may be sent to this Department for delegation of powers of Appointing Authority for the posts in BPS-01 to BPS-15, so that no duplication occurs.

Encl: As above.

SECTION OFFICER-III

Copy forwarded to:-

1. Chief Executive, Group of Teaching Hospitals, Bannu.
2. Chief Executive, Saidu Group of Teaching Hospitals, Saidu Sharif Swat.
3. Chief Executive, MM Teaching Hospital, D.I.Khan.
4. Chief Executive, Mardan Medical Complex Teaching Hospital Mardan.



SECTION OFFICER-III

Annex-XIV

2009 SCMR 1492

[Supreme Court of Pakistan]

Present: Iftikhar Muhammad Chaudhry, C.J., Raja Fayyaz Ahmad and Ch. Ijaz Ahmed, JJ

ANWAR ALI and another---Petitioners

Versus

CHIEF EXECUTIVE HESCO (WAPDA), HYDERABAD and others---Respondents

Civil Petitions Nos.315-316 of 2009 and Civil Petitions Nos.457 and 458 of 2009, decided on 22nd May, 2009.

(On appeal from the judgment, dated 26-12-2008 passed by Federal Service Tribunal, Islamabad in Appeals Nos.400(R)(C.S.) of 2008 and 401(R)(C.S.) of 2008).

Service Tribunals Act (LXX of 1973)---

---Ss. 4 & 5---Dismissal from service---Bogus academic certificates---Service Tribunal, decision of---Principle---Civil servants produced bogus academic certificates at the time of their selection, therefore, they were dismissed from service---Service Tribunal partially allowed appeals filed by civil servants and converted dismissal from service into compulsory retirement with pensionary benefits---Validity---Had the Service Tribunal gone through documents placed before Inquiry Officer, there could have no occasion to show any leniency in favour of civil servants---Service Tribunal might have recommended department for further criminal action against such persons so that it might serve deterrence for likeminded persons in future---Instead of doing so, civil servants, who were found guilty of gross misconduct and fraud, had been benefited by converting penalty of dismissal from service into compulsory retirement only for the reason that they had served department for about 27 years---Such reasons prevailed upon Service Tribunal were not acceptable in any context---Supreme Court converted petition for leave to appeal into appeal and set aside judgment passed by Service Tribunal---Supreme Court recommended authorities to examine possibility of getting registered criminal case against civil servants so that in future no one should dare to commit such misconduct in government departments. Appeal was allowed.

Postmaster-General, AJK v. Muhammad Zorab 1996 SCMR 280 rel.

Haider Hussain, Advocate Supreme Court and M.S. Khattak, Advocate-on-Record for Petitioners.

Ch. Naseer Ahmed, Advocate Supreme Court for Respondents.

Date of hearing: 22nd May, 2009.

JUDGMENT

IFTIKHAR MUHAMMAD CHAUDHRY, C.J.--- Listed petitions have been filed against

ments dated 26-12-2008 passed by Federal Service Tribunal, Islamabad, therefore, we propose to file them by this common judgment.

2. Facts giving rise to these petitions, in short, are that petitioners Anwar Ali and Muhammad Ishaq were in the service as Accounts Assistants of Hyderabad Electric Supply Company opted for the post of Divisional Accountant (Emergency Cadre) in pursuance of letter dated 30th January, 2003. It is significant to note that qualification prescribed under this letter, was B.Com. (2nd Div.) with five years experience of accounting. Both of them submitted requisite degrees and were selected as Divisional Accountants (Emergency Cadre). Later on it transpired that the degrees of B.Com., produced by them are not genuine, therefore, they were called upon to provide attested photocopies of B.Com. degrees signed by them, which they failed to do so. As a result whereof, departmental proceedings were initiated against them for placing bogus degrees of B.Com. for their placement as Divisional Accountant (Emergency Cadre). Accordingly both of them submitted their written replies. As far as Ishaq is concerned, he admitted that his B.Com. certificate was arranged by him therefore, is feeling self guilty. Relevant para. from his reply on this behalf is reproduced herein below:---

"Being a human I was looking for my bright future and trying to a B & AO enormously a fictitious B.Com certificate was arranged, for this negligency I am feeling myself guilty and requesting you to be kind to excuse me on this cheating. I further requested you to kindly I may be allowed to be heard in person."

Anwar Ali also filed reply but did not admit his guilt, however, his plea had been that someone else had produced a bogus/fake degree on the record of his service due to jealousy or enmity. The Inquiry Officer concluded that allegations have been proved against them. On dispensing with further proceedings and issuing the show-cause notice and taking the reply etc. they were dismissed from service. They preferred departmental appeals, which were rejected and ultimately they approached the Federal Service Tribunal and assailed the order dated 25th January, 2008 whereby they were dismissed from service. The Tribunal on having come to the conclusion that both of them have produced fake documents, instead of dismissing their appeals, converted their service into compulsory retirement with pensionary benefits vide impugned judgment.

3. Learned counsel appearing for Anwar Ali and Muhammad Ishaq in C.P.S.L.As. Nos.315 and 316 of 2009 stated that he has been instructed not to press the same. Order accordingly. Civil Petitions Nos.315-316 of 2009 filed on their behalf are dismissed as not pressed.

4. Learned counsel appearing in Civil Petitions Nos.457-458 of 2009, filed on behalf of HES contended that there is overwhelming evidence against both the respondents and including departmental authority, the Service Tribunal had also concluded that they being the beneficiaries of fake degrees have committed gross misconduct and the Tribunal had no authority to convert the penalty of dismissal from service into compulsory retirement with pensionary benefits. Learned counsel for respondents stated that they are not responsible for the same particularly, in the case of Anwar Ali because someone else has placed a fake degree on his service record, due to enmity, therefore, the Tribunal keeping in view of facts and circumstance and for the reason that both, of them had served for a longer period to the department, rightly exercised jurisdiction in their favour.

5. We believe that in view of the admitted facts particularly in the case of Muhammad Ishaq, relevant para. is reproduced hereinabove, Inquiry Report and other documents brought in the case of Anwar Ali there is no need of entering into factual controversy, except to examine that under the circumstances whether Tribunal had rightly exercised jurisdiction under section 4 of the Service Tribunal's Act, allow

the benefit of compulsory retirement to them instead of maintaining the penalty of dismissal from service. Undoubtedly, Tribunal enjoys such jurisdiction but it is to be exercised judiciously. In the given circumstances of the case, when it has been established on the record that both of them had committed fraud and are guilty of gross misconduct, there was no occasion to show leniency in their favor. Whatever the arguments advanced by Mr. Haider Hussain, learned Advocate Supreme Court that Anwar Ali was not responsible for the placing on record bogus certificate for the purpose of selection/appointment as Divisional Accountant but the fact remains that they were the beneficiaries and the Inquiry Officer after having taken pain on the basis of available record has opined against them. Such Inquiry Report has not only been accepted by the Competent Authority but also by the Appellate Authority of the same department as well as, the Tribunal. Therefore, arguments raised by the learned counsel for the respondents are not acceptable. This Court in the case of Postmaster General, AJK Muhammad Zorab 1996 SCMR 280 has held that Supreme Court, while hearing appeal arising from a decision of Service Tribunal would only interfere if order passed by Tribunal lacked application of mind or suffered from arbitrariness. Following this principle we have no option to hold that in the instant case Service Tribunal had not adhered to this principle correctly. Had the Service Tribunal gone through the documents placed before the Inquiry Officer, there was no occasion to show any leniency in their favor. Contrary to it, the Tribunal may have recommended the department for further criminal action against such person so that it may serve deterrence for a likeminded person in future. But instead of doing so, respondents who have been found guilty for gross misconduct and fraud, had been benefited by converting the penalty of dismissal from service into compulsory retirement only for the reason that they had served the department for about 27 years etc. Therefore, the reasons prevailed upon the Service Tribunal are not acceptable in any context.

6. Thus, for the foregoing reasons, Civil Petitions Nos.457 and 458 of 2009 are converted into appeals and allowed, as a result whereof, the impugned judgment dated 26-12-2008 is set aside with costs.

The department is free to examine possibility, of getting registered criminal case against respondents in future, no one should dare to commit such misconduct in the government departments.

M.H/A-51/SC

Appeal allowed.

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.209/14

Saeedullah.....Appellant

VERSUS

Govt. of KPK and othersRespondents

REJOINDER ON BEHALF OF THE APPELLANT

Sir

PRELIMINARY OBJECTION

All preliminary objections are incorrect, misconceived, denied. The inquiry is containing statement of appellant in question answer form which is against **1993 SMR and PLD 1993 SC** as inquiry in question answer form can't be conducted. It has to be in narrative form and witnesses are to be examined in front of accused and opportunity of cross-examination is to be given to the accused facing trial. There is neither charge sheet, nor statement of allegation by the competent authority, nor show cause notice as mandatory for a civil servants as per E&D Rules 2011. As per said rules, there needed to be a joint trial/ inquiry of all the dealing hands and in that case the charge sheet is to be issued by the competent authority of senior most officer i.e. M.S (BPS-20) Officer, thus the so-called inquiry is neither ordered by the competent authority nor the members of inquiry committee were competent to probe into the same. As per letter dated

29.04.2010 (Copy Annex R-1) there were 18 posts of Junior Clerks and as appellant is at S.No.8 in merit list so he was rightly appointed (merit list of Ophthalmology is "R-2", whereas merit list of Junior Clerk is Annex "R-3") In this merit list the marks of appellant has been corrected as 56.5 instead of 64.5 being clerical mistake and bears the initial of the Chairman Selection Committee. (Merit list of other categories is Annex "R-4", the transfer order of Adnan Junior Clerk is Annex "R-5", his appointment order is Annex "R-6"). As per SNE dated 17.12.2019 (Annex "R-7")

there were 9 post of Junior Clerk. *As per age certificate DT 25-2-2010 (Annex R-8) Petitioner is 18 years old.*

ON FACTS *Due to Transfer order DT 6/5/2010 Annex R-9 of Kamran Ahmad, one further post became vacant*

- 1-3 Admitted as correct.
4. That Para-4 of the appeal is correct and that of reply is incorrect. Denied. Power of Termination and Termination is provided in E&D Rules 2011 only and there is no provision for termination in APT Rules, 1989 and Requirement Policy. As per 1996 SCMR 413 department can't take benefit of its own omissions when the person is qualified and no complaint against his work.
5. That Para-5 of appeal is correct and that of reply is incorrect. Denied. There is no opportunity given to appellant, rather not associated with proceedings. Infact, there are no proceedings. The mere reply of question asked can't be termed as statement and complete opportunity.

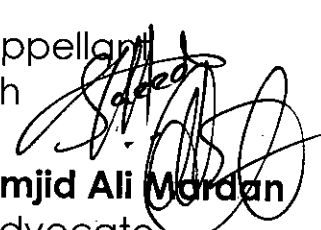
6-10 That Para-6 to 10 of appeal are correct and that of reply are incorrect. Denied.

GROUND:

All grounds of appeal are correct and that of reply is incorrect, denied. There is no provision in APT Rules, 1989 or policy for inquiry and procedure for termination. The judgment cited is regarding fraud and bogus documents, which is not the case of appellant. No fraud has been alleged or proved against appellant. Appellant can't be punished for omission of department. That they will be permitted to get benefit of their own omission. There is not loss to any other candidate.

Appellant has worked for considerable period and termination with retrospective effect is alien to the service laws and rules.

It is, therefore, humbly requested that, appeal may please be accepted.

Appellant
Through 
Amjid Ali Mardan
Advocate
Supreme Court of Pakistan

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.209/14

Saeedullah.....Appellant

VERSUS

Govt. of KPK and othersRespondents

AFFIDAVIT

I, **Amjid Ali Mardan Advocate** (Counsel for appellant), do hereby affirm and declare as per information furnished by my client that the contents of the accompanying **Rejoinder** are true and correct and nothing has been concealed from this Hon'ble Court.


Deponent

*Affidavit
Saeed Aslam
Advocate Mardan
Dushkoman
[Signature]*

Ans R-1
Dr. Qaim Shah

MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL, MARDAN

Dr. Qaim Shah
Medical Superintendent

No.

Dated. /

/MMCTH

/2010.

SUBJECT: SELECTION OF PARAMEDICS & OTHERS POSTS

This Hospital has been declared as Teaching Hospital. After completion of Phase-II some additional staff was required for the smooth running of the newly constructed units. Therefore, it was felt to demand some additional posts of Doctors, Paramedics and other supporting. The Government of NWFP, agreed with the proposal and accord approval for creation of some Technical and non-technical posts as follows:

<u>S.No.</u>	<u>Name of Post</u>	<u>No. of Post</u>	
1.	EEG Technician	BPS-09	01 post.
2.	ECT Technician	BPS-09	01 post.
3.	JCT (Cardiology)	BPS-09	02 posts.
		(One Male & One Female)	
4.	JCT (Radiology)	BPS-09	01 post.
5.	Holter Technician	BPS-09	01 post.
6.	Blood Bank Tech.	BPS-09	01 post.
7.	Dental Tech:	BPS-09	01 post.
8.	Ophthalmic Tech.	BPS-09	01 post.
9.	Plumber	BPS-05	01 post.
10.	Electrician	BPS-05	01 post.
11.	J.Clerk	BPS-07	09 posts.

As per Government policy, all the above posts were properly advertised in the daily news papers. After publishing the above posts, application (details given below) was received.

1.	EEG Technician	5 numbers
2.	ECT Technician	6 numbers
3.	JCT (Cardiology) ECG Tech:	5 numbers
4.	JCT (Radiology) Radiographer	9 numbers
5.	Holter Technician	10 numbers
6.	Blood Bank Tech.	19 numbers
7.	Dental Tech:	18 numbers
8.	Ophthalmic Tech.	6 numbers
9.	Plumber	69 numbers
10.	Electrician	89 numbers
11.	J.Clerk	185 numbers

As selection committee of the following was constituted for the purpose of selection by the competent authority. (copy attached).

1. Dr. Qaim Shah as Chairman
2. Dr. Abdul Jamil Vice Principal, BKMC, Mardan Member,
3. Mr. Muhammad Younis SOG Health Deptt. Pesh Member,
4. Dr. Rabnawaz DMC (Admn) MMC, Mardan Member,
5. Incharge of the relevant field Member

All applicants / candidates was called for written test on 8th, 10th, 12th March 2010 respectively for written test through advertisement. After doing the needful, Candidates who had qualified the written test was called for interview on 9th April 2010. Details given below.

1.	EEG Technician	3 numbers
2.	ECT Technician	5 numbers
3.	JCT (Cardiology) ECG Tech:	3 numbers
4.	JCT(Radiology) Radiographer	9 numbers
5.	Holter Technician	7 numbers
6.	Blood Bank Tech.	9 numbers
7.	Dental Tech:	12 numbers
8.	Ophthalmic Tech.	2 numbers
9.	Plumber	6 numbers
10.	Electrician	30 numbers
11.	J.Clerk	18 numbers

Out of which candidates (List are attached) were found eligible for selection in each field on merit as per Government policy.



Medical Superintendent

MMC, Teaching Hospital, Mardan.

No. 2045-48 /MMCTH

Dated. 29 / 14 /2010.

1. The Chief Executive, MMC, Mardan.
2. The Director General Health Services, NWFP, Peshawar.
3. All Selection Committee Members.
4. The PS to Secretary Health, Govt. of NWFP, Peshawar.



Medical Superintendent

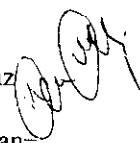
MMC, Teaching Hospital, Mardan.

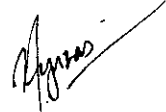
Merit List of Ophthalmology Technician.

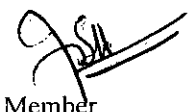
Mr R-2
D.S.
Shah


S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Optalmology.									
1	Mr.Naveed khan S/o Basheer Mohd	28		26/35		35/35	Nil	Nil	6.8	67/100 Selected.


Member
Dr. Jamil
Vice Principle
BKMC, Mardan.


Member
Dr. Rabnawaz
DMS Admn
MMC, Mardan.


Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.


Member
Dr. Naveed Ahmad Shah,
Eye Specialist,
MMC, Mardan.


Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.

Merit List of Candidate for Junior Clerk at MMC, Mardan.

Ann R-3
(Signature)

S.No	Name/Father Name	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
		1 st	2 nd	3 rd					
1	Mr.Naveed khan S/o Noor khan	50/50			20/20	6/12	Nil	6.5	82.5/100
2	Mr.Sheraz S/o Saeed ur Rehman	50/50			20/20	6/12	Nil	6	82/100
3	Mr.Toufail Mohammad s/o Gul Mohammad		38/50		20/20	12/12	Nil	6.5	76.5/100
4	Mr.Adnan khan S/o Roz Amin khan		38/50		20/20	8/12	Nil	7	73/100
5	Mr.Muhammad Ishaq S/o Iqbal Mohammad		38/50		20/20	8/12	Nil	6	72/100
6	Mr.Abdul Kabir S/o Salik shah		38/50		20/20	8/12	Nil	6	72/100
7	Mr.Majid Ali shah S/o Tilawat shah		38/50		20/20	6/12	Nil	6	70/100
8	Mr.Saeed uliah S/o Habib ullah			30/50	20/20	Nil	Nil	6.5	64.5/100
9	Mr.Akhlaq Ahmad S/o Mir Ghulam		38/50		20/20	Nil	Nil	6.5	64.5/100
10	Mr.Saghir Nawab S/o Amir Nawab		38/50		20/20	6/12	Nil	6	64/100
11	Mr.Kamran Ahmad S/o Nisar Ahmad			30/50	20/20	8/12	Nil	6	64/100
12	Mr.Ziyad khan S/o Abdul jabbar			30/50	20/20	Nil	Nil	6	56/100
13	Mr.Murad Ali S/o Nisar		38/50		20/20	8/12	Nil	5(F)	Failed
14	Mr.Ajab khan S/o Anwar Shah	50/50			20/20	6/12	Nil	5(F)	Failed
15	Mr.Yasir Naveed S/o Anar Gul	50/50			20/20	6/12	Nil	5(F)	Failed
16	Mr.Raheem Taj S/o Pir Mohammad		38/50		20/20	6/12	Nil	5(F)	Failed
17	Mr.Sherwali S/o Sher Ali		38/50		20/20	Nil	Nil	5(F)	Failed
18	Mr.Farhad S/o Zahidullah		38/50		20/20	6/12	Nil	5(F)	Failed

56.5

Member
Dr. Jamil
Vice Principle
BKMC, Mardan

Member
Dr.Rab Nawaz
DMS Admn
MMC, Mardan

Member
Mr.Mohd Younis
SOG,
Health Department
NWFP, Peshawar.


Member
Mr.Mumtaz
Office Superintendent
MMC, Mardan


Chairman
Dr.Qaim Shah
Medical Superintendent
Mardan Medical Complex

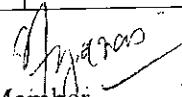
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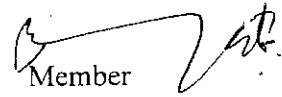
Merit List of Candidate for E.E.G Technician.

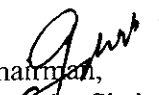
S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	E.E.G									
2	Mr. Ifihar Ahmad S/o Abdul Hadi	22		26/35		35/35	Nil	Nil	7	68/100 Selected


Member
Dr. Jamil
Vice Principle
BKMC, Mardan.


Member
Dr. Rabnawaz
DMS Admn
MMC, Mardan.



Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.



Member
Dr. Inayat-ur-Rahman
Psychiatrist.
MMC, Mardan.

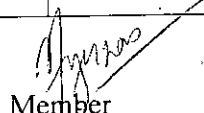

Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.

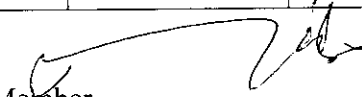
Merit List of Candidate for E.C.T Technician.


S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	E.C.T									
1	Mr. Farhan ullah S/o Kifayat ullah	25	35/35			25/35	Nil	Nil	7	67/100 Selected
2	Mr. Mohd Bashir S/o Habib Shah	45	35/35			25/35	Nil	Nil	6	66/100
3	Mr. Shahab S/o Gul Rehman	21		26/35		25/35	Nil	Nil	3 (F)	Failed
4	Mr. Mohd Younis S/o Khurshid	20	35/35			25/35	Nil	Nil	2 (F)	Failed


Member
Dr. Jamil
Vice Principle
BKMC, Mardan.


Member
Dr. Rabnawaz
DMS Admin
MMC, Mardan.



Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.



Member
Dr. Inayat-ur-Rahman
Psychiatrist
MMC, Mardan.

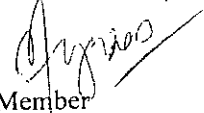

Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.


Marit List of Candidate for Radiology Technician.

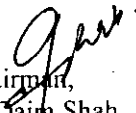
S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Radiology.									
1	Mr.Nabiullah S/o Mir Azam khan	26	35/35			35/35	Nil	10/10	7	87/100 Selected
2	Mr.Shah Johar zeb S/o Anwar Baik	24		26/35		35/35	Nil	7/10	6+	74/100
3	Mr.Riaz Bashar S/o Sultan Haider	25		26/35		35/35	Nil	7/10	6	74/100
4	Mr.Mohd khalid S/o Shamur Rehman	41		26/35		35/35	Nil	Nil	-	Overage


Member
Dr.Jamil
Vice Principle
BKMC,Mardan.


Member
Dr.Rabnawaz
DMS Admn
MMC,Mardan.



Member
Mr.Mohd Younis
SOG,
Health Department,
NWFP,Peshawar.

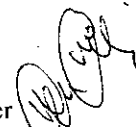

Member
Dr.Dr.Abdul Aziz
Radiologist
MMC,Mardan.

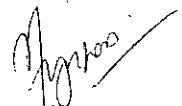

Chairman,
Dr.Qaim Shah
Medical Superintendent,
MMC,Mardan.


Merit List of Candidate for E.C.G Technician.


S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	E.C.G									
1	Mr.Kashif ur Reehman S/o Aziz ur Rehman	27		26/35		35/35	Nil	Nil	6	67/100 selected
2	Mr.Mohd Ejaz S/o Abdul Wahid	33			21/35	35/35	Nil	4/10	7	63/100 (In service) Set


Member
Dr. Jamil
Vice Principle
BKMC, Mardan.


Member
Dr. Rabnawaz
DMS Admn
MMC, Mardan.


Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.


Member
Dr. Israr
Cardiologist.
MMC, Mardan.


Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.

Merit List Of Candidate for Holter Technician.

S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Holter Tech.									
1	Mr. Wajid Ali S/o Israr Mohd	33	35/35			35/35	Nil	7/10	7	84/100(In service) <i>selecter</i>
2	Mr. Anwar Ali S/o Jehan zeb	33		26/35		35/35	Nil	7/10	6	Overage
3	Mr. Murad khan S/o Mir baz khan	29	35/35			25/35	Nil	Nil	2 (F)	Failed
4	Mr. Asad khan S/o Nawar khan	30			21/35	25/35	Nil	Nil	1 (F)	Failed
5	Mr. Asif khan S/o Sana ullah	34		26/35		25/35	Nil	Nil	0 (F)	Failed
6	Mr. Fazil Wajid S/o Gul Mohd	31		26/35		25/35	Nil	Nil	1 (F)	Failed
7	Mr. Inam S/o Abdul wahab	29			21/35	25/35	Nil	Nil	1 (F)	Failed

Jam
Member
Dr. Jamil
Vice Principle
BKMC, Mardan.

Rab
Member
Dr. Rabnawaz
DMS Adma
MMC, Mardan.

Mohd
Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.

Israr
Member
Dr. Israr
Cardiologist.
MMC, Mardan.

Qaim
Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.

Marit List Of Candidate for Blood Bank Technician.

S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Blood Bank.									
1	Mr.S.Naseer Ahmad S/o Ghulam Rahmani	28		26/35		35/35	Nil	Nil	6	67/100 Selected
2	Mr.Sardar Ali S/o Jehan zeb khan	27	35/35			35/35	Nil	Nil	5 (F)	Failed
3	Mr.Mohd Qasim S/o Mohd Karim	32	35/35			35/35	12/12	7/10	-	Overage
5	Mr.Mohd Ali S/o Anwar khan	34	35/35			35/35	Nil	Nil	-	Overage
6	Mr.Shakir Dad S/o Khaliq Dad	27			21/35	35/35	Nil	Nil	5 (F)	Failed
7	Mr.Mohd Asif S/o Mohd Ghufraan	28		26/35		35/35	Nil	Nil	5 (F)	Failed
8	Mr.Shah Hussain S/o Rahim ullah	22		26/35		35/35	Nil	Nil	5 (F)	Failed

Member
Dr.Jamil
Vice Principle
BKMC,Mardan.

Member
Dr.Rabnawaz
DMS Admn
MMC,Mardan.

Member
Mr.Mohd Younis
SOG,
Health Department,
NWFP,Peshawar.

Member
Dr.Mushtaq
Pathologist.
MMC,Mardan.

Chairman,
Dr.Gaim Shah
Medical Superintendent,
MMC,Mardan.

Marit List Of Candidate for Dental Technician.

S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Dental Tech.									
1	Mr.Mohd Ashfaq S/o Mir Hawas	27	35/35			35/35	Nil	4/10	7	81/100 selected
2	Mr.Bilal jan S/o Mohd Sabir	20	35/35			35/35	Nil	Nil	6	76/100
3	Mr.Farooq Ali S/o Mohd Sher	25		26/35		35/35	Nil	7/10	6	74/100
4	Mr.Mustafa Kamal S/o Mohd khan	26		26/35		35/35	Nil	7/10	6	47/100
5	Mr.Mohd Amin S/o Ali Gul	26		26/35		35/35	Nil	4/10	6	71/100
6	Mr.Wali Sher S/o Bahadar Sher	28		26/35		35/35	Nil	Nil	5 (F)	Failed
7	Mr.Himayat S/oHakim khan	26	35/35			35/35	Nil	Nil	2 (F)	Failed
8	Mr.Abid S/o Khalil ur Rehman	20	35/35			Nil	Nil	Nil	5 (F)	Failed
9	Mr.Ehtiram Ali S/o Usman Ali	31	35/35			35/35	Nil	Nil	-	Overage
10	Mr.Tofail Ahmad S/o Munjra khan	22	35/35			35/35	Nil	Nil	5 (F)	Failed
11	Mr.Ali Rehman S/o Aziz ur Rehman	25	35/35			35/35	Nil	Nil	4 (F)	Failed
12	Mr.Jan Malik S/o Lal Malik	27			21/35	35/35	Nil	4/10	5 (F)	Failed

Member
Dr.Jamil
Vice Principle
BKMC,Mardan.

Member
Dr.Rabnawaz
DMS Admn
MMC,Mardan.


Member
Mr.Mohd Younis
SOG,
Health Department,
NWFP,Peshawar.


Member
Dr.Mufarah shah
Dental Surgeon .
MMC,Mardan.

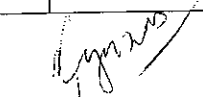
Chairman,
Dr.Qaim Shah
Medical Superintendent,
MMC,Mardan.


Merit List of Candidate for Plumber.

S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Plumber.									
1	Mr. Rohullah Jan S/o Fazal Rasheed	29			21/35	35/35	Nil	0/10	6	62/100 Selected
2	Mr. Akber wahid S/o Fazal Wahid	29		26/35		35/35	FA 2 nd Divi	0/10	4 (F)	Failed
3	Mr. Mohd Bilal S/o Khalid Khan	20			21/35	35/35	Nil	0/10	3 (F)	Failed
4	Mr. Mohd Nazir S/o Shah Nazar	24		26/35		35/35	Nil	0/10	5 (F)	Failed
5	Mr. Haider Khan S/o Khan Rahman	23		26/35		35/35	FA 2 nd Divi	0/10	5 (F)	Failed
6	Mr. Tahir Ali S/o Dawud Sher	34			21/35	35/35	Nil	0/10	-	Overage


Member
Dr. Jamil
Vice Principle
BKMC, Mardan.



Member
Dr. Rab Nawaz
DMS Admn
MMC, Mardan.


Member
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.


Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.

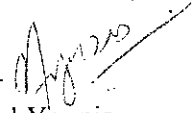
Marit List of Candidate for Electrician.

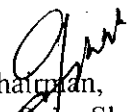
S. No	Name / Father Name	Age	Matric Marks			Diploma/ Certificate	Higher Qualification	Experience	Interview Marks	Remarks
			1 st	2 nd	3 rd					
	Electrician									
1	Mr.Majid khan S/o Haya khan	22	35/35			35/35	Nil	0/10	7	77/100 Selected
2	Mr.Mohd Aurang zeb S/o Mohd Naeem	20	35/35			35/35	Associate Eng	0/10	6	76/100
3	Mr.Saud jan S/o Umara Jan	21	35/35			35/35	Nil	0/10	6	76/100
4	Mr.jawad Ahmad S/o Rukhsar Mohd	26	35/35			35/35	Nil	0/10	6	76/100
5	Mr.Hashim khan S/o Munawar khan	27		26/35		35/35	BA 3 rd Divi	0/10	6	67/100
6	Mr.Sulman S/o Inam khan	24		26/35		35/35	Nil	0/10	6	67/100
7	Mr.Amir khan S/o Pervez khan	25		26/35		35/35	Nil	0/10	6	67/100
8	Mr.Noor Habib S/o Rozi Gul	26			21/35	35/35	Nil	0/10	6	62/100
9	Mr.Rohul Amin S/o Purdil khan	36		26/35		35/35	Nil	0/10	-	Overage
10	Mr.Qadeem khan S/o Azeem Khan	28			21/35	35/35	Nil	0/10	2 (F)	Failed
11	Mr.Amjid Ali S/o Habib ur Rehman	29		26/35		35/35	Nil	0/10	2 (F)	Failed
12	Mr.Adnan Ellahi S/o Johar Mohd	25	35/35			35/35	Nil	0/10	5 (F)	Failed
13	Mr.Shah Faisal S/oMohd Israr	21		26/35		35/35	Nil	0/10	5 (F)	Failed
14	Mr.Waqif khan S/o Said Faqir shah	34		26/35		Nil	Nil	0/10	4 (F)	Failed
15	Mr.Shahid Ali S/o Mohd Akram khan	22		26/35		35/35	FA 3 rd Divi	0/10	4 (F)	Failed
16	Mr.Imran Ali S/o Khushrang	26			21/35	35/35	Nil	0/10	5 (F)	Failed

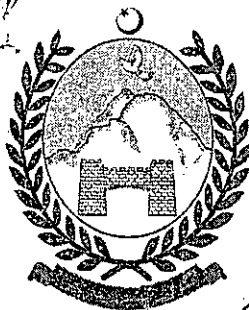

Member
Dr. Jamil
Vice Principle
BKMC, Mardan.

Member
Dr. Rabnawaz
DMS Admn
MMC, Mardan.



Member 
Mr. Mohd Younis
SOG,
Health Department,
NWFP, Peshawar.


Chairman,
Dr. Qaim Shah
Medical Superintendent,
MMC, Mardan.



An R-5

**DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

No. _____/Personnel

Date 28 /05/2011

All communications should be addressed to the Director, General Health Services Peshawar and not to any official by name

E-Mail Address K.P.Kdghs@yahoo.co
Office # 091-9210269
Exchange # 091-9210187, 9210196
Fax # 091-9210230

OFFICE ORDER.

Mr. Adnan Khan Junior Clerk attached to Mardan Medical Complex Mardan, is hereby transferred and posted to PGMI/HMC Peshawar against the existing vacancy post of Junior Clerk in the interest of public service with immediate effect:

Arrival/ departure report should be submitted to this Directorate for record.

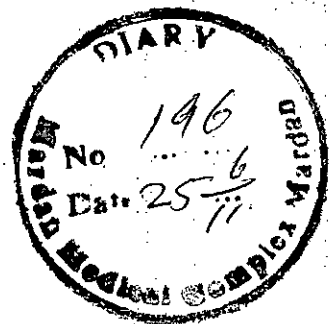
Sd/xxxxxxx
DIRECTOR GENERAL HEALTH
SERVICES KHYBER PAKHTUNKHWA

No. 495254 /Personnel

Copy forwarded to the:-

- ✓ 1. M.S.MMC Mardan.
2. Dean PGMI/HMC Peshawar.
3. Official concerned.

For information and necessary action.



28/5/11

ASSISTANT DIRECTOR (P-II)
DGHS, KHYBER PAKHTUNKHWA
PESHAWAR.

*Action already
taken*

24/6

Ana R-6

[Signature]

MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL, MARDAN.

Dr. Qaim Shah,
Medical Superintendent

Dated 04/05 /2010.

Appointment Order.

On the recommendation of the Selection Committee, Mr. Adnan Khan S/o Roz Amin Khan resident of Civil Quarters Kohat Road, House No.46-B Peshawar is hereby appointed as Junior Clerk BPS-07 against the vacant post at Mardan Medical Complex, Teaching Hospital, Mardan plus usual allowances as admissible under the rules on the following terms and conditions:

Terms & Condition.

1. He will be on probation initially for one year. His services can be terminated during the probation period, if his work and conduct found unsatisfactory.
2. He will be governed by such service rules and order as framed by the Govt. from time to time for the category of Govt. Servant to which he belongs.
3. He will for all intents and purposes, be civil Servant except for the purpose of pension, commutation or gratuity. In lieu of pension, commutation or gratuity, he will be entitled to receive such amount as contributed by him toward contributory provident Fund (CP Fund) along with contribution made by Govt. to his account in the said fund, in the prescribed manner.
4. If he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
5. He will produce as undertaking on judicial stamp paper that the documents provided by him are genuine/not fake and he has not been dismissed from any Govt. organization.

If he accepts this offer of appointment with the above mentioned terms and conditions, he is directed to report to the undersigned, within 07 days of the receipt of this order, along with fitness certificate.

[Signature]
Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

No. 2127-30 /MMC, TH, Dated 04/05 /2010.

1. The Chief Executive, MMC, Mardan.
2. The Distt. Comptroller of Accounts, Mardan, for n/action.
3. The Accountant, MMC, Mardan for n/action.
4. Mr. Adnan Khan S/o Roz Amin Khan resident of Civil Quarters Kohat Road, House No.46-B Peshawar

[Signature]
Medical Superintendent
Mardan Medical Complex
Teaching Hospital, Mardan.

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

NO. BOVI/FD/4-72/2006-07/Vol.II
Dated Peshawar the 17th Dec: 2009.

Mr R-7
[Signature]

To,

The Secretary to Govt. of NWFP,
Health Department, Peshawar.

Subject: SNE FOR PHASE-II MARDAN MEDICAL COMPLEX, MARDAN.

Dear Sir,

I am directed to refer to your letter No.SOB/HD/1-1/2008-09/Mardan, dated 16th Nov: 2009 on the subject noted above and a meeting held in this Department on 14th Dec: 2009 and to convey the concurrence of this Department for the creation of following **136 Nos of posts** of various categories in **Mardan Medical Complex, Mardan** with immediate effect during the current financial year 2009-2010, subject to observance of all codal / legal formalities before making appointment/filling of these posts :-

S.No.	Nomenclature of the posts & BPS	No. of posts
Establishment Section.		
1	Hostel Superintendent B-16	1
2	Driver B-4	4
3	Naib Qasid B-1	2
4	Chowkidar B-1	1
Accounts Section		
5	Naib Qasid B-1	1
Store Section		
6	DMS Store B-18 ✓	1
7	Naib Qasid B-1	1
Maintenance Staff		
8	Generator Operator B-7	1
9	Electrician B-6	1
10	Plumber B-5	1
Medical "A" Unit/OPD		
11	Jr. Registrar B-17	1
12	Jr. Clerk B-7	1
Medical "B" Unit/OPD		
13	Jr. Registrar B-17	1
Surgical "A" Unit/OPD		
14	Jr. Registrar B-17	1
15	Jr. Clerk B-7	1
Eye Unit		
16	Community Opthl. M.O. B-18 ✓	1
17	Jr. Registrar B-17	1
18	Ophthalmic Technician B-9	1
19	Jr. Clerk B-7	1
ENT UNIT		
20	Jr. Registrar B-17	1
21	Audiologist B-17	1
22	Jr. Clerk B-7	1
CCU Ward		
23	Jr. Registrar B-17	1
24	ECG Technician (Male) B-9	1
25	Holter Technician B-9	1
26	Jr. Clerk B-7	1
X-Ray Department		
27	JCT (Radiology) B-9 (for MRI)	1
28	Jr. Clerk B-7	1
29	Ward Orderly B-2	1

S.No.	Nomenclature of the posts & BPS	No. of posts
30	Sweeper B-1	1
	Dental Block	
31	M.O. B-17	1
32	JCT (Dental) B-9	1
	Main/Minor O.Ts.	
33	Chief O.T. Technician B-16	1
34	Chief Anesthesia Technician B-16	1
35	O.T. Attendant B-2	4
	Main Laboratory	
36	Chief Laboratory Technician B-16	1
37	Jr. Clerk B-7	1
	Dialysis Centre	
38	Ward Orderly B-2	1
39	Chowkidar B-1	1
40	Sweeper B-1	1
	Blood Bank	
41	Blood Bank Technician B-9	1
42	Ward Orderly B-2	1
43	Chowkidar B-1	1
44	Sweeper B-1	1
	Surgical "B" Unit/OPD	
45	Jr. Registrar B-17	1
46	Medical Officer B-17	4
47	Charge Nurse B-16	3
48	Ward Orderly B-2	4
49	Chowkidar B-1	2
50	Sweeper B-1	2
	Gynae Ward	
51	Jr. Registrar B-17	1
52	Medical Officer B-17	3
53	Charge Nurse B-16	3
54	Jr. Clerk B-7	1
55	Ward Orderly B-2	5
56	Chowkidar B-1	1
57	Sweeper B-1	1
	Paediatrics Ward	
58	Jr. Registrar B-17	1
59	Medical Officer B-17	3
60	Charge Nurse B-16	3
61	Ward Orderly B-2	4
62	Chowkidar B-1	1
63	Sweeper B-1	1
	Psychiatry Ward	
64	Jr. Registrar B-17	1
65	Social Welfare Officer B-17	1
66	Medical Officer B-17	3
67	ECT Technician B-9	1
68	Charge Nurse B-16	2
69	EEG Technician B-9	1
70	Jr. Clerk B-7	1
71	Ward Orderly B-2	2
72	Chowkidar B-1	1
73	Sweeper B-1	1
	Orthopaedics Unit.	
74	Jr. Registrar B-17	1
75	Medical Officer B-17	3
76	Charge Nurse B-16	3
77	Ward Orderly B-2	3
78	Chowkidar B-1	1

S.No.	Nomenclature of the posts & BPS	No. of posts
79	Sweeper B-1	1
	Dermatology Unit.	
80	Jr. Registrar B-17	1
81	Medical Officer B-17	2
82	Charge Nurse B-16	2
83	Chowkidar B-1	1
84	Sweeper B-1	1
	VIP Rooms.	
85	Medical Officer B-17	2
86	Charge Nurse B-16	2
87	Ward Orderly B-2	2
88	Chowkidar B-1	1
89	Sweeper B-1	1
	Total	136

2- The expenditure involved is debitable to the function cum object classification 07-Health-073-Hospital Services-0731-General Hospital Services-073101-General Hospital Services-MR4217 Mardan Medical Complex, Mardan.

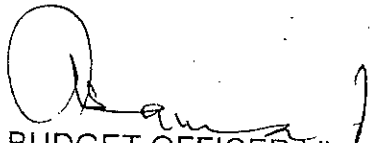
3- Audit copy for the financial implications may be worked out and sent to this Department for authentication.

Yours faithfully,

(ABDUS SAMAD)
BUDGET OFFICER-VI

C.C. ✓

1. Chief Executive, Mardan Medical Complex, Mardan.
2. Director FMIU, Finance Department, NWFP.
3. Master File.


BUDGET OFFICER-VI



Dr Qaim Shah
Medical Superintendent

MARDAN MEDICAL COMPLEX
TEACHING HOSPITAL MARDAN

No 977 /MMC.

Dated 25-2 /2010

Aug 2-8.
(Signature)
Amm

AGE CERTIFICATE

This is to certify that Mr Saeedullah S/O Mr Habibullah has been examined by the undersigned for the determination of his age on 25/2/2010.

According to clinical, Radiological and Dental examination he is eighteen (18) years old by age.

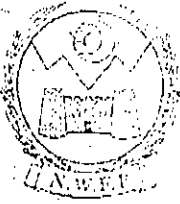
(Signature)
Medical Superintendent
MMCTH Mardan

Per Janm

FAX NO. :

Feb. 07. 2003 07:18PM P1

Ann R-9



DIRECTORATE GENERAL HEALTH
SERVICES Govt: of KHYBER
PAKHTUNKHWA PESHAWAR

[Signature]
[Signature]

OFFICE ORDER

The services of Mr. Kamran Ahmad S/o Nisar Ahmad Junior Clerk attached to Mardan Medical Complex Mardan is hereby placed at the disposal of M.S DHQ Hotspot Mardan for further adjustment under his control in the interest of public service with immediate effect:

Arrival/ departure report should be submitted to this Directorate for record.

S/xxxxxxxxx
DIRECTOR GENERAL HEALTH
SERVICES, Khyber Pukhtunkhwa
PESHAWAR.

No. 2811-13 /Personnel

Dated 06 /05/2010.

Copy forwarded to one:-

1. M.S Mardan Medical Complex Mardan.
2. M.S DHQ Hospital Mardan.
3. Official concerned.

For information and necessary action.

[Signature]
DIRECTOR GENERAL HEALTH
SERVICES, Khyber Pukhtunkhwa
PESHAWAR.

S.M Ali Shah

AS per verbal orders of TG DGH, K-P-K. Peshawar.

[Signature]

Approved by

[Signature]
06/5/10

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 154 ST

Dated 1 / 2 / 2016

To

The Director General,
Health Services Peshawar.

Subject: - Judgement.

I am directed to forward herewith certified copy of Judgement dated 22.1.2016 passed by this Tribunal on subject for strict compliance.

Encl: As above



REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.