

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1007 /ST

Dated 16/06 / 2021

To

The Mr. Khaliq Mir Medical Technician,
Civil Dispensary Paindi Lalma District Khyber.

SUBJECT: - ORDER IN APPEAL NO. 1200/2018, MR. KHALIQ MIR.

I am directed to forward herewith Original appeal No. 1200/2018, Titled Mr. Khaliq Mir alongwith certified copy of order dated 09.06.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR,
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 1200/2018

Date of Institution ... 27.09.2018

Date of Decision ... 09.06.2021



Khaliq Mir, Medical Technician,
Civil Dispensary, Paindi Lalma, District Khyber

... (Appellant)

VERSUS

The Director General Health Service Department, Khyber
Pakhtunkhwa, Peshawar and two others.

... (Respondents)

Mr. NOOR MUHAMMAD KHATTAK,
Advocate

--- For appellant.

MR. KABIRULLAH KHATTAK,
Additional Advocate General

--- For respondents.

ATTESTED

MR. SALAH-UD-DIN

MEMBER (JUDICIAL)

MR. ATIQ-UR-REHMAN WAZIR

MEMBER (EXECUTIVE)

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

JUDGMENT:

SALAH-UD-DIN, MEMBER:- The appellant Khaliq Mir has filed the instant Service Appeal against the order dated 24.06.2017, whereby the appellant was terminated from service and the departmental appeal filed by the appellant was also not responded to by the department within the statutory period of ninety days.

2. Briefly stated the facts as alleged by the appellant in the appeal are that the appellant being employee as Medical Technician was serving his duty diligently, however his services were terminated vide order dated 24.06.2017 passed by Agency Surgeon Khyber; that the appellant assailed the aforementioned order through filing of departmental appeal, however the same was not responded to by the department; that the impugned order of termination is against law, facts, norms of natural justice and material available on the record; that neither any charge sheet nor statement of allegations were issued to the appellant prior to issuance of the impugned order of his termination; that neither any show-cause notice was issued to

the appellant nor any opportunity of personal hearing was afforded to him, therefore, the impugned termination order is nullity in the eye of law and is liable to be set-aside.

3. Respondents submitted their comments, wherein it was mainly alleged that the appellant was a project Employee, who was not working as Medical Technician, rather he was working as Dispenser under ADP Project "20 CHCs/CDs in Khyber District", therefore, the appellant is having no legal right to file the instant service appeal. It was also alleged that the transfer order annexed by the appellant with his appeal is bogus and fake and he has been removed from service after completion of all codal formalities.


4. Learned counsel for the appellant has contended that the appellant was not issued show-cause notice, charge sheet or statement of allegations and was also not afforded any opportunity of personal hearing, therefore, the termination order is nullity in the eye of law. He next contended that the word termination is alien to law and the impugned order was passed on a date, which was holiday. He further argued that whole of the proceedings were carried out in an illegal manner, rendering the termination order as void and illegal, which is liable to be set-aside by reinstating the appellant in service. Reliance was placed on 2007 SCMR 229, 2008 SCMR 609, 2007 SCMR 152, 2003 PLC (C.S) 365, 2008 SCMR 1369 and 2006 SCMR 60.

5. On the other hand, Learned Additional Advocate General has contended that the appellant was serving as Dispenser being a project Employee under ADP Project "20 CHCs/CDs in Khyber District" on fixed pay basis, therefore, the appellant does not fall within the category of civil servant and this Tribunal lacks jurisdiction to entertain the instant appeal. He next contended that the photocopy of the appointment order, annexed by the appellant with his appeal is fake as the endorsement No. 2827-99/AS-Khy/PF dated 25.05.2013 mentioned in the appointment order is actually the dispatch number, vide which copy of monthly progress report was sent to Director Health Services Ex-FATA. He further contended that the appellant was a Project Employee and due to his continuous absence from duty, he was terminated from service after complying of all codal formalities. He relied upon 2000 SCMR 777.

6. Arguments have already been heard and record perused.

7. The respondents are alleging that the appellant was working on fixed pay basis as Project Employee under ADP Project "20 CHCs/CDs in

ATTESTED



EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

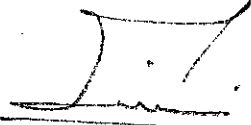
Khyber District" and in this respect, pay bill regarding salary is available as annexure-A. The termination order of the appellant would show that he was serving as Dispenser (ADP Scheme). Moreover, during the course of arguments, learned Additional Advocate General produced copy of letter No. 1468/DHO/Khyber dated 13.03.2020 of District Health Officer, Khyber, addressed to the Director Health Services Merged Areas Peshawar, regarding the verification of status of Mr. Khaliq Mir Dispenser, which affirms that the appellant was drawing his salary from ADP Scheme "Opening of 20 CHCs/CDs" since 25.05.2013.

8. According to Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, any civil servant aggrieved by any final order, whether original or appellate, made by a departmental Authority in respect of any of the terms and conditions of his service can invoke the jurisdiction of the Service Tribunal through filing of an appeal. In view of material available on the record, the appellant is not a civil servant as defined in Section-2 (b) of Khyber Pakhtunkhwa Civil Servants Act, 1973, therefore, the appeal filed by the appellant is not competent before this Tribunal for the reason that this Tribunal lacks jurisdiction in the matter.


9. In light of the above discussion, it is held that this Tribunal lacks jurisdiction in the matter, therefore, the appeal in hand is returned to the appellant for seeking remedy from competent forum available under the law. Office is directed to return the original appeal alongwith its annexures to the appellant by retaining its copies and placing the same on the file. Parties are left to bear their own costs. File be consigned to the room.

ANNOUNCED
09.06.2021


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1200 /2018

KHALIQ MIR

- VS

HEALTH DEPTT:

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APPELLANT

THROUGH:

**NOOR MOHAMMAD KHATTAK,
ADVOCATE**

Flat No. 3, Upper Floor,
Islamia Club Building,
Khyber Bazar, Peshawar
0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1200 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1481

Dated 27/9/2018

Mr. Khaliq Mir, Medical Technician,

Civil Dispensary, Painsi Lalma, District Khyber..... **APPELLANT**

VERSUS

- 1- The Director General Health Service Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.
- 3- The District Health Officer, Khyber at Jamrud.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT-1974 AGAINST THE IMPUGNED ORDER DATED 24.06.2017 COMMUNICATED TO THE APPELLANT DURING THE PROCEEDINGS BEFORE THIS AUGUST TRIBUNAL ON 17.05.2018 ACCORDING TO WHICH THE APPELLANT HAS BEEN TERMINATED FROM SERVICE AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

Filed to-day
Registrar
27/9/18

PRAYER: That on acceptance of this appeal the impugned order dated 24.06.2017 communicated to the appellant on 17.05.2018 may very kindly be set aside and the respondents may be directed to re-instate the appellant into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That appellant was the employee of the respondent Department and was performing his duty as Medical Technician in Civil Dispensary Kam Shilman, Khyber.

- 2- That during performing his duties in Civil Dispensary Kam Shilman the appellant was transferred and posted in the Civil Dispensary Paindi Lalma vide order dated 05.08.2016. That in response to the said order the appellant submitted his charge report and started performing duties quite efficiently and up to the entire satisfaction of his superiors. Copy of the order dated 05.08.2016 is attached as annexure.....**A.**

- 3- That appellant has served in Civil Dispensary Paindi Lalma hardly for five months from where the appellant was again transferred to BHU Tirah Maidan vide order dated 20.01.2017. That appellant feeling aggrieved from the transfer order dated 20.01.2017 filed a Departmental appeal before the appellate authority followed by service appeal No. 657/2017 before this august Tribunal. Copies of the order dated 20.01.2017, Departmental appeal and service appeal are attached as annexure.....**B, C & D.**

- 4- That during the pendency of the above mentioned service appeal the respondent No.2 issued order dated 24.06.2017 whereby the appellant has been terminated from service. That it is pertinent to mention that the impugned order was communicated to the appellant during the proceedings before this august Tribunal on 17.5.2018. Copies of the impugned order & withdrawal order attached as annexure..... **E & F.**

- 5- That appellant feeling aggrieved from the impugned order dated 24.06.2017 communicated to the appellant on 17.05.2018 preferred Departmental appeal but no reply has been received so far. Copy of the Departmental appeal is attached as annexure.....**G.**

- 6- That appellant having no other remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 24.06.2017 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That appellant has not been treated in accordance with law and rules by the respondents on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan-1973.
- C- That no charge sheet and statement of allegation has been issued to the appellant before issuing the impugned order dated 24.06.2017.
- D- That neither show cause notice was issued to the appellant nor chance of personal hearing was provided to the appellant before issuing the impugned order dated 24.06.2017.
- E- That the respondents acted in arbitrary and malafide manner while issuing the impugned order dated 24.06.2017.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated:26.9.2018

APPELLANT



KHALIQ MIR

THROUGH:



NOOR MOHAMMAD KHATTAK

&



MUHAMMAD MAAZ MADNI

ADVOCATES

OFFICE OF THE AGENCY SURGEON
AT JAMRUD

④
A ④

NO: _____ /AS/Khy

Dated 15/08/2016

OFFICE ORDER:

Posting / transfer order of Mr. Khaliq Mir from C.D Kam shelman to C.D Paindi lalma are hereby issued with immediate effect, in the best interest of public services :

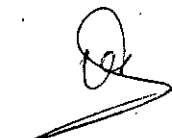
Sd/xxxxxx
Agency Surgeon
Khyber at Jamrud


Dated 15/08/2016

No: 4427-3/AS/Khy

Copy forwarded to the :

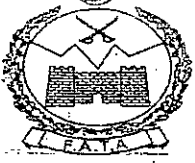
- 1: Director Health Services FATA, Warsak Road, Peshawar.
- 2: Assistant Political Agent Jamrud, Bara.
- 3: Incharge CD Paindi Lalma.
- 4: Officials concerned.


Attested


Agency Surgeon
Khyber at Jamrud

ATTESTED





B-5

OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

No: _____/AS/Khy

Dated ____/____/2017

OFFICE ORDER:-

Posting / transfer orders of the following paramedics are hereby issued with immediate effect, in the best interest of the public service:-

S No	Name	Designation	From	To	Remarks
1	Mr. Walid Mir,	Medical Technician	Civil Dispensary Paindi Lalma	Civil Dispensary Shaheed Maina	Till it is deemphasized
2	Mr. Akhtar Munir	Medical technician	Civil Dispensary Paindi Lalma	BHU Ali Masjid	
3	Mr Khaliq Mir	Medical Technician	Civil Dispensary Paindi Lalma	Pak Army BHU Tirah Maidan	
4	Mr. Nizamuddin	Dispenser	Pak Army BHU Tirah Maidan	Civil Dispensary Durqan Gul Killi	Mr. Hidayat ullah, Dispenser to go back to CD Khaurki Killi Bagn Maidan

Sd/xxxxxx
Agency Surgeon
Khyber at Jamrud

No: 333-45 /AS/Khy

Dated 20/01/2017

Copy forwarded to the :-

1. Director Health Services FATA, Warsak Road, Peshawar.
2. Assistant Political Agent Jamrud, Bara.
3. Incharge BHU Ali Masjid, CD Paindi Lalma.
4. Officials concerned.

Attested
Agency Surgeon
Khyber at Jamrud

ATTESTED

محکمات جناب ڈائریکٹر ہیلتھ سروسز فائنل ایسٹاؤر

درخواست نمبر: منسوجی تبادلہ حکم 20.01.2017

6

جناب عالی

موردہ ذیل ترائیوں کی جاتی ہے کہ سائل آپ کے زیر

لاہور ڈسپینسری سڈر ایجنسی ڈسپینسری اینی خدمات انجام دے

رہا ہے۔ سائل کی ڈیوٹی ایجنسی سرجن جیبر کے ساتھ لگائی گئی

اور ایجنسی سرجن نے سائل کی ڈیوٹی سول ڈسپینسری ہندری للمہ

میں لگا دی ہے۔ جو کہ اگست 2016 میں حکم نامہ جاری ہوا۔

اب 20.01.2017 کو ایجنسی سرجن صاحب نے میری ڈیوٹی بلڈنگ جیبر

ایجنسی میں فوج کے زیر نگرانی سول ڈسپینسری میں لگادی

جناب عالی

سائل کو بارہ جیبر ایجنسی میں ڈیوٹی سے سخت مشکلات

پہنچ رہی ہیں سائل کا سارا خاندان وہاں ہندری للمہ میں منتقل ہو چکا ہے

اس لیے آپ صاحب سے اٹھاس دے کہ سائل کا تبادلہ

کے احکامات جو 20.01.2017 کو ایجنسی سرجن نے نرد اپنے پاس

کئے جاؤں اور سائل کو ہندری للمہ میں اپنی ڈیوٹی انجام دینے کا احکام

صدر فرمائیں

ATTESTED

آل کا تبادلہ

Attested 19/02/2017

صالح میر
ڈائریکٹر ہیلتھ سروسز

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 657 /2017

D - 7

Mr. Khaliq Mir, Medical Technician,

Civil Dispensary Paindi Lalma, Khyber Agency **APPELLANT**

VERSUS

- 1- That Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.
- 3- The Agency Surgeon Khyber Agency at Jamrud.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 20.01.2017 WHEREBY THE APPELLANT HAS BEEN PRE-MATURELY TRNASFERRED FROM CIVIL DISPENSARY PAINDI LALMA TO BHU TIRAH MAIDAN AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTARY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 20.01.2017 may very kindly be set aside the respondents may be directed not to transfer the appellant from Civil Dispensary Paindi Lalma till completion of his normal tenure. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That the appellant is the employee of the respondent Department and is serving as Medical Technician at Civil Dispensary Paindi Lalma quite efficiently and up to the entire satisfaction of his superiors.
- 2- That appellant while serving as Medical Technician in Civil Dispensary Shalman an order dated 15.8.2016 was issued whereby the appellant was transferred to Civil Dispensary Paindi Lalma. That in response the appellant took over the charge and started performing his duty at the concerned station. Copy of the order is attached as annexure **A.**

ATTESTED



- 3- That astonishingly vide impugned order dated 20.1.2017 the appellant was prematurely transferred from Civil Dispensary Paindi Lalma to BHU Tirah Maidan. Copy of the impugned order is attached as annexure **B.**
- 4- That feeling aggrieved from the impugned order dated 20.01.2017 the appellant preferred Departmental appeal on 19.02.2017 before the respondent No.2 but no reply has been received far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....**C.**

GROUNDS:

- A- That the impugned order dated 20.1.2017 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and malafide manner while issuing the impugned order dated 20.1.2017.
- D- That the impugned order dated 20.01.2017 is pre-mature and against the rules and policy of the Provincial Government of Khyber Pakhtunkhwa. Copy of the transfer/posting policy is attached as annexure **D.**
- E- That the impugned order dated 20.1.2017 has not been issued in the public interest nor exigencies of service, therefore not tenable and liable to be set aside.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 15.6.2017

APPELLANT



KHALIQ MIR

ATTESTED



THROUGH:



NOOR MOHAMMAD KHATTAK

ADVOCATE

9

BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO 657 /2016

Khaliq Mir

VS

A.C.S FATA

APPLICATION FOR SUSPENTION OF OPERATION
OF IMPUGNED ORDER DATED 20.1.2017 TILL
THE DISPOSAL OF THIS APPEAL

R/SHEWETH:

- 1- That the appellant filed above mentioned appeal along with this application before this august service Tribunal in which no date has been fixed so for.
- 2- That all the three ingredients necessary for the stay is in favor of the appellant.
- 3- That the transfer of the appellant is against the transfer policy of the Government of Khyber Pakhtunkhwa and the impugned transfer order dated 20.1.2017 is also not issued in the public interest nor exigencies of public service.
- 4- That the grounds of main appeal is also be considered as integral part of this application.

It is therefore humbly prayed that on acceptance of this application the impugned transfer order dated 20.1.2017 may very kindly be suspended till disposal of this appeal.

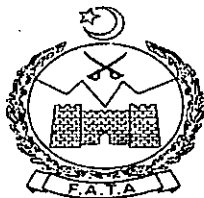
ATTACHED

APPELLANT


KHALIQ MIR

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE



OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

OFFICE ORDER

Consequent to prolonged absence from duties at Pak Army BHU Tirah Maidan, Khyber Agency and turning deaf ear to the call up notices etc, services of Mr. Khaliq Mir, Dispenser (ADP Scheme) are hereby terminated with immediate effect in the best interest of the public service.


Sd/xxx
Agency Surgeon
Khyber at Jamrud

No: 7237-44 /AS-KHY

Dated 24/06/2017

Copy forwarded to the:-

1. Director Health Services FATA, Warsak Road, Peshawar.
2. Political Agent Khyber Agency, Khyber House, Peshawar.
2. Agency Account Officer Khyber at Jamrud.
3. Assistant Political Agent Bara.
4. Accountant local office - for necessary action.
4. Official concerned.


Agency Surgeon
Khyber at Jamrud

ATTACHED



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 657 /2017

Diary No. 673

Mr. Khaliq Mir, Medical Technician,

Dated 16-6-2017

Civil Dispensary Paindi Lalma, Khyber Agency **APPELLANT**

VERSUS

- 1- That Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.
- 3- The Agency Surgeon Khyber Agency at Jamrud.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 20.01.2017 WHEREBY THE APPELLANT HAS BEEN PRE-MATURELY TRNASFERRED FROM CIVIL DISPENSARY PAINDI LALMA TO BHU TIRAH MAIDAN AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTARY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 20.01.2017 may very kindly be set aside the respondents may be directed not to transfer the appellant from Civil Dispensary Paindi Lalma till completion of his normal tenure. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

ATTESTED

R/SHEWETH:

ON FACTS:

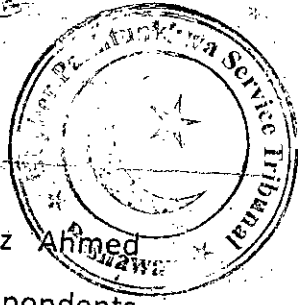
CHIEF CLERK
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

1- That the appellant is the employee of the respondent Department and is serving ~~to-day~~ as Medical Technician at Civil Dispensary Paindi Lalma quite efficiently and up to the entire satisfaction of his superiors.

2- That appellant while serving as Medical Technician in Civil Dispensary Shalmar an order dated 15.8.2016 was issued whereby the appellant was transferred Civil Dispensary Paindi Lalma. That in response the appellant took over charge and started performing his duty at the concerned station. Copy order is attached as annexure

12

Appeal No. 657/2017
Khalid Mir vs Govt



17.05.2018

Counsel for the appellant and Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present. Learned counsel for the appellant stated at the bar that the instant appeal has become infructuous therefore, he wants to withdraw the same. In this regard signature of learned counsel for the appellant was also obtained at the margin of order sheet as a token of proof. Accordingly the present appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
17.05.2018

sdf *sdf*
(M. Amin Khan Kundli) (M. Hamid Mughal)
Member Member

Certified to be true copy
Khalid Mir
Service Tribunal,
Peshawar

Date of Presentation of Application 24-5-18
Number of Witnesses 800
Copying Fee 6
Urgent 2
Total 8
Name of Officer [Signature]
Date of Certificate 24-5-18
Date of Delivery of Copy 24-5-18

withdrawn
appeal being

To

G-13

The Director Health Services-FATA,
FATA Secretariat, Warsak Road, Peshawar.

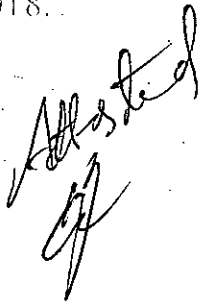
SUBJECT: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 24.6.2017 WHICH WAS COMMUNICATED TO ME THROUGH AUGUST SERVICE TRIBUNAL, PESHAWAR ON 17.05.2018 WHEREBY I WAS TERMINATED FROM SERVICE.

Respected Sir,

It is most respectfully stated that I was the employee of your good self Department and was serving as Medical Technician at Civil Dispensary Paindi Lalma, Khyber Agency. During service I was transferred from Civil Dispensary Paindi Lalma to BFIU Tirah Maidan vide order dated 20.01.2017. Feeling aggrieved from the order 20.01.2017 preferred Departmental appeal before your good self for cancellation of the above mentioned impugned order but no reply was received and then after I filed service appeal No. 657/2017 before the august Service Tribunal, Peshawar. During the pendency of service appeal the Agency Surgeon, Khyber issued my termination order dated 24.06.2017 which I received through august Service Tribunal on 17.05.2018 whereby my services has been terminated without any reason. I was feeling aggrieved from the impugned order dated 24.06.2017 preferred the instant Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal I may kindly be re-instated into service with all back benefits. Any other remedy which your good self deems fit that may also be awarded in my favor.

Dated 01.06.2018.



Khaliq Mir
Your Obediently

KHALIQ MIR, (MT),
CD Paindi Lalma, Khyber Agency.

VAKALATNAMA

Before the KP Service Tribunal Peshawar

APPEAL No. _____/2018

Khalig Mir

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Department

(RESPONDENT)
(DEFENDANT)

I/we *Khalig Mir*

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

Dated. ____/____/2018



CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK


MUHAMMAD MAAZ MADNI
ADVOCATES

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391
Mobile No.0345-9383141

BEFORE THE SERVICES TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

APPEAL NO. 1200 / 2018

Mr. Khaliq Mir, Medical Technician.....Petitioner

Versus

Director General Health Khyber PakhtunkhwaRespondents
& others

S NO.	DETAIL	PAGE NO.	Description
1	Para wise Comments	1-3	
2	Pay bill	4	A
3	Explanations	5-6	B
4	Show cause notice	7	C
5	Order and enquiry report	8-10	D
6	Absence notice in daily newspaper	11	E
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BEFORE THE SERVICES TRIBUNAL
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Versus

Director General Health Khyber PakhtunkhwaRespondents
& others

Para wise comments on behalf of respondent No. 1, 2 & 3.

Respectfully Sheweth;

Preliminary objections

1. That the appeal is incomplete in its present form and contractual obligations cannot enforced through constitutional jurisdictions.
2. That the appellant has got no locus standi to file the instant appeal before department appeal.
3. That the appellant has not come to this Honorable Court with clean hands as he is irregular in his Govt: duty.
4. That the appellant has not yet submitted his departmental appeal before the competent authority.

ON FACTS


1. Incorrect. The appellant has concealed the facts because he was working as Dispenser not Medical Technician on fixed pay basis under ADP Project "20 CHCs/CDs in Khyber District". His monthly pay bill is attached at **Annex-A**.
2. Incorrect. The appellant is misguiding the Honorable Court because the transfer order submitted by the appellant is fake and bogus as the issue number on the body of the order does not match with the dispatch register of this office.
3. Incorrect, as already mentioned in Para-2 above that the appellant has submitted fake and bogus transfer order. It is submitted that:
 - The appellant had completed two years tenure in CD Paindy Lalma.

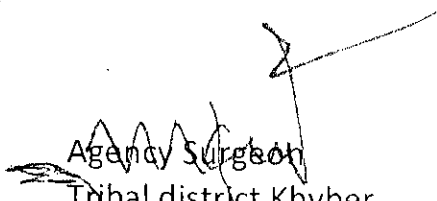
- When his services were required in emergency by the Pak Army at Tirah, he was transferred at Pak Army BHU Tirah vide order dated 20.01.2017 but the appellant refused to work there and did not obey the orders of the competent authority and absented himself from his legitimate duties.
 - The Then Agency Surgeon called explanation, served absence notice at his home address but the appellant did not respond at **Annex-B**.
 - Show cause notice was also issued but the appellant did not resume duty at **Annex-C**.
 - The then Agency Surgeon Khyber constituted an inquiry committee on 22.03.2017 which submitted its report with the recommendation to serve final show cause notice to the appellant before termination at **Annex-D**.
 - In this regard, absence notice was advertised in the daily newspaper at **Annex-E**. Even then, the appellant neither appeared before the Agency Surgeon nor the inquiry committee, hence, the services of the appellant were terminated vide order at **Annex-F**.
4. Correct, because the appellant absented himself from his legitimate duties despite of advertisement of absence notice in the daily newspaper. Furthermore, due to his absenteeism, the poor and needy community of Tirah was badly affected.
 5. Incorrect, the appellant has not yet submitted department appeal to the competent authority.
 6. The appellant has no right to file the instant appeal being a project employee because the department has completed all codal formalities required in the termination process.

ON GROUNDS

- A. Incorrect, The appellant was transferred to Pak Army BHU, in emergency and critical situation in Tirah Maidan on the request of Pak Army, but he failed to obey the order and absented himself without any information and prior permission of the competent authority. Therefore, he was terminated after fulfilling all codal formalities under the rule.
- B. Incorrect as all codal formalities during his termination were fulfilled under the rules which is attached herewith for ready reference.
- C. Incorrect as proper charge sheet with statement of allegations were served during his termination process which is attached herewith on annexure F.
- D. Incorrect as during the termination of the appellant the show cause notice, personal hearing, explanation and enquiry were initiated which are attached herewith on annexure **A to F**.
- E. Incorrect, the appellant has been terminated after all codal formalities were fulfilled.
- F. The department will also produce other proofs in the time of hearing.

Keeping in view the above facts it is requested that the instant appeal may kindly be dismissed with cost.


Director Health Services,
Merged areas, Peshawar
For respondent No. 1 & 2


Agency Surgeon
Tribal district Khyber
Respondent No. 3

AGENCY SURGEON
Khyber at Peshawar

Government of KPK Health Department
Pay Bills GovernmeIKH1101

Distt: Khyber Agency
Detail of Functional cod,01 Gen-Public Service)
019-Gen: Public Service not elsewhere defined)
0191-Gen: Public Service not elsewhere defined)
019120-Others.D.No.131, for the year 2016-17.

Pay w.e.f 1-07-2016 to 31-03-2017
(ADP No.193

(10 CHCs)

Projec ID KH 13F02034

*Cherke nro 6254247
Date 13-6-17
gaurd Rsa 24/06/17*

S.No	Name		Designation	Fix Pay	03 Months w.e.f 1-4- 2017 to 30- 06-2017	Net Amount	Cnic No	Signature
✓1	Hidayat Ullah	Abdul Ghafoor	Dispenser	24300	3	72900	22-99836860	<i>[Signature]</i>
✓2	Ghulam Sarwar	Faqeer Muhamm	Dispenser	24300	3	72900	22-99836848	<i>[Signature]</i>
✓3	Aziz Ullah	Awal Mir	Dispenser	24300	3	72900	22-99836878	<i>[Signature]</i>
4	Nizam Uddin	Khalifa Khan	Dispenser	24300	3	72900	<i>Paid Out</i>	
✓5	M. Ibrahim		Dispenser	24300	3	72900	22-99836843	<i>[Signature]</i>
6	Khaliq Mir		Dispenser	24300	3	72900	<i>Employed in Civil Treasury</i>	
✓7	Kamal uddin	Perver Khan	Dispenser	24300	3	72900	22-99836849	<i>[Signature]</i>
✓8	Muhammad Zahid	Sail Badsha	Dispenser	24300	3	72900	22-99836864	<i>[Signature]</i>
9	Uzma Tariq	Tariq	Dai	16200	3	48600	22-00662210	
✓10	Sadarat	Younis Khan	Dai	16200	3	48600	22-99836869	<i>[Signature]</i>
✓11	Bushra	Hazrat Gul	Dai	16200	3	48600	22-99836871	<i>Paid</i>
✓12	Snahmada	M. Hussain	Dai	16200	3	48600	22-99836875	<i>[Signature]</i>

Nizam B (B)

OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD.

NO _____ /AS-^{hy}

Dated 13/3 /2017.

To:

Mr. Khaliq Mir Dispensar.

Subject: EXPLANATION.

You have already submitted your arrival report for duty to this office but you have not been performing your duty at Pak Army BHU; Tirah Miadan without any permission/ information to the competent authority.

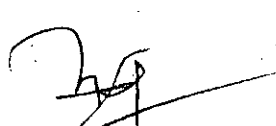
Therefore you are hereby directed to explain your position within 03 days otherwise strict disciplinary action will be taken against you.

Agency Surgeon Khyber,
at Jamrud.

NO 1926-29 /AS-^{hy}

Copy forwarded to the :-

1. Director Health Services FATA Pesh:
2. Assistant Political Jamrud.
3. Agency Account Officer Khyber.
4. Official Concerned.


Agency Surgeon Khyber.
at Jamrud.



OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

No: _____/AS/Khy

Dated: ____/____/2017


REMINDER - 1

Mr. Khaliq Mir, Medical Technician
(ADP Scheme)
Khyber Agency

Subject: ABSENCE FROM DUTY

It has been noticed with great concern that you neither reported to new duty station nor performing your duties and have turned deaf ear to the call up notices so far. This trend of you is detrimental to the service norms and deserve strict disciplinary action.

You are hereby directed to report to the office of the undersigned within 07 days and explain your position as to why strict disciplinary action may not be taken against you, which may result in your termination from service, under E. & D Rules in vogue.

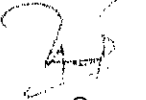

Agency Surgeon
Khyber at Jamrud

No: 2276-79/AS/Khy

Dated 29/3/2017

Copy forwarded to the :

1. Director Health Services FATA; Warsak Road, Peshawar.
2. Political Agent Khyber Agency, Khyber House, Peshawar.
3. Agency Accounts Officer Khyber at Jamrud.
2. Assistant Political Agent Bara, Jamrud & Landikotal.


Agency Surgeon
Khyber at Jamrud



Agency

OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

No: 4132-34 /AS/Khy

Dated: 8 / 4 /2017

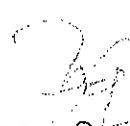
REMINDER - II

Mr. Khaliq Mir, Medical Technician
(ADP Scheme)
Khyber Agency

Subject: SHOW CAUSE NOTICE

It has been noticed with great concern that you neither reported to new duty station nor performing your duties and have turned deaf ear to the call up notices and REMINDERS so far. This trend of you is detrimental to the service norms and deserve strict disciplinary action.

You are hereby directed to report to the office of the undersigned within 15 days and explain your position as to why strict disciplinary action may not be taken against you, which may result in your termination from service, under E & D Rules in vogue. For your non response to call up notices an ex-perte decision is imminent against you.



Agency Surgeon
Khyber at Jamrud

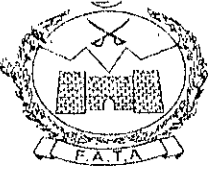
No: 4132-34 /AS/Khy

Dated ___ / ___ /2017

Copy forwarded to the :

1. Director Health Services FATA, Warsak Road, Peshawar.
2. Political Agent Khyber Agency, Khyber House, Peshawar.
3. Agency Accounts Officer Khyber at Jamrud.
2. Assistant Political Agent Bara, Jamrud & Landikotal.


Agency Surgeon
Khyber at Jamrud



OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

Amir

No: _____/AS/Khy

Dated: _____/_____/2017

OFFICE ORDER

Consequent to suspension of services of Mr. Khaliq Mir, Medical Technician due to prolonged absence from the Pak Army BHU at Tirah Maidan, following Enquiry Committee is hereby constituted to probe into his reluctance in carrying out official orders etc:-

1. Hafeez Ullah, FSMO Khyber
2. Dr Ejaz, Medical Officer Civil Hospital Jamrud.

Enquiry Committee is compile detailed report of the facts for further submission to the Competent Authority for strict disciplinary action.

Sd/xxx
Agency Surgeon
Khyber at Jamrud

No: 2128-32 /AS-KHY
Copy forwarded to the:-

Dated 22 / 3 / 2017

1. Director Health Services FATA, Warsak Road, Peshawar
2. Political Agent Khyber, Khyber House, Peshawar.
3. Agency Account Officer Khyber at Jamrud.
4. Assistant Political Agent Jamrud.
5. Official concerned.

[Signature]
Agency Surgeon
Khyber at Jamrud

(D)

REPORT OF ENQUIRY COMMITTEE

Authority: Agency Surgeon Khyber office order No: _2128-32/AS-Khy dated _22.3.2017.

Date & Place ON 28.3.2017 & subsequent dates at Civil Hospital Jamrud

Purpose: To probe into his reluctance in carrying out official orders etc.

Proceedings The Committee personally visited the record available at the office of the Agency Surgeon Khyber on 28.3.2017 and subsequent days and found that:-

1. Mr. Khaliq Mir, Medical Technician (ADP Scheme) was transferred from CD Paindi Lalma to Pak Army BHU Tirah Maidan vide office order No: 333-45/AS/Khy dated 20.1.2017 towards which he showed reluctance. On 28.1.2017 he explained his position and gave signs of written reluctance. The same was not acceded to by the Agency Surgeon Khyber and ordered him to proceed to his new duty station.

2. On 7.2.2017 he finally gave his Arrival Report which was accepted.

3. He was served with an explanation vide letter No: 1926-29/AS-Khy dated 13.3.2017 due to the reasons that he was not performing his duties at new duty station. The letter was registered to his home address.

3. On 22.3.2017 another enquiry was ordered vide letter No: 2128-32/AS-Khy dated 22.3.2017 which is underway.

4. The Inquiry Committee has called upon the official to appear before it and give his written statement, reasons etc but to no avail. He failed to appear before the committee till date.

Findings

As the official has not appeared before the committee so an ex-parte decision is made as follows:-


1. The Official may be suspended from service with immediate effect. He may be notified through the available means that such attitude towards service matter shall end into his termination from service under E & D Rules.

2. He is an ADP Employee and has very narrow option left to defend himself.

(D)

Recommendations: The Enquiry Committee is of the view that he may be served with other show cause notices to complete the codal formalities before final termination from service.

Ejaz
DR EJAZ M. D
Medical Officer
Civil Hospital Jamrud


DR. HAFIZ ULLAH
FSMO Khyber

Handwritten marks and numbers: (15) and other scribbles.

اللہ ہی کہے ہیں شرق و مغرب القرآن

DAILEY MASHRIQ PESHAWAR

روزنامہ سیدتان میر شاہ ہمدان کے بانی پشاور

50 سال

ABC CERTIFIED

پندرہ روزہ قلم آباؤ سبک و قلم شائع ہونے والا کثیر الاشاعت روزنامہ

جلد 50

ہفتہ 14 رمضان 1438ھ 10 جون 2017ء قیمت 13 روپے

شمارہ 292

Handwritten number: 15/6/17

نوش غیر حاضری

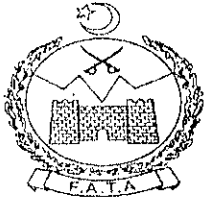
نام خائن میر۔ ڈپنر پاک آری لی ایچ یو تیراہ خیرا بھنسی

ہر گاہ و گدگاہ آپ کو مطلع کیا جاتا ہے کہ آپ اپنی ڈیوٹی سے غیر توفیقی طور پر غیر حاضر رہے ہیں۔ اس دفتر نے آپ کو متعدد بار نوٹس بھی ارسال کیے کہ ڈیوٹی پر حاضر ہو جائیں مگر آپ حاضر نہ ہوئے۔

آپ کو اشتہار ہذا کے ذریعے مطلع کیا جا رہا ہے۔ کہ آپ فوراً اپنی ڈیوٹی پر حاضر ہو جائیں۔ اور اندرون 15 یوم دفتر ہذا میں اپنی حاضری یقینی بنائیں۔ بصورت دیگر آپ کو مزید ہمت دیئے بغیر موجودہ قوانین کے تحت ہمدان سے برخاست کر دیا جائے گا۔

افسر نجاز

091-5820301 فون PID(P) 99379/17



Ann: (F) 6

OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD

OFFICE ORDER

Consequent to prolonged absence from duties at Pak Army BHU Tirah Maidan, Khyber Agency and turning deaf ear to the call up notices etc, services of Mr. Khaliq Mir, Dispenser (ADP Scheme) are hereby terminated with immediate effect in the best interest of the public service.

Sd/xxx


Agency Surgeon
Khyber at Jamrud

Dated 24/06/2017

No: 7289-44 /AS-KHY

Copy forwarded to the:-

1. Director Health Services FATA, Warsak Road, Peshawar.
2. Political Agent Khyber Agency, Khyber House, Peshawar.
2. Agency Account Officer Khyber at Jamrud.
3. Assistant Political Agent ~~Para~~ Jamrud
4. Accountant local office - for necessary action.
4. Official concerned.


Agency Surgeon
Khyber at Jamrud

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No.1200/2018

KHALIQ MIR

VS

HEALTH DEPTT:

REJOINDER ON BEHALF OF APPELLANT IN RESPONSE
TO THE REPLY SUBMITTED BY THE OFFICIAL
RESPONDENTS

R/SHEWETH:

(1 to 4):

All the objections raised by the respondents are in correct, baseless and not in accordance with law and rules, rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

ON FACTS:

- 1- Incorrect and not replied accordingly. That appellant was appointed as Dispensor in the respondent Department on regular basis vide order dated 29.05.2013. Copy of the appointment order & medical certificate are attached as annexure.....R.
- 2- Incorrect and misconceived. That appellant was performing his duties at Civil Dispensary Kam Shilman was transferred to Painsi Lalma vide order dated 05.08.2016. That in response to the said transfer order dated 05.08.2016 the appellant submitted his charge report and started performing his duty quite efficiently and upto the entire satisfaction of his superiors.
- 3- Incorrect and misconceived. That appellant hardly served in Civil Dispensary Painsi Lalma for five months from where the appellant was again transferred to BHU Tirah Maidan vide order dated 20.01.2017 which the appellant has challenged in service appeal No.657/2017 before this august Tribunal. That after submission of the aforementioned service appeal against the transfer order dated 20.01.2017 the appellant was regularly performing his duty at Civil Dispensary Painsi Lalma, and the same has been admitted by the respondents in Para-3 of the their reply. Furthermore, no codal formalities have been fulfilled by the respondents before issuing termination order of the appellant. Copy of the attendance register is attached as annexure.....R1.
- 4- Correct to the extent of termination order of the appellant while the remaining para is incorrect. That it is pertinent to mention that the termination order dated 24.06.2017 shows clear malafide on the part the respondents because the termination order has been issued on weekend i.e. on Saturday.

5- Incorrect and not replied accordingly. That the appellant was submitted his departmental appeal against the impugned order dated 24.06.2017 before the respondent No.1 on 01.06.2018.

6- Incorrect and not replied accordingly. That appellant was appointed on regular basis in the respondent department, therefore being a civil servant the appellant filed service appeal before this august Tribunal.

GROUND:

All the grounds of main write petition are correct and in accordance with law and prevailing rules and that of the respondent are incorrect and baseless hence denied. That no notice has been served on the appellant before issuing the impugned order dated 24.06.2017. That neither charge sheet and statement of allegation has been issued to the appellant nor any show cause notice has been served on the appellant before issuing the impugned order dated 24.06.2017.

It is therefore, most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may kindly be accepted in favor of the appellant with all back benefits.

THROUGH:

APPELLANT


**NOOR MOHAMMAD KHATTAK,
ADVOCATE**

Daily Attendance Register of the C.O. Pindialma

for the month of JUNE 2018

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
1)	MR. KHAN MIR	M.T		km	km		km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	
2)	MR. AKHTAR MUNIR	M.T		km	km		km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	
3)	MR. FARHAD ULLAH	DIP		Fallah	Fallah		Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	
4)	MR. WALID MIR	M.T		km	km		km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	
5)	MR. KHALIQ MIR	M.T		km	km		km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	
6)	MR. ALAM GIR	E.Pi		AR	AR		AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	
7)	MR. NIAZ ALI	M/ Supervisor.		NR	NR		NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
8)	MRS. SHAISTA	LHV		SA	SA		SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA		
9)	MRS. NAZIRA BIBI	Dai		P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
10)	MR. GUL RAIZ	Boheshti		P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

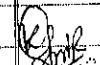
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 (K)
 CIVIL DISCIPLINARY AUTHORITY

Handwritten signature:
 عین الرحمٰن

Daily Attendance Register of the C.D. PAINDI LALMA

for the month of August 2018

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
1)	MR. KHAN MIR	M.T.		KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	
2)	MR. AKHTAR MUNIR	M.T.		KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	
3)	MR. FARHAD ULAH	Ph. Tech		Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	Fallah	
4)	MR. WALID MIR	M.T.		KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	
5)	MR. KHALIQ MIR	M.T.		KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	
6)	MR. ALAM GIR	Epi		AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	AR	
7)	MIR. NIAZ ALI	Malama Supervisor		NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE		
8)	MRS. SHAISTA	LHV.		SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA		
9)	MRS. NIZARA BIBI	Dai		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
10)	MR. GUL RAIZ	Bahashi		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
11)	MR. BAKHTIAJ	WTO		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
12)	MR. NIHAR ALI	Chaukadar		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		


 T. J. ...
 Civil ...
 ...

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Checked by M. M. Khan 11/9/18
 BHO Khyber
 11:00 am
 for the month of SEPTEMBER 2018

(6)

e

Daily Attendance Register of the CD Patandilama

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
11	MR. Haji Khan Mir		M.T	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
22	MR. Akhtar Munir		M.T	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
37	MR. Waliul Mir		M.T	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
43	MR. Farhad Allah		Ph. Tech	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
51	MR. Khalid Mir		Ph. Tech	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
61	MR. Alam Giv		EPI	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
72	MR. Niqat Ali		M/Superior	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
82	MR. Shaista		LHN	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
91	MR. Bakhtaj		W/O	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
102	MR. Gul Raj		Bakhtaj	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
112	MR. Nisar		Chauhan	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	
123	MRS. Nisara Bani		Dai	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	

Stamp: G.I.V. Patandilama
 District: Khyber Pakhtunkhwa
 Date: 11/9/18

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

(7)

Daily Attendance Register of the C.D Painsi Talma

for the month of October 2018

Serial No.	Name	Father's Name	Rank													13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
				1	2	3	4	5	6	7	8	9	10	11	12																					
1)	MR. Khon Mir		1/c	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
2)	MR. Akhtar Munir		M.T	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
3)	MR. Wajid Mir		M.T	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
4)	MR. Farhad		ph-Tech	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
5)	MR. Khalid		ph-Tech	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
6)	MR. Alam Gir		Epi. Tech	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
7)	MR. Nisar Ali		M/S	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
8)	Mrs. Shabna		LHV	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
9)	MR. Gul Zab		Behtk	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
10)	MR. Bakht Taj		w/overly	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
11)	MR. Nohar Ali		Charulinder	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
12)	Mrs. Nizora		DBL	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			

Incident
Civil DISPARITY

checked
25/10/18
Agency Surgeon
Khyber

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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Daily Attendance Register of the C.D Parodi Lalma

for the month of NOVEMBER 2018

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
1)	MR. KHAN	MIR		KA	KM	VO																														
2)	MR. AKHTAR	MUNIR																																		
3)	MR. FARHAD	ULLAH																																		
4)	MR. WALID	MIR																																		
5)	MR. WALID KHALIQ	MIR																																		
6)	MR. ALAM	GIR																																		
7)	MR. NIAR	ALI																																		
8)	MRS. SHAISTA																																			
9)	MR. GUL	RAIZ																																		
10)	MR. BAKHTAI																																			
11)	MR. NIHAR	ALI																																		
12)	MRS. NIZARA	BIBI																																		

Handwritten signature and stamp:
 Signature: *K. Ghosh*
 Stamp: *Headmaster*
Government High School
Parodi Lalma

Daily Attendance Register of the C.D. Pardi Wana

for the month of DECEMBER 2018

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
1)	MR. KHAN MIR	1/2 M.T		KM																																
2)	MR. AKHTAR MUNIR	M.T																																		
3)	MR. FARHAD ULLAH	Pr. Teach																																		
4)	MR. WALID MIR	M.T																																		
5)	MR. ALAM GIR	E.P.I		AR																																
6)	MR. NIAZ ALI	Malaria Supervisor		NZ																																
7)	MR. KHALIQ MIR	M.T		KO																																
8)	Mrs. SHAISTA	L.H.V		SA																																
9)	MR. GUL RAIZ	Behatti		P																																
10)	MR. BAKHTAJ	M/orddy		P																																
11)	MR. NIHAR ALI	(Chaukadar)		P																																
12)	Mrs. NIZARA BIBI	Dai		P																																

Civil Dispensary
Mandora Khyber Agency

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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Daily Attendance Register of the C.D - Paundilalam

for the month of January

2019

Serial No.	Name	Father's Name	Rank													13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks				
				1	2	3	4	5	6	7	8	9	10	11	12																									
(1)	MR. KHAN MEER MIT		1/c	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP				
(2)	MR. AKHTAR MUNIR MIT			MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP			
(3)	MR. FARHAD ULLAH Dh-Tech			Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full				
(4)	MR. WALID MEER MIT			MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP			
(5)	MR. ALAM GIR Epi			MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP	MP			
(6)	MR. NIAZ ALI M/S			NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE			
(7)	MR. KHALIQ MEER Dh-Tech			KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA	KA		
(8)	MRS. SHABTA BEBP L.H.V			SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA		
(9)	MR. GUL RAIZ Behshite			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(10)	MR. BAKHTAT w/overerty			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(11)	MR. NEHAR ALI Chaukedar			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(12)	MRS. NIZARA BEBI DAI			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

Inspector
Civil Dispensary
Paundilalam

>> بسم الله الرحمن الرحيم

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Daily Attendance Register of the C.D - Painsi Lalma

for the month of FEBRUARY 2019

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks			
1)	MR. KHAN MIR	1/2 M.T		KA																																			
2)	MR. AKHTAR MUNIR	M.T		KA																																			
3)	MR. FARHAD ULLAH	Ph. Tech		Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah	Fullah			
4)	MR. WALID MIR	M.T		W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W			
5)	MR. NIAZ ALI	M/S		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
6)	MR. KHALIQ MIR	Ph. Tech		K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K			
7)	MR. ALAM GIR	E.P.I Tech		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
8)	MRS. SHAISTA	L.H.N		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
9)	MR. GUL RAIZ	Behashti		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
10)	MR. NIHAR ALI	Chackerdar		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
11)	MRS. NIZARA BIBI	Dai		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
12)	MR. BAKHTAJ	W/Ordary		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			

In-charge
 Civil Disobedience
 Painsi Lalma Sub-Station

10.35 AM
 6/2/2019
 MKE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Daily Attendance Register of the CID Painsilalra

for the month of MARCH

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2019 (2019)

Serial No.	Name	Father's Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks				
01	MR KHAN MIR		MT																																					
	K. MT																																							
02	MR AKHTAR MUNIR																																							
	MT																																							
03	MR. WALID MIR																																							
	MT																																							
04	MR. FARHAD ULLAH																																							
	Ph-Tec																																							
05	MR. KHALIQ MIR																																							
	Ph-Tec																																							
06	MR. ALAM LOIR																																							
	EDP																																							
07	MR. NIAZ ALI																																							
	M/S																																							
08	MRS. SHAISTA																																							
	LHV																																							
09	MR. BAKHTAJ																																							
	W/ordery																																							
10	MR. LUL RIZ																																							
	Beshir																																							
11	MR. NIHAAR ALI																																							
	Choubdar																																							
12	MRS. NIZARA																																							
	Dai																																							

Handwritten signature and stamp: Incharge Civil Dispensary, Painsilalra

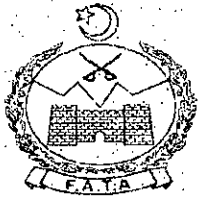
بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Daily Attendance Register of the *C-D Pindilma*

for the month of APRIL 2019

Serial No.	Name	Father's Name	Rank	Days																												Total No. of Days	Remarks										
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			29	30	31							
1)	MR. KHAN MIR			km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km							
	1/2 M.T																																										
2)	MR. AKHTAR MUNIR			km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km						
	M.T																																										
3)	MR. WALID MIR			km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km					
	Dispenser																																										
4)	MR. KHALIQ MIR			km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km	km				
	Ph. Tech.																																										
5)	MR. FARHAD ULAH			Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.	Fullch.					
	Ph. Tech.																																										
6)	MR. ALAM GIR			PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR				
	E.P.I																																										
7)	MR. NIAZ ALI			NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ	NZ				
	Maloria Superior.																																										
8)	Mrs. SHAISTA			SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA			
	LHY																																										
9)	MR. BAKHTAJ			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Wforatory																																										
10)	MR. GUL RAIZ			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Besthi																																										
11)	MR. NIHAR ALI			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Chowkidar																																										
12)	Mrs. NIZARA			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Doi																																										

(Signature)
CHIEF OFFICER
CIVIL DISPENSARY
PINDILMA



OFFICE OF THE DISTRICT HEALTH OFFICER KHYBER AT JAMRUD

OFFICE ORDER

As recommended by the inquiry committee the following paramedic staff of CD Painsi Lalma are hereby directed to report for duty to the following health facilities with immediate effect in the best public interest.

S No	Name	From	To
1	Mr. Khan Mir Medical Technician	CD Painsi Lalma	CD Shaheen Maina
2	Mr. Walid Mir Medical Technician	CD Painsi Lalma	CD Chappary
3	Mr. Khaliq Mir ex-Dispenser	CD Painsi Lalma	Stop duty any way till further orders by the competent forum
4	Mr. Amanullah Medical Technician	CD Painsi Lalma	CHC Wazir Muhammad Killi
5	Mr. Akhtar Wazir	CD Chappary	CD Painsi Lalma
6	Mr. Zaheer Abbas	CH Lowara Maina	CD Painsi Lalma

District Health officer
Khyber at Jamrud

Dated: 19/11/2019

No: 532135/DHO/Khyber

Copy forwarded to the:-

1. Director Health Services merged areas.
2. Deputy Commissioner Khyber.
3. District Accounts Officer Khyber at Jamrud.
4. All incharges concerned
5. All above concerned.

District Health officer
Khyber at Jamrud