

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1130/2014

Date of Institution ... 08.08.2014

Date of Decision ... 04.01.2018

Mr. Kaleem Ullah S/o Fida Muhammad R/o Village Mayar Moh Sadi Kell,  
Tehsil and District Mardan.

... (Appellant)

VERSUS

1. The Chief Executive Mardan Medical Complex, Mardan and 3 other.  
... (Respondents)

MR. REHMAN ULLAH,  
Advocate

--- For appellant.

MR. MUHAMMAD RIAZ PAINDA KHEL,  
Assistant Advocate General

--- For respondents.

BARRISTER BABAR SHAHZAD KHAN,  
Legal Advisor

--- For respondent no.1

MR. AHMAD HASSAN, ...  
MR. MUHAMMAD AMIN KHAN KUNDI ...

MEMBER(Executive)  
MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for  
the parties heard and record perused.

FACTS

2. The brief facts are that the appellant was serving as Ward Orderly (BPS-

3). That disciplinary proceedings were initiated against him and upon  
culmination he was awarded major penalty of termination from service vide  
order dated 01.02.2014. He preferred departmental appeal in which the  
punishment of termination from service was converted into removal from service  
vide impugned order 20.05.2014, against which he preferred departmental

appeal on 24.05.2014 which was not responded within stipulated period, hence the instant service appeal on 08.08.2014.

### ARGUMENTS

3. Learned counsel for the appellant argued the he was appointed as Ward Orderly (BPS-3) by the EDO(Health) Mardan on 12.08.2008. That disciplinary proceedings were initiated against him and vide impugned order dated 01.01.2014 his services were terminated. He preferred departmental appeal on 01.03.2014 which was not responded within stipulated period. Respondent no.1 realizing that impugned order was not passed under the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011 and penalty of termination was alien to the aforementioned rules so issued corrigendum on 20.05.2014 and major penalty of removal from service was imposed on the appellant. Against this order he filed departmental appeal on 24.05.2014 which was not decided by the respondents, hence the instant service appeal on 08.08.2014. Proper enquiry was under Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011 was not conducted against the appellant and opportunity of fair trial was denied to him. Learned Counsel for the appellant further contended that DHO Mardan is the competent authority for the appellant and not Chief Executive, Mardan Medical Complex. This issue has also been raised in his departmental appeal.

4. On the other hand Legal Advisor for respondent no.1 argued that the present appeal is time barred. Corrigendum issued by the respondents on 20.05.2014 does not given fresh cause of action to file appeal to the appellant against order dated 20.05.2014 as only slight correction was made in the said order. Proper enquiry was conducted and all the charges against the appellant

stood proved. Even in the past there were many complaints against the appellant regarding his misbehavior and involvement in theft cases.

5. Learned Assistant Advocate General relied on the arguments advanced by the Legal Advisor for respondents no.1.

#### CONCLUSION.

6. Careful perusal of record would reveal that respondent no.1 initiated disciplinary action against the appellant under Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 and imposed major penalty of termination from service. It is clear beyond doubt that the appellant was proceeded under a wrong law. When the respondents realized their mistake so through corrigendum dated 20.05.2014 clarified that he was proceeded under Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011 and major penalty of removal from service was imposed on him. When Legal Advisor for respondent no.1 confronted on the point that term termination from service is not included in the list of penalties given in Rule-4 of Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011 and proceedings were initiated against under Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 instead of Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011.

As the appellant was proceeded under a wrong law so entire proceedings were void ab-initio. He was unable to give any plausible explanation. He was further confronted that when corrigendum was issued by the respondents so the appellant had every right to submit appeal against that order, hence, the present appeal is not time barred. However, learned Legal Advisor conceded this fact and backtracked from his earlier statement based on para-5 of the written comments submitted by the official respondents. He was further asked to clarify

whether charge sheet and statement of allegations were served on the appellant and enquiry report annexed with the para-wise comments of the respondents was regular enquiry or a fact finding enquiry but he had no clue about the same. Prima-facie it appears that enquiry conducted by Dr. Gulab Din Khan and Mr. Gul Afsar Khan was not conducted under Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011. Learned counsel also conceded at the Bar that DHO, Mardan is the competent authority for the appellant and not the Chief Executive, Mardan Medical Complex. As Chief Executive was not the competent authority so proceedings were conducted by incompetent authority and as such are *corum non-judice* in the eyes of law.

7. As a sequel to above, the appeal is accepted and the impugned order is set aside. Respondents are directed to conduct de-novo enquiry within a period of 90 days after receipt of this Judgment. The issue of back benefits shall be subject to outcome of the de-novo proceedings. Parties are left to bear their own costs. File be consigned to the record room.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

  
(AHMAD HASSAN)  
MEMBER

ANNOUNCED  
04.01.2018

23.10.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for respondents No. 2 to 4 present. Wakalatnama on behalf of respondent No. 1 submitted in favour of Barrister Babar Shahzad Khan by his junior. He seeks adjournment for non-availability of his senior counsel. Last chance is given. To come up for arguments on 04.01.2018 before the D.B. Again counsel for respondents 1 and 2 appeared.

Member

Chairman

Order

04.01.2018

Counsel for the appellant, Asst: AG alongwith Legal Advisor for respondent no.1 present. Arguments heard and record perused.

Vide detailed judgment of today of this Tribunal placed on file, the appeal is accepted and the impugned order is set aside. Respondents are directed to conduct de-novo enquiry within a period of 90 days after receipt of this Judgment. The issue of back benefits shall be subject to outcome of the de-novo proceedings. Parties are left to bear their own costs. File be consigned to the record room.

Announced:  
04.01.2018

  
(MUHAMMAD AMIN KHAN KUNDI)  
Member

  
(AHMAD HASSAN)  
Member

09.02.2017

Clerk to counsel for the appellant and Addl: AG for respondents present. Clerk to counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.06.2017 before D.B.


  
(ASHFAQUE TAHIR)  
MEMBER

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

12.06.2017


Clerk of the counsel for appellant and ~~Ms~~ Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant Requested for adjournment. Adjourned. To come up for arguments on 20.09.2017 before D.B.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

20.09.2017

Agent to counsel for the appellant present. Learned Deputy District Attorney for the respondents present. Agent to counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 23.10.2017 before D.B.

  
Member  
(Executive)

  
Member  
(Judicial)

01.06.2016

Appellant in person Mr. Amjad Ali, Asstt. for respondents No. 1 to 3 alongwith Addl. AG for the respondents present. Written reply by respondents No. 1 to 3 already submitted. Learned Addl. AG relies on the same on behalf of respondent No. 4. The appeal is assigned to D.B for rejoinder and final hearing for 03.10.2016.

  
Chairman

03.10.2016

Since 3<sup>rd</sup> October, 2016 has been declared as public holiday on account of 1<sup>st</sup> Muharram therefore, case is adjourned for 9-2-17.

  
Reader

Appellant Deposited  
Security & Process Fee

11.11.2015

Appellant in person present. Security and process fee have not been deposited. The same be deposited within a week, where-after notices be issued to the respondents for written reply/comments for 27.1.2016 before S.B.

Member

27.1.2016

Appellant in person and Mr. Muhammad Arshed, SO alongwith Assistant AG for respondents present. Requested for adjournment. To come up for written reply/comments on 11.4.2016 before S.B.

Chairman

11.4.2016

Counsel for the appellant and Mr. Muhammad Arshad, SO alongwith Sr.GP for the respondents present. Written reply of respondents No. 1 to 3 submitted while learned Sr.GP requested on behalf of respondent No. 4. Last opportunity is granted to respondent No.4. To come up for written reply of respondent No. 4 on 01.06.2016.

Chairman




28.07.2015

Counsel for the appellant present. Learned counsel for the appellant seeks adjournment as he is to search the law regarding submission of two departmental appeals before the authority. Adjourned to 11.8.2015 before S.B.

  
Chairman

11.08.2015

Appellant in person and Assistant A.G for respondents present. Counsel for the appellant is stated busy before the august Supreme Court of Pakistan. Adjourned to 24.8.2015 before S.B.

  
Chairman

24.08.2015

Counsel for the appellant and Assistant A.G for respondents present. Learned counsel for the appellant argued that the appellant was serving as Ward Orderly (BPS-2) when terminated from service vide order dated 1.2.2014 regarding which he preferred departmental representation in which the punishment of termination from service was converted into removal from service vide impugned order dated 20.5.2014 against which the appellant preferred departmental appeal on 24.5.2014 followed by service appeal on 8.8.2014.

That the appellant was neither associated with the inquiry nor the same was conducted in the prescribed manners.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 11.11.2015 before S.B.

  
Chairman

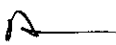
08.05.2015

Appellant with counsel and Asstt. AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned for preliminary hearing to 26.05.2015 before S.B.

  
Member

26.05.2015

Appellant in person and Asstt. AG for the respondents present. Appellant requested for adjourned due to general strike of the Bar. To come up for preliminary hearing on 02.07.2015 before S.B.

  
Member

02.07.2015

Appellant in person and Assistant A.G for respondents present. Counsel for the appellant is stated busy before the august Peshawar High Court, Peshawar. Seeks adjournment. To come up for preliminary hearing on 28.7.2015 before S.B.

  
Chairman

3.

Reader Note:

24.11.2014

No one is present on behalf of the appellant. Since the Tribunal is incomplete, therefore, case is adjourned to 16.02.2015 for the same.

  
Reader

4.

16.02.2015

Counsel for the appellant present. Preliminary arguments partly heard. Since the matter required further clarification, therefore, pre-admission notice be issued to the learned AAG/GP to assist the Tribunal on the point of maintainability with the direction to contact the respondents for submission of complete record of the appellant. To come up for preliminary hearing on 31.03.2015.

  
Member

5.

31.03.2015


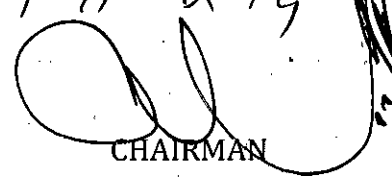
Counsel for the appellant and Asstt: AG for the respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 08.05.2015.

  
Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 1130 /2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10/09/2014	<p>The appeal of Mr. Kaleem Ullah resubmitted today by Mr. Shehryar-Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	15-9-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <del>24-11-2014</del></p> <p style="text-align: right;"> CHAIRMAN</p>


The appeal of Mr. Kaleemullah son of Fida Muhammad Ward Orderly received today i.e. on 08.08.2014 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- Copy of letter dated 3.6.2014 mentioned in para-5 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Copy of final/rejection order of departmental appeal is not attached with the appeal which may be placed on it.
- 4- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.
- 5- Annexures of the appeal may be attested.
- 6- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1188 /S.T.

Dt. 8/8 /2014.

Mr. Shehryar Khan Adv. Pesh.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

*Sir,*  
*Resubmitted after completion all objection.*  
*objection no. 3: A final order attached as Annexure E*  
*kindly case put up before the court.*

*Sir,*

The Instant appeal is again returned to the counsel for the appellant with the remarks that the observation at serial No. 2 & 3 are still stand annexure-E is corrigendum <sup>modified</sup> of the order dated 01.2.2014 not a final/rejection order of the departmental appeal, which may be removed and resubmit the same within 15 days.

*Mr. Shehryar Khan*  
*Advocate*

  
REGISTRAR

No. 1256

Dt. 28-8-2014

Respected Sir,  
It is humbly stated  
that the objection raised  
by the learned court is  
recurred by stating that  
the date 03-June-2014 is  
mistaken whereas the original  
date is 27-June-2014. <sup>point 3</sup>  
is concerned the objection  
order of departmental appeal  
has not yet  
been decided by the department.  
concerned.

Shiv Pr.  
5

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

Service Appeal No. 1130/2014

Kaleem Ullah .....(Appellant)

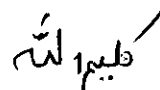
**VERSUS**

The Chief Executive Mardan Medical Complex, Mardan.

And others.....(Respondents)

**I N D E X**

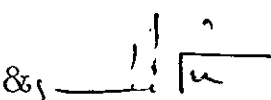
<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Service Appeal		1-6
2.	Affidavit		7
3.	Addresses of the parties		8
4.	Copy of appointment order	A	9
5.	Copy of termination order dated 01 <sup>st</sup> February 2014	B	10
6.	Copy of Departmental Appeal/ representation to D.G. Health	C	11-13
7.	Copy letter dated 21 <sup>st</sup> April 2014	D	14
8.	Copy of order dated 20 <sup>th</sup> May 2014	E	15
9.	Copy of appeal/ representation	F	16-18
10.	Copy of reply	G	19
11.	Wakalat Nama		20

  
Appellant

Through

Dated: 08/08/2014

  
**Rehman Ullah**

  
**Shehryar Khan**  
Advocates High Court,  
Peshawar.  
Cell No. 0300-9356372

①

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

Service Appeal No. 1130/2014

1059  
08/8/2014

Kaleem Ullah S/o Fida Muhammad R/o Village Mayar Moh  
Sadi Kell, Tehsil and District Mardan.....(Appellant)

**VERSUS**

1. The Chief Executive Mardan Medical Complex, Mardan.
2. Secretary Health, Khyber Pakhtunkhwa, Civil Secretariat,  
Peshawar.
3. Director General Health, Civil Secretariat, Peshawar.
4. District Health Officer, District Mardan.....(Respondents)

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, 1974, AGAINST THE**  
**ORDER OF CHIEF EXECUTIVE MRDAN MEDICAL**  
**COMPLEX VIDE ORDER NO. 3887-91/MMC**  
**DATED 20/05/2014 WHEREBY THE APPELLANT**  
**NAMELY KALEEMULLAH S/O FIDA MUHAMAMD**  
**(BPS-02) WAS REMOVED FROM SERVICE UNDER**  
**RULE 4 b (iii) OF DISCIPLINE & EFFICIENCY**  
**RULE 2011.**

Submitted to-  
filed.

Registered



**Prayer in appeal:**

(2)

*On acceptance of the present appeal, the removal order of Chief Executive Mardan Medical Complex, Mardan, dated 20<sup>th</sup> May 2014 may kindly be set aside and the appellant be reinstated into service with back service benefits.*

**Respectfully Sheweth:**

**GROUND OF APPEAL:**

1. That the appellant was appointed as Ward Orderly in Mardan Medical Complex in BPS-02 on 12<sup>th</sup> August 2008 under authority of District Health Officer, Mardan. (Copy of appointment order is attached as annexure "A").
2. That the appellant was terminated from service on 01 February 2014 vide Mardan Medical Complex order No. 874-77/MMC dated 1<sup>st</sup> February 2014 under the order of Chief Executive Mardan Medical Complex. (Copy of termination order is attached at annexure "B")
3. That the appellant submitted a departmental appeal/representation to the Director General Health, Peshawar, on 1<sup>st</sup> March 2014. (Copy attached as annexure "C"). the said appeal forwarded by Director General Health, Peshawar, to Mardan Medical Complex for comments vide their letter No. 2864/ Personal dated 21<sup>st</sup> April 2014. (Copy attached as annexure "D").

4. That later on Mardan Medical Complex modified their previous order which was implemented under a wrong and mis-concepted law of KPK Civil Servant (Appointment, Promotion and Transfers Rules) 1989 and issued fresh order bearing No. 3887-91/MMC dated 20<sup>th</sup> May 2014. (Copy attached as annexure "E") which altered the nature of case from termination to removal.
5. That a fresh appeal/ representation against that removal order of 20<sup>th</sup> May 2014 was submitted to Director General Health, Peshawar on 25<sup>th</sup> May 2014. (Copy attached as annexure "F"). which reply has been by Mardan Medical Complex to Director General Health on 27<sup>th</sup> Jun 2014. (Copy attached as annexure "G").
6. That the entire proceedings commencing from issuance of charge sheet, departmental inquiry, order of imposition of penalty, alteration of the penalty by authorized officer and final order are impugned as these are conducted under KPK Civil Servant (Appointment, Promotion & Transfer Rules) at the time when Removal from Service (Discipline & Efficiency) Rule 2011 had over-riding effect over all other laws, but departmental authorities has not kept in view that after the date of promulgation of the Discipline & Efficiency Rule 2011 all disciplinary proceedings should have been initiated under said rules. Since impugned action was initiated and taken to its logical conclusion under a misconception of law and under a wrong law, so it has vitiated entire proceeding including final order, so it is liable to be set aside.

7. That the appellant was a dutiful and punctual servant and had never absented himself from his duties without prior permission of his seniors during his five years services.
8. That the appellant was a class 4 servant on the post of Ward Orderly. He had nothing on charge to be stolen or committed to be involved in corruption. All these allegations are without proof and evidence. All these allegations are pre-planned, colluded, conscripted, fake story against the appellant.
9. That the appellant has a good moral character and there is no even a single case registered in any Police Station against him. He belongs to a respectable family. The allegation leveled against the appellant that he was involved in unethical activities is totally baseless. There is no even a single complaint registered against the appellant by any private person of any occurrence committed within the premises of Mardan Medical Complex.
10. That no opportunity of defense has been provided to the appellant and he has been deprived from his rights.
11. That neither the inquiry Committee formed nor the appellant apprised regarding the inquiry Committee nor the statement of the appellant has been recorded by the inquiry Committee and it is a mere documentary process conducted in the absence of the appellant in order to

5

remove him from his service under the conspirator of the administrative staff of Medical Complex.

12. That no notice of absence was issued to the appellant whenever he was absent from duty. In case the appellant was habitual of absence from duty then how he served in the Medical Complex for five years.
13. That the appellant had no charge of state's property i.e. Medicine Stores, Equipments and thus the involvement of appellant in corruption is mere allegation, totally wrong, fake and baseless.
14. That at the same time of collection of all these allegations exclusively seems fabricated, because no minor penalty has been imposed of the alleged offences committed in the past i.e. warning record, notice on absence from duty, stoppage of increment or deduction of salary which may be relied upon for removal of the appellant from service.
15. That apparently there seem no gross-misconduct on the part of appellant from service because there is no heinous offence on the record of appellant.
16. That the modification of order indicates that there is a clear contradiction and confusion in implementation of correct rules and regulations, due to which a wrong penalty has been imposed on the appellant.

6

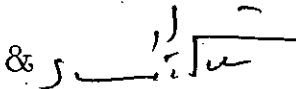
It is, therefore, humbly prayed before the Hon'ble Tribunal to set aside the removal order of Chief Executive, Mardan Medical Complex and the appellant may graciously be reinstated into service with all back benefits, please.

  
Appellant

Through

Dated: 08/08/2014

  
**Rehman Ullah**

  
**Shehryar Khan**  
Advocates High Court,  
Peshawar.

7

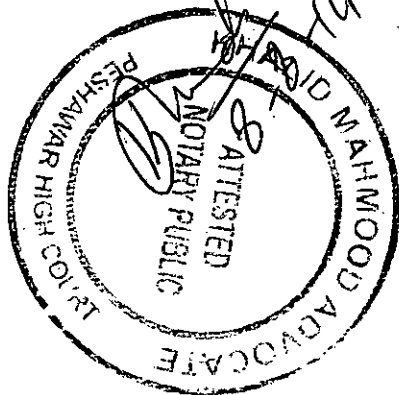
**IN THE SERVICE TRIBUNAL ,K.P.K PESHAWAR**

Service Appeal No. \_\_\_\_\_/2014

*Kaleem Ullah .....Vs- The Chief Executive Mardan & others*

**AFFIDAVIT:**

I Kaleem Ullah S/o Fida Muhammad R/o village Mayar, Mohallah Sadi Keli, Tehsil & District Mardan, do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon,ble Tribunal.



*Kaleem Ullah*  
**DEPONENT**  
16101-1859893-7

8

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

Service Appeal No. \_\_\_\_/2014

Kaleem Ullah .....(Appellant)

**VERSUS**

The Chief Executive Mardan Medical Complex, Mardan.

And others.....(Respondents)

**ADDRESSES OF THE PARTIES:**

**APPELLANT:**

Kaleem Ullah S/o Fida Muhammad R/o Village Mayar Moh  
Sadi Kell, Tehsil and District Mardan.

**RESPONDENTS:**

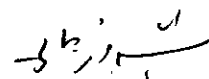
1. The Chief Executive Mardan Medical Complex, Mardan.
2. Secretary Health, Khyber Pakhtunkhwa, Civil Secretariat,  
Peshawar.
3. Director General Health, Civil Secretariat, Peshawar.
4. District Health Officer, District Mardan.

  
Appellant

Through

Dated: 08/08/2014

  
Rehman Ullah

&   
Shehryar Khan  
Advocates High Court,  
Peshawar.

(9)

Anix 'A'

OFFICE OF THE  
EXECUTIVE DISTRICT OFFICER,  
(HEALTH) MARDAN.

APPOINTMENT ORDER.

As desired by the District Nzim vide his DO No.      dated 12/8/08, Mr. Kalimullah S/O Fiad Muhammad R/O Mohalla Sadi Khel Mayar Tehsil & District Mardan is hereby appointed as Ward Orderly BPS-3 against the vacant of Dai BPS-3 plus usual allowances as admissible under the rules on the following terms and conditions:-

Terms & Condition

1. His appointment is purely on contract basis for a probation period of initially one year and is liable to terminate at any time without assigning any notice or reason.
2. His services can be dispensed with during the probation period, if his work and conduct found unsatisfactory.
3. His appointment will be subject to medical fitness and verification of character and attendance.
4. He will not be entitled to any TA/DA for Medical examination and joining the first appointment.
5. He will be governed by such Service rules and order as framed by the Government from time to time for the category of government servants to which he belongs.
6. As laid down vide Govt; of NWFP E&D Act -2 vide S&GAD Notification No. SO-6(E&AD)1-13 dated 10.08.2005 and also according to the Finance Department Notification No. 801/5-8/2006-07/FD dated 13.12.2006. he will not be entitled pension or Gratuity, however in lieu thereof, will be entitled to receive such amount contributed by him towards the contributory provident fund (CP Fund) along with the contributions made by the Govt; of his account in the said fund.
7. If he wishes to resign his service, he will submit his resignation in writing or one month salary in lieu thereof to Govt; Treasury, however he will continue to serve the Govt; till his resignation is accepted by the competent authority.

If he accepts the above-mentioned terms and conditions, he should report to the office of the undersigned for duty on his own expenses within seven days after the receipts of this letter otherwise his appointment order will be considered as cancelled.

*Sell-xxxx*  
Executive District Officer,  
(Health) Mardan.

23/8/2008

No. 12716-20 /EDO (H), Mardan dated the  
A copy is forwarded to the: -

1. District Nzim Mardan for information w/r to his DO no      dated 12/8/08
2. District Coordination Officer, Mardan.
3. District Account Officer Mardan.
4. Accountant EDO(H) Office Mardan.
- ✓ 5. Mr. Kalimullah S/O Fiad Muhammad R/O Mohalla Sadi Khel Mayar Tehsil & District Mardan  
for information and n/action.

*[Signature]*  
Executive District Officer,  
(Health) Mardan.

*Attested  
M*





Anx B

(10)

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

Dr. Zia Ul Islam  
Chief Executive

No. 874-77 /MMC  
Dated 1/2-2/91

**OFFICE ORDER.**


Mr. Kaleemullah S/o Fida Mohammad Ward Orderly BPS-02 Mardan Medical Complex, Mardan k/o Mayar Mardan was proceeded against under KPK Civil Servant (Appointment, Promotion and Transfers Rules) 1989.

2. The accused Official was found guilty of misconduct for habitual absenting himself from his official duty without prior approval of leave, late coming, without uniform, misbehaviour and illegally giving injections to the patients, found involved in unethical activities, and stolen mobile of (Mst. Salma) Charge Nurse, MMC, Mardan.

2. An inquiry committee was constituted to conduct an inquiry against the accused official. The Inquiry Committee called the accused and record his statement.

3. On completion of inquiry conducted against him, a show cause notice was issued for serving upon him wherein the accused official was given a reasonable opportunity for showing cause against the action. In response the accused official lodged an appeal, which was regretted by the authority found un-satisfactory.

4. AND NOW THEREFORE, after completion of all codal formalities, I Dr. Zia Ul Islam, Chief Executive, MMC, Teaching Hospital, Mardan being competent authority, in exercise of powers conferred upon me under Rule-04 of the said rules, am pleased to impose Major Penalty (Termination from service) upon him (Mr. Kaleemullah W/Orderly MMC, Mardan).

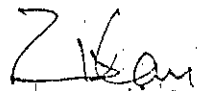
  
Chief Executive

No. 874-77 /MMC/TH  
Copy forwarded to:

1. Accounts Officer, MMC, Mardan.

2. DAO, Mardan.

3. Mr. Kaleemullah S/o Fida Mohammad Ward Orderly BPS-02 Mardan Medical Complex, Mardan R/o Mayar Mardan

  
Chief Executive

*Attested*  
*M*

To:

The Directorate General Health,  
Khyber Pakhtunkhawa, Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST THE ORDER OF  
CHIEF EXECUTIVE MARDAN MEDICAL COMPLEX  
DATED 01/02/2014 WHEREBY THE APPELLANT NAMELY  
KALIMULLAH SON OF FIDA MUHAMMAD RESIDENT OF MAYAR,  
MARDAN (BPS-02) WAS TERMINATED FROM SERVICE.

PRAYER IN APPEAL:

1. In para No.1 of the Office Order bearing No.874/77/MMC dated 01/02/2014 wherein action taken against the appellant, is irrelevant, as per law. Such like action should be initiated as provisions of Khyber Pakhtunkhawa Govt: Servant (E & D) Rules, 2011. Therefore, the order of termination is without lawful authority and may graciously be set aside abinitiously.
2. District Officer Health Mardan, issued the appellant appointment order; hence the District Health Officer, Mardan is the competent authority to terminate the appellant's services as the Chief Executive Mardan Medical Complex is not empowered to terminate the services of the appellant.
3. On acceptance of the present appeal, the order of Chief Executive Mardan Medical Complex, Mardan, may kindly be set aside and the appellant may graciously be re-instated into service with all back benefits. Moreover, any other relief which is just and proper for the appellant, which has not been specifically prayed for, may also be granted to the appellant.

RESPECTFULLY SHEWETH:

The appellant beg to submit as under:-

1. That the appellant was appointed as Orderly in BPS-2 on 12/08/2008. (Copy of order attached).

(P)

12

2. That the appellant was deputed in Mardan Medical Complex, Mardan and performing his duties punctually and regularly. The appellant has never absented himself from his duties, in case of ailment approval of Office Incharge obtained. All the allegations levelled against the appellant are baseless, without any proof and evidence. Neither the appellant was found guilty of mis-conduct nor habitually absented himself from duty, nor he has been involved in corruption or in any such type of activities. All these allegations are pre-planned, calluded, conspired, fake story against the appellant.

3. That neither the Inquiry Committee informed nor the appellant apprised regarding the Inquiry Committee nor the statement of the appellant has been recorded by the Inquiry Committee. It is a mere documentary process conducted in the absence of the appellant in order to terminate him from his service, under the conspiracy of officials.

Contd...P/3

AKS  
M

-: 3 :-

*(Handwritten mark)*

*(B)*

4. That no opportunity of defence has been provided to the appellant and has deprived him from his rights.

It is, therefore, humbly prayed that on acceptance of the present appeal, the order of termination of the appellant may kindly be set aside and the appellant may graciously be re-instated into service with all back benefits of services; pleas.

Yours Obediently,

Dated: 01/03/2014.

*كالم الله*

(KALIMULLAH )  
son of Fida Muhammad  
R/O Mayar Ex-Orderly (EPS-02)  
Mardan Medical Complex,  
Mardan.

--

*Allyea*  
*M*



(14) Annex 'D'

DIRECTORATE GENERAL HEALTH  
SERVICES, GOVT: OF KHYBER  
PUKHTUNKHWA, PESHAWAR.  
NO 2864 /PERSONNEL  
DATED 21 /04/2014.

To,

The Medical Superintendent  
MMC Mardan.

Subject: **APPEAL.**  
Dear Sir,

I am directed to refer to the subject noted above and find enclose a copy an appeal alongwith its enclosure in respect of Mr. Kalimullah S/o Fida Muhammad Ex: ward orderly attached to MMC Mardan which is self explanatory.

Please furnish your comments in this regard urgently, so as to proceed further in the matter.

1774/14  
ASSISTANT DIRECTOR (P-II)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR

*[Handwritten Signature]*

Hafiz S.M Ali Shah

*Atiqul  
M*



**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No. 3887-91/MMC

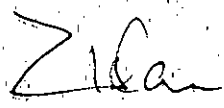
Dated 20/5/2014

OFFICE ORDER

The Office Order issued vide No. 874-77/MMC dated 01.02.2014 in r/o Mr. Kaleemullah S/o Fida Muhammad Ex- Ward Orderly BPS-02 of this hospital, is partially modified in view of the Show Cause Notice as under;

**Para 1 lines 2,3:** Proceeded against under KPK Govt. Servants (Efficiency and Discipline Rules 2011).

**Para 4 Line 4:** To impose Major Penalty of Removal from Service under Rule 4 b(iii) of the said Rules.

  
CHIEF EXECUTIVE

Copy forwarded to;

1. Director General Health Services KPK Peshawar
2. MS MMCTH Mardan
3. DAO Mardan
4. Accounts Officer MMCTH Mardan
- ~~5. Mr. Kaleemullah S/o Fida Muhammad Ex- Ward Orderly BPS-02  
R/o Mayar Mardan.~~

  
CHIEF EXECUTIVE

*Ahsan  
M*

16

Ann E'

To:

The Directorate General Health  
Khyber Pakhtunkhawa, Peshawar.

Subject:

DEPARTMENTAL APPEAL AGAINST THE ORDER OF CHIEF EXECUTIVE MARDAN MEDICAL COMPLEX VIDE ORDER NO. 3887-91/MMC DATED 20/05/2014, WHEREBY THE APPELLANT NAMELY KALIMULLAH SON OF KEDA-MUHAMMAD RESIDENT OF MAYAR, MARDAN (BPS-02) WAS REMOVED FROM SERVICE UNDER RULE 4b(iii) OF DISCIPLINARY & EFFICIENCY RULES, WHICH IS AGAINST THE LAW & FACTS AND IS LIABLE TO BE SET ASIDE.

PRAYER IN APPEAL:

On acceptance of the present appeal, the order of Chief Executive Mardan Medical Complex, Mardan dated 20/05/2014 may kindly be set aside and the appellant be re-instated into service with back service benefits.

RESPECTFULLY SHEWETH:

G R O U N D S

1. That the appellant was appointed as Ward Orderly in BPS-02 on 12/08/2008. (Copy of appointment order attached), and the appellant was deputed at Mardan Medical Complex, Mardan and was performing his duties punctually and regularly.
2. That the appellant has never absented himself from his duties, in case of ailment approval of office Incharge obtained and all the allegations, levelled against the appellant, are baseless, without any proof and evidence as neither the appellant was found guilty of mis-conduct nor habitually absented himself from his duties nor he has been involved in corruption or any any such type of activities and all these allegations are of pre-planned, colluded, conspired, fake story against the appellant.

*Justice M*

(12)

(17)

3. That under the modified order No.388-91/MMC dated 20/05/2014,whereby a major penalty of removal from service under Rule 4b(iii)of Disciplinary and Efficiency Rules,though the District Officer Health is the appointing authority and he is competent authority to remove the appellant from service on the recommendation of Chief Executive,but in the present case,the Chief Executive has exercised his powers not vested in him.
4. That neither the Inquiry Committee formed nor the appellant apprised regarding the Inquiry Committee nor the statement of the appellant has been recorded by the Inquiry Committee and it is a mere documentary process conducted in the absence of the appellant in order to terminate/<sup>him</sup>from his service under the conspiracy of the officials.
5. That no opportunity of defence has been provided to the appellant and has deprived him from his legal rights.
6. That the appellant had also submitted a humble appeal to the honorable Directorate on 1st March,2014,copy attached,against the termination order No.874-77/MMC dt.1.2.2014 and in reply to that appeal,the honorable Directorate Health Peshawar had asked comments vide letter No.2864 dated 21.4.2014. The appellant had also visited MMC time and again but no reply ~~by Director~~ in response has been made.

W. Akbar  
1/11



(18)

(18)

7.

These delaying tactics are using just to delay the proceedings and deprived the appellant from justice because there is a probability that the appellant is being entitled to the relief, as prayed for.

It is, therefore, humbly prayed that on acceptance of this <sup>fresh</sup> appeal, the latest removal order of MMC Mardan of the appellant, may please be set aside and the appellant may graciously be re-instated into service with all back benefits; please.

Yours Obediently,

Appellant

كليم الله  
KALIMULLAH

Dated: 24/05/2014.

S/O Fida Muhammad R/O Mayar, Mardan  
Ex-Orderly (BPS-02)  
Mardan Medical Complex, Mardan.

Justice  
M



1000 (19)

Annex 6

Mardan Medical Complex  
Teaching Hospital Mardan

No. 5062 /MMC

Dated, 27/6/2014

To

The Director General  
Health Services Khyber Pakhtunkhwa  
Peshawar

Sub: APPEAL

Sir,

Reference your office letter No. 4327/Personnel dated 3/6/2014, regarding subject above the reply has already been sent to your office however a photo copy is attached for ready reference.

Medical Superintendent  
MMCTH Mardan

o/c

AUSTIN  
or

20

**WAKALAT NAMA**

IN THE COURT OF Service Tribunal KHYBER PUKHTUNKHWA

In Re KALEEMULLAH

Appeal No. 1130/2014 Versus

CHIEF EXECUTIVE MARDAN MEDICAL COMPLEX etc

F.I.R.# \_\_\_\_\_ Charge U/Ss \_\_\_\_\_ P.S. \_\_\_\_\_  
Dated \_\_\_/\_\_\_/\_\_\_\_\_

Know all to whom these presents shall come that it be undersigned appoint **RAHMANULLAH Advocate High Court Peshawar** in the above mentioned case, to do all the following acts, deeds, and things or any of them, that is to say:

1. To act and plead in the above mentioned case in this court or any other court in which the same may be tried or heard in the first instance or in appeal or review or execution or in any other stage of its progress until its final decision.
2. To sign, verify and present pleadings, appeals, cross-objections, petitions for execution, review, revision, withdrawal, compromise or other Petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of said case in all its stages.
3. To withdraw or compromise in the said case or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said case.
4. To receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said case.
5. To engage any other Legal Practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate where never he may thing fit to do so.

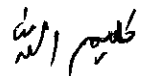
And I hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

And I hereby agree not to hold the Advocate or its substitute responsible for the result of the said case in consequence of his absence from the court when the said case is called up for hearing.

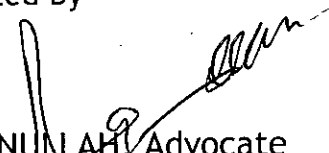
And I hereby that in the event of the whole or any part of the fee agreed by me to be paid to the Advocate remaining unpaid. He shall be entitled to withdraw from the prosecution of the said case until the same is paid.

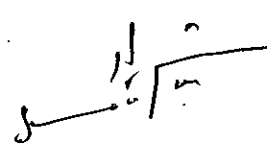
IN WITNESS WHEREOF I hereunto set my hand to these presents the contents of which have been explained to and under stood by me.

This 8 day of August 2014.

  
Signature/thumb Impression  
of Party/Parties.

Accepted By

  
RAHMANULLAH, Advocate  
Peshawar High Court, Peshawar  
Cell No. 0333-9125367



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1130/2014

Kaleemullah S/O Fida Muhammad R/O Village Mayar Mohalla Sadi Khel, Tehsil  
and District Mardan ..... (Appellant)

Versus

1. The Chief Executive, Mardan Medical Complex Mardan.
2. Secretary Health, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa.

..... (Respondents)

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDANTS NO.1 to 3

Respectfully Sheweth,

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action or locus standi to file the instant appeal.
2. That the appellant has not come to this Hon'able Tribunal with clean hands.
3. That the Respondent No.1 issued the Removal from service order vide No. 874-77/MMC dated 01.02.2014 and amended the said order vide No. 3887-91/MMC dated 20/5/2014 after completion of all codal formalities.
4. That the appeal is bad for mis-joinder and non-joinder of necessary & proper parties.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the instant appeal is barred by law.
7. That the titled appeal is time barred.

**ON FACTS:**

1. Para 1 pertains to the record, hence no comments.
2. In reply to Para 2 it is submitted that the Respondent No.1 issued the Removal from service order vide No. 874-77/MMC dated 01.02.2014 and amended the said order vide No. 3887-91/MMC dated 20/5/2014 after completion of all codal formalities already Annexed with Appeal.
3. Para 3 is subject to proof, however the departmental appeal was not only baseless but also time barred.

4. Para 4 is incorrect and denied. It is submitted that the removal from service of the appellant has been made in accordance with Law and Justice, mistakenly mentioning of wrong provision of law gives no benefit to the appellant specially when the same has later on been rectified, however regarding the removal of the appellant relevant provision of law has properly been followed without any discrimination. (Copies of both the orders are already annexed by the appellant).
5. Para 5 is denied for want of knowledge, however the referred office order dated 20.05.2014 does not give fresh cause of action to file appeal to the appellant as order dated 20.5.2014 is only the correction/ partial modification of the original order dated 01.02.2014, therefore not only the present appeal is non maintainable but the same is also time barred because the instant appeal has been preferred after six months from the date of removal order dated 01.02.2014.
6. Para 6 is incorrect and denied. Detail reply has already been given in Paras *ibid*.
7. Para No. 7 is incorrect and denied. It is submitted that the personal file of appellant is full of Explanations & inquiries and resultantly Show Cause Notice was also issued to the appellant. Apart from that, several complaints also received against the appellant during the interval of time and appellant also filed an affidavit in response to office order No. 10962-63/MMC dated 27.11.2013 to the effect that he shall perform his duties with zeal & zest in future but the record shows that the appellant later on betrayed from his affidavit. Copies of (28) Explanations (**Annexure-I**), three (3) Inquiries along with complaints (**Annexure-II to Annexure-IV**), other complaints against the appellant (**Annexure-V**), Affidavit of the appellant along with office order No. 10962-63/MMC dated 27.11.2013 (**Annexure-VI**) and Show Cause Notice (**Annexure-VII**) are enclosed.
8. Para No. 8 is incorrect and denied. It is submitted that charge against appellant was proved as abundant; evidence was recorded by inquiry committee which fully implicated the appellant in commission of the charge to offence and affidavit of the appellant (**Annexure-VI**) is evident to the same.
9. Para No. 9 is incorrect and denied. Various oral and written complaints have been filed against the appellant and enquires conducted against the appellant. Detail reply along with enclosures has already been given in Para No. 7 *ibid*.
10. Para 10 is incorrect and denied. Detail reply has already been given in Paras *ibid*.
11. Para 11 is incorrect and denied. The appellant was proposed to be removed from service by the inquiry committee after hearing both the parties, further more the appellant has given his duly signed statement to the inquiry committee which was duly recorded. Relevant record is already annexed in Para 7 above.
12. Para 12 is incorrect and denied. Detail reply has already been given in Paras *ibid*.
13. Para 13 is incorrect and denied. There are many complaints regarding appellant in which he was found physically and morally corrupt. Detail reply along with record has already been given in Paras *ibid*.
14. Para 14 is incorrect and denied. As the appellant was also previously involved in activities like theft of mobile and he was intimidated verbally for so many times to be regular but he used to continue his misbehaviors and misconducts. Detail reply along with enclosures has already been given in Para No. 7 *ibid*.

15. Para 15 is incorrect hence denied. In short spell of appellant service for less than 04-years at this hospital, he was served 28 times with explanations for habitually absenting himself from duty without intimation, application and prior approval of leave, misbehavior, coming late, without uniform and illegally giving injection to the patients. But it is very astonishing that he replied to only 4 explanations. Detail reply along with enclosures has already been given in Para No. 7 ibid.
16. Para 16 is incorrect hence denied. Detail reply has already been given in Paras ibid and proper preliminary objections have been raised.

It is therefore humbly prayed that keeping in view the above mentioned facts and record, the instant appeal may kindly be dismissed with costs throughout.

Any other relief not specifically asked for, may also be granted in favour of the respondents against the appellant in the interest of natural justice.

Dated:      / 03/ 2016.

<p>CHIEF EXECUTIVE MMCTH MARDAN</p> <p><i>[Signature]</i></p> <p>RESPONDANT NO.1</p>	<p>SECRETARY TO, GOVT: of KPK Health Deptt: Peshawar</p> <p><i>[Signature]</i></p> <p>RESPONDANT NO.2</p>	<p>DIRECTOR GENERAL Health Services KPK</p> <p><i>[Signature]</i></p> <p>RESPONDANT NO.3</p>
--	---	--

*[Handwritten Date]*  
20/03/16

**AFFIDAVIT**

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

*[Signature]*

**DEPONENT**

Annexure-I  
(28 Explanations)

OFFICE OF THE DEPUTY MEDICAL SUPERINTENDENT MEDICAL  
COMPLEX MARDAN.

No. \_\_\_\_\_ /MMC  
To;

Dated \_\_\_\_\_ /2009.

Mr. Kalan  
Send order by

Subject: - EXPLANATION  
Memo: -

It has come to the notice of the undersigned that you are absent from duty on 23/9 /2009, without any information/prior permission from the undersigned.

You are therefore directed to explain your position within 03 days, after the receipt of this letter, otherwise strict action will be taken against you.

DEPUTY MEDICAL SUPERINTENDENT  
MARDAN MEDICAL COMPLEX MARDAN

No. 3476-77 /MMC  
Copy to: -

Dated 28/9 /2009.

1. Medical Superintendent MMC Mardan.
2. Accountant MMC Mardan to stop his pay till further order.

DEPUTY MEDICAL SUPERINTENDENT  
MARDAN MEDICAL COMPLEX MARDAN

Scw  
2

9/1

2  
5

08/10/2007

TO:  
FROM:

THRU:

The Deputy Warden, Superintendent,  
Mardon Medical Complex, Mardon.

TO:

Mr. Kate Sullivan, Warden,  
Mardon Medical Complex, Mardon.

subject:-

WARRANT

TO:

Your reply of the explanation dt. 08/07/2007,  
is not satisfactory, you are warned by Warrant in future.

3647 /MNO.

Deputy Warden, Superintendent,  
Mardon Medical Complex, Mardon.

Copy to accountant MNO, Mardon do not release  
this copy till further order.

Deputy Warden, Superintendent,  
Mardon Medical Complex, Mardon.



3  
\*mirrored text\*

Handwritten signature

\*mirrored text\*

\*mirrored text\*

9998

\*mirrored text\*

\*mirrored text\*

\*mirrored text\*

\*mirrored text\*

\*mirrored text\*

8/10

\*mirrored text\*

(2)

10

10

137

NO.

/MMC,

Dated 26 1 4 2010

From,

The Deputy Medical Superintendent,  
Mardan Medical Complex, Mardan

To,

1. Mr. Fawad Ward Orderly,  
Orthopaedic & Neuro ward  
(Evening & Night)

2. Mr. ~~Moin Ali Shah~~ *Chaf*  
Ward Orderly  
ENT ward.

Subject;-

EXPLANATION.

Memo,

It has been reported by Night Supervisor that you both were absent from duty on 5/4/2010, without any information prior permission from the undersigned.

You are therefore directed to explain your position within 03 days, after the receipt of this letter, otherwise strict action will be taken against you.

*[Signature]*  
Deputy Medical Superintendent,  
Mardan Medical Complex, Mardan

NO. 1768 /MMC,

Copy to accountant to stop the pay  
till further order.

*[Signature]*  
Deputy Medical Superintendent,  
Mardan Medical Complex, Mardan.

24

Dated 16 1 dy 12010

No. 1884 /MMC,

From

The Medical Superintendent,  
Mardan Medical Complex,  
Mardan

To,

Mr. Kaleemullah Ward Orderly,  
MMC, Mardan.


Subject; -

EXPLANATION.

Memo,

It has been reported by Night supervisor that you are absent from duty on 11/4/2010, without any information/prior permission from the undersigned.

You are therefore directed to explain your position within 03 days, otherwise strict action will be taken against you.

  
Deputy Medical Superintendent,  
Mardan Medical Complex, Mardan.

NOX

/MMC,

&

(25)

19 / 5 1944

... .. Superintendent,  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..  
... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

2629-30

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

Deputy ... ..  
... ..

39

Dated 25.1.5 /2010

NO. 2731 /MMC,

From, The Deputy Medical Superintendent,  
Mardan Medical Complex, Mardan.

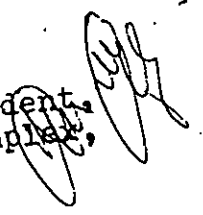
TO, 1. Mr, Amjad Ali Ward Orderly.  
2. Mr, Kalimullah Ward Orderly

Subject;- EXPLANATION.

Memo. It has been reported by Supervisor that you both were not obey the order of the supervisor & misbehaved with them, which is against the rules & regulation, & also not in your favour.

You are therefore directed to explain your position within 03 days & also attend the office of the undersigned on 26/5/2010, in the morning.

Deputy: Medical Superintendent,  
Mardan Medical Complex,  
Mardan.



NO. /MMC,

Copy to:-

Content MMC, Mardan to stop his pay till further order.  
Mardan.

33

9168

Date 08/11/2010

From,

The Deputy Medical Superintendent,  
Nayab Medical Complex,  
Nasirabad Hospital, Rawalpindi

Mr. Shaukat Ali, formerly,  
Medical Officer, Rawalpindi.

Subject:-

Medical Officer

During the round of the undersigned on  
7/11/2010 at 11:30 AM, you were found absent from duty  
without any information/prior permission from the undersigned.

You are therefore directed to explain your position  
in writing, after the receipt of this letter, otherwise strict  
action will be taken against you.

Deputy Medical Superintendent,  
NCO, Nayab Medical Complex,  
Nasirabad Hospital, Rawalpindi.

C



Dr. Qaim Shah  
Medical Superintendent

MARDAN MEDICAL COMPLEX MARDAN  
TEACHING HOSPITAL MARDAN

No. 1931 /MMC

Dated: 05/05 /2011

56/7

36

To

1. Mr. Kaleemullah W/O, MMC Mardan

Subject  
Memo

Explanation.

It has been reported by the C/N that you are continuously absent from your duties without any information/prior permission. You are directed to explain your position within 03 days for further necessary action.

Copy to:

No 1932

1. Accountant to stop his pay, MMC Mardan

Dy Medical Superintendent  
MMC Mardan.

Dy Medical Superintendent  
MMC Mardan

ofc



MARDAN MEDICAL COMPLEX MARDAN  
TEACHING HOSPITAL MARDAN

No. 1802 /MMC

Dated: 28/9 /2011

Dr. Qaim Shah  
Medical Superintendent

To

1. Mr. Kaleemullah W/O, MMC Mardan

Subject: Explanation  
Memo

You were directed many times to be in proper uniform, but during the round of the undersigned you were found without uniform! You also misbehaved with the undersigned.

You are directed to explain your position within 03 days, otherwise strict disciplinary action will be initiated against you.

Copy to:

- No. 1803*
1. Accountant MMC to stop his pay
  2. Also deduct RS. 200/- from his pay.

*8*  
Dy Medical Superintendent  
MMC Mardan

*8*  
Dy Medical Superintendent  
MMC Mardan

47

37

*02*

*01*

*etc*





Dr. Qaim Shah  
Medical Superintendent

To,

I. Mr. Kaleemullah, W/O Orthopedic Unit.

Subject:  
Memo,

Explanation.

Reference this office letter No. 1931/MMC dated 05/05/2011, you were directed to explain your position but no answer was received from you. You are once again directed to explain your position within 3 days, otherwise strict disciplinary action will be initiated against you.

10/2015

I. Accountant MMC, to stop his pay TFO.

MARDAN MEDICAL COMPLEX MARDAN  
TEACHING HOSPITAL MARDAN

No. 2014 / MMC

Dated: 09/5/2011

Dy. Medical Superintendent,  
Mardan Medical Complex,  
Teaching Hospital Mardan.

Dy. Medical Superintendent,  
Mardan Medical Complex,  
Teaching Hospital Mardan.

47

38

2

10

47

MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No 5590 /MMC

Dated 24/11/2011



Dr. Qaim Shah  
Medical Superintendent

To

1. Mr. Kaleem Ward Orderly, (Med B) MMC Mardan.
2. Mr. Rashid Ward Orderly, (Ortho) MMC Mardan.
3. Mr. Mansoor Ward Orderly, (A&E) MMC Mardan.
4. Mr. Wajid Chowkidar, (Gynae) MMC Mardan.

Subject:

Explanation

It has been reported that you all were found absent from duty on 22/11/2011 without any information/application ~~without any information/application~~ from the undersigned. This is an act of negligence on your part and not in the public interest of this hospital.

You all are directed to explain your position within 03 days after the receipt of this letter; otherwise strict disciplinary action will be initiated against you accordingly

*on*

DMS (Admin)  
Mardan Medical Complex  
Teaching Hospital Mardan.



Dr. Qaim Shah  
Medical Superintendent

**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No 485 /MMC

Dated 27-01/2012


To

1. Mr. Kaleemullah W/O, MMC Mardan.

Subject: Explanation

It has been reported to the undersigned that you are doing illegal practice of giving injection to the patients. It is not your job, and violation of rules and regulations and also creates a lot of administrative problems.

You are directed to attend the office of the undersigned on 28/01/2012 at 10:00 A.M and explain your position within 03 days; otherwise, strict action will be taken against you accordingly.

  
DMS (Admn)  
Mardan Medical Complex  
Teaching Hospital Mardan

MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No 785 MMC

Dated 17/2/2012

(5)



Dr. Qaim Shah  
Medical Superintendent

To

1. Mst Shazia Sweepress, MMC Mardan
2. Mr. Kaleem W/O, MMC Mardan

Subject

Explanation

it has come into the notice of the undersigned that on 14/02/2012 you both were found absent from your duty place without any information/ application. This is an act of negligence on your part and not in the public interest of this hospital. You are, therefore, directed to explain your position within 03 days, otherwise disciplinary action will be taken against you accordingly.

Dy Medical Superintendent  
MMCTH Mardan.

2

35



Dr. Qaim Shah  
Medical Superintendent

**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No. 1817 /MMC

Dated 10/4 /2012


To

1. Mr. Kaleem W/O, MMCTH Mardan.

Subject: Explanation

It has come into the notice of the undersigned that on 10/04/2012 you were found absent from duty without any information/application. An explanation was served upon you but no reply has been received till dated. This is against the rules and regulation and not in the public interest of this hospital.

You are finally directed to explain your position with 03 days otherwise strict disciplinary action will be initiated against you.

  
DMS (Admin)  
MMCT Mardan.

13 M. 9

57



MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

Dr. Qaim Shah  
Chief Executive

No 4787 /MMC  
Dated 6/8 /2012

To:


- 1. Mr. Kaleem W/O.

Subject: Explanation

Memo:

It has been reported to the undersigned by Mst. Muhsina Charge Nurse that you misbehaved her and call her names. This is not in the public interest of the hospital.

You are directed to attend the office of the undersigned in working hours and explain your position within 03 days otherwise strict action will be initiated against you accordingly.

  
Medical Superintendent  
MMCTH Mardan.



**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No. 7080-82 MMC

Dated: 15/11 /2012

**Dr. Rab Nawaz Khan  
Medical Superintendent**

To,

1. Mr. Kaleemullah W.O.

Subject: - EXPLANATION.

Memo: -

As reported by the Night Supervisor that you are absent from your place of duty on 14/11/2012 without application/permission.

You are directed to explain your position within 03 days: otherwise strict action will be initiated against you.

MEDICAL SUPERINTENDENT  
MMC MARDAN.

CC:

1. Accountant MMC to stop the pay of the official concerned TFO.
2. Night Supervisor MMC for information.

MEDICAL SUPERINTENDENT  
MMC MARDAN.

o/k

13  
50  
w/s  
4

MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No 8645-46/MMC

Dated 19/11/2012



Dr. Rab Nawaz  
Medical Superintendent

To:

- 1 Mr Noorullah Ward Orderly
2. Mr, Kaleemullah Ward Orderly

Subject:

EXPLANATION

Memo,

It has been reported to the undersigned that you both were found absent from duty on 16/11/12 without any information/prior permission from the undersigned, which is against the rules & regulation.

You are directed to explain your position within 03 days, for further n/action.

Medical Superintendent  
MMCT Mardan

Copy to ;

DMS A E Deptt:MMCTHMardan.





**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No 8920 /MMC

Dated 19/12 /2012

Dr. Rab Nawaz Khan  
Medical Superintendent

To

1. Mr. Riaz OT Attendant  
A & E department
2. Mr. Noorullah Ward Orderly  
A & E Deptt;
3. Mr. Kaleemullah Ward Orderly

Subject:- EXPLANATION

It has been reported by the undersigned that you all were absent from duty on 18/12/2012, without any information/prior permission from the undersigned, which is against the rules & regulation.

You are therefore directed to explain your position within 03 days, after the receipt of this letter, for further n/action.

Medical Superintendent,  
MMCTH Mardan



Dr. Rab Nawaz Khan  
Medical Superintendent

MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No: 14/12-14 /MMC

Date 21/2 /2013

(62) 4  
w/o  
B  
/


To

Mr, Kaleemullah Ward Boy, (Absent on 04 <sup>02</sup>/<sub>2013</sub> & 18 <sup>02</sup>/<sub>2013</sub>)  
A & E dep't :MMCH Mardan.

Subject: EXPLANATION.

Memo:

It has been reported to the undersigned that you both were absent from duty on the above mentioned dates. without any information/prior permission from the undersigned.  
You are directed to explain your position within 03 days after the receipt of this letter, for further n/action.

  
Medical Superintendent  
MMC, Teaching Hospital  
Mardan.

Copy to:-

- 1.Accounts Officer, MMCTH, Mardan o stop her pay till further order.
- 2.DMS A & E Deptt: MMCTH, Mardan.

o v l



MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No 1733-34 /MMC

Dated 4/3 /2013

65  
7

Dr. Rab Nawaz Khan  
Medical Superintendent

TO,

1. Mr. Kaleem Ward Boy A & E Dep't .Absent on 2/3/2013.
2. Miss. Muhsina Charge unit A & E dep't. 1,2,3, /3/2013.
3. Miss. Safia Shahid FMT ENT Ward (E/Night) 2/3/2013

Subject: EXPLANATION.

Memo,

It has been reported to the undersigned that you all were found absent from duty without any information./prior permission from the under

You are directed to explain your position within 03 days after the receipt of this letter, for further n/action.

Medical Superintendent  
MMCTH Mardan.

Copy to :-

1. Accounts officer ,MMCTH Mardan to stop the pay of SNo.2 till further order.



**Dr. Rab Nawaz Khan**  
**Medical Superintendent**

**MARDAN MEDICAL COMPLEX**  
**TEACHING HOSPITAL MARDAN**

No. 2031-32 / MMC

Dated: 7/3 / 2013

To,

1. Mr. Kaleem W.O A & E
2. Mr. Faqir Hussain W.O Medical-A Morning.

Subject: -  
Memo: -


**EXPLANATION.**


During the routine round of the undersigned you both were absent from your place of duty without application/information. Which is against the rules and regulation & this hospital.

You are directed to explain your position within 03 days after the receipt of this letter; otherwise strict disciplinary action will be taken against you under the rules.

CC:

1. Account officer to stop the pay of the officials concerned TFO.

  
MEDICAL SUPERINTENDENT  
MMC MARDAN.

  
MEDICAL SUPERINTENDENT



Dr. Rafiq Nawaz  
Medical Superintendent

NO 3226-71  
Dated 25.04.2013

69

5

TO,

- ✓ 1. Mr. Kaleem Ward Boy Absent on 28/3/2013.
- 2. Mr. Saleem OT Technician. Absent on 7/3/2013.

Subject: EXPLANATION.

Memo,

It has been reported to the undersigned that you were absent from duty, without any information/prior permission from the undersigned, which is against the rules & regulation

You are directed to resume your duty immediately & also explain your position within 03 days after the receipt of this letter, for further n/action.

Medical Superintendent  
MMCCH Mardan.

Copy to;

1. Nursing Superintendent MMCTH, Mardan.

812



Dr. Rab Nawaz  
Medical Superintendent

No. 3892-94 /MMC  
Dated 29/4 /2013

21  
3

To, Mr. Kaleemullah Ward Orderly  
Surgical A Unit.

Subject: Explanation

Memo.

It has come to the notice of the undersigned that you absent from duty on 29/4/2013 without any information/prior permission from the undersigned.

You are directed to explain your position within 03 days for further necessary action.

Medical Superintendent  
MMCTH Mardan

Copy to:-

1. Accounts Officer, MMCTH Mardan to stop his pay till further order & also deduct one day pay.
2. Incharge Surgical A Unit, MMCTH Mardan.

016

9  
P/28

MARDAN MEDICAL COMOLEX  
TEACHING HOSPITAL MARDAN


No. 835859/MMC  
Dated 11/09/2013

Dr. Rab Nawaz Khan  
Deputy Medical Superintendent

- 1. Miss, Firasat Dai.
- 2. Mr Riaz Ward Orderly.
- 3. Mr, Kamran OT Attendant
- 4. Mr, Kaleem Ward Boy, Surgical B

Subject: EXPLANATION  
Memo.

It has come to the notice of the undersigned that you all were found absent from duty without any information prior permission from the undersigned which is against the rules of regulation. You are directed to explain your position within 03 days after the receipt of this letter for further necessary action.

  
Deputy Medical Superintendent  
MMC TH, Mardan.

Copy to:-

- 1. Accounts Officer MMC TH to stop his pay.

*Handwritten initials*

INQUIRY REPORT.

(Annexure - II) (10 sheets)

98

1. A written complaint is submitted by Charge Nurse Salma (Pvt Rooms), against ward orderly Mr. Kaleem Ullah, as her Mobile Phone was misplaced at private rooms while performing her duty.
2. Mr. Kaleem Ullah ward orderly was found guilty in this regard with the observations of Mr. Khalid, Mr. Nasir, Mr. Murad Ali Mr. Asim and Mr. Sajjad (Ward Orderlies) that the Mobile Phone was found in the Cupboard of Mr. Kaleem Ullah.
3. The person in question was advised time and again as he was found guilty in such type of activities before to refrain himself from misconduct, ill character and malpractices.
4. He is habitual and is not in a position to change his activities.
5. He was warned to many times, but he nor improved his performance nor follow the directives of the administration.
6. His service documents were sent to DG office vide office order No. 7052 dated 19/07/2013.
7. His Personal file is full of explanations.
8. Affidavit on stamp paper was provided by him on 28/11/2013 which is more competent for dismissal of his services.
9. In light of the above facts personal file is submitted for further orders, please.

1. DMS (Admin)

11/2/13

2, Medical Superintendent.

*[Faint handwritten notes and signatures at the bottom of the page]*





**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No. 11121-22 /MMC

Dated: 07/12/2013

**Medical Superintendent**

**OFFICE ORDER.**

An inquiry committee consisting Dr.Rab Nawaz Khan DMS (Admn) and Dr.Gulab Din Medical Officer Anaesthesia is hereby constitute to look in to the complaint (Copy attached for ready reference)

The committee will probe into the matter and submit report alongwith recommendation within 03 days of the receipt of this letter proceed further as desired by the quarter concerned.

Medical Superintendent  
MMCTH Mardan.

CC:

1. Dr.Rab Nawaz Khan DMS (Admn) MMC
2. Dr.Gulab Din Khan Medical Officer Anaesthesia MMC

Medical Superintendent.

6-12-13

*(Handwritten signatures and initials)*

*(Handwritten initials)*

در دکان در در رطل اتمیلکلس پیرا ال در در دکان

100

جناب عالی!

ممدو با لہ گنرا کوش چے کیم ممدو

پیرا پیرو پیرو در دم میں ٹائٹ ڈ یوٹی ہے صبر ہمسارہ وارڈ اور دلس کلیم کئی  
 صبی ٹائٹ ڈ یوٹی صبح 3:7 اور میں سٹاف روم سے لوگس پیرا  
 صبر پیرا سٹاف روم کے لاکر میں پیرا پیرا لگا چے اور پیرا پیرا کے پیرا  
 میں پیرا جان پیرا پیرا کہ پیرا پیرا پیرا پیرا پیرا پیرا پیرا پیرا پیرا  
 ممدو پیرا پیرا میں نے کلیم سے پیرا پیرا کچ کی تو وہ سر کر پیرا

لیکن اس دوران وہ ایسی کئی آریا اور اس نے پیرا پیرا اور کئی پیرا  
 پیرا پیرا کے لاکر میں ڈکوا چے اور ڈاکو اس کا پیرا پیرا پیرا  
 حسرت ایسی کئی گیا تو ہم پیرا پیرا اور پیرا پیرا پیرا پیرا پیرا  
 کا لاکر کھولی اور پیرا پیرا لاکر میں پیرا پیرا پیرا پیرا پیرا  
 لوگوں میں وارڈ اور دلس پیرا پیرا خالدہ وایدم پیرا پیرا پیرا  
 روز نامہ علی یہ تمام پیرا اس بات کے لو اسے اور پیرا پیرا  
 گو اسے دینے کے لیے لیا پیرا

دار حج نرسس راجہ

ڈ یوٹی پیرا پیرا پیرا  
 پیرا پیرا پیرا  
 13-11-13

دار حج نرسس  
 پیرا پیرا پیرا

پیرا پیرا پیرا  
 PMA  
 پیرا پیرا پیرا  
 پیرا پیرا پیرا



MARDAN MEDICAL COMPLEX

TEACHING HOSPITAL MARDAN

701

Dr. Rab Nawaz Khan  
DMS (Admin)

No /MMC.

Date / /13

Inquiry report regarding (against Mr Kaleemullah Ward Orderly Mobile Theft case).

(MS Office Order No 11121-22 MMC dated 07/12/2013)

Charge Nurse Salma private room Night shift has submitted complaint on 06/12/2013 to MS Office that ward orderly Kaleemullah was on duty in private room night shift. He has stolen her mobile from her locker early in the morning, latter on was recovered from Mr Kaleemullah locker in chest OPD in presence of Mr Nasir Mr Sajjad Mr Asim Ward orderly and Charge Nurse Salma on the same morning, written statement of the above mentioned staff on the record.

During general survey all staffs raised negative remarks about Mr Kaleemullah and he had poor manners almost never completed his one month roster in any Department.

His personnel file is full of explanations and last issue which was very sorrowful for Surgical A unit and for the whole institution, as he was involved in sexual harassment with female candidate in Surgical A unit and he was relieved to the DGHS Peshawar KPK but due to involvement of an MPA his file return to this institution and due to weak Administration he was restated with submitting an affidavit he may be careful in future.

He is habitual, low character and poor manner worker.

Recommendation:

- 1: Keeping the above facts in view he should be terminated from services.

Dr Rab Nawaz Khan  
DMS (Admin)  
Chairman inquiry committee

Dr Gulab Din Khan  
MO Anesthesia member

*MS*  
*Proceed for termination*  
*Act 1573 (Post service)*  
*24/12/13*

*Gulab MS*

بخدمت جناب ڈاکٹر اعظم امین صاحب

102

اعظم امین می ڈی ایچ

عمر دان

جناب عالی

صورتاً نہ گزرا ہے مگر میری "کوئی" جو ہر سو سے روم

میرا عمر دان کے دوران میرے دوپٹوں میں بائبل دیکھا جس کے پاس

یا میری کوئی نہیں تھا تو وہ صورتاً ہی میرے اٹھانے اپنے پاس

لا کر میری رکھ لیا تاکہ کوئی اور جرات نہ سے عکس اسکا دیکھ کر

دیکھنے کیلئے لا کر کے پاس آ رہا تھا اس کے لئے میری عیب

مراعات نہیں کی کوئی کہ مجھے ایسا کام نہیں کرنا چاہیے تھا اور آئندہ کوئی

میرا ایسا عذر آج یا عذر نہیں کرے گا

لہذا آپ صاف صاف سے گزارش ہے کہ میری اسکا عذر دیا

معاذ اللہ کے احسان فرمائے اور میں آئندہ ایسا کام نہیں کرونگا

الوفارمی

ولیم علیہ و اولادہ لونی

2013-12-11

6-11-13

۷۶



۷۶

2 کیم صدف ایچ ایم ایچ صاحب  
مردان صدف ریل کمپنیاں بسز آل مردان

104

نہا والی!

مردانہ گزرتی ہے کیم صدف

پیر ٹیویٹ روم میں ٹائٹ ڈیوٹی ہے صدف 2 سالہ وارڈ اور ڈس کلیم کی  
ہی ٹائٹ ڈیوٹی صبح 7:30 یہ میں سٹاف روم سے نکلی صدف  
صوبائی سٹاف روم کے راکر میں پیر ایوانا صبح آئیہ سٹین کے سلسلے  
میں باہر جانا پیر میں آ کر صدف روم میں آئی تو پیر صوبائی  
صوفو دست لگا میرا کلیم سے پوچھ گچ کی تو وہ منکر گیا  
لیکن اس دوران وہ اوی ڈی آیا اور اس نے صوبائی اوی ڈی کہا  
صوبائی کے راکر میں آ گیا صدف وارڈ اور ڈس کلیم نے بیکہ کلیم  
حیث اوی ڈی لگا تھا ہم وہاں گئے اور ہم نے ہیٹ اوی ڈی  
کا راکر کوئی اٹو صوبائی راکر میں صوفو لگا وہاں صوفو  
لوگوں میں وارڈ اور ڈس کلیم، خالد، عاصم، ریاض، سیا  
رود ناصر علی بہ غلام لوگ اس باج کے گواہ ہے اور یہ لوگ  
گواہی دینے کی تیار ہیں۔

خارج نہیں سائبر

ڈیوٹی نہ ٹیویٹ روم

عصمتہ کی  
6-1-13

خارج خان  
(Photo)

MA  
PMA

عاصم آزاد  
عاصم آزاد

حضرت جناب مولانا عبدالرشید صاحب

مردان پڑھنے والے تاملین بیٹال مردان

105

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Stewart

Chips misc

S.K.M.A

10.12.2010

جناب عالی

مردانہ گرامر اس لیے کہ 13-12-6 کو

میری اس ایپوٹ اوم میں ٹائٹ ڈیوٹی لکھی تھی جسے جب میں مردانوں کو دیکھتا ہوں  
 دیکھنے لگتی ڈیوٹی اوم سے نکلتی تو میں نے اپنا جواب دیا ڈیوٹی اوم کے لاکر میں  
 اٹھا لیکن لاکر کو لاک کرنا بھول گئی تھی میرے ساتھ وارڈ ارڈی کلیم کسی کسی  
 ٹائٹ ڈیوٹی لکھی تھی پانچ منٹ بعد جب میں وہاں سے آئی اور میں نے لاکر کھولا  
 تو جواب دیا اس میں موجود نہیں کہ اس دوران صرف کلیم ڈیوٹی لکھی  
 میں آیا تھا سچے شہت ہو گیا کہ جواب دیا اس لیے پھر آیا ہے میں کلیم  
 کو ڈھونڈا لیکن وہ سچے تیارے بغیر غائب ہو گیا تھا۔ چونکہ  
 کلیم جیسٹ اوری ڈی سے پڑھا تھا اس لیے میں نے وہاں موجود  
 وارڈ ارڈی کا صہم اور پانچوں لوگوں کو لیا اور ہم تینوں صاحبیت  
 اوری ڈی لکھی ہیں نے وہاں پر موجود لوگوں سے پوچھا کہ کلیم یہاں آیا تھا  
 تو اس نے لیا کہ یہاں ہی آگے لگا دیا ہے اس لیے آگے لگا اور یہ لاکر کھولا  
 اور پھر لگا لیا وہاں پر وارڈ ارڈی میں مراد، خالد، ناصر اور سے اد  
 لکھے ہیں ان سے لیا کہ کلیم نے میرا جواب دیا ہے پھر آیا ہے اس کے بعد  
 کیا اور پھر وہ لاکر کھولا دیا اس میں میرا جواب دیا موجود تھا  
 لوگوں کی موجودگی میں میرا جواب دیا لاکر سے لیا اور  
 یہ چیزیں اس لیے ثابت ہوئی کہ لوگوں کے پاس ہے، ناصر مراد  
 خالد، عاصم، رہا میں، مراد اور یہ لوگوں کے پاس ہے، ناصر مراد  
 کسی شمار ہیں۔

خالد رشید

غریب غناب انٹرنیٹ انٹرنیٹ mmc مراد

Cart Statement (2) 11/11/13 - 22/11/13  
Riyasat Muzammar  
Date 7/12/13

۱۵/۱۲/۲۰۱۳

غریب غناب گزارد میں کہ میں محمد سعید اور سعید دوست  
 سعید دو دنوں ہیٹ اوپ ڈی میرا ڈیوٹی پر موجود ہے کہ  
 ایک دن میں روٹ ہو گیا ہمارے OPD میں دو مسافروں کے ساتھ  
 آئے اور اپنے بیک کہ میرا موبائل حکیم نے چھوری کیا ہے اور  
 حکیم نے بتایا کہ حکیم نے میرا موبائل ہیٹ OPD کہ لاکہ  
 میں چھریا ہے اس وقت حکیم موجود نہیں تھا تو حکیم نے حضور  
 سے حکیم کا لاکہ نہیں دیا اور اس سے فرس جا  
 موبائل پر مد ہو گیا اس وقت حکیم نے اس سے لاکہ کو ایسا کہ  
 میرا دن ۲ حکیم کے ڈیوٹی ہمارے ساتھ ہیٹ اوپ ڈی  
 میں ہیٹ اس کے پاس آگے جا گیا اس کے پاس ہیٹ  
 حالانکہ اس کے ڈیوٹی پر اس وقت نہ تھا اس وقت میرا  
 چنگ ہو گیا تھا میرا اس کے ہیٹ اوپ ڈی کا جا گیا ہے  
 اس کے پاس ہیٹ اور ہمارے خواہے نہیں کیا تھا

مراد وارد لوگ mmc

محمد سعید ایسٹ mmc

*(Signature)*

*(Signature)*

12/12/13 9:55 AM

101

مخدوم صاحب اشع الہدیٰ درویشی ایچ ایم سی سردان پور

عینا جہاں

موردیاتیہ پراشس پور کم وندہ اپنی تیزی مہیرا کرنے کی

عرفان سے پراشس پور روم لیا ہوا تھا وہاں پر موجود تھا

تیزی پر ماہور ریلوے ریسٹ ہاؤس، وارڈ اردنی، سہا کو اپنی ڈیوٹی

تبدیل کرنا چاہتا تھا۔ اسی اقتدار کا دفتر پر کھڑے تھے کہ ایک دن

وارڈ اردنی کمرے سے نکلا۔ امر باہمی نہ لگی اور کسی دوسرے

کے ساتھ کسی اور جوتھے سے اس وقت وہاں اپنا بیوی بچہ

بزرگھو یا کھی آئی اور اس نے بہت بچھڑا اور کہا کہ میرا بیوی بچہ

میں جھوٹا ہے ہر قسم کی تامل کی اور اس کی راہنمائی کر لیا اور وہ

۴ اوپی ڈی کی بننے کو وہاں باہمی کی رہنمائی کی اور وہ اس کے ساتھ

بڑھ کر اور اس کے اپنے بیوی بچہ کو لے کر آیا چھوٹے اوپی ڈی کے

شکر

الطاف

عالم

امیر عالم قاری

13/12/10



According to all Connected Staff in this Postmaster Case (Mobile Theft Case)

Mr Kaleemullah is a low / poor manner

worker and he is Proven case of (Mobile Theft)

depo as complainant and other mentioned staff in complaint received Locker not OPD.

Although other staff of MMCC raised negative remarks about Kaleemullah <sup>dir general survey</sup>

His personal file is loaded & explanation and also once relieved to DG Health as he involved in Sexual harassment when he was on duty in Surgical (A) Unit.

Recommendation

- (1) Dismiss from Service Please
- (2) Deduct all increments and Staff his Salary immediately
- (3) Relieve (if ever not to come in Distt Mwdan) to DG Office

D. Gulab Singh

16.12.2017

OFFICE NOTE

SUB: (INQUIRY REPORT IN RESPECT OF MR. KALEEMULLAH W/BOY.

PUC is a revised inquiry report in respect of the above named official.

As stated by the Inquiry Committee, the accused as well as the applicant along with his wife were called and their statements were obtained. (copies of their statement are attached).

As per inquiry report, the accused Mr. Kaleemullah ward orderly is not a willing worker. He has an aggressive and rude behaviour towards his seniors and general masses as well. In light of the documentary proofs on record, his conduct seems prejudicial to good order or service discipline. Moreover, his personal file is full of explanations.

The inquiry committee recommended the following penalties

- 1) Major penalty (Removal from service)
- 2) withhold his annual increments for maximum period of 03 years
- 3) To be relieved and place his services at the disposal of DGHS Peshawar to post him out of District.

Submitted for imposing penalties one or all as recommended by the Inquiry Committee or otherwise please.

*[Signature]*  
DMS(Admn)

M.S. *[Signature]*

*With hold Annual increment for 03 years  
POSTED on Admin. Shariat  
on 22/5/2013  
at the disposal of DG-HW*

C.E.

*[Signature]*

Admn. Officer  
22/5/2013

DISCLOSED ENQUIRY REPORT IN R/O MR. KALEEMULLAH WARD ORDERLY  
MMC MARDAN

Introduction

The competent authority remanded the inquiry report with the remarks to review in all respects and submit a consolidated report. Consequently, the accused as well as applicant alongwith his wife were called and their statements were obtained. (Enclosed as Annex-I,II). Moreover previous service record of the accused was also examined from his personal file. (A summarized list enclosed for ready reference as Annex-III).

Findings

After going through the statements as well as documentary proofs on record. It proves that the accused (Mr. Kaleemullah ward orderly) is not a willing worker. He has an aggressive and rude behavior towards his seniors and general masses as well. Thus he unbecoming a Govt. servant and a gentle man. His conduct seems prejudicial to good order or service discipline.

Moreover, during his short spell of service for less than 04-years at this hospital, he was served with 27 (Twenty seven) times with explanation for habitually absenting himself from duty without intimation, application and prior approval of leave, misbehavior, coming late, without uniform and illegally giving injection to the patients. But <sup>it</sup> is very astonishing to notice that all most all the time (Except 04), he did not bother to submit his reply in order to clarify the position.

Contd: P/2

Recommendations

Keeping in view the existing situation and over all performance of Mr. Kaleemullah ward orderly. His services are not tolerable in a hospital set up. Thus it is recommended that;

- 1. He may be removed from his services in the larger interest of public  
OR
- 2. Withhold his annual increments for maximum period of 03-years, relieve from services and placed at the disposal of DGHS Peshawar with the request to post him out of District Mardan permanently.

Submitted please.

*[Signature]*

17/5/2013

1. Dr. Gulab Din Khan  
DMS (OT)  
(Chairman Enquiry Committee)

*[Signature]*

17/05/2013

2. Mr. Gul Afsar Khan  
Warden/DMS (M)  
(Enquiry Officer)

MS (MMC)  
Chief Executive

*Re. Enquiry Report  
24/5/13*

*office  
to 166me  
and also  
within  
show cause - along with  
charges for  
major penal  
personal hearing  
stripped time (02 dr  
of dr*

خدمت جناب ایم ایس صاحب ایم ایم سٹیسم دان

کراچی (پندرہ دسمبر ۱۹۶۰ء) ۱۳/۱۲/۵۱ (۱۳)

صاحب عالی

موردیاً تمہارا نشانہ ہے کہ بدھوے دن میں نے وارد اسے

یوں تو یہاں لیا نامہ ڈاکٹر صاحبان اور ڈاکٹر میں اسے در اس زمانہ  
ڈاکٹر بعد سے ایک لڑکی نے باہر ایک لم لڑکی کو مرنا ملنے ذریعے ایم ایم

لیا کہ رازداری کے بعد تم ضرور وارد اعلان کھم اپنے نصیب ایک لمحہ میں  
نہ اسلئے یہ ایم ایم اس لم لڑکی کے مجھے دیکھا اس وقت سے

یہ نے اس لم لڑکی کو اندر جانے سے روک لیا اس کے بعد لم لڑکی غل خانے  
میں ڈاکٹر کے وہاں سے اشارہ کیا اور کیا کہ آپ یہاں تک شہ قاضی

میں نے وارد لڑکی ایک سو ڈاکٹر کا دل کو بیچا غل خانے کی طرف ہے دیکھو  
یہاں در سے کیا کرتے ہیں اس کے بعد میں نے مر لڑکی کو بتایا کہ یہ

اپنے گھر میں یہ وارد ہے اور یہاں تک توگ آتے جاتے ہیں اور یہ  
یارانہ کی حکم میں ہے اس کے بعد ایک سو ڈاکٹر حریف کو اجلاس لگانے لیا

اس نے حریف نے در کے اندر سے لڑکیا لم لڑکی کا حوالہ ہے اس کے بعد نے حریف  
میں کیسے کہ "علا سوری ہے اور پاشی تارہ ہے" اس نے لیا تم میں کچھ

سمجھا لیا ہے اس نے بتایا کہ اس کے آپ نے اس کی ہے اس نے بتایا کہ  
نہا میں نے بتایا ہے کہ اس نے سمجھا لیا کہ اس کی تالی سول ہے

یہاں سے سو ڈاکٹر نے لیا کہ اس کو گناہ نہیں ہے

حلیہ بیان برائے زکوة لکھنوی

صالح رحمان ولد غنی الرحمن سکنہ علیہ دلفیبر محلہ مغزیف اکانو

فناں علی

موجودہ بابت گزارش ہے کہ مورخ 2013-5-8 کو سر فصل وارد

میں سیری والہ صلیبہ داخل تھی۔ ان کے ساتھ سیری سوری بیمار کے لئے

تھی۔ جس کا وقت ڈاکٹر صاحب راؤ نے لیا ہے۔ ان میں وارد سے باہر

آ گیا۔ اس دوران سیری سوری نے بھی جانے لائے تھے لہذا کبہ تین میں نہ

سمجھو سکا تو اس نے بھی دوسری بنا کہ باہر آ رہا کہ کھرا کہ گھر آئے تھے

کہیا اور میں وہاں گیا تو اس نے بھی جانے لائے تھے۔ اسی دوران وارد میں

کھلا کھلی تھی وارد اور ان کے سیری سوری سے برقی سیری گا اور اس کا کہ

یہاں اپنی فتح کو فریشت نہیں ملی گا۔ پھر سیری سوری کو اس دوران دوسرے کمرے میں

آئے تھے۔ پھر وہ کھیم وارد میں آ گیا اور سیری سوری کے ساتھ ڈاکٹر صاحب

نہ آئے تھے وہ دوا کی کھینچا ہے۔ سیری سوری نے کہا کہ تمہارا بیماری دوا میں

ہے کیا ہے۔ تو اسی نے پھر برقی سیری گا اور سیری سوری سے کہنے لگا کہ "تمہاری کھینچ

کیسے دوا ہے تمہارا سارا از میں لوگوں کو بتا دوں گا" اور دھک دیا اور نمان میں

پہرے میں کسی نے کیا تو میں تمہارا سارا از میں لوگوں کو بتا دوں گا۔

اس پورے حصے سے انہماں سے پتہ نہ ملتا ہے اس درخواست پر  
 ہمیں روزانہ غور فرمانہ ہمیں الفیاض دلائی اور اس طرح نامہ شخص  
 کو اس ہسپتال سے تفریق نہ ہو اور لوگوں کی حالت زار پر جامع  
 فرمانہ مشورہ فرماویں۔

صالح گھان

صالح المرغان ولد غنی المرغان

سلیمنہ گلہ و الطیر محلہ سترک آباد

موبائل نمبر = 4698551-0344

سداہی

سداہی زوجہ صالح

15.5.2013



(Annexure-IV)

2 sheets

73

**MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN**

No 5176 /MMC.  
Date 13/5/2013

**INQUIRY REPORT:**

SDH

An application launched by Mr. Salih ul Rehman (Husband of patient Zartaja bed No 9 Female Surgical A admission No 1016-38 cell No 0344-4698551) to Medical Superintendent MMC Mardan dated 8/5/2013 self explanatory against Mr Kaleem ward orderly Surgical A unit MMC Mardan to probe into the matter and to submit inquiry report. Inquiry report regarding Mr Kaleem ward orderly Surgical A unit is available for ready reference.

After reading the complaint we conduct thorough survey regarding Mr Kaleem ward orderly, we astonished that right from head of the Department, Charge Nurses, Supervisors and other auxiliary staff brought 100% negative remarks against the said official. Unit Head of the Department, Junior Registrar and all Doctors, and co-members of the unit raised negative remarks (Bad character) against Mr Kaleem ward orderly. According Supervisors since day first of his appointment he is not interest in his duty and many times has been changed from one unit another unit due to sexual harassment of female attendant and female patients. He is habitually late comer and most of the time busy in mobile hand free during duty hours, not obey and respect his seniors.

**Recommendations:**

- 1: Mr Kaleem ward orderly is not fit for continuation his Job in Health sector.
- 2: His behavior to his seniors and patients is very bad all the time and his duty Performance is not upto the mark.
- 3: He may be relieved immediately at the disposal of Director General Health services Peshawar KPK.

Forwarded to  
C.E. & Renewably  
that he may be relieved  
from MMC at the disposal  
of DGHS, Pesh.

Inquiry officer  
MMCTH Mardan

1: [Signature] 9/5/2013

2: [Signature] 13/5/2013

ms. [Signature]  
Newly  
inquiry  
all submitted  
[Signature] (P.T.O)



گرفتہ ہر ایک ہیریکل کے لئے

ہیریکل کے لئے

گزارش ہے۔ گاھی کو ہمارے لئے

ہیریکل A وارد ہیریکل 9 میں ہے۔ اس کے

لیڈری ہیریکل کے لئے 8 (5) کو ارد

تے ہمارے لئے کے لئے دو

کی

ہیریکل کے لئے اس کے لئے

0344-4698551

صالح الرحمن

8-5-2013

or  
requiring  
Fulab-Dur  
Afsar.

Annexure V  
4 Sheets

64

No: 266 A&E Deptt:

Dated: 04/03/2013

To

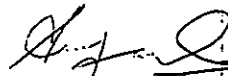
The Medical Superintendent,  
Mardan Medical Complex  
Teaching Hospital Mardan.

Subject: COMPLAINT.


R/sir,

It is to inform you that Mr. Kaleem Ullah (Ward Boy) A&E Deptt: (Evening /Night) shift is not doing his duty properly & habitual late coming and absentees, which is not in the public interest as well as hospital. Disciplinary action should be initiated against the official concern.

Yours Sincerely



Dr. Amjad Ali (DMS) 4/3/2013  
Accident & Emergency Deptt:  
MMCTH, Mardan.

Call Enquiries  


Copy to:

1. Chief Executive MMCTH, Mardan.
2. DMS (Evening /Night) MMCTH Mardan.
3. RMO MMCTH, Mardan.

268

63

Dated: 06/02/2013

250 A&E Deptt:

To

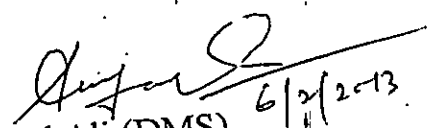
✓ The Medical Superintendent,  
Mardan Medical Complex,  
Teaching Hospital Mardan.

Subject: COMPLAINT.

R/sir,


With respect it is stated that Mr. Kaleem Ullah (Ward Boy) A&E Deptt:  
(Evening /Night shift) was absent from duty on dated: 04-02-2013.  
He is habitual of absentees despite of repeated warnings he is exercising this  
persistently.  
So it is requested to take stern action against the official mentioned above.

Yours Sincerely

  
Dr. Amjad Ali (DMS) 6/2/13  
Accident & Emergency Deptt:  
MMCTH, Mardan.

Copy to:

1. Chief Executive MMCTH, Mardan.
2. DMS (Evening /Night) MMCTH, Mardan.

*Call Ex. Director  
to stop the pay.*  


کریسٹیاں - BEMS - MMC مردان

53

Complaint Against clergy

مردان

انسانی مورمان گزراشیج کیم عمل 30-5 کو سے اپنی ڈیوٹی پر تھی  
اس دوران وارد اردنی حکیم نے میرے ساتھ انسانی  
بدعنوانی کا مالک دی اور دھکی دی کہ الہ آباد کو وارد  
سے نکال دیا گیا۔

صاف علی

اسلام جوہر اردنی آئے روز میرے لئے ذمہ تلفی مابعد  
تین سال تک۔

آج کل جب میرے شوہر آئے اور وہاں گیا تو حکیم  
نے پورے وارد میں بغاوت کو آگیا اور میرے لہروں اور رن کے  
Attendent کے ساتھ جو عہدہ قسم کا مالک اس دھکی دیا  
اور مجھے لوٹوں کے ساتھ برہنہ کرنے کا کوٹیشن کی

لکھنا آتے تھے تڑپتے تھے اس غلطی کی بیٹ، نا اہل، عام جوہر  
اور برادر دار انسان کو جوہر اور پھر سمیت سے سمیت  
سزا دے گا۔ جو اہل ہے کہ میری شہزادی کی ہے اور جو وہ  
تعلیم کے لئے اس کا کوٹیشن کو مرادوا لیا گیا ہے۔

Call Explanation  
to office  
in person  
P.S.

انگارہ

حکیم علی

of/ MMC

04.08.12

تذکرہ: اعلیٰ درجہ کے افسران کے لئے

کامیابی

دورانِ سفر میں کامیابی - 2 - 29 جولائی 13

میں کامیابی - 29 جولائی 13

جو کہ ختم ہو گیا ہے۔ لہذا آپ کو اس سے الگ کر دیا گیا ہے۔

اس کے ساتھ ساتھ دیگر کاموں کو بھی دیکھا گیا ہے۔

تاکہ وہ سب کامیاب ہو سکیں۔

تشریح

29/4/13

Forwarded to  
DMS for necessary  
action pt.

29/4/13

Deduction day pay  
Call Explanation  
& Stop Pay  
Recommendation  
of The Army

29/4/13

التفات

تذکرہ: اعلیٰ درجہ کے افسران کے لئے





Dr. Abdul Aziz zia  
Medical Superintendent

Mardan Medical Complex Mardan.

NO 10962-63MMC,  
Dated, 27/11/2013

97

TO,

Mr., Kaleemullah Ward Orderly.

Subject;- AFFIDIVATE.

Memo,

You are directed to provide an affidavit on stamp paper for the office record containing that you will not violate Rules & Regulations. In future, if you found guilty, no excuse will be accepted and you will be dealt according to the Rules & Regulations.

*Mans*  
Medical Superintendent,  
MMCTH Mardan

Copy to:

R.M.O. MMCTH Mardan

OK



(Annexure-VII)  
MARDAN MEDICAL COMPLEX  
TEACHING HOSPITAL MARDAN

No. 658 /MMC

Date: 24/11 /2014

SHOW CAUSE NOTICE

I Prof. Dr. Ziaul Islam Chief Executive Mardan Medical Complex Teaching Hospital Mardan, as competent authority, under the Khyber Pakhtunkhwa Govt Servants (Efficiency and Discipline) Rules 2011, do hereby serve you, Mr. Kaleemullah Ward Orderly BPS-02, as follows;

1. (i) That consequent upon the Completion of Inquiry conducted against you by the Inquiry Committee. You were heard in person as well as written statement has also been obtained. You have found guilty of misconduct as such you have stolen mobile of Mst. Salma Charge Nurse which was later on recovered from your locker at chest OPD in the presence of Mr. Nasir, Mr Sajid and Mr. Asim Ward orderly.

Moreover your previous service record depicts that you are not a welling worker. As in short spell of service, you have been served with 28<sup>th</sup> time explanations for habitually absenting yourself from duty without prior approval of leave, late coming, without uniform, misbehaved and illegal giving injections to the patients. Recently being involved in an unethical activity, your services were relieved to DGHS Peshawar, with held 03-increments as well. Later on submitted an affidavit wherein you have affirmed not to repeat such mal practices in future but all in vain.

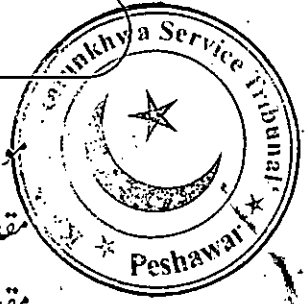
- ii. On going through the findings and recommendation of the inquiry committee and the material on record.

I am satisfied that you have committed the following acts/omissions specified in Rule-3 of the said Rules;

- a. Guilty of Misconduct
  - b. In-efficient
  - c. Guilty of habitually absenting himself from duty without prior approval of leave
2. As a result thereof, I, as Competent Authority, have tentatively decided to impose upon you the penalty of Removal from Service under Rule-04 of the said Rules.
3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.
5. A copy of the findings of the inquiry committee is enclosed.

01/11  
Ziaul Islam  
(CHIEF)





مقدمہ نمبر: 11307/14  
 مقدمہ بعنوان: Kaleemullah  
 مورخہ: 2017  
 نوعیت مقدمہ:  
 مقدمہ علت نمبر:  
 جرم:



## بامث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام Restaurant کے لئے Darwish Barak Ibrahim

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر  
 ی ثالث و فیصلہ برحلف دینے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، عذر داری، درخواست زبردفعہ (2) 12  
 ض د، درخواست بمراد برآمدگی و سرسبزگی مقدمہ، درخواست بمراد منسوخی کاروائی و ڈگری یکطرفہ دائر کرنے جواب، جواب  
 الجواب وغیرہ درخواست کاروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق ذرا اس پر دستخط وغیرہ  
 کرنے کا اختیار ہوگا۔ اپیل، اپیل دراپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرنے کا بھی اختیار ہوگا۔ اور بصورت  
 ضرورت مذکورہ کے عمل یا جزوی کاروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب  
 مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداشت منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر  
 جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے استحقاق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی  
 تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا احد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ  
 پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے۔

المرقوم: 23/10/17

مقام: Peshawar کے لئے منظور ہے۔

این اس کات اینکروون ہون لہل ہک

Certified to be true copy

Advocate I.D:

Bar Council

Bar Association

Contact #: 0322 5132574

EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

Accepted by Rahim

HOSPITAL DIRECTOR  
 MICH MARDAN

مورخہ 2017ء منجانب: MMC.  
 مقدمہ بعنوان Kaleemullah. نام Health.  
 مقدمہ نمبر 11307/4. رجوعہ  
 نوعیت مقدمہ  
 مقدمہ علت نمبر مورخہ 28/10/17.  
 جرم تھانہ

23/10/17



## باعث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام ~~Perkhanor~~ کے لیے ~~Perkhanor~~ کے صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر

ی ثالث و فیصلہ برحلف دیئے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، عذر داری، درخواست زبردفعہ (2) 12 ض د، درخواست بمراد برآمدگی و سرسبزی مقدمہ، درخواست بمراد منسوخی کاروائی و ڈگری یکطرفہ دائر کرنے جواب، جواب الجواب وغیرہ درخواست کاروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق زراس پر دستخط وغیرہ کرنے کا اختیار ہوگا۔ اپیل، اپیل دراپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرنے کا بھی اختیار ہوگا۔ اور بصورت ضرورت مذکورہ کے عمل یا جزوی کاروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمدرد یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا حد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے۔

المقوم: 28/10/17

مقام: Perkhanor

کے لئے منظور ہے۔

نوٹ: اس وکالت نامہ کو ذمہ داری سے حاصل کرنا ہوگی۔

Accepted by  
Passive of Babar

INSPECTOR  
MARDAN

Advocate I.D:

Bar Council

Bar Association

Contact #: 0322-732574



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**SERVICE APPEAL NO 1130/2014**

Date \_\_\_\_\_

Kaleemullah

V/S

Deptt etc:

*Pof*  
*20-9-2017*

**Rejoinder on behalf of Appellant:-**

**Preliminary Objections:-**

1 to 07. All the Preliminary Objections are incorrect and wrong. The Appeal in hand is correct and maintainable under the law. The denial on the part of Respondents is based on malice on their part. Denied.

**On Facts:-**

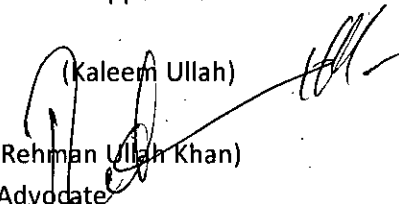
1. Para 1 pertains to the record, hence no comments.
2. Removal from service and termination from service are two different terms. The terms of termination from service has been over-riden by new rules of E&D 2011. So the departmental appeal against this wrong and misconcepted order was in pendency with higher authority, the removal order was issued by respondent no.1 on 20 May 2014. Therefore, limitation of the case starts from 20 May 2014. It was admitted by the honourable tribunal in preliminary hearing. The latest removal order has its own cause of action and required to be appealed to next higher authority just to come to light the real state of affair.
3. The departmental appeal was submitted well and time duly entertained by the higher authority and asked comments from respondent no.1 vide their letter no 2864/Personal dated 21 April 2014.
4. Incorrect. Denied.
5. Incorrect, as replied in para 2 above. Denied.
6. Final Order is the crux of inquiry proceedings. If final order is issued under a wrong and misconcepted law, the whole inquiry proceedings are liable to be vitiated.
7. Incorrect and denied. All these allegations are pre-planned, colluded and fake story. It is a mere documentary process conducted in absence of the appellant.
8. Incorrect and denied. No charge is proved against the appellant. Fraudulently the stamp paper was brought by respondent no.1 through appellant for some purpose else and later on used it against the appellant.
9. Incorrect, as replied in para 7 above, Denied.
10. Para 10 is incorrect and denied.
11. Para 11 is incorrect and denied. Only inquiry Committee is constituted in Mobile Theft Case, for other two inquiries no committee is constituted as shown from the record file.
12. Para 12 is incorrect and denied.

13. Para 13 is incorrect and denied.
14. Para 14 is incorrect and denied.
15. Para 15 is incorrect and denied.
16. Para 16 is incorrect and denied.

It is prayed that on acceptance of the captioned Appeal, setting aside the impugned order, the Appellant may be re-instated into service with costs.

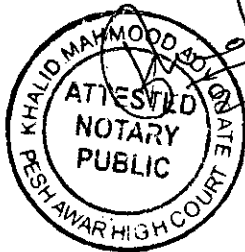
  
Appellant

Through:

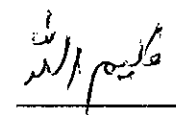
  
(Kaleem Ullah)  
(Rehman Ullah Khan)  
Advocate

**Affidavit**

I, Kaleem Ullah the Appellant, do hereby stated on solemn affirmation that the contents of the Appeal and this rejoinder are true and correct to the best of my knowledge and belief that denial on the part of respondents is incorrect and based on malice on their part.



Deponent:

  
(Kaleem Ullah)