

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No.4307 of 2020

Date of Institution ... 14/05/2020

Date of Decision ... 12/01/2022

Ms. Saleema Junaid W/o Junaid Iqbal (Ex. LHW BHU Gujar Garhi Mardan) resident of Mohallah Adam Khan, Wakeel Korona village Gujar Garhi Mardan. ... (Appellant)

VERSUS

The District Health Officer, Mardan and others.

...(Respondents)

Present.

Mr. Adam Khan, Advocate ... For appellant.

Mr. Muhammad Adeel Butt,
Addl: Advocate General, ... For respondents.

MR AHMAD SULTAN TAREEN ... CHAIRMAN
MR. Atiq-ur-Rehman Wazir, ... MEMBER(E)

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN:- Through the above titled appeal described in the heading and one other appeal as enclosed in brackets-(Appeal No. 4920/2020 titled "Ms. Shah Naz Begum Vs. DHO Mardan & others) the jurisdiction of this Tribunal has been invoked by the appellants with the prayer as copied below:-

“On acceptance of the instant service appeal, setting aside the impugned order, the Appellant may be reinstated in service with back service benefits and also with costs of this Appeal”

2. The factual account as deducible from the Memo. of Appeal and copies of supporting documents annexed therewith is that the appellant was employed as LHW vide endorsement No.10306-07 dated 20.07.2005 on contract basis; that the services of Appellant were regularized in BPS-6 w.e.f 01-07-2012 vide Endorsement No.13793 dated 19-09-2014; that the service of Appellant was terminated by the DHO/Respondent No.1 vide Endorsement No.243-48 dated 07-01-2020, on the direction of The Deputy Commissioner, Mardan; that aggrieved there-from the appellant preferred representation dated 13-01-2020 to the Director General Health Services/Respondent No.2 through the DHO/Respondent No.1, through proper channel; that it was learnt on 22-01-2020 that the DHO/Respondent No.1 was reluctant to enter the Representation in-question in the receipt dairy and to forward the same to the Appellate Authority. Hence, the Appellant submitted application dated 22-01-2020 to the DHO/Respondent No.1, requesting to process the representation in-question, according to Appeal Rules, 1986; that inspite of lapse of the requisite period of 90 days to its submission, the fate of the representation in-question is still awaited. Hence, this appeal.

3. The appeal was admitted for regular hearing. The respondents have submitted written reply/comments, refuting the claim of the appellant with several factual and legal objections and asserted for dismissal of appeal with cost.

4. We have heard the arguments and perused the record

5. Learned counsel for the appellant argued that the allegations as leveled against appellant are incorrect and false; that the Deputy Commissioner had no authority under the service rules to direct the termination of service of appellant while the DHO/Respondent No.1 has illegally implemented referred directive of the Deputy Commissioner, hence, the impugned order is void in nature; that the impugned order was passed without adopting the provisions of relevant disciplinary rules; thus, the appellant has been condemned unheard and the impugned order is void; that the appellant always performed her duties with great zeal and she never committed even a slight shadow of slackness in this respect; that the impugned allegations are wrong and vague in nature; that the appellant had got clean service record prevailing over a long period of 15 years, without a slightest shadow of slackness towards the performance of duties assigned to her. Learned counsel for the appellant requested that the appeal may be accepted as prayed for.



6. Learned AAG while rebutting the arguments of learned counsel for the appellant stated that the appellant did not perform her duty as per Lady Health Workers (LHWs) service rules and was reported multiple times for not performing her duty by the concerned Medical Officer/Incharge and also reported by National Immunization Monitoring teams; that the failed to comply besides several explanations of being punctual/regular to perform her duty as per


service rules; that appellant was found absent during polio campaign National Immunization Day on dated 17.12.2019 and respondent No. 1 received self-explanatory letter from Director General Health Services for non-performance of duty by the appellant in the National Immunization Campaigns. Learned AAG requested that the appeal may be dismissed with cost.

7. The reason given in the impugned order of termination of services of the appellant by respondent No. 1 is non-performing of duty in Polio Campaign which according to reference in the impugned order was reported by the Deputy Commissioner Mardan vide his letter No. 753 DPCR (M) dated 17.12.2019. It is there in the grounds of appeal that the allegations levelled against the appellant are incorrect and false. The Deputy Commissioner had no authority under the Service Rules to direct the termination of service of the appellant while respondent No. 1 illegally implemented the referred directives of the Deputy Commissioner. Hence, the impugned order is void in nature. It is also there in the grounds of appeal that the impugned order was passed without adopting the provision of relevant disciplinary rules and the appellant was condemned unheard. The respondents in their written reply raised the preliminary objections including that the appellant did not perform her duty as per Lady Health Workers (LHWs) Service Rules 2015 and was reported multiple times for not performing her duty by the concerned Medical Officer/Incharge and also reported by National immunization




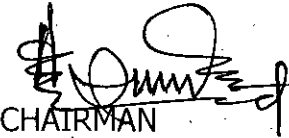
Monitoring Teams. In the evening review meeting 2nd day of National Immunization Day(NID) December, 2019 dated 17.12.2019, the appellant was again reported as absent in the meeting. The Deputy Commissioner Mardan directed LHWs Coordinator to terminate the appellant from service. Regarding the ground as to absence of the authority of Deputy Commissioner, the respondents in their written reply made no comments. Regarding the ground as to not adopting the provision of relevant disciplinary rules, the respondents also made no comments. The avoidance of the respondents to make comments upon the above mentioned two crucial grounds is tantamount to their admission that the impugned order was passed in pursuance of unauthorized directives of Deputy Commissioner and that too without adopting the prescribed procedure for disciplinary action. So without need of any further discussion, we hold that the impugned order of termination of the appellant from service is *void ab-initio* and is not tenable under the facts and law.

8. For what has gone above, the appeal is accepted, the impugned order is set aside and the appellant is reinstated into service with back benefits. Parties are left to bear their own costs.


(ATIQU-UR-REHMAN WAZIR)
Member(E)

ANNOUNCED
12.01.2022


(AHMAD SULTAN TAREEN)
Chairman

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	12.01.2022	<p><u>Present.</u></p> <p>Mr. Adam Khan, ... For appellant Advocate</p> <p>Mr. Muhammad Adeel Butt, Addl. Advocate General ... For respondents.</p> <p>Vide our detailed judgment, the appeal is accepted, the impugned order is set aside and the appellant is reinstated into service with back benefits. Parties are left to bear their own costs.</p> <p> (ATIQ-UR-REHMAN WAZIR) Member(E)</p> <p> CHAIRMAN</p> <p><u>ANNOUNCED</u> 12.01.2022</p>

Service Appeal # 4307/2020

Date of Imp Or. 07-01-2020

Dept. Appeal 13-01-2020

Service Appeal 14-5-2020

Appt. on contract 20-7-2005

Regularization 01-7-2012

Non performance of duty

No charge sheet + formal inquiry
or disciplinary proceedings.

Same nature

Shahnaz Begum Appeal # 4920/2020

24.12.2020

Due to summer vacation, case is adjourned to 29.03.2021 for the same as before.



Reader

29.03.2021

The concerned D.B is not available today, therefore, the appeal is adjourned to 29.06.2021 for the same.




Reader

29.06.2021

Appellant present through counsel.

Javid Ullah learned Assistant Advocate General for respondents present.

Former made a request for adjournment. Adjourned. To come up for arguments on 18.10.2021 before D.B.



(Rozina Rehman)
Member(J)

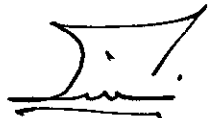


Chairman

18.10.2021

Junior to counsel for the appellant and Muhammad Rasheed, DDA for the respondents present.

Rejoinder submitted which is placed on file. Due to general strike of the bar, counsel for the appellant is not in attendance today. To come up for arguments on 12.01.2022 before the D.B.



(Salah-ud-Din)
Member(J)



Chairman

29.07.2020

Counsel for the appellant and Addl. AG alongwith Asif Asstt. for the respondents present.

Written reply/comments have been furnished by the respondents. The appeal is assigned to D.B for arguments on 14.10.2020. The appellant may furnish rejoinder, within one month, if so advised.


Chairman

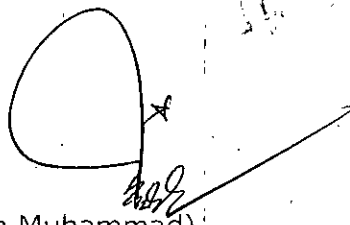
14.10.2020


Counsel for appellant present.

Mr. Usman Ghani learned District Attorney alongwith Atif Assistant for respondents present.

Former requests for adjournment in order to furnish rejoinder, therefore, case is adjourned to 24.12.2020 before

D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

03.06.2020

Counsel for the appellant present.

At the outset learned counsel referred to the impugned order dated 07.01.2020 and contended that the same was issued upon the recommendations of Deputy Commissioner Mardan and no proper enquiry was held before passing of major penalty against the appellant. In that manner, she was deprived of her valuable service rights by way of putting forth her defence.

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 02.07.2020 before S.B.

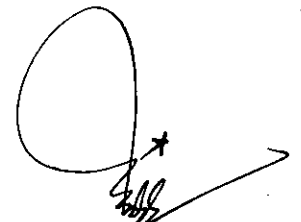
Chairman



02.07.2020

Junior to counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment.

Adjourned to 20.07.2020 before S.B.



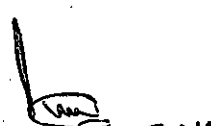

MEMBER

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 4307 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/05/2020	<p>The appeal of Mst. Saleema Junaid presented today i.e 14.05.2020 by Mr. Muhammad Adam Khan Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 14/5/2020</p>
2-	18.05.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>18.05.2020</u></p> <p style="text-align: right;">MEMBER</p> <p>None present on behalf of the appellant. Notice be issued to the appellant and his counsel for preliminary hearing on 03.06.2020 before S.B.</p> <p style="text-align: right;"> (M. AMIN KHAN KUNDI) (MEMBER-J)</p>

Before The Service Tribunal, Peshawar.

Appeal NO. of 2020

Ms Saleema Junaid v/s The Health Services etc,

Index:-

S/No.	Documents	Annexure Nos.	Pages No.
1.	Memo. of Appeal + affidavit	—	1-3
2.	Appointment orders with letter copy.	A + B	4-7
3.	Impugned order	C	8
4.	Representation. + postal receipt	D	9-10
5.	Application dated 22.01.2020 + postal receipt	E + F	11-12
6.	Application for condonation of delay.	—	13
7.	Special Attorney.	—	14.
8.	Vakalat Nama.	—	15
		Total	15

Appellant

(Ms Saleema Junaid)

Through:-

Adam

MUHAMMAD ADAM KHAN
B.A LLB Advocate
High Court Mardan

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Before The Service Tribunal, Peshawar.

Service Appeal No. 4307 /2020.

Ms Saleema Junaid Wife of Junaid Iqbal (Ex L.H.W, BHU Gujar-Garhi Mardan) resident of Mohallah Adam Khan Wakeel Koroon, Village Gujar Garhi Mardan.

Appellant.

Khyber Pakhtukhwa
Service Tribunal

Diary No. 3825

Dated 14-05-20

VERSUS

1. The District Health officer, Mardan.
2. The Director General, Health Services, KP Peshawar.
3. The Secretary, Health services Department, KP Peshawar.

Respondents.

Appeal under Section-4 of The Service Tribunal Act, 1974, against the order of The DHO/Respondent No.1, contained in letter No.243-48/DHO Mardan dated 07-01-2020, terminating the service of Appellant.

1. That Appellant was employed as LHW vide Endorsement No.10306-07 dated 20-07-2005, on contract basis.

(Copy Annexure-"A").

2. That the services of Appellant were regularized in BPs-6 w.e.f 01-07-2012 vide Endorsement No.13793 dated 19-09-2014.

(Copy Annexure-"B").

3. That the service of Appellant was terminated by the DHO/Respondent No.1 vide Endorsement No.243-48 dated 07-01-2020, allegedly on the direction of The D.C, Mardan.

(Copy Annexure-"C").

4. That grieved therefrom the Appellant preferred representation dated 13-01-2020 to the DG/Respondent No.2 through The DHO/Respondent No.1, through proper channel.

(Copy Annexure-"D").

Filed to-day

Registrar

14/5/2020

5. That it was learnt on 22-01-2020 that the DHO/Respondent No.1 was reluctant to enter the Representation in-question in the receipt dairy and to forward the same to the Appellate Authority/The DG. Hence, the Appellant submitted application dated 22-01-2020 to the DHO/Respondent No.1, requesting to process the representation in-question, according to Appeal Rules, 1986.

(Copies Annexure-"E & F").

6. That inspite of lapse of the requisite period of 90 days to its submission, the fate of the Representation in-question is still awaited.

GROUNDS :-

- i. That the allegations as leveled against Appellant are incorrect & false. Appellant had never committed the alleged offence.
- ii. That the Deputy Commissioner had no authority under the service rules to direct the termination of service of Appellant. While the DHO/Respondent No.1 has illegally implemented the referred directive of The DC/~~Respondent No.1~~. Hence, the impugned order is void in nature.
- iii. That the impugned order is passed without adopting the provisions of relevent ~~the~~ disciplinary rules. Thus, she is condemned unheard and the impugned order is void.
- iv. That the Appellant has always performed her duties with great zeal of mind and she never committed even a slight shadow of slackness in this respect.
- v. That the impugned allegations are in-correct and vague in nature.

- vi. That the Appellant has clean service record, prevailing over a long period of 15 years, without a slightest shadow of slackness towards the performance of duties assigned to her.
- vii. That Appellant is a poor lady, relying solely on her service. She along-with her kids are subjected to starvation.
- viii. That the Appellant is jobless after the impugned order, through-out.
- ix. That the Appellant seeks leave of this Honourable Tribunal to claim further grounds also.

It is prayed that on acceptance of this Appeal, setting aside the impugned order, the Appellant may be reinstated in service with back service benefits and also with costs of this Appeal.

Dated:- 11.05.2020.

Appellant

Saleema
(Ms Saleema Junaid)

Through:- *Adam*
Muhammad Adam Khan
Advocate, Mardan.

Affidavit:-

I, Ms Saleema Junaid /the Appellant do hereby state on solemn affirmation that the contents of this Appeal are true and correct to the best of my knowledge and belief and that nothing is concealed in this respect.

Saleema
Saleema
11.05.2020

Deponent

Saleema
(Ms Saleema Junaid)

20.07.05 تاریخ

پیشکش برائے آنرری لیڈی ہیلتھ ورکر

مندرجہ ذیل

گاون راجہ۔ ایمان دین کورنہ مرکز صحت گومرگڑھی تحصیل تخت ماہی ضلع مردان کو

مندرجہ ذیل شرائط کی بنیاد پر بطور لیڈی ہیلتھ ورکر تقرری کی پیشکش کی جاتی ہے۔ آپ کی تقرری خالصتاً اس معاہدے کی بنیاد پر ہوگی۔

۱۔ انتخاب کے بعد آپ کو 15 ماہ کی تربیت دی جائیگی۔ پہلے 3 مہینوں میں ہفتے کے 5 دن مرکز صحت میں ٹریننگ حاصل کرنا ہوگی۔ جبکہ اگلے 12 مہینوں کے دوران آپ کو اپنے متعلقہ علاقے میں ہر مہینے کے تین ہفتے پروگرام پالیسی کے مطابق کام کرنا ہوگا۔ اور ایک ہفتے کیلئے متعلقہ مرکز پر ٹریننگ حاصل کرنا ہوگا۔

۲۔ 3 ماہ کی بنیاد پر ٹریننگ کے دوران آپ کو 50 روپے روزانہ اور اسکے بعد 1700 روپے ماہانہ کے حساب سے معاوضہ دیا جائے گا۔ تاہم معاوضہ میں حکومت کی پالیسی کے مطابق رد بدل ممکن ہے۔

۳۔ ٹریننگ کی تکمیل کے بعد آپ کو کم از کم ایک سال تک پروگرام پالیسی کے مطابق کام کرنا ہوگا۔ جس کیلئے آپ کو ٹریننگ شروع کرتے وقت 50 روپے کے سٹامپ پیپر پر ایک شوری باڈ جمع کرانا ہوگا۔ اگر اس دوران آپ مستعفی ہونا چاہیں تو آپ کو پچھوہ تمام رقم جمع سامان واپس کرنا ہوگی جو آپ نے اس دوران حاصل کی ہوگی۔

۴۔ شوری باڈ کی مدت کی تکمیل پر آپ اگر مستعفی ہونا چاہیں تو ایسی صورت میں آپ کو ایک ماہ پہلے نوٹس دینا ہوگا یا پھر ایک ماہ کی تنخواہ نیشنل پروگرام برائے خاندانی منصوبہ بندی و بنیادی صحت کے پاس جمع کرانی ہوگی۔ دونوں صورتوں میں پروگرام کا دیا ہوا سامان آپ کو واپس جمع کرانا ہوگا۔

۵۔ قابل اطمینان کارکردگی کو دیکھتے ہوئے آپ کی تقرری کی میعاد کو مزید ایک سال تک ان شرائط (ماسوائے ٹریننگ کے شرائط نمبر ۲، ۳، ۴) کے مطابق بڑھایا جاسکتا ہے۔ جس کے لئے آپ سے کسی قسم کی کوئی فیس طلب نہیں کی جائیگی۔

۶۔ پروگرام پالیسی کے مطابق آپ کی کارکردگی کو جانچنے کیلئے نیشنل پروگرام کے سپروائزر آپ کے ہیلتھ ہاؤس کا دورہ کریں گے۔ اسلئے آپ پر لازم ہوگا کہ آپ ان کو اپنا ہیلتھ ہاؤس دکھائیں۔ سپروائزر کے دوروں کے دوران آپ کی موجودگی اس کے ساتھ ضروری ہوگی۔

۷۔ دوران ملازمت آپ کی ٹرانسپورٹیشن ہو سکتی اور اپنے تقرری والے علاقے کے علاوہ کہیں اور منتقل ہونے کی صورت میں آپ کو ملازمت سے فارغ کر دیا جائے گا۔

۸۔ آپ کو اپنی رہائش گاہ میں پروگرام پالیسی کے مطابق ایک ہیلتھ ہاؤس ضرور قائم کرنا ہوگا، جسے آپ نے پروگرام کے ضرورت کے مطابق قائم رکھنا ہوگا، آپ کو اپنے علاقے کے لوگوں کے قریب پروگرام پالیسی کے مطابق کام کرنا ہوگا اور مرکز صحت کے سٹاف و فیلڈ سپروائزر کی مدد سے اپنے علاقے میں ایک ہیلتھ کمیٹی اور ایک خواتین گروپ تشکیل دینے ہونگے۔ جو کہ پروگرام پالیسی کے مطابق کام کریں گے۔

۹۔ آپ کو ہیلتھ ہاؤس بورڈ فراہم کیا جائے گا جو آپ کو اپنے گھر کے باہر نمایاں جگہ پر آویزاں کرنا ہوگا۔ آپ اپنی بورڈ کی ذمہ داری خود ہی لیں گے۔

۱۰۔ آپ کو تنخواہ آپ کے ضلعی دفتر صحت کی ہدایت کے مطابق کھولے گئے بینک اکاؤنٹ کے ذریعے ملے گی۔

۱۱۔ آپ کو مرکز صحت سے مہیا کردہ ادویات کو کیونٹی میں تقسیم کرنا مکمل رکاز رکھنا ہوگا۔

۱۲۔ آپ کو مبالغہ حمل ادویات کی فروخت سے ہونے والی آمدنی کا مکمل ریکارڈ رکھنا ہوگا۔ اور یہ تفصیلات ہر ماہ مرکز صحت میں جمع کرنا ہوگی۔ یہ آمدنی جو معاوضہ کے علاوہ ہے آپ کے ذاتی استعمال میں رہے گی۔ غلط معلومات کی فراہمی یا غیر متعلقہ اشخاص یا دوکانوں کو مبالغہ حمل ادویات فروخت کرنے پر آپ کو ملازمت سے فارغ کر دیا جائیگا اور دوسرے سخت اقدامات بشمول رقم کی وصولی کی جائیگی۔

۱۳۔ آپ کو دیئے گئے فارمیٹ (Format) پر ماہانہ رپورٹ باقاعدگی سے مرکز صحت پر ہر ماہ کے پہلے ہفتے میں جمع کرنا ہوگی۔

۱۴۔ آپ کو ایک سال کے دوران 20 دن کی چھٹیاں مل سکیں گی۔ کو مرکز صحت سے منظور کرنا ہوگی۔ غیر ضروری شو چھٹیاں کرنے پر آپ کو ملازمت سے فارغ کر دیا جائیگا۔

۱۵۔ شادی شدہ لیڈی ہیلتھ ورکرز کو 20 دن کی زچگی کی چھٹیاں مل سکتی ہیں۔ جو کہ 10 دن زچگی سے پہلے 10 دن زچگی کے بعد ہوگی۔

۱۶۔ ٹریننگ اور فیلڈ میں جانے کیلئے آپ کو کوئی ٹی اے آر ڈی اے (TA/DA) نہیں دیا جائے گا۔

۱۷۔ غلط کوائف کی فراہمی پر آپ کو کسی بھی وقت بغیر کسی نوٹس کے ملازمت سے فارغ کر دیا جائیگا۔ اور ٹریننگ پر خرچ ہونے والی اور معاوضے کے طور پر آپ کو ادا شدہ رقم کی وصولی کی جائیگی۔

۱۸۔ آپ کو خدمت 1973 سول سروس ایکٹ کے تحت نہیں بلکہ اس پیشکش برائے تقرری نامہ کی شرائط اور شرائط و ضوابط جو آپ کو وقتاً فوقتاً فراہم کئے جائیں گے، کے تحت ہوگی۔

۱۹۔ آپ کو کسی بھی وقت بغیر ہجرت کے ملازمت سے فارغ کیا جاسکتا ہے۔ جسکو آپ کسی بھی سطح پر بشمول عدالت چیلنج نہیں کر سکتی ہیں۔

۲۰۔ اگر آپ مندرجہ بالا شرائط و ضوابط منظور ہیں آپ کو ہدایت کی جاتی ہے کہ آپ ٹریننگ کیلئے مرکز صحت گومرگڑھی میں مورخہ 01.08.2005

ایگزیکٹو ڈسٹرکٹ آفیسر ہیلتھ سڈ / مردان



District Health Department – Mardan
DISTRICT HEALTH OFFICER
Mardan (Khyber Pakhtunkhwa)
Ph: # (0937) 9230030 Fax: # (0937) 9230349
Email: edohmr@yahoo.com

"B"
Attorney
Advocate

No. 13793 /DHO Mardan Dated/19/09/2014

NOTIFICATION

In terms of Section 4 (1) read with 1st Proviso there under, of the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act 2014, services of the following Lady Health Workers Program employees of district Mardan Khyber Pakhtunkhwa are hereby regularized w.e.f. 1st July 2012. Their terms and conditions of service will be governed under the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 and rules to be made there under.

Sr. No	Name of Community Embedded Employee	Father Name	Husband Name	Designation	Date of appointment	FLCF	Name of Catchment Area
1	Zaibunnisa		Liaqat Ali	LHS	04/10/2004	BHU Gujar Garhi	Gujar Garhi
2	Rooh Afza		Ali Bahadar	LHW	15/07/1995	BHU Gujar Garhi	Mohallah Posat Wall V P O Gujar Garhi
3	Maryam Bibi		Jinah Khan	LHW	15/07/1995	BHU Gujar Garhi	Mohallah Badan Khel V O P Gujar Garhi
4	Mumtaz		Lal Mohammad	LHW	15/07/1995	BHU Gujar Garhi	Village Khan Garhi P O Gujar Garhi
5	Zabeen Lodhi		Aurang Zaib	LHW	01/12/1997	BHU Gujar Garhi	Mohallah Jandar Par V Po Gujar Garhi
6	Sajida		Bashir Ahmad	LHW	01/03/1998	BHU Gujar Garhi	Mohallah Qazi Sahib V P O Gujar Garhi
7	Nurgis		Arshad	LHW	01/08/1998	BHU Gujar Garhi	Mohallah Nawan Kali V P O Gujar Garhi
8	Asia Begum	Mianudin		LHW	29/01/1999	BHU Gujar Garhi	Mohallah Pos Wall V P O Gujar Garhi
9	Rehana	Sajawal Shah		LHW	01/01/2000	BHU Gujar Garhi	Mohallah Gadbanda V P O Gujar Garhi
10	Mehrunisa	M Akmal Khan		LHW	01/01/2000	BHU Gujar Garhi	Mohallah Afsar Abad V P O Gujar Garhi
11	Yasmeen		Jehanzeb	LHW	01/02/2002	BHU Gujar Garhi	Mohallah Sherya Khel V P O Gujar Garhi
12	Fehmeeda		Muhammad Taj	LHW	01/02/2002	BHU Gujar Garhi	Mohallah Azim Abad V P O Gujar Garhi
13	Azra	Mubhat shah		LHW	01/07/2004	BHU Gujar Garhi	Mohallah Shal Gazi Baba V P O Gujar Garhi
14	Tanzeela	Farid Gul		LHW	01/07/2004	BHU Gujar Garhi	Mohallah Pos Wal V P O Gujar Garhi
15	Mohsin Ara		Jehanger	LHW	01/07/2004	BHU Gujar Garhi	Mohallah Sur Pul V P O Gujar Garhi
16	Sadia		Nazimuddin	LHW	01/07/2004	BHU Gujar Garhi	Mohallah Dagi Jumat V P O Gujar Garhi
17	Zari	Merwas Khan		LHW	01/07/2004	BHU Gujar Garhi	Mohallah Jandar Par V P O Gujar Garhi
18	Nageen	Qadir Khan		LHW	01/07/2004	BHU Gujar Garhi	Village Bangla Killi P O Gujar Garhi
19	Farah Naz	Amir Nawas Khan		LHW	01/07/2004	BHU Gujar Garhi	Mohallah Nanna Khel V P O Gujar Garhi


B

2/7

20	Shah Naz		Sajjad Khan	LHW	20/07/2005	BHU Gujar Garhi	Mohallah Jandar Par Village Gujar Garhi
21	Shahida	M. Ajmal Khan		LHW	01/08/2005	BHU Gujar Garhi	Mohallah Jandar Par Village Gujar Garhi
22	Bushra	Mukamil Shah		LHW	01/08/2005	BHU Gujar Garhi	Mohallah Bari Chum Machine Lara Village Gujar Garhi
23	Saleema Junaid		Junaid Iqbal	LHW	01/08/2005	BHU Gujar Garhi	Mohallah Wakeel Koroona Nawan Killi Gujar Garhi
24	Aisha Umar		Noor Ali Shah	LHW	02/04/2007	BHU Gujar Garhi	Village Mashki Killi P O Gujar Garhi
25	Gulmina		Niaz Mir	LHW	02/04/2007	BHU Gujar Garhi	Village Gadbano P O Gujar Garhi
26	Shuhrat		Subhan	LHW	02/04/2007	BHU Gujar Garhi	Mohallah Pos Wall Pump Koroona V.P.O Gujar Garhi
27	Neelum		Shaukat	LHW	01/02/2008	BHU Gujar Garhi	Qamargai Jehangir Abad P O Jandhi
28	Nazia Bibi	Akbar Khan		LHW	01/02/2008	BHU Gujar Garhi	Batai Koroona Jandai
29	Naila	Nowshad		LHW	01/07/2009	BHU Gujar Garhi	New Killi Near Islamic School Gujar Garhi
30	Shamim Akhtar		Wajid Ali	LHW	01/07/2009	BHU Gujar Garhi	Mohallah Nora.Khel Village Gujar Garhi
31	Reema	Zarb Ali Khan		LHW	01/07/2009	BHU Gujar Garhi	Mohallah Nawa Killi Village Gujar Garhi
32	Liaquat Ali Khan	Anwar Khan		Driver	29/05/2006	BHU Gujar Garhi	Gujar Garhi

In exercise of powers conferred under sub section (2) of the Section ibid, the above Community Embedded Employees are placed in the following pay scales as mentioned against their respective designations.

Name of Post	Basic Pay Scale
Lady Health Supervisor	7
Lady Health Worker	5
Driver	4


District Health Officer
Mardan

Copy forwarded to,
1. provincial coordinator LHWs Program, Khyber Pakhtunkhwa
2. All concerned.



No: 243-48 /DHO Mardan

Dated: 07/01/2020

C
Action


OFFICE OF DISTRICT HEALTH OFFICER MARDAN

OFFICE ORDER

Reference Deputy Commissioner District Mardan letter No. 753 DPCR (M) dated 17/12/2019, Ms Saleema Junaid (Personal No.794782) D/O Ghulam Hussain W/O Junaid Iqbal having HBL A/C # 27430-8 at Main Branch resident of Mohallah Wakeel Korona New Killi Gujar Garhi Tehsil Takht Bhai District Mardan attached to FLCF BHU Gujar Garhi and working as Lady Health Worker with LHWs Program of this District is here by terminated from service with immediate effect due to **not performing duties in Polio Campaign.**

She is directed;

To immediately deposit back all the assets of LHWs Program in her custody to this office.


District Health Officer
Mardan

Cc:

1. Director General Health Services KPK Peshawar.
2. Provincial Coordinator, LHWs Program KPK Peshawar.
3. Deputy Commissioner Mardan.
4. District Coordinator LHWs Program Mardan.
5. Accountant DHO Office Mardan.
6. LHS concerned.

District Health Officer
Mardan

e

To

Legal A/D 8/9
The Director General,
Health Services,
K.P.K., Peshawar.

"D"
*Ahmed
Adnan*

Through proper channel;

Subject: -Representation against the order of
The DHO, Mardan, terminating my service vide
order No.243-48/DHO Mardan dated 07-01-2020.

Sir,

Reference the captioned order, whereby my service is
terminated on alleged grounds of not performing duties
in polio campaign. **(Copy attached)**.

It is submitted that the impugned order is void and
illegal. I am not afforded the right of defence before
the impugned order, as I was not served with the charge
sheet, show cause Notice and even with explanation in
order to clarify my position, before the impugned
order.

Even, no enquiry was conducted for extending the
right of defence to me.

The impugned order contains the fact that the same
is issued on the direction of the Deputy Commissioner
vide letter No.753.DPCR(M) dated 17-12-2019. While,
administratively, the Deputy Commissioner has no authority
under the relevant service rules to direct the
termination of my service.

I have always performed my duties to the best of my
capability and with the zeal of mind.

8/10
The impugned order is vague in nature, as the allegation in question is not specified in respect of the alleged offence.

I am a poor lady and the present service is the only source of earning my livelihood for myself and my school-going kids.

It is requested that setting-aside the impugned order, I may kindly be re-instated in service with continued service benefits and oblige.

Dated:- 13-01-2020.

DA-17

Your's Obedientely,

Saleema

(Ms Saleema Junaid)
Ex-LHW
B.H.U Gujar Garhi
Mardan.

Address:- C/o Muhammad Adam Khan
Mohallah AdamKhan WakeelKoroona,
Gujar Garhi, Mardan.

6/2/2020

P/11
Regd A/D

"E"
Aurang

To

The District Health Officer,
Mardan.

Subject: - Disposal of Appeal dated 13.01.2020 against
the termination of service.

Sir,

Reference my Appeal dated 13.01.2020 addressed to
The worthy D.G Health (through proper channel) against
the termination of my service vide your office order
No.243-48/DHO Mardan dated 07-01-2020.

On quarry, it is learnt that the Appeal in-
question is neither entered in the receipt dairy in the
DHO Office nor processed under the Appeal Rules-1986.

It is submitted that Rule-4 sub-rule-2 of the
aforesaid rules provides that "The Appeal shall be
submitted through the Head of the office in which the
Appellant is posted and further that The Head of the
office shall forward the Appeal to the competent
Authority, if he is not such Authority and the
competent Authority shall "after adding his own
comments, if any, transmit the Appeal to the Appellate
Authority for necessary orders."

(Copy highlighted is attached herewith).

It is requested that the aforesaid Appeal
submitted on 13.01.2020 may be processed according to
the afore-~~mentioned~~ rules.

Dated:-22-01-2020.

Your's Obediently

Saleema

(Ms Saleema Junaid)

Ex-LHW

B.H.U Gujar Garhi, Mardan.

Address:- C/o Muhammad Adam Khan Mohallah
Adam Khan Wakeel Koroona Gujar
Garhi, Mardan.

E

Before The Service Tribunal, Peshawar.

Mst Saleema Junaid vs The Health Deptt etc;

Application for Condonation of delay:-

- ① that the captioned Appeal was due for institution on 11.05.2020, which is being tendered today, with the delay of three days.
- ② that the delay was not willful. The attorney for Appellant tried to submit the captioned Appeal on 11.05.2020. But, he could not travel from Mardan to Peshawar due to non-availability of general vehicles on a/c of general blockade i.e, till 14.05.2020 which was beyond his control.
- ③ that valuable rights of Appellant are involved in the Appeal in hand, which needs adjudication on merits.
- ④ that the impugned order is void. The Appellant is condemned unheard.

It is prayed that the delay, so occurred may be condoned favourably.

Dt 14.05.2020.

Affidavit:-

I, Junaid Iqbal / the Spl. Attorney on behalf of Appellant do hereby state on solemn affirmation that the contents as mentioned above are true & correct to the best of my knowledge & belief.

Deponent
(Junaid Iqbal)

[Signature]

Appellant
(Mst Saleema Junaid)

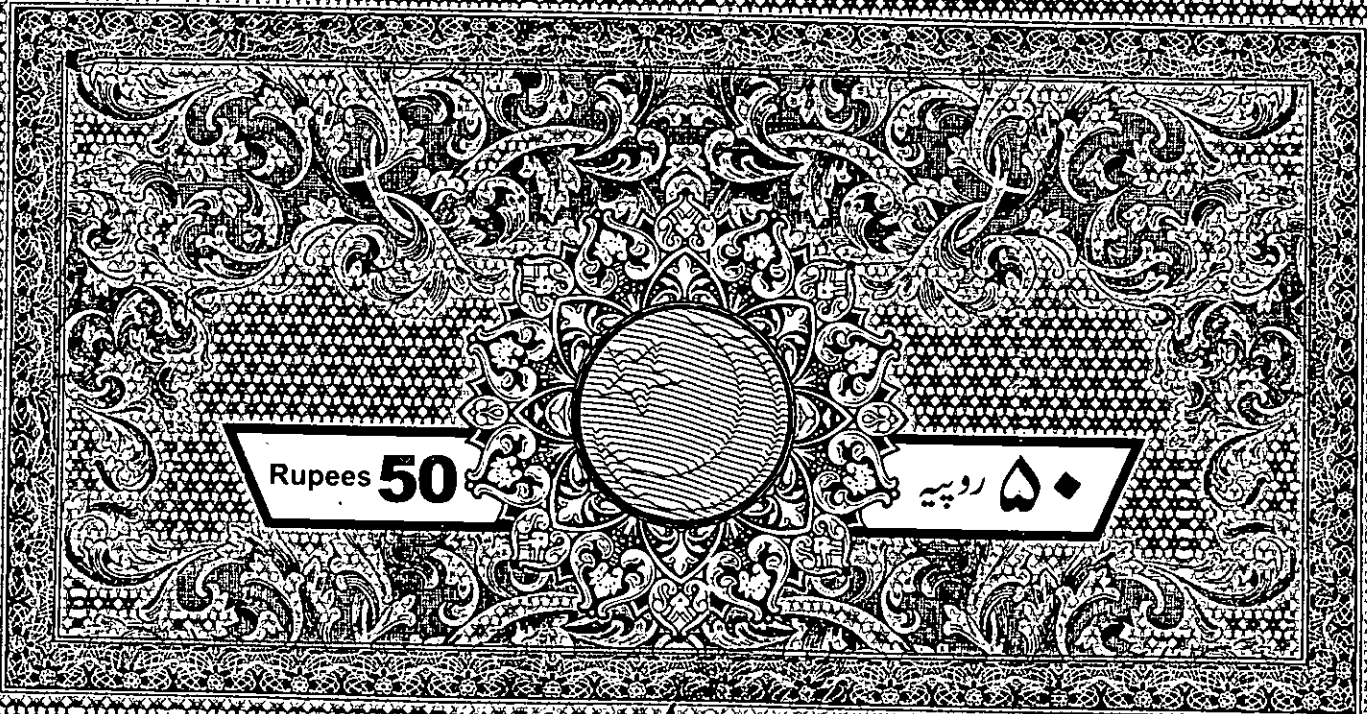
Through:-

Spl. Attorney.

Through:- *[Signature]*

MUHAMMAD ADAM KHAN
B.A LLB Advocate
High Court Mardan.





Rupees 50

۵۰ روپیہ

خانہ مسلمہ جمنڈ نامہ محلے کھت و طرہ

خانہ مسلمہ جمنڈ زمرہ جمنڈا سنہ نوو برسہ جمنڈا جمنڈا

بعض ذاتی مصروفیات کی بناء پر ذاتی طور پر مقدمہ بالا کی بیرونی کرنے سے قاصر ہیں۔ لہذا اپنی طرف سے کسی جمنڈا جمنڈا

خاص مقررہ کر کے اختیار کرتی ہیں کہ وہ حرج و مرجاب سے مقدمہ بالا عدالت میں دائر کرے۔ وکیل مقرر کرے۔ مقدمہ کی بیرونی کرے۔ شہادت و ثبوت پیش کرے۔ جواب الجواب دائر کریں۔ بیان غلطی تصدیق کرا کر دائر کرے۔ بیان قائم بند کرائے۔ سر قسم درخواست و جواب درخواست دائر کرے۔ رقم داخل یا وصول کرے۔ نظر ثانی دائر کرے۔ اپیل دائر کرے۔

05 مورخہ 11/2020

راضی نامہ کرے۔ عرض یہ کہ مختار مذکورہ کے کل کردہ پر داخستہ کامن مقرر بنائیں کردہ پر پابند ذمہ دار ہو

Salama

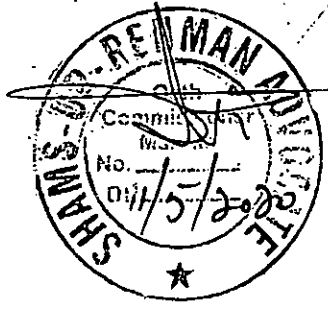
خانہ مسلمہ جمنڈ - متنوہ

نوہ متنوہ

CNIC 16101-4025859-4

خانہ مسلمہ جمنڈ زمرہ جمنڈا سنہ نوو برسہ جمنڈا جمنڈا
CNIC 16101 8889057-5

شمارہ آئینہ و نامہ جمنڈا جمنڈا
Sialkot
CNIC 161016-802292-9



VAKALAT NAMA

In the Court of K.P Service Tribunal, Beshwar

Appeal No. _____ of 2020

Mst Saleema Tunaid

(Petitioner)
(Plaintiff)
(Appellant)

VERSUS

The Health Deptt etc;

(Respondent)
(Defendant)

I/we Mst Saleema Tunaid / The Appellant do hereby appoint and constitute **Muhammad Adam Khan, Advocate Mardan** as Counsel in subject proceedings and authorize him to appear, plead etc., compromise, withdraw or refer to arbitration for me/us, as my/our Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel at my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated: 11.05.2020

N.W.F.P. Bar Council

ADVOCATE
High Court

M. ADAM KHAN

(Signature)

id. BC - 09 - 0600

BADSHAH GUL
VILL: GOJARIGARH DIST: MARDAN

10931-630137 Fax: 10931-63450
C.P. 03/08/1978
R.C. 31/06/1990

MARDAN
04/04/1945
ABOVE

6102-612619-5

N.W.F.P. BAR COUNCIL

Saleema
Mst Saleema
(Signature of Client)

(Signature)
Accepted
MUHAMMAD ADAM KHAN
B.ALLB Advocate
High Court Mardan.



محکمہ صحت خیبر پختونخوا

**DISTRICT HEALTH OFFICER
MARDAN (Khyber Pakhtunkhwa)**

Ph: # (0937) 9230030 Fax: # (0937) 9230283

Email: mardandho@gmail.com

All communications should be addressed to the District Health Officer Mardan and not to any official by name

To Whom It May Concern

I hereby authorize Mr. Atif Ahmad, Litigation Assistant working at DHO Office Mardan to attend, follow / submit all Court cases on behalf of the undersigned.

District Health Officer
Mardan

Service Appeal No. 4307 of 2020

Mst. Saleema Junaid..... Appellant

Versus

District Health Officer Mardan & Others Respondent

MOST RESPECTFULLY SHOWETH:

PRELIMINARY OBJECTIONS:

- A. That appellant has got no locus standi.
- B. That appellant has not come to this court with clean hands.
- C. That the petitioner did not perform her duty as per Lady Health Workers (LHWs) service rules 2015 (copy attached).
- D. The petitioner was reported multiple times for not performing her duty by the concerned Medical Officer/Incharge and also reported by National Immunization Monitoring teams.
- E. The petitioner was failed to comply besides several explanations of being punctual/regular and to perform her duty as per service rules.
- F. In the evening review meeting 2nd day of National Immunization Day (NID) December 2019 on dated 17.12.2019, the petitioner was again reported in the meeting. The Deputy Commissioner Mardan directed LHWs Coordinator to terminate her from service (Meeting Minutes is attached for ready reference).
- G. That petitioner was found absent during polio campaign National Immunization Day on dated 17.12.2019 (being a National Emergency declared by President of Pakistan by himself).

On Brief Facts:

- 1. Correct: no comments.
- 2. Correct: no comments.
- 3. Correct: as explained in Para No. F of the Preliminary Objections.
- 4. Pertains to record, hence no comments.
- 5. Incorrect: the respondent No. 1 received self-explanatory letter from Director General Health Services to reply in the matter and the reply has already been given to respondent No. 2.
- 6. No comments.

On Grounds:

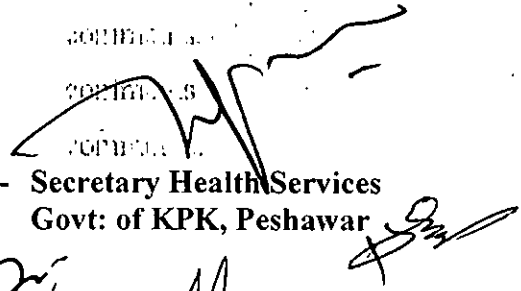
- i. Incorrect: as explained in Para No. E of the Preliminary Objections.
- ii. No comments.
- iii. No comments.

- iv. Incorrect: as explained in Para No. E, of the Preliminary Objections.
- v. Incorrect: Allegations regarding non-compliance of the officers orders and not performs her duty in the National Immunization campaigns.
- vi. Incorrect: as explained in Para No. E of the Preliminary Objections.
- vii. No comments.
- viii. No comments.
- ix. No comments.

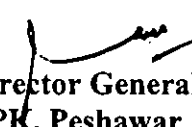
Prayer:

It is therefore prayed that this Appeal may please be dismissed.

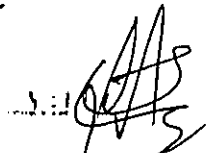
1- Secretary Health Services
Govt: of KPK, Peshawar



2- Director General Health
KPK, Peshawar



3- District Health Officer,
Mardan



Secretary Health Services
Govt of KPK, Peshawar

Director General Health
KPK, Peshawar

NOTIFICATION

Annexed - I

4

Peshawar, dated the 29TH January, 2015

No. SO (H&E)/2-65/2014.-In exercise of the powers conferred by section 10 of the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 (Khyber Pakhtunkhwa Act No. XXVI of 2014), the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

**THE KHYBER PAKHTUNKHWA REGULATION OF LADY HEALTH
WORKERS PROGRAM EMPLOYEES SERVICE RULES, 2015**

CHAPTER-1

1. **Short title, application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program Employees Service Rules, 2014.

(2) It shall apply to all the Program employees of the Program.

(3) They shall come into force at once.

2. **Definitions.**---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,-

- (a) "Act" means the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 (Khyber Pakhtunkhwa Act No. XXVI of 2014);
- (b) "Provincial Coordinator" means Head of the Program appointed by government from amongst member of service, Health Department.
- (c) "Appointing Authority" means an authority specified in Rule.3.
- (d) "Provincial Program Implementation Unit" means the

5

(6) Lady Health Supervisor shall assist the District Program Implementation Unit in the preliminary scanning/verification of candidates for the positions of Lady Health Workers.

(7) Lady Health Supervisor shall liaise between District and First Level Care Facility (FLCF) for the effective coordination of activities of the program.

(8) Lady Health Supervisor shall attend the District Program Monthly Review (DPMR).

(9) Lady Health Supervisor shall ensure regular maintenance of vehicle and its movement registers, if allotted.

11. Functions of the Lady Health Workers---(1) The Lady Health Worker shall provide Primary Health Care services to the community at their doorstep in her catchment area.

(2) The Lady Health Worker shall register all family members in the catchment area especially the eligible couples (married women age 15-49 years) in her respective area and maintain upto date information about her catchment area's population.

(3) The Lady Health Worker shall organize community by developing women groups in health committees in her area.

(4) The Lady Health Worker will arrange meetings of these groups in order to effectively involve them in primary health care, family planning and related community activities.

(5) The Lady Health Worker shall keep close liaison with influential women of her area including lady teachers, community midwives, traditional birth attendants and clients.

(6) The Lady Health Worker shall pay visit 6 to 8 household every day to ensure that all registered households are visited once every month.

(7) The Lady Health Worker shall discuss with the community, issues related to better health, hygiene, nutrition, sanitation and family planning emphasizing their benefits towards quality of life.

postnatal services. She will also conduct antenatal, natal and postnatal care as described in her training.

6

(9) The Lady Health Worker shall act as liaison between formal health system and her community as well as ensure coordinated support from Non Governmental Organizations (NGOs) and other departments.

(10) As part of their tasks, the Lady Health Worker shall undertake nutritional interventions such as anemia control, growth monitoring, assessing common risk factors causing malnutrition and nutritional counseling. They shall be able to treat iron deficiency anemia among all women specially pregnant and lactating mothers as well as anemic young children.

(11) The Lady Health Worker shall promote nutritional education with emphasis on early initiation and exclusive breast feeding for six months and weaning practices, maternal nutrition and macronutrient malnutrition.

(12) The Lady Health Worker shall coordinate with Expanded Program on Immunization (EPI) of mothers against Tetanus and children against communicable diseases. The Lady Health Workers trained in routine EPI, will ensure timely vaccinations (in her catchment area only) with support from the local health facility/EPI staff. The Lady Health Workers (LHWs) will also participate in various campaigns for immunization against EPI target diseases e.g Polio, MNT, Measles etc in her catchment area only. The Lady Health Workers will be involved in the surveillance activities in her catchment area only.

(13) The Lady Health Worker shall motivate and counsel clients for adoption and continuation of family planning methods. She will provide condoms, oral pills and administer injectable contraceptives, as per define protocols to eligible couples in the community inform them about proper use and possible side effects.

(14) The Lady Health Worker shall carry out prevention and treatment of common ailments e.g. diarrheal diseases, acute respiratory infections, tuberculosis, intestinal parasites, malaria, primary eye care, scabies, first aid for injuries and other minor diseases using basic essential drugs. She will refer cases to nearest centers as per given guidelines. For this purpose a kit of certain inexpensive basic drugs will be provided to Lady Health Worker/Senior Lady Health Worker. The Lady Health Worker/Senior Lady Health Worker will also be involved in T.B, AIDs, Hepatitis and Malaria prevention/control.

(7)

(16) The Lady Health Worker shall attend monthly continuing education sessions at her base facility to share progress regarding all activities carried out by her including the home visits, number of family planning acceptors by methods and stock position of contraceptives with Incharge of Facility. She will also attend education sessions, submit her monthly report and collect one month supplies from Health Facility.

(17) The Lady Health Workers will not be involved in any other activity without the prior permission/guidelines from the Provincial Program Implementation Unit.

12. Training of the Lady Health Supervisor.--Total duration of training for the Lady Health Supervisor will be one year. The Lady Health Supervisor will start field activities after the initial three months training. The training will be carried out in two phases.

- (a) Three months (Initial training)
- (b) Nine months (Field/on job training)

13. Training of Lady Health Workers.---(1) The training of Lady Health Workers will be conducted in two main phases for a total of twelve months (03 months basic training at classroom and 09 months task based training in the field) using program training manuals and curriculum. This will be followed by continued training at the health facility alongwith refresher trainings.

(2) In health facilities where 10 or more Lady Health Workers or under basic training, there shall be three trainers.

(3) In health facilities where less than ten Lady Health Workers are under basic training, there should be two trainers.

(4) One of the trainers shall be a female to facilitate training in areas such as family planning, maternal health.

(5) The number of trainees per session may not be less than five and more than fifteen.

(6) In case where less than five candidates for training are selected in one First Level Care Facility and they cannot be attached with other facility, approval for training of less than five trainees shall be sought from Provincial Program Implementation Unit.

Annexed - II

8

No. 250 NP dated Mardan the 17/12/2019

1. Saleema Junaid, LHW BHU Gujar Garhi
2. Shahnaz LHW BHU Gujar Garhi
3. Sabreen LHW BHU Gujar Garhi

Subject: Explanation

Memo,

It has been reported in the evening meeting chaired by the Deputy Commissioner Mardan that, you were absent from duties in NID (December 2019 round).

You are, hereby, directed to explain your position within 03 days of the receipt of this letter failing which disciplinary action will be initiated against you as per rules. (Khyber Pakhtunkhwa Employees of Provincial Program Implementation Unit of Lady Health Workers Program (Efficiency and Discipline) Rules 2015).



District Coordinator,
LHWs Program, Mardan
/h

Cc.

1. District Health Officer Mardan.
2. N stop officer, DPCR Mardan.
3. LHS concerned

No 180 NP dated Mardan the 29/8/2019

- 1. Saleema Junaid LHW, BHU Gujar Garhi
- 2. Asia LHW, BHU Gujar Garhi

Subject: Explanation

Memo,

It has been reported in the evening meeting chaired by the Deputy Commissioner Mardan that, you were absent from duties in SNID (August 2019 round) with prior permission/information.

You are, hereby, directed to explain your position within 07 days of the receipt of this letter failing which disciplinary action will be initiated against you as per rules.(Khyber Pakhtunkhwa Employees of Provincial Program Implementation Unit of Lady Health Workers Program (Efficiency and Discipline) Rules 2015).

P. Ahmad
 District Coordinator,
 LHWs Program, Mardan

Cc.

- 10. District Health Officer Mardan.
- 11. N stop officer, DPCR Mardan.
- 12. LHS concerned

No

93

NP

dated Mardan the

6/5 /2019

10

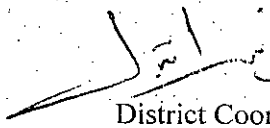
1. Asia LHW, BHU Gujar Garhi
2. Yasmin LHW, BHU Gujar Garhi
3. Rukh Afza LHW, BHU Gujar Garhi
4. Shahnaz LHW, BHU Gujar Garhi
5. Zaheen Lodhi LHW, BHU Gujar Garhi
6. Nighat Seema LHW, BHU Gujar Garhi
7. Saleema LHW, BHU Gujar Garhi
8. Saman LHW, BHU Gujar Garhi
9. Bushra LHW, BHU Gujar Garhi
10. Shahida LHW, BHU Gujar Garhi
11. Shuhrat LHW, BHU Gujar Garhi
12. Fara Naz LHW, BHU Gujar Garhi
13. Sajida LHW, BHU Gujar Garhi

Subject: Explanation

Memo,

It has been reported in the evening meeting chaired by the Deputy Commissioner Mardan that, you were absent from duties in NID (April 2019 round).

You are, hereby, directed to explain your position within 07 days of the receipt of this letter failing which disciplinary action will be initiated against you as per rules.(Khyber Pakhtunkhwa Employees of Provincial Program Implementation Unit of Lady Health Workers Program (Efficiency and Discipline) Rules 2015).


District Coordinator,
LHWs Program, Mardan

Cc.

1. Deputy Commissioner Mardan
 2. District Health Officer Mardan
- For information



(11)

DISTRICT HEALTH DEPARTMENT- MARDAN
DISTRICT HEALTH OFFICER MARDAN
(KHYBER PAKHTUNKHWA)
PH: # (0937) 9230030 Fax: # (0937) 9230349
Email: mardandho@gmail.com

No. 12460-76/DHO Dated: 19/09/2017

To


- | | |
|---------------------------------------|--------------------------------------|
| 1. Nasreen Parveen LHW, CD Daga Piran | 2. Rehana Yameen LHW, CD Daga Piran |
| 3. Nageen LHW, CD Daga Piran | 4. Alia LHW, BHU Sari Behlol |
| 5. Nargis LHW, BHU Gujar Garhi | 6. Zaheen LHW, BHU Gujar Garhi |
| 7. Shahnaz LHW, BHU Gujar Garhi | 8. Saman LHW, BHU Gujar Garhi |
| 9. Shahida LHW, BHU Gujar Garhi | 10. Saleema LHW, BHU Gujar Garhi |
| 11. Yasméen LHW, BHU Gujar Garhi | 12. Iram Naz LHW, BHU Khaszana Dheri |
| 13. Robina LHW, BHU Khaszana Dheri | 14. Shaheen LHW, BHU Khaszana Dheri |
| 15. Hameeda LHW BHU Qasam | |

Subject: Explanation/Pay Stop

Memo,

It has been reported by the M/O Incharge (UPEC Chairman) of your health facilities that you refused to perform your duties during the NIDs (18-21, September 2017).

It is to inform you that your salaries has been stopped immediately and furthermore you are directed to explain your position within 07 days of the receipt of this letter failing which strict disciplinary action will be initiated against you as per rules.


District Health Officer
Mardan

No. _____ DHO

Copy forwarded to the:

1. Deputy Commissioner Mardan
2. District Coordinator LHWs Program Mardan.
3. Accountant DHO Office Mardan to stop the pay of the above mentioned LHWs immediately.
4. Office copy

District Health Officer
Mardan

No 30 /NP. dated Mardan the 3/2 /2015.

- 1. Saleema LHW, BHU Gujjar Garhi
- 2. Shahnaz LHW, BHU Gujjar Garhi
- 3. Shahida LHW, BHU Gujjar Garhi

Subject: Final Warning

Memo.

It has been reported by the concerned DPMT in the evening meeting that you once again did not participate in the NIDs (February 2nd to 4th, 2015).

You were previously warned by the DHO Mardan vide letters No 16495-99/DHO dated 26/11/14 and 16993-97/DHO dated 8/12/14 but seems that you are habitually absenting yourself from duty.

You are therefore warned, for the last time, to be careful in future otherwise proceeding will be initiated against you under the rules.(Khyber Pakhtunkhwa Employees of Provincial Program Implementation Unit of Lady Health Workers Program (Efficiency and Discipline) Rules 2015).

[Handwritten signature]
3/2

District Coordinator,
LHWs Program, Mardan.

Cc.

- 1. Provincial Coordinator, LHWs Program Khyber Pakhtunkhwa Peshawar.
- 2. District Health Officer Mardan.

No 130 /NP dated Mardan the 09/5/2014

From The District Coordinator,
LHWs Program for FP & PHC,
Mardan.

To Saleema LHW, BHU Gujar Garhi


Subject: Explanation

Memo,

It has been reported by the concerned LHS that:


1. You did not submit monthly report for the month of April 2014.
2. You are not attending monthly meeting.
3. You are not maintaining your record for the last 04 months.

You are directed to explain your position within 07 days of the receipt of this letter failing which disciplinary action will be initiated against you as per rules.


 District Coordinator,
 LHWs Programme for FP & PHC,
 Mardan.

CC.

1. District Health Officer Mardan.
2. LHS concerned.


 District Coordinator,
 LHWs Programme for FP & PHC,
 Mardan.

No. /NP dated Mardan the /2013

From The District Coordinator,
National Program for FP & PHC,
Mardan.

To Saleema LHW, BHU Gujar Garhi

Subject: Explanation

Memo,

for the It has been reported by the concern LHS that, you did not submit
monthly report ~~since~~ last 02 months.

You are hereby directed to explain your position within 7 days
otherwise strict disciplinary action will be taken against you.

[Signature]
District Coordinator,
National Programme for FP & PHC,
Mardan.

No. *262* /NP dated Mardan the *16/12* 2013.

A copy is forwarded to the:

1. District Health Officer Mardan.
2. LHS concerned.

for information.

[Signature]
District Coordinator,
National Programme for FP & PHC,
Mardan.

15

No 130 /NP dated Mardan the 19/5/2014

From The District Coordinator,
LHWs Program for FP & PHC,
Mardan.

To Saleema LHW, BHU Gujar Garhi

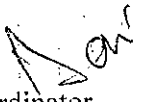
Subject: Explanation

Memo,

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1. You did not submit monthly report for the month of April 2014.
2. You are not attending monthly meeting.
3. You are not maintaining your record for the last 04 months.

You are directed to explain your position within 07 days of the receipt of this letter failing which disciplinary action will be initiated against you as per rules.


District Coordinator,
LHWs Programme for FP & PHC,
Mardan.

CC.

1. District Health Officer Mardan.
2. LHS concerned.


District Coordinator,
LHWs Programme for FP & PHC,
Mardan.



Annexed - III

16

OFFICE OF THE DEPUTY COMMISSIONER DISTRICT MARDAN

No: 753 DPCR (M)

Dated: 17-12-2019

Minutes of the Evening Review Meeting Day 2nd NID December 2019

Meeting started with the recitation of Holy versus from Quran. The Worthy Deputy Commissioner Mardan Mr. Abid Khan Wazir welcomed the participants. The participants were Additional Deputy Commissioner Finance, Additional Deputy Commissioner Revenue, Assistant Commissioners, DHO Mardan, EPI Coordinator, LHWs Coordinator, Representative of Population, Education and Police Department, AC WHO, M&E Officer PEOC, Social Organizer MNCH Program and the DPCR Core members. The list of participants is attached herewith. Chair asked about the today's update.

NSTOP officer briefed the house that all the teams were dispatched from the different UCs with security. In morning it was reported to the DPCR that the 6 UCs were having security shortage. The issue of shortage was tackled by the security FP at DPCR with concerned police station which was provided later on but in 6 UCs the deployment remained late.

The incident happened in UC Kot Ismialzai at 10:00 AM in which the UCMO Dr. Reshaz Gull was in field for Refusals Coverage, while visiting the Refusal house the household misbehaved with the UCMO and used abusive and threatening language. The Police there on Polio Duty arrested the culprit and took him to Police Station. The UCMO while on way back to Health Facility faced a Mob which gathered around him and made him responsible for the said situation. The Mob hit him from different sides in which he got injury of Mouth and Abrasions on body. Later he was rescued by an unknown person. The Mosque announcement has also been done in which a message was announced against Polio Campaign and further to attack on the hospital premises. The District Administration was involved timely to handle the situation. The Police took control of hospital and made the Mob dispersed. The FIR has been lodged and 5 culprits have been arrested and will be dealt under the relevant law.

Day 2nd Target & Achievement

Total Target	Daily Target	Achievement	%	Recorded NA	Covered NA	Recorded Refusals	Covered Refusals	Same Day NA Coverage
430398	131675	116645	89%	18765	6982	8676	2359	37%

244 ICM clusters have been entered and the coverage was 80% on recall while 90% on finger mark. 14 UCs were having NTs. Total missed children were 971 with NA 369, refusals 344 and TVBMC 7, Asleep 4, VBNFM 0, Team didn't visit the house 7 and others 0.

Monitor	Feedback
Dr. Jehangir M & E Officer PEOC KP	<ul style="list-style-type: none"> • Visited UC Shergarh • Monitored 2 Mobile Teams, 3 Clusters were taken • Attended Evening Meeting at the UC level and checked Data compilation • More Refusals due to Misconception • Iqra Academy refused to vaccinate Children

Dr. Humayoon AC WHO	<ul style="list-style-type: none"> • Visited UC Mayar • Formed 6 special teams for Refusal coverage • Monitored 2 Mobile Teams, 1 AIC and 2 clusters were taken • The cluster findings were 52% on Recall • Due to formation of special teams the Refusal coverage remained 118
Dr. Wazir Zada EPI Coordinator	<ul style="list-style-type: none"> • Visited UC Barichum • Monitored Mobile Teams, AICs • The focus was on Refusals coverage • Visited different private schools and convinced them for vaccinating the children
Mr. Zawar Hussain DHCSO	<ul style="list-style-type: none"> • UC Mohib and UC Kot Ismialzai • Focus was on Refusals coverage • Special teams for Refusals coverage was done and deployed. • The Refusals coverage remained 103 • On the Reported incident, visited UC Kot Ismialzai • Accompanied the concerned UCMO and facilitation was done.
Dr. Fahad Mirza PEO	<ul style="list-style-type: none"> • Visited UC Chak Mardan and UC Kot Ismialzai • All were present for Refusals coverage except Revenue staff • Special Teams formation was done and deployed • Support of Patwari is required
Mr. Bakht Zaman DHCSO	<ul style="list-style-type: none"> • Visited UC Gujjar Garhi • Monitored 4 Mobile Teams and 3 AICs • Constituted 6 teams for Refusals coverage and covered 109 Refusals • Attended Evening Meeting at the UC level
Dr. Ilyas PEO	<ul style="list-style-type: none"> • Visited UC Kot Jungara • Strategy made for Refusals coverage • Teams made and deployed. The coverage remained 50 • During Refusals coverage fake FM done by LHW Wajahat • Vaccine management was poor
Dr. Zeeshan NSTOP	<ul style="list-style-type: none"> • Visited UC Gujjar Garhi along with Worthy Deputy Commissioner • The Worthy Deputy Commissioner was facilitated in remote village Mushki, having high number of Refusals • Meeting done with Influentials • Refusals coverage was done • Monitored Mobile Teams and AICs • The issue of Kot Ismailzai was communication to the District Administration for prompt action



After discussion the following decisions were taken in the meeting.

1. The chair took notice of the UC Kot Ismialzai incident and directed Police Representative to take stern action against the culprits.
2. The chair directed DPMTs to involve the VC Secretaries and Revenue staff in Refusals coverage and will not do any work except polio.

3. As reported by Dr. Saboon UCMO Gujjar Garhi, the LHW Saleema Junaid and LHW Shahnaz attached to UC Gujjar Garhi are not performing their duties. The chair directed LHWs Coordinator to terminate them from service.
4. The chair further directed LHWs coordinator that as reported by the District Monitor, the LHW Wajahat attached to BHU Kot Jungara may be dealt under the relevant rules of law.

The meeting ended with vote of thanks from the chair.

[Handwritten signature]
 Deputy Commissioner
 W Mardan

Cc:

1. Secretary Health Government of Khyber Pakhtunkhwa Peshawar
2. Coordinator EOC Khyber Pakhtunkhwa Peshawar
3. Commissioner Mardan Division Mardan
4. DIG Mardan Region
5. Director General Health Services Khyber Pakhtunkhwa Peshawar
6. Deputy Director EPI Khyber Pakhtunkhwa Peshawar
7. District Nazim Mardan
8. District Police Officer Mardan
9. Assistant Commissioner Mardan/ Katlang
10. Assistant Commissioner Takht Bhai
11. District Health Officer Mardan
12. DEO Education (Male) Mardan
13. DEO Education (Female) Mardan
14. District Population Welfare Department
15. Area Coordinator WHO Mardan
16. All DPCR members

[Handwritten signature]
 Deputy Commissioner
 W Mardan



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 907 /ST

Dated: 13-4-2022

All communications should be addressed to the Registrar KP Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Mardan.

Subject: JUDGMENT IN APPEAL NO. 4307/2020, MST. SALEEMA JUNAID

I am directed to forward herewith a certified copy of Judgement dated 12.01.2022 passed by this Tribunal on the above subject for strict compliance:

Encl: As above


REGISTRAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR