

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 6585/2021

BEFORE: SALAH UD DIN --- MEMBER(J)
MIAN MUHAMMAD --- MEMBER(E)

Mr. Abdul Saboor, Data Collecting Assistant (BPS-16), under control of Divisional Monitoring Officer, Malakand Division at Head Office D.G Health Department, Peshawar..... (Appellant)

VERSUS

1. The Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services Department, Khyber Pakhtunkhwa Peshawar.
3. The Director, Independent Monitoring Unit, Health Department, Peshawar.
4. The Divisional Monitoring Officer (IMU) Health Department, Malakand-I at Shaheed Abad near Sohrab Khan Chowk, Mingora, Swat.
5. The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar.
6. The District Accounts Officer, District Shangla.
7. The District Monitoring Officer, (IMU) Health Department Shangla..... (**Respondents**)

Present:

MIR ZAMAN SAFI,
Advocate

--- For Appellant.

MUHAMMAD RIAZ KHAN PAINDAKHEL,
Assistant Advocate General,

--- For respondents.

Date of Institution.....14.06.2021
Date of Hearing.....21.09.2022
Date of Decision.....21.09.2022

JUDGEMENT.

MIAN MUHAMMAD, MEMBER(E):- The instant service appeal has been instituted with the prayer that “on acceptance of this service appeal the respondents may very kindly be directed

to accept the arrival report of the appellant and adjust him against the post of Data Collecting Officer (BPS-16) as well as release the monthly salaries of the appellant w.e.f 09.09.2017 till date alongwith all consequential benefits.”

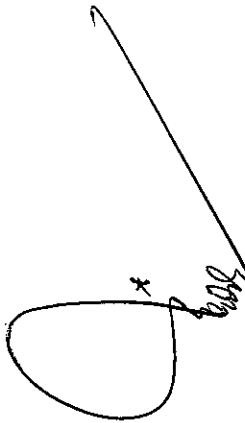
02. Brief facts of the case, as averred in the memorandum of appeal, are that the appellant was initially appointed as Data Collecting Assistant (BPS-16) in project/ADP Scheme on 18.02.2015 whose services were regularized alongwith others under the Khyber Pakhtunkhwa Employees of Health Department (Regularization of Service) Act, 2017 vide Notification dated 30.06.2017. The appellant being aspirant for higher studies, submitted an application for grant of three years study leave on 18.08.2017 which was not decided by the competent authority and he proceeded in pursuit of higher studies to China. On return from China, he submitted arrival in the department on 04.08.2020 and requested for acceptance of his arrival report and resumption of duty but to no avail till submission of the service appeal in Service Tribunal on 14.06.2021.

03. On admission of the service appeal in preliminary hearing on 09.08.2021, the respondents were put on notice to submit written defense through reply/para-wise comments. Reply/Parawise comments were submitted on 09.05.2022. We have heard learned counsel for the appellant as well as learned Assistant Advocate General for the respondents in Divisional

Bench and gone through the record thoroughly with their valuable assistance today.

04. Learned counsel for the appellant contended that the appellant is a regular employee of the department since 30.06.2017 who had applied for Phd course and the University of Jiangsu (China) sent him letter of admission on 16.08.2017. The appellant applied for the grant of three years study leave on 18.08.2017 but due to inaction of the department, the study leave could not be granted and the appellant proceed abroad for higher studies on 09.09.2017. The appellant even from China was in touch through e mail and tried to pursue his case regarding grant of study leave in the department. It was further argued that due to the outbreak and spread of COVID-19 worldwide, all universities were closed down in China but the appellant by then had completed his course work required for the award of Phd Degree. On his arrival in the country, the appellant submitted arrival report in the department on 04.08.2020. However, since then the department is indecisive as a result of which he is neither adjusted nor he is paid monthly salary w.e.f. 09.09.2017. Moreover, the indecisiveness is an act on part of the respondents which is not only against the law, facts, norms of natural justice, material on record but is also in violation of Article 4 and 25 of the Constitution. The department has neither conducted any enquiry on arrival of the appellant nor passed any adverse order and the appellant has been kept in hanging position. While

concluding his arguments, he requested for acceptance of the appeal as prayed for.



05. Learned Assistant Advocate General controverted arguments of the learned counsel for appellant and contended that the appellant had never applied for NOC to proceed for study abroad and he left the duty station without approval/sanction of Ex-Pakistan Extra ordinary leave. Not only this, the appellant left the country on a passport in which he concealed his occupational status as government servant so as to misguide and dodge the Law Enforcement Agencies. Moreover, the appellant is not a committed person to his job who on arrival in the country, did not apply for joining his duty immediately but waited till expiry of the leave period he had allegedly applied for. He is, therefore, not entitled for salary on the basis of fundamental principle of "no work, no pay." He further argued that the appellant did not extend co-operation to the enquiry committee and after putting appearance only once, he disappeared and did not reply to nor appeared before the fact finding enquiry committee since December 2020. This shows the carelessness and casual attitude of the appellant who is habitual to tangle and involve the honourable court in non-issues. The appeal may therefore, graciously be dismissed with costs, he concluded.

06. It is evident from the record and an admitted fact by both the sides that the appellant proceeded abroad in pursuit of higher Education. On return from China, the appellant submitted

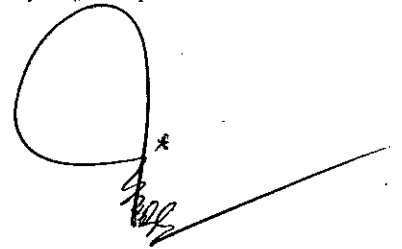
arrival report to respondent No. 7 (District, Monitoring Officer IMU Health Department, Shangla) on 04.08.2020 for rejoining his duty in the department. He submitted another application for the purpose to respondent No. 3 (Director, IMU Health Department, Peshawar) on 29.09.2020 requesting therein to allow him to resume his duty but the respondent department did not pass appropriate orders on his departmental appeal.

07. In the circumstances, we consider it appropriate to remit case back to the department for decision on the departmental appeal of the appellant in accordance with relevant law/rules through a speaking order within 30 days of receipt of the copy of instant judgement. Parties are left to bear their own costs. File be consigned to record room.

08. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 21st day of September, 2022.*



(SALAH UD DIN)
MEMBER (J)



(MIAN MUHAMMAD)
MEMBER (E)

ORDER

21.09.2022

Mr. Mir Zaman Safi, Advocate for the appellant present.

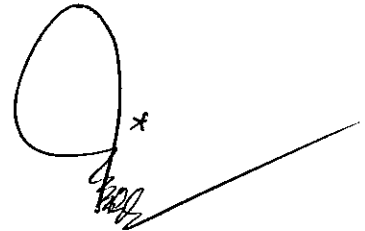
Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

02. Vide our detailed judgement of today separately placed on file consisting (05) pages, we consider it appropriate to remit case back to the department for decision on the departmental appeal of the appellant in accordance with relevant law/rules through a speaking order within 30 days of receipt of the copy of instant judgement. Parties are left to bear their own costs. File be consigned to record room.

03. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 21st day of September, 2022.*



(SALAH UD DIN)
MEMBER (J)




(MIAN MUHAMMAD)
MEMBER (E)

09.05.2022

Learned counsel for the appellant present. Mr. Jaffar Ali, Assistant and Mr. Naseeb Ullah, Section Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Para-wise comments on behalf of respondents No. 1 to 5 and 7 submitted, copy of which handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 15.07.2022 before the D.B.



(Mian Muhammad)
Member (E)

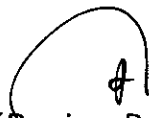


(Salah-ud-Din)
Member (J)

15.07.2022

Appellant alongwith his counsel present. Mr. Safiullah, Focal Person alongwith Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

At the very outset, Focal Person namely Mr. Safiullah stated at the bar that he is not representative of respondents No. 3, 4 and 7. Learned Assistant Advocate General also stated at the bar that the issue mainly relates to respondents No. 3, 4 & 7, however their representative is not even present today before the Tribunal, therefore, he is not in a position to properly assist the Tribunal. In this view of the mater, respondent No. 7 shall personally appear before the Tribunal and to come up for arguments on 26.07.2022 before the D.B.



(Rezina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

26-7-2022

Proper DB not available the case is
adjourned to 21-9-2022

Reather

01.12.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Muhammad Arif, IMU for respondents present.


Written reply/comments on behalf of respondents not submitted. Representative of the respondents seeks time to submit written reply/comments. Adjourned. To come up for written reply/comments on 18.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

18.01.2022

~~Learned~~ Appellant in person present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Mr. Shahid Ali Admin Officer for respondents present.

Reply/comments on behalf of respondents are still awaited. Representative of respondents sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 09.05.2022.


(Atiq-Ur-Rehman Wazir)
Member (E)

09.08.2021

Counsel for the appellant present. Preliminary arguments heard.

According to factual account, the appellant was in service of the respondent department when he applied for study leave and proceeded abroad for the purpose of awaiting sanction of his leave. However, the department remained inactive and made no decision on his application while the appellant after completion of his study has returned and submitted his arrival report to the department which has not been accepted. Learned counsel for the appellant contends that the appellant reminded the department about his request for leave but no action was taken by the respondents for the reason best known to them. Subject to all just and legal objections including that of limitation for determination during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 01.12.2021 before the D.B.

Appellant Deposited
Security & Process Fee

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8/8/21

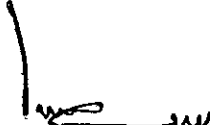

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Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 6585 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/06/2021	<p>The appeal of Mr. Abdul Saboor resubmitted today by Mr. Mir Zaman Safi Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Abdul Saboor Data Collecting Assistant received today i.e. on 14.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of arrival report mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copy of impugned order is not attached with the appeal which may be placed on it.

No. 987 /S.T,

Dt. 14/06 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Mir Zaman Safi Adv.Pesh.

Note:

Sir,

That objection No. 1 has been removed, while as objection No. 2 no impugned order was been passed yet by the authority. Hence re-submitted today dated 22.6.2021.

M. Zaman Safi
22.6.2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

ABDUL SABOOR

VS

HEALTH DEPTT:

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6	Covering letter	D	17.
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9	Wakalat nama	21.

APPELLANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 6585/2021

Diary No. 6071

Dated 14-6-2021

Mr. Abdul Saboor, Data Collecting Assistant (BPS-16),
Under control of Divisional Monitoring Officer, Malakand Division at Head Office
D.G Health Department, Peshawar.....APPELLANT

VERSUS

- 1- The Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director General, Health Services Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director, Independent Monitoring Unit, Health Department, Peshawar.
- 4- The Divisional Monitoring Officer (IMU) Health Department, Malakand-I at
Shaheed Abad near Sohrab Khan Chowk, Mingora, Swat.
- 5- The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 6- The District Account Officer, District Shangla.
- 7- The District Monitoring Officer, (IMU) Health Department, Shangla.

.....RESPONDENTS

**APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE INACTION OF THE RESPONDENTS BY NOT ACCEPTING
THE ARRIVAL REPORT OF THE APPELLANT AGAINST THE
POST OF DATA COLLECTING OFFICER (BPS-16) AND FOR
RELEASE OF SALARIES W.E.F. 09.09.2017 TILL DATE AND
AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL**

**APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF
NINETY DAYS.**

PRAYER:

That on acceptance of this service appeal the respondents may very kindly be directed to accept the arrival report of the appellant and adjust him against the post of Data Collecting Officer (BPS-16) as well as release the monthly salaries of the appellant w.e.f. 09.09.2017 till date alongwith all consequential benefits. Any other remedy which your good self deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That the appellant was initially appointed as Data Collecting Officer (BPS-16) at Shangla under the supervision of Divisional Monitoring Officer,

Filed to-day
Registrar
14/6/2021
Re-submitted to-day
and filed.
Registrar
14/6/2021

Malakand Division at Saidu Sharif, Swat vide order dated 18.02.2015. That after appointment the appellant submitted his charge report and started performing duty quite efficiently and upto the entire satisfaction of his superiors. Copy of the order is attached as annexure.....**A.**

2- That vide Notification dated 30.06.2017 the services of the appellant alongwith other employees were regularized under the Khyber Pakhtunkhwa Employees of Health Department (Regularization of Service) Act, 2017. Copy of the regularization notification is attached as annexure.....**B.**

3- That during service the appellant submitted an application before the respondent No.2 for the grant of study leave abroad at (China) for the period 3 years but the authority kept silent on the said application. Copy of the application is attached as annexure.....**C.**

4- That the appellant time and again visited the concerned quarter for the sanction of leave but of no avail. That finally the appellant left for his studies abroad and the appellant was contacted time and again through e-mail for sanction of leave and in this regard a letter dated 23.10.2017 was also addressed by the respondent No.3 to the respondent No.2 but the respondent.2 kept mum on the said letter as well. Copy of the letter is attached as annexure.....**D.**

5- That during study at china the concerned state was affected by the pandemic Covid-19 and due to that reason all the educational institution in china were closed and the appellant left for his native country Pakistan by leaving his studies in china.

6- That after reaching in Pakistan the appellant visited the concerned office for re-joining his duty against the post of Data Collecting Officer (BPS-16) but the concerned authority was not willing to accept his request. That finally the appellant submitted Departmental appeal before the respondent No.2 for his adjustment/re-joining of his duty which was proper forwarded to the Secretary Health Department, Khyber Pakhtunkhwa Peshawar vide letter dated 17.12.2020 and 15.01.2021. Copies of the Departmental appeal and forwarding letters are attached as annexure.....**E, F & G.**

7- That it is pertinent to mention that the respondent Department withheld the monthly salaries of the appellant w.e.f. 09.09.2017 till date.

8- That no response has been received to the appellant from the office concerned till date on his Departmental appeal. Hence the appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

GROUND:


- A- That the inaction of the respondent Department by not accepting arrival report of the appellant and adjusting the appellant against the post of Data Collecting Officer (BPS-16) and as such not releasing the monthly salaries of the appellant w.e.f. 09.09.2017 is against the law, facts, norms of natural justice and materials on the record.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That the respondents acted in arbitrary and malafide manner by not adjusting the appellant against the post of Data Collecting Officer (BPS-16) and not releasing the monthly salaries of the appellant w.e.f 09.09.2017.
- D- That no adverse order has been passed by the respondents against the appellant, therefore under the law the appellant is entitle to adjusted against the post of Data Collecting Officer (BPS-16).
- E- That after arrival the respondents even not bothered to conduct inquiry in the matter of appellant and thus the appellant was kept in hanging position till date.
- F- That till date the respondents kept the appellant in hanging position and as such the respondents No.3 is not willing to adjust the appellant on the post of Data Collecting Officer.
- G- That valuable rights of the appellant have been accrued, therefore under the prevailing rules the appellant is entitled to be adjusted on the post of Data Collecting Officer with all back benefits.
- H- That the inaction of the respondent Department by not accepting the arrival report of the appellant against the post of Data Collecting Officer (BPS-16) and not releasing the monthly salaries of the appellant is against the principle of natural justice.
- I- That the appellant seeks permission to advance other grounds and proofs at time of hearing.

It is therefore, most humbly prayed that the appeal of appellant may be accepted as prayed for.

Dated: 11.06.2021.


APPELLANT

ABDUL SABOOR

THROUGH: 
MIR ZAMAN SAFI
ADVOCATE

CERTIFICATE:

It is certified that no other earlier appeal was filed between the parties.


DEPONENT

LIST OF BOOKS:

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

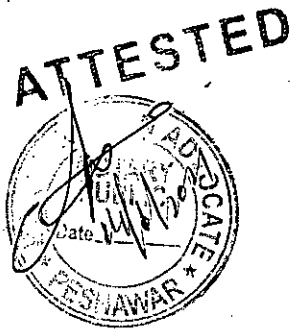
ABDUL SABOOR


VS

HEALTH DEPTT:

AFFIDAVIT

I Mir Zaman Safi, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.




MIR ZAMAN SAFI,
Advocate
High Court, Peshawar



GOVERNMENT OF KHYBER
PAKHTUNKHWA
HEALTH DEPARTMENT
(INDEPENDENT MONITORING UNIT)

A-6

Dated: 18/02/2015.

Order. No. 786-5/REC/IMU/H/2014-15:- On the recommendation of Project Selection Committee and approval of the competent authority, following candidates are hereby appointed as Monitoring and Data Collection Assistant (BPS-16) in district Shangla (Male).

NAME	FATHER NAME
SULIAMAN	HASSAN KHAN
ABDUL SABOOR	SADRUL ULOOM
IHSAN ULLAH	HAZRAT USMAN
FAZAL SUBHAN	SULTAN NAZLER
IMTIAZ ALAM	NIAMAT UL MULK

under the scheme "Establishment of Independent Monitoring Unit, in the Health Department" on contract basis, till 30th June 2016, on the following terms and conditions:-

Fixed Pay:

- i) Pay Package: Basic Pay Rs. 30,000/- P.M (Fixed Pay) with annual increment of 5% up to the maximum of Rs. 35,000/- as per the project policy, subject to enhancement on the rates as notified by Government from time to time for project posts.
- ii) Period of Contract: The period of this contract shall be till 30th June 2016, which could be extendable subject to satisfactory performance of the project employee.
- iii) A project employee shall work against that post for which he/she was recruited and shall not be transferred to any other post in the project or at any other station.
- iv) A project employee shall also not be transferred to any other project under the same Department/Govt.
- v) The contract shall be liable to termination on 30 days' notice (if the performance of the employee is found unsatisfactory) or payment of 30 days salary in lieu thereof, by either side.
- vi) The employees shall be responsible for the losses (accruing to the project due to him/her and shall be held responsible thereof).

ATTESTED
M. Q.

- vii) On completion of the project, the services of the project employees shall stand terminated however, they shall be re-appointed on need basis, if the project is extended over any new phase or phases.
- viii) Pension: Service Rendered by you under the present contract shall not qualify for pension/gratuity.
- ix) Leave: You will be entitled for leave as admissible to the civil servants under the Khyber Pakhtunkhwa revised Leave Rules.
- x) Travelling Allowance: Travelling Allowance for journey as admissible under the rules.
- xi) Rules/Regulations: In respect of other matters, not covered in this letter, you will be governed by the rules/regulations as applicable to Govt. employees, unless otherwise specified by the employer.
- xii) Seniority: Being a temporary post there shall exist no relative seniority in your case in relation to other regular or temporary employees of your category in the Health Department.
- xiii) You will be governed by the Provincial Govt. rules as amended from time to time.
- xiv) You will not be required to contribute towards General Provident Fund nor entitled to any benefit of the General Provident Fund.
- xv) You will not divulge, either directly or indirectly, to any person any knowledge or information of a confidential nature which you may acquire concerning the affairs, property, enterprise and undertaking of the Department during the course of your service.

7

PROJECT DIRECTOR
INDEPENDENT MONITORING

UNIT

Ends: No, 786-5/REC/IMU/H/2014-15:-

Dated, 18/02/2015

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Chief Planning Officer, Health Department.
3. Director General Health Services.
4. PS to Secretary Health.
5. Personal File.

(Dr. FARYAL BADDIA)
DEPUTY PROJECT DIRECTOR

ATTESTED
u-b



TO BE SUBSTITUTED BY THE SAME NO. & DATE

GOVERNMENT OF KHYBER PAKHTUKHWA
HEALTH DEPARTMENT

Dated: 30/06/2017

NOTIFICATION

No.SOG/Health/2-65/2017:- In pursuance of Section-3 of The Khyber Pakhtunkhwa Employees of Health Department (Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act no. VII of 2017), the services of following officers/officials appointed on contract/fixed pay basis in ADP no. 339 code 140775 "Establishment of Independent Monitoring Unit" and holding the posts at the time of commencement of the Act ibid shall stand regularized:-

S.No	Name	Father Name	Designation	BPS	District
1	Aftab Ahmad Akhunzada	Nisar Ahmed	Database Admin/ Data Analyst	18	Head Office
2	Tauqeer Iflikhar Abbasi	Iftikhar Hussain	Divisional Monitoring Officer	18	Abbottabad
3	Mujib Ur Rehman	Gulfam	Divisional Monitoring Officer	18	Peshawar
4	Syed Sohaib Shah	Syed Mussadiq Shah	Divisional Monitoring Officer	18	Mansehra
5	Salman Rahim	Abdur Rahim	Divisional Monitoring Officer	18	Swat
6	Muhammad Atif Khan	Rehan Gul	Divisional Monitoring Officer	18	Lower Dir
7	Abdul Waheed	Muhammad Siraj	Divisional Monitoring Officer	18	kohat
8	Gohar Rehman	Mushtaq Ahmed	Divisional Monitoring Officer	18	Mardan
9	Maliha Gul	Asmat Ullah Khan	Divisional Monitoring Officer	18	DI Khan
10	Adnan Saeed Khan	Saeed Khan	Finance/Admin Officer	18	Head Office
11	Kousar Khan	AbdulRehman	Monitoring & Data Collection Assistant	16	Peshawar
12	ZahoorAlam	Fakhruddin Ahmed	Monitoring & Data Collection Assistant	16	Peshawar
13	Usman Khan	Bashir Ahmed	Monitoring & Data Collection Assistant	16	Peshawar
14	Waqas Ayub	Muhammad Ayub Khan	Monitoring & Data Collection Assistant	16	Peshawar
15	Sikandar Wadood	Ihsan Ul Wadood	Monitoring & Data Collection Assistant	16	Peshawar
16	Muhammad Haris Mehmood	Khalid Mehmood	Monitoring & Data Collection Assistant	16	Peshawar

ATTESTED

17	Arif Khan	Hayat Khan	Monitoring & Data Collection Assistant	16	Peshawar
18	Rashid Noor	Noor Muhammad	Monitoring & Data Collection Assistant	16	Peshawar
19	Marina Iqbal	Muhammad Iqbal	Monitoring & Data Collection Assistant	16	Peshawar
20	Mehwish Khan	Naseer Ahmad	Monitoring & Data Collection Assistant	16	Peshawar
21	Uzma Karim	Abdul Karim	Monitoring & Data Collection Assistant	16	Peshawar
22	Fatima Jahan	Taj Muhammad Khan	Monitoring & Data Collection Assistant	16	Peshawar
23	Azra Aamir	Abdul Rehman	Monitoring & Data Collection Assistant	16	Peshawar
24	Zulfikar Ali	Muhammad Ali	Monitoring & Data Collection Assistant	16	Charsadda
25	Zeeshan Ali	Sher Bahadar	Monitoring & Data Collection Assistant	16	Charsadda
26	Shahzad Yousaf	Muhammad Yousaf	Monitoring & Data Collection Assistant	16	Kohat
27	Saira Batool	Altaf Muhammad	Monitoring & Data Collection Assistant	16	Kohat
28	Aziz Ur Rehman	Abdur Rehman	Monitoring & Data Collection Assistant	16	Hangu
29	Azmat Ali	Qeemat Khan	Monitoring & Data Collection Assistant	16	Hangu
30	Asad Iqbal	Haq Nawaz Khan	Monitoring & Data Collection Assistant	16	karak
31	Qaisar Farooq	Muhammad Farooq	Monitoring & Data Collection Assistant	16	Karak
32	Muhammad Waqas Khan	Abdul Sattar Khan	Monitoring & Data Collection Assistant	16	Bannu
33	Zahid Ullah Khan	Ghulam Khan	Monitoring & Data Collection Assistant	16	Bannu
34	FarhanAshiq	Ashiq Noor	Monitoring & Data Collection Assistant	16	Bannu
35	Muhammad Waseem Farooq	Muhammad Asif Khan	Monitoring & Data Collection Assistant	16	Bannu
36	Ihsan Ullah Khan	Zafar Ullah Khan	Monitoring & Data Collection Assistant	16	Bannu
37	Sadaf Parveen	Shafi Ullah Jan	Monitoring & Data Collection Assistant	16	Bannu
38	Muhammad Wajid Iqbal	Muhammad Iqbal Khan	Monitoring & Data Collection Assistant	16	DI Khan
39	Waqar Asmat Khan	Asmat Ullah Khan	Monitoring & Data Collection Assistant	16	DI Khan
40	Irfan Daud	Daud Khan	Monitoring & Data Collection Assistant	16	DI Khan

[Handwritten signature]

ATTACHED
[Handwritten signature]

41	Muhammad Imran Zia	Zia Ul Hassan Shah	Monitoring & Data Collection Assistant	16	DI Khan
42	Shafqat Ullah	Inayat Ullah Khan	Monitoring & Data Collection Assistant	16	DI Khan
43	Adnan Latif Khan	Abdul Latif Khan	Monitoring & Data Collection Assistant	16	DI Khan
44	Nusrat Shaheen	Mehmood Khan	Monitoring & Data Collection Assistant	16	DI Khan
45	Muhammad Imran Ullah	Inayat Ullah Khan	Monitoring & Data Collection Assistant	16	Tank
46	Asif Ali	Akbar Ali	Monitoring & Data Collection Assistant	16	Tank
47	Muhammad Maaz	Hakim Khan	Monitoring & Data Collection Assistant	16	Tank
48	Khalid Waseem	Nadir Khan	Monitoring & Data Collection Assistant	16	LakkiMarwat
49	Muhammad Gul	Ghulam Jan	Monitoring & Data Collection Assistant	16	LakkiMarwat
50	Imad Khan	Khalil Ur Rahman	Monitoring & Data Collection Assistant	16	Malakand
51	Mehran Khan	Dost Muhammad	Monitoring & Data Collection Assistant	16	Malakand
52	Muhammad Tahir	Muhammad Nazar	Monitoring & Data Collection Assistant	16	Malakand
53	Sajjad Khan	Sher Zada	Monitoring & Data Collection Assistant	16	Malakand
54	Shahnaz	Muhammad Gul	Monitoring & Data Collection Assistant	16	Malakand
55	Abdur Rashid	Abdur Rahim	Monitoring & Data Collection Assistant	16	Swat
56	Shaukat Ali	Khalil Ur Rahman	Monitoring & Data Collection Assistant	16	Swat
57	Adnan Khan	Shah Dawran	Monitoring & Data Collection Assistant	16	Swat
58	Zeshan Ali	Muhammad Ali Shah	Monitoring & Data Collection Assistant	16	Swat
59	Atif Khan	Mumtaz Ali Khan	Monitoring & Data Collection Assistant	16	Swat
60	IhsanUllah	BakhtKaram	Monitoring & Data Collection Assistant	16	Swat
61	Murad Ali Mian	Bahadar Ali Mian	Monitoring & Data Collection Assistant	16	Swat
62	Sana Sher Afzal	Sher Afzal Khan	Monitoring & Data Collection Assistant	16	Swat
63	Mati Ur Rehman	BakhtZada	Monitoring & Data Collection Assistant	16	Shangla
64	IzharUllah	Alamgir	Monitoring & Data Collection Assistant	16	Shangla

ATTESTED

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65	Ihsan Ullah	Hazrat Usman	Monitoring & Data Collection Assistant	16	Shangla
66	Sharif Ullah	Sarfaraz	Monitoring & Data Collection Assistant	16	Shangla
67	Abdul Saboor	Sadur Ul Uloom	Monitoring & Data Collection Assistant	16	Shangla
68	Gauhar Ali	Pir Said	Monitoring & Data Collection Assistant	16	Bunner
69	Naseem Ul Haq	Hameed Ullah Khan	Monitoring & Data Collection Assistant	16	Bunner
70	Naveed Ahmad	Abdul Shakoor	Monitoring & Data Collection Assistant	16	Bunner
71	Munir Ahmad	Raishad Khan	Monitoring & Data Collection Assistant	16	Swabi
72	Arshad Ali	Nazar Muhammad	Monitoring & Data Collection Assistant	16	Swabi
73	Abid Ali Khan	Zahir Khan	Monitoring & Data Collection Assistant	16	Swabi
74	Sajjad Ahmad	Musamar Khan	Monitoring & Data Collection Assistant	16	Swabi
75	Irfan Ali Khan	Munjra Khan	Monitoring & Data Collection Assistant	16	Swabi
76	NidaTabassum	Jan Muhammad	Monitoring & Data Collection Assistant	16	Swabi
77	Jawad Ali	Ashraf Ali	Monitoring & Data Collection Assistant	16	Swabi
78	Kashif Khan Tanoli	Muhammad Sheesh Khan	Monitoring & Data Collection Assistant	16	Swabi
79	Yasir Khan	Ajab Khan	Monitoring & Data Collection Assistant	16	Mardan
80	Usman Hakam	Abdul Hakam	Monitoring & Data Collection Assistant	16	Mardan
81	Zahid Hussain	Bakhtiar Khan	Monitoring & Data Collection Assistant	16	Mardan
82	Zahir Rahman	Muhammad Rahman	Monitoring & Data Collection Assistant	16	Mardan
83	Imtiaz Alam	Ibrahim Khan	Monitoring & Data Collection Assistant	16	Mardan
84	Muhammad Saqib	Gulzar Muhammad	Monitoring & Data Collection Assistant	16	Mardan
85	HinaTila	Tila Muhammad Khan	Monitoring & Data Collection Assistant	16	Mardan
86	Akbar Ali Khan	Hijab Gul	Monitoring & Data Collection Assistant	16	Mardan
87	Nisar Ahmed	Haji Ghulam Muhammad	Monitoring & Data Collection Assistant	16	Nowshera
88	Muhammad Ahmed Jan	Sajid Ali Khan	Monitoring & Data Collection Assistant	16	Nowshera

ATTESTED

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89	Masaud Jan Khan	Taslim Khan	Monitoring & Data Collection Assistant	16	Nowshera
90	Shehreyar	KhushDil	Monitoring & Data Collection Assistant	16	Nowshera
91	Abdullah	Bakht Biland	Monitoring & Data Collection Assistant	16	Nowshera
92	Zainab Ali khan	Liaqat Ali Khan	Monitoring & Data Collection Assistant	16	Nowshera
93	Aamir Malook	Saif Ul Malook	Monitoring & Data Collection Assistant	16	Nowshera
94	Mubbashir Rabbani	Ghulam Rabbani	Monitoring & Data Collection Assistant	16	Abbottabad
95	Waqas Ahmed	Taj Muhammad	Monitoring & Data Collection Assistant	16	Abbottabad
96	Muhammad Gulbaz	Mushtaq Ahmed	Monitoring & Data Collection Assistant	16	Abbottabad
97	Sarmad Jadoon	Imtiaz Khan	Monitoring & Data Collection Assistant	16	Abbottabad
98	Mansoor Ahmed	Maqbool Ahmed	Monitoring & Data Collection Assistant	16	Abbottabad
199	Syed Safeer Ali	Syed Shabbir Shah	Monitoring & Data Collection Assistant	16	Abbottabad
100	Usman Malik	Bashir Hussain Malik	Monitoring & Data Collection Assistant	16	Abbottabad
101	Ayesha Mushtaq	Sardar Mushtaq Ahmed	Monitoring & Data Collection Assistant	16	Abbottabad
102	Muhammad Abeela	Muhammad Ishaq khan Jadoon	Monitoring & Data Collection Assistant	16	Abbottabad
103	Arslan Yaqoob	Muhammad Yaqoob	Monitoring & Data Collection Assistant	16	Haripur
104	UmerAyub	Malik Muhammad Ayub	Monitoring & Data Collection Assistant	16	Haripur
105	Syed Basharat Ali	Syed Imran	Monitoring & Data Collection Assistant	16	Haripur
106	Ahsan Ullah Khan	Muhammad Saleem Khan	Monitoring & Data Collection Assistant	16	Haripur
107	Asif Mehmood	Gulzar Khan	Monitoring & Data Collection Assistant	16	Haripur
108	Faiqa Wahid	Abdul Wahid	Monitoring & Data Collection Assistant	16	Haripur
109	Zubair Khan	Muhammad Nawaz Khan	Monitoring & Data Collection Assistant	16	Haripur
110	Shahzad Nadeem	Muhammad Kareem Khan	Monitoring & Data Collection Assistant	16	Upper Dir
111	Muhammad Tahseen Raza	Raza khan	Monitoring & Data Collection Assistant	16	Upper Dir
112	Muhammad Imdad Ul Haq	Ahmad Munir	Monitoring & Data Collection Assistant	16	Upper Dir

ATTESTED
N-13

113	Riaz Ahmad	Nisar Ahmad	Monitoring & Data Collection Assistant	16	Lower Dir
114	Fazal Amin	Khaista Rahman	Monitoring & Data Collection Assistant	16	Lower Dir
115	Bushra Qayuum	Abdul Qayuum	Monitoring & Data Collection Assistant	16	Lower Dir
116	Muhammad Mursaleen Alam	Alam Zeb	Monitoring & Data Collection Assistant	16	Lower Dir
117	Muhammad Qasim Shah	Muhammad Sadiq	Monitoring & Data Collection Assistant	16	Lower Dir
118	Irfan Ul-Haq	Khurshaid-ul-haq	Monitoring & Data Collection Assistant	16	Lower Dir
119	Assad Ur Rehman	Abdul Sattar	Monitoring & Data Collection Assistant	16	Chitral
120	Ihsan Uddin	Azim Ud Din	Monitoring & Data Collection Assistant	16	Chitral
121	Muhammad Aman	Sher Dil Aman	Monitoring & Data Collection Assistant	16	Chitral
122	Adeel Ul Mulk	QayoomUlMulk	Monitoring & Data Collection Assistant	16	Chitral
123	Saira Azam	Mir Azam Khan	Monitoring & Data Collection Assistant	16	Chitral
124	Muhammad Zeeshan Uddin	Islah-Ud-Din	Monitoring & Data Collection Assistant	16	Chitral
125	Qazi Anwar	Amir Ud Din	Monitoring & Data Collection Assistant	16	Chitral
126	Sarfraz Ahmad	Gul Muhammad	Monitoring & Data Collection Assistant	16	Kohistan
127	Aurang Zaib	Nosheer	Monitoring & Data Collection Assistant	16	Kohistan
128	Abdul Mateen	Nawab	Monitoring & Data Collection Assistant	16	Kohistan
129	Khan Alam	Sarbuland Khan	Monitoring & Data Collection Assistant	16	Kohistan
130	Abdul Sattar	Ghaffar Khan	Monitoring & Data Collection Assistant	16	Kohistan
131	Malik Naveed Akhter	Imam Rabbani	Monitoring & Data Collection Assistant	16	Battagram
132	Hidayat Ullah	Speen Gul	Monitoring & Data Collection Assistant	16	Battagram
133	Shahab Hussain	Muhammad Hussain	Monitoring & Data Collection Assistant	16	Battagram
134	Haleema Sattar	Syed Abdul Sattar Shah	Monitoring & Data Collection Assistant	16	Battagram
135	Muhammad Ibrahim	Rehman Uddin	Monitoring & Data Collection Assistant	16	Toghar
136	Muhammad Awais	Sher Bahadar	Monitoring & Data Collection Assistant	16	Mansehra

ATTESTED

137	Kashif Irfan	Muhammad Irfan	Monitoring & Data Collection Assistant	16	Mansehra
138	Rizwan Khurshid	Khurshid Abbasi	Monitoring & Data Collection Assistant	16	Mansehra
139	Sharyar Khan	Nadir Khan	Monitoring & Data Collection Assistant	16	Mansehra
140	Syed Shah Fahad	Syed Pir Muhammad Shah	Monitoring & Data Collection Assistant	16	Mansehra
141	Waqas Rashid	BabooAbdur Rashid	Monitoring & Data Collection Assistant	16	Mansehra
142	Atiq Ur Rehman	Shafiq Ur Rehman	Monitoring & Data Collection Assistant	16	Mansehra
143	Zubair Razzaq	Abdul Razzaq	Monitoring & Data Collection Assistant	16	Mansehra
144	Khursheed Ahmad	Abdul Rahim	Monitoring & Data Collection Assistant	16	Mansehra
145	Muhammad Afzal	Muhammad Rafique	Monitoring & Data Collection Assistant	16	Mansehra
146	Sarmad Shehnam	Muhammad Tariq	Monitoring & Data Collection Assistant	16	Mansehra
147	Nighat Mushtaq	Mushtaq Ahmad	Monitoring & Data Collection Assistant	16	Mansehra
148	Zeeshan Khan	Gul Azam	Computer Operator	16	Peshawar
149	Waqas Ahmed	Khan Sher	Driver	6	Peshawar
150	Riffat Ullah	Inayat Ullah	Driver	6	Peshawar
151	Muhammad Iftikhar	Muhammad Ishaq	Driver	6	Abbottabad
152	Zakir Ali	Nadir Khan	Driver	6	Mardan
153	Akash Khan	Tariq Khan	Driver	6	Abbottabad
154	Ghulam Akbar	Fazal Akbar	Driver	6	Peshawar
155	Dost Muhammad	Ghulam Muhmaad	Driver	6	Peshawar
156	Naeem Ullah Jan	Masam Jan	NaibQasid	3	Peshawar
157	Ajab Khan	Khan Muhammad	NaibQasid	3	Peshawar
158	Waqas Ahmad	Aman Sher	NaibQasid	3	Peshawar
159	Hameed Ullah Khan	Munawar Khan	NaibQasid	3	Kohat
160	Muhammad Islam	Akbar Jan	NaibQasid	3	Bannu
161	HafeezUllah Khan	SubhanUllah	Driver	6	Nowshera
162	Muhammad Adeel Asif	Muhammad Asif	Driver	6	Mansehra
163	Shoaib Ahmed	Muhammad Ahmad Khan	Driver	6	Mansehra
164	Maqsood Ahmad	Muhammad Hussain Khan	Naib Qasid	3	Lower Dir
165	Mawahid Ali	Murad Ali	Naib Qasid	3	Mardan
166	Muhammad Kamran Rauf	Abdul Rauf	Naib Qasid	3	DI Khan

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167	Saeed Ur Rehman	Muhammad Bashir	Naib Qasid	3	DI Khan
168	Amir Zeb	Muhammad Zarin	Naib Qasid	3	Swat
169	Shakeel Ahmad	Aziz Ur Rehman	Driver	6	Lower Dir

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst: No. SOG/Health/2-65/2017

Dated, 29/08/2019

Copy to:-

1. The Accountant General, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. All head of Attached Department, Health Department, Peshawar.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. Director, Independent Monitoring Unit, Health Department Khyber Pakhtunkhwa.
7. Manager, Government Printing Press Department Khyber Pakhtunkhwa for Publication in the official Gazette.
8. PS to Senior Minister for Health, Khyber Pakhtunkhwa, Peshawar.
9. PS to Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.
10. PS to Secretary Health, Khyber Pakhtunkhwa.
11. Officers/officials concerned.


Section Officer (General)

ATTESTED


To
The Director,
Independent Monitoring Unit,
Health department, Khyber Pakhtunkhwa.

C-16

Subject: Application for study leave

Respected Sir,

With profound veneration it is stated that I am Abdul Saboor from district Shangla. I am working in IMU as Data Collection Assistant. I have received an admission letter from Jiangsu University China for Ph.D. study in department of Food Sciences and Biological Engineering. The study duration is three years starting from September 2017 to July 2020. Copy of admission letter is attached with this application. I wish to join Jiangsu University for my Ph.D. study. It is therefore requested in your great honor kindly grant me study leave for 1100 days. I declare, I shall join IMU after completion of my study.

With utmost regards and respect,

Applicant Name: Abdul Saboor

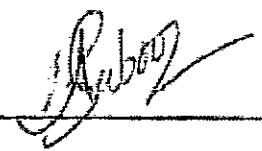
Designation: Data Collecting Assistant,

Department: IMU Health Khyber Pakhtunkhwa.

Address of applicant: Sundovi, Puran District Shangla.

N.I.C: 15505-0806619-3

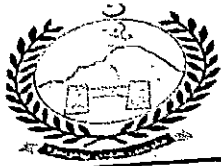
Contact No: 0302-5727183

Signature of applicant: 

Date: 18/08/2017

ATTESTED


D-17



INDEPENDENT MONITORING UNIT (IMU) HEALTH DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA
Divisional Office Swat (Swat | Malakand | Buner | Shangla)
imomalakand@gmail.com <http://www.imuhealthkp.gov.pk>

No. MKD-I/Adm/1094
Dated: October 23, 2017

To

Director Independent Monitoring Unit

Subject: Status of leave of Mr. Abdul Sabur MDCA Shangla

Dear Sir,

Mr. Abdul Sabur MDCA Shangla verbally informed divisional office in last week of August 2017 that he has submitted application for two years study leave directly to provincial office. The receipt of application was confirmed by DBA telephonically. Since the mentioned MDCA has left for studies, information regarding the status of his leave was requested several times telephonically and through email on 03/10/2017, 10/10/2017 and 20/10/2017.

This is to request for guidance on the above case as department has recently circulated instructions through letter number SO(General)HD1-1/2017(Instructions) dated 19/10/2017 regarding "proceeding on leave before its actual sanction" and the mentioned case is similar to it.

[Signature]
23/10/17
Divisional Monitoring Officer
Malakand-I

Copy for information:

1. Admin & Finance Officer IMU
2. Database Admin/Analyst IMU

[Signature]

17/A

Date: 04/08/2020

The District Monitoring Officer,
Independent Monitoring Unit, Health Department,
District Shangla.

Subject: Arrival Report (Request for Rejoining)

Respected Sir,

With utmost respect it is stated that my name is Abdul Saboor. I am employee of Independent Monitoring Unit (Health Department) district Shangla with designation Data Collection Assistant. I was on study leave from August 2017 to July 2020. Now I am available to perform my duty. It is humbly requested kindly accept my arrival report and resume my duty.

With Regards

Abdul Saboor

Designation: Data Collection Assistant at Shangla

Department: IMU Health Khyber Pakhtunkhwa.

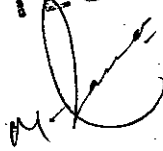
Address of applicant: Sundovi, Puran, District Shangla

N.I.C: 15505-0806619-3

Mobile: 03025727183

Email: abdulsaboor1990@yahoo.com

ATTESTED



E-18

Date: 29/09/2020

The Director,
Independent Monitoring Unit, Health Department,
Peshawar, Khyber Pakhtunkhwa.

Through: Proper channel

Subject: Request for rejoining of duty as Data Collection Assistant

Respected Sir,

With propound veneration it is stated that I joined Independent Monitoring Unit (IMU) on 18/02/2015 as data collection assistant. On 16 August 2017, I received a letter of admission from Jiangsu University, China for PhD in Food Science & Biological Engineering. I contacted Divisional Monitoring Officer Malakand for study leave who advised me to visit IMU Head office. I visited IMU Head Office (Peshawar) to get approval for study leave. Acting upon the advice of Director IMU, I submitted study leave application on 18th August 2017 at IMU Head Office Peshawar. I left for study on 9th September 2017. After going to China I contacted IMU divisional office and Head Office via phone calls, WhatsApp and email to know the status of my leave application but could not succeed to get information. My degree and study leave were supposed to finish on August 2020, But due to COVID-19 pandemic universities were closed so I could not finish my study in stipulated time. I have already finished my course work which is requirement of my degree and half of research work. To fulfil my degree requirement I need to finish my laboratory work for which I applied to extend my study period for one year. I came back to Pakistan due to COVID-19 pandemic and the university informed us not to come to China until further notice. I contacted University officials about expected return date and was informed that China government will decide when to allow foreigner students to enter China. As until now there is no fix date for my return to China for study, I wish to rejoin my duty. It is humbly requested in your great honor kindly resume my duty. I ensure you that I will perform my duty with full devotion.

With regards,



Abdul Saboor

Designation: Data Collection Assistant at Shangla

Department: IMU Health Khyber Pakhtunkhwa

Address of applicant: Sundovi, Puran, District Shangla

N.I.C: 15505-0806619-3

Mobile: 03025727183

Email: abdulsaboor1990@yahoo.com

I am attaching following files with this application

- 1) Copy of application submitted in IMU Head Office Peshawar on 18/08/2017
- 2) (a)(b) Copies of Admission letter
- 3) Copy of Visa letter
- 4) Snapshot of email sent to head office and divisional office to inquire about my leave status
- 5) Copy of Study extension application
- 6) Copy of my Ph.D course work transcript
- 7) (a)(b) Snap shots of manuscript submitted to journal for publication

ATTACHED




HEALTH DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

Dashboard: www.imuhealth.gov.pk

Website: www.imuhealth.gov.pk

Telephone: 001-2601550

Shahni Villas Colony, Haseen Chini, Peshawar.

No. 216 /MISC/IMU/AD 2020-21

Date: 17/12/2020

To

Secretary to the Govt. of Khyber Pakhtunkhwa
Health Department

Attention: Section Officer (General)
Health Department

F-19

Subject: REQUEST FOR REJOINING OF DUTY AS MONITORING & DATA COLLECTION ASSISTANT

Respected Sir,

Reference to the subject noted above, enclosed please find herewith an application in respect of Mr. Abdul Saboor, Monitoring & Data Collection Assistant, wherein he has requested for resuming his duties.

According to the record of this office, the said employee was appointed as Monitoring & Data Collection Assistant under the project "Establishment of Independent Monitoring Unit, Health Department" from 2015-2017. Subsequently, his services were regularized under Notification No. SOG/Health/2-85/2017 dated 30/06/2017 under the Regularization of Services Act 2017 (Khyber Pakhtunkhwa Act No. VII of 2017).

On 18/08/2017, Mr. Abdul Saboor submitted an application for three year study leave from September 2017 to July 2020 in China. He left for abroad without any sanction of his study leave. No record of sanction of his leave is available in this office. Now the employee has requested for re-joining duties vide his application dated 29/09/2020 (copy enclosed).

In view of the above, it is requested that necessary action may be taken in the matter according to the Law and Rules in vogue.


(Dr. Shahid Yunis)
Director IMU

Copy Forwarded to:

1. Divisional Monitoring Officer, Malakand - I
2. PA to Deputy Secretary (Admin) Health Department
3. Office Record

Receiving

Received

17.12.2020

mb



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

G-20

No. SOPH/11/11/11/2020-172
(Dated Peshawar the 15th January 2021)

20/1/21

The Director
Independent Monitoring Unit
Health Department Peshawar

**REQUEST FOR REJOINING OF DUTY AS MONITORING & DATA
COLLECTION ASSISTANT**

I am pleased to receive your letter No. 1216/MIS/DMU AD 2021/21/001
dated on the above mentioned subject and to state that the following documents
are required for the above mentioned matter:

1. Any Advertisement published in the newspaper directing the officer to re-join duty.
2. Any absence report addressed to this department to initiate necessary disciplinary action.
3. To the effect of joining duty of officers as if no other action was to be taken.

No & date recd

Section Officer (R/O) [Signature]

Section Officer (Project) [Signature]

ATTESTED

M-6

[Handwritten notes]

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2021

Abdul Saboor

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Abdul Saboor

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2021



CLIENT



ACCEPTED

MIR ZAMAN SAFI
ADVOCATE

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.
Mobile No.0323-9295295

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
APPEAL NO. 6585/2021

ABDUL SABOOR

VERSUS

GOVT. Of KPK ETC

S.No	Title	Annexures	Page No
1	Para-wise Reply		1-3
2	Handing/Taking of Assets	A	4
3	Appellant Application	C	5
4	Divisional Monitoring Officers Email	D	6
5	Affidavit		7
6	Authority Letter		8
3 sets of photo copies of the above documents are attached			

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO 6585/2021

ABDUL SABOOR

APPELLANT

VERSUS

**THE SECRETARY HEALTH KHYBER PAKHTUNKHWA
AND OTHERS**

RESPONDENTS

PARA-WISE COMMENTS ON BEHALF ON RESPONDENTS 1,2,3,4 & 7

PRELIMINARY OBJECTIONS:

- i. That the appellant has got neither cause of action nor locus standi to file the instant Appeal.
- ii. That the appeal is badly time barred.
- iii. That the appellant have filed the instant Appeal to pressurize the answering respondents.
- iv. That the instant appeal is against the prevailing Law and Rules.
- v. That the Appeal is not maintainable in its present form and also in the present circumstances of the issue.
- vi. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
- vii. That the appellant has not come to the Court with clean hands.
- viii. That the appeal is bad due to non-joinder of necessary and mis-joinder of unnecessary parties.
- ix. That the Honorable tribunal has no jurisdiction to adjudicate upon the matter.
- x. That the appellant has deliberately conceal the important material and rules in this case from this Honorable Tribunal.
- xi. That the appellant has estopped by his own conduct to file the instant appeal.

Respectfully Sheweth

ON FACTS:

1. Pertain to record.
2. Pertain to record.
3. Denied as stated. The appellant has never applied for NOC to study in foreign university of China. The appellant left the station without approval/ sanction of his Ex-Pakistan Extra ordinary leave for study purpose. Annexure C reflects that the appellant submitted application to respondent 3 and has wrongly mentioned respondent 2. In this para it is clear that the appellant left the station without prior approval of his Ex-Pakistan, extra ordinary leave.
4. The appellant never emailed any letter to the respondents. Annexure D is departmental letter in which respondent 4 emailed about getting the information of the status of sanctioning or Non-sanctioning of leave. Appellant mentioned respondent 4 as 3 and 3 as 2 for confusion/ misguide the court. That appellant left the station without prior approval of leave application. After one year on 28/8/18 the appellant handed over the assets **Annexure-A**. In response the case was pursued at Secretary Health' office and it was informed that staff is recently regularized on 30th June under the regularization of services ACT and this is too short time (Just 2 months' service). The secretary Health verbally regretted which was communicated to the Divisional Monitoring Officer on November 24th, 2017 through E-Mail from Mr. Aftab Akhuzada, Database Administrator. If the applicant has gone for the NOC in time for admission, the reply may have been communicated earlier. He left the country on a passport in which he concealed his occupational status as Government servant to misguide the Law Enforcement Agencies as well. The appellant visited twice to know the status of processing of the application in which he was informed that this office has forwarded his application to the competent authority, and response is yet awaited.
5. Subject to proof.
6. Denied as stated. The appellant is not committed to the job because on reaching Pakistan he didn't applied for joining for his duty immediately, but waited for completing his applied leave period. Which may be confirmed from his entry/arrival/landing Pakistan on passport.
7. The appellant left the station without proper approval, hence the appellant salary is estopped as per fundamental principles "no work, no Pay".
8. Incorrect, the appellant was repeatedly contacted for cooperation with inquiry committee but only once, the appellant appeared before the inquiry committee

in which appellant committed to submit the affidavit but then disappeared and not replied on any contact. This appeal is mala fide and to affect the inquiry order. In December 2020, after receiving his application for rejoining the duty, letter was sent to the Secretary Health and Section Office General quoting "in view of above it is requested that necessary action may be taken in the matter according to the law and rules in vogue." He was asked to appear before the fact finding inquiry committee and he responded only once where he was examined by the committee and committee gave the final findings. He was asked to submit his written statement on affidavit but he never submitted. Moreover, the instant appeal is not maintainable inter-alia on following grounds:

GROUND

- A. Incorrect replied in the above paras.
- B. Denied as explained above.
- C. Incorrect replied in the para 7.
- D. As stated above.
- E. As stated above 8 ibid.


F & G These paras are examples of carelessness and casual attitude of the appellant where he has mixed, either misguiding the case of health department with the issues of Education Department. It shows that appellant is habitual to tangled/involved Hona'ble court in non-issues.


H. Replied in the above paras.

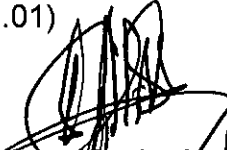
I. the respondents seek permission to raise additional grounds during arguments.

In view of the above mentioned, the instant appeal may be dismissed with costs.

Any other relief may also be granted as deemed appropriate by this Honorable Court.


Secretary Health Department.
(Respondent No.01)


Director General Health Services
(Respondent No.02)


Director Independent Monitoring Unit
(Respondent No.03)


Divisional Monitoring Officer Malakand-I
(Respondent No.04)


District Monitoring Officer Shangla (Respondent No.07)

Handover Report

Handed over by	Name: Abdul Saboor	N.I.C: 155505-0806619-3	Designation: Data Collection Assistant (IMU Health, KPK)
Taken over by	Name: Matiur Rehman	N.I.C: 15505-5609918-3	

Handover Items

1	Motorcycle (CB 70) Color: Red Model: 2015 Engine no: 6499659 Chassis no: JG296120	frontal horn and indicators working, tyre, engine parts are in good condition, original mirrors, missing speed meter working
2	Smart phone + Memory card + Sim (03421118818) + charger + packing GT-19300I IMEI:356751067793750	Functional <i>hand free is missing</i>
3	Service card for Abdul Saboor	

Place	Sundovi, Pūran, District Shangla, KPK
Date & Time	28/08/2018 5:40 PM

Note

Above government (IMU health Department, KPK) assets are handed over to Mr. Matiur Rahman on the mentioned date and time with mentioned specifications and conditions. Mr. Matiur Rahman will be responsible to hand these over to responsible person of Independent Monitoring Unit (Health Department KPK) in the conditions as these are received by him.

Person accepting the subject matter of handover	Person handing over the subject matter of handover
Name: Mati Ur Rahman	Name: Abdul Saboor
Signature: <i>Matiur</i>	Signature: <i>Saboor</i>

Witness 1:

Name: *Mahboob Um Nabi*

N.I.C: *15505-5609918-3*

Signature: *[Signature]*

witness 2:

Name: *Abdul Wakeel*

N.I.C: *15505-0204347-3*

Signature: *[Signature]*

To

The Director,

Independent Monitoring Unit,

Health department, Khyber Pakhtunkhwa.

C-16+

Subject: Application for study leave

Respected Sir,

With profound veneration it is stated that I am Abdul Saboor from district Shangla. I am working in IMU as Data Collection Assistant. I have received an admission letter from Jiangsu University, China for Ph.D. study in department of Food Sciences and Biological Engineering. The study duration is three years starting from September 2017 to July 2020. Copy of admission letter is attached with this application. I wish to join Jiangsu University for my Ph.D. study. It is therefore requested in your great honor kindly grant me study leave for 1100 days. I declare, I shall join IMU after completion of my study.

With utmost regards and respect,

Applicant Name: Abdul Saboor

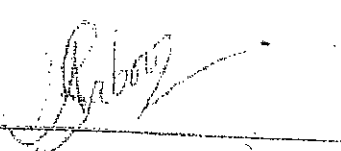
Designation: Data Collecting Assistant,

Department: IMU Health Khyber Pakhtunkhwa.

Address of applicant: Sundovi, Pura District Shangla.

N.I.C: 15505-0806619-3

Contact No: 0302-5727183

Signature of applicant: 

Date: 18/08/2017





INDEPENDENT MONITORING UNIT (IMU) HEALTH DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA
Divisional Office Swat (Swat | Malakand | Buner | Shangla)
imomalakand@gmail.com http://www.imuhealthko.gov.pk

No. MKD-1/Adm/1094
Dated: October 23, 2017

To

Director Independent Monitoring Unit

Subject: Status of leave of Mr. Abdul Sabur MDCA Shangla

Dear Sir,

Mr. Abdul Sabur MDCA Shangla verbally informed divisional office in last week of August 2017 that he has submitted application for two years study leave directly to provincial office. The receipt of application was confirmed by DBA telephonically. Since the mentioned MDCA has left for studies, information regarding the status of his leave was requested several times telephonically and through email on 03/10/2017, 10/10/2017 and 20/10/2017.

This is to request for guidance on the above case as department has recently circulated instructions through letter number SO(General)HD-1-1/2017(Instructions) dated 19/10/2017 regarding "proceeding on leave before its actual sanction" and the mentioned case is similar to it.

23/10/17
Divisional Monitoring Officer
Malakand-1

Copy for information:

1. Admin & Finance Officer IMU
2. Database Admin/Analyst IMU

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
REPLY TO SERVICE APPEAL NO. 6585/2021

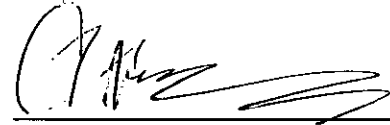
ABDUL SABOOR (Appellant)

VERSUS

GOVT. Of KPK ETC..... (Respondents)

AFFIDAVIT

I, Akhunzada Tahir Azeem S/O Haji Azeem Ullah bearing CNIC # 17301-1562354-1, Admin Officer, Independent Monitoring Unit (IMU) Health Department, Government of Khyber Pakhtunkhwa, do hereby solemnly affirm and declare that the contents of the Para Wise Reply submitted on behalf of Independent Monitoring Unit (IMU) Health Department Respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Honorable Court.


Akhunzada Tahir Azeem
Admin Officer
IMU Health Department
Govt. of Khyber Pakhtunkhwa
CNIC # 17301-1562354-1

Identified by:

Advocate General Office



9/5
2022



INDEPENDENT MONITORING UNIT
HEALTH DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA

AUTHORITY LETTER

Mr. Akhunzada Tahir Azeem, Admin Officer, Independent Monitoring Unit (IMU), Health Department is hereby authorized to attend/defend the court cases and file comments after detailed consultation with the Director IMU on behalf of Director IMU before the Hon'ble Supreme Court of Pakistan, Peshawar High Court Peshawar, Service Tribunal Khyber Pakhtunkhwa and its Benches in the Province as well as Lower Courts.


(Syed Ijaz Ali Shah)

Director

INDEPENDENT MONITORING UNIT
Health Department

BEFORE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No.6585/2021

Mr. Abdul Saboor,

Data Collecting Assistant (BPS-16)

Appellant

Versus

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

Respondents

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BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Mr. Abdul Saboor,
Data Collecting Assistant (BPS-16),
Service Appeal No. 6585/2021

Appellant

VERSUS

1. The Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services Department, Khyber Pakhtunkhwa.
3. The Director, Independent Monitoring Unit, Health Department, Peshawar.
4. The Divisional Monitoring Officer (IMU) Health Department, Malakand-I, at Shaheed Abad near Sohrab Khan Chowk, Mingora, Swat.
5. The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar.
6. The District Account Officer, District Shangla.
7. The District Monitoring Officer, (IMU) Health Department Shangla.


Respondents

PARAWISE COMMENTS ON BEHALF OF THE RESPONDENT NO.05

Respectfully Sheweth.

Secretary to Government of Khyber Pakhtunkhwa, Finance Department (Respondent No.05) do hereby endorse/relies on the Para-wise Comments already filed before the honorable Services Tribunal Khyber Pakhtunkhwa by the principal Respondents No.01, 02, 03, 04 & 07.

The Para-wise Comments of Respondents No.01, 02, 03, 04 & 07, may be treated as reply of (Respondent No.05) Secretary Finance Department Government of Khyber Pakhtunkhwa as well.


**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
FINANCE DEPARTMENT
(RESPONDENT NO.05)**

2

BEFORE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No.6585/2021

Mr. Abdul Saboor,
Data Collecting Assistant (BPS-16)

Appellant

Versus

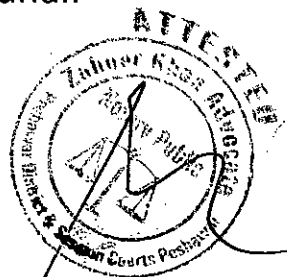
Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

Respondents

Para-wise Comments on Behalf of Secretary Finance Govt. of Khyber Pakhtunkhwa Respondent No.05.

AFFIDAVIT

I Naseeb Khan, Section Officer Govt.of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No. 6585/2021 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.




Deponent





**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
REPLY TO SERVICE APPEAL NO. 6585/2021**

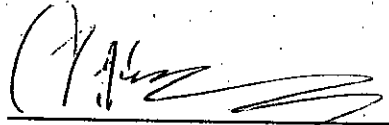
ABDUL SABOOR (Appellant)

VERSUS

GOVT. Of KPK ETC..... (Respondents)

AFFIDAVIT

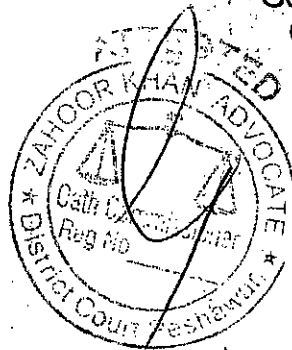
I, Akhunzada Tahir Azeem S/O.Haji Azeem Ullah bearing CNIC # 17301-1562354-1, Admin Officer, Independent Monitoring Unit (IMU) Health Department, Government of Khyber Pakhtunkhwa, do hereby solemnly affirm and declare that the contents of the Para Wise Reply submitted on behalf of Independent Monitoring Unit (IMU) Health Department Respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Honorable Court.



Akhunzada Tahir Azeem
Admin Officer
IMU Health Department
Govt. of Khyber Pakhtunkhwa
CNIC # 17301-1562354-1

Identified by:

Advocate General Office



95
2022

BEFORE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No.6585/2021

Mr. Abdul Saboor,
Data Collecting Assistant (BPS-16)

Appellant

Versus

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

Respondents

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**BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR**

Mr. Abdul Saboor,
Data Colleting Assistant (BPS-16),
Service Appeal No. 6585/2021

Appellant

VERSUS

1. The Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Ther Director General, Health Services Department, Khyber Pakhtunkhwa.
3. The director, Independent Monitoring Unit, Health Department, Peshawar.
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5. The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar.
6. Te District Account Officer, District Shangla.
7. The District Monitoring Officer, (IMU) Health Department Shangla.


Respondents

PARAWISE COMMENTS ON BEHALF OF THE RESPONDENT NO.05

Respectfully Sheweth.

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**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
FINANCE DEPARTMENT
(RESPONDENT NO.05)**

2

BEFORE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No.6585/2021
Mr. Abdul Saboor,
Data Collecting Assistant (BPS-16)

Appellant

Versus

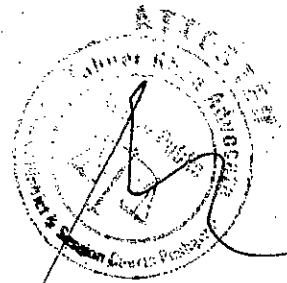
Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

Respondents

Para-wise Comments on Behalf of Secretary Finance Govt. of Khyber Pakhtunkhwa Respondent No.05.

AFFIDAVIT

I Naseeb Khan, Section Officer Govt.of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No. 6585/2021 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.




Deponent