

26.06.2019

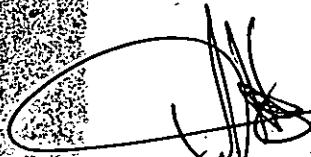
Son of the appellant on behalf of the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Khalid Ishaq, Assistant Accountant on behalf of respondent No. 6 present. Learned District Attorney submitted written reply on behalf of respondents No. 1 to 4. Representative of respondent No. 6 namely Muhammad Khalid Ishaq submitted an application that respondent No. 6 rely on the written reply submitted by respondents No. 1 to 4. Application is placed on file. Case to come up for rejoinder and arguments on 24.09.2019 before D.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

24.09.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Farhaj Sikandar, learned Deputy District Attorney present. Case called but neither the appellant nor her counsel turned up. Consequently the present service appeal is hereby dismissed in default. No order as to costs. File be consigned to the record room.



(Ahmad Hassan)
Member

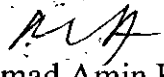


(Muhammad Hamid Mughal)
Member
Camp Court, D.I.Khan

ANNOUNCED.
24.09.2019


26.02.2019

None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney alongwith Abdul Shakoor, Assistant Account Officer for respondent No. 6 present and submitted written reply. Neither written reply on behalf of respondents No. 1 to 5 submitted nor their representative present therefore, notice be issued to respondents No. 1 to 5 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on behalf of respondents No. 1 to 5 on 22.04.2019 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

22.04.2019

None present on behalf of appellant. None present on behalf of respondents. Fresh notice be issued to the respondents to furnish reply/parawise comments. Notice of warning of attachment of salary be also issued to respondent No.4, who has passed the impugned order, in case, written reply is not furnished on his behalf. Adjourn. To come up for reply/comments on 26.06.2019 before S.B


Member
Camp Court, D.I.Khan.

22.06.2018

Mr. Sarfaraz, father of the appellant alongwith counsel Mr. Muhammad Tariq Advocate present. None is present on behalf of respondents. Fresh notices be given to them. Respondents are directed to submit written reply/comments on or before 30.08.2018 before the S.B at camp court, D.I.Khan.



Chairman
Camp Court, D.I.Khan

30-8-18

NO ONE present for the appellant. Mr. Abdul Shakoor A.O, for respondent present. Tour is hereby cancelled, therefore the case is adjourned for the next on 24-10-18 at camp court D.I. Khan.



24-10-2018

Tour is hereby cancelled. Therefore the case is adjourned. To come up on 17-12-18 at camp court D.I. Khan.



17.12.2018

As per direction of the worthy Chairman Khyber Pakhtunkhwa Service Tribunal, D.I.Khan tour dated 17.12.2018 has been rescheduled and the case is re-fixed for 26.12.2018.



Reader

26.12.2018

Father of the appellant, on behalf of the appellant present. Mr. Abdul Shakoor, Accounts Officer on behalf of respondent No. 6 alongwith Mr. Farhaj Sikandar, District Attorney present. Representatives of respondents No. 1 to 5 are not in attendance therefore, notice be issued to respondents No. 1 to 5 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.02.2019 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

1271/2015

29.12.2017

Husband of the appellant on behalf of the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents also present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 22.02.2018 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

22.02.2018

Husband of the appellant on behalf of the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Abdul Shakoor, Assistant Account Officer for the respondent No. 6 also present. Representative of respondents No. 1 to 5 is not in attendance therefore, notice be issued to the respondents No. 1 to 5 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.04.2018 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

25.05.2018


Due to retirement of the Worth Chairman, the Tribunal becomes non-functional. To come up for the same 22.06.2018. Notice be issued to the parties accordingly.


Member

26.07.2017

Counsel for the appellant present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Health Department as LHW. It was further contended that her service was later on regularized vide order dated 22.09.2014. It was further contended that the respondents have terminated her vide order dated 15.01.2015 on the ground of none resident in her catchment area. It was further contended that when her salary was stopped then she came to know about the impugned order therefore, she filed departmental appeal and also application for condonation of delay. It was further contended that neither a proper regular inquiry was conducted nor charge sheet was served on her nor she was given opportunity of personal hearing and defence, therefore, the impugned order is illegal and liable to be set-aside.


The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal exceptions. Appellant is directed to deposit security and process fee within 10 days, thereafter notices be issued to the respondents for written reply/comments for 25.10.2017 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

26.10.2017


Appellant Deposited
Security & Process Fee

Father of the appellant present and submitted application for time to deposit process fees and security. Application allowed. Appellant is directed to deposit fees and security within 10 days. Thereafter notice be issued to the respondents for written reply. Case to come up for written reply on 29.12.2017 before S.B at Camp Court D.I.Khan.


(Muhammad Hamid Mughal)
Member
Camp Court D.I.Khan

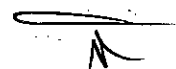
26.12.2016

None present on behalf of appellant. Notice be issued to appellant and her counsel for preliminary hearing for 28.02.2017 before S.B at Camp Court D.I.Khan.


ASHFAQUE TAJ
MEMBER
Camp Court D.I.Khan

22.02.2017

Mst. Jameel Bibi through her father Mr. Sarfaraz Khan present. He requested for adjournment as their counsel is not available today. Adjournment granted. To come up for preliminary hearing on 29.03.2017 before S.B at Camp Court D.I.Khan.


(ASHFAQUE TAJ)
MEMBER
Camp Court D.I.Khan

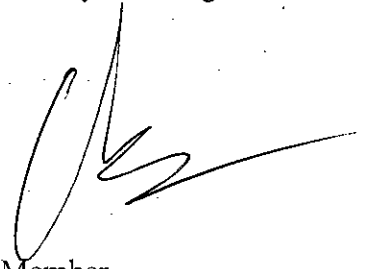
29.03.2017

Since tour is hereby cancelled, therefore, the case is adjourned for the same on 26.07.2017.


Reader

24.05.2016

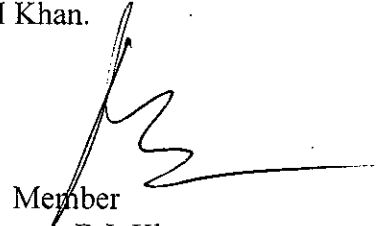
Counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 30.08.2016 at camp court D.I. Khan.



Member
Camp Court D.I.Khan

30.08.2016

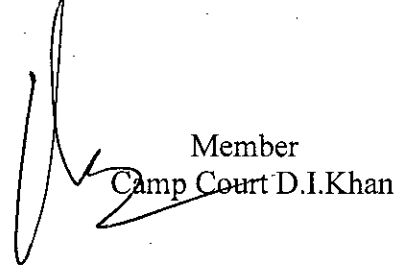
Counsel for the appellant present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 26.09.2016 before S.B at camp court D.I Khan.



Member
Camp court D.I. Khan

26.09.2016

Counsel for the appellant present and requested for adjournment. Request accepted. To come up for preliminary hearing on 26.12.2016 before S.B at Camp Court D.I.Khan.



Member
Camp Court D.I.Khan

29.12.2015

Since tour to D.I.Khan for the month of December, 2015 has been cancelled, therefore, case is adjourned to 26.1.2016 for the same.


Camp Court, D.I. Khan

26.01.2016

Counsel for the appellant and Mr. Farhaj Sikandar, GP for the respondents present. Counsel for the appellant requested for adjournment. To come up for preliminary hearing on 23.2.16 at camp court, D.I.Khan.


MEMBER
Camp Court, D.I.Khan

23.2.2016




Junior to counsel for the appellant present and submitted that senior counsel was busy before the hon'ble High Court. He requested for adjournment. Case is adjourned to 24.5.16 for preliminary hearing at Camp Court D.I.Khan.


MEMBER
Camp Court, D.I.Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1271/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	11.11.2015	<p>The appeal of Mst. Jamila Bibi presented today by Mr. Muhammad Tariq Qureshi Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2		<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up thereon <u>24-11-15</u>.</p> <p> CHAIRMAN</p>
	23.11.2015	<p>None is available on behalf of the appellant. Fresh notices be issued to appellant and her counsel. Case to come up for preliminary hearing at camp court, D.I.Khan on <u>29-12-2015</u>.</p> <p> MEMBER Camp Court, D.I.Khan</p>

BEFORE KHYBER PAKHTUNKHWA SERVICER TRIBUNAL
PESHAWAR.

Service Appeal No. 1271 /2015

Jamila Bibi.....

(Appellant)

VERSUS

Secretary Health KPK & others.....

(Respondents)

INDEX

S. No	Particular Of Documents	Annexure	Page
1	Service Appeal <i>and Affidavit, Condonation Application</i>		1-5
2	Affidivt	6
3	Copy of domicile certificate	A	7
4	Copy of Notification for regularization	B	8-9
5	Copy of letter No. 973 about regularization of Appellant	C	10
6	Copy of termination order No. 1045/NP	D	11
7	Copy of application	E	12
8	Copy of Departmental Appeal	F	13
9	Wakalat Nama		14

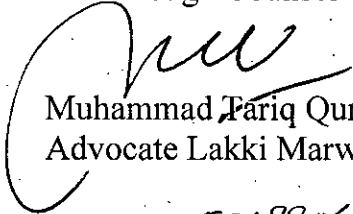
Dated: 03-11-2015

Appellant

جمیلہ بی بی

Jamila Bibi

Through Counsel


Muhammad Tariq Qureshi
Advocate Lakki Marwat.

0300-5768804

①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Service Appeal No. 1271 /2015.

Jamila Bibi wife of Habib ur Rehman, resident of Begu Khel, LHW
(BHU) Begu Khel Tehsil and District Lakki Marwat.

(Appellant)

Versus

1. Secretary, Health, Khyber Pakhtunkhwa Peshawar.
2. Director General Health Khyber Pakhtunkhwa Peshawar.
3. Provincial Coordinator LHW Programme Peshawar.
4. District Health Officer, Lakki Marwat.
5. District Coordinator LHW Programme Lakki Marwat.
6. District Accounts Officer, Lakki Marwat.

G.W.F. Province
Service Tribunal
Diary No. 1346
Dated 11-11-2015

(Respondents)

**SERVICE APPEAL AGAINST THE TERMINATION ORDER
OF DISTRICT HEALTH OFFICER, LAKKI VIDE LETTER NO.
1045/10/NP DATED 15.01.2015**

PRAYER:

ON ACCEPTANCE OF INSTANT SERVICE APPEAL,
RESPONDENTS MAY KINDLY BE DIRECTED TO RESTORE/RE-
INSTATE THE APPELLANT ON HER PREVIOUS (LHW), POST
ALONG WITH ALL BACK BENEFITS, WITH ANY APPROPRIATE
REMEDY WHICH THIS COURT DEEM FIT FOR THE SAKE OF
JUSTICE.

Respectfully Sheweth:

1. That, the Appellant has been serving in the Health Department as LHW at BHU Begu Khel Lakki Marwat. No complaints throughout Appellant's professional career has been made against

11/11/15
11/11/15

(2)

Appellant. Along with, primary duties the of Appellant is also working as polio worker too.

2. That, the Appellant was, firstly, recruited on contract basis but latter on dated 22-09-2014, her services were regularized under the benefit of Supreme Court orders. Copy of Domisile certificate, Regularization notification dated 25.02.2013 and letter No. 973 dated 22.09.2014 about Appellant regularization are aneexed herewith as Annexure A, B & C.
3. That, as required by policy and rules, the medical certificate was submitted by the Appellant but before taking the baton, the Appellant was terminated on 15-01-2015 vide letter No. 1045/NP by DHO Lakki Marwat, about which the Appellant came to know on 26-06-2015 at the time of getting information about the stoppage of salary in District Health office Lakki Marwat. Copy of Termination Order is aneexed herewith as annexure D.
4. That, subsequently, the salary of the Appellant was stopped and the stoppage of the Appellant salary and her termination was made on the sole ground of being non residential.
5. That, being unhappy from the orders of DHO, the appellant preferred a representation/Departmental appeal dated 07.07.2015, to the Director General (Health) (Respondent No. 2 herein) which was failed in attracting the attention of said Respondent No. 2, which can be well inferred as undisputed within the prescribed time. Copies of applciation and Departmental appeal are annexed herewith as Annexure E & F. Hence, instant Service Appeal on the following grounds:-

GROUND:

A. That, abinitio, the Appellant is resident of the said village on which the Appellant was appointed on contract basis. As for as the village Achu Khel is concerned, the said Achu Khel comes within vicinity of U/C Begu Khel and Achu Khel is lying on the distance of 15 minutes from village Begu Khel Lakki Marwat, while Appellant is living in village Begu Khel after marriage and after the said job.

B. That, the Appellant has been condemned unheard and no show cause notice or like other notices were served upon the Appellant.

C. That, the allegation and information given against the Appellant are false and baseless and fair inquiry is needed to the matter in question.

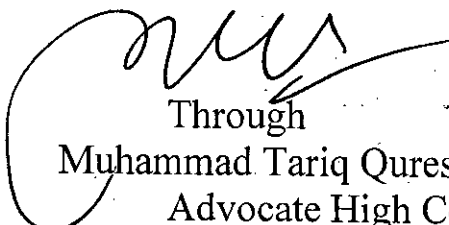
D. That, the appellant has been treated against the law, facts, rules & policy. The procedure adopted by the Respondents is also against procedure. Hence, the petitioner's/Appellant's restoration is sine-qua-non for the sake of justice.

It is, therefore, humbly prayed that on acceptance of instant Service Appeal, Respondents may kindly be directed to restore/re-instate the Appellant on her previous (LHW), post along with all back benefits, with any appropriate remedy which this Court deem fit for the sake of Justice.

Dated: 03-11-2015

Appellant

جمیلہ بی بی
Jamila Bibi


Through
Muhammad Tariq Qureshi
Advocate High Court
Peshawar.

4

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. /2015

Jamila Bibi.....

(Appellant)

VERSUS

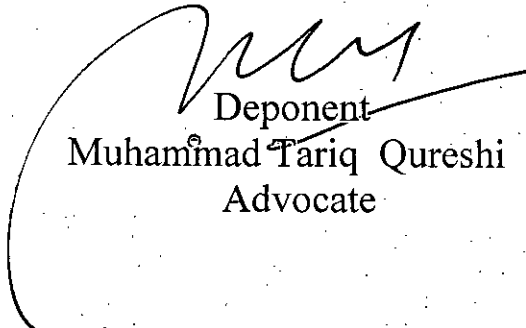
Secretary Health KPK, Peshawar & others

(Respondents)

AFFIDAVIT

I, Muhammad Tariq Qureshi Advocate Lakki Marwat hereby solemnly affirm and declare that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief. Nothing has been concealed from this Honorable Court.




Deponent
Muhammad Tariq Qureshi
Advocate

(5)

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal.

Jamila Bibi

VERSUS

Secretary Health & Others.

Application For Condonation/ Relaxation Of Time For Filing Appeal

Respectfully Sheweth:

1. That, the Appeal in hand is being presented for hearing but the same is with ignorable over-timing/ delay of just two/three days over the prescribed time.
2. That, the said ignorable delay is just because of the fact that the appellant is a lady and as such neither could contact the Counsel on time nor count and manage the prescribed time properly.
3. That, the said fault and deficiency on the part of Appellant was not deliberative but due to domestic affairs, weak womankind and illness.

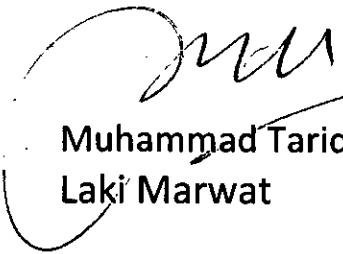
Hence, the delay is condon-able. *MOREOVER, today, I came to this Honorable Court for submission, informed that on Saturday this H. Court is closed as Holiday. So, Total Delay of Submission of Appeal become FIVE Days which is ignorable.*

It's therefore humbly requested that the said delay may kindly be overlooked and Appeal in hand may kindly be accepted for hearing / proceeding.

Dated: 07-11-2015.

Appellant *جمیلہ بی بی*

Through Counsel


Muhammad Tariq Qurashi Advocate
Laki Marwat

(6)

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal.

Jamila Bibi

VERSUS


Secretary Health & Others.

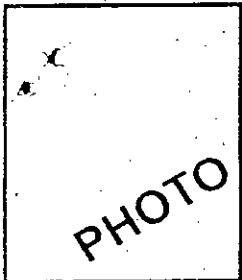
Application For Condonation/ Relaxation Of Time For Filing Appeal

AFFIDAVIT

I, Muhammad Tariq Qurashi Advocate Laki Marwat hereby solemnly affirm and declare that the contents of instant application are true and correct as per instructions of my client.




Deponent
Muhammad Tariq Qurashi
Advocate
Laki Marwat



Annex 'A'

DOMICILE CERTIFICATE

I, Jamila Bibi Son / Daughter / Wife ✓
of Sarfraz Khan, declare that I was born of parents who are permanently Domiciled in N.W.F.P, having been born/settled in this province.

I belong by birth to Mohallah Mirzi Khel
Village Achu Khel Tehsil Lakki Marwat
District Lakki Marwat.

Self / Father / Brother / Husband NIC No.

1	1	2	0	1	-	0	3	6	9	7	2	5	-	1
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J. Bibi
Signature of the Applicant
Dated: 28 / 05 / 2008

Pursuance to the declaration dated: 28 / 05 / 2008 filed by
Jamila Bibi Son / Daughter / Wife ✓ of Sarfraz Khan
domicile in the N.W.F.P. It is hereby certified that the said Jamila Bibi
is born of parents who are permanent residents of the N.W.F.P, having been born / settled in it.

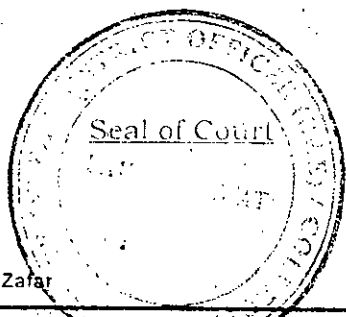
I have satisfied my self from ~~personal knowledge~~/verification through Revenue Staff that the above declaration is true & certified accordingly.
This 28 day of 05 2008.



M. H.
Deputy District Officer
Revenue & Estate / Judicial
Lakki Marwat

No. 2612 / DO / R&E / Lm Dated: 28 / 05 / 2008

COUNTERSIGNED



ATTESTED
Q. Ali

[Signature]
District Officer (R&E) /
Collector, Lakki Marwat

Sabz Ali / Zafar

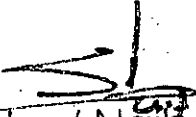
جناب عالی!

تصدیق کی جاتی ہے۔ کہ مسی / مسماة حمیدہ بی بی
ولد / دختر / زوجہ سرفراز خان قوم پٹھان
خود اور اس کے والدین محمد عظیم زری خیل گاؤں اچو خیل
تحصیل لکی مروت ضلع لکی مروت کے مستقل رہائشی و پیدائشی باشندگان ہیں۔
اور ایف آر سے کوئی تعلق نہیں رکھتے۔ لہذا رپورٹ عرض ہے۔

پٹواری حلقہ
انفک سوار سدیہ
28.5.2008

تصدیق شد
28.5.2008
گرد اور سرکل

Attested as verified by the Revenue Staff


Tehsildar / Naib Tehsildar
NAIB TEHSILDAR
Lakki Marwat 28/5/08

8

(Better Copy)

B



TO BE SUBSTITUTED BEARING THE SAME NUMBER AND DATE

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated 25/02/2013

Notification:

No. 6-165/ECO/PC/H/Vpl-IV/2012-2013:- Pursuant to orders of the Supreme Court of Pakistan passed in CRL. Original petition No. 15 of 2012 in HRC No. 16360/2008, the competent authority has been pleased to regularize the service of Lady Health supervisors (LHSs), Account Supervisors, Lady Health Workers (LHWs), Drivers and PMU Staff of the National Program for Family Planning & Primary Health Care, Khyber Pakhtunkhwa w.e.f July 01, 2012 on the following terms and conditions:

1. Upon regularization, the following Staff shall be placed at the minimum basic scales given below:

- a. Lady Health Supervisors (LHSs) in BPS-7
- b. Account Supervisors in BPS-7
- c. Lady Health Workers in BPS-5
- d. Drivers in BPS-4
- e. Other PMU staff at provincial & District level working in their respective scales as on July, 2012.

ii. The staff of National Program for Family Planning & Primary Health Care, Khyber Pakhtunkhwa so regularized shall have no pensionary benefits. The Issue of pension shall be considered after a firm commitment from the Federal Govt to take up in perpetuity the pending liability of the staff so regularized.

iii. The regularization shall be subject to the revised terms and conditions and organizational structure which the Govt shall firm-up keeping in view the fact that basic design of the program is not substantially compromised or altered.

2. Appropriate legislation shall be undertaken to give effect to this order before July 01, 2013 and the specific orders regarding individual employee would be issued separately by the respective competent for after framing the rules.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endorsement of even Nos and Date:

1. Principal Secretary to Governor Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Govt. of Pakistan, Ministry of National Regulations and Services, Islamabad.
4. Registrar, Supreme Court of Pakistan.
5. All the Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
6. P.S.O to Chief Secretary, Khyber Pakhtunkhwa.
7. P.S.O to Additional Chief Secretary, Khyber Pakhtunkhwa.
8. Director General Health Service, Khyber Pakhtunkhwa.

ATTESTED
[Signature]
ADV

Q

Annex - 'B'

TO BE SUBSTITUTED BEARING THE SAME NUMBER AND DATE

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated 25/02/2013.



Notification:

NO. F-165/ECO/PC/H/vpl-IV/2012-13: Pursuant to orders of the Supreme Court of Pakistan passed in CRL. Original petition No. 15 of 2012 in HRC No. 16360/2008, constitution petition No. 36 of 2012 and CRL original petition No. 73 of 2012 in HRC No. 16360/2008, the competent authority has been pleased to regularize the services of Lady Health supervisors (LHSs), Account Supervisors, Lady Health Workers (LHWs), Drivers and PMU Staff of the National Program for Family Planning & Primary Health Care, Khyber Pakhtunkhwa w.e.f July 01, 2012 on the following terms and conditions:

- i. Upon regularization, the following Staff shall be placed at the minimum basic scales given below:
 - a. Lady Health Supervisors (LHSs) in BPS-7
 - b. Account Supervisors in BPS-7
 - c. Lady Health Workers in BPS-5
 - d. Drivers in BPS-4
 - e. Other PMU staff at provincial & District level working in their respective scales as on July, 2012.

- ii. The staff of National Program for Family Planning & Primary Health Care, Khyber Pakhtunkhwa so regularized shall have no pensionary benefits. The issue of pension shall be considered after a firm commitment from the Federal Govt to take up in perpetuity the pending liability of the staff so regularized.
- iii. The regularization shall be subject to the revised terms and conditions and organizational structure which the Govt shall firm-up keeping in view the fact that basic design of the program is not substantially compromised or altered.
2. Appropriate legislation shall be undertaken to give effect to this order before July 01, 2013 and the specific orders regarding individual employee would be issued separately by the respective competent for after framing the rules.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endorsement of even Nos and Date:

1. Principal Secretary to Governor Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Secretary to Govt. of Pakistan, Ministry of National Regulations and Services, Islamabad.
4. Registrar, Supreme Court of Pakistan.
5. All the Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
6. P.S.O to Chief Secretary, Khyber Pakhtunkhwa.
7. P.S.O to Additional Chief Secretary, Khyber Pakhtunkhwa.
8. Director General Health Services, Khyber Pakhtunkhwa.

ATTESTED
[Signature]
ADV

10

Amir



OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT

Email: edohlakki@yahoo.com
Ph#: 0969-538339
Fax#: 0969-538108

No. 973 /MP

Dated: 22/09/2014

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 Lakki Marwat 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	FLCF	Date of appointment	Name of Catchment Area
1	Gul Nama	Gul Hassan	Kamal	BHU Begu Khel	1-11-2005	BHU Begu Khel
2	Gul Fareena	Fareed Ullah	Amir Jan	BHU Begu Khel	1-10-2001	Wanda Amir
3	Parveen Shahzad	Quli Khan		BHU Begu Khel	1-07-2004	Land Ahmad Khel
4	Nahid Sarwar	Gul Sarwar Khan		BHU Begu Khel	1-07-2009	Moh: Gulshan Abad
5	Jamila Bibi	Sarfaraz Khan		BHU Begu Khel	1-07-2009	Village Acho Khel
6	Meher-un-nisa		Muhammad Ayub Khan	BHU Begu Khel	1-07-2009	Moh: Qasaban
7	Samrin	Munawar Khan		BHU Begu Khel	1-07-2009	Moh: Islamabad
8	Tasleem Akhtar		Saif-ur-rehman	BHU Begu Khel	1-07-2009	Wanda Amir

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

[Signature]
District Health Officer
Lakki Marwat

- C.c.
- Provincial Coordinator LHW Program Peshawar
 - District Account Officer
 - Concerned LHW Program Employees
 - Office Record

District Health Officer
Lakki Marwat

ATTESTED
[Signature]

Annex

(11)

LADY HEALTH WORKER PROGRAM DPIU-DISTRICT LAKKI MARWAT

TERMINATION OFFICER ORDER


As reported and recommended by the LHS Concerned, the service of the LHW JAMILA BIBI A/C # 11697300020501 is hereby terminated w-e-f- 15-01-2015, as they are found N.R. (None Residents) in their catchment areas and Not interested in Lady Health Worker Program Activities, therefore as per program policy she is terminated immediately.

District Health Officer
Lakki Marwat

No. 1045 /NP
Dated: 15/01/2015

Copy forwarded to the:

1. Provincial Coordinator LHWs Program Khyber Pakhtunkhwa Peshawar.
2. District Coordinator LHW Program Lakki Marwat.
3. LHS Concerned
4. LHW Concerned
5. Personal files.


District Health Officer
Lakki Marwat

ATTESTED

ADV

خدمت جناب ڈسٹرکٹ سیکرٹری، ایچ۔ ڈی۔ اے، ضلع ملکی فروغ

Annex - 9

عنوان :- درخواست برائے بحالی آن ایل۔ ایچ۔ ڈی۔ اے پوسٹ (LHW)

جناب علی

گزارش حضور اوردیل ہے کہ سائلہ 2009 سے BHU بنلو خیل میں بطور LHW خدمات سر انجام دے رہی ہے۔ اور اپنے فرائض کو خوش اسلوبی اور احسن طریقے سے ادا کر رہی ہے اور نیشنل پروگرام کے علاوہ پولیو جیسی سہولت ڈیولپی بھی ادا کر رہی ہے لیکن آج صہبان کے ذہن میں کچھ ایسے غلط معلومات لائے گئے ہیں کہ سائلہ اپنی ڈیولپی نہیں کر رہی ہے۔ جو حقیقت پر مبنی نہیں ہے۔ اور سائلہ کو ان غلط معلومات کی بناء پر ریٹائرمنٹ یعنی terminate کر دی گئی ہے۔

ابا آج صہبان سے مورچانہ التماس ہے کہ سائلہ کو LHW کے پوسٹ پر بحال کرنے کے احکامات صادر فرماویں۔

بڑی غیر بانی بلوگی
مورخہ 26/5/2015

العارضہ

BHU بنلو خیل ملکی فروغ

سائلہ جمیل بی بی LHW

ATTESTED
[Signature]

To,

Director General Health,
KPK, Peshawar.

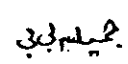
Subject: DEPARTMENTAL APPEAL/REPRESENTATION

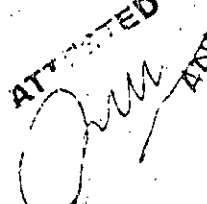
Facts

1. That the petitioner has been serving in the Health Department as LHW at BHU Begu Khel Lakki Marwat. No complaints throughout her professional career has been made against her. Along side her primary duties the petitioner is also working as polio worker too.
2. That the petitioner was, firstly, recruited on contract basis but latter on dated 22-09-2014, her services were regularized under the benefit of Supreme Court orders.
3. That as required by policy and rules the medical certificate was submitted by the petitioner but before taking the baton, the petitioner was terminated on 15-01-2015 vide letter No. 1045/NP by DHO Lakki Marwat, about which the petitioner came to know on 26-06-2015 at the time of getting information about stoppage of salary in District Health office Lakki Marwat.
4. That subsequently, the salary of the petitioner was stopped and the stoppage of the petitioner's salary and her termination was made on the sole ground of being non residential.
5. That abinitio, the petitioner is resident of the said village on which the petitioner was appointed on contract basis. As for as the village Achu Khel is concerned, the said Achu Khel comes within vicinity of U/C Begu Khel and Achu Khel is lying on the distance of 15 minutes from village Begu Khel Lakki Marwat.
6. That, the petitioner has been condemned unheard and no show cause or like other notices were served upon the petitioner.
7. That, the allegation and information given against the petitioner are false and baseless and fair inquiry is needed to the matter in question.

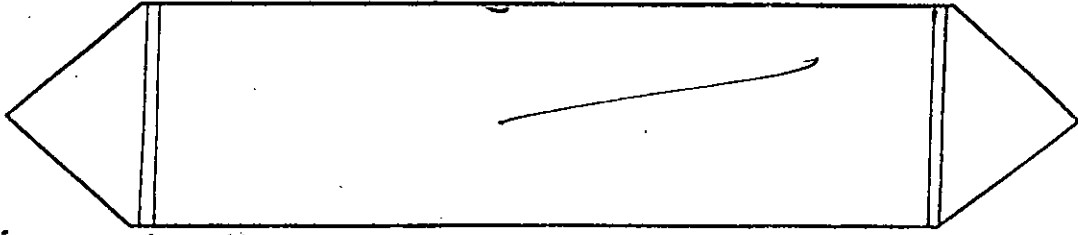
It is therefore, humbly prayed that on acceptance of instant appeal/Representation, the petitioner/appellant may kindly be restored/Reinstated on her previous (LHW) post along with any appropriate remedy, which deem fit for the sake of justice.

Dated: 7/7 /2015.


 Applicant
 JAMILA BIBI wife of Habib ur Rehman
 LHW BHU Begu Khel Lakki Marwat.

ATTENDED

 ADV

بعد الترسوس ٹریبونل پشاور



مورخہ 3 نومبر 2015ء منجانب ایپلنٹ
 مقدمہ جمیل بی بی
 دعویٰ سروس اپیل نمبر 2015
 جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکن کارروائی متعلقہ
 آن مقام کیلئے کہ طار دہر قریبے ایپلنٹ کیلئے
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سندر ہے۔

المرقوم 3 ماہ نومبر 2015ء

العبد گواہ العبد

کے لئے منظور ہے۔

Accepted

بمقام
 Jamila (Appellant)

جمیل بی بی

[Handwritten signature]



5-13

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No: 01271/2018

Jamila Bibi VS Health Department

INDEX

S.No.	Documents	Pages	Annexure
1.	Comments & Affidavit		--
2.	Selection Criteria		"R-1"
3.	Advertisement		"R-2"
4.	copy of Termination order		"R-3"

U. A. Marwat
District Health Officer Lakki Marwat

District Health Officer
Lakki Marwat

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No: 1271/2018

Jamila Bibi

VS

Health Department

Respectfully Sheweth;

The respondents' No. 1 to 4 submits the following comments in the above appeal:

Preliminary Objections;

- I. That Appellant has got no cause of action.
- II. That the appeal is not maintainable as no departmental appeal was filed by the Appellants.
- III. That the instant appeal is badly time barred.
- IV. That the appellants willfully remained absent from duties and was found not interested in Lady Health Worker Program activities.
- V. That the basic requirement for Lady Health Worker is that she belongs to the same catchment area and in case of leaving that area, the same will be considered Non Resident and will be terminated.
- VI. That the same condition was advertised and the appellant by accepting this condition was appointed. **Annexed As R-"1" & R-"2"**.
- VII. That the appellant was appointed for catchment area of Begu Khel Lakki Marwat, where now she left the catchment area and residing in Achu Khel Lakki Marwat.
- VIII. That in Achu Khel, a Lady Health Worker is already working, while appellant is not interested in lady Health Work Program

activities at Begu Khel, that's why her services was terminated vide letter No.1045/NP dated 15/01/2015. **Annexed as R-3.**

FACTS;

1. Correct to the extent of appointment at Begu Khel. Rest of the para is incorrect.
2. Pertains to record.
3. In correct. That the basic requirement for Lady Health Worker is that she belongs to the same catchment area and in case of leaving that area, the same will be considered Non Resident and will be terminated. The appellant was appointed for catchment area of Begu Khel Lakki Marwat, where now she left the catchment area and residing in Achu Khel Lakki Marwat. In Achu Khel, a Lady Health Worker is already working, while appellant is not interested in lady Health Work Program activities at Begu Khel, that's why her services was terminated vide letter No.1045/NP dated 15/01/2015.
4. Correct.
5. In correct. The Appellant had not adopted the procedure provided by the law as no departmental Appeal was filed. Thus the Appeal in not maintainable and is badly time barred.

GROUNDS;

- A. In correct. Detail reply is submitted in preliminary objections and documents are annexed with.
- B. In correct. *AS replied in facts*
- C. In correct. *AS replied in above paras.*
- D. In correct. The Appellant was terminated from service due to violation of term and condition of service as already agreed upon.

It is, therefore, most humbly prayed that the Appeal of the Appellant may be dismissed with cost.

[Signature]
Secretary to Govt: of
Khyber Pakhtunkhwa
Health Department
Respondent No. 1
[Signature]
Provincial coordinator LHW
Respondent No. 3

[Signature]
Director General Health
Respondent No. 2

[Signature]
District Health Officer Lakki Marwat
Respondent No. 4

District Health Officer
Lakki Marwat

Affidavit;

Solemnly affirm on oath that the contents of comments are correct to the best of my knowledge.

[Signature]
District Health Officer Lakki Marwat
District Health Officer
Lakki Marwat

*vetted subject to correction,
attachment of all annexures,
affidavit and approval of*

ATG
[Signature]
20/4/19

Agreed as above

[Signature]
Additional Advocate General
Khyber Pakhtunkhwa
Service Tribunal Peshawar

R-1

Health Department, Khyber Pakhtunkhwa
Lady Health Workers Program
Provincial Programme Implementation Unit, Peshawar



No: 1690

Date: 14/12/2015

To

The District Health Officers

Bannu	D.I.Khan	Dir Lower
Haripur	Kohat	Karak
Kohistan	Lakki Marwat	Malakand
Swabi	Peshawar	Tank

Subject: SELECTION OF LADY HEALTH WORKERS

With reference to the advertisement published in daily newspapers on 10th December 2015 for recruitment of LHWs in some FLCF's of your Districts.

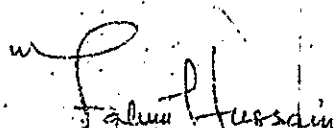
It is requested that short listing of the candidates may please be on priority basis, fix a date for the written test & interview, constitute a selection committee by keeping in view the content of IPC-I and communicate the same to the Incharges of concerned FLCFs under intimation to this office which is reproduced as under:

- Medical Officer/Incharge FLCF – Chairman.
- Woman Medical Officer/LHV/FMT of the FLCF – Member.
- Lady Health Supervisor of the catchment area – Member.
- One eminent member of local community – Member
- One representative of District Health Office - Member.

The District Coordinator of LHWs Program and Field Program Officer must be involved in the process. Moreover, it is further added that a focal person at district level may also be nominated for streamlining the process.

The concerned FLCF Incharges may also be asked for submission of lists of recommended candidates alongwith their papers, duly signed by all members of the committee, to your office within three days of the interview. District-wise compiled lists may please be submitted to Director Health Services (DHS) on urgent basis, for spot verification and finalization of the selection process. The papers may be kept in the safe custody of District Health Office as these will be made part of the personal files of selected candidates.

It is also requested to please monitor the whole process of selection in your District.


[Dr. Fahim Hussain Khan]
Provincial Coordinator

14/12/15

C.c:

1. District Coordinators LHWs Program of concerned Districts for necessary action.
2. Field Program Officers of concerned Districts for necessary action.
3. PA to Director General Health Services, Khyber Pakhtunkhwa Peshawar.
4. PA to Director Health Services, DGHS Peshawar.

Selection and Recruitment of LIWs
The LIWs will be women residing in the same community for which they are recruited, acceptable to their communities. The appointing authority is DHO based on the recommendations of selection committee.

a. Selection criteria for LIWs

The selection criteria of Lady Health workers are as under:-

- Female, preferably married.
- Permanent resident of the area, for which she is recruited.
- Minimum 8 years of schooling preferably matriculate.
- Should be between 18 to 45 years. (For unmarried 20-45 years)
- Preference will be given to women with past experience in community development.
- She should be willing to carry out the services from her home (which will be designated a 'health house') ensuring effective linkage between the community and the public health care delivery system.

b. Composition of Selection committee for LIWs

- Medical Officer/In-charge -FLCF (chairman)
- Women Medical Officer / Lady Health Visitor (LHV) / Female Medical Technician (FMT) -FLCF
- Lady Health Supervisor of concerned catchment area.
- One eminent member of the local community
- One representative of District Health office.

The final selection of the LIWs will be made after careful scrutiny of the documents and the residential status of the applicants by Lady Health Supervisor and Third party. (third party will scrutinize 20% of the recommended candidates on random basis)

During selection process a written test will have to be qualified (to be kept in her personal file after selection) to ascertain the educational status of the candidate.

The selection committee will be bound to forward the list of recommended candidates to the DPH within 3 days of the interview. The DHO in turn should forward it to DGSH within 7 days of receipt of lists. DGSH will ensure the completion of spot verification of the candidates and submission of final Recommended list to DHO within 60 days (depending upon the number of candidates) for appointment.

The office of the District Health Officer will issue recruitment orders within 15 days of receipt of verified list of LIWs from DGSH.

خواتین کیلئے باعزت روزگار کے مواقع

لیڈی ہیلتھ ورکرز پروگرام خیر پختونخوا

خیر پختونخوا کے مندرجہ ذیل اضلاع کے لیے درجہ اول اور درجہ دوم کی خواتین کیلئے باعزت روزگار کے مواقع فراہم کیے گئے ہیں۔ ان علاقوں کی مقامی حکومتیں یا شدہ خواتین سے درخواستیں طلب ہیں۔ یہ آسامیاں ایک سالہ کی عمر سے لے کر 60 سالہ تک (PC-I) کے تحت ہیں۔

<p>ضلع کوہاٹ</p> <p>1. BHU-2 غیر متعلقہ 2. BHU-4 RHC 3. BHU-5 RHC 4. BHU-6 RHC 5. BHU-7 RHC 6. BHU-8 RHC 7. BHU-9 RHC 8. BHU-10 RHC 9. BHU-11 RHC 10. BHU-12 RHC 11. BHU-13 RHC 12. BHU-14 RHC 13. BHU-15 RHC 14. BHU-16 RHC 15. BHU-17 RHC 16. BHU-18 RHC 17. BHU-19 RHC</p>	<p>ضلع ایف ایف</p> <p>1. BHU-2 3. CH-4 5. CH-5 7. CH-7 8. CH-8 9. CH-9 10. CH-10 11. CH-11 12. CH-12 13. CH-13 14. CH-14 15. CH-15 16. CH-16 17. CH-17 18. CH-18 19. CH-19</p>	<p>ضلع ڈیرہ</p> <p>1. THQ-1 3. Category D 4. Hospital 5. Category D 8. Hospital 8. BHU 9. Category D Hospital</p>	<p>ضلع اڈیالہ</p> <p>1. BHU-2 3. CH-3 4. CD 5. BHU-5 6. BHU-6 7. BHU-7 8. BHU-8 9. BHU-9 10. BHU-10 11. BHU-11 12. BHU-12 13. BHU-13 14. BHU-14 15. BHU-15 16. BHU-16 17. BHU-17 18. BHU-18 19. BHU-19 20. MCH 21. BHU-21</p>	<p>ضلع اڈیالہ</p> <p>1. BHU-2 3. CH-3 4. CD 5. BHU-5 6. BHU-6 7. BHU-7 8. BHU-8 9. BHU-9 10. BHU-10 11. BHU-11 12. BHU-12 13. BHU-13 14. BHU-14 15. BHU-15 16. BHU-16 17. BHU-17 18. BHU-18 19. BHU-19 20. MCH 21. BHU-21</p>	<p>ضلع ایف ایف</p> <p>1. BHU-2 3. CH-3 4. CD 5. BHU-5 6. BHU-6 7. BHU-7 8. BHU-8 9. BHU-9 10. BHU-10 11. BHU-11 12. BHU-12 13. BHU-13 14. BHU-14 15. BHU-15 16. BHU-16 17. BHU-17 18. BHU-18 19. BHU-19 20. MCH 21. BHU-21</p>	<p>ضلع ایف ایف</p> <p>1. BHU-2 3. CH-3 4. CD 5. BHU-5 6. BHU-6 7. BHU-7 8. BHU-8 9. BHU-9 10. BHU-10 11. BHU-11 12. BHU-12 13. BHU-13 14. BHU-14 15. BHU-15 16. BHU-16 17. BHU-17 18. BHU-18 19. BHU-19 20. MCH 21. BHU-21</p>
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شرائط و ضوابط

1. خواتین پر چھ ماہ کی عمر سے لے کر 60 سال تک کے خواتین کو اپنا نام جمع کرنا ہے۔
2. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
3. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
4. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
5. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
6. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
7. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
8. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
9. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
10. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
11. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
12. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
13. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
14. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
15. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
16. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
17. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
18. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
19. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
20. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔
21. خواتین کو اپنا نام جمع کرنے کے لیے اپنی شناختی کارڈ اور پتہ فراہم کرنا ہے۔

فونک بروس انٹیگریٹڈ پی سی (PC-I)

ڈائریکٹر جنرل ہیلتھ سروسز آفیس خیر پختونخوا

(11) (D)
LADY HEALTH WORKER PROGRAM DEPT. DISTRICT LAKKI MARWAT

(R-3)

TERMINATION OFFICER ORDER

As reported and recommended by the LHS Concerned, the service of the LHW JAMILA BIBI A/C # 11697300020501 is hereby terminated w.e.f. 15/01/2015, as they are found N.R. (None Resident) in their catchment areas and Not interested in Lady Health Worker Program Activities, therefore as per program policy she is terminated immediately.

District Health Officer
Lakki Marwat

No. 1045 /NP
Dated: 15/01/2015

Copy forwarded to the:

1. Provincial Coordinator LHWS Program Khyber Pakhtunkhwa Peshawar.
2. District Coordinator LHW Program Lakki Marwat.
3. LHS Concerned
4. LHW Concerned
5. Personal files.

(Signature)
District Health Officer
Lakki Marwat

ATTESTED
(Signature)

(1)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2015.

Jamila Bibi wife of Habib ur Rehman, resident of Begu Khel, LHW
(BHU) Begu Khel Tehsil and District Lakki Marwat.

(Appellant)

Versus

1. Secretary, Health, Khyber Pakhtunkhwa Peshawar.
2. Director General Health Khyber Pakhtunkhwa Peshawar.
3. Provincial Coordinator LHW Programe Peshawar.
4. District Health Officer, Lakki Marwat.
5. District Coordinator LHW Programe Lakki Marwat.
6. District Accounts Officer, Lakki Marwat.

(Respondents)

SERVICE APPEAL AGAINST THE TERMINATION ORDER
OF DISTRICT HEALTH OFFICER, LAKKI VIDE LETTER NO.
1045/10/NP DATED 15.01.2015

PRAYER:

ON ACCEPTANCE OF INSTANT SERVICE APPEAL,
RESPONDENTS MAY KINDLY BE DIRECTED TO RESTORE/RE-
INSTATE THE APPELLANT ON HER PREVIOUS (LHW) POST
ALONG WITH ALL BACK BENEFITS, WITH ANY APPROPRIATE
REMEDY WHICH THIS COURT DEEM FIT FOR THE SAKE OF
JUSTICE.

Respectfully Sheweth:

1. That, the Appellant has been serving in the Health Department as LHW at BHU Begu Khel Lakki Marwat. No complaints throughout Appellant' professional career has been made against

Appellant. Along with, primary duties the of Appellant is also working as polio worker too.

2. That, the Appellant was, firstly, recruited on contract basis but latter on dated 22-09-2014, her services were regularized under the benefit of Supreme Court orders. Copy of Domicile certificate, Regularization notification dated 25.02.2015 and letter No. 973 dated 22.09.2014 about Appellant regularization are annexed herewith as Annexure A, B & C.
3. That, as required by policy and rules, the medical certificate was submitted by the Appellant but before taking the baton, the Appellant was terminated on 15-01-2015 vide letter No. 1045/NP by DHO Lakki Marwat, about which the Appellant came to know on 26-06-2015 at the time of getting information about the stoppage of salary in District Health office Lakki Marwat. Copy of Termination Order is annexed herewith as annexure D.
4. That, subsequently, the salary of the Appellant was stopped and the stoppage of the Appellant salary and her termination was made on the sole ground of being non residential.
5. That, being unhappy from the orders of DHO, the appellant preferred a representation/Departmental appeal dated 02.07.2015, to the Director General (Health) (Respondent No. 2 herein) which was failed in attracting the attention of said Respondent No. 2, which can be well inferred as undisputed within the prescribed time. Copies of application and Departmental appeal are annexed herewith as Annexure E & F. Hence, instant Service Appeal on the following grounds:-

GROUND:

A. That, abinitio, the Appellant is resident of the said village on which the Appellant was appointed on contract basis. As far as the village Achu Khel is concerned, the said Achu Khel comes within vicinity of U/C Begu Khel and Achu Khel is lying on the distance of 15 minutes from village Begu Khel Lakki Marwat, while Appellant is living in village Begu Khel after marriage and after the said job.

B. That, the Appellant has been condemned unheard and no show cause notice or like other notices were served upon the Appellant.

C. That, the allegation and information given against the Appellant are false and baseless and fair inquiry is needed to the matter in question.

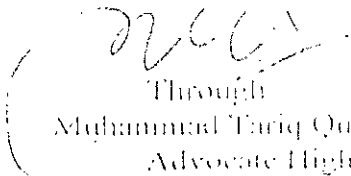
D. That, the appellant has been treated against the law, facts, rules & policy. The procedure adopted by the Respondents is also against procedure. Hence, the petitioner's/Appellant's restoration is sine-qua-non for the sake of justice.

It is, therefore, humbly prayed that on acceptance of instant Service Appeal, Respondents may kindly be directed to restore/re-instate the Appellant on her previous (LHW), post along with all back benefits, with any appropriate remedy which this Court deem fit for the sake of Justice.

Dated: 03-11-2015

Appellant

M.A.S.
Jamila Bibi


Through
Muhammad Tariq Qureshi
Advocate High Court
Peshawar.

To, Director General Health, KPK, Peshawar.

Subject: DEPARTMENTAL APPEAL/REPRESENTATION

Facts

- 1. That the petitioner has been serving in the Health Department as LHW at BHU Begu Khel Lakki Marwat. No complaints throughout her professional career has been made against her. Along side her primary duties the petitioner is also working as polio worker too.
- 2. That the petitioner was, firstly, recruited on contract basis but latter on dated 22-09-2014, her services were regularized under the benefit of Supreme Court orders.
- 3. That as required by policy and rules the medical certificate was submitted by the petitioner but before taking the baton, the petitioner was terminated on 15-01-2015 vide letter No. 1045/NP by DHO Lakki Marwat, about which the petitioner came to know on 26-06-2015 at the time of getting information about stoppage of salary in District Health office Lakki Marwat.
- 4. That subsequently, the salary of the petitioner was stopped and the stoppage of the petitioner's salary and her termination was made on the sole ground of being non residential.
- 5. That abinitio, the petitioner is resident of the said village on which the petitioner was appointed on contract basis. As for as the village Achu Khel is concerned, the said Achu Khel comes within vicinity of U/C Begu Khel and Achu Khel is lying on the distance of 15 minutes from village Begu Khel Lakki Marwat.
- 6. That, the petitioner has been condemned unheard and no show cause or like other notices were served upon the petitioner.
- 7. That, the allegation and information given against the petitioner are false and baseless and fair inquiry is needed to the matter in question.

It is therefore, humbly prayed that on acceptance of instant appeal/Representation, the petitioner/appellant may kindly be restored/Reinstated on her previous (LHW) post along with any appropriate remedy, which deem fit for the sake of justice.

Dated: 7/7/2015.

جَمِيلَا دَبِي
Applicant
JAMILA BIBI wife of Habib ur Rehman
LHW BHU Begu Khel Lakki Marwat.

RECEIVED
JAMILA BIBI
7/7/2015

خدمت جناب ڈسٹرکٹ سیکرٹری ایجوکیشن، ضلع ملکی پورہ

عنوان :- درخواست برائے بحالی آن ایل۔ ایچ۔ ڈیپلو پوسٹ (LHW) جناب عالی

گزارش حضور اوردیلا ہے۔ کہ سائلہ 2009ء سے BHU ملو خیل میں بطور LHW خدمات سر انجام دے رہی ہے۔ اور اپنے فرائض کو خوش اسلوبی اور احسن طریقے سے ادا کر رہی ہے اور نیشنل پروگرام کے علاوہ لوہو جیسی سہولت ڈیپلو بھی ادا کر رہی ہے لیکن آج صہبان کے نہیں ہیں کچھ ایسے غلط معلومات لائے گئے ہیں کہ سائلہ اپنی ڈیپلو نہیں کر رہی ہے۔ جو حقیقت پر مبنی نہیں ہے۔ اور سائلہ کو ان غلط معلومات کی بناء پر بحالی یعنی Terminate کر دی گئی ہے۔

اس آج صہبان سے فوراً باہر التماس ہے کہ سائلہ کو LHW کے پوسٹ پر بحال کرنے کے احکامات صادر فرمائیں۔

بڑی عمر بانی ہوگی
مورخہ 26/6/2015

اعراضہ

BHU ملو خیل ملکی پورہ

سائلہ جمیل بی بی LHW

ATTESTED
[Signature]



OFFICE OF THE
DISTRICT ACCOUNTS OFFICER
LAKKI MARWAT

PHONE # 0969-538137

Dated; 21.06.2019

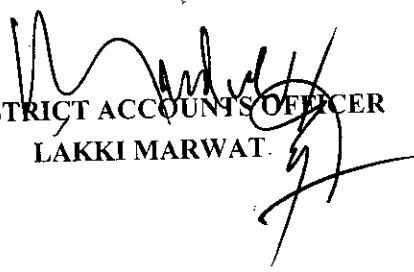
No 372/DAO-LK/Admn/2017-18/

TO WHOM IT MAY CONCERN

Mr. *Muhammad Khalid Ishaq* is hereby authorized to attend the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar court camp at Dera Ismail Khan on behalf of this office. The Detail is appended below;

Appeal No 1271 of 2015

1. Jamila Bibi versus Secretary Health Khyber Pakhtunkhwa Respondent No 6 dated; 26.06.2019


DISTRICT ACCOUNTS OFFICER
LAKKI MARWAT.

اعدالت جناب سررس نریپونل ہنیر مجنہ خواہ کیمت
۱۵۹۱

سررس اپریل نمبر ۱۵/۱۲۷

جھیلہ لی لی بنام جعلیہ کیمروت

جناب عالی!

مناشدہ اکاؤنٹس آفس کیمروت

صوبہ ذیل درخواست پیش کرتا ہے۔

عبر! یہ کہ سرکاری برلیسا ڈسٹریکٹ سررس اپریل

مخبر ان بالا میں جواب جمع کر دیا ہے۔ محکمہ تعزات بھی

اسی جواب پر اخصار کرتا ہے۔ لہذا اپنا طرف سے

بھی وہی جواب پر حالہ درگردانہ جاد

ڈسٹرکٹ اکاؤنٹس آفس کیمروت

برلیسا ڈسٹریکٹ