

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 8817/2020

Date of Institution ... 10.06.2020

Date of Decision ... 19.10.2022

Awal Badshah Khattak, Clinical Technologist (BPS-17), Health Department,
Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

The Chief Secretary to Government of Khyber Pakhtunkhwa, Civil
Secretariat, Peshawar and 02 others.

... (Respondents)

SYED NOMAN ALI BUKHARI,
Advocate

--- For appellant.

MR. ASIF MASOOD ALI SHAH,
Deputy District Attorney

--- For respondents.

SALAH-UD-DIN
MIAN MUHAMMAD

--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precise facts forming the background of the instant service appeal are that the appellant joined Health Department as Technician (BPS-09) and was then promoted as Medical Technologist on 31.12.2004. The appellant while serving as Clinical Technologist in Khyber Medical College Peshawar, was proceeded against on the allegations of willful absence as well as preparing forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means. On conclusion of



the inquiry, the appellant was awarded major penalty of removal from service vide order dated 17.01.2020, which was challenged by the appellant through filing of review/departmental appeal, however the same was not responded, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal.

3. Learned counsel for the appellant has contended that the appellant had not remained absent from duty and performed his duty regularly; that the appellant was seriously injured in a road accident and after availing medical leave, he submitted his arrival for duty on 02.07.2015; that the appellant was crippled in the accident and remained on wheel chair for a long period; that the alleged absence of the appellant w.e.f 26.11.2013 to 01.07.2015 had once been inquired into by appointing Deputy Secretary (Drugs) and the appellant had produced all medical record of his injuries to the inquiry officer but no outcome of the said inquiry was communicated to the appellant and he was again proceeded against on the same charges through a subsequent inquiry, which is illegal; that the allegations of absence from duty are false and unbelievable for the reason that the appellant was regularly receiving his pay during the period of alleged absence; that no evidence regarding the alleged absence of the appellant was recorded during the inquiry proceedings, therefore, the findings of the inquiry committee regarding willful absence of the appellant are not sustainable; that



the appellant had though submitted a complaint to the Provincial Ombudsman, seeking release of his salary, however he had not submitted any forged findings report of the Provincial Ombudsman in the department; that no cogent evidence was recorded during the inquiry, which could show that the forged findings report was submitted by the appellant in the department; that the complaint of the appellant had been accepted by the Provincial Ombudsman, therefore, there was no need of submitting forged findings report for release of salary of the appellant; that disciplinary action was taken against the appellant due to mala-fide intention for the purpose of causing damage to his long meritorious service of about 35 years; that the inquiry proceedings were conducted in a slipshod manner and the appellant was not provided any opportunity of cross-examination of the witnesses examined in the inquiry proceedings; that keeping in view the long and unblemished service record of the appellant, the punishment so awarded to him is quite harsh. Reliance was placed on 2018 SCMR 2077, 2007 PLC (C.S) 678, 2007 PLC (C.S) 685 and 2008 PLC (C.S) 77.

4. On the other hand, learned Deputy District Attorney for the respondents has contended that a regular inquiry was conducted in the matter and as per findings of the inquiry committee, the allegations against the appellant stood proved; that the appellant was fully associated with the inquiry proceedings and was provided opportunity of self defence, however he failed to produce any evidence in rebuttal of allegations leveled against him; that final show-cause notice alongwith findings of the inquiry committee were

duly communicated to the appellant and he was also provided opportunity of personal hearing; that the inquiry proceedings were conducted in accordance with relevant provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and there exists no legal dent in the same.

5. We have heard the arguments of learned counsel for the parties and have perused the record.

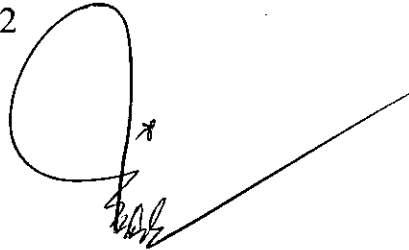
6. A perusal of the record would show that proper charge sheet as well as statement of allegations were issued to the appellant and an inquiry committee consisting of Mr. Ahmad Kamal, Secretary Provincial Transport Authority Khyber Pakhtunkhwa Peshawar and Muhammad Khalil Akhtar, Deputy Chief, HSRU Health Department was constituted for inquiry against the appellant. According to findings of the inquiry committee, the allegations against the appellant stood proved, therefore, competent Authority issued final show-cause notice alongwith copy of inquiry report to the appellant and after affording him opportunity of personal hearing, he was removed from service. The inquiry proceedings were conducted against the appellant in accordance with relevant rules of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and there exists no legal dent in the same. The allegations against the appellant have been proved in a regular inquiry.

7. While going through the record, we have observed that the appellant was appointed as Technician on 08.02.1984 and was having a service of almost of 36 years at his credit at the time of his

removal from service. Keeping in view the length of service rendered by the appellant, we are of the view that the penalty so awarded to him is harsh and safe administration of justice would justify the modification of his penalty of removal from service into compulsory retirement from service.

8. In view of the above discussion, the appeal in hand is partially allowed and the major penalty of removal from service so awarded to the appellant is converted into major penalty of compulsory retirement from service with effect from 17.01.2020. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
19.10.2022



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



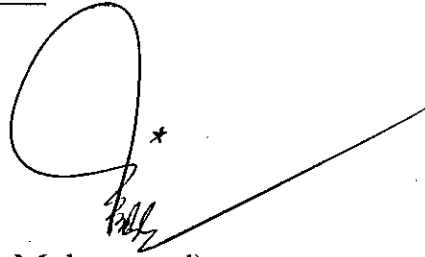
(SALAH-UD-DIN)
MEMBER (JUDICIAL)

ORDER
19.10.2022

Appellant alongwith his counsel present. Mr. Safi Ullah, Focal Person alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is partially allowed and the major penalty of removal from service so awarded to the appellant is converted into major penalty of compulsory retirement from service with effect from 17.01.2020. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
19.10.2022

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(Mian Muhammad)
Member (Executive)

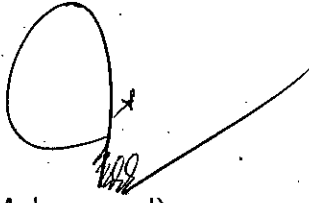
A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

(Salah-Ud-Din)
Member (Judicial)

10.10.2022

Syed Noman Ali Bukhari, Advocate for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 & 2 present. Mr. Aftab Ahmad Khattak, Legal Advisor for respondents No. 3 present.

Arguments heard. To come up for order before the D.B on 13.10.2022.



(Mian Muhammad)
Member (E)

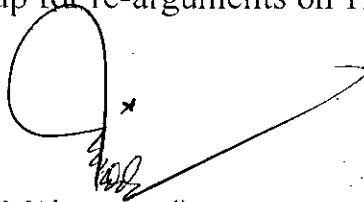


(Salah-Ud-Din)
Member (J)

13.10.2022

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

Further legal assistance is needed on certain points, therefore, to come up for re-arguments on 19.10.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

10.06.2022

Junior to counsel for the appellant present.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Safiullah SO for respondent no.1 & 2 present. Nemo for respondent No.3


Representative of respondents No.1 & 2 submitted reply/comments. Reply on behalf of respondent No.3 is still awaited. Case is adjourned on cost of Rs.5000/- to be paid on behalf of respondent No.3 with further direction to submit the same on the next date. Otherwise, right of respondent No.3 for submission of comments shall be deemed as struck off. To come up for reply/comments of respondent No.3 on 27.07.2022 before S.B.


(Rozina Rehman)
Member (J)

27.07.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General for official respondents present.

Mr. Aftab Ahmad Khattak, Legal advisor for respondents No. 3 present and submitted written reply/comments with cost of Rs. 5000/- receipt of which is placed on file. Reply on behalf of respondents No. 1 & 2 already been submitted. To come up for rejoinder/arguments on 10.10.2022 before D.B.


(Fareeha Paul)
Member (E)

15.02.2022

Due to retirement of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 28.03.2022 for the same as before.


Reader

28.03.2022

Appellant in person present. Mr. Kabirullah Khattak Addl: AG for respondents No. 1 and 2 and counsel for respondent No.3 present.

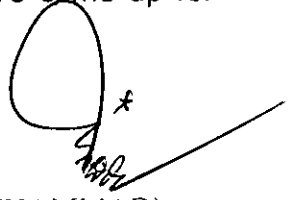
Written reply/comments not submitted. Learned AAG seeks time to submit the same on the next date. Adjourned. To come up for written reply/comments on 25.04.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER(E)

25.04.2022

Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Safiullah, Focal Person for official respondents and counsel for private respondent No. 3 present.

Written reply/comments on behalf of the respondents not submitted. Representative seeks further time to submit the same on the next date. Granted but as a last chance. To come up for written reply/comments on 10.06.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER(E)

15.07.2021

Counsel for the appellant present. ~~Mr. Kabirullah~~
Khattak, Addl. AG for the respondents present.

Respondents have not submitted written reply. Learned AAG is required to contact the respondents for submission of written reply/comments in office within 10 days, 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 13.12.2021 before the D.B.

*Stipulated period
has passed and
reply has not been
submitted.*

P.S


Chairman

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.


Chairman

13.12.2021

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply/comments not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Adjourned. To come up for written reply/comments on 15.02.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

8817/20

05.01.2021

Junior to counsel for the appellant and Addl. AG for respondents No. 1 & 2 present. Mr. Awal Badshah Khattak, Advocate present on behalf of respondent No. 3 and submitted Wakalatnama in his favour which is placed on record. Mr. Abid Khan, Junior Clerk also present on behalf of respondent No. 3.

Request for further time is made on behalf of the respondents for submission of written reply/comments. Adjourned to 17.02.2021 on which date the requisite reply/comments shall positively be furnished.


Chairman

17.02.2021


Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Neither written reply on behalf of respondent submitted nor representative of the department is present, therefore, learned Additional Advocate General is directed to contact the respondents and furnish written reply/comments on the next date of hearing as a last chance. Adjourned to 07.04.2021 on which date file to come up for written reply/comments before S.B.


(Muhammad Jamal Khan)
Member

07.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 15.07.2021 for the same as before.


READER

17.09.2020

Counsel for the appellant present.

Contends that the charge against the appellant regarding absence from duty stood negated from the record. For the first mentioned period the appellant was transferred twice on 26.11.2013 while for the second mentioned period the appellant had applied for medical leave on account of having met a road accident, which was though not granted. The said act of respondents was in total violation of the relevant rules. Further, the appellant was awarded major penalty of removal from service without undertaking the procedure prescribed by the rules.

Subject to all just exceptions, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 16.11.2020 before S.B.

Appellant Deposited
Security Process Fee

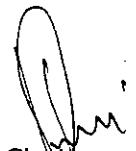
17/8/20


Chairman

16.11.2020

Junior to counsel for the appellant and Addl. AG for respondents present.

Learned AAG seeks time to contact the respondents and furnish reply/comments on next date of hearing. Adjourned to 05.01.2021 on which date the requisite reply/comments shall positively be furnished.

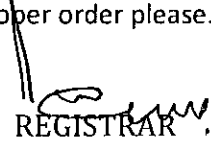


Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

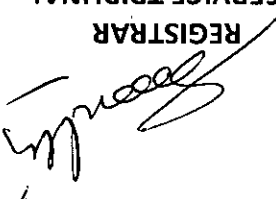
Case No.- 8817 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/07/2020	<p>The appeal of Mr. Awal Badshah resubmitted today by Mr. Muhammad Asif Yousafzai 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>17/09/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mr. Awal Badshah Khattak Clinical Technologist Health Department K.P Peshawar received today i.e. on 10.06.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Copy of suspension order mentioned in para-4 of the memo of appeal (Annexure-A) is not attached with the appeal which may be placed on it.
- 5- All the annexures of the appeal are illegible which may be replaced by legible/better one.
- 6- Wakalat nama in favour of appellant be placed on file.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1817 /S.T.
Dt. 11-06 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M. Asif Yousafzai Adv. Pesh.

Sir,

Resubmitted

with clear objection.

Pls Adv?

29/07/2020

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 8817/2020

Awal Badshah

V/S


Health Deptt: etc.

INDEX

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1.	Memo of appeal	-----	01-06a
2.	Copy of order dated 26.11.2013	A	07
3.	Copy of order dated 26.11.2013	B	08
4.	Copy of leave	C	09-21
5	Copy of order 15/06/2016	D	22-23
6.	Copy of suspension order	E	24
7.	Copy of charge sheet	---F---	25
8.	Copy of inquiry report	---G---	26-30
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APPELLANT


THROUGH:


(M.ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT,


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

PESHAWAR

& 
SHAHKAR KHAN YOUSAFZAI
ADVOCATE, PESHAWAR

Room No. Fr-8, 4th Floor,
Bilour Plaza, Peshawar Cantt:
Contact No. 03339103240

(1)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 5013

Mr. Awal Badshah Khattak, Clinical Technologist (BPS-17),
Health Department, Khyber Pakhtunkhwa, Peshawar.

Dated 10/06/2020

(Appellant)

VERSUS

1. The Chief Secretary to Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Secretary Health Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Dean Khyber Medical College, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE ~~KPK SERVICE TRIBUNALS~~ ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 17.01.2020 WHEREIN THE APPELLANT WAS REMOVED FROM SERVICE & AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

Filed to day
[Signature]
Registrar
10/6/20

Re-submitted to -day
and filed.
[Signature]
Registrar
29/7/20

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 17.01.2020 MAY BE SET-ASIDE BEING ILLEGAL AND PASSED BY INCOMPETENT AUTHORITY AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOR OF APPELLANT.

RESPECTFULLY SHEWETH:

②

FACTS:

1. That the appellant joined the health department on 8.2.1994 as Technician BPS-9 and since then the appellant is serving the department with full zeal and zest.
2. That in whole career i.e 36 years of the appellant there has been no complaint against the appellant whatsoever and was performing his duty to the entire satisfaction of his superior.
3. That the appellant is highly qualified having BSc , MSc, & M. Phil degree to his credit from the renowned university and in the light of his performance he was promoted to the post of medical technologist on 31.12.2004 and was posted in Khyber medical college Peshawar.
4. That the appellant was transferred vide order dated 26.11.2012 from community medicine department KMC to KCD (Khyber college of dentists) malafidely against the post of BPS-12 while the appellant was serving in BPS-17 just to harass the appellant , even then the appellant complied the order and has taken charge at KCD.
5. That through order dated 26.11.2013 chief executive (KTH,KMC, KCD) transferred the appellant from KCD to KMC while at the same time the secretary health has transferred the appellant from KCD to DG HEALTH.The appellant in the light of the order of secretary health relived his responsibility at KCD and submitted arrival report at DG health.**Copy of order is attached as annexure-A.**
6. That the appellant has served in KCD upto 26.11.2013 while at the same time he was drawing his pay from KMC till 26.11.2013 and when the appellant was transferred vide order dated 26.11.2013to the post of assistant director paramedics DG health at the same date he was relieved from KCD and submitted his arrival report at DG health.**Copy of order is attached as annexure-B.**
7. That on dated 2.1.2015 the appellant faced roadside accident in Peshawar and was admitted in HMC Peshawar orthopedic B Ward and was having multiple fracture, the appellant remained indoor and outdoor treatment of the orthopedic Ward HMC for the period w.e.f 2. 1. 2015 to 1. 7. 2015 regularly and have submitted all the records to the

KMC administration for leave sanctions. This has not been considered nor sanctioned. There is no letter received about absence of the appellant at his address as the appellant is living since 2001 at Hayatabad Peshawar and has no residence in Karak. Then how is it possible to receive any letter in Karak. Moreover while the appellant was on bed, the KMC administration issued notice of the absence of the appellant in daily Mashriq & Aaj and on the basis of that notice the appellant was brought on wheelchair to the KMC administration and once again they observed the appellant in a disabled condition with a fractured status. While inquiry was conducted about the absence of the appellant issued by the deputy secretary drugs in July 2015, the results of the inquiry were neither communication to the appellant. While it was very much clear during the inquiry that the head of the department of community medicine has stressed and pressurized the lower staff to submit a statement against the appellant, which is an absolutely biased way of inquiry. **Copy of medical report is attached as annexure-C.**

8. That the appellant remained an indoor and outdoor patient and on dated 2.7.2015 after medical leaves given to the appellant by the orthopedic ward registrar and signed by the RMO HMC, the appellant submitted an arrival report to KMC for duty and the appellant was in a disabled condition on a wheelchair and the appellant was assigned duties in the upper story where due to multiple fractures in the legs of the appellant, he could not climb up. The appellant requested the principal KMC to adjust the appellant on the ground floor in any other department but the appellant was told that we will cooperate with the appellant until the appellant becomes capable to climb up. Keeping in view the appellant was used to attend the college on the ground floor on a wheelchair and was getting pay in such a way. Meanwhile in June 2016 again the appellant has reported absent and the appellant again submitted his arrival report to the head of the community department which was not accepted and rejected. Again the appellant requested the principal to adjust the appellant in any other department while ultimately the appellant was posted in the pharmacology department where the appellant joined w.e.f 16.6.2016. Again how is it possible that the appellant has got full pay during this period regularly while they have marked the appellant absent from duty w.e.f 14.7.2015 which is not understandable. **Copy of order is attached as annexure-D.**
9. That the appellant submitted his arrival report with the health department while the health department neither posted the appellant nor adjusted him anywhere. Meanwhile the appellant was suspended

from 90 days which were nor extended nor changed to any other status. **Copy of order is attached as annexure E.**

- 10. That the appellant was served with charge sheet contained the allegation of absentia and forgery. The appellant properly submitted reply to charge sheet. **Copy of charge sheet is attached as annexure F.**
- 11. That thereafter enquiry as conducted without providing proper chance of cross examination and held appellant responsible for the same. Thereafter show cause notice as served upon the appellant. The appellant submitted reply to the show cause notice and rebutted all the allegation. **Copy of inquiry report, show cause and reply is attached as annexure-G, H&I.**
- 12. That the appellant was going to be retired on 13. 10. 2020 on attaining the age of sixty years but before his retirement he was illegally removed from service on the false plea of absenteeism and forgery . Perhaps the appellant was at the serial no 3 amongst the paramedics and the health department and was not considered for promotion to BPS-18 due to his pending inquiry and unfortunately was removed from service on 17.1.2020.the appellant being feeling aggrieved filed departmental appeal which was not responded within statutory period of 90 days.hence the present service appeal on following grounds . **Copy of order and departmental appeal is attached as annexure J& K.**

GROUND:

- A. That the impugned order dated 17.01,2020 and against not deciding the departmental appeal of the appellant within statutory period of 90 days is against the law, rules and norms of justice hence liable to be set aside.
- B. That the appellant has performed his duty in KCD & was never ever absent while the KCD authorities marked the appellant has absent . As both the institutions KCD and KMC are under the umbrella of one head , therefore when an employee transferred from KMC to KCD then there is no requirement of departure because in the case of

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appellant when he was transferred from KMC to KCD he was drawing his pay from KMC.

- C. That the appellant had met road accident and the authorities informed properly but they malafidely marked the appellant as absent and the hospital record was produced before the inquiry officer .
- D. That the appellant has never made forgery in the order of provincial ombudsman because that was not by the appellant to the authorities of the KMC.
- E. That the punishment imposed upon the appellant is absolutely illegal and in the light of celebrated principles of law the conviction imposed upon the appellant does not commensurate with the alleged offence committed .
- F. That the appellant was remained indoor and outdoor patient and on dated 2.7.2015 after medical leaves given to the appellant by the orthopedic ward registrar and signed by the RMO HMC, the appellant submitted arrival to KMC for duty and the appellant was in disable condition on wheelchair and the appellant was assigned duties in upper story where due to multiple fractures in legs of the appellant , he could not climb up. The appellant requested to the principal KMC to adjust the appellant on ground floor in any other department but the appellant was told that we will cooperate with the appellant until the appellant become capable to climb up .keeping in view the appellant was used to attend the college on ground floor on wheelchair and was getting pay in such way . Meanwhile in June 2016 again the appellant have reported absent and the appellant again submitted his arrival report to the head of community department which was not accepted and rejected . Again the appellant requested to the principal to adjust the appellant in any other department while ultimately the appellant was posted in pharmacology department where the appellant joined w.e.f 16.6.2016. Again how is it possible that the appellant have got full pay during this period regularly while they have marked the appellant absent from duty w.e.f 14.7.2015 which is not understandable.
- G. That no regular inquiry was conducted against the appellant and the appellant was condemned unheard because the appellant was not

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allowed to cross examine the witnessed produced against the appellant

- H. That if letter of provincial ombudsmen was fake then why the same was ratified by the same authorities by sending another letter containing the same directions although the first letter was cancelled by provincial ombudsmen not on the basis of merit but on the grounds that the first letter was not sent by them .
- I. That the alleged absence of the appellant for 13 months is not appealing to prudent because when the appellant was continuously drawing his pay officer rank then how it was possible that the KMC authorities would not have noticed his absence . then they work up after a deep slumber and issued noticed to the appellant.
- J. That as per report of office KMC the appellant has been shown absent w.e.f 14.7.2015 to 6.6.2016, while again the pay has been paid to the appellant almost during the whole period .
- K. That no notice was issued to the appellant regarding the second alleged absence period and no codal formalities were observed by the department.
- L. That the total service of the appellant is almost 36 years and thus the total leave of the appellant came to about 1152 days excluding the disputed period. So when the appellant was having leave due in his account then what was the logic for remaining absent instead of availing his leave . therefore the plea of absenteeism is wrong and incorrect.
- M. That the inquiry officer did not consider the medical leave period of the appellant of tertiary level hospital although proper record was provided to the inquiry officer .
- N. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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


APPELLANT

Awal Badshah

THROUGH:


(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT
OF PAKISTAN.


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

& 
(SHAHKAR KHAN YOUSAFZAI)
ADVOCATE, PESHAWAR

9096
~~9096~~
21/11/13

(2) Amer A
7



KHYBER TEACHING HOSPITAL, PESHAWAR
OFFICE OF THE CHIEF EXECUTIVE

No. _____ /KTH/E Dated 26/11/2013

OFFICE ORDER

The transfer orders of the following employees issued vide this office order No. 25044-48/KTH/PS dated 26-11-2012 is hereby canceled / withdrawn and directed to report to the Head of Institution for duty as noted against each with immediate effect:-

S.No	Name	From	To
1	Mr. Awal Badshah Medical Technologist	Khyber College of Dentistry, Peshawar	Principal, Khyber Medical College Peshawar.
2	Mr. Javid Ahmad Clinical Technician Pathology	Khyber Medical College, Peshawar	Principal, Khyber College of Dentistry, Peshawar

Chief Executive,
KTH/KMC/KCD,
Peshawar.

No. 29582-85/KTH/E
Copy to:-

1. The Principal, KMC, Peshawar.
2. The Principal KCD. Peshawar.
3. The officials concerned.

Estt
29/11/13

Chief Executive,
KTH/KMC/KCD,
Peshawar.

1
6

Attorney

7 (A)

KHYBER MEDICAL COLLEGE PESHAWAR

No. 10170-78 /Estt/KMC

Dated 03/12 /2013

Copy of office order No. 29582-85/KTH/E

Dated: 26-11-2013 is forwarded to:-

1. The Head Department of Pathology KMC, Peshawar.
 2. The Head Department of Community Medicine KMC, Peshawar.
 3. The Accounts Officer KMC, Peshawar.
 4. The Officers Concerned.
- for information and necessary action.

[Handwritten Signature]

PRINCIPAL,
KHYBER MEDICAL COLLEGE
PESHAWAR



GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 26th November, 2013

NOTIFICATION.

No. SOH-III/8-60/2013. The Competent Authority has been pleased to make the following posting/transfer amongst the Clinical Technologists BS-17 with immediate effect in the public interest:-

S.NO	NAME & DESIGNATION	FROM	TO
1.	Mr. Awal Badshah Khattak, Medical/Clinical Technologist BS-17.	Khyber Medical College, Peshawar.	As Assistant Director (P-II) (Paramedics) DGHS, Office Peshawar.
2.	Mr. Shiraz Khan Clinical Technologist (Ophthalmology/Otorhinolaryngology) BS-17.	Assistant Director (F-II) (Paramedics) DGHS, Office	The Services placed at the disposal of DGHS, Peshawar for further posing.

*Secretary to Govt. of Khyber Pakhtunkhwa
Health Department*

Endst even No and Date.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. The Chief Executive, KTH/KCD/KMC.
4. The Principal, KMC/KCD.
5. PS to Minister Health, Khyber Pakhtunkhwa. ✓ ONE
6. PS to Secretary Health, Khyber Pakhtunkhwa.
7. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
8. Officers concerned.

(WAJID AL KHAN)
SECTION OFFICER-III

Attested

C

(9)

KHYBER MEDICAL COLLEGE, PESHAWAR

No: 4698 /Esti/KMC
To

Dated: 11/6 2015

The Hospital Director,
Medical Teaching Institution
KTH/KMC/KCD
Peshawar.


Subject: - 02 WEEKS MEDICAL LEAVE.

Memo:

Enclosed please find herewith self-explanatory application alongwith medical certificate (in original) in respect of Mr. Awal Badshah, Clinical Technologist (BPS:17) of this Institution requesting for the grant of two week earned leave on medical ground w.e.f. 06/06/2015 for further necessary action.

Encl: (as above)


PRINCIPAL
KHYBER MEDICAL COLLEGE
✓ PESHAWAR


Asst. Director

(10)

The Principal,
KMC
Peshawar

Subj: Submission of Medical leave

R/s

Respected Sir,
It is requested that
I have been further Admitted
two weeks Bed Rest with
effect from 6/6/2015. The
medical certificate is
attached with the application.
Kindly consider my medical
leave.

Yours obediently
Awar. Baid Gul
Medical Specialist
KMC

ESTH
At 9/6/15

Accepted

KHYBER MEDICAL COLLEGE PESHAWAR

Diary No. 4132

Dated: 22-6-15

The Principal,
KMC, Peshawar

Sir,
Submission of Medical leave Certificates
P/S

Kindly it is requested that I
am under treatment since 2/1/2015
at HMC Peshawar. My medical leave
forms have been submitted regularly
in original to HMC. My medical
leave are extended up to 20/6/2015
The recent leave certificate is
submitted for your kind consideration

EST
22/6/15

Dr 22/6/2015

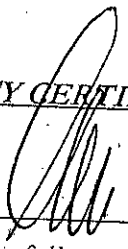
Awar Bad Shah
Medical Technologist
KMC,
P

Attested

NON-AVAILABILITY CERTIFICATE

(18)

Signature of the Govt. Servant



Certified that Drugs mentioned in the following cash Memo for the amount noted against each were essential for recovery of the health of Father/Mother/Wife/Son/Daughter/self of Mr. Awal Baeha
Designation Med. Technologist Department R.M.C Peshawar

It is further certified that neither these drugs nor their effective substitutes were available in the Hospital Stock/Store at the time of prescription.

The patient was admitted vide No. 150211843
dated 02-1-2015 and was treated as Indoor patient from 02-1-2015 to 28-2-2015 in this Hospital.

S.No.	Cash Memo No	Date	Issued by	Amount
①	1816	2/1/2015	Shurwan Bajra	2380/
②	1821	5/1/2015	Shurwan Bajra	2380/
③	1829	8/1/2015	Shurwan Bajra	2380/
④	1835	11/1/2015	Shurwan Bajra	2380/
⑤	1841	15/1/2015	Shurwan Bajra	2380/
⑥	1842	23/1/2015	Shurwan Bajra	2380/
⑦	1855	2/2/2015	Shurwan Bajra	2380/
⑧	1870	17/2/2015	Shurwan Bajra	2380/
⑨	1880	25/2/2015	Shurwan Bajra	2500/

Total Amount: Rs. 21940/

Resident Medical Officer
Resident Medical Officer
Hayatabad Medical Complex
Peshawar.

Signature/ Seal of
Authorized Medical Officer

REGISTRAR
Orthopaedic B Unit
Hayatabad Medical Complex
Peshawar.

DEPARTMENT OF ORTHOPEDIC AND TRUAMA UNIT B



Post Graduate Medical Institute
Hayatabad Medical Complex Peshawar

Incharge/ Associate Professor

Dr Alamzeb Durrani
MBBS(Pesh), FRCS(UK)

Assistant Professor

Dr. Muhammad Inam
MBBS(Pesh), FCPS(Ortho)

Senior Registrar

Dr Wasim Anwar
MBBS(Pesh), FCPS(Ortho)
Dr Noor Rehman
MBBS(Pak), FCPS(Ortho)

Junior Registrar

Dr Muhammad Saeed
MD(St Pb), FCPS(Ortho)

☆ ٹانگے _____ دن بعد کھلوائیں۔

☆ زخم کی پٹی _____ کروائیں۔

☆ دوبارہ معائنہ کے لیے _____ دن بعد پیریا جمرات کے دن او۔ پی۔ ڈی تشریف لائیں۔

☆ ہاتھ یا پاؤں کی انگلیاں سوج جائیں، یا پلستر تنگ ہو جائے تو فوراً ہسپتال آجائیں۔

☆ _____ دن مکمل آرام کریں۔

Sector N-III, Phase-4 Hayatabad Peshawar KPK.

Web: www.hmcpeshawar.com.pk Phone: 091-9217140-46

Attested

(14)



DEPARTMENT OF ORTHOPEDIC AND TRAUMA UNIT B
POST GRADUATE MEDICAL INSTITUTE HAYATABAD MEDICAL COMPLEX PESHAWAR

Name: AWAL BACHA
F_Name: SHERBAT KHAN
Age: 55 Sex: Male
Address: PESHAWAR
Patient_Side: RT

Computer ID 144
Admission # 150211843
D.O.A: 02-Jan-15
D.O.O: 27-Feb-15
D.O.D: 28-Feb-15

Diagnosis: FRACTURE TIBIA AND FIBULA

Operation: EX FIX

Treatment in Hospit

- 1 NJ TORADOL 30MG IV BD
- 2 NJ AUGMENTIN 1.2G IV TDS
- 3 NF R/L IL IV STAT
- 4
- 5
- 6
- 7
- 8
- 9
- 10

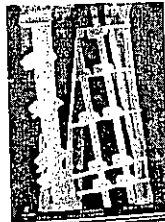
Investigations

HB: 13.8
HBs Ag: NON REACTIVE
HCV: NON REACTIVE
HIV:
Urine RE:
Bid Glucose:
CT Scane:
MRI:
Others:

Treatment for Home

- 1 TAB-FUSIDINE 2+2+2 14DAYS
- 2 TAB CIPROXINE 1+1 10DAYS
- 3 TAB BRAXINE OD
- 4 TAB IBERT 1+1 30DAYS
- 5
- 6
- 7
- 8
- 9

X-Rays:



Doctors Name Signature : _____

Dr Ismail TMO
[Signature]

Attested

Friday, May 07, 2015

DR. WASIM ANWAR
FCPS (Ortho)
Senior Registrar
Dept. of Orthopedic & Spine Surgery "B" Unit
PIMS Hayatabad Medical Complex, Peshawar

18



HAYATABAD MEDICAL COMPLEX PESHAWAR

RS-100

Out-Patients Department

Name Awal Bakhsh Age 50 Years Sex MA
 Department Orthopedic Address Peshawar
 Hospital Yearly No. 1178-1992 Dated 11-MAY-20

History	<p>R/- PAIN IN SHOULDER SINCE 10.10</p>
Clinical Examination	<p>Remove dressing ✓</p>
Provisional Diagnosis	<p>(C/O) - Tab. Fusidic 250 2 A 2 A 2</p>
Investigations	<p>(C/O) - Tab. Ciprofloxacin 500 1 A 1 A 1 A</p>

DR. JAVED AHMED
 M.B.S. F.C.P.S. (Ortho)
 SENIOR REGISTRAR
 Orthopedic Unit
 Hayatabad Medical Complex Peshawar

Attested

Complete Bed rest for
8 weeks. J. D.
A. W. M.

16

Result # 32250

Tuesday, February 10 2015

Patient Name :- Awal Bacha

Age:- 40 Years

Gender :- Male

Ref From :- Indoor / Orthopedic B / 150211843

Bed :- 24

Investigation : HCV.HBS Ag Device ,

Test Name	Result	Normal Range
<u>HCV.HBS Ag Device</u>		
HBS Ag :- (ICT-Device)	NON REACTIVE	
HCV Ab:- (ICT-Device)	NON REACTIVE	

Result Entered by :- margul At Dated 10-Feb-15 / 21:38:27

Printed by :- Wednesday February 11 2015 5:37 PM

0333-9701552

4
Attested

Pathology Department Hayatabad Medical Complex, Peshawar

Blood Bank Section Result Sheet

Result # 32236

Tuesday, February 10 2015

Patient Name :- Awal Bacha

Age:- 40 Years

Gender :- Male

Ref From :- Indoor/ Orthopedic B / 150211843

Bed :- 24

Investigation : Blood Group

Test Name	Result	Normal Range
<u>Blood Group</u>		
Blood Group	A + VE	

Result Entered by - /ajahat At Dated 10-Feb-15 / 22:23:20

Printed by :- Wednesday February 11 2015 5:36 PM

(17)


Attested

ematology Section Result Sheet

Tuesday, February 10 2015

Awai Bacha

Age: 40 Years

Gender :- Male

Ref From :- Indoor / Orthopedic B / 150211843

Bed :- 24

Investigation : APTT, FBC, PT,

Test Name	Result	Normal Range
<u>APTT</u>		
Control	32 Seconds	
Patient	32 Seconds	
<u>FBC</u>		
HB	13.8 g/dl	14 - 18
Total Leucocytes	3900 cmm	4000 - 11000
Platelet Count	224000 cmm	150000 - 400000
<u>DIFF: LEUCOYTE COUNT</u>		
Neutrophils	65 %	40 - 75
Lymphocytes	30 %	20 - 45
Eosinophils	02 %	01 - 06
Monocytes	03 %	06 - 10
<u>PT</u>		
Control	14 Seconds	
Patient	14 Seconds	
INR	1.0 Seconds	

18

Result Entered by - MARIQ AI Dated 10-Feb-15 / 22:25:52
Printed by - Wednesday February 11 2015 5:36 PM

4

Attested

Patient Name :- Awal Baeha

Ref From :- Indoor / Orthopedic B / 150211843

Investigation : LFTS, RBS Sugar, RFTs,

Test Name	Result	Normal Range
<u>LFTS</u>		
Total Bilirubin	0.5 mg/dl	0.2 - 1.1
ALT	31 U/L	Up to 42
Alkaline Phosphatase	62 U/l	M:40-130/Female:35-105
<u>RBS Sugar</u>		
Glucose Random:	140 mg/dl	65-155
<u>RFTs</u>		
Blood urea	30 mg/dl	10-40
Creatinine	0.8 mg/dl	0.6 - 1.3

Opinion

NA=136

K=3.9

Result Entered by :-
Printed :-

Umareni At Dated 10-Feb-15 / 21:37:49
Wednesday February 11 2015 5:37 PM

19


Attested



AL COMPLEX HAV

CARDIOLOGY DEPARTMENT ECHOCARDIOGRAPHY

20

Name: AWAL BADSHA	Age: 51 Yrs	Date: February 11, 2015
Address: FESHAWAR	Sex: Male	Type: POOR

ADULT				DOPPLER		
#	PARAMETER	Dimension (cm)	Adult	GRADIENT	Peak mmHg	Mean mmHg
1.	Left Ventricular Diameter (end diastole)	4.8	3.5-5.7	Mitral valve		
2.	Left Ventricular Diameter (end systole)	3.3		Tricuspid Valve		
3.	Right Ventricular Diameter	2.3	0.9-2.6	Aortic valve		
4.	Interventricular septal thickness (diastole)	1.1	0.6-1.1	Pulmonary valve		
5.	Left ventricular posterior wall thickness (diastole)	1.0	0.6-1.1	VSD gradient		
6.	Aortic root diameter	2.7	2.0-3.7	REGURGITATION		
7.	Left atrial dimension	3.8	1.9-4.0	Mitral valve		
8.	Fractional shortening	28%	30-44%	Tricuspid valve		
9.	Ejection fraction	56%		Aortic valve		
10.	Mitral valve area		cm ²	Pulmonary Valve		
11.	VSD size		cm	HAEMODYNAMICS (mmHg)		
				RVSP		
				Pulmonary artery		
				Systemic BP		
				Doppler Mitral valve area		cm ²

2D COMMENTS:

- Limited echo windows due to position of patient.
- LA is normal in size.
- LV is normal in size with preserved systolic function.
- RV is normal in size with preserved function.
- Valvular structures appear normal.
- No definite segmental wall motion abnormalities seen.
- No definite ASD/VSD seen.
- No LA or LV clot seen.

DOPPLER COMMENT:

- E/A ratio is reversed.
- MR documented.

CONCLUSION:

**PRESERVED LV SYSTOLIC FUNCTION,
MILD MR.**

Analyzed by: Gul shad.

Prepared by :

Signature

Attested

THIS FORM CAN ONLY BE USED FOR PATIENT REPORTS

Radiology No: 15-02-004690 Consultant: Test Date: 12/02/2015
PR No: 15-02-005005 Name: Mr Awal Badshah Age: 40 Years Gender: Male



CT – Left Shoulder Joint

Technique:

0.5 mm thin images in bone window are reviewed on workstation of 128 slicer CT machine in axial, coronal and sagittal planes.

Findings

There are comminuted fractures of body of left scapula, supra and infraspinatus fossa.
However, glenohumeral joint is intact.
AC joint is also normal.
No fracture is seen in humerus.
Visualized left upper ribs are also normal.
Visualized lung parenchyma shows atelectatic bands in apicoposterior segment of left upper lobe.

Impression

Comminuted fractures of left scapula.

Dr. Shahjehan Alam
FCPS (DGR)
Consultant Radiologist

Attested

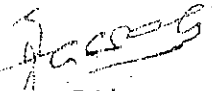
DD

134
92

KHYBER MEDICAL COLLEGE, PESHAWAR

OFFICE ORDER

In the light of comments of Head Department of Community Medicine KMC, the services of Mr. Awal Badshah, Medical Technologist is hereby placed at the disposal of Head Department of Pharmacology KMC with immediate effect.

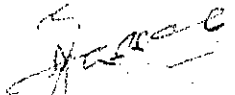

PRINCIPAL
KHYBER MEDICAL COLLEGE,
PESHAWAR

Dated: 15/6 /2016

No. 4124-26 /Estt/KMC

Copy to:

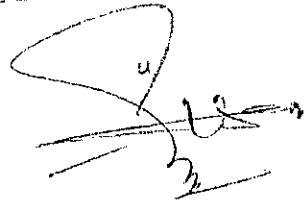
1. The Head Department of Community Medicine KMC.
2. The Head Department of Pharmacology KMC with the request to check and report his attendance in the Department.
3. Mr. Awal Badshah, Medical Technologist KMC to report Head Department of Pharmacology immediately.


PRINCIPAL
KHYBER MEDICAL COLLEGE,
PESHAWAR

Defalt: Accounts

Pl: Process his Salary
on this order

date 16/6/16




Attested



1311/1111/KMC
dt 20/06/2016


The principal/DEAN
KMC, Peshawar

23


Subject: Submission of arrival report

R/Sir,

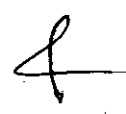
Respectfully it is stated that Reference
to the order NO 4124-21/Dated 15/6/2016
I submit my arrival report on dated
16/6/2016.


16/6/2016

Yours obedient
AMIR BAD SHAH
Medical Technologist
K.M.C.

Forwarded to the
Principal, KMC.


HEAD
Dept of Pharmacology
K.M.C. Peshawar.


Attested



KHYBER MEDICAL COLLEGE PESHAWAR
No. 1398
Date 11/03/19

**GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

(27)

Dated the Peshawar 06th March, 2019

NOTIFICATION.

No. SOH-III/8-60/2018. The Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) is pleased to place the service of Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17 attached to Khyber Medical College, Peshawar currently at the disposal of Health Department under suspension for a period of ninety days under Rule-6, of the Khyber Pakhtunkhwa, Govt. Servants (Efficiency & Discipline) Rules, 2011 on account of his misconduct with immediate effect.

**Secretary to Govt. of Khyber Pakhtunkhwa
Health Department**

Endst of even No and Date.

Copy forwarded to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. The Dean, Khyber Medical College, Peshawar.
4. PSO to Chief Secretary, Khyber Pakhtunkhwa.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
7. Officer concerned.

Edh

07/03/19

[Signature]
SECTION OFFICER-III

[Signature]

Attended

KHYBER MEDICAL COLLEGE, PESHAWAR

24-②

No. 2635-36/Estt/KMC

Dated: 14/3 /2019

Copy of Notification No. SOH-III/8-60/2018

Dated: 06/03/2019 is forwarded to:-

1. The Accounts Officer, KMC.
2. Mr. Awal Badshah, Ex-Clinical Technologist, KMC.

2.u.k

DEAN
KHYBER MEDICAL COLLEGE
PESHAWAR

[Signature]

CHARGE SHEET



F

25

31

Muhammad Salim, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority do hereby Charge you, Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17 as follows:

That you, while posted as Clinical Technologist (Pathology) BS-17, at Khyber Medical College, Peshawar; have committed the following act of omission/commission:

You have committed fraud with government by preparing forged documents and findings as you have forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.

You absented yourself from duty w.e.f. 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar

You have drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman, Khyber Pakhtunkhwa.

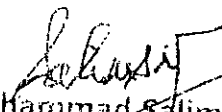
By reasons of the above you appear to be guilty of "Misconduct" under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rules etc.

You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the Inquiry Officer / Inquiry Committee as the case may be.

Your written defence, if any, should reach the Inquiry Officer/ Committee within the specified period, failing which, it shall be presumed that you have no defense to put forward in that case ex-parte action shall be taken against you.

Intimate whether you desire to be heard in person.

A Statement of Allegation is enclosed.


(Muhammad Salim)
Chief Secretary,
Khyber Pakhtunkhwa


Attested

Awal Badshah

CHARGE SHEET

25
Better Copy Annx-B

Muhammad Salim, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority do hereby Charge you Mr. Awal Badshah, Clinical Technologist (Pathology) BPS-17 as follow:-

That you while posted as Clinical Technologist (Pathologist) BPS-17 at Khyber Medical College Peshawar; shave committed the following act of omission/commission.

- i. You have committed fraud with government by preparing forged documents and findings as you have forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.
 - ii. You absented yourself from duty w.e.f 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar.
 - iii. You have drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman Khyber Pakhtunkhwa.
2. By reasons of the above you appear to the guilty of "Misconduct" under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 you have rendered of this charge sheet to the inquiry officer/inquiry Committee as the case .
 3. You are therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the Inquiry Officer/ Inquiry Committee as the case.
 4. Your written defence, if any, should reach the inquiry officer/Committee within the specified period, failing which, it shall be presumed that you have no defense to put and in that case ex-parte action shall be taken against you.
 5. intimate Whether you desire to be heard in person.
 6. A Statement of Allegation is enclosed.

(Muhammad Salim)
Chief Secretary

2
Attested

CONFIDENTIAL
ENQUIRY REPORT



DISCIPLINARY ACTION AGAINST MR. AWAL BADSHAH CLINICAL TECHNOLOGIST (PATHOLOGY) BS-17 ATTACHED TO KHYBER MEDICAL COLLEGE, PESHAWAR.

Reference letter No: SOH-III/8-60/2018 (Awal Bashshah/Inquiry) dated 6th March 2019 issued by Section Officer-III Government of Khyber Pakhtunkhwa Health Department (Annex-I), the competent authority (Chief Secretary Khyber Pakhtunkhwa) had approved to initiate disciplinary proceedings against Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17, Khyber Medical College Peshawar on account of misconduct vide attached charge sheet & statement of allegations (Annex-II) and appointed the undersigned as inquiry officers to conduct inquiry into the allegations leveled against Mr. Awal Badshah i.e.

1) Mr. Ahmad Kamal
Secretary,
Provincial Transport Authority,
Khyber Pakhtunkhwa, Peshawar.

2) Dr. Mohammad Khalil Akhter
Deputy Chief HSRU
Health Department,
Government of Khyber Pakhtunkhwa.

BACK GROUND OF ENQUIRY:

(ACCORDING TO THE RECORD OF PERSONAL FILE OF MR. AWAL BADSHAH)

1. That Mr. Awal Bashah, Medical Technologist (PBS-17) Department of Community Medicine Khyber Medical College (KMC) was internally transferred to Khyber College of Dentistry by Chief Executive KTH/KMC/KCD vide office order No. 25044-48/KTH/PS dated 26/11/2012 (Annex-III).
2. That the Transfer Order of Mr. Awal Badshah was cancelled/withdrawn by the Chief Executive KTH/KMC/KCD vide No. 29582-85/KTH/E dated 26/11/2013 duly endorsed to the Head Department of Community Medicine KMC and Officer concerned (Annex-IV).
3. That on the same date he was transferred from KMC to DGHS vide SOH-III/8-60/2013 dated 26/11/2013 duly endorsed to the Head Department of Community Medicine KMC and officer concerned (Annex-V).


Attester

(27)

④

4. That the KMC Administration did not receive any departure/arrival report from Mr. Awal-Badshah on his transfer from KMC to DGHS, and it was presumed that the officer concerned is still working in community Medicine Department of this institution, however, in the best public interest and to further clarify his position the principal KMC wrote a letter to the Head Department of community Medicine and principal KCD regarding his present status (Annex-VI).
5. That in response to Principal KMC letter, both Head Department of community Medicine and Principal KCD replied that the officer concerned is not working in their respective Departments (Annex-VII).
6. That the officer concerned was informed on his correspondence address to join duty immediately and explain the reason of his willful absence vide No. 9405/Estt/KMC dated 26/12/2014 and No. 244/Estt/KMC dated 08/01/2015 respectively (Annex-VIII & IX).
7. That due to non-receiving any reply, the Principal inserted notices in two leading newspapers and directed the officer concerned to report for duty within 15 days (Annex-X).
8. That on 11/05/2015 the officer concerned submitted a self explanatory application along-with medical certificate (Annex-XI).
9. The statement of staff of Community Medicine Department regarding his absence is duly verified by the Head of Department (Annex-XII).
10. To this effect, the statement of Accounts officer KMC regarding stoppage of his salary (Annex-XIII).
11. That the above facts were brought into the notice of Director General Health Services and Secretary Health (Annex-XIV). The Secretary Health appointed Deputy Secretary (Drugs) Health Department to conduct inquiry (Annex-XIV).
12. That the Principal KMC again wrote a letter to Head Department of Pathology KMC and Community Medicine regarding the attendance of Mr. Awal Badshah vide No. 3664/Estt/KMC dated 25/05/2016 (Annex-XV), the reply of both HODs (Annex-XVI).
13. That the Principal KMC wrote a letter to Mr. Awal Bashah regarding his willful absence from duty vide No. 3868/Estt/KMC dated 06/06/2016 wherein his salary has been stopped till the final decision (Annex-XVII).

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A. M. M. M.

Attested
[Signature]

14. That he submitted an application to the Principal KMC dated 13/07/2015, wherein he has stated that he submitted his arrival report for duty with effect from 02/07/2015 (Annex-XVIII).
15. That Mr. Awal Bashah submitted his arrival report for duty on 10/06/2016 (Annex-XIX). Due to non acceptance of his arrival report by HOD community Medicine, the Principal KMC transferred/posted him to Pharmacology Department, where he submitted his arrival report on 16/06/2016.
16. The Principal KMC wrote a letter to Secretary Health Government of Khyber Pakhtunkhwa, regarding issuance of the enquiry report in respect of Mr. Awal Bashah vide letter No. 590/Est/KMC dated 19/01/2017 (Annex-XX).
17. Mr. Awal Bashah requested regarding releasing of pay dated 01/06/2017 and also approached the Provincial Ombudsman Secretariat, Peshawar to solve the matter (the pay of the officer concerned was stopped till the issuance of the enquiry report which was pending with Deputy Secretary Drugs).
18. Later on the Provincial Ombudsman issued decision instructing release of salary of Mr. Awal Badshah (Annex-XXI).
19. In response KMC wrote a letter to Provincial Ombudsman that his salary had already been released vide their judgment (Annex-XXII).
20. To this effect Provincial Ombudsman observed that there is no earlier judgment issued since before.
21. Provincial Ombudsman asked KMC authorities to depute their representative regarding the factual position. KMC representative provided the relevant record of the concerned officer and after that the Provincial Ombudsman directed KMC to take disciplinary action against the officer concerned.
22. KMC conducted an enquiry and upon the recommendation of the enquiry committee the officer concerned was relieved of his duties and his services were placed at the disposal of Director General Health Services being a civil servant.
23. Mr. Awal Bashah presented decision of Provincial Ombudsman for release of pay upon which his salary was released accordingly (XXIII).

[Signature]

98

PROCEEDINGS:

(29) (H)

Date	Subject	Presiding Officer
06/03/2019	According to letter No. SOH-III/8-60/2018 (Awal Bashah/Inquiry) dated 6 th March-2019 issued by Section Officer-III Government of Khyber Pakhtunkhwa Health Department, the competent authority appointed (1) Mr. Ahmad Kamal (BS-18) & (2) Dr. Mohammad Khalil Akhtar (BS-18) as enquiry Officers.	
15/03/2019	Notice issued by Secretary PTA Khyber Pakhtunkhwa (Enquiry Officer) vide registered letter No. 622-24/PTA dated 15/03/2019 to Mr. Awal Badshah for appearance before the enquiry officers on 22/03/2019.	
18/03/2019	Another Notice issued vide Registered letter No. 668-70/PTA dated 18/03/2019 to Mr. Awal Badshah for appearance before the enquiry officers on 25/03/2019.	
25/03/2019	Mr. Awal Badshah appeared before the enquiry officers on 25/03/2019 personally. The enquiry officers asked him, whether notice regarding charge sheet & Disciplinary action is received earlier. He replied in positive. He once again handed over copy of charge sheet. He signed his attendance before the enquiry officers on original letter No. 668-70/PTA dated 18/03/2019, No representative of the Health Department Government of Khyber Pakhtunkhwa joined the proceeding. The enquiry officers postponed the proceedings for 01/04/2019 at 2:00 PM and informed the accused accordingly with the directions to submit Para-wise reply of the charge sheet & to provide the relevant record /documents on the next date fixed. Accordingly letter/notice also issued. Vide No. 701-03/PTA dated 25/03/2019 with endorsement to the concerned. He provided <u>his statement & photo-state copies of partially record.</u>	Mr. Ahmad Kamal Secretary PTA
05/04/2019	In this regard a letter No. 852-53/PTA also issued to the Section Officer (III) Government of Khyber Pakhtunkhwa Health Department for extension of the enquiry period.	
08/04/2019	Another letter No. 857-60/PTA issued to the Provincial Ombudsman Khyber Pakhtunkhwa Peshawar and Dean Khyber Medical College Peshawar to depute their representatives for joining the proceeding.	
09/04/2019	Beside this a letter No. 865-68/PTA issued to Mr. Bilal Statistical Officer Khyber Medical College with intimation to the concerned to join the proceedings. Accordingly he joined the proceedings and provided his statement.	


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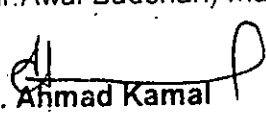
17/04/2019

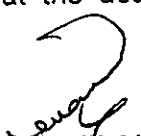
Beyond the other correspondents' letter No. 969-71/PTA was also issued to Mr. Mumtaz Ahmad (Consultant-II) Investigation Officer Provincial Ombudsman Secretariat Khyber Pakhtunkhwa Peshawar. Accordingly he provided his statement through Gmail. Mr. Sher Abdullah Admn Officer Health Department/Khyber Medical College also attended the proceedings & provided the relevant record. Mr. Fazal Khuda, Assistant (Litigation) Health Department as well as Mr. Salah ud Din, Superintendent Health Department also appeared in the proceedings & provided relevant record.

Mr.
Ahmad
Kamal
Secretary
PTA

FINDINGS:

From the available record provided by the management of Khyber Medical College Peshawar, the Health Department and Provincial Ombudsman office, and during personal hearing of the accused, the enquiry officers are of the opinion that Mr. Awal Badshah remained wilfully absent although he states in his statement that he had suffered a road traffic accident and was absent during that period only. However, the period of absentia is much longer than the mentioned period. Moreover, the evidence provided by the Provincial Ombudsman Office shows that the act of forgery has been committed. Hence 'the Closure Findings' document issued on behalf of Provincial Ombudsman of 14.09.2017 is fake. Therefore it is recommended that the accused (Mr. Awal Badshah) may be proceeded under E & D rules 2011.


Mr. Ahmad Kamal
Secretary
Provincial Transport Authority
Khyber Pakhtunkhwa
Peshawar
Enquiry Officer-I


Dr. M. Khalil Akhter
Deputy Chief HSRU
Health Department
Government of Khyber Pakhtunkhwa
Enquiry Officer-II

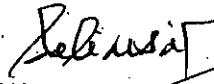

Attester

SHOW CAUSE NOTICE

I, **Muhammad Salim**, Chief Secretary, Khyber Pakhtunkhwa as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17 attached to Khyber Medical College, Peshawar, as follows: -

- i. Consequent upon completion of enquiry conducted against you by the Inquiry Officer/Inquiry Committee for which you were given an opportunity of hearing.
 - ii. On going through the findings and recommendations of the Inquiry Officer/Inquiry Committee, material on record and other connected papers including your defence before the inquiry officer.
2. I am satisfied that you have committed the act of willful absence / misconduct as specified in Rule-3 of the said rules:
3. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the following penalty under Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011: -
- i. Removal From Service
 - ii. /
4. You are, therefore, required to show cause as to why the aforesaid penalty/penalties should not be imposed upon you.
5. If no reply to this notice is received within seven (07) days or not more than 15 days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
6. Copy of the findings of the enquiry committee is enclosed.

Mr. Awal Badshah,
Clinical Technologist (Pathology) BS-17,
Khyber Medical College, Peshawar.


(MUHAMMAD SALIM)
CHIEF SECRETARY
KHYBER PAKHTUNKHWA


Attester

KHYBER MEDICAL COLLEGE, PESHAWAR

No. 7099 /Estt/KMC

Dated: 29/7/2019 39

Copy of letter vide No. SOH-III//98-60/201(inquiry report)

Dated: 19/07/2019 along with show cause notice is forwarded to:-

1. Mr. Awal Badshah, Ex-Medical Technologist for information and necessary action.

- Address-1: **Mr. Awal Badshah S/O Sher Bat Khan,**
Clinical Technologist (BPS-17),
Village and P/O Chokara, Tehsil Takhti Nusrati,
District Karak.
Contact No. 0334-9134332
- Address-2: **Mr. Awal Badshah S/O Sher Bat Khan,**
C/O Allied Medical Laboratory, Shinwari Medicos,
Opp: Hayatabad Medical Complex, Peshawar.
Contact No. 0334-9134332


DEAN
KHYBER MEDICAL COLLEGE
PESHAWAR

No. 7100 /Estt/KMC

Copy to:

1. The Secretary Health Govt. of Khyber Pakhtunkhwa, Peshawar.w/r to letter Referred above.


DEAN
KHYBER MEDICAL COLLEGE
PESHAWAR


Attestation



6130
24/7/19
32 @ Registered

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No. SOH-III/98-60/201(Inquiry Report)
Dated the Peshawar 19th July, 2019

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To

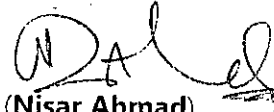
✓
Dean,
Khyber Medical College,
Peshawar

SUBJECT: **SHOW CAUSE NOTICE.**

I am directed to refer to the subject and to enclose herewith **Show Cause Notice** duly signed by the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) for the purpose to serve upon Mr. Awal Badshah S/O Share Bat Khan, Medical Technologist working in KMC Peshawar.

2- It is therefore, requested that the above Show Cause Notice may be served upon the employee concerned at the earliest, under intimation to this office, please.


Encl: As above.


(Nisar Ahmad)
Section Officer-III 19/7/19

Endst: even no & date.

Copy forwarded to the:-

1. Director General Health Services, Khyber Pakhtunkhwa.
2. PS to Chief Secretary, Khyber Pakhtunkhwa.
3. PS to Secretary Health, Khyber Pakhtunkhwa.
4. Mr. Awal Badshah, Medical Technologist, Tehsil Takhti Nasrati, District Karak along with a copy the subject 'Show Cause Notice'.


21/7/19

Section Officer-III


Attestant

To

The Chief Secretary,
Khyber Pakhtunkhwa.

Through Health Secretary Khyber Pakhtunkhwa

Subject: SUBMISSION THE REPLY OF SHOW CAUSE NOTICE

R/ Sir,

Most humbly and honorably, I have the honour to state that reference the show cause letter No. 7099/Estt/KMC Dated 29-07-2019, I submit my reply as under:

1. I have been reported absent from duty by Khyber Medical College and the inquiry officer have conducted inquiry in this regard it is stated that I was on duty and have been paid to me regularly up to 31-12-2014. During this period there is no written report against my absence and throughout about 15 months no absent notice has been issued to me from my department (KMC). While on 02-01-2015 I faced roadside accident and badly/major fractured and was admitted in HMC Orthopedic B ward. All relevant record has been submitted to the KMC administration as well as to the inquiry officer. In March 2015 the HMC administration issued absence notice in Daily Mashriq/Aaj while I was on medical rest/treatment up to 01-07-2015. After my medical leave I submitted my arrival report on 2-7-2015 for duty in wheelchair/high miserable condition. The Health Department conducted an inquiry regarding this period however no results/outcomes were obtained about that inquiry conducted in July 2016. After that I have regularly attended the KMC in wheelchair and I was unable to walk or climb up the stairs. After my arrival the administration of KMC have not issued any duty place/department of my duty as I was badly injured. I have been paid regularly w.e.f 02-07-2015 up to June 2016. During this period I have submitted so many applications to the KMC administration to place me in any specific department for duty. However my applications were not


Attested

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endorsed for duty in any department. In June 2016 the KMC administration again reported me absent from duty and again I reported for duty and submitted an application to place me any specific department. All this processes can be verified from my file record. On 16-06-2016 I was ultimately posted in Pharmacology Department and I joined the Pharmacology Department and have served there up to 27-08-2018. On 27-08-2018 I have been relieved from KMC to DG Health services Khyber Pakhtunkhwa for further posting. I submitted my arrival report on 27-08-2018 to DG Health services for posting while upto now I have not been posted for duty. I have been suffered badly and my family is also adversely affected because of my problem. I have served more than 35 years service in Health department with clean record and have been promoted from BPS-9 to BPS-17 on the basis of my highest qualification and performance. At this stage I am at the age of retirement from service and hope for best result of my 35 years length of service in Health departments.

2. Conduct.. I have the honour to explain about my conduct that I have no concern with any sort of misconduct in my service. I was appellant to provincial ombudsmen Khyber Pakhtunkhwa for releasing of my pay for the period w.e.f 16-06-2016 up to August 2017. The case was decided in my favor and I was waiting for the decisions meanwhile someone have filed documents regarding my pay case to KMC administration and I don't know that who and how these documents are submitted to KMC. The KMC administration have processed and considered it in my favor and have released my pay for the period where I have served on record. I have no deal with such type of conduct and not responsible for it. As I have been paid my salaries for the period where therefore. While the KMC administration conducted inquiry in this matter and no proof was obtained in this matter.


Attested

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Therefore it is requested that the show cause notice is not based on ground reality and I have not been absent willing fully from my duty and have never committed any misconduct in my service. Kindly consider my case sympathetically in my favor to get the end stage result of my 36 years service benefits for my dependent family.

Yours Obediently,

Awal Badshah Khattak,
Medical Technologist
(BPS-17) Health Department
Khyber Pakhtunkhwa

Dr. [Signature]
MD
Date 8/2/2019
MD 11/9/19

[Signature]
Attested

Handwritten notes and stamps at the bottom right of the page.



Dated the Peshawar 17th January, 2020



Handwritten initials 'J' and '36' in a circle

NOTIFICATION.

No. SOH-III/8-60/2019. WHEREAS, Mr. Awal Badsha, Medical Technologist BS-17 attached to Khyber Medical College Peshawar was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges of committing fraud with government by preparing forged documents as he has forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.

AND WHEREAS, he remained absent from duty w.e.f 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar.

AND WHEREAS, he has drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman, Khyber Pakhtunkhwa.

AND WHEREAS, a formal enquiry was conducted under Khyber Pakhtunkhwa Govt: Servants (E&D) Rules 2011, which also concluded that the charges leveled against the above named accused stand proved.

AND WHEREAS, a show cause notice was served upon the above named accused vide Health Department letter (No. SOH-3/98-60(enquiry report) dated 19-07-2019.

AND WHEREAS, the opportunity of personal hearing was also provided to the accused on 07.11.2019 in terms of Rule-15 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011.

NOW THEREFORE, The Competent Authority after having examined the charges and evidence on record is pleased to impose/confirm upon him major penalty of "**Removal from Service**" under Rules-4 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.

**Secretary to Govt. of Khyber Pakhtunkhwa
Health Department**

Endst. even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. Dean, Khyber Medical College, Peshawar.
4. Deputy Director (IT), Health Department.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Health, Khyber Pakhtunkhwa.
7. Officer concerned.

Attested

SECTION OFFICER-III

35007-

K

~~35007~~

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To,

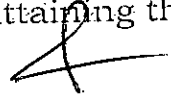
The Hon'ble Chief Minister
KPK Peshawar

Office of the PSCM
Diary No. 253
Dated 12/21/20

**Subject:- REVIEW / DEPARTMENTAL APPEAL AGAINST
ORDER DATED 17.01.2020, WHEREBY THE
APPELLANT WAS REMOVED FROM SERVICE
UNDER RULE 4 OF KP GOVERNMENT SERVANT
E&D RULES 2011**

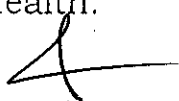
Respectfully Sheweth:

1. That the Appellant joined Health Department on 08.02.1994 as a Technician BPS-09 and since then the Appellant is serving the Department whole heartedly and with dedication. ✓
2. That in whole career i.e 36 years of the Appellant there has been no complaint against the Appellant whatsoever and was performing his duty to the entire satisfaction of his superior. ✓
3. That the Appellant is a highly qualified having BSc, MSc, & M.Phill Degree to his credit from the renowned University and in the light of his performance he was promoted to the post of Medical Technologist on 31.12.2004 and was posted in Khyber Medical College Peshawar. ✓
4. That the Appellant was going to be retired on 13.10.2020 on attaining the age of sixty years but before ✓


Attested

his retirement he was illegally removed from service on the false plea of absenteeism and forgery. Perhaps the Appellant was at the serial No 3 amongst the Paramedics and the Health Department and was not considered for promotion to BPS-18 due to his pending inquiry and unfortunately was removed from service on 17.01.2020.

5. That the Appellant was transferred vide order dated 26.11.2012 from Community Medicine Department KMC to KCD (Khyber College of Dentists) malafidely against the post of BPS-12, while the Appellant was serving in BPS-17 just to harass the Appellant, even then the Appellant complied the order and has taken charge at KCD. ✓
6. That through order dated 26.11.2013 Chief Executive (KTH, KMC, KCD) transferred the Appellant from KCD to KMC while at the same time the Secretary Health has transferred the Appellant from KCD to DG Health. ✓
7. That the Appellant in the light of the order of Secretary Health relieved his responsibility at KCD and submitted arrival report at DG Health. ✓
- ✓ 8. That the Appellant has served in KCD upto 26.11.2013 while at the same time he was drawing his pay from KMC till 26.11.2013 and when the Appellant was transferred vide order dated 26.11.2013 to the Post of Assistant Director Paramedics DG Health, at the same date he was relieved from KCD and submitted his arrival report at DG Health.


Attested

9. That as the transfer of the Appellant from KMC to KCD is the internal arrangement of Institution, therefore he has not left his departure from his original duty at KMC.

10. That the order of the Appellant dated 26.11.2013 to DG Health was cancelled by Secretary Health therefore he again join his duty at KMC, therefore the Appellant was all the time present at the time of alleged absenteeism period and was performing his duty at KMC & KCD. So the plea of the authorities of the KMC that they were not aware of whereabouts of the Appellant was absolutely illegal because the copies of the transfer order of the Appellant have been sent to the KMC. Moreover the Appellant has been regularly paid upto 31.12.2014 which period has been marked absence by the KMC Administration and at the same time the Appellant has moved Application through proper channel from Principal KMC to Chief Executive KTH and Secretary Health for promotion.

11. That on dated 02.01.2015 the Appellant faced roadside accident in Peshawar and was admitted in HMC Peshawar Orthopedic B Ward and was having multiple fractures, the Appellant remained indoor and outdoor treatments of the Orthopedic B Ward HMC for the period w.e.f 02.01.2015 to 01.07.2015 regularly and have submitted all the records to the KMC administration for leave sanctions. This has not been consider nor sanctioned. There is no letter received about absence of the Appellant at his address as the Appellant is living since 2001 at Hayatabad Peshawar



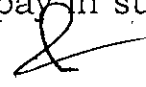
Attested

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and have no residence in Karak. Then how is it possible to receive any letter in Karak. Moreover while the Appellant was on bed, the KMC Administration issued notice of the absence of the Appellant in Daily Mashriq & Aaj and on the basis that notice the Appellant was brought on wheelchair to the KMC Administration and once again they observed the Appellant in disable condition with fractured status. While inquiry was conducted about the absence of the Appellant issued by Deputy Secretary Drugs in July 2015 which the Result of inquiry were neither communicated to the Appellant. While it was very much clear during the inquiry that the Head of Department of Community Medicine have stressed and pressurized the lower staff to submit statements against the Appellant, which is absolute biased way of inquiry.

12. That the Appellant remained indoor and outdoor ✓ patient and on dated 02.07.2015 after Medical leaves given to the Appellant by the Orthopedic Ward registrar and signed by the RMO HMC, the Appellant submitted arrival to KMC for duty and the Appellant was in disable condition on wheelchair and the Appellant was assigned duties in upper story where due to multiple fractures in legs of the Appellant, he could not climbed up. The Appellant requested to the Principal KMC to adjust the Appellant on ground floor in any other department but the Appellant was told that we well cooperate with the Appellant until the Appellant become capable to climb up. Keeping in view the Appellant was used to attend the College on ground floor on wheelchair and was getting pay in such way. Meanwhile in June 2016 again


Attested

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(46)

the Appellant have reported absent and the Appellant again submitted his arrival report to the Head of Community Department which was not accepted and rejected. Again the Appellant requested to the principal to adjust the Appellant in any other departments while ultimately the Appellant was posted in Pharmacology Department where the Appellant joined w.e.f 16.06.2016. Again how is it possible that the Appellant have got full pay during this period regularly while they have marked the Appellant absent from duty w.e.f 04.07.2015 which is not understandable.

13. That pay of the Appellant was stopped since June 2016 and the Appellant was serving in Pharmacology Department regularly which is on the record, hence the Appellant filed Application by releasing his pay but the Application was not considered against the rules. Ultimately the Appellant submitted Appeal to Provincial Ombudsman Khyber Pakhtunkhwa where Appeal was of the Appellant was considered, discussed and decided. The KMC Administration released the pay of the Appellant on the basis of Provincial Ombudsman letter which was proved fake letter and they put inquiry in this matter in KMC where they have got no proof who have brought this letter and how but they stopped the pay in June 2018 and relieved the Appellant from his duty and directed him to submit arrival report to the Health Department Khyber Pakhtunkhwa.

14. That the Appellant submitted his arrival report with the Health Department while the Health Department ~~neither~~ posted the Appellant not adjusted

Attested

(20) (42)

him anywhere. Meanwhile the Appellant was suspended from 90 days which were not extended nor changed to any other status. The Appellant was charge sheeted and finally inquiry was conducted and subsequently show cause notice was served and finally the Appellant was removed from service on 17.01.2020.

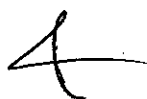
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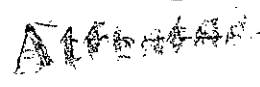
- A. That the Appellant has performed his duty in KCD and was never ever absent while the KCD authorities marked the Appellant as absent. As both the institutions KCD and KMC are under the umbrella of one head, therefore, when an employee transferred from KMC to KCD then there is no requirement of departure because in the case of the Appellant when he was transferred from KMC to KCD he was drawing his pay from KMC.
- B. That the Appellant had met road accident and the authorities were informed properly but they malafidely marked the Appellant as absent and the hospital record was produced before the inquiry officer.
- C. That the Appellant has never made forgery in the order of the Provincial Ombudsman because that was not brought by the Appellant to the authorities of the KMC.
- D. That the punishment imposed upon the Appellant is absolutely illegal and in the light of celebrated principals of law the conviction imposed upon the Appellant does not commensurate with the alleged offence committed.

[Signature]
Attested.

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- E. That no regular inquiry was conducted against the Appellant and the Appellant was condemned unheard because the Appellant was not allowed to cross examine the witnesses produced against the Appellant.
- F. That if letter of Provincial Ombudsmen was fake then why the same was ratified by the same authorities by sending another letter containing the same directions although the first letter was cancelled by Provincial Ombudsmen not on the basis of merit but on the ground that the first letter was not sent by them.
- G. That the alleged absence of the Appellant for 13 months is not appealing to prudent because when the Appellant was continuously drawing his pay officer rank then how it was possible that the KMC authorities would not have noticed his absence. Then they woke up after a deep slumber and issued notice to the Appellant.
- H. That no notice was issued to the Appellant regarding the second alleged absence period and no codal formalities were observed by the Department.
- I. That as per report of office KMC the Appellant has been shown absent w.e.f 14.07.2015 to 06.06.2016, while again the pay has been paid to the Appellant almost during the whole period.
- J. That the total service of the Appellant is almost 36 years and thus the total leave of the Appellant came to about 1152 days excluding the disputed period. So when the Appellant was having leave due in his account then





(E) (44)

what was the logic for remaining absent instead of availing his leave. Therefore the plea of absenteeism is wrong and incorrect.

K. That the inquiry officer did not consider the Medical leave period of the Appellant of tertiary level hospital although proper record was provided to the inquiry officer.


It is, therefore most humbly prayed that on acceptance of this appeal/review, the penalty of removal from service may kindly be converted into compulsory retirement by paying him salaries for the suspension period.

Appellant



Dated: 11.02.2020

AWAL BADSHAH
Ex-Medical Technologist
House No 128, Sector N-1
Street No 6, Phase-IV
Hayatabad Peshawar
Cell # 0334-9134332


Attested

VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP SERVICE TRIBUNAL, PESHAWAR

Awal Badshah (Appellant)
(Petitioner)
(Plaintiff)

VERSUS


Health Department etc. (Respondent)
(Defendant)

I/We, Awal Badshah

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court 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 costs.

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

Dated _____/20

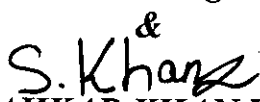


(CLIENT)

ACCEPTED


M. ASIF YOUSAFZAI
Advocate Supreme Court Peshawar.


SYED NOMAN ALI BUKHARI
Advocate High Court


SHAHKAR KHAN YOUSAFZAI
ADVOCATE, PESHAWAR

OFFICE:

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KHYBER MEDICAL COLLEGE PESHAWAR
OFFICE OF THE DEAN

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No 8969 /Estt/KMC

Dated 09/11/2020

WAKALATNAMA

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Mr. Awal Badshah Khattak

Appeal No. 8817/2020

Versus:

Respondent:

Dean Khyber Medical College Peshawar (Respondent No. 3)

By this, power-of-attorney, *Dean Khyber Medical College Peshawar*, the said Respondent in the above case do hereby constitute and appoint **MR. AMIR JAVED, ADVOCATE** as my attorney for me/us in my/us name and on my behalf to appear, plead, give statement, verify, administer oath, file comments, written statement, reply and do all lawful acts and things in connection with the said case on my behalf or with the execution of any decree or order passed in the case in my favour/against which I/we shall be entitled or permitted to do myself, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my success or failure in case, provided that if the case is heard at any place other than the usual place of sitting of the court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

[Signature]
Accepted/Attested
MR. AMIR JAVED,
ADVOCATE

[Signature]
Accepted
[Signature]

[Signature]
DEAN
KHYBER MEDICAL COLLEGE
PESHAWAR

[Signature]
Respondent No 3

SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 8817 OF 2020

Awal Badshah Khattak.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others.....Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 & 2

Respectfully Sheweth:

Preliminary Objections:-

1. That the Appellant has got neither cause of action nor did locus standi to file the instant Appeal.
2. That the Appellant has filed the instant Appeal just to pressurize the respondents.
3. That the instant Appeal is against the prevailing Law and Rules.
4. That the Appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the Appellant has filed the instant Appeal with mala-fide intention, hence liable to be dismissed.
6. That the Appellant has not come to the Tribunal with clean hands.
7. That the Appeal is barred by law and limitation.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
9. That the instant Appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
10. That the appellant is estopped by his own conduct to file the instant appeal.

ON FACTS:

1. Pertains to record.
2. Incorrect, service record of the appellant was not up to the mark.
3. Pertains to record. However, promotion to a post is always made in accordance with law and rules on the basis of seniority cum fitness.
4. Not related to the replying respondents. However, if the appellant was feeling aggrieved from the transfer order, he should have challenged the same before the proper forum.
5. Incorrect. Though the Respondent No 2 issued transfer order dated 26/11/2012, however the appellant concealed the fact that the same order was withdrawn vide order dated 29/11/2013 (**Annexure A**). It is worth to mention that the appellant neither submitted arrival with DGHS nor did continue his duties at KMC and remained absent from his duties w.e.f. 26/11/2013 to 1/7/2015, 14/07/2015 to 06/06/2016 and illegally drawn salaries from the public exchequer till December 2014. (Absence record is Annexed).
6. Incorrect the Para is concocted, false and based on misstatement. As stated in Para 5 above that the transfer order was withdrawn vide order dated 29/11/2013, he received salary from KMC. However, he did not serve there not submitted any arrival report to respondent No 01 and 02.
7. Incorrect. The Para is contradictory to Para 6 above. As in Para 6 above, the appellant stated that the appellant submitted arrival report at DGHS, however in this Para the

appellant stated that he has submitted leave applications to KMC. In case if he was transferred and he submitted arrival to DGHS than what was the need to submit applications to the KMC administration. In fact the appellant after issuance of transfer order dated 26/11/2013 remained absent from his duties despite the fact that the transfer order was already withdrawn vide order dated 29/11/2013. It is worth mentioning that the accident mentioned in the Para taken place on 02/1/2015, however, the appellant remained absent prior to the so called incident which show the mala fide on the part of the appellant. When the KMC administration came to know about the absence of the appellant the respondent No 3 issued letter dated 26/12/2014 to the appellant and thereafter publication was issued against the appellant whereby the appellant was directed to report for duty within 15 days. Thereafter the appellant submitted his arrival report before Respondent No 3. The respondent No 02 being parent department of the appellant after receiving information of the absence of the appellant vide notification dated 05/10/2015 nominated DS Drug to conduct a fact finding inquiry against the appellant, who conducted the inquiry and confirmed the absence of the appellant.

8. Pertains to Respondent No 03. However it is worth mentioning that the respondent No 03 stopped salaries of the appellant, against which the appellant submitted a complaint No 0656/08/2017 for release of salaries w.e.f. 01/06/2016 before the Provincial ombudsmen. However on production of the decision dated 14/09/2017 respondent No 3 released salaries of the appellant (**Annexure B**). Thereafter the provincial Ombudsman once again issued finding in the complaint on 22/05/2018 in response the respondent No 3 intimated to Provincial ombudsman that as per finding/decision dated 14/09/2017, the salaries has already been paid to the appellant. The provincial ombudsman vide proceedings dated 26/06/2018 declared the findings dated 14/09/2017 as bogus and stated that during the period w.e.f 16/08/2017 to 04/05/2018 the post of Khyber Pakhtunkhwa provincial ombudsman was vacant. (**Annexure-C**).
9. Correct to the extent that the appellant was suspended for 90 days by the competent authority and vide letter dated 06/03/2019 disciplinary proceedings were initiated and Mr. Ahmad Kamal (PMS BS-18) and Muhammad Khalil Akhtar were nominated as inquiry committee and a charge sheet along with statements of allegations were issued to the appellant. (**Copies of the letter dated 06/03/2019 and charge sheet along with statement of allegations are annexed as D & E**).
10. Correct to the extent of issuing charge sheet along with statement of allegations. Reply of the appellant was not satisfactory as there was no plausible reason mentioned in it to rebut the allegations.
11. Correct to the extent that the inquiry committee conducted the inquiry in accordance with the provision of Khyber Pakhtunkhwa Efficiency and Disciplinary Rules 2011 and provided all opportunities to defend him-self, however the appellant failed to rebut the allegations while the inquiry committee proved all the allegations against the appellant to be true. (Copy of inquiry proceedings/report is **Annexure-F**).
12. Correct to the extent that the appellant was removed vide impugned Notification dated 17/01/2020 by the competent authority in accordance with law and rules after providing him ample opportunities of defense and personal hearings on 07/11/2019 which is evident from the impugned Notification dated 17/01/2020 (**Annexure-G**). However no such Departmental appeal available on record hence denied.

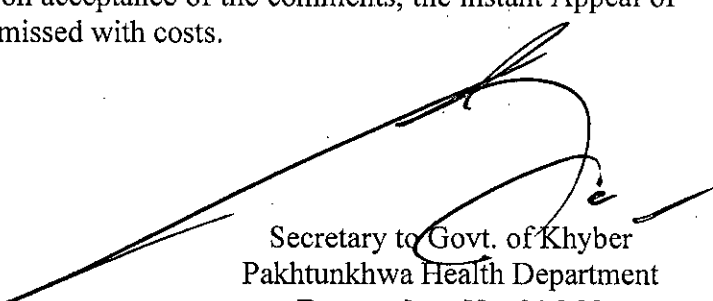
ON GROUNDS:

- A. Incorrect, the replying respondents acted as per Law, Rules and Principles of Natural justice.
- B. Pertains to Respondent No.3, however after conducting regular inquiry, the allegation of absence and forgery proved against the appellant.
- C. Pertains to Respondent No3. However according to Para 7 of the appeal, the accident took place on 02/01/2015 while absence period of the appellant was w.e.f 26/11/2013.
- D. Incorrect the appellant has found to have been committed forgery by the inquiry committee, even otherwise the appellant is the beneficiary of the illegal act.

- E. Incorrect, the appellant has been removed from service for the illegal ⁱⁿnal act committed by him which was subsequently proved in the inquiry proceedings, hence the punishment is commensurate with the guilt of the appellant.
- F. Not related to the replying respondents, however the allegations mentioned in the Charge sheet has already been proved.
- G. Incorrect. Already replied in para 11 and 12 of the facts.
- H. Incorrect, in fact the ombudsman pointed out that the first finding submitted to respondent No 3 by the appellant was bogus, hence the appellant cannot take any illegal advantage from such letter.
- I. Not related to the replying respondents. However the allegations have already been proved during the inquiry proceedings.
- J. Not related to the replying respondents. However detail reply has been submitted in the above paras.
- K. Not related to the replying respondents. However detail reply has been submitted in the above Paras.
- L. Pertains to record. However being guilty of misconduct and proved to have committed misconduct, the impugned Notification has been issued.
- M. Incorrect, already explained above.
- N. Replying respondents also seek prior permission of this Honorable Tribunal to adduce additional grounds at the time of arguments.

PRAYER:

It is therefore humbly prayed that on acceptance of the comments, the instant Appeal of the Appellant may very graciously be dismissed with costs.


Secretary to Govt. of Khyber
Pakhtunkhwa Health Department
Respondent No. 01&02

XII

IV

IV

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(2)

(IV)

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~~2/11/13~~



KHYBER TEACHING HOSPITAL, PESHAWAR
OFFICE OF THE CHIEF EXECUTIVE

No. _____ /KTH/E Dated 26/11/13 /2013.

OFFICE ORDER

The transfer orders of the following employees issued vide this office order No. 25044-48/KTH/PS dated 26-11-2012 is hereby canceled / withdrawn and directed to report to the Head of Institution for duty as noted against each with immediate effect:-

S.No	Name	From	To
1	Mr. Awal Badshah Medical Technologist	Khyber College of Dentistry, Peshawar	Principal, Khyber Medical College Peshawar.
2	Mr. Javid Ahmad Clinical Technician Pathology	Khyber Medical College, Peshawar	Principal, Khyber College of Dentistry, Peshawar

Chief Executive,
KTH/KMC/KCD,
Peshawar.

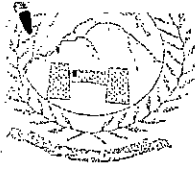
No. 29582-85 /KTH/E
Copy to:-

1. The Principal, KMC, Peshawar.
2. The Principal KCD. Peshawar.
3. The officials concerned.

Estt
29/11/13

Chief Executive,
KTH/KMC/KCD,
Peshawar.

Handwritten signature and date



CLOSURE FINDINGS	
1	COMPLAINT NO.
2	NAME & ADDRESS OF THE COMPLAINANT
3	NAME OF THE AGENCY COMPLAINED AGAINST
4	NAME OF THE INVESTIGATION OFFICER
5	SUBJECT OF COMPLAINT
6	DATE OF REGISTRATION
7	DATE OF FINDINGS

THE COMPLAINT

Complainant Mr. Awal Badshah Khattak has instituted a complaint that he has not been paid his salaries since 16/6/2016. He further contended that he has performed his duty regularly during this mentioned period and his family has adversely affected due to non-payment of his salaries.

REPORT OF THE AGENCY

Notice was issued under regulation-7 of the KPK Provincial Ombudsman Act, 2011 to the Dean, KMC, Peshawar to meet the allegations and submit reply / comments. In response, Dean, KMC Peshawar submitted his written reply that the appellant remained absent from his duty w.e.f. 26/11/2013 to 01/7/2015 and as soon as findings of the inquiry committee are received, his salary will be released accordingly.

REJOINDER

Reply of the Agency (KMC) was sent to the complainant for his feedback. In response appellant contended that he has demanded the pay for the period, which is served by him on record (since 16/6/2016). He added that the daily life of his family is badly suffered.

95-36
11-10-17

HEARING

In view of the divergent stance of both sides, the case was fixed for hearing on 14/9/2017. The representative of KMC (litigation officer) appeared for hearing. The case was viewed and inquired on the basis of record. The representative of the KMC showed willingness to pay salaries to the complainant. A written statement was also obtained from the representative of KMC based on the facts that the KMC administration will release his pay as per rules.

FINDINGS

It was established that the agency (KMC) has not properly considered the request of the appellant for releasing of his salaries. The right of the complainant has been grossly infringed by ignoring his request since 16/6/2016. The proved record of his duty shows that the pay of the complainant should be released as per his duty record.

DECISION

The Dean, KMC, Peshawar is advised to release the salaries of the appellant w.e.f. 16/6/2016. The above recommendation shall be implemented within fifteen (15) days.

ECM
10/10/17
Pr. copy
R.M.
R.M.


Provincial Ombudsman
Khyber Pakhtunkhwa

PROVINCIAL
KHYBER

OMBUDSMAN (عمدتی) SECRETARIAT,
PESHAWAR, PAKHTUNKHWA



CLOSURE FINDINGS	
1. COMPLAINT NO.	PO/Complaint No.0656/08/2017.
2. NAME & ADDRESS OF THE COMPLAINANT	Mr. Awal Badshah Khattak r/o Hayatabad Medical Complex.
3. NAME OF THE AGENCY COMPLAINED AGAINST	Dean Khyber Medical College, Peshawar.
4. NAME OF THE INVESTIGATION OFFICER	Mumtaz Ahmad Consultant-II.
5. SUBJECT OF COMPLAINT	Request for release of salary.
6. DATE OF FINDINGS	22/05/2018.
7. DATE OF PROCEEDINGS	26/06/2018.

PROCEEDINGS

WHEREAS, Mr. Awal Badshah Khattak, Medical Technologist Department of Pharmacology, Khyber Medical College, Peshawar had instituted a complaint on 10/08/2017 stating that his salary w.e.f 01/06/2016 has not been paid.

AND WHEREAS, Khyber Medical College, Peshawar intimated that the complainant remained wilful absent from his duties w.e.f 26/11/2013 to 01/07/2015 and Inquiry was pending in Health Department against him.

AND WHEREAS, hearing in the complaint took place on 14/09/2017. The representative of KMC Peshawar testified that the complainant remained absent from duty w.e.f 26/11/2013 to 01/07/2015, and 14/07/2015 to 06/06/2016. During his absence period, he was regularly drawing his salary. Thus, the Competent Authority appointed Enquiry Officer to proceed against him.

AND WHEREAS, the post of Khyber Pakhtunkhwa Provincial Ombudsman became vacant w.e.f 16/08/2017 upto 04/05/2018. Therefore, no findings were made and issued by the Provincial Ombudsman during the period cited above.

AND WHEREAS, the findings in the complaint was issued on 22/05/2018 which was sent to the Agency for action.

AND WHEREAS, Dean, KMC intimated that action has already been taken on the findings dated 14/09/2017 received from Provincial Ombudsman.

AND WHEREAS, after perusal of the findings dated 14/09/2017 it came to light that the findings were forged and prepared by the complainant himself with connivance of some official (if any) with fake signature in order to deceive the Agency to release his outstanding salaries without completion of Inquiry initiated against him.

AND WHEREAS, on account of Commission and Omission, Mr. Awal Badshah Khattak has been found for committing the following offences and was liable to be prosecuted in the Court of law.

1. Section 415, 417 PPC cheating and dishonestly inducing.
2. Section 463, 464, 465 PPC forgery and making false documents.
3. Section 468, 471 PPC forgery for purpose of cheating.
4. Any other relevant section.

NOW, THEREFORE, in view of the acts of omission and commission, committed by Mr. Awal Badshah Khattak, the following recommendations are made

PROVINCIAL OMBUDSMAN (صوبائی محاسب) SECRETARIAT,
KHYBER PAKHTUNKHWA

- 1) forged findings drawn and signed in the name of Provincial Ombudsman by Mr. Awal Badshah Khattak has no legal sanctity, therefore, action taken on the basis of said findings may be immediately rescinded and amount recovered from him.
- 2) findings dated 22/05/2018 issued by the Ombudsman Secretariat are also rescinded and the complaint stands rejected/dismissed.
- 3) FIR may be registered against him for cheating by committing fraud with Agency and preparing forged documents of findings.
- 4) immediate disciplinary action under the KMU Servants (Efficiency & Discipline) Rules may be initiated as the said official twice committed fraud with Government and deserve no clement view. Criminal proceedings and Disciplinary proceedings may go side by side.

AQAL BADSHAH
Provincial Ombudsman.

26/5
18

No. SOH-III/8-60/2018(Awal Badshah/Inquiry)

Dated the Peshawar 06th March, 2019

To.

1. Mr. Ahmad Kamal (PMS BS-18),
Secretary PTA.
2. Muhammad Khalil Akhtar (BS-18),
Deputy Chief, HSRU Health Department.

SUBJECT: DISCIPLINARY ACTION AGAINST MR. AWAL BADSHAH, CLINICAL TECHNOLOGIST (PATHOLOGY) BS-17 ATTACHED TO KHYBER MEDICAL COLLEGE, PESHAWAR.

I am directed to refer to the subject noted above and to state that the Chief Secretary, Khyber Pakhtunkhwa (competent authority) is pleased to approve initiation of disciplinary proceedings against Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17, Khyber Medical College, Peshawar on account of misconduct vide attached charge sheet and statement of allegations.

Consequently, the competent authority is further pleased to appoint you as an enquiry officers to enquire into the justification of absence of the aforesaid accused w.e.f 26-11-2013 to 01-07-2015 & 14-07-2015 to 06-06-2016 of his absence, while posted as Clinical Technologist (Pathology) BS-17, KMC, Peshawar viz-a-viz the attached statement of allegation/charge sheet and desires that the enquiry officers should take further necessary action and submit report of findings/recommendations within 30 days in accordance with the provision of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011.

I am, therefore, directed to request you to conduct the enquiry and findings and recommendations of the enquiry may kindly be furnished to this department within the specified period to proceed further in the matter.

Encl: As above.

Endst: even no & date.


Section Officer-III

Copy forwarded to:-

1. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. The Dean, Khyber Medical College, Peshawar with the request that the attached charge sheet may be served upon the Clinical Technologist and also depute a well conversant officer to assist the enquiry committee.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17, Khyber Medical College, Peshawar. He is directed to appear before the enquiry committee on the date time and venue fixed by the enquiry officers/enquiry committee.


Section Officer-III

I, **Muhammad Salim**, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby Charge you, **Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17** as follows:

That you, while posted as Clinical Technologist (Pathology) BS-17, at Khyber Medical College, Peshawar; have committed the following act of omission/commission:

- i. *You have committed fraud with government by preparing forged documents and findings as you have forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.*
- ii. *You absented yourself from duty w.e.f. 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar*
- iii. *You have drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman, Khyber Pakhtunkhwa.*

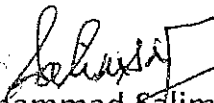
2. By reasons of the above you appear to be guilty of "Misconduct" under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rule ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the Inquiry Officer / Inquiry Committee as the case may be.

4. Your written defence, if any, should reach the Inquiry Officer/ Committee within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

5. Intimate whether you desire to be heard in person.

6. A Statement of Allegation is enclosed.


(Muhammad Salim)
Chief Secretary,
Khyber Pakhtunkhwa.

Mr. Awal Badshah,

Clinical Technologist (Pathology) BS-17

DISCIPLINARY ACTION

I, **Muhammad Salim**, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority am of the opinion that, **Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17**, Khyber Medical College, Peshawar has rendered herself liable to be proceeded against, as she committed the following act / omission within the meaning of Rule-3(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rules), 2011:-

STATEMENT OF ALLEGATIONS

- i. He has committed fraud with government by preparing forged documents and findings as he has forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.
- ii. He absented himself from duty w.e.f. 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar
- iii. He has drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman, Khyber Pakhtunkhwa.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer / inquiry committee consisting of the following is constituted under Rule-10(i)(a) of the ibid rules.

- a. *Mr. Ahmad Ramal, Secretary PTA.*
- b. *Muhammad Khalil Akhtar Dy. Chief HSRU.*

3. The inquiry officer / committee shall, in accordance with the provisions of the rules, provide reasonable opportunity of hearing to the accused, record its findings and make within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

4. The accused and a well versant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer / Inquiry Committee.

Muhammad Salim
(Muhammad Salim)

CONFIDENTIAL
ENQUIRY REPORT

DISCIPLINARY ACTION AGAINST MR. AWAL BADSHAH CLINICAL TECHNOLOGIST (PATHOLOGY) BS-17 ATTACHED TO KHYBER MEDICAL COLLEGE, PESHAWAR.

Reference letter No: SOH-III/8-60/2018 (Awal Bashshah/Inquiry) dated 6th March 2019 issued by Section Officer-III Government of Khyber Pakhtunkhwa Health Department (Annex-I), the competent authority (Chief Secretary Khyber Pakhtunkhwa) had approved to initiate disciplinary proceedings against Mr. Awal Badshah, Clinical Technologist (Pathology) BS-17, Khyber Medical College Peshawar on account of misconduct vide attached charge sheet & statement of allegations (Annex-II) and appointed the undersigned as inquiry officers to conduct inquiry into the allegations leveled against Mr. Awal Badshah i.e.

- 1) Mr. Ahmad Kamal
Secretary,
Provincial Transport Authority,
Khyber-Pakhtunkhwa, Peshawar.
- 2) Dr. Mohammad Khalil Akhter
Deputy Chief HSRU
Health Department,
Government of Khyber Pakhtunkhwa.

BACK GROUND OF ENQUIRY:

(ACCORDING TO THE RECORD OF PERSONAL FILE OF MR. AWAL BADSHAH)

1. That Mr. Awal Bashah, Medical Technologist (PBS-17) Department of Community Medicine Khyber Medical College (KMC) was internally transferred to Khyber College of Dentistry by Chief Executive KTH/KMC/KCD vide office order No. 25044-48/KTH/PS dated 26/11/2012 (Annex-III).
2. That the Transfer Order of Mr. Awal Badshah was cancelled/withdrawn by the Chief Executive KTH/KMC/KCD vide No. 29582-85/KTH/E dated 26/11/2013 duly endorsed to the Head Department of Community Medicine KMC and Officer concerned (Annex-IV).
3. That on the same date he was transferred from KMC to DGHS vide SOH-III/8-60/2013 dated 26/11/2013 duly endorsed to the Head Department of Community Medicine KMC and officer concerned (Annex-V).

4. That the KMC Administration did not receive any departure/arrival report from Mr. Awal Badshah on his transfer from KMC to DGHS, and it was presumed that the officer concerned is still working in community Medicine Department of this institution, however, in the best public interest and to further clarify his position the principal KMC wrote a letter to the Head Department of community Medicine and principal KCD regarding his present status (Annex-VI).
5. That in response to Principal KMC letter, both Head Department of community Medicine and Principal KCD replied that the officer concerned is not working in their respective Departments (Annex-VII).
6. That the officer concerned was informed on his correspondence address to join duty immediately and explain the reason of his willful absence vide No. 9405/Estt/KMC dated 26/12/2014 and No. 244/Estt/KMC dated 08/01/2015 respectively (Annex-VIII & IX).
7. That due to non-receiving any reply, the Principal inserted notices in two leading newspapers and directed the officer concerned to report for duty within 15 days (Annex-X).
8. That on 11/05/2015 the officer concerned submitted a self explanatory application along-with medical certificate (Annex-XI).
9. The statement of staff of Community Medicine Department regarding his absence is duly verified by the Head of Department (Annex-XII).
10. To this effect, the statement of Accounts officer KMC regarding stoppage of his salary (Annex-XIII).
11. That the above facts were brought into the notice of Director General Health Services and Secretary Health (Annex-XIV). The Secretary Health appointed Deputy Secretary (Drugs) Health Department to conduct inquiry (Annex-XIV).
12. That the Principal KMC again wrote a letter to Head Department of Pathology KMC and Community Medicine regarding the attendance of Mr. Awal Badshah vide No. 3664/Estt/KMC dated 25/05/2016 (Annex-XV), the reply of both HODs (Annex-XVI).
13. That the Principal KMC wrote a letter to Mr. Awal Bashah regarding his willful absence from duty vide No. 3868/Estt/KMC dated 06/06/2016 wherein his salary has been stopped till the final decision (Annex-XVII).

14. That he submitted an application to the Principal KMC dated 13/07/2015, wherein he has stated that he submitted his arrival report for duty with effect from 02/07/2015 (Annex-XVIII).
15. That Mr. Awal Bashah submitted his arrival for duty on 10/06/2016 (Annex-XIX). Due to non acceptance of his arrival report by HOD community Medicine, the Principal KMC transferred/posted him to Pharmacology Department, where he submitted his arrival report on 16/06/2016.
16. The Principal KMC wrote a letter to Secretary Health Government of Khyber Pakhtunkhwa, regarding issuance of the enquiry report in respect of Mr. Awal Badshah vide letter No. 590/Estt/KMC dated 19/01/2017 (Annex-XX).
17. Mr. Awal Bashah requested regarding releasing of pay dated 01/06/2017 and also approached the Provincial Ombudsman Secretariat, Peshawar to solve the matter (the pay of the officer concerned was stopped till the issuance of the enquiry report which was pending with Deputy Secretary Drugs).
18. Later on the Provincial Ombudsman issued decision instructing release of salary of Mr. Awal Badshah (Annex-XXI).
19. In response KMC wrote a letter to Provincial Ombudsman that his salary had already been released vide their judgment (Annex-XXII).
20. To this effect Provincial Ombudsman observed that there is no earlier judgment issued since before.
21. Provincial Ombudsman asked KMC authorities to depute their representative regarding the factual position. KMC representative provided the relevant record of the concerned officer and after that the Provincial Ombudsman directed KMC to take disciplinary action against the officer concerned.
22. KMC conducted an enquiry and upon the recommendation of the enquiry committee the officer concerned was relieved of his duties and his services were placed at the disposal of Director General Health Services being a civil servant.
23. Mr. Awal Bashah presented decision of Provincial Ombudsman for release of pay upon which his salary was released accordingly (XXIII).

PROCEEDINGS:


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Date	Subject	Presiding Officer
06/03/2019	According to letter No. SOH-III/8-60/2018. (Awal Bashah/Inquiry) dated 6 th March-2019 issued by Section Officer-III Government of Khyber Pakhtunkhwa Health Department, the competent authority appointed (1) Mr. Ahmad Kamal (BS-18) & (2) Dr. Mohammad Khalil Akhtar (BS-18) as enquiry Officers.	
15/03/2019	Notice issued by Secretary PTA Khyber Pakhtunkhwa (Enquiry Officer) vide registered letter No. 622-24/PTA dated 15/03/2019 to Mr. Awal Badshah for appearance before the enquiry officers on 22/03/2019.	
18/03/2019	Another Notice issued vide Registered letter No. 668-70/PTA dated 18/03/2019 to Mr. Awal Badshah for appearance before the enquiry officers on 25/03/2019.	
25/03/2019	Mr. Awal Badshah appeared before the enquiry officers on 25/03/2019 personally. The enquiry officers asked him, whether notice regarding charge sheet & Disciplinary action is received earlier. He replied in positive. He once again handed over copy of charge sheet. He signed his attendance before the enquiry officers on original letter No. 668-70/PTA dated 18/03/2019, No representative of the Health Department Government of Khyber Pakhtunkhwa joined the proceeding. The enquiry officers postponed the proceedings for 01/04/2019 at 2:00 PM and informed the accused accordingly with the directions to submit Para-wise reply of the charge sheet & to provide the relevant record /documents on the next date fixed. Accordingly letter/notice also issued. Vide No. 701-03/PTA dated 25/03/2019 with endorsement to the concerned. He provided his statement & photo-state copies of partially record.	Mr. Ahmad Kamal Secretary PTA
05/04/2019	In this regard a letter No. 852-53/PTA also issued to the Section Officer (III) Government of Khyber Pakhtunkhwa Health Department for extension of the enquiry period.	
08/04/2019	Another letter No. 857-60/PTA issued to the Provincial Ombudsman Khyber Pakhtunkhwa Peshawar and Dean Khyber Medical College Peshawar to depute their representatives for joining the proceeding.	
09/04/2019	Beside this a letter No. 865-68/PTA issued to Mr. Bilal Statistical Officer Khyber Medical College with intimation to the concerned to join the proceedings. Accordingly he joined the proceedings and provided his statement.	

19	Beyond the other correspondents letter No. 969-71/PTA was also issued to Mr. Mumtaz Ahmad (Consultant-II) Investigation Officer Provincial Ombudsman Secretariat Khyber Pakhtunkhwa Peshawar. Accordingly he provided his statement through Gmail. Mr. Sher Abdullah Admn Officer Health Department/Khyber Medical College also attended the proceedings & provided the relevant record. Mr. Fazal Khuda, Assistant (Litigation) Health Department as well as Mr. Salah ud Din, Superintendent Health Department also appeared in the proceedings & provided relevant record.	Mr. Ahmad Kamal Secretary PTA
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FINDINGS:

From the available record provided by the management of Khyber Medical College Peshawar, the Health Department and Provincial Ombudsman office, and during personal hearing of the accused, the enquiry officers are of the opinion that Mr. Awal Badshah remained wilfully absent although he states in his statement that he had suffered a road traffic accident and was absent during that period only. However, the period of absentia is much longer than the mentioned period. Moreover, the evidence provided by the Provincial Ombudsman Office shows that the act of forgery has been committed. Hence 'the Closure Findings' document issued on behalf of Provincial Ombudsman of 14.09.2017 is fake. Therefore it is recommended that the accused (Mr. Awal Badshah) may be proceeded under E & D rules 2011.


Mr. Ahmad Kamal
Secretary
Provincial Transport Authority
Khyber Pakhtunkhwa
Peshawar
Enquiry Officer-I


Dr. M. Khalil Akhter
Deputy Chief HSRU
Health Department
Government of Khyber Pakhtunkhwa
Enquiry Officer-II

Dated the Peshawar 17th January, 2020

NOTIFICATION.

No. SOH-III/8-60/2019. WHEREAS, Mr. Awal Badsha, Medical Technologist BS-17 attached to Khyber Medical College Peshawar was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges of committing fraud with government by preparing forged documents as he has forged findings drawn and signed in the name of Provincial Ombudsman through deceitful means as per inquiry report & recommendations of Provincial Ombudsman.

AND WHEREAS, he remained absent from duty w.e.f 26.11.2013 to 01.07.2015 & 14.07.2015 to 06.06.2016 as per inquiry report of Khyber Medical College, Peshawar.

AND WHEREAS, he has drawn salary/arrear from government exchequer on the basis of forged inquiry report/findings in the name of Provincial Ombudsman, Khyber Pakhtunkhwa.

AND WHEREAS, a formal enquiry was conducted under Khyber Pakhtunkhwa Govt. Servants (E&D) Rules 2011, which also concluded that the charges leveled against the above named accused stand proved.

AND WHEREAS, a show cause notice was served upon the above named accused vide Health Department letter No. SOH-3/98-60(enquiry report) dated 19-07-2019.

AND WHEREAS, the opportunity of personal hearing was also provided to the accused on 07.11.2019 in terms of Rule-15 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011.

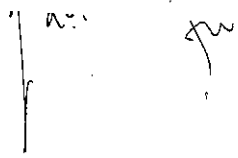
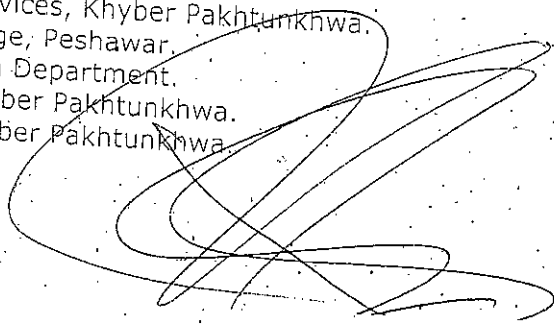
NOW THEREFORE, The Competent Authority after having examined the charges and evidence on record is pleased to impose/confirm upon him major penalty of "**Removal from Service**" under Rules-4 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

**Secretary to Govt. of Khyber Pakhtunkhwa
Health Department**

Endst. even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. Dean, Khyber Medical College, Peshawar.
4. Deputy Director (IT), Health Department.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Health, Khyber Pakhtunkhwa.
7. Officer concerned.



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re:

Service Appeal No. 8817/20

Mr Awal Badshah Khattak..... Appellant

VERSUS

The Chief Secretary of Government of KPK & 2 others..... Respondents

**WRITTEN REPLY FOR/ON BEHALF OF RESPONDENT NO. 3/ THE DEAN
KMC PESHAWAR**

Respectfully Sheweth;

Preliminary Objection

- a) That appeal as laid is bad in law and facts.
- b) That the appellant has deliberately suppressed the material facts of the case including the fact that disciplinary proceedings against the appellant was conducted by the KPK Health Department with approval of the Chief Secretary, KPK for committing fraud with Government by preparing forged documents/Judgment and signing the same in the name of Provincial Ombudsman thus, inter alia for other reasons too leading to his removal hence the appellant has not approached to the Hon'ble Tribunal with clean hands.
- c) That no grievance against the answering respondent could be agitated before this Tribunal as the answering respondent, upon attaining the knowledge of misconduct repeatedly committed by the petitioner, got fact finding inquiry conducted wherein petitioner was found involved and upon recommendations the appellant was posted to DG Health being a civil servant with statement of allegations for proper disciplinary proceedings whereafter, all charges leveled against him by Government of KPK have been proved and penalty imposed by the Competent Authority..
- d) That KMC/answering respondent only conducted fact finding inquiry upon orders of Provincial Ombudsman as appellant had produced fake Judgment and on recommendation of inquiry appellant was posted to DG Health being civil servant with this recommendation/suggestion that proper inquiry by DG Health to be conducted against the appellant by serving show cause notice and charge sheet.

Reply on facts

1. Matter of record.
2. Incorrect, False and misconceived, hence denied. It is a matter of record that disciplinary proceedings against the appellant was initiated by the KPK Health Department with approval of the Chief Secretary for committing fraud with Government by preparing and producing forged documents and signing the same in the name of Provincial Ombudsman, remaining absence from service and drawing salary on the basis of forged finding besides.
3. Matter of record yet subject to strict proof.

4 Matter of record.

5-6 Incorrect, false hence denied. Notification No. SOH-III/8-60/2013 dated: 26-11-2013 as Assistant Director (P-II) (Paramedics) was withdrawn vide Notification dated 29.11.2013 thereafter, upon not receiving any departure/arrival report the Principal KMC wrote letter to the Head Department of Community Medicine and Principal KCD for his arrival/Departure report but in response it was disclosed that appellant is not working in his respective department and thus was absent throughout. (Annexure A, A/1, B, C & C/1).

7. Incorrect, false hence denied. When no arrival/departure report has been received from the appellant side a letter dated 26-12-2014 was dispatched on his address directing him to explain his position with reasons of his willful absence however, in vain, then another letter was issued on 08.01.2015 to the appellant to report on duty within 15 days. as a result of non compliance of the said order notices were published in two leading newspaper 'Mashriq and Aaj' respectively on 01.05.2015 and 02.05.2015. Only thereafter, application was received by the appellant alongwith his medical certificate disclosing that he met an accident on 02.01.2015 and was bed ridden. Meanwhile the DG Health Service initiated inquiry regarding appellant's absence from duty through Notification No. SOH-III/8-60/2014 dated 05th October 2015. (Annexure D, E, F, F/1, G & H).

8-9 Incorrect, false hence denied. The fact remains that the appellant remained absent from his duty w.e.f 26.11.2013 and even after his first arrival report dated 02.07.2015. This information was conveyed vide letter No. 222/CM/KMC dated 26-05-2016 issued in response to letter dated 25.05.2016. Sensing the non-serious attitude of the appellant Report was made for the stoppage of salary of the appellant to the concerned official in the KTH. After this on 15.06.2016 appellant submitted his 2nd arrival report on duty without any explanation/reasons, but Principal neither posted nor adjusted him because of the appellant's negligence towards his duty. Later on he was posted to Pharmacology Department on 15.06.2016. (Annexure I, I/1, J, K, L & L/1).

10-12 In response of para 10 to 12 it is submitted that many facts has been concealed. The record confirms that the appellant approached Provincial Ombudsman Secretariat for releasing his salary, which had been stopped on 01.06.2016 till the finalization of the inquiry report being conducted by the Deputy Secretary (Drugs). However, on producing Judgment of Provincial Ombudsman dated 14.09.2017 (fake/forged) his salary was released in compliance with Provincial Ombudsman's Order. Upon receipt of compliance by KTH, the Provincial Ombudsman issued Letter dated 26.06.2018 disclosing that no such Order was issued by Provincial Ombudsman Office and therefore, disciplinary action was also on the orders by Provincial ombudsman. (Annexure M, M/1, M/2, N, N/1 & N/2).

Accordingly an inquiry was conducted whereby appellant was held guilty for producing fake Judgment of Provincial Ombudsman Secretariat for releasing of his salary. Upon the recommendations of the inquiry committee

The appellant was placed at the disposal of DG health being a civil servant.
(Annexure O)

Additionally after posting to GD health the appellant was suspended by the secretary health of KPK thereafter charge sheet was issued against the appellant by Muhammad Salim, chief secretary. Inquiry committee was constituted and relying on the finding of the inquiry committee final show cause notices was issued on 19/07/2019. And finally in the light of recommendation of inquiry major penalty of "Removal From Service" was imposed on 17.01.2020 by government of KPK health department.

(Annexure P, Q,R,S,T & u)

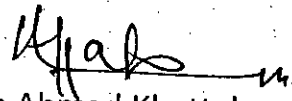
GROUNDS

- A not related to the answering respondent.
- B-C misconceived ground have been urged. Details reply already given in the proceeding paras.
- E not related to the answering respondent
- F misconceived and concocted. Already has replied in the proceeding para of facts.
- G-N it is, however reiterated as detailed, herein above that the appellant remained absent for longer periods without permissions or even intimation to the respondent. Additionally charge of forgery was also proved against him.

It is therefore prayed that on acceptance of subject reply subject appeal may kindly be dismissed.

Respondent No 3/ Dean Kmc.

Through


Aftab Ahmad Khattak

Advocate high court Peshawar

Dated: 27.7.2022

verification:

verified on oath that as per information provided by the department the content of the above written reply are true and correct.



27-7-22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 8817/2021

Mr. Awal BadshahAppellant

VERSUS

Secretary Health Government of Khyber Pakhtunkhwa Health
Department

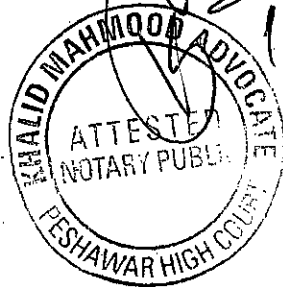
-----Respondent

AFFIDAVIT

I Muhammad Tufail Section Officer (Lit-II) govt. of Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the joint parawise comments in Service Appeal No.1685/2021 is submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.

Identified by:-

Addl: Advocate General,
Khyber Pakhtunkhwa



[Signature]
Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department

DC Appointment, 8/2/1985

14

Reference to any recorded attachment or

Page 2

Name (نام) ANAL BAD SHAH Laddak

Locality and Religion PAKISTANI & Islam
(قومیت اور مذہب)

Address (مستقل رہائش) KIRP.O. Chokora, Teh & Distt Karak

30/10/85

Father's name and residence Shah Bad Khan & viap.O Chokora, Teh & Distt Karak
(والد کا نام اور رہتہ)

Date of birth by Christian era as far as can be ascertained 14. 10. 1960
(تاریخ پیدائش مطابق من عیسوی)

Height by measurement 7 1/2
(قد و قامت)

Personal mark for identification Scar on left forehead
(لشان شناخت)

Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)
(سرحد کی صورت میں ہاتھ اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (چھٹکیا) Ring Finger (چھٹکیا کے ساتھ کی انگلی) Middle Finger (انگشت میاند)



Fore Finger (انگشت شہادت)

Thumb (انگوٹھا)

Asadullah Khan
Signature of Government servant.....
(سرکاری ملازم کے دستخط)



Signature and designation of the Head of the office, or other Attesting Officer.....
(تصدیق کنندہ افسر کے دستخط اور مہر)

Asadullah Khan
District Health Officer
Kohat

Med. B. A Examination in 2nd Division
981 vide Roll No 8132 from University
Peshawar.

Pre-medical Grad. Roll No. 2055
Session 1979.

Asadullah Khan
Signature of Head of Office

The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجات کم از کم ہالچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے ایچے تاریخ چاہئے۔ انگلیوں کے نشانات کے لئے ہر ہالچ سال کے بعد تصدیق کی ضرورت نہیں۔

2	3	4	5	6	7	8	9	10	11
Name of post درجہ ملازمت	Whether substantive or officiating and whether permanent or temporary عارضی مستقل قائم مقام	(i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو کہاں و کب تک کا مطابق پنشن کا مستحق ہے؟ تنخواہ بطور عارضی ملازمت	Pay is substantive position تنخواہ بطور عارضی ملازمت	Additional pay for officiating زائد تنخواہ بطور قائم مقام	Other emoluments (if any) under the term "pay" بجائے تنخواہ دیگر الاؤنس	Date of appointment تاریخ تقرری	Signature of Head of the Government or Government Servant attestation of items 1 to 8 دستخط حکومتی ملازم	Date of termination or appointment تاریخ اختتام ملازمت	Reason of termination (such as promotion, transfer, dismissal etc.) وجوہات اختتام ملازمت ترقی، تبادلہ یا برطرفی
		Rs.	Pi.	Rs.	Pi.				
Mr. Anwar Badshah M/Techician BHU Inderman Talab.		BPS 1029				31/12/84		3234-46	Widow
BPS 1044 (20-35440)									
M.Tech						31/12/84			82 84
Fly						31/12/84			
District Health Officer		District Health Officer							
District Health Officer 260 15765 Annex - Pt 1344 Liff of Pay follow for 3185 for to award Selection grade in BPS									

ADJ-2

1	2	3	4				9
Name of post	Whether substantive or officiating, and whether permanent or temporary	If officiating, state— (i) substantive appointment or (ii) whether service counts for position under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position		Pay in officiating position		Signature and designation of the Head of the Office or other Assessing Officer in attestation of columns 1 to 8
			Rs.	Po.	Rs.	Po.	
درجہ ملازمت	عارضی اسبجکٹ قائم مقام	اگر عارضی ہے تو کیا وہ دول کے مطابق بنسٹن کا سینئر ہے؟					دستخط انسر مجاز
Medical Technician							
700-35-1400							
Revised BPS No 11							
910-46-1830	HTG						
Medl. Technian							
BPS No 11							
(910-46-1830)							
Amal Bud Shah							
HT Tech; BPHU							
Anshu Ishel							

13

7/1988 AN

Pay 1188/- PM

31/12/1988

13	12	11	10	9
LEAVE Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is applicable to Government employees in service with another Government.	Signature of the Head of the office or other Awaiting Officer	Reason of termination (such as promotion, transfer, dismissal, etc.)	Date of termination or appointment	Signature and designation of the Head of the office or other Awaiting Officer in attention of columns 1 to 8
Reference to any recorded or unpublished or awarded or granted or Government servant.	Signature of the head of the office or other Awaiting Officer.	Period to which Government employees are entitled to leave.	Date of termination or appointment.	Signature and designation of the Head of the office or other Awaiting Officer in attention of columns 1 to 8.

Reference to any recorded or unpublished or awarded or granted or Government servant.	Signature of the head of the office or other Awaiting Officer.	Period to which Government employees are entitled to leave.	Date of termination or appointment.	Signature and designation of the Head of the office or other Awaiting Officer in attention of columns 1 to 8.
Reference to any recorded or unpublished or awarded or granted or Government servant.	Signature of the head of the office or other Awaiting Officer.	Period to which Government employees are entitled to leave.	Date of termination or appointment.	Signature and designation of the Head of the office or other Awaiting Officer in attention of columns 1 to 8.

Reference to any recorded or unpublished or awarded or granted or Government servant.

Signature of the head of the office or other Awaiting Officer.

Period to which Government employees are entitled to leave.

Date of termination or appointment.

Signature and designation of the Head of the office or other Awaiting Officer in attention of columns 1 to 8.

as a Lab. Technician vide this order
 order no. 4537-38/E-8 dated 30/7/88
 T District Head Quarter Hospital is that
 transferred for 1200 Quarter trial

M.M. M...
 M.M. M...

M.M. M...
 M.M. M...

31/12/88
 7

12/12/88
 12 PM

12/12/88
 9 PM

12/12/88
 12 PM

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12/12/88
 12 PM

1	2	3					9
Name of post	Whether substantive or officiating and whether permanent or temporary	Officiating, state - (i) substantive appointment or (ii) whether service counts for pension under rule-20 of C.S.R. (P.B.) Volume II	Pay in substantive position		Additional pay	Gratuity	Signature and designation of the Head of the office or other Authorizing Officer in attestation of columns 1 to 8
<p>شورہ ملازمت</p> <p>P.S-11.</p> <p>(910-46-1830)</p> <p>Late Tech oppy</p> <p>D.H.C.</p>	<p>عارضی مستقل</p> <p>تمام مقام</p>	<p>اگر عارضی ہے تو کیا وہ رول 20 کے مطابق پنشن کا مستحق ہے؟</p>	<p>تھووا بطور</p> <p>عارضی ملازمت</p>	<p>12</p> <p>12</p>	<p>12</p> <p>12</p>	<p>دستخط</p> <p>انسر مجاز</p>	
<p>Hospital</p>							
<p>do</p>							

Medical Superintendent
 Army Headquarters
 KARACHI

9	10	11	12	13		14
Signature and designation of the Head of the Office or other Attesting Officer to attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the Head of the office or other Attesting Officer	LEAVE Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		Reference to any recorded punishment or censure, or award or praise of the Government servant
تاریخ انصر مجاز	وجوهات انتطاع ملازمت قومی تہادہ یا برطری	دستخط انصر مجاز	دستخط انصر مجاز	Nature and duration of leave taken چار ماہ نکاحی رخصت کے لئے اوسط تنخواہ کا تین		دستخط انصر مجاز
<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	Annual		<i>[Handwritten marks]</i>
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<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	for clinician vide		<i>[Handwritten marks]</i>
<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	No. 8796-99/E-15		<i>[Handwritten marks]</i>
<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	21-12-88		<i>[Handwritten marks]</i>
<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	Reported for duty on 07-1-89 (P.N.) vide Divl. Deputy Director Health Svcs Kohat Divn. Kohat office order No. 8196-99/E-15 dated 21-12-88.		<i>[Handwritten marks]</i>
<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>	<i>[Handwritten marks]</i>		<i>[Handwritten marks]</i>

Medical Superintendent
Headquarter Hospital
PARAGHINAR

Medical Superintendent
Agency Headquarter Hospital
PARAGHINAR

07/11/89 (E.N.)

06/11/89 (A.N.)

1	2	3	4		5		6	
Name of post	Whether substantive or relieving, and whether permanent or temporary	In relation to state (i) substantive appointment or (ii) whether service counts for pension under rule 3-10 of C.S.R. (No.) Volume II	Pay in substance (Rs.)	Pay in relief (Rs.)	Pay in substance (Rs.)	Pay in relief (Rs.)	Pay in substance (Rs.)	Pay in relief (Rs.)
910-46-1830 Lali Tech (Bachchan)	ماوضی 'مستقل' قائم مقام	اگر ماوضی ہے تو کے ساتھ وہ وقت کے مطابق پنشن کا سنتی ہے؟	تعلوہ اطوار ماوضی ملازمت	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)
do	off	RS. 1232/- P.M.	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)
do	off	RS. 1232/- P.M.	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)	258 89 (FN)

Signature and designation of the Head of the office or other Attending Officer in attestation of columns 1 to 6

دستخط
انسر مجاز

Head of Office
PARACHINAR

Headquarters
PARACHINAR

9	10	11	12	13		14			
				LEAVE					
Signature and designation of the Head of the office or other Attending Officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the Head of the office or other Attending Officer	Nature and duration of leave taken	Attention of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		Signature of the head of the office or other Attending Officer	Reference to any recorded punishment or censure, or award or praise of the Government servant	
					Period	Government to which debitable			
دستخط انسر مجاز	تاریخ التطاع ملازمت	وجوہات اقتطاع ملازمت ترقی تہاد یا برطرفی	دستخط انسر مجاز	رخصت کی نوعیت و عہدہ	جار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین	Period عہدہ	Government to which debitable رہنہ ادا ہوئی	دستخط انسر مجاز	سزا یا جزا یا غیر مناسب تقرر کردی کا دہکار
	01-1-89 (FN)								Pay fixed at Rs. 1232/- P.M on the receipt of Revised Medical Report: Distt. HQ Hospital Kohat No. 1462/A, dated 30.4.89. The arrears in this connection from 01-1-89 to 31.5.89 made.
	24-8-89 (FN)								Transferred to civil Hospital Hanger, Distt. Kohat vide Divisional Deputy Director Health Service Kohat Division, Kohat Office Order No. 4961-67/E-15, dated 19-8-89

Medical Superintendent
Agency Headquarter Hospital
PARACHINAH

Medical Superintendent
Agency Headquarter Hospital
PARACHINAH
11-6-89

Medical Superintendent
Agency Headquarter Hospital
PARACHINAH

Medical Superintendent
Agency Headquarter Hospital
PARACHINAH

Arrears on account of
allowance of general duties
wef 1-1-89 to 31-5-89
amounting to Rs. 235/-

25-8-89
(FN)

Medical Superintendent
Agency Headquarter Hospital
PARACHINAH

9	10	11	12	13		14		
				LEAVE				
Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office or other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		Signature of the head of the office or other Attesting Officer	Reference to any recorded punishment or censure, or award or praise of the Government servant
					Period	Government to which debitable		
دستخط انسر مجاز	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت قوی تہادہ یا برطری	دستخط انسر مجاز	رخصت کی لوہیت و معیاد	چار ماہ تک کی رخصت کے لیے اوسط تنخواہ کا تعین	Government to which debtible گورنمنٹ جس رقم ادا ہوگی	دستخط انسر مجاز	سزا یا جزا یا غیر مناسب تعمیر کردی کا دیکھو

*Reserve duty at
... ..
31/8/89*

District Health Officer
Kohat

*Annual report
... ..
31/8/89*

District Health Officer
Kohat

*Reserve duty at
... ..
31/8/89*

District Health Officer
Kohat

District Health Officer
Kohat

*... ..
31/91
... ..
11.8.91*

*... ..
31.5.91*

... ..
... ..
... ..

11
1963
86
2049

1	2	3	4		5	6	7
Name of post	Deduction of gratuity and other allowances	If existing, station (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Rs.	Ps.	Rs.	Ps.	Remarks
BPS 116 1175-86-2565	ماوضی استلاز	اگر ماوضی سے کیا روٹول ہے ماواہی پیش کی مستحق ہے؟					1963/86 2049 192 FM
Aural Bad Shik			30				AM
Lab. Technician			1463				12/91 FM
CH - II - FM		Adverse memo from	1721				11/91 AM
			2049				12/92 FM
			2281				11/92 AM
			2135				12/73 FM
			2307				11/93 FM

Edible...
to a...
pay in...
AM
In for half a pay do 12 (1)
M D Y
11/91
11/92
12/92
11/93
for health (Kadar)

12

UNDER THE LEAVE RULES, 1955
SERVANTS WITH A MINIMUM OF 12 MONTHS' SERVICE EXCEEDING 3

75 years of attaining the age of 75/55/60 years
of coming under the Leave Rules, 1955

M. A.	LEAVE TAKEN					BALANCE ON RETURN FROM LEAVE				
	13	14	15	16	17	18	19	20	21	
	On Half Average Pay									
	<p>Just half of column 13 in (a) Certificate subject to a maximum of 12 months in terms of average pay in total service.</p> <p>Leave not for (up to a maximum of 3 months) to be wholly serviced supported by certificate of 3 months otherwise</p> <p>Total column (13 b+15 +16)</p> <p>Leave on average pay subject to a maximum of 4 1/2 months (column 7-11)</p> <p>Leave on average pay in excess of 4 1/2 months (column 7-12)</p> <p>Leave on half average pay (column 9-17)</p>									

Sanil D. D. ...
Date 22-9-91

District Health Officer
Kohat.

M	D	Y	M	D	From	To	Y	M	D	Y	M	D	Y	M	D	Y	M	D
---	---	---	---	---	------	----	---	---	---	---	---	---	---	---	---	---	---	---

11/191
Sanil D. D. ...
upto 30-11-91

11/192
Sanil D. D. ...
upto 30-11-92

11/193
Sanil D. D. ...
upto 30-11-93

District Health Officer
Kohat.

District Health Officer
Kohat.

11/193
Sanil D. D. ...
upto 30-11-93

11/193
Sanil D. D. ...
upto 30-11-93

District Health Officer
Kohat.

District Health Officer
Kohat.

Signature of D.D.O's in Service Book of Kohat District verified

Assistant Accounts Officer
C/O the District Accounts Officer
Kohat.

Accounts Officer
Kohat.

P. 11

ant:
 (service):

		LEAVE EARNED					LEAVE TAKEN					On Average Pay																		
		3	6	7	8	9	10	11																						
		On average pay at 1/12th of column 4					On half average pay at 1/12th of column 4					On average pay subject to a maximum of 42 months columns (18+5)					On average pay in excess of 42 months columns (18+19+5.7)					On half average pay Columns (20+6)					Date		Against column 7	
		Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	From	To	Y	M	D	Y	M	D	Y	M	D			
BPS-11																														
1725-116-3465																														
John P. P...																														
1725-116-3465																														
John P. P...																														
1725-116-3465																														
John P. P...																														

On Medical Certificate of ...
 In: half a pay do ...
 M D Y
 94

LEAVE ACCOUNT UNDER THE GOVERNMENT

SERVANTS WITH

14 MILITARY SERVICE EXCEEDING 3 1

38

(Age at beginning the year of 55/58/60 years)

(Year of coming under the Leave Rules, 1955)

LEAVE TAKEN					LEAVE TAKEN										BALANCE ON RETURN FROM LEAVE									
On Average Pay					On Average Pay										On Average Pay									
Date					Date					Date					Date									
Against column 7					Against column 7					Against column 7					Against column 7									
On Medical Certificate of fitness					On Medical Certificate of fitness					On Medical Certificate of fitness					On Medical Certificate of fitness									
Half of column 7 in terms of average pay in total service.					Half of column 7 in terms of average pay in total service.					Half of column 7 in terms of average pay in total service.					Half of column 7 in terms of average pay in total service.									
Terms of average pay (a)					Terms of average pay (a)					Terms of average pay (a)					Terms of average pay (a)									
In terms of half average pay double of 12 (a) (b)					In terms of half average pay double of 12 (a) (b)					In terms of half average pay double of 12 (a) (b)					In terms of half average pay double of 12 (a) (b)									
Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)					Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)					Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)					Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)									
Total columns (13 b + 15 + 16)					Total columns (13 b + 15 + 16)					Total columns (13 b + 15 + 16)					Total columns (13 b + 15 + 16)									
Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)					Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)					Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)					Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)									
Leave on average pay in excess of 4 1/2 months (columns 7-11)					Leave on average pay in excess of 4 1/2 months (columns 7-11)					Leave on average pay in excess of 4 1/2 months (columns 7-11)					Leave on average pay in excess of 4 1/2 months (columns 7-11)									
On increment					On increment					On increment					On increment									
Remarks					Remarks					Remarks					Remarks									
D	Y	M	D		From	To	Y	M	D	From	To	Y	M	D	From	To	Y	M	D	From	To	Y	M	D

Transfer to Govt. Maternity Hospital, New
 Delhi, Director General Health Services, New
 Delhi, 14418-31/E-1 dated 12/16/94

31/12/94 AM
 31/12/94 AM

Respectfully at Govt. Maternity Hospital
 New Delhi, Director General Health Services
 New Delhi, 14418-31/E-1 dated 12/16/94

Gynecologist in charge
 Govt. Maternity Hospital
 New Delhi

Gynecologist in charge
 Govt. Maternity Hospital
 New Delhi

Gynecologist in charge
 Govt. Maternity Hospital
 New Delhi

Gynecologist in charge
 Govt. Maternity Hospital
 New Delhi

31/12/94 AM
 31/12/94 AM

Annual increment allowed

Serial worked up on
 30/12/94 AM

OF LEAVE ACCOUNT UNDER THE LEAVE RULES FOR TEMPORARY SERVANTS WITH A CONTINUOUS SERVICE EXCEEDING 3 YEARS
 Date of attaining the age of 55/59/60 years
 Date of coming under the Leave Rules, 1955

LEAVE TAKEN On Average Pay				LEAVE TAKEN On Half Average Pay													BALANCE ON RETURN FROM LEAVE																				
9				10													11				12													13			
Date	Against column 7			Date	Against column 9	Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)	Total columns (13 b+15 +16)	Leave on average pay subject to a maximum of 4 1/2 months (column 7-11)	Leave on average pay in excess of 4 1/2 months (column 8-12)	Leave on half average pay (column 9-17)	REMARKS																										
	From	To	Y M D																																		

30/5/95 transferred to Govt. Maternity Hospital, Peshawar
Medical Certificate No. 1368-7/5
U/S order no. 1368-7/5
U/S order no. 1368-7/5

9/5/95
 Annual leave granted by Govt. Maternity Hospital, Peshawar.

12/5/95
 Govt. Maternity Hospital, Peshawar.

On his transfer to this institution vide D.U.S. No. 11348-50/E-1 with 14-5-95 is hereby adjusted against the vacant post of B.B. Teacher R.P. 9 WEP 15-5-95 with O.O. No. 25048-51/WEP/95 dt. 17-6-95.

Adjusted for the period from 1-5-95 to 14-5-95 in HSTH against my vacant post for the above pay scale D.U.S. No. 16610/E-1 dt. 2-5-96.

Additional Administrator Govt. Maternity Hospital, Peshawar.

Additional Administrator Govt. Maternity Hospital, Peshawar.

LEAVE ACCOUNT OF PERMANENT GOV

OF LEAVE ACCOUNT UNDER
AND GOVERNMENT SERVICE

Name of Government Servant :

Date of commencement of service :

PERIOD OF DUTY													LEAVE EARNED					LEAVE TAKEN																			
																		On Average Pay																			
													On average pay at 1/12th of column 4					On average pay at 1/12th of column 4				On average pay subject to a maximum of 4/2 months column (18+3)				On average pay in excess of 4/2 months columns (18+19+5.7)				On half average pay Columns (20+6)				Date		Against column 7	
From	To	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D			
Lab. Tech. DATE																																					
BPS-11																																					
Rs. 1725-116-3465																																					
Move-over																																					
BPS-12																																					
Rs. 1830-130-3780																																					

Against total of special Medical Certificate to a maximum of 6 months in terms of pay in total pay

Additional to Hayat Shah PESHAWAR

OF LEAVE ACCOUNT UNDER GOVERNMENT

UNDE... SERVANTS... SERVICE EXCEEDING 3 YEARS

...including the age of 55/58/60 years

...of joining under the Leave Rules, 1955

LEAVE TAKEN
On Average Pay

BALANCE ON RETURN FROM LEAVE

LEAVE TAKEN													BALANCE ON RETURN FROM LEAVE															
9							10					11	17				18			19			20			21		
On Average Pay							On Average Pay					On Average Pay	Total columns (13 b+15 +16)				Leave on average pay subject to a maximum of 4/2 months (column 7-1)			Leave on average pay in excess of 4/2 months (column 2-12)			Leave on half average pay (column 9-11)			REMARKS		
Date							Date					Date	Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate of 3 months otherwise)				Leave on average pay subject to a maximum of 4/2 months (column 7-1)			Leave on average pay in excess of 4/2 months (column 2-12)			Leave on half average pay (column 9-11)					
Against column 7							Against column 7					Against column 7																
Medical Certificate (where applicable)							Medical Certificate (where applicable)					Medical Certificate (where applicable)																
In terms of average pay (a)							In terms of average pay (a)					In terms of average pay (a)																
In terms of half average pay double of (b)							In terms of half average pay double of (b)					In terms of half average pay double of (b)																
<i>96 (A)</i>							<i>96 (A)</i>					<i>96 (A)</i>																
<i>97 (A)</i>							<i>97 (A)</i>					<i>97 (A)</i>																
<i>98 (A)</i>							<i>98 (A)</i>					<i>98 (A)</i>																
<i>99 (A)</i>							<i>99 (A)</i>					<i>99 (A)</i>																
<i>100 (A)</i>							<i>100 (A)</i>					<i>100 (A)</i>																

Medical Certificate (where applicable)

In terms of average pay (a)

In terms of half average pay double of (b)

Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate of 3 months otherwise)

Leave on average pay subject to a maximum of 4/2 months (column 7-1)

Leave on average pay in excess of 4/2 months (column 2-12)

Leave on half average pay (column 9-11)

Additional Administrator
Hayat Shahood Teaching Hospital,
PESHAWAR

Services varied for one
Date: 11-96 (A)

Additional Administrator
Hayat Shahood Teaching Hospital,
PESHAWAR

Additional Administrator
Hayat Shahood Teaching Hospital,
PESHAWAR

Additional Administrator
Hayat Shahood Teaching Hospital,
PESHAWAR

Granted promotion
from BPS-11 to BPS-12
on 1-12-97 (A) with
E.O. no 14360/HS/TA/K/AT

PDR Nil on 10/12/97

Drawn diff. of pay
R/1489/44
11/2/96 to 2/4/97

Additional Administrator
Hayat Shahood Teaching Hospital,
PESHAWAR

10/12/97

OF LEAVE ACCOUNT
AND GOVERNMENT

UNDER THE LEAVE RULES, 1955
SERVANTS WITH CONTINUOUS GOVERNMENT SERVICE EXCEEDING 3 YEARS
Date of attaining the age of 55/58/60 years
Date of coming under the Leave Rules, 1955

LEAVE TAKEN												LEAVE TAKEN												BALANCE ON RETURN FROM LEAVE																			
On Average Pay												On Half Average Pay																															
9			10			11			12			13			14			15			16			17			18			19			20			21							
On half average pay Columns (20+6)			Date			Against column 7			Date			Against column 9			Leave not due (up to a maximum of 12 months in the whole service if supported by medical certificate or 3 months otherwise)			Total columns (13+15+16)			Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)			Leave on average pay in excess of 4 1/2 months (columns 1-12)			Leave on half average pay (columns 9-17)																
In terms of average pay (a)			In terms of half average pay double of 12 (a) (b)																																								
Y	M	D	From	To	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D
												<p>Adjusted against the Payment Voucher of Lab. Tech. (18/3-9) at HMC, Peshawar vide DEPTS. NOTIF. NO. 300-301/LET dt. 5-1-98.</p>																															
												<p>Services rendered for and upto, 11-2-98 (AM)</p>																															
												<p>Additional Administrator Hayat Shahnaz Teaching Hospital, PESHAWAR</p>																															
												<p>Additional Administrator Hayat Shahnaz Teaching Hospital, PESHAWAR</p>																															
												<p>Eighty days of leave with full pay is hereby sanctioned vide this office order no 3842/HMC Dated 12/5/98 W.C. from 23.2.98 to 13.5.98</p>																															

AGM 5/55

LEAVE ACCOUNT OF PERMANENT GOVERNMENT SERVANTS UNDER THE LEAVE ACCOUNT SYSTEM OF LEAVE ACCOUNTS AND GOVERNMENT SERVANTS WITH

Name of Government Servant :

Date of commencement of service :

PERIOD OF DUTY													LEAVE EARNED			LEAVE TAKEN					On Average Pay		13					
													On average pay at 1/12th of column 4		On half average pay at 1/12th of column 4		On average pay subject to a maximum of 4 1/2 months columns (18+5)		On average pay in excess of 4 1/2 months columns (18+19+5.7)		On half average pay Columns (20+6)		Date		Against column 7			
From	To	Y	M	D	Y	M	D	Y	M	D	Y	M	D	Y	M	D	From	To	Y	M	D	Y	M	D	Y	M	D	
BPS-12		(1830-130-3780)			✓		30		11		98		✓		11		98		✓		30		11		98		✓	
BPS-072		(1850-130-3780)			✓		30		11		99		✓		11		99		✓		30		11		99		✓	

On Medical Certificate or (a) (b) In terms of half average pay double of 13 (a) (b)

On Medical Certificate or (a) (b) In terms of half average pay double of 13 (a) (b)

OF LEAVE ACCOUNT
ND GOVERNMENT

UNDER THE LEAVE RULES, 1955.

SERVANTS WITH A CONTINUOUS/TEMPORARY SERVICE EXCEEDING 3 YEARS

Date of attaining the age of 55/58/60 years

Date of coming under the Leave Rules, 1955

LEAVE TAKEN On Average Pay			LEAVE TAKEN On Half Average Pay													BALANCE ON RETURN FROM LEAVE						REMARKS
9	10		13		14		15		16		17		18		19		20		21			
	On half average pay Columns (20+6)	Date		Against column 7	13 On Medical Certificate or for On Medical Certificate or for On Medical Certificate or for	Date		Against column 9		Leave not due (up to a maximum of 12 months to the whole service if supported by medical certificate or 3 months otherwise)		Total columns (13 b+15 +16)		Leave on average pay subject to a maximum of 4 1/2 months (columns 7-11)		Leave on average pay in excess of 4 1/2 months (columns 8-12)		Leave on half average pay (columns 9-17)				
D Y M	From	To	Y M D	Y M D		Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D	Y M D			
	12				30	11														Annual Increment allowed	Service voided up to and for 30-11-98 AM	

D.M.S. (Admin):
 Hayatabad Medical Complex
 Peshawar
 30-11-2000
 D.M.S. (Admin):
 Hayatabad Medical Complex
 Peshawar
 30-11-2001

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant
	Lab: Tech			Revised Pay			
	B-13 (M.Over)			$1 \frac{12}{2000}$	R 3822/-		
	B-11 (Revised)			$1 \frac{12}{2001}$	R 6090/-		
	du			$1 \frac{12}{2002}$	R 6265/-		
	du			$1 \frac{12}{03}$	R 6440/-		
	BPS 11 2590-175-7840				Pay 6615/	$1 \frac{12}{04}$	
	BPS 11 2590-175-7840 2980-200-8980				Pay 7580/	$1 \frac{12}{05}$	

Approved
 Medical Superintendent
 Royal Adal Medical Hospital

Signature and position of the head office or other officer in station of posts 1 to 8

Date of appointment

Amends
 No 7320-

30/04

31-12

placed

DB 7
 wide 1

at 7/11
 39.65
 Fixed in All

At of 7/11
 HNo FD/PRC
 2005
 7/05

Medical Superintendent
 Royal Adal Medical Hospital

6	7	8	9	10	11	12	13		14	15	
							Leave				
Number of increment for the 'Pay'	Date of appointment	Signature of Government servant	Signature and position of the head of office or other attesting officer in relation of items 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		Signature of the head of the office or other attesting officer	Reference to a recorded punishment or censure, or reward or praise of the Government Serv
								Period	Government to which debitable		
3822/-				Announced 13-13 on 12-04 vide NO 7320-50 dated 27/5/04	B-13 on move over vide CE O/o					Serw. verified upto 30/11/2002	
6090/-											
6265/-											
6440/-											
				30/04	Allowed annual increment						Serw. verified upto 30/11/2003
12/04					Promoted to the Post of Medical Tech BPS-17. w.e.f 31-12-04 and his service is placed at the disposal of Dg HS NWFP Per vide No. 132931/MC/Adm/P/F/E1						12041/E Drawn R 12041-05 dt 31-5-04
5807/1205				dt 28-9-2005	dt 28-9-2005						Serw. verified from 1-12-2003 to 30/12/04

J. Ahmad
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.

D. (Adm.)
 Hayat Abad Medical Complex,
 Peshawar.

M. (Adm.)
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.

J. Ahmad
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.

A. H. Khan
 Dy. Officer
 NWFP
 Peshawar.

M. (Adm.)
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.

M. (Adm.)
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.

M. (Adm.)
 Medical Superintendent
 Hayat Abad Medical Complex,
 Peshawar.