


22nd Dec. 2022 Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment in order to further prepare the brief. The appeal pertains to the year 2018 and last opportunity is granted to learned counsel for the appellant for arguments on the next date, failing which the case will be decided on the basis of available record. To come up for arguments on 20.02.2023 before the D.B.

SCANNED
KFST
Peshawar


(FAREEHA PAUL)
Member(E)


(ROZINA REHMAN)
Member (J)

20.02.2023 Appellant present through counsel. Naseer Ud Din Shah, Learned Assistant Advocate General for the respondents present.

Mrs. Rozina Rehman, Learned Member (Judicial) is on leave, therefore, case is adjourned to 10.05.2023 for arguments before D.B.

SCANNED
KFST
Peshawar


(Muhammad Akbar Khan)
Member (E)

28.10.2022

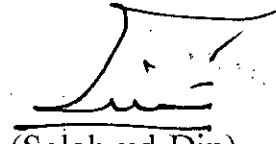
Mr. Hamid Ali Shah, junior of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the august Supreme Court of Pakistan. Adjourned.

To come up for arguments before the D.B on 17.11.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

SCANNED
KPST
Peshawar

17th Nov. 2022

Clerk of counsel for the appellant present.

Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

Lawyers are on general strike. To come up for arguments on 22.12.2022 before the D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member(J)

SCANNED
KPST
Peshawar

09.06.2022

Clerk of learned counsel for the appellant present: Mr. Usman, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 30.08.2022 before the D.B.




(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

30.08.2022

Bench is incomplete, therefore, case is adjourned to 28.10.2022 for the same as before.



Reader

The case is adjourned for 28.10.22
Due to absence of the learned counsel
17.5.22
K. S. S.

07.09.2021

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Adjourned. To come up for arguments before the D.B on 17.12.2021.



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




(SALAH-UD-DIN)
MEMBER (JUDICIAL)

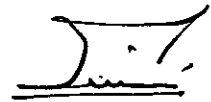
17.12.2021

Syed Ali Shah, junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 17.02.2022 before the D.B.



(Atiq-ur-Rehman Wazir)
Member (E)



(Salah-ud-Din)
Member (J)

17-2-22

*Due to Retirement of the Hon, BLC Chairman
the case is adjourned on 9-6-22*

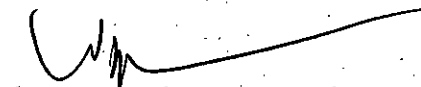
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30.11.2020

Junior counsel for appellant present.

Usman Ghani learned District Attorney for respondents present.

Former made a request for adjournment as senior counsel is not available. Adjourned. To come up for arguments on 10.02.2021 before D.B.



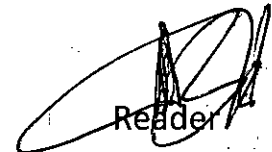
(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

10.02.2021

Due to Pandemic of Covid-19, the case is adjourned to 06.05.2021 for the same.



Reader

06.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 07.09.2021 for the same as before.



Reader

08-5 .2020

Due to COVID19, the case is adjourned to

28/7/2020 for the same as before.

Reader

28.07.2020

Due to COVID-19, the case is adjourned. To come for the same on 21.09.2020 before D.B.

Reader

21.09.2020

Appellant has not forth come at the moment i.e 02:42 P.M. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondent is present. The last two adjournments were made on the basis of note Reader due to spread of disease of COVID-19, therefore, in the circumstances we deemed it appropriate to issue notices to appellant as well as his respective counsel 30.11.2020. File to come up for arguments before D.B.

(Mian Muhammad)
Member (Executive)

(Muhammad Jamal Khan)
Member (Judicial)

03.12.2019

Counsel for the appellant and District Attorney for the respondents.

Learned counsel for the appellant requests for placing on record the transfer order pertaining to the appellant, issued in pursuance to office order dated 28.11.2017, as the same has been impugned in the appeal.

May do so on or before next date of hearing.
Adjourned to 06.01.2020 for arguments before D.B.

Member

Chairman 

06.01.2020

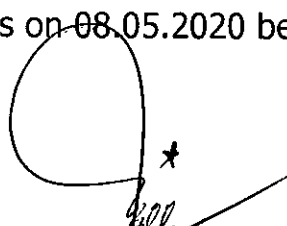
Junior to counsel for the appellant present. Addl: AG for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available today. Adjourn. To come up for arguments on 10.03.2020 before D.B.


Member


Member

10.03.2020

Counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Learned counsel for the appellant submitted an application alongwith some document for placing the on record which is placed on file. Adjourned. To come up for arguments on 08.05.2020 before D.B.


Member


Member

23.07.2019


Clerk of counsel for the appellant Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 16.09.2019 for arguments before D.B.



(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

16.09.2019

Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the bar. Adjourn. To come up for arguments on 28.10.2019 before D.B.


Member


Member

28.10.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant submitted rejoinder and requested for adjournment for arguments. Adjourned to 03.12.2019 for arguments before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

22.01.2019 Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Hazrat Shah Superintendent present. Representative of the respondent department submitted written reply/comments. Adjourn. To come up for rejoinder/arguments on 10.04.2019 before D.B.



Member

10:04:2019. Junior to counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for respondents present. Junior to counsel for the appellant seeks adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. Case to come up for arguments on 31.05.2019 before D.B.




(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member

31.05.2019 Counsel for the appellant and Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 23.07.2019 before D.B.



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

04.10.2018

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Jaffar Shah, Assistant for the respondents present. Written reply not submitted. Learned Deputy District Attorney requested for further adjournment. Adjourned. To come up for written reply/comments on main appeal as well as reply/arguments on stay application on 30.10.2018 before S.B.

MA

(Muhammad Amin Khan Kundi)
Member

30-10-18

*Due To Retirement of Honorable
Chairman the Tribunal is non
functional therefore the case is -
adjourned to come up for the
same on 14-12-2018*

*J. Ali
Reader*

14.12.2018

Counsel for the appellant present. Mr. Amjid Ali, Assistant and Mr. Jaffar Shah, Assistant alongwith Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply not submitted. Learned Additional AG requested for further adjournment. Last opportunity is granted for filing of written reply. Adjourned. To come up for written reply/comments on 23.01.2019 before S.B.

MA

Muhammad Amin Khan Kundi
Member

A-NO. 582/2018
Miss Tamam Jan vs Govt

06.08.2018

Appellant Miss Tamam Jan in person alongwith his counsel Mr. Muhammad Amin Khattak Lachi, Advocate present and heard in limine.

Contends that that punishment imposed on the appellant is illegal, without adopting the legal procedure and without given opportunity of hearing to the appellant the impugned order has been passed.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 26-9-18 2018 before S.B. —. Notice of stay appliciton be also issued to the respondents for the date fixed.

Appellant Deposited
Security & Process Fee

[Signature]

[Signature]
Chairman





26.09.2018

Mr. Ibrahim Shah, Advocate, junior to learned counsel for the appellant present. Mr. Khan Askar, DMS alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present and requested for adjournment. Granted. To come up for written reply/comments on main appeal as well as reply/arguments on stay application on ⁰⁴⁻¹⁰⁻²⁰¹⁸ ~~04~~ 10.2018 before S.B.

[Signature]
Chairman

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 582/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	26/04/2018	<p>The appeal of Miss. Tamam Jan resubmitted today by Mr. Muhammad Amin Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/4/18</p>
2-	15/05/18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/05/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	24.05.2018	<p>Junior counsel for the appellant present and seeks adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 12.07.2018 before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>
	12.07.2018	<p>Neither appellant nor his clerk of the counsel present. Preliminary arguments could not be heard due to killing of a lawyer Barrister Haroon Bilour in a suicide attack during the election campaign. To come up for preliminary hearing on <u>06.08.2018</u> before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Miss. Tamam Jan Staff Nurse DHQ Teaching Hospital KDA Kohat received today by i.e. on 12.04.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ✓2- Memorandum of appeal may be got signed by appellant.
- ✓3- Annexures of the appeal may be attested.
- 4- Annexures of the appeal may be flagged.
- ✓5- Affidavit may be got attested by the Oath Commissioner.
- 6- Annexures of the appeal are not in sequence which may be annexed serial was as mentioned in the memo of appeal.
- 7- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may be also be submitted with the appeal.

No. 810 /S.T,


Dt. 12/04 /2018.


REGISTRAR 12/4/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr.M.Amin Khattak Lachi Adv. Pesh.

Note
26-4-2018

Re-Submitted after completion


26/4/18.

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

Service Appeal No. 582 /2018

Miss Tamam JanAppellant

Versus

Medical Superintendent DHQ and others.....Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal		1-4
2.	Affidavit		5
3.	Addresses of parties		6
4.	Office order dated 28.11.2017		7
5.	Letter dated 15.12.2017		8
6.	Appeal to Secretary Health		9-13
7.	Notification dated 24.10.2017		14
8.	Inquiry/ probe to the matter of conducting abdominal surgery		15-18
9.	Letter dated 28.09.2017		19
10.	Reply of letter No.3014/PF 28.09.2017		20
11.	Letter dated 03.10.2017		21
12.	Letter No.931-33		22
13.	Statement of surgeon Prof. Dr. Fazal Ahmad		23
14.	Statement of House Officer Mr. Khalid Shehzad		24
15.	Letter dated 09.10.2017		25
16.	Letter dated 26.10.2017		26
17.	Statement of Muhammad Sohail		27
18.	Treatment chart		28
19.	Hospital documents		29-33
20.	Wakalatnama		34

Appellant

Through

Date: _____/_____/2018

Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan
0333-9179870

①

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 582 /2018

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 543
Dated 12-4-2018

Miss Tamam jan Staff Nurse DHQ,
Teaching Hospital KDA, Kohat.....Appellant

Versus

1. Medical Superintendent DHQ, Teaching Hospital Kohat.
2. Secretary Health Khyber Pakhtunkhwa, Peshawar.
3. Director General Health Services KPK, Peshawar.
4. Chief Executive DHQ, W & C Liaqat Memorial Teaching Hospital District Kohat.Respondents

=====

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT 1974 READ WITH RELEVANT RULES AGAINST THE ORDER DATED 28.11.2017, WHEREBY APPELLANT AWARDED PENALTY OF STOPPAGE OF TWO ANNUAL INCREMENTS (NON-ACCUMULATIVE EFFECT) AND TRANSFER TO OTHER DISTRICT

=====

PRAYER:

On acceptance of this appeal the impugned order dated 28.11.2017 may be set aside and the appellant may be allowed to serve at their own post at DHQ, KDA, Kohat

Filed to-day
[Signature]
Registrar
12/4/18

Respectfully Sheweth:

1. That appellant is serving as a Staff Nurse in DHQ, KDA Hospital, Kohat.

Re-submitted to -day
and filed.
[Signature]
Registrar
26/4/18

2. That on 21.09.2017, the respondent alleged that appellant conducted abdominal surgery at DHQ Hospital KDA Kohat by violating Pakistan Nursing Council Rules.
3. That the respondent alleged that appellant conducted surgery of one Miss Ruqia, age 16 years in surgical-B ward, DHQ Hospital Kohat.
4. That the respondent on the basis of the said allegation, awarded penalty of stoppage of two annual increments and transfer outside from her District on 28.11.2017.
5. That feeling aggrieved from the judgment and order of the respondent filed appeal before the appellate authority but that was not respondent, hence no alternative this appeal was filed on the basis of the following grounds;

GROUND S:

- A. That the impugned order dated 28.11.2017 is illegal against the law and is liable to be set aside.
- B. That the impugned order is based upon malafide, ill well and is liable to be set aside.
- C. That appellant never conducted surgery which is evident from the statement of surgeon and other staff.
- D. That appellant is serving as a trained operation theater nurse from the last 10 years at main OT of KDA Hospital so the job description of the appellant to assist the Surgeon, skin stitching, incision, drainage of abscess plaster of paris,

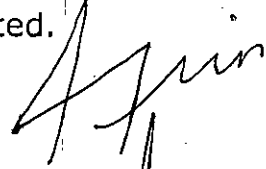
ear syringing and many like procedure as per demand of Surgeon.

- E. That appellant never conducted the surgery and the video clip shown in the media is concocted and fabricated and based upon ill intention of Mr. Hamid Mehmood (Clinical Technician Anesthesia).
- F. That the statement of Surgeon and other staff shown that appellant never conducted the surgery but was present with surgeon inside the OT and perform her duty as design per job description to the appellant by the surgeon concerned.
- G. That video clip is based upon malafide and ill will by one (Hamid Mehmood), so the allegations are baseless and without any lawful source.
- H. That no show cause notice is given to the appellant neither any charge sheet is given to the appellant before conviction.
- I. That the whole departmental proceeding are void, ab-initio, illegal and is liable to be set aside.
- J. That no show cause notice is given to the appellant nor any final show cause notice is given, which is mandatory under the service laws.
- K. That the transfer of the appellant is also illegal, which does not fall with in the definition of punishment under the law.
- L. That appellant performed her duty under the immediate boss Mr. Surgeon Professor R/ Fazli Ahad, who was accompanied by two House Officer namely Dr. Khalid Shehzad and Dr. Muhammad Javed so the concerned surgeon is responsible for all the said alleged action of the appellant.

- M. That no legal action or whatsoever is taken again Dr. Professor Fazli Ahad by the respondent.
- N. That appellant seeks leave of this learned tribunal to raise additional grounds at the time of arguments.

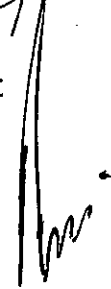
It is, therefore, most humbly prayed that on acceptance of this appeal, the impugned order dated 28.11.2017 may be set aside and appellant may be allowed to serve at DHQ Hospital Kohat and stoppage of increment may also be set aside.

Any other relief deemed appropriate, but not specifically asked for, may also be granted.

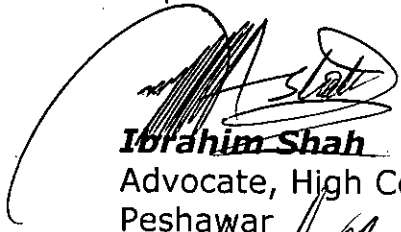


Appellant

Through

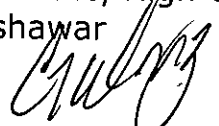


Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan



Ibrahim Shah
Advocate, High Court,
Peshawar

&



Gul Nawaz Khan Muqbal
Advocate, High Court,
Peshawar

5

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2018

Miss Tamam JanAppellant

Versus

Medical Superintendent DHQ and others.....Respondents

A F F I D A V I T

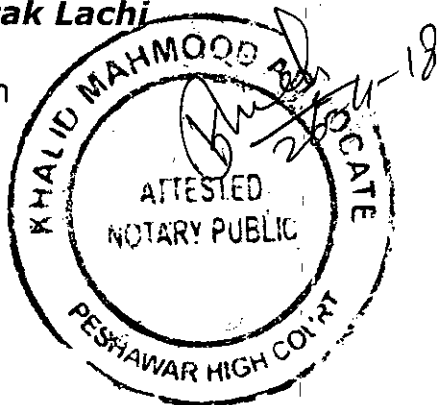
I, Miss Tamam jan Staff Nurse DHQ, Teaching Hospital KDA, Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Appeal** are true and correct to the best of knowledge and belief and nothing has been concealed from this Hon,ble Court.

Deponent

Identified by:

Muhammad Amin Khattak Lachi

Advocate,
Supreme Court of Pakistan



6

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

Service Appeal No. _____/2018

Miss Tamam JanAppellant

Versus

Medical Superintendent DHQ and others.....Respondents

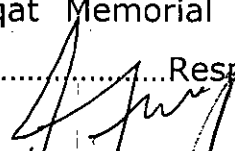
ADDRESSES OF PARTIES

APPELLANT:


Miss Tamam jan Staff Nurse DHQ,
Teaching Hospital KDA, Kohat.....Appellant

RESPONDENTS:

1. Medical Superintendent DHQ, Teaching Hospital Kohat.
2. Secretary Health Khyber Pakhtunkhwa, Peshawar.
3. Director General Health Services KPK, Peshawar.
4. Chief Executive DHQ, W & C Liaqat Memorial Teaching
Hospital District Kohat. Respondents


Appellant

Through


Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan



**DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.

Mail Address: owpghs@yahoo.com
Office Ph# 091 9210269
Exchange# 091 9210187, 9210196
Fax # 091 9210230

OFFICE ORDER.

In the light of recommendation of enquiry report conducted against Mst. Tamam Jan D/O Lal Bahadar Charge Nurse BPS 16 DHQ Hospital KDA Kohat, she is hereby awarded penalty of stoppage of two annual increments (Non-accumulative effect).

**Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, KPK, PESHAWAR.**

No. *27/121* /E.II, Dated Pesh. *28* / *11* /2017.

Copy forwarded to the:-

01. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar for information w/r to his letter No. E&A/Health/3-323/2017, dated 16.11.2017.
02. Medical Supdt. DHQ Hospital KDA Kohat with reference to this Directorate office order bearing Endst. No. 8188-93/E.II, dated 18.10.2017 with the remarks that she may immediately be relieved to report to MS DHQ Hospital Karak for duty.
03. Medical Supdt. DHQ Hospital Karak.
04. DAO, Kohat.
05. DA-concerned DGHS Office Peshawar.
For information and necessary action.

[Signature]
**DEPUTY DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P.K, PESHAWAR**

[Signature]
ATTESTED



8

OFFICE OF THE CHIEF EXECUTIVE

No. 1118 / C.E / 2017

Dated: 15th December, 2017

The Secretary
 Govt of Khyber Pakhtunkhwa
 Health Department Peshawar.

Subject: **Appeal against Penalty**

Enclosed herewith please find self contained appeal in respect of Miss. Tamam Jan Staff Nurse DHQ Teaching Hospital KDA Kohat.

It is informed that she is very hard working, honest and professional staff nurse fully competent in hospital working with enthusiasm. The said incident causing her deduction of increments and transfer on disciplinary ground seems to be too harsh as she has very little role in the said incident. Further, detail inquiry has ignored vital aspects and statements of important stake holders, rather direct jump to the conclusion approach has been adopted. She has been an obstacle in the way of paramedics designs to get hold of OT medicine to be siphoned out and she resisted it. She is victim of conspiracy in the instant case. Her case may please be reconsidered sympathetically.

Abdul Wahab

Chief Executive
 DHQ & W&C/LM Teaching Hospitals,
 Kohat

*Chief Executive
 has forwarded my
 appeal against the
 penalty.*

M
ATTESTED

To

SECRETARY HEALTH

KHYBER PAKHTUNKHWA

SUBJECT; APPEAL AGAINST PENALTY

Through: PROPER CHANNEL

The competent authority has awarded me penalty of stoppage of two annual increments and out of district transfer vide office order No; 9091-101 dated 28-11-2017 (copy attached as 01)

The inquiry committee was constituted vide notification No. SO (E&A)/Health/2-65/2017 and was given mandate of fact finding only (copy attached as 02).

Sir, although the committee tried her best to find the facts of the incidence, yet their conclusions and suggestions do not tally with the actual facts. First I shall try to summarize the shortcomings of inquiry committee and then shall submit my humble request.

- The codal formalities of conducting inquiry against a govt. worker are well established in ESTA code.
- a) Efficiency and discipline Section in its Rule 3, narrate Grounds of Penalty. No ground exists in my case from the list of grounds provided therein.


ATTESTED

P-9

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- b) Rule 5 & 6 tells about the inquiry procedure. I think the legal process of penalizing a Govt. worker has not been adopted in my case
 - c) After the submission of inquiry report, the competent authority should have framed a charge against me and a copy of inquiry report given to me (Rule 14, sub rule 4). This important legal aspect was neglected by the competent authority.
 - d) No charge sheet was provided to me.
 - e) No provision was provided to me for cross examining the evidence against me.
 - f) My penalty includes a transfer order too. This part of punishment is not present in the list of penalties in Rule 4.
- The committee was accompanied by an unauthorized 3rd person who was trying to manipulate facts. I was not aware of the fact at that time that this 3rd person was not a member of the original committee; otherwise I would have objected his presence right there.
 - The committee did not bother to visit the chief executive of the institution and take his views about the incidence.
 - The hospital record including the OT Register entries and the patient chart showing the names of people performing surgery were not taken into account.
 - Operation Theater in-charge Prof. Laal Mohammad was not at all consulted by the committee.
 - The statement of the concerned surgeon was rejected as such.
 - Committee did not enquired about the District surgeon and medical officers.

ATTESTED

P-10

11

- The statement of Operation Theater assistant Mr Mohammad Suhail was taken by the committee and for reasons best known to committee, was not taken into account.
- The staff nurse Nimra gave her written statement telling that surgery was performed by surgeon. Her statement was also thrown into zero category.
- The whole background of the paramedical association rivalry with me was enquired but not taken into account.
- The surgery of appendicectomy cannot be performed in 4 minutes, (the time duration of video). The forensic report of the video was not taken and the edited video (manipulated video) was taken for granted to be true.
- The two persons, who are not present in video, were the actual culprits and these were the only persons whose statements were against me. One Mr. Hamid Mehmood and second Miss Nazneen. Both are my old rivals and on many previous occasions have tried to kick me out of Operation Theater.
- I was transferred on 18-10-2017, without inquiry (committee was constituted on 24-10-2017), this act of my high-up's has demoralized me and many of other health employees.
- The medical superintendent called my explanation and I replied to it. A warning was issued by him. I reserve all my legal rights against such act of him, as my reply (copy attached as 03) did not prove that I had done something wrong for which a warning needed to be issued. Here again MS had issued a warning without any inquiry. The letter of MS to DG Health

ATTESTED

P-11

12

(Attachment No 06) and his warning to me are in clear contradiction. Your inquiry committee took this warning as a proof of my crime.

- The duties and job description of an OT nurse were not given due importance by the committee. The staff nurse in OT (scrub nurse) has altogether changed job description.
- No harm to the patient has occurred during my part of 4 minutes stay with the patient along with house officers.

Sir

The same incidence was probed by then additional DC Kohat (now Deputy Sec health Mr Fazal a Qadir). He may be consulted for his findings of my case.

I hereby submit few documents for further help in revisiting decision of my penalty.

- a) The statement of surgeon in charge.(as No. 04)
- b) The letter of chief executive to nursing director (as no. 05)
- c) The letter of MS to DG Health (as no 06)
- d) The statement of operation theater assistant Mr Mohammad Suhail(07)
- e) The patient chart (08)
- f) Operation theater Register record copy (09)
- g) OT List of that day.(10)

Sir

I am a trained Operation Theater Nurse having an experience of Ten years. In Operation Theater we have to obey the commands of the captain of the team in


ATTESTED

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13

the best interest of patient only, I am glad that I have not been charged with any
monitory corruption or disobedience. Moreover none of my act has resulted in
any sort of harm to the patient.

I humbly request your kind self to forgive my penalty. I shall be highly obliged for
it.

Thanking in anticipation.

Yours obediently

Staff Nurse Tamam Jan

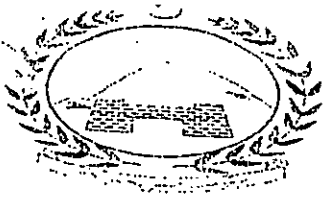
KDA DHQ TEAHING

HOSPITAL KOHAT.

15/12/17

ATTESTED

P-13



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

14

Dated Peshawar, the 24th October, 2017

NOTIFICATION

No.SO(E&A)/Health/2-65/2017: The following inquiry committee is hereby constituted to probe into the matter of conducting abdominal surgery by Mst. Tamam Jan D/o Lal Bahadar, Charge Nurse BS-16, DHQ Hospital, KDA Kohat on 21.09.2017 and submit a report in this effect within **07 days**:

1. Dr. Khalid Iqbal, (BS-19), Director HRM, DGHS, KPK, Peshawar.
2. Ms. Shaima Malik (BS-17), Instructor Public Health School, Hayatabad, Peshawar.

NOTE:

The explanation called by MS DHQ Hospital, KDA Kohat dated 28.09.2017 and her replied and warning issued by MS DHQ Hospital, Kohat on 03.10.2017 are attached for ready reference.

The Committee is also directed to probe all aspect of such a negligence on the part of MS concerned and surgeon incharge..

SECRETARY HEALTH
KHYBER PAKHTUNKHWA

Endst. of even No. & Date.

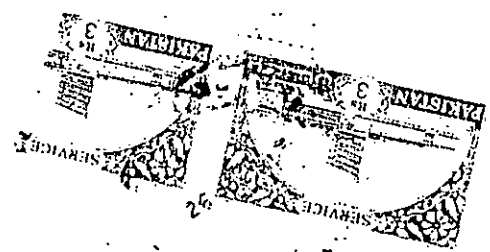
Copy to the:

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. Enquiry Officers/committee members.
3. MS, DHQ Hospital, KDA Kohat.
4. Principal, Public Health School, Hayatabad Peshawar.
5. PS to Secretary Health.
6. PA to Additional Secretary (Est), Health Department, Peshawar.
7. Doctor concerned.

(ARSALAN AHMAD)
Section Officer (GEN)

Attested

ATTESTED



Mandate of the committee was only for funding

P-15

15

**QUIRY / PROBE IN TO THE MATTER OF CONDUCTING ABDOMINAL SURGERY
BY MST. TAMAM JAN D/O LAL BAHADUR CHARGE NURSE (BPS-16) DHQ
HOSPITAL KDA KOHAT ON 21.09.2017.**

Government of Khyber Pakhtunkhwa Health Department Notification
No. SO (E&A)/Health/2-65/2017 dated: 24.10.2017 (copy attached).

I, Dr. Khalid Iqbal Additional Director General (HRM) Directorate General Health Services Khyber Pakhtunkhwa Peshawar and Dr. Shaima Malik, Instructor Public Health School Hayatabad Peshawar nominated as Enquiry Officers and Mr. Faridullah Shah Deputy Director (Nursing) DGHS Office Peshawar was also present to assist the inquiry committee, to probe into the matter of conducting abdominal surgery by Mst. Tamam Jan D/O Lal Bahadur Charge Nurse (BPS-16) DHQ Hospital KDA Kohat.

The inquiry committee visited on 02.11.2017 and had in-depth discussion with all the staff of DHQ Hospital KDA Kohat.

BACKGROUND:

1. In news item appeared in the Social Media, Electronic Media/ with Clips and in Print Media that a Charge Nurse Mst. Tamam Jan Charge Nurse operated a female patient in DHQ Hospital KDA Kohat for appendicitis.
2. Violating of Pakistan Nursing Council Rules
3. Misconduct on the part of Surgeon incharge.
4. Explanation was called by Medical Superintendent DHQ Hospital KDA Kohat.
5. Warnings were issued of the staff of DHQ Hospital KDA Kohat.

PROCEEDING:

- On 02.11.2017 at 10.00 (AM) the inquiry committee visited DHQ Hospital KDA Kohat.
- The relevant staff of DHQ Hospital KDA Kohat was interviewed and recorded their statements.
- All the relevant record was thoroughly checked.

OBSERVATIONS:

From the pursuance of the record and statements of the concerned staff it was observed that:

- Miss. Rupia (Female Age-16) and student from Kohat admitted on 20.09.2017 in Surgical B-Ward with admission No. 95 (ANNEX-A).
- Patient was diagnosed for acute appendicitis by visiting Prof. Dr. Fazal Ahmad (Surgeon) (ANNEX-B).
- The name of the patients were included in OT register on 20.09.2017 and the patient was at Serial No. 3 in the list (ANNEX-C).

ATTESTED

- 16
- While in official OT list for Surgical B Ward included on Serial No. 9 (ANNEX-D).
 - According to the operation note on ward treatment chart the appendicitis operation was performed by Prof. Dr. Fazal Ahmad (Surgeon) and Assist by Dr. Javed under GA (ANNEX-E).
 - Anesthesia was given by Mr. Hamid Mehmood Anesthesia Technician (ANNEX-F).

STATEMENTS

1. Statements of Prof. Dr. Fazal Ahmad (Surgeon) DHQ Hospital KDA Kohat.

As per written statement he said that he was busy performing surgeries according to his list on 21.09.2017. Two House Officers and a Staff Nurse Mst. Tamam Jan were there to assist him in the operation. During the operation on the said patient he gets engaged in another postop case for a few minutes and came back. Regarding the said clips of the incident and fake, edited and created video to defame the Charge Nurse who is senior, competent and honest in the Hospital (ANNEX-G).

2. Statements of Mst. Tamam Jan Charge Nurse DHQ Hospital KDA Kohat.

As per statement of Mst. Tamam Jan Charge Nurse the Prof. Dr. Fazal Ahmad ordered me to assist me during the operation with two House Officers. During the operation the Surgeon attended another postop patient as for some emergency for a few minutes and came back to the operation table. She is overall incharge of OT to provide medicines and other items (ANNEX-H).

3. Statements of Dr. Khalid House Officer DHQ Hospital KDA Kohat.

As per statement of Dr. Khalid House Officer, Prof. Dr. Fazal Ahmad told me for the said case for appendectomy and he also ordered Mst. Tamam Jan Charge Nurse to scrub and supervise during the operation. He started the operation and give incision / Cut to the patient but it was not deep, the Nurse told me that give incision / cut then he opened the abdomen layer by layer to takeout the appendix, the nurse cleaved it and cut it out, meanwhile, the Prof. Dr. Fazal Ahmad Came and complete the rest of the operation (ANNEX-I).

4. Statements of Mst. Nazneen Kutab Surgical Technician DHQ Hospital KDA Kohat.

As per statement of Mst. Nazneen Kutab Surgical Technician in the OT she provided Trolley to the Surgical OT on 21.09.2017. There are two tables in the OT, on one Prof. Dr. Fazal Ahmad was operationing while on other Mst. Tamam Jan Charge Nurse and House Officers was operationing (ANNEX-J).

ATTACHED

17

3

5. Statements of Mr. Hamid Mehmood Anesthesia Technician DHQ Hospital KDA Kohat.

As per statement of Hamid Mehmood Anesthesia Technician stated that Prof. Dr. Fazal Ahmad was sitting in the OT while staff Nurse Mst. Tamam Jan with the help of House Officers doing, operation procedure on the patient. Answering the question regarding video clip made, he admitted that he has recorded the video clips with his own mobile (ANNEX-K).

6. Statements of Bibi. Kalsoom Charge Nurse DHQ Hospital KDA Kohat.

As per statement of Bibi Kalsoom Charge Nurse, Nimra Charge Nurse, Muhammad Sohail OT Assistant and Navid Gul OT Assistant stated that they were busy in the OT in different work but did not see Mst. Tamam Jan doing the operation (ANNEX-L).

7. Statements of Dr. Maroof Khan Anesthetist DHQ Hospital KDA Kohat.

As per statement of Dr. Maroof Khan he is the incharge of all three OTs in the Hospital i.e Orthopedic, General Surgery & Eye, he has to supervise all OT list. When this operation was started he entered the OT and saw that Mst. Tamam Jan Charge Nurse and two House Officers were standing near the table in the presence of Prof. Dr. Fazal Ahmad (Surgeon). He personal saw Surgical Instruments in the hand of that Charge Nurse when he inquired from the Surgeon who replied that he ordered her to help the House Officers (ANNEX-M).

8. Statements of Dr. Rahim Khan Medical Superintendent DHQ Hospital / KDA Kohat.

As per statement of Dr. Rahim Khan Medical Superintendent DHQ Hospital KDA Kohat, he come to know about video clips shown in my office with Mr. Rashid president Paramedics DHQ Hospital / KDA Kohat and Mr. Hamid Mehmood Anesthesia Assistant later on sent the clip to the electronic media, he call the explanation from Charge Nurse Mrs. Tamam Jan. After her reply he issued warning, he forwarded the case to Chief Executive DHQ Hospital KDA Kohat for further necessary action against Prof. Dr. Fazal Ahmad (Surgeon) KIMS Kohat. Both cases were also sent to Directorate General Health Services Khyber Pakhtunkhwa Peshawar for information. Ir-respective of the conduct of Charge Nurse Mst. Tamam Jan, she is very honest and responsible in her duty. He requested to the inquiry team to punish Mr. Hamid Mehmood Anesthesia Assistant as he has recorded the video

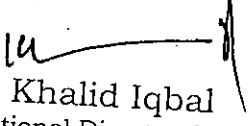
Misconduct & Cyber Crime (ANNEX-N).

ATTACHED

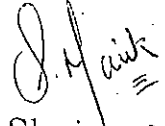
18

RECOMMENDATION:

- The Mst. Tamam Jan Charge Nurse may be transferred out of District on administrative grounds with stoppage 02-increment (noncumulative).
- Mr. Hamid Mehmood, Anesthesia Technician may be transferred out of District on administrative grounds with stoppage 02-increment (noncumulative).
- May forward the case to Chief Executive DHQ Hospital KDA Kohat for necessary action against the Surgeon Prof. Dr. Fazal Ahmad Professor of Surgery KIMS Kohat.
- Warning may be issued to Medical Superintendent, Anesthetist and Deputy Medical Superintendent to remain vigilant in future.



Dr. Khalid Iqbal
Additional Director General (HR)
Directorate General Health Services
Khyber Pakhtunkhwa Peshawar.



Dr. Shaima Malik
Instructor Public Health
School Hayatabad Peshawar



ATTESTED

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

19

No. 3014 /PF

Dated Kohat the 28/09/2017

To

Ms. Tamam Jan (Charge Nurse; BS - 16)
DHQ Teaching Hospital KDA Kohat.

Subject:-

EXPLANATION

Memo:

The undersigned has come to know that you were performing abdominal surgery on a patient in Operation Theatre Department on dated 21.09.2017. It is unlawful task on your part.

You are hereby called upon to explain your position within 03 days of the issuance of this notice, otherwise strict disciplinary action will be initiate against you.

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Even No. & Dated:

Copy forwarded to the:

1. Secretary to Government of Khyber Pakhtunkhwa Health Department.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner Kohat Division Kohat.
4. Divisional Monitoring Officer Independent Monitoring Unit (Health) Kohat Division.

For information.

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

ATTESTED

P-17

Dated: 29-09-2017

To

The Medical Superintendent,
D.H.Q Teaching Hospital K.D.A,
Kohat

20

Subject: REPLY OF LETTER NO:3014 / PF 28-09-2017

Sir

With all due respect it is stated that today I received a letter from your good office regarding some incidence at main O.T on 21-09-2017.

Sir, I am working as trained Operation Theater nurse from the last ten (10) years at main O.T of KDA hospital Kohat. Because of the deficiency of doctors in different surgical units like EYE, ENT, Ortho & General Surgery, we the O.T staff starting from ward boys to chief operation theater assistant, all help worthy surgeons. This help includes skin stitching, Incision / drainage of abscess, Plaster of Paris (POP Cast) applications, ear syringing, giving local anesthesia to cataract patient and many like procedures as per demand of surgeon on duty according to our capabilities.

This help is done in the best interest of patients and our Institution under the direct guidance of specialist surgeons. We play our role within the limitations of law. As far as I know we have not been indulged in any unlawful act at our work place.

^{Suppose}
I suppose the information given to your kind self as mentioned in your letter is incomplete and therefore, incorrect. However, I am ready to explain any quarry specific to my duty mentioned in any written complaint against me. I hope I have answered your quarry.

Regards!

You should work according to job description and be careful in future.

Attested
3-10-17.

Tamam Jan
29/9/17
Tamam Jan
Charge Nurse
Main O.T
K.D.A Hospital Kohat

ATTESTED

21



OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

No. 3063 /PF


Dated Kohat the 03 /10/2017

To
Ms. Tamam Jan (Charge Nurse; BS - 16)
DHQ Teaching Hospital KDA Kohat.

Subject:- WARNING

Reference your reply to explanation called vide this office letter
No.3014/PF dated 29.09.2017 is found unsatisfactory.

You should work according to your job description and be careful in
future.



MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Even No. & Dated:


Copy forwarded to the:

1. Secretary to Government of Khyber Pakhtunkhwa Health Department.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner Kohat Division Kohat.
4. Divisional Monitoring Officer Independent Monitoring Unit (Health) Kohat Division.

For information.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

attested



ATTESTED

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Government of Khyber Pakhtunkhwa
Divisional Headquarter / Women & Children (Isa Qat Memorial)
Teaching Hospital, Kohat
Ph: + 92-922-9260325, Fax: + 92-922-9260365

22

OFFICE OF THE CHIEF EXECUTIVE

No. 931-33 / C.E / 2017

Dated: _____ October, 2017

The Deputy Director (Nursing)
Directorate General Health Services
Khyber Pakhtunkhwa Peshawar.

Subject: Transfer of Charge Nurse

Reference your letter No. 8188-93/E.II dated 18th October, 2017.

In this regard, it is submitted that the transfer of ~~staff on administrative ground~~ is not fully justified as the staff nurse concerned, as shown in video in question is not responsible for it. Reportedly the video is made with ill intension and during time the surgeon was engaged in another emergency in operation theater.

She is honest and very dedicated worker. Therefore, it is requested to withdraw the said order in the best public interest.

Chief Executive
DHQ & W&C/LM Teaching Hospitals,
Kohat

C.C

1. Medical Superintendent DHQ Teaching Hospital KDA Kohat
2. Office Copy

attested
Jm

Jm
ATTESTED

23

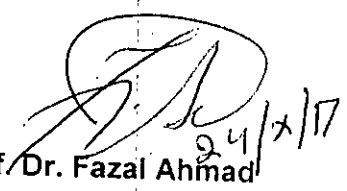
Statement of Surgeon Prof. Dr. Fazal Ahmad

(Regarding news clip on Mashriq Television about DHQ Teaching Hospital Kohat).

On 21-09-2017 I was performing my operation list (attached) at main O.T of D.H.Q. Teaching Hospital Kohat, I was accompanied by my house officers Dr. Khalid Shehzad and Dr. Muhammad Jawad on that day. There was no medical officer available on the day (the only M.O of surgical B-Unit was on leave on that day).

I performed surgery for Para Umbilical Hernia, on Mr. Rifat of Nakband, Khushal Garh Kohat, and after completing that procedure I requested the anesthesia assistant to give anesthesia to Miss. Ropiya for Appendicectomy on other table. I and my house officers started this surgery and I delivered appendix from wound. At that time the previous surgery patient Mr. Rifat got cyanosed and I had to rush to him so, I requested staff nurse on duty to help my house officers for few mints. After resuscitating that patient I joint my house officers and completed the surgery.

Jawad



Prof/Dr. Fazal Ahmad
Surgical B-Ward
DHQ Teaching Hospital
Kohat



ATTESTED

P-19

24

Statement of House Officer Mr. Khalid Shehzad

(Regarding news clip on Mashriq Television about DHQ Teaching Hospital Kohat).

Sir,

With due respect it is stated that I and my other fellow House Officer Dr. Jawad were assisting for Appendicectomy of Miss Ropiya on 21-09-2017. During this procedure, another patient who was operated a while ago by Surgeon Dr. Fazal Ahmad for Para Umbilical Hernia, got serious and Dr. Fazal Ahmad left this case to us and ordered staff nurse on duty to help us. He resuscitated that patient and after approximately 05 mints he joined us again and completed the surgery of Mis Ropiya.

Dr. Khalid Shehzad
House Officer
Surgical B-Ward
DHQ Teaching Hospital
Kohat

Khalid Shehzad

24/10/2017

attested
Jm

Jm
ATTESTED

25

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

REGISTERED

No. 4039 /PF

Dated Kohat the 09 /10/2017

To
The Director General Health Services,
Khyber Pakhfunhwa, Peshawar.

Subject:-
EXPLANATION OF MR. HAMID MEHMOOD (CLINICAL
TECHNICIAN ANESTHESIA)

Reference this office letter No.984/PF dated 06.09.2017.

~~The undersigned was on routine round to Operation Theatre on dated~~
31.08.2017. I found an outsider person, who had given general anesthesia to a patient
lying on O.T Table and a surgeon was busy on surgical procedure on that patient. I asked
about that person who was not employee of hospital. That person was son of Mr. Hamid
Mehmood (Clinical Technician Anesthesia), who was on duty in Operation Theatre.

I called explanation of that surgeon, Dr. Syed Tahir Ali Shah, Anesthesia
Incharge Dr. Maroof Khan and Mr. Hamid Mehmood (Clinical Technician Anesthesia)
with the warning to Mr. Hamid Mehmood not to bring his son to OT for this illegal
practice in future.

Now, Mr. Hamid Mehmood (Clinical Technician Anesthesia) has recorded
video of Ms. Tamam Jan (Charge Nurse) to defame her and all other OT Staff in reaction.

It is to explain the whole background of this event.



MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

09/10/17

ATTESTED

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

No. 4295 /PF

Dated Kohat the 26/10/2017

26

To

The Director General Health Services
Khyber Pakhtunkhwa, Peshawar.

Subject:-

TRANSFER OF MS. TAMAM JAN (CHARGE NURSE; BPS - 16)

Reference your office No.8214/E.II dated 20.10.2017 and to state that Dr.Fazal Ahmad (Professor of Surgery) attached to KMU - Institute of Medical Sciences Kohat was on duty on dated 21.09.2017 in operation theatre. He has performed eleven (11) number of surgeries on that day (copy of list attached). The Charge Nurse was assisting the two (02) House Officers on appendectomy case, when Dr. Fazal Ahmad (Professor of Surgery) rushed to and was engaged in-resuscitating the cyanosed and collapsed patient whose surgery was already completed by the surgeon, on other table of the same O.T room. After a while Dr. Fazal Ahmad again joined the House Officers and completed the surgical procedure of appendectomy case.

The video has been made with bad intentions by Mr. Hamid Mehmood (Clinical Technician - Anesthesia). During that particular time when surgeon became busy with another patient on adjacent table, it is not true that surgeon was not present in Operation Theatre.

It is requested to review the decision taken against the Charge Nurse and take strict disciplinary action against the Mr. Hamid Mehmood (Clinical Technician - Anesthesia), who has made video and has given it to social medical and on T.V. It is totally unethical and act of misconduct, making video from inside O.T and sharing it on social media. Causing bad name to the hospital as well as to the Health Department.

The bad intentions of Mr. Hamid Mehmood can well be reflected in reference of letter No.4039/PF dated 09.10.2017 from the office of undersigned addressed to your good-self (copy attached).

Encl: As Above..

Even No. & Dated:

Copy forwarded to the Deputy Commissioner Kohat Division Kohat for information.

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Tamam Jan c/n

[Handwritten signature]

ATTESTED

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ط

بیان محمد رسول - O.T.A - کے ذمہ داری کے بارے میں

ضابطہ نامہ - میں میں O.T.A کے طور پر کام

کرتا ہوں۔ اس دن بھی میری ڈیوٹی

سے پہلے O.T.A میں تھی۔ میرا کام لڑائی

لڑنا۔ لے جانا اور سرچس کا یہاں سے ہر

O.T.A میں کام کرنا ہوتا ہے۔ ڈاکٹر عیاض احمد

اس دن اکتیو لیسٹ کر رہے تھے۔

میں نے کسی سٹاف ٹیم کو الیرٹ نہیں کرتے

میرے پاس دیکھا۔

Soleman
(Signature)
2-11-2017

NOT
ATTESTED

ATTENDANCE CHART D.H.Q HOSPITAL KOHAT

DATE	MEDICINES	DOSE	INVESTIGATION
20/09/17	<p style="text-align: right; margin-right: 20px;">(28)</p> <p>Kanf NBM 10 Loo 2p - Resblyt 1000 IV 2p - ceftriaxone 1g IV / Const. before sleep to OT -</p>	<p>OD ON ATU</p>	<p>ADm No (95) Adv HBs Ag Anti-HCV GA fitness Khali</p>
21/09/2017 10:30 am	<p>Post-op orders NBM TFO 3mg RLD 1L & 10 & BD (H) - 2mg Asteroxone 1gm IV & BD - 2mg Volite 1M & BD - 2mg Tramadol + Gravast 100 & SOS - 2mg Flagyl 1000cc IV & TDC</p>		<p>Attested [Signature] MEDICAL OFFICER Acute Appendicitis ??</p>
22/09/2017	<p>1 - D - 1 Khali</p>		

ATTESTED

29

24/09/2017 OT NOTES

HQ TEA

Age	
Name	Rafiq

m. Rafiq

24/09/2017

Diet

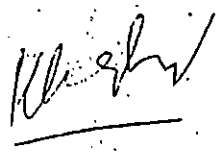
Date

- OPG - APPENDECECTOMY
- SURGEON - DR. FAZAL AHMAD SB
- ASSISTANT - DR. JAWAD + DR. KHALID
- ANAESTHESIA - GA
- ANAESTHESIA TECH - HAMID

OP FINDINGS: ACUTE APPENDICITIS

PROCEDURE - GRID IRON INCISION
 AT MCBURNEY'S POINT
 MADE - ABDOMEN OPENED
 APPENDIX DELIVERED
 MESENTRY LIGATED
 CUT - APPENDIX LIGATED AT
 BASE WITH YIPZY 1
 AND CUT
 WOUND CLOSED IN LAYER
 ASD DONE

Attested

ATTESTED


DHQ TEACHING HOSPITAL K.D.A KOHAT

Name <i>Ropiya</i>	Age <i>16y</i>	Sex <i>F</i>	Address <i>College</i>	Admitted on <i>20</i>	Disease <i>Pain</i>	Discharge on <i>22-5-17</i>	Remarks
Addm No: <i>95</i> Bed No: <i>P.R. Room</i> Arrival Time: _____				03/0-7250015 30			

Diet

Temperature Chart

Date		Days of Disease		Time		M.E.		M.E.		M.E.		M.E.		M.E.		M.E.		M.E.		M.E.		M.E.	
19	145	107°																					
36	136	104°																					
16	126	105°																					
30	116	104°																					
27	106	103°																					
24	96	102°																					
21	86	101°																					
18	76	100°																					
12	66	98.40																					
12	58	70																					
Pulse		Respiration		Bowels																			

41°
 40°
 39°
 38°
 37°
 36°
 35°
 34°
 33°
 32°
 31°
 30°
 29°
 28°
 27°
 26°
 25°
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 10°
 9°
 8°
 7°
 6°
 5°
 4°
 3°
 2°
 1°
 0°

Attested
 Ok

Dhq Teaching Hospital
 K.D.A Kohat

ATTESTED

31

ART D.H.Q HOSPITAL KDA KOHAT
SURGICAL - A

Date: 09/21/17 Name: Ropiya Age: 16 yrs Sex: F
Occupation: Student Address: College Town
Kohat

CHIEF COMPLAINTS:

1. Pain RIF - 1 day
2. Nausea - 1 day
3. Anorexia - 1 day
4. _____
5. _____

GPE:

Pulse: 80/min BP 110/70 Temp: 99F
 Anaemia -ve Oedema: -ve
 Jaundice -ve L.Node -ve
 Others: _____

According to my
 pt she was abs for
 one day back when
 pain in the Umbilical
 area and slowly shifted
 to RIF.
 It was also associated
 with nausea and
 anorexia

Systemic Examination

GIT: Tender RIF with +ve BS
 Respiratory: Clear chest
 CVS: S1 and S2 audible
 CNS: Intact
 Others: _____

DD _____
Investigation Result / Remarks

Final Dx Acute Appendicitis??

KHT-31/3/2016

Ronil Inj 1000mg
(Ceftriaxone)

Gavel Tab 250/500mg
(Ciprofloxacin)

D.H.Q Hospital
K.D.A Kohat

ATTESTED

Klic-F 50/76mg
(Diclofenac Potassium)

S.B.W

OT Register

~~B~~ 2021

Sep

2021

Specialty/Ward Name: _____

Month: _____ Year: _____

Monthly OT Serial No.	Patients Name with Father/Husbands Name	Age	Sex	Referred from		Diagnosis	Name of Operation	Type of Anesthesia				Name/Sign of Operating Surgeon	Name of Anesthetist	Remarks
				OPD	Indoor (Bed No.)			General	Spinal	Local	Other/None			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
<<Total brought from previous page>>														
1	Dr Aziz U Rehman	52	M	OPD	✓	Bleeding D.R	EUA & Dicedal	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
2	Rizrat	32	M	OPD	✓	para Umbilical Hernia	Repair	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
3	Ambrin	28	F	-	✓	cholicistiasis	chole-ectomy	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
4	Said U Rehman	44	M	-	✓	incisional Hernia	Repair	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
5	Ropiya	16	F	-	✓	pain R.I.F	Appendectomy	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
6	M. Yasin	38	M	-	✓	Best Hydronec	Hemistomy	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
7	Ameen Bibi	40	F	-	✓	pain R.I.F	Appendectomy	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
8	Ayat	34	F	-	✓	Umbilical Hernia	Repair	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-
9	Ubaidullah	54	M	-	✓	Hydronec of Card	Excision	GA	-	-	-	Dr Faza Ahmed Wasiz	-	-

1-27

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ON LIST SURGICAL "B" WARD D.H.O HOSPITAL K.D.A Kohat

MANAGING OFFICER
D.H.O Hospital
K.D.A Kohat

9-28

5	Kopiyah
6	M. Yasin
7	Ameen Bibi
8	Ayat
9	Ubaidi

ON LIST SURGICAL "B" WARD D.H.Q HOSPITAL K.D.A KOLATA

FOR THE DATE 21 Sep 17

DAY Thursday

Medical Officer
Dr. Sadaqa

NAME	AGE	SEX	B. NO	DISEASE	OPERATION
M. Da...	52	m	SA	Bl...	COA...
M. K...	52	m	SA	Bl...	COA...
M. A...	52	F	SA	Bl...	COA...
A...	94	m	m
A...	84	F	SA
U...	7	m	m
A...	44	F	SA
K...	16	F	SA
M. Y...	...	m	SA
T...	...	m	SA
J...	...	F	SA

Handwritten signature

Medical Officer
D.H.Q Hospital
K.D.A Kohat

Adievo
250mg/500 mg Tab

Signature

<<Total >>

ATTESTED

Monthly
OT

Signature

33

34

WAKALATNAMA

IN THE ~~KPK~~ SERVICE TRIBUNAL PESHAWAR

Miss Tamam Jan

(Petitioner)
(Plaintiff)
(Applicant)
(Complainant)
(Appellant)
(Decree Holder)

VERSUS

Medical Superintendent etc

(Respondent)
(Defendant)
(Accused)
(Judgment Debtor)

I/we, Miss Tamam Jan Staff nurse DHO
Teaching Hospital KDA, Kohat

in the above noted appeal do hereby appoint and constitute **Muhammad Amin Khattak (Lachi)** Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration to me/us as my/ our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/ Counsel at my/ our matter.

Attested & Accepted

FIR No. _____

Dated. ____/____/____

U/s. _____

P.S. _____

CLIENTS

2/4/18

Muhammad Amin Khattak (Lachi)

Advocate,
Supreme Court of Pakistan
Cell:0300-9151041

IBRAHIM SHAH
Advocate, High Court
Peshawar.

Gul Nawaz Khan
★ Muqbal ★
Advocate High Court Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Case No. 582 /2018

Miss Tamam Jan Appellant

Versus

Medical Superintendent DHQ,
Teaching Hospital Kohat & others Respondents

REJOINDER ON BEHALF OF THE APPELLANT

Respectfully Sheweth:

PARA WISE REPLY AND FACTS:

1. Para No.1, needs no rejoinder.
2. Para No.2 is incorrect, PNC rules are attached with rejoinder, there is no rules in the list, which is violated by the appellant and further more the respondent have not explain that how the PNC rules are violated, then PNC should have been approached to give punishment to the appellant.
3. Para No.3 incorrect, the allegations are not based on facts allegation are based on hallucination perceived by the inquiry officer regarding in this case the inquiry officer has ignored the six persons statements of OT staff (which are available on Page No.16,17,22,23,24,27 of appeal) and he drawn conclusion from his mined.

- 2
4. That Para No.4 admitted by the respondent regarding the penalty, which is illegal appellant has not committed any offence, so punishment is illegal regarding the stoppage of increment and transfer is not included in the list of penalties under the Esta Code Rules.
 5. Para No.5 needs no rejoinder.

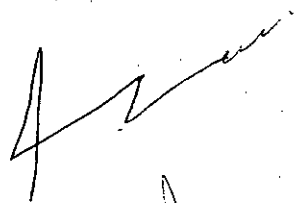
GROUNDS:

- A. Ground A of comments is incorrect, the punishment given to the appellant is not legal appellant never conducted any abdominal surgery, but assisted the surgeon as per job description of registered nurse.
- B. Ground B of comments is incorrect, appellant has not performed surgery neither there is any independent statement collected by the inquiry officer nor there is any complaint on behalf of patient except the video clip, which is false and fabricated and concocted on behalf of Mr. Hamid Mehmood who has some bad intention against the appellant and further more inquiry committee has not apply his own mind.
- C. Ground C of comments is incorrect, the Chief Executive of the institute and the surgeon on duty has denied the performance of any independent surgery by the appellant whose statement are available on Page No:22,23 and further more if the appellant conducted the surgery in the presence of surgeon then why the punishment is not given to the relevant surgeon.

- D. Ground D of comments is incorrect, the Job description of the appellant is mentioned in the list attached with this rejoinder of charge nurse, which contain from Serial No.1 to 23, so the answer of the respondents is not satisfactory, appellant never conducted any surgery but perform her duty.
- E. Ground E of comments is incorrect the video clip is fabricated and concocted on behalf of Mr. Hamid Mehmood who has some bad intention with the appellant, the allegation of professional gross negligence in the reply is incorrect, appellant was not absent from duty and has cause any harm to the patient, has not obey her senior in her duty place, has not cause damage to the Government property and appellant never committed professional gross negligence.
- F. Ground F is incorrect, there is no cogent evidence against the appellant the statement of chief executive, the statement of surgeon in OT, OTA'S and two staff nurse they all have denied the performance of surgery by the appellant.
- G. Ground G is incorrect, no show cause notice is given to the appellant and no rules are followed by the respondents before passing the impugned order and she was not given the opportunity of cross examine the alleged evidence against her.
- H. Ground H is incorrect, procedure and legal formalities has not been followed by the respondent.

- I. incorrect, the proceedings are void ab-initio and has not followed the law.
- J. Incorrect, no show cause nor final show cause notice is given nor attached with the proceeding.
- K. Incorrect, appellant is transfer as a punishment, which is not listed in the penalties under the Esta Code.
- L. Incorrect, appellant has not performed any surgery nor proved through any evidence and in the inquiry a wrong finding is given by the inquiry officer.
- M. Incorrect, no legal action is taken against the surgeon and needs no rejoinder.

It is, therefore, prayed before this Hon,able tribunal that on acceptance of this rejoinder appellant may be acquitted from the charges.



Appellant

Through



Date:16.09.2019

Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Case No. _____/2018

Miss Tamam Jan Appellant

Versus

Medical Superintendent DHQ,
Teaching Hospital Kohat & others Respondents

A F F I D A V I T

I, Miss Tamam jan Staff Nurse DHQ, Teaching Hospital KDA, Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **rejoinder** are true and correct to the best of knowledge and belief and nothing has been concealed from this Hon,ble Court.

Deponent

Identified by:

Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan

Attested by
Clerk
Commissioner
Peshawar High Court
16-9-19

Professional Code of Ethics for the Registered Nurse, Midwife, Lady Health Visitor and Nursing Auxiliary

Each registered nurse, midwife, lady health visitor and nursing auxiliary shall act, at all times, in such a manner as to:

- ☞ protect and promote the interests of the individual client;
- ☞ serve the interests of society;
- ☞ Justify public trust and confidence; and,
- ☞ uphold and enhance the good standing and reputation of her/his profession.

1. In the exercise of professional accountability in reference to the client/patient, she/he:

- 1.1 Assists the client to attain her/his maximum level of health in circumstances of normal health, illness, injury, or in the process of dying.
- 1.2 Avoids any abuse of the privileged relationship which exists with the client, and of the special access allowed to her/his person, property, residence or workplace.
- 1.3 Ensures that no action or omission on her/his part, or within her/his area of responsibility, is damaging to the interests, condition or safety of the client.
- 1.4 Holds in confidence personal information about the client and uses judgement in disclosing information by seeking the client's consent (or that of a person entitled to act on the client's behalf), or by judicial rule where this

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information is required by law or by the order of a court, or as necessary in the public interest.

- 1.5 Maintains the highest standards of care possible within the reality of a specific situation.
- 1.6 Makes known to an appropriate person or authority any circumstance which could militate against safe standards of practice.
- 1.7 Recognises and respects the cultural and religious beliefs of the client.
- 1.8 Recognises and respects the uniqueness and dignity of each client and responds in fairness to her/his need for care, irrespective of her/his ethnic origin, religious beliefs, personal attributes, the nature of her/his health problems or any other factor.
- 1.9 Refuses any gift, favour or hospitality that could be interpreted as taking advantage of the client.
- 1.10 Works in an open and co-operative manner with the client and her/his family, fosters her/his independence, and recognizes and respects the client's involvement in the planning and delivery of care.
- 1.11 Protects the client from actions by co-workers/members of the health team which may endanger their health or well being.
- 1.12 Shares with the community the responsibility for ensuring the health and social welfare of the public.

2. In the exercise of professional accountability in reference to her/his colleagues, she/he:

- 2.1 Acknowledges the pressure and workload of professional colleagues and supervisors and takes appropriate action if these are seen to constitute abuse of the individual practitioner and/or to jeopardize safe standards of practice.
- 2.2 Works in an open and co-operative manner with health care professionals and others involved in providing care, and recognizes and respects their particular contributions within the care team.
- 2.3 Uses individual knowledge, experience and share of authority to assist colleagues to increase their professional competence and growth.
- 2.4 Works in a collaborative and co-operative manner with other health professionals; gives recognition and respect to their particular contribution within the health care team.

3. In the exercise of professional accountability in reference to herself/himself, she/he:

- 3.1 Maintains and improves her/his professional knowledge and ability.
- 3.2 Acknowledges any shortcoming in her/his knowledge and ability and refuses any duties or responsibilities unless she/he is able to perform them in a safe and skilled manner.
- 3.3 Uses judgement in relation to individual competence when accepting and/or delegating responsibilities.

ATTESTED

- Annex B - (7)

Efficiency & Discipline

Statutory Provision

Section 16 of Civil Servants Act, 1973:- Disciplinary Action. A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.

NWFP Government Servants

(Efficiency and Discipline) Rules, 1973.

1. **Short title, commencement and application:-** (1) These rules may be called the ¹¹¹[North-West Frontier Province Government Servants (Efficiency and Discipline) Rules, 1973.]

(2) They shall come into force at once and shall apply to every person who is a member of the civil service of the Province or is the holder of a civil post in connection with the affairs of the Province and shall also apply to or in relation to a person in temporary employment in the civil service or post in connection with affairs of the Province.

2. **Definition:-** (1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-

(a) "accused" means a Government servant against whom action is taken under these rules.

(b) "authority" means the Governor or an officer or authority designated by him to exercise the powers of the authority under these rules;

(c) "authorised officer" means an officer authorised by the authority to perform functions of an authorised officer under these rules;

(d) "Government" means the Government of North-West Frontier Province;

(e) "misconduct" means conduct prejudicial to good order or service discipline or contrary to the ¹¹²(N.W.F.P Government Servants (Conduct) Rules, 1987) or unbecoming of an officer and a gentleman and includes any act on the part of Government servant to bring or attempt to bring political or other outside influence directly or indirectly to bear on Government or any Government Officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a Government servant;

(f) "penalty" means a penalty which may be imposed under these rules; and

(g) "Province" means the North-West Frontier Province.

¹¹¹ Published in the NWFP Govt. Gazette Part-I, dated 21.12.1973 at Pages 140-43

¹¹² Substituted by Notification No.SORII(S&GAD)5-29/86,dated 26.11.1987.

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¹¹³(2) In case two or more Government Servants are to be proceeded against jointly under these rules, the authority or, as the case may be, the authorised officer, designated or authorised, for the Government Servant senior most in rank shall be the authority or, as the case may be, the authorised officer in respect of all such accused.

¹¹⁴(3) The inquiry officer or Members of Enquiry Committee, as the case may be, shall be the officer (s) senior in rank to the accused officer.

3. **Grounds of Penalty:-** Where a Government servant, in the opinion of the authority;

(a) is inefficient or has ceased to be efficient; or

(b) is guilty of misconduct; or

(c) is corrupt, or may reasonably be considered corrupt because:-

(i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account)

of pecuniary resources or of property disproportionate to his known sources of income; or

(ii) he has assumed a style of living beyond his ostensible means; or

(iii) he has a persistent reputation of being corrupt; or

(e) is engaged, or is reasonably suspected of being engaged in subversive

activities, or is reasonably suspected of being associated with others engaged in

subversive activities or is guilty of disclosures of official secrets to any un-authorized

ATTESTED

(8)

person, and his (retention) in service is, therefore, prejudicial to national security; the authority may impose on him one or more penalties.

4. Penalties:- (1) The following are the minor and major penalties, namely:-

(a) Minor penalties:-

(i) Censure;

(ii) withholding, for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement, in accordance with the rules or orders pertaining to the service or post;

(iii) recovery from pay of the whole or any part of any pecuniary loss caused to Government by negligence or breach of order.

¹¹³ Sub-rule(2) of rule 2 inserted vide S&GAD Notification No.SOR.II(S&GAD) 3(4)/78 (Vol-II), dated 20.5.1980.

¹¹⁴ Sub-rule (3) of rule 2 rule substituted by Notification No. SOR II (S&GAD)2(29)/95 Vol-II, dated 14.09.1999.

¹¹⁵ Sub-Class (iii) of clause (a) of sub-rule (1) of rule 4 deleted and sub clause (iv) renumbered as (iii) by Notification No.SORII(S&GAD)5(29)/95 Vol-II, dated 14.9.99

(b) Major penalties:-

(i) Reduction to a lower post, grade or time scale, or to a lower stage in a time scale;

(ii) compulsory retirement;

(iii) removal from service; and

(iv) dismissal from service.

(2) Removal from service does not, but dismissal from service does, disqualify for future employment.

(3) In this rule, removal or dismissal from service does not include the discharge of person:-

(a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or

(c) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or

(d) engaged under a contract, in accordance with the terms of the contract.

5. Inquiry procedure:- The following procedure shall be observed when a Government servant is proceeded against under these rules:-

(1) In case where a Government servant is accused of subversion, corruption or misconduct, the authorized officer may require him to proceed on leave or, with the approval of the authority, suspend him provided that any continuation of such leave or suspension shall require approval of the authority after every three months.

(2) The authorized officer shall decide whether in the light of facts of the case or interests of justice an inquiry should be conducted through an inquiry officer or inquiry committee. If he so decides, the procedure indicated in rule 6 shall apply.

(3) If the authorized officer decides that it is not necessary to have an inquiry conducted through an inquiry officer or inquiry committee, he shall:-

(a) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and

(b) give him a reasonable opportunity of showing cause against that action;

Provided that no such opportunity shall be given where the authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

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¹¹⁶ Provided further that if the authorized officer is satisfied in view of the preliminary inquiry report of Provincial Inspection Team, Governor Inspection Team or any other Inquiry Committee or Inquiry Officer, that responsibility has been fixed on the specified Government

ATTESTED

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servant (s) involved in the case and quantum of loss incurred by the Govt: is also indicated therein, the authorized Officer may dispense with formal inquiry under Efficiency and Discipline Rules, 1973 and serve a show cause notice upon the accused officer (s)/official (s), stating therein the grounds of action to be taken and giving to the accused a reasonable opportunity of written defence and personal hearing.

(4) On receipt of the report of the inquiry officer or inquiry committee, or where no inquiry officer or committee is appointed, on receipt of written defence or explanation of the accused to the show cause notice, the authorised officer shall determine whether the charge has been proved, and if so, shall also tentatively decide the imposition of major or minor penalty in relation to the accused in the light of the inquiry report or the defence/explanation of the accused, as the case may be, and serve him with a final show cause notice, communicating him the penalty to be imposed, alongwith a copy of the inquiry report, if any, giving him a reasonable opportunity, which shall not be less than seven days or more than fourteen days, to defend himself against the proposed action.

(5) If on receipt of the final show cause notice, and after hearing the accused if he so desired, it is proposed to impose a minor penalty, the authorised officer shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the authority alongwith the charges and statement of allegation(s) served on the accused, the explanation of the accused to the show cause notice, the findings of the inquiry officer or inquiry committee, it appointed, and his own recommendations regarding the penalty to be imposed. The authority shall pass such orders as it may deem proper.

(6) While imposing a penalty under these rules, the authorised officer, or the authority, as the case may be shall ensure that the penalty corresponds to the degree of involvement of the accused officer/official with particular reference to the nature of guilt, i.e. corruption, negligence, inefficiency or misconduct and shall make a judicious decision, according to the facts, of the case and extent of the officer's involvement in it.

Provided that if the authorised officer or the authority is not in agreement with the findings of the Enquiry Officer/Committee, he may order a fresh enquiry through another Enquiry Officer/Committee as deemed appropriate.

6. Procedure to be observed by the Inquiry Officer and Inquiry Committee:-(1)

Where an Inquiry Officer or Inquiry committee is appointed, the authorised officer shall:-

(a) frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and if any other relevant circumstances which are proposed to be taken into consideration;

116 Proviso inserted by Notification No. SOR-II (S&GAD)5(29)/95 Vol-II, dated 14.09.1999.

117 Sub-rule (4)(5)&(6) of Rule 5 substituted by Noti :No.SOR-II(S&GAD)5(29)/95 Vol-II dated 14.9.99

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(b) require the accused within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence and to state at the same time whether he desires to be heard in person.

(2) The Inquiry Officer or the committee, as the case may be, shall enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him.

(3) The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefor shall be reported forthwith to the authorised officer. Normally no adjournment shall be for more than a week.

118 Provided that the inquiry Committee or officer, as the case may be, shall submit its/his report within the shortest possible time which shall not be more than one month, after receipt of reply to the charge sheet/statement of allegation.

ATTESTED

(4) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering, or attempting to hamper, the progress of the enquiry, he or it shall administer a warning, and if thereafter he or it is satisfied that the accused is acting in disregard of the warning he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks best suited to do substantial justice.

(5) The Inquiry Officer or the Committee, as the case may be, shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorized officer, submit his or its findings and the grounds thereof to the authorised officer.

7. Powers of Inquiry Officer and Inquiry Committee:- (1) For the purpose of an inquiry under these rules, the Inquiry Officer and the Inquiry Committee shall have the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908(Act V of 1908), in respect of the following matters namely:-

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavit;
- (d) issuing commissions for the examination of witnesses or documents.

(2) The proceedings under these rules shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code(Act XLV of 1850).

118 Proviso to Sub-rule (3) of rule 6 Substituted by Notification No. SOR-II(S&GAD)5(29)/95 Vol-II, dated 14.09.99.

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1197A. Revision:-The authority may, in the case of any order passed by the authorised officer, call for and examine the record of any case and may, after making such further inquiry or investigation, if necessary, either personally or through an officer, pass such order as he may deem appropriate;

Provided that in cases where the authorised officer has exonerated an accused and the authority decides to impose a penalty on him or where the penalty imposed by the authorised officer is decided to be increased, the authority shall not impose any penalty or increase the penalty, unless an opportunity is given to the person concerned to show cause as to why such a penalty should not be imposed or, as the case may be, be increased.

8. Rule 5 not to apply in certain cases:-Nothing in rule 5 shall apply to a case:-

(a) where the accused is dismissed or removed from service or reduced in rank, on the grounds of conduct which has led to a sentence of fine or of imprisonment;

or

(b) where the authority competent to dismiss or remove a person from service, or to reduce a person in rank, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

1208.A A Procedure in case of willful absence:- Notwithstanding anything to the contrary contained in these rules, in case of willful absence from duty by a Government Servant, a notice shall be issued by the authorised officer through "registered acknowledgement" due cover on his home address directing him to resume duty forthwith. If the same is received back as undelivered or no response is received from the absentee within the stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an ex-parte decision will be taken against him. On expiry of the stipulated period given in the notice, the authorised officer shall recommend his case to the authority for imposition of major penalty of removal from service.

9. Procedure of inquiry against officers lent to other Provincial Government or the Federation:-(1) Where the services of Government servants to whom these rules apply are lent to the Federation or to any other Provincial Government or to a local or other authority, in this rule referred to as the borrowing authority, the borrowing authority shall have the powers of the authority for the purpose of placing him under suspension or requiring him to

ATTESTED

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proceed on leave and of initiating proceedings against him under these rules; Provided that the borrowing authority shall forthwith inform the authority which has lent his services, hereinafter in this rule referred to as to lending authority, of the circumstances leading to the order of his suspension or the commencement of the proceedings, as the case may be.

119 Rule 7A inserted vide S&GAD Notification No. SOR-II(S&GAD)3-4/78, dated 4.5.1983.
120 Rule 8A inserted by Notification No. SOR-II(S&GAD)5(29)/95 Vol.II, dated 14.09.99.
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Provided further that the borrowing authority shall obtain prior approval of the [Chief Minister]¹²¹ before taking any action under these rules against a member of such Civil service of the Province or the holder of such civil post as Government may by notification (specify)¹²².

(2) If, in the light of the findings in the proceedings taken against the Government servant in terms of rule 8(A), the borrowing authority is of the opinion that any penalty should be imposed on him, it shall transmit to the lending authority the record of the proceedings and thereupon the lending authority shall take action prescribed in these rules.

¹²³(3) Notwithstanding anything contained in these rules, Government may, by order in writing, authorize the borrowing authority or any subordinate officer to such authority to exercise all or any of the powers of "authorized officer", "authority" and "appellate authority" in respect of civil servants whose services have been lent to the borrowing authority.

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ATTESTED

Annex
Charge Nurse

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Page 1

1. Charge Nurse is answerable to Chief Nursing Superintendent & through her to Medical Superintendent
2. She will perform her/his duty as per notified duty Rota or as per instruction of Nursing Supervisor on duty
3. Will take over from nurse relieved & ensure that all equipments, apparatus, medicine emergency tray & are complete
4. Will be responsible to bring any unusual occurrence to the notice of Head nurse, Nursing Supervisor on duty
5. Will ensure that Ward orderly, Dai & sweepers perform their duties efficiently & punctually
6. Assist & cooperate with other staff on duty
7. Will be responsible to read & check reports prepared by relieved nurse & follow instructions about patients first
8. Will assist head nurse in her duties & will perform her duties in her absence
9. Will be responsible to maintain patients records up to date ie TPR, Treatment & intake / output charts
10. Ensure that before the beginning of morning round the patients are clean & neat, bedding is done properly ward is clean & tidy
11. Will assist MO/SMOs, Registrar, Senior Registrar & VP/VS of the ward during rounds of the ward & follow instruction about the patients
12. Ensuring enough nursing care for patients i.e. mouth wash, sponging, back rubs, nail cutting & precaution against bed sores
13. Will assist the MO/SMO, JR, SR & VP/VS in different health facilities available in the institution
14. Will ensure that specimens for investigations are sent straight to the hospital laboratory & receive / attach resulting reports to the patients charts
15. Will be responsible to call doctor on duty using call register or telephones for emergency patients or distressed patients
16. Will promote health education in the ward by talking on various topics to patients and their relatives
17. Will ensure that patients are taken for examination on time by the ward orderly or dai X-Rays Lab. Tests, & operation theatre
18. Will carry out pre operative & post operative orders in time
19. Will prepare & keep chart ready for newly admitted patients
20. Be responsible to maintain treatment book, stock register of medicine, linen, admission & discharge register & abstract register up to date
21. Prepare indents for medicines & linen regularly to avoid shortage
22. Will be responsible to write reports & instruction for ward patients at the end of her duty & hand over to coming on duty in proper order
23. Any other duty assigned to her by Registrar, CNS, MS & CE from time to time

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(13)

1-2

- 1. Work»
- 2. Job Interviews»
- 3. Post-Interview Follow-Up»

Job Description for an Operating Room RN
 by Ellie Williams



Related Articles

- 1 The Role of a Medical Doctor's Assistant in the Operating Room
- 2 What Is a Typical Day Like for a Surgical Tech?
- 3 Job Description for a General Surgical Registered Nurse
- 4 Roles of a Scrub Nurse

Registered nurses play a vital role in the operating room by providing patient care and supporting the surgeon to make his job easier. They oversee every aspect of a surgical procedure, including preparing the operating room, watching over the patient during surgery and ensuring the patient is ready for transport to the recovery room.

Types

There are three types of surgical nurses: circulating nurse, scrub nurse and RN first assistant. The circulating nurse doesn't participate directly in the surgery, instead overseeing the operation and ensuring the surgical team follows industry safety guidelines and hospital policy. The scrub nurse sets up the surgical tools and equipment, helps the rest of the surgical team prepare for the operation and hands the surgeon tools during the procedure. The RN first assistant works most closely with the surgeon, monitoring the patient and intervening if complications arise.

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Ap

Encl

Office

[Signature]
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**KHYBER MEDICAL UNIVERSITY
INSTITUTE OF MEDICAL SCIENCES (KMU-IMS)**

Campus: Divisional Headquarter Teaching Hospital, K.D.A, Kohat
Ph# + 92-922-9260325 - 92-922-9260366 Fax # +92-922-9260365



No. 178 /KMU-IMS/2019

Dated: 16/02/2019

Before the KP Service Tribunal
Peshawar
Service appeal No: 582/2018

Subject: CORRIGENDUM

The report submitted by the Health Department, Khyber Pakhtunkhwa in your court as a reply in t case SERVICE APPEAL NO; 582/2018 , Titled as TAMAM JAN VS GOVT. OF KP ETC was also signed me. I was misguided about the facts of the case. Later on when the actual picture of the case car into my knowledge, I decided to give a corrigendum in this regard.

I hereby disown that report submitted earlier to your court as a combine answer from DG Heal. Secretary Health, Medical Superintendent and principal.

Dr. Salim Khattack, the former Principal and Chief Executive of KMU-IMS Kohat had written twice Health Department in this issue (copies attached) and I fully agree with his remarks about t Appellant.

Encl: 02

PRINCIP
KMU Institute of Medical Scienc
Kohat

- Copy to:
- Office copy

15
Government of Khyber Pakhtunkhwa

Divisional Headquarters / Women & Children (Liaqat Memorial)

Teaching Hospital, Kohat

Ph# + 92-922-9260325; Fax # + 92-922-9260365

OFFICE OF THE CHIEF EXECUTIVE

No. 1118 / C.E / 2017

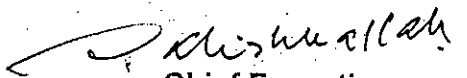
Dated: 15th December, 2017

The Secretary
Govt of Khyber Pakhtunkhwa
Health Department Peshawar.

Subject: **Appeal against Penalty**

Enclosed herewith please find self contained appeal in respect of Miss. Tamam Jan Staff Nurse DHQ Teaching Hospital KDA Kohat.

It is informed that she is very hard working, honest and professional staff nurse fully competent in hospital working with enthusiasm. The said incident causing her deduction of increments and transfer on disciplinary ground seems to be too harsh as she has very little role in the said incident. Further, detail inquiry has ignored vital aspects and statements of important stake holders, rather direct jump to the conclusion approach has been adopted. She has been an obstacle in the way of paramedics designs to get hold of OT medicine to be siphoned out and she resisted it. She is victim of conspiracy in the instant case. Her case may please be reconsidered sympathetically.


Chief Executive
DHQ & W&C/LM Teaching Hospitals,
Kohat


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Government of Khyber Pakhtunkhwa
Divisional Headquarters / Women & Children (Liaqat Azam Memorial)
Teaching Hospital, Kohat
Ph# + 92-922-9260325, Fax # + 92-922-9260325

OFFICE OF THE CHIEF EXECUTIVE

No. 931-33 / C.E / 2017

Dated: 24th October, 2017

The Deputy Director (Nursing)
Directorate General Health Services
Khyber Pakhtunkhwa Peshawar.

Subject: Transfer of Charge Nurse

Reference your letter No. 8188-93/E.II dated 18th October, 2017.

In this regard, it is submitted that the transfer of staff on administrative ground is not fully justified as the staff nurse concerned, as shown in video in question is not responsible for it. Reportedly the video is made with ill intension and during time the surgeon was engaged in another emergency in operation theater.

She is honest and very dedicated worker. Therefore, it is requested to withdraw the said order in the best public interest.

Chief Executive
DHQ & W&C/LM Teaching Hospitals,
Kohat

C.C

1. Medical Superintendent DHQ Teaching Hospital KDA Kohat
2. Office Copy


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FOREWORD

This job description has been developed for the employees of Hayatabad Medical Complex, which comprises HMC hospital, Khyber Girls Medical College, Pakistan Institute of Community Ophthalmology and the Institute of kidney Diseases. It describes the purpose, duties, responsibilities, tasks, and relationships of different jobs in this institution. Without a job description, it is impossible to hold employees accountable for performing the duties of their positions. The primary purpose of this document is to identify the essential functions of a position i.e. those tasks or functions that are fundamental to a particular position. Knowing the essential functions of the job will aid us in:

- Determining the eligibility for a particular position
- Establishing a basis for recruitment, selection, and hiring
- Determining whether a person is qualified to perform the essential functions
- Evaluating work distribution and departmental organization
- Training employees
- Assisting incumbents in understanding their job better
- Allowing clear and accurate performance reviews
- Counseling employees on career opportunities and their vocational interests

While every position changes somewhat over time based on the abilities of the incumbent, the description have been written in terms of the position itself, not the capabilities of any individual. It is a document that establishes the baseline which will be utilized for the many reasons listed above, for training new employees, and for various legal purposes. The baseline objective is to provide enough information which is accurate, clear and useful to the employer and supervisors. This document, I am confident will help us improve the efficiency and performance of this institution.

Dr Aftab Akbar Durrani
Chief Executive

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Charge Nurse

1. Charge Nurse is answerable to Chief Nursing Superintendent & through her to Medical Superintendent
2. She will perform her/his duty as per notified duty Rota or as per instruction of Nursing Supervisor on duty
3. Will take over from nurse relieved & ensure that all equipments, apparatus, medicine emergency tray & supplies are complete
4. Will be responsible to bring any unusual occurrence to the notice of Head nurse, Nursing Supervisor and DMS on duty
5. Will ensure that Ward orderly, Dai & sweepers perform their duties efficiently & punctually
6. Assist & cooperate with other staff on duty
7. Will be responsible to read & check reports prepared by relieved nurse & follow instructions about serious patients first
8. Will assist head nurse in her duties & will perform her duties in her absence
9. Will be responsible to maintain patients records up to date ie TPR, Treatment & in take / out put charts
10. Ensure that before the beginning of morning round the patients are clean & neat, bedding is done properly & the ward is clean & tidy
11. Will assist MO/SMOs, Registrar, Senior Registrar & VP/VS of the ward during rounds of the ward & note/ follow instruction about the patients
12. Ensuring enough nursing care for patients ie mouth wash, sponging, back rubs, nail cutting & precautions against bed sores
13. Will assist the MO/SMO, JR, SR & VP/VS in different health facilities available in the institution
14. Will ensure that specimens for investigations are sent straight to the hospital laboratory & receive / attach the resulting reports to the patients charts
15. Will be responsible to call doctor on duty using call register or telephones for emergency patients or distressed patients


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16. Will promote health education in the ward by talking on various topics to patients and their relatives
17. Will ensure that patients are taken for examination on time by the ward orderly or dai X-Rays Lab. Tests, OPD & operation theatre
18. Will carry out pre operative & post operative orders in time
19. Will prepare & keeps chart ready for newly admitted patients
20. Be responsible to maintain treatment book, stock register of medicine, linen, admission & discharge register, diet register & abstract register up to date
21. Prepare indents for medicines & linen regularly to avoid shortage
22. Will be responsible to write reports & instruction for ward patients at the end of her duty & hand over to nurse coming on duty in proper order
23. Any other duty assigned to her by Registrar ,CNS, MS & CE from time to time


ATTESTED

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

In Re:

Service Appeal No.528/2018

Mst Tamam jan APPELLANT

VERSUS

Medical superintendent DHQ etc RESPONDENTS

**APPLICATION FOR ADDITIONAL DOCUMENTS PLACE
ON FILE.**


RESPECTFULLY SHEWETH,

1. THAT THE CAPTIONED CASE IS PENDING BEFORE THIS HONORABLE COURT WHICH IS FIXED FOR TODAY.
2. THAT THIS HONORABLE COURT WAS DIRECTED THE PETITIONER /APPELLANT TO SUBMIT ADDITIONAL DOCUMENTS ON PLACE OF FILE.
3. THAT IN ABOVE MENTIONED CASE/ SUIT THAT SOME NECESSARY DOCUMENT MAY KINDLY BE ALLOWED TO PLACE ON FILE.
4. THAT SAID ADDITIONAL DOCUMENTS ARE VERY NECESSARY FOR DISPOSAL OF ABOVE MENTIONED CASE.
5. THAT THERE IS NO LEGAL BAR, ON ACCEPTANT THE INSTANT APPLICATION:

IT IS, THEREFORE, MOST HUMBLY PRAYED THAT ON THE ACCEPTANCE OF THIS APPLICATION, THE PETITIONER MAY KINDLY BE ALLOWED FOR ADDITIONAL DOCUMENTS PLACE ON FILE.

PETITIONER

THROUGH


**AMIN KHATTAK LACHI,
ADVOCATE SUPREME COURT.**

66/10/17



**DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to the Director General Health Services, Peshawar and not to any official by name.
Mail Address: dgshs@pke.gov.pk
Office Ph# 091 9210269
Exchange# 091 9210187, 9210196
Fax# 091 9210236

OFFICE ORDER.

Mst. Tamam Jan D/O Lal Bahadar, Charge Nurse (BPS 16) DHQ Hospital KDA Kohat is hereby transferred / posted to DHQ Hospital Karak against the vacant post on administrative grounds with immediate effect.

NB: - Arrival/ departure report should please be submitted to this Directorate for record.

Sd/-
DIRECTOR GENERAL HEALTH SERVICES, KPK, PESHAWAR.

No. **8188-93**

/E.H., Dated Pesh, The **18** / 10 /2017.

Copy forwarded to the:-

- 01. Medical Supdt. DHQ Hospital KDA Kohat
- 02. Medical Supdt. DHQ Hospital Karak.
- 03. DAO, Kohat.
- 04. DAO, Karak.
- 05. Charge Nurse concerned.
- 06. DA concerned DGHS Office Peshawar.

For information and necessary action.

[Handwritten signature]
2-11-17

[Handwritten signature]
DEPUTY DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K. PESHAWAR.
18/10