


FORM OF ORDER SHEET

Court of _____

Appeal No. 1071 /2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/05/2023	<p>The appeal of Mst. Rozina Rahim presented today by Mr. Bilal Ahmad Kakaizai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on-</p> <p>_____</p> <p>By the order of Chairman</p> <p> For REGISTRAR</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No: 1071 / 2023

ROZEENA RAHIM Vs Government of Khyber Pakhtunkhwa etc

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Wakalatnama		nil

Appellant

Rozeena

Through:

BILAL AHMAD KAKAIZAI
Advocate, Supreme Court of Pakistan.
213, Sunehri Masjid Road, Peshawar
Cantt. 0300-9020098.

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

Service Appeal No: 1071 / 2023

ROZINA RAHIM,
W/o Ihsanuddin,
JCT / FMT, Basic Helath Unit, Adezai.
R/o Gulbahar No. 1, Peshawar City.

..... APPELLANT

Versus

- 1. GOVERNMENT OF KHYBER PAKHTUNKHWA,
Through Secretary Health,
Health Department, Civil Secretariat, Peshawar.
- 2. DIRECTOR GENERAL HEALTH SERVICES,
Khyber Road, Peshawar.
- 3. DISTRICT HEALTH OFFICER,
Peshawar.

..... RESPONDENTS

**APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST: -**

- 1. IMPUGNED ORDER NO. 1916-21 / DHO DATED 13.01.2023, WHEREBY THE COMPETENT AUTHORITY HAS ILLEGALLY, UNLAWFULLY AND AGAINST THE ORDER OF HONORABLE SERVICE TRIBUNAL, PESHAWAR TREATED THE ABSENCE PERIOD IN RESPECT OF APPELLANT W.E.F

01.10.2010 TILL 27.01.2022 (THE DATE OF ISSUANCE OF REINSTATEMENT ORDER) AS LEAVE WITHOUT PAY.

2. IMPUGNED APPELLATE ORDER NO. 4715/DHO (PESHAWAR) DATED 21.02.2023, WHICH IS OTHERWISE AN INCONCLUSIVE ORDER.

Prayer: On acceptance of this Appeal, the Appellant, be paid her Monetary Back Benefits and Service Benefits of the Intervening period mentioned above, along with pay since Reinstatement Order, with such other relief as may be deemed fit in the circumstances of the case may also be granted.

Respectfully Sheweth,

Short facts, giving rise to present Service Appeal, are as under:

1. That, Appellant, was performing duties as Junior Clinical Technician / FMT. During the Course of employment she was made a rolling stone between different Departments and was verbally instructed / directed to Report in other office but the Department did not give any order in respect of place of posting of the Appellant and at last she, in February 2013, was verbally asked by the Department / Hospital that "your services have been dispensed with" however no written order was given to her.
2. That, the Appellant filed Service Appeal No. 1005 / 2013 before Honourable Tribunal, which was disposed of on 18.02.2016 with the direction to the Department / Appellate Authority to decide the fate of the Departmental Appeal within a period of one month after receipt of Order, copy of Order / Judgment dated 18.02.2016 is attached as Annexure A.

3. That, the Department failed to act according to the directions contained in the Order / Judgment of Honorable Service Tribunal, Peshawar dated 18.02.2016, hence the Appellant was constrained to file Execution Proceedings before Honourable Tribunal.
4. That, on 28.08.2017, one Representative of the Department, namely Syed Mastan Ali Shah, stated at the bar before Honourable Tribunal that the Departmental Appeal of the Appellant has been regretted on 16.08.2017. In pursuance of statement at the bar, the Honorable Tribunal directed Syed Mastan Ali Shah to hand over the copy of the said order dated 16.08.2017 (Removal from Service Order) to the Counsel for the Appellant, copies of Execution Proceedings and Removal Order dated 16.08.2017 are attached as Annexure B.
5. That, Appellant once again filed Service Appeal No. 1096 / 2017, which was decided in favour of the Appellant on 16.10.2019 in which Impugned Order of Removal dated 16.08.2017 / 09.05.2017 was set aside and Appellant was ordered to be reinstated in service with the direction to conduct de-novo proceedings against her under KPK E & D rules, 2011 within a period of 90 days from the date of receipt of Judgment, copy of the Order / Judgment dated 16.10.2019 is attached as Annexure C.
6. That, thereafter within 90 days from the date of receipt of Judgment dated 16.10.2019, the Department failed to conduct any proceedings against the Appellant hence she automatically became eligible for reinstatement as well as payment of back benefits.
7. That, on 27.01.2022, the Appellant was ordered to be reinstated in the service, with immediate effect, copy of the Reinstatement Order dated 27.01.2022 is attached as Annexure D.
8. That, vide Impugned Order dated 13.01.2023, the intervening period i.e. w.e.f 01.10.2010 till 27.01.2022 was treated as

leave without pay, which act of the Department was not only against the order of the Service Tribunal, Peshawar but the same was also an illegal and unlawful order, copy of the Impugned Order dated 13.01.2023 is attached as Annexure E.

9. That, against the Impugned Order dated 13.01.2023, Departmental Appeal / Representation was filed by the Appellant on 09.02.2023, copy of the Departmental Appeal / Representation dated 09.02.2023 is attached as Annexure F.
10. That, although the reply to the Departmental Appeal was given to the Appellant vide order 21.02.2023, which was considered as Appellate Order by the Appellant in consequence whereof the Appellant approached this Honorable Tribunal on 09.03.2023 however, the Registrar of the Tribunal vide Office Note No. 919/ST dated 13.03.2023 returned the Appeal while considering the Appellate Order as improper and Appeal of the Appellant as pre-mature in pursuance of Judgment of Supreme Court of Pakistan reported as 2005 SCMR-890, copy of the Registrar's Note dated 13.03.2023 is attached as Annexure G.
11. That, the Appellant submitted his reply / report on the same page, which was issued by the Registrar of this Tribunal, however the Honorable Chairman sustained the objection of the Registrar and Appeal was returned being pre-mature.
12. That, as per the observation of Registrar, reply of the Counsel and remarks of the Honorable Chairman, the titled Appeal has become mature after elapse of 90 days mandatory period, on 10.05.2023, hence this appeal on the following amongst other grounds:

GROUND:

- A. That, treating the intervening period w.e.f 01.10.2010 till 27.01.2022 as leave without pay is illegal, unlawful, void and ineffective.

- B. That, same is against the principles of Natural Justice, also.
- C. That, till date, despite joining and performing the duties, the Appellant has not yet been paid his legitimate salaries even from the date of reinstatement i.e. 27.01.2022.
- D. That, Appellant was vigorously fighting for his legal rights, right from the beginning, when she was verbally / orally terminated from the Government Service.
- E. That, since the Appellant did not willfully absent from duty rather she was forced to sit at home by the illegal and unlawful acts of the Department, hence stoppage of her benefits and salaries etc as well as treating her intervening period as absence is not warranted under the law.
- F. That, Appellant has not been treated in accordance with law and provisions of the Constitution of Islamic Republic of Pakistan, 1973.
- G. That, even after reinstatement of the Appellant, she has not been given her due pay scale as other similarly placed employees are being paid in higher pay scales.
- H. That, during the tenure of alleged absence of the Appellant, other employees of the same cadre have been allotted the benefit of upgradation and now other similarly placed employees are being paid in higher pay scale.
- I. That, the Appellant was retained on the payroll of the Department, even during the period of absence as she was promoted as well by the Department during the alleged absence period, copies of the Promotion Orders are attached as Annexure H.
- J. That, the Appellant has been victimized due to no fault on her part.

K. That, all the proceedings initiated against the Appellant were malafide and malicious and purportedly were initiated in order to inflict maximum financial loss to the Appellant:

It is, therefore, requested that Appeal be accepted as prayed for.

Appellant 

Through:

BILAL AHMAD KAKAIZAI
Advocate, Supreme Court of Pakistan.
213, Sunehri Masjid Road, Peshawar
Cantt. 0300-9020098.

(6/A)

BEFORE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No: _____ / 2023

ROZEENA RAHIM *vs* Government of Khyber Pakhtunkhwa etc

AFFIDAVIT

I, ROZINA RAHIM, W/o Ihsanuddin, JCT / FMT, Government ID Children Hospital, Peshawar. R/o Gulbahar No. 1, Asad Anwar Colony, Peshawar City, Appellant, do hereby on oath affirm and declare that the contents of the Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Honourable Tribunal.


Deponent

Identified by:

BILAL AHMAD KAKAIZAI
Advocate, Supreme Court of Pakistan.

7

BEFORE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No: _____ / 2023

ROZEENA RAHIM Vs Government of Khyber Pakhtunkhwa etc


ADDRESSES OF PARTIES.

APPELLANT:

ROZINA RAHIM, W/o Ihsanuddin, JCT / FMT, Basic Health Unit,
Adezai. R/o Gulbahar No. 1, Peshawar City.

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa, Through Secretary Health,
Health Department, Civil Secretariat, Peshawar.
2. Director General Health Services, Khyber Road, Peshawar.
3. District Health Officer, Peshawar.



Appellant

Through:

BILAL AHMAD KAKAIZAI
Advocate, Supreme Court of Pakistan.
213, Sunehri Masjid Road, Peshawar
Cantt. 0300-9020098.

(A) (B)

BEFORE NWFP SERVICE TRIBUNAL,
PESHAWAR.



Service Appeal No: 1005/2013

24/7/13

ROZINA RAHEEM,
W/o Ihsanuddin,
Ex. JCT, Government ID Children Hospital, Peshawar
R/o Gulbahar No. 1, Peshawar City.

Appellant

Versus

1. GOVERNMENT OF KPK,
Through Secretary Health,
Civil Secretariat, KPK, Peshawar.
2. DIRECTOR GENERAL HEALTH SERVICES,
KPK, Peshawar.
3. MEDICAL SUPERINTENDENT,
Government ID, Children Hospital, Peshawar.
4. EXECUTIVE DISTRICT OFFICER,
Health, District Peshawar

Respondents

24/6/13
APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974 FOR RESTORATION / REINSTATEMENT IN SERVICE AS JCT IN RESPONDENT NO. 3 HOSPITAL FOR WHICH DEPARTMENTAL APPEAL / REPRESENTATION DATED 22.02.2013 SENT VIDE RECEIPT NO. 515 & 517 DATED 26.02.2013 HAS NOT BEEN RESPONDED DESPITE THE LAPSE OF MANDATORY 90 DAYS PERIOD.

(A) (B) (9)


Prayer: That on acceptance of this Service Appeal, Appellant be allowed to perform her duty in Respondent No. 3 Hospital as JCT and the Verbal Termination Order be declared nullity in the eyes of law, with full back benefits and wages, with such other relief as may be deem fit in the circumstances of the case may also be granted.

Respectfully Sheweth,

Short facts, giving rise to present Service Appeal, are as under:

- 1) That, Appellant, during the course of employment, applied for 60 days leave which was granted to her, copy of the Application for leave & Order dated 31.03.2010 is attached as *Annexure A & B*.
- 2) That, during leave period, Appellant's health condition deteriorated due to pregnancy; therefore, she applied for extension of leave which was duly communicated to the Competent Authority, copies of the Medical Certificates are attached as *Annexure C*.
- 3) That, after recovery from worst health conditions, Appellant reported her arrival in Respondent No. 3 Hospital where she came to know about the Relieving Order issued by Respondent No. 3 wherein the Respondent No. 3 placed her services at the disposal of Respondent No. 4 vide Order dated 23.09.2010, copy of the same is attached as *Annexure D*. It is important to mention here that the Respondent No. 3 Hospital did not take her Arrival Report and same was returned back to the Appellant, copy of the same is attached as *Annexure E*.
- 4) That, since the date of Arrival i.e. 15.06.2011, Appellant has been made a rolling stone between the Respondent No. 3 and Respondent No. 4 Department and both the Departments verbally instructed / directed the Appellant to Report in other Department but none of them gave any order in respect of place of posting of the Appellant.
- 5) That, at last in February 2013, Appellant was verbally asked by

ATTESTED


[Signature]
[Name]
[Designation]
[Date]

(CS) (7) (18)

which she submitted proper Departmental Appeal before Respondent No. 2 & 3, copies of the Departmental Appeals are attached as Annexure F and Courier Receipts are attached as Annexure G/1 & G/2.

- 6) That, the Respondents failed to decide the fate of the Departmental Appeal of the Appellant within requisite period hence this Service Appeal on the following amongst other grounds: -

GROUNDS:

- A. That, the Impugned Verbal Termination Order is illegal, unlawful, void and ineffective.
- B. That, same is against the principals of natural justice, also.
- C. That, Respondents were bound to issue an adverse order, in writing, under intimation to the Appellant but they failed to issue the same.
- D. That, as per law, the Competent Authority cannot relieve / transfer any Civil Servant from one station to another without any intimation to the Civil Servant and that too during leave because during leave period, in case of leave with pay, the pay of the Civil Servant is paid / released from the budget of the station wherefrom she obtained leave.
- E. That, neither any explanation has been called from the Appellant nor any Charge Sheet or Statement of Allegations was ever served upon the Appellant.
- F. That, as per dictums laid down by the Superior Courts, it was mandatory on the Respondents to have conducted the Regular Enquiry in the instant case because where major punishment is imposed on the Civil Servant, an enquiry to that effect in respect of genuineness of the charges is mandatory.

(A) (B) (C) (11)

- G. That, before imposing any adverse order, the Respondents were bound to issue letter of Explanation or as per law publish a notice in at least two leading newspapers.
- H. That, all the proceedings initiated against the Appellant were mala fide and malicious and purportedly were initiated in order to displace the Appellant from her post and appoint any other blue eyed.
- I. That, the punishment as imposed is too harsh.
- J. That, no one should be condemned unheard.

It is, therefore, requested that subject Appeal be accepted as prayed for.

Rozheen
Appellant

Through: 

BILAL AHMAD KAKAIZAI
(Advocate, Peshawar)

Certified true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Appeal 14-03-2016
 Number of Words 1600
 Copying Fee 10
 Urgent 2
 Total 12
 Name of Case ROZHEEN
 Date of Commencement 14-03-2016

18.02.2016

Counsel for the appellant, M/S Muhammad Arshad SO-401

Gul, Senior Clerk and Dilawar Taj, Assistant Litigation Officer along with
Ziaullah, GP for respondents present.

2. While working as Junior Clinical Technician in Government ID Children Hospital, Peshawar, the following letter dated 23.9.2010 was sent by MS of the said hospital to the Executive District Officer (Health), District Peshawar on 23.9.2010.

OFFICE OF THE MEDICAL SUPERINTENDENT
GOVT ID CHILDREN HOSPITAL, PESHAWAR

NO. _____ /PF Dated 23/9/2010

To,

The Executive District Officer
Health District Peshawar.

Subject: RELIVING OF MRS. ROZINA RAHIM FMT.

Respected Sir,

Please refer to this office letter No. 1482/PF dated 2/09/2010 wherein she was advice to join her duty specific period, but she failed to join her duty till now.

It is further added that she is on leave w.e.f 06/04/2010 for two months and resume duty on 07/06/2010 but she not resumed her duty due to which the hospital work is suffer badly. She may please be transferred on from this hospital.

Therefore, her service is placed at your disposal because her services are no more required in this hospital.

SD/--
Medical Superintendent
Govt:ID.Children Hospital
Peshawar.

NO. 1777-78/PF

Copy to the:-

1. Mrs. Rozina Rahim D/O Mr. Rahim Bakash R/O Mohallah Gariban Duban City.
 2. Account Section of this hospital.
- For information and further necessary action.

(13)

3. It was submitted by learned counsel for the appellant that there after the appellant has been made a rolling stone. She was neither posted in the Hospital nor in the office of Executive District Officer and consequently the appellant is badly suffering, who is also not paid her salary. It was further submitted that her representation (in urdu language) dated 22.2.2013 was also not responded and, hence, the instant service appeal before the Service Tribunal.

4. Learned Government Pleader agitated that since no final order has been passed in the case therefore, the appeal is not competent.

5. Arguments heard and record perused.

6. From the record, it transpired that though no adverse order exist, but it was agitated by the learned counsel for the appellant at the bar that appellant has been verbally terminated from service and as her departmental appeal has not yet been decided, therefore, this case is remitted to respondent-department with the directions to decide the same within a period of one month after the receipt of this order. The appeal is disposed of accordingly. Parties are left to bear their own cost. File be consigned to the record room.

Sd/-
Member *Sd/-*
Member

Certified to be true copy

Sd/-
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of 14-03-2016
Number of 1800

14 38 B 70

BEFORE KPK SERVICE TRIBUNAL, PESHAWAR.

Execution petition No. 124/2016

Service Appeal No: 1005 /2013
Date of Decision: 18.02.2016

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 680
Dated 1-8-2016



ROZINA RAHEEM,
W/o Ihsanuddin,
JCT, Government ID Children Hospital, Peshawar
R/o Gulbahar No. 1, Peshawar City.

..... Applicant / Appellant

Versus

1. GOVERNMENT OF KHYBER PAKHTUNKHWA,
Through Secretary Health,
Civil Secretariat, KPK, Peshawar.
2. DIRECTOR GENERAL HEALTH SERVICES,
Khyber Pakhtunkhwa, Peshawar.
3. MEDICAL SUPERINTENDENT,
Government ID, Children Hospital, Peshawar.
4. EXECUTIVE DISTRICT OFFICER,
Health, District Peshawar

..... Respondents

APPLICATION FOR IMPLEMENTATION OF JUDGMENT DATED 18.02.2016
AND INITIATION OF CONTEMPT OF COURT PROCEEDINGS AGAINST
RESPONDENTS.

Respectfully Sheweth,

ATTESTED

(05) (26) (2)

(15)

1. That, Applicant / Appellant filed the titled Service Appeal in this Honorable Tribunal, which was decided on 18.02.2016, copies of the Order dated 18.02.2016 along with Postal Receipts are attached as Annexure A.
2. That, the Respondents / Government has not filed Appeal before the Honourable Appellate Forum i.e. Supreme Court of Pakistan.
3. That, the Respondents were time and again requested to implement the above said Judgment in its letter & spirit but they were reluctant.
4. That, justice delayed is Justice denied.

In view of the above, it is requested that Respondents be directed to implement the judgment as per observations and directions given in the same without any further delay with such other relief as may deem fit in the circumstances of the case may also be granted.

Rozien
Applicant / Appellant

Through:

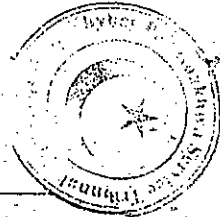
Bilal Ahmad Kakaizai
BILAL AHMAD KAKAIZAI
(Advocate, Peshawar)

Certified to be true copy
Khyber Pakhtunkhwa
Tribunal,
Peshawar

Date of presentation of Application: 21-9-17
 Number of Warrants: 800
 Copying Fee: 6-
 Urgent: -
 Total: 6-
 Name of Copy: *Md*
 Date of Copying: 26-9-17

FORM OF ORDER SHEET

16



Execution Petition No. 124/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01.08.2016	<p>The Execution Petition of Mr. Rozina Rehman submitted by Mr. Bilal Ahmad Khakaizai Advocate may be entered in the Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2		<p>This Execution Petition be put up before S. Ber</p> <p style="text-align: center;"><u>4-8-16</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
	04.08.2016	<p>None present for petitioner. Addl. AG for respondents present. Notices be issued to the parties for <u>30-9-16</u>.</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>
	30.09.2016	<p>Counsel for the petitioner, Mr. Azmat for respondent No. 3 alongwith Mr. Usman Ghani, Sr. GP for respondents present. Implementation report not submitted. Requested for adjournment. Request accepted. To come up for implementation report on 16.12.2016 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> (MUHAMMAD AAMIR NAZIR) (MEMBER)</p>

Noted 30/9
[Signature]
30/9

ATTESTED
[Signature]

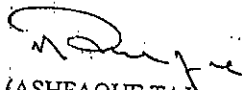
16.12.2016

Counsel for the petitioner and Dr. Zakir Arshad
Litigation Officer for the respondents present. Requested
for adjournment. Last opportunity granted. To come up for
implementation report on 24.2.2017 before S.B.


Chairman


24.02.2017

Mst. Rozina Raheem through learned counsel present. Mr. Yar
Gul, Senior Clerk and Dr. Zakir Arshad, Medical Officer alongwith Mr.
Muhammad Adeel Butt, Additional AG for respondent present. They
requested for last opportunity to submit the order on departmental appeal.
Learned counsel for petitioner stated that one month period was stipulated
for order on departmental appeal. That one month period has passed one
year ago, but no order has been passed and that respondents are bound to
pass order in compliance of court directions. On this issue the parties are
directed to argue the execution petition in length and submit
implementation report on 28.04.2017 before S.B.



(ASHFAQUE TAJ)
MEMBER

28.04.2017

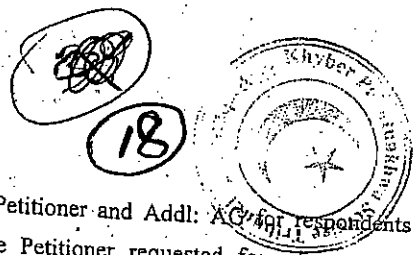
Clerk to counsel for the petitioner and Dr. Arshad Rashid,
Medical Officer alongwith Addl. AG for the respondents present.
Clerk to counsel for the petitioner requested for adjournment.
Request accepted. To come up for implementation report on
30.06.2017 before S.B.


(Ahmad Hassan)
Member

ATTESTED


EXAMINER
Khyber P...

30.06.2017



Counsel for the Petitioner and Addl: AG for respondents present. Counsel for the Petitioner requested for adjournment. Adjourned. To come up for further proceedings on 28.08.2017 before S.B.



(Ahmad Hassan)
Member

28.08.2017


Counsel for the petitioner present. Syed Mastan Ali Shah, Junior Clerk alongwith Mr. Muhammad Adcel Butt, Additional AG for the respondents also present. Learned counsel for the petitioner stated at the bar that the service appeal of the petitioner was remanded by the Service Tribunal to the departmental authority for decision but the same has not been decided so far. Representative of the department namely Syed Mastan Ali Shah, Junior Clerk stated at the bar that the departmental appeal of the appellant has been decided on 16.08.2017. He is directed to hand over copy of the same to the learned counsel for the petitioner. Accordingly the representative of the respondent-department handed over the copy of the same to learned counsel for the petitioner.

Keeping in view the aforesaid situation the instant execution petition is disposed of accordingly. File be consigned to the record room.

ANNOUNCED
28.08.2017


(Muhammad Amin Khan Kundi)
Member

Date of Presentation of Application 21-9-17
Number of Writs 1200
Copying Fee 8-
Urgent _____
Total 8-
Name of Clerk [Signature]

Certified true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar



**OFFICE OF THE DISTRICT HEALTH OFFICER,
PESHAWAR.**

Phone No. 091 9225387
Fax No. 091 9225388

OFFICE ORDER.

You Mrs. Rozina Raheem W/O Ihsan Uddin, Jr: PHC Technician, BPS12 attached to Sifwat Ghayur Memorial Hospital Peshawar has remained absent from duty willfully w.e.f. 07/6/2010. You were called to explain your position vide letter No.1482/DHO dated 02/9/2010. You produced medical certificates which was found bogus vide Medical Superintendent, DHQ Hospital, D.I Khan Office letter No. 1719/MS dated 23/2/2017. You were also appeared before the Director General Health Services, Khyber Pakhtunkhwa, Peshawar for personal hearing in light of departmental inquiry under the directions of Services Tribunal KPK, where you failed to prove the charges leveled against you. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar regretted your appeal and recommended disciplinary proceedings against you, vide letter No.6722-24/AE-VI dated 09/5/2017.

This office finally issued a show cause notice on your home address vide letter No.7414-19/DHO dated 30/5/2017 with the direction to show cause the reason of your willful absence within 15 days, otherwise disciplinary action will be taken against you, but you failed to do so, and continuously absent yourself from duty till date.

According to E&D Rules 2011 Section No.9 a notice was published in the leading newspapers, upon which you didn't response so far, so the competent authority is pleased to impose upon you the major penalty in light of E & D Rules 2011, Section 4 (b) (iii) i.e. REMOVAL FROM SERVICE with immediate effect.

Sd/xxxxx
District Health Officer,
Peshawar.

No. 11981-87 /DHO/P.F

Dated, Peshawar the 16-8 /2017

Copy forwarded to the:-

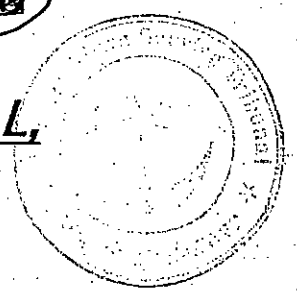
1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
3. Honorable Court of Services Tribunal Peshawar.
4. Medical Superintendent, Sifwat Ghayur Shaheed Memorial Hospital Peshawar.
5. Litigation Officer, DHO Office Peshawar.
6. Account Section of this office.
7. Mrs. Rozina Raheem W/O Ihsan-ud-Din Gulbahar No.1 Asad Anwar Colony, Street#A-9 House# 49 Peshawar City. (To be sent on registered Dak).

For information and necessary action.

District Health Officer,
Peshawar.

16/8/17

C 20



BEFORE NWFP SERVICE TRIBUNAL,
PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1102

Dated 26-9-2017

Service Appeal No: 1096 / 2017

ROZINA RAHEEM,
W/o Ihsanuddin,
Ex. JCT, Government ID Children Hospital, Peshawar
R/o Gulbahar No. 1, Peshawar City.

..... Appellant

Versus

- ✓ 1. GOVERNMENT OF KPK,
Through Secretary Health,
Civil Secretariat, KPK, Peshawar.
- ✓ 2. DIRECTOR GENERAL HEALTH SERVICES,
KPK, Peshawar.
- ✓ 3. MEDICAL SUPERINTENDENT,
Government ID, Children Hospital, Peshawar.
- ✓ 4. EXECUTIVE DISTRICT OFFICER,
Health, District Peshawar

Filed to-day

Registrar

26/9/17

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST APPELLATE ORDER NO. 6722-24/AE-VI DATED 09.05.2017 (MENTIONED IN ORER DATED 16.08.2017), WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED, COMMUNICATED / HANDED-OVER TO THE APPELLANT'S COUNSEL DURING EXECUTION PROCEEDINGS VIDE OFFICE ORDER DATED 11981-87/DHO/P.F DATED 16.08.2017.

Re-submitted to-day

Registrar

4/10/17

ATTENDED

.....

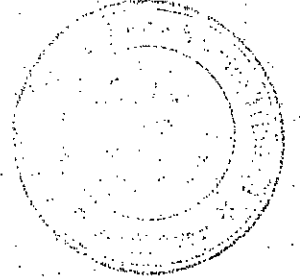
(21) (22)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 1096/2017

Date of institution ... 26.09.2017

Date of judgment ... 16.10.2019



Rozina Raheem,
W/o Ihsanuddin,
Ex. JCT, Government ID Children Hospital, Peshawar.
R/o Gulbahar No. 1, Peshawar City.

... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Health, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Government ID, Children Hospital, Peshawar.
4. Executive District Officer, Health, District Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST APPELLATE ORDER NO. 6722-24/AE-VI DATED 09.05.2017 (MENTIONED IN ORDER DATED 16.08.2017), WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTED, COMMUNICATED/HANDED-OVER TO THE APPELLANT COUNSEL DURING EXECUTION PROCEEDINGS VIDE OFFICE ORDER 11981-87/DHO/P.F DATED 16.08.2017.

Mr. Bilal Ahmad Kakaizai, Advocate
Mr. Ziaullah, Deputy District Attorney

.. For appellant.
.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI
MR. AHMAD HASSAN

.. MEMBER (JUDICIAL)
.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER:- Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Arguments heard and record perused.

ATTENDED

Muhammad Amin Khan Kundi
Member (Judicial)
Peshawar

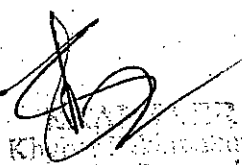
M. Amin Khan
16.10.2019

(Jd)

2. Brief facts of the case as per present service appeal are that the appellant was serving in Health Department as Junior Clinical Technician. She applied for 60 days leave which was granted to her vide order dated 31.03.2010. The appellant applied for extension of leave which was duly communicated to the competent authority. That after recovery from the illness, the appellant reported for her arrival where she came to know about the reliving order issued by respondent No. 3 wherein the respondent No. 3 placed her services at the disposal of respondent No. 4 vide order dated 23.09.2010. That the respondent-department did not take her arrival report and the same was returned back to the appellant. That since the date of arrival i.e 15.06.2011 the appellant made a rolling stone between the respondent No. 3 and respondent No. 4. That at least in the February 2013 the appellant was informed that her services have been dispensed with however, no such order was given to her against which she submitted departmental appeal but the same was not responded followed by service appeal which was disposed off on 18.02.2016 with the direction to the respondent-department to decide the departmental appeal of the appellant within one month after receipt of copy of order. That the department failed to dispose of the departmental appeal therefore, the appellant filed the Execution Petition for implementation of the order of Service Tribunal. That vide order sheet dated 28.08.2017, the representative of the department furnished the order dated 16.08.2017 whereby the departmental appeal was rejected. That on receipt of the same on the same day i.e 28.08.2017, the appellant filed present service appeal on 26.09.2017.

*Ms. Anshu
16.10.2019*

3. Respondents were summoned who contested the appeal by filing written reply/comments.

ATTESTED

 K. S. ...
 Service Tribunal,
 ...

(23)

4. Learned counsel for the appellant contended that the appellant was ill and she was granted 60 days leave. It was further contended that the appellant applied for extension of leave which was duly communicated to the competent authority. It was further contended that after recovery from illness, the appellant reported her arrival but she came to know about her reliving order was issued by respondent No. 3 wherein respondent No. 3 placed her services at the disposal of respondent No. 4. It was further contended that the appellant was made rolling stone and though the respondent No. 3 directed the appellant to report to respondent No. 4 but none of them giving any order in respect of place of posting of the appellant. It was further contended that the appellant was verbally asked in February 2013 that her services have been dispensed with however, no such order was given to her. It was further contended that the appellant filed departmental appeal against the verbal order but the same was not responded therefore, the appellant filed Service Appeal No. 1005/2013 before this Tribunal which was disposed off on 18.02.2016 with the direction to departmental/appellate authority to decide the departmental appeal of the appellant within a period of one month. It was further contended that despite the direction of the Service Tribunal, the departmental authority has not decided the departmental appeal within time therefore, the appellant filed Execution Petition for implementation of the same and ultimately during implementation petition/execution petition, the representative of the department furnished the order dated 16.08.2017 whereby the departmental appeal of the appellant was regretted hence, the present service appeal. It was further contended that neither any charge sheet, statement of allegation was served upon the appellant nor proper inquiry was conducted nor any show-cause notice regarding her absence was issued to the appellant nor any absence notice was issued to the appellant at

6/12/21
M. P. M.

ATTESTED



(24) (24)

her home address nor any absence notice was advertised in the two newspapers as required under rule-9 of Government Servants (Efficiency & Discipline) Rules, 2011 therefore, the impugned order verbally passed by the competent authority as well as the order of departmental authority dated 16.08.2017 are illegal and liable to be set-aside and prayed for acceptance of appeal.

5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was serving as Junior Clinical Technician in Health Department. It was further contended that the appellant remained absent from duty for a long period without permission of the lawful authority. It was further contended that after fulfilling all the codal formalities, the appellant was rightly removed from service and prayed for dismissal of appeal.

6. Perusal of the record reveals that the appellant was serving in Health Department as Junior Clinical Technician. She was granted leave for a period of 60 days due to her illness she applied for extension of leave but the same was not extended. After recovery of illness when she reported for her arrival she was not allowed rather in the February 2013, the appellant was allegedly verbally asked by the respondent that her services have been dispensed with. The record further reveals that the appellant filed departmental appeal but the same was not decided therefore, she filed service appeal before this Tribunal which was partially accepted and the departmental authority was directed to decide the departmental appeal of appellant within one month. The record further reveals that the departmental appeal of the appellant was also regretted vide order dated 16.08.2017 hence, the present service appeal. The record further reveals that neither any charge sheet, statement of allegation was framed or served upon the appellant nor any proper inquiry was conducted nor any show-cause notice was

16.10.2019

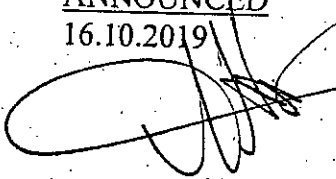
TESTED

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FCSHAWAR

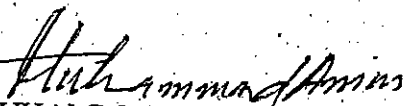
25

issued to the appellant. The record further reveals that neither any absence notice was issued to the appellant at her home address nor any show-cause notice was advertised in two newspapers as required under rule-9 of Government Servants (Efficiency & Discipline) Rules, 2011 therefore, the appellant was condemned unheard which has rendered the whole proceeding illegal and liable to be set-aside. As such, we partially accept the appeal, set-aside the impugned order and reinstate the appellant into service with the direction to respondent-department to conduct de-novo inquiry in the mode and manner prescribed under Government Servants (Efficiency & Discipline) Rules, 2011 within a period of 90 days from the date of receipt of copy of this judgment. The issue of back benefits will be subject to the outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

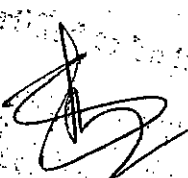
ANNOUNCED
16.10.2019



(AHMAD HASSAN)
MEMBER

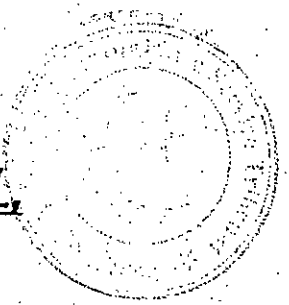


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

certified true copy

 Registrar

18-10-19
 2400
 26-00
 26-00
 11-11-19
 11-11-19

26



BEFORE NWFP SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No: 1096 / 2017

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11021

Dated 26-9-2017

ROZINA RAHEEM,
W/o Ihsanuddin,
Ex. JCT, Government ID Children Hospital, Peshawar
R/o Gulbahar No. 1, Peshawar City.

..... Appellant

Versus

- ✓ 1. GOVERNMENT OF KPK,
Through Secretary Health,
Civil Secretariat, KPK, Peshawar.
- ✓ 2. DIRECTOR GENERAL HEALTH SERVICES,
KPK, Peshawar.
- ✓ 3. MEDICAL SUPERINTENDENT,
Government ID, Children Hospital, Peshawar.
- ✓ 4. EXECUTIVE DISTRICT OFFICER,
Health, District Peshawar

Filed to-day
Registrar

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST APPELLATE ORDER NO. 6722-24/AE-VI DATED 09.05.2017 (MENTIONED IN ORER DATED 16.08.2017), WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED, COMMUNICATED / HANDED-OVER TO THE APPELLANT'S COUNSEL DURING EXECUTION PROCEEDINGS VIDE OFFICE ORDER DATED 11981-87/DHO/P.F DATED 16.08.2017.

Resubmitted to -day

Registrar
4/10/17

ATTESTED

Khyber Pakhtunkhwa
Service Tribunal

27

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Prayer: That on acceptance of this Service Appeal, Impugned Appellate Order dated 09.05.2017 be declared nullity in the eyes of law in consequence whereof the Appellant be reinstated / allowed to perform her duty as JCT, with full back benefits and wages, with such other relief as may be deem fit in the circumstances of the case may also be granted.

Respectfully Sheweth,

Short facts, giving rise to present Service Appeal, are as under:

- 1) That, Appellant, during the course of employment, applied for 60 days leave which was granted to her, copy of the Application for leave & Order dated 31.03.2010 is attached as Annexure A & B.
- 2) That, during leave period, Appellant's health condition deteriorated due to pregnancy; therefore, she applied for extension of leave which was duly communicated to the Competent Authority, copies of the Medical Certificates are attached as Annexure C.
- 3) That, after recovery from worst health conditions, Appellant reported her arrival in Respondent No. 3 Hospital where she came to know about the Relieving Order issued by Respondent No. 3 wherein the Respondent No. 3 placed her services at the disposal of Respondent No. 4 vide Order dated 23.09.2010, copy of the same is attached as Annexure D. It is important to mention here that the Respondents Hospital did not take her Arrival Report and same was returned back to the Appellant, copy of the same is attached as Annexure E.
- 4) That, since the date of Arrival i.e. 15.06.2011, Appellant was made a rolling stone between the Respondent No. 3 and Respondent No. 4 Department and both the Departments verbally instructed / directed the Appellant to Report in other Department but none of them gave any order in respect of place of posting of the Appellant.
- 5) That, at last in February 2013, Appellant was verbally asked by the Respondent No. 3 Hospital that "your services have been

ATTESTED

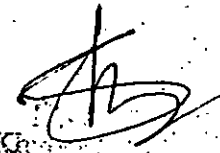

K. S. Srinivas
Service Officer

(28) (2)

dispensed with" however no such order was given to her against which she submitted proper Departmental Appeal before Respondent No. 2 & 3, copies of the Departmental Appeals are attached as Annexure F and Courier Receipts are attached as Annexure G.

- 6) That, initially Respondents failed to decide the fate of the Departmental Appeal of the Appellant within requisite period hence Service Appeal No. 1005 / 2013 was filed before this Honourable Tribunal, which was disposed of on 18.02.2016 with the direction to the Department / Appellate Authority to decide the fate of the Departmental Appeal within a period of one month after receipt of Order, copies of the Service Appeal and Judgment dated 18.02.2016 are attached as Annexure H.
- 7) That, the Department failed to act on the direction of the Service Tribunal hence the Appellant was constrained to file Execution Proceedings before this Honourable Tribunal, copy of the Execution Application is attached as Annexure I.
- 8) That, on 28.08.2017, one Representative of the Respondents Establishment, namely Syed Mastan Ali Shah, stated at the bar before this Honourable Tribunal that the Departmental Appeal of the Appellant has been regretted on 16.08.2017.
- 9) That, the Honourable Tribunal, in pursuance of the statement at the bar, directed Syed Mastan Ali Shah to hand over the copy of the same to the Counsel for the Appellant.
- 10) That, on receipt of the copy of the Order dated 16.08.2017, it was disclosed to the Appellant that Departmental Appeal of the Appellant was regretted vide Order dated 09.05.2017 instead of 16.08.2017 however no copy of the Impugned Order dated 09.05.2017 was with him, copy of the Order dated 16.08.2017 is attached as Annexure K.
- 11) That, the Appellant tried his level best to procure the copy of the Impugned Order dated 09.05.2017 but he could not manage the same hence this Appeal on the following amongst other grounds:

APPEARED




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(89) (A)

GROUNDS:

- A. That, the Impugned Order dated 09.05.2017 is illegal, unlawful, void and ineffective.
- B. That, same is against the principals of natural justice, also.
- C. That, Respondents were bound to issue adverse order, in writing, under intimation to the Appellant but they failed to issue the same.
- D. That, as per law, the Competent Authority cannot relieve / transfer any Civil Servant from one station to another without any intimation to the Civil Servant and that too during leave because during leave period, in case of leave with pay, the pay of the Civil Servant is paid / released from the budget of the station wherefrom she obtained leave.
- E. That, neither any explanation has been called from the Appellant nor any Charge Sheet or Statement of Allegations was ever served upon the Appellant.
- F. That, the Appellate Authority was bound to communicate the fate of the Departmental Appeal to the Appellant directly moreover it was also incumbent and mandatory upon the Appellant to have provided the chance of personal hearing to the Appellant.
- G. That, no such exercise has been done which can mandate the Impugned Appellate Order to be just and legal.
- H. That, Appellant was never allowed to join any duty nor she was issued any posting order after the Order dated 18.02.2016 of this Honourable Tribunal.
- I. That, all the proceedings initiated against the Appellant were mala fide and malicious and purportedly were initiated in order to displace the Appellant from her post and appoint any other blue eyed.
- J. That, the actions of the Respondents and Impugned Appellate Order is against section 24-A of the General Clauses Act. Apart from the

APPELLED

Secretary

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General Clauses Act, the Constitution of Islamic Republic of Pakistan, 1973 also guarantees the right to be dealt in accordance with law reasonable orders of the executive.

- K. That, as per law and Judgments, the Department was bound to decide the fate of the Departmental Appeal of the Appellant within a period of 30 days and any action beyond the period of 30 days is not warranted by law.
- L. That, no one should be condemned unheard.

It is, therefore, requested that subject Appeal be accepted as prayed for.

Roza

Appellant

Through:

[Signature]
BILAL AHMAD KAKAIZAI
(Advocate, Peshawar)

Certified true copy
[Signature]
Peshawar

Date of Filing: 18-10-79

Number of Pages: 2000

Copies: 2200

Up to: 2200

Exhibit: *[Signature]*

Date of Filing: 11-11-79



(31) (D)

OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR

Phone No. 091-9225387

OFFICE ORDER

In the light of judgement of Honorable Service Tribunal Service appeal bearing No. 1096/2017 dated: 16.10.2019 and as per recommendations of inquiry committee Mst. Rozina Rahim Female Medical Technician is hereby re-instated into service with immediate effect in the best interest of public.


Sd/xxxxxxx
District Health Officer
Peshawar

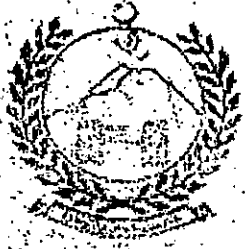
No. 1727-33 /DHO dated Pesh: 27/01/2022

Copy is forwarded to the:

1. Accountant General Khyber Pakhtunkhwa.
2. Secretary Health Government of Khyber Pakhtunkhwa.
3. Director General Health Services Khyber Pakhtunkhwa.
4. Registrar Service Tribunal Peshawar.
5. Medical Superintendent Sifwat Ghayur Shaheed Memorial Hospital Peshawar.
6. Accounts Section DHO Office Peshawar.
7. Official Concerned.

For information and necessary action.


District Health Officer
Peshawar



(32) E

**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

OFFICE ORDER

As approved by the competent authority the absence period in respect of Mst. Rozina Rahim FMT BPS-12 w.e.f. 1.10.2010 till re-instatement is hereby treated as leave without pay.

Furthermore, she is hereby warned that no excuse will be accepted in case if repeating such kind of act.

Sd/xxxxxxx
District Health Officer
Peshawar.

dated Pesh: 13/01/2023

No. 1916-24/DHO
Copy is forwarded to the:

1. Accountant General Khyber Pakhtunkhwa.
2. Director General Health Services Khyber Pakhtunkhwa
3. Registrar Service Tribunal, Peshawar.
4. Medical Officer/In-Charge BHU Adezai Peshawar.
5. Accounts Section DHO Office Peshawar.
6. Official Concerned.

For information and necessary action.

~~District Health Officer
Peshawar~~

~~(Signature)~~

D.No=935

935

F
33

To,

1. DIRECTOR GENERAL HEALTH SERVICES,
Khyber Road, Peshawar.
2. DISTRICT HEALTH OFFICER,
Peshawar.

DEPARTMENTAL APPEAL / REPRESENTATION AGAINST ORDER NO. 1916-21 / DHO DATED 13.01.2023, WHEREBY THE COMPETENT AUTHORITY HAS ---

ILLEGALLY, UNLAWFULLY AND AGAINST THE ORDER OF HONORABLE SERVICE TRIBUNAL, PESHAWAR,

--- TREATED THE ABSENCE PERIOD IN RESPECT OF APPELLANT W.E.F 01.10.2010 TILL 27.01.2022 (THE DATE OF ISSUANCE OF REINSTATEMENT ORDER) AS LEAVE WITHOUT PAY.

Prayer: On acceptance of this Appeal, the Appellant, be paid her Monetary Back Benefits and Service Benefits of the Intervening period mentioned above, with such other relief as may be deemed fit in the circumstances of the case may also be granted.

Respected Sir,

Reference subject mentioned Order, J, Rozina Rahim JCT / FMT, submit instant Appeal for your honor's sympathetic & benevolent considerations as under: -

- 1) That, Appellant, was performing duties as Junior Clinical Technician / MT. During the Course of employment she was made a rolling stone between different Departments and was verbally instructed / directed to Report in other office but the Department did not give any order in respect of place of posting of the Appellant and at last she, in February 2013, was verbally asked by the Department / Hospital that "your services have been dispensed with" however no written order was given to her.
- 2) That, the Appellant filed Service Appeal No. 1005 / 2013 before Honourable Tribunal, which was disposed of on 18.02.2016 with the direction to the Department / Appellate Authority to decide the fate of

(34)

- the Departmental Appeal within a period of one month after receipt of Order.
- 3) That, the Department failed to act on the direction of the Service Tribunal hence the Appellant was constrained to file Execution Proceedings before Honourable Tribunal.
 - 4) That, on 28.08.2017, one Representative of the Department, namely Syed Mastan Ali Shah, stated at the bar before Honourable Tribunal that the Departmental Appeal of the Appellant has been regretted on 16.08.2017.
 - 5) That, the Honourable Tribunal, in pursuance of the statement at the bar, directed Syed Mastan Ali Shah to hand over the copy of the said order dated 16.08.2017 (Removal from Service Order) to the Counsel for the Appellant.
 - 6) That, Appellant once again filed Service Appeal No. 1096 / 2017, which was decided in favour of the Appellant on 16.10.2019 in which Impugned Order of Removal dated 16.08.2017 / 09.05.2017 was set aside and she was ordered to be reinstated in service with the direction to conduct de-novo proceedings against her under KPK E & D rules, 2011 within a period of 90 days from the date of receipt of Judgment.
 - 7) That, in 90 days from the date of receipt of Judgment dated 16.10.2019, the Department failed to conduct any proceedings hence Appellant has automatically became eligible for reinstatement as well as payment of back benefits.
 - 8) That, on 27.01.2022, the Appellant was ordered to be reinstated in the service, with immediate effect.
 - 9) That, vide Order dated 13.01.2023, the intervening period i.e. w.e.f 01.10.2010 till 27.01.2022 has been treated as leave without pay which act of the Department is not only against the order of the Service Tribunal, Peshawar but the same is also an illegal and unlawful order.
 - 10) That, till date, despite joining and performing the duties, the Appellant has not yet been paid his legitimate salaries even from the date of reinstatement i.e. 27.01.2022.
 - 11) That, treating the intervening period w.e.f 01.10.2010 till 27.01.2022 as leave without pay is illegal, unlawful, void and ineffective.
 - 12) That, same is against the principles of Natural Justice, also.

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- 13) That, Appellant was vigorously fighting for his legal rights, right from the beginning, when she was verbally / orally terminated from the Government Service.
- 14) That, since the Appellant was not willfully absent from duty rather she was forced to sit at home hence stoppage of her benefits and salaries etc as well as treating his intervening period as absence is not warranted under the law.
- 15) That, Appellant has not been treated in accordance with law and provisions of the Constitution of Islamic Republic of Pakistan, 1973.
- 16) That; even after reinstatement of the Appellant, she has not been given her due pay scale as other similarly placed employees are being paid in higher pay scales.

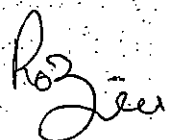
It is, therefore, requested that Appeal be accepted as prayed for.

Thanking you,

Yours faithfully,

Date: ____02.2023

(ROZINA RAHIM),
W/o Ihsanuddin,
JCT / FMT,



Government ID-Children
Hospital, Peshawar.

R/o Gulbahar No. 1, Peshawar City.

B.H.U - Ady Zai



**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

No. 4715 /DHO (Peshawar)

dated: 21/02/2023

36

To,

The Rozina Rahim W/O Ihsan ud din
JCT/FMT
Basic Health Unit Adezai Peshawar.
R/O Gulbahar No. 01, Peshawar City.
(0333-1456094/0313-9594909).

**Subject: - REPLY TO DEPARTMENTAL APPEAL SUBMITTED BY THE
MST. ROZEENA RAHIM DATED. 09-02-2023.**

Memo,

1. Incorrect and the all the facts have been explained to the Honourble Service Tribunal Peshawar .
2. Pertaining to record.
3. Incorrect.
4. Pertaining to record.
5. Pertaining to record.
6. Pertaining to record.
7. Pertaining to record.
8. Pertaining to record.
9. The Department issue letter No.1916-21/DHO dated.13-01-2023 to the appellant in the light of enquiry ordered by Honourble Service Tribunal Peshawar vide letter No.14533/DHO dated.11-09-2020(Annexure-A).
10. Incorrect , already the appellant received her salaries (Annexure-B).
11. Already facts have been explained in the inquiry report submitted to Honourble Service Tribunal Peshawar.
12. Incorrect .
13. Incorrect, the appellant has never ever done her duties from day first.
14. Incorrect .
15. Incorrect.
16. Incorrect.

District Health Officer
Peshawar.

Copy for information:-

1. Section Officer (Lit-II), Health Secretariat Peshawar.
2. Assistant Director (Litigation Cell) Directorate General Health Services.
Khyber Pakhtunkhwa, Peshawar.
3. Incharge Basic Health Unit Adezai Peshawar

37

RECEIVED BY: _____
 DATE: _____
 FROM: _____
 TO: _____
 AMOUNT: _____
 PURPOSE: _____
 SIGNATURE: _____
 TOTAL: _____



**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

No. 14833/DHO dated Pesh: 11/10/2020

Enquiry.

Mst. Rozeena Raheem Vs Govt of Khyber Pakhtunkhwa

INTRODUCTION: Vide order no 14323-26, dated: 16-12-2019. Of DHO, Peshawar, whereby Enquiry be conducted to probe into absentee report /Case Matter of Mst. Rozeena Raheem EX-JST IDH Peshawar.

DESCRIPTION: Mst. Rozeena Raheem was serving in Health Department as junior technician in Children Hospital Peshawar. She applied for sixty days leave which was granted to her vide order Dated 31-03-2010, then she applied for extension of leave which was duly communicated to the competent authority. After recovery from the illness she reported for her arrival where she came to know about the relieving order issued by Medical Superintendent IDH Peshawar and placed her services at the disposal of Executive District Health Officer Peshawar vide order NO—dated .23-09-2010, that MS Office did not take her arrival report and the same was returned back to her. That since the date of arrival 15-06-2011, she become rolling stone between the Medical Superintendent IDH and District Health Office and at last in February 2013 when she was informed that her service had been dismissed, however no such order was given to her against which she submitted a departmental appeal but the same was not responded, followed by Service Appeal which was disposed off on 18-02-2016 with the direction to the respondent department to decide the departmental appeal of the appellant within one month after receipt of copy of order. The department failed to dispose of the departmental appeal therefore; the appellant filed the execution petition for implementation of the order of service tribunal, Vide order sheet dated 28-07-2017 the representative of the department furnished the order dated. 16-08-2017 where by the departmental appeal was rejected. Then on receipt of the same on the same day i.e. 28-07-2017 the appellant filed an appeal on 26-09-2017 in Service Tribunal. The appeal was reconsidered and through departmental appeal within one month. The service of the appellant was reinstated the department was directed to conduct de-novo the enquiry in mode and manner presided under government rule 2011 within ninety days.

FINDING AND RECOMMENDATION: On perusal of the record the department has taken several steps regarding the absentees of Mst. Rozeena Raheem several explanations were called upon her but no satisfactory reply was submitted by her. She was finally informed through reading newspaper that you are no more interested in your services and ex-parte action will be taken against you and major penalty will be imposed upon you. And there after she was removed from services vide letter no 11981-87/DHO, dated 16-08-2017. An enquiry was conducted against her vide order no 2298-302/DHO/C-10, dated 30-03-2016 wherein she was proved guilty and recommended three options to be imposed upon her.

(39)

(39)

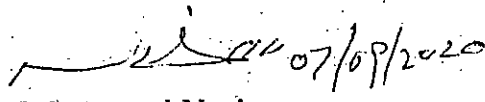
The medical certificate produced by her were fake and committee suggested that (1). disciplinary action to be initiated against her.

(2). she has serviced health Department regularly since April 1995 till 30-09-2010, keeping in view her previous length of services she may be retired compulsory from the service.

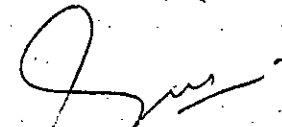
(3). Her willful absence period may be considered as leave without pay or may be reinstated /adjusted against vacant post as she will not be eligible for any benefits to absence period.

The Department should have to give her a chance for reinstatement and to kept her under strict observation and if she repeated the same story and was not loyal to her duty then a major penalty like dismissal /removal may be imposed upon her. That is why she proceed for appeal to the Honourble Court and the court reinstated her and ordered for de-nove inquiry. As the court reinstated her therefore it is recommended that her service be regularized from the date of appointment for the pension purposes and her absent period may be consider one by forth (1/4) of full pay.

Submitted please.

 07/09/2020

1. **Muhammad Nasir**
Co-ordinator (DHIS)
District Health Office. Peshawar.
Peshawar.



2. **Dr. Mubarak Zeb**
Litigation Officer
District Health Office.

40 G

This is an appeal filed by Rozeena Rahim today on 09/03/2023 against the order dated 13-01-2023 against which she made/preferred departmental appeal/representation on 9.02.2023 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 919/SR

DI. 13/3/2023

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Bilal Ahmad Kakaizai Adv.
High Court Peshawar

At page 36, Reply to Departmental Appeal is attached.
Please put before Court.

Subj. objection of the office and reply of counsel for the appellant is sub-itted for order.
Please.

Humble chairman
13/3/2023

926
13/3/2023

objection + if desired
submitted by the appellant
resubmit after maturity
13/3/23

(41)

⊕

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

Service Appeal No: _____ / 2023

ROZINA RAHIM,
W/o Ihsanuddin,
JCT / FMT, Basic Helath Unit, Adezai.
R/o Gulbahar No. 1, Peshawar City.

..... APPELLANT

Versus

1. GOVERNMENT OF KHYBER PAKHTUNKHWA,
Through Secretary Health,
Health Department, Civil Secretariat, Peshawar.
2. DIRECTOR GENERAL HEALTH SERVICES,
Khyber Road, Peshawar.
3. DISTRICT HEALTH OFFICER,
Peshawar.

..... RESPONDENTS

**APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST: -**

1. **IMPUGNED ORDER NO. 1916-21 / DHO DATED
13.01.2023, WHEREBY THE COMPETENT AUTHORITY HAS
ILLEGALLY, UNLAWFULLY AND AGAINST THE ORDER OF
HONORABLE SERVICE TRIBUNAL, PESHAWAR TREATED
THE ABSENCE PERIOD IN RESPECT OF APPELLANT W.E.F
01.10.2010 TILL 27.01.2022 (THE DATE OF ISSUANCE
OF REINSTATEMENT ORDER) AS LEAVE WITHOUT PAY.**

(LRA) (42) (2)

2. IMPUGNED APPELLATE ORDER NO. 4715/DHO (PESHAWAR) DATED 21.02.2023, WHICH IS OTHERWISE AN INCONCLUSIVE ORDER.

Prayer: On acceptance of this Appeal, the Appellant, be paid her Monetary Back Benefits and Service Benefits of the Intervening period mentioned above, along with pay since Reinstatement Order, with such other relief as may be deemed fit in the circumstances of the case may also be granted.

Respectfully Sheweth,

Short facts, giving rise to present Service Appeal, are as under:

1. That, Appellant, was performing duties as Junior Clinical Technician / FMT. During the Course of employment she was made a rolling stone between different Departments and was verbally instructed / directed to Report in other office but the Department did not give any order in respect of place of posting of the Appellant and at last she, in February 2013, was verbally asked by the Department / Hospital that "your services have been dispensed with" however no written order was given to her.
2. That, the Appellant filed Service Appeal No. 1005 / 2013 before Honourable Tribunal, which was disposed of on 18.02.2016 with the direction to the Department / Appellate Authority to decide the fate of the Departmental Appeal within a period of one month after receipt of Order, copy of Order / Judgment dated 18.02.2016 is attached as Annexure A.
3. That, the Department failed to act according to the directions contained in the Order / Judgment of Honourable Service Tribunal, Peshawar dated 18.02.2016, hence the Appellant was constrained to file Execution Proceedings before Honourable Tribunal.
4. That, on 28.08.2017, one Representative of the Department, namely Syed Mastan Ali Shah, stated at the bar before

H1/B

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Honourable Tribunal that the Departmental Appeal of the Appellant has been regretted on 16.08.2017. In pursuance of statement at the bar, the Honorable Tribunal directed Syed Mastan Ali Shah to hand over the copy of the said order dated 16.08.2017 (Removal from Service Order) to the Counsel for the Appellant, copies of Execution Proceedings and Removal Order dated 16.08.2017 are attached as Annexure B.

5. That, Appellant once again filed Service Appeal No. 1096 / 2017, which was decided in favour of the Appellant on 16.10.2019 in which Impugned Order of Removal dated 16.08.2017 / 09.05.2017 was set aside and Appellant was ordered to be reinstated in service with the direction to conduct de-novo proceedings against her under KPK E & D rules, 2011 within a period of 90 days from the date of receipt of Judgment, copy of the Order / Judgment dated 16.10.2019 is attached as Annexure C.
6. That, thereafter within 90 days from the date of receipt of Judgment dated 16.10.2019, the Department failed to conduct any proceedings against the Appellant hence she automatically became eligible for reinstatement as well as payment of back benefits.
7. That, on 27.01.2022, the Appellant was ordered to be reinstated in the service, with immediate effect, copy of the Reinstatement Order dated 27.01.2022 is attached as Annexure D.
8. That, vide Impugned Order dated 13.01.2023, the intervening period i.e. w.e.f 01.10.2010 till 27.01.2022 was treated as leave without pay, which act of the Department was not only against the order of the Service Tribunal, Peshawar but the same was also an illegal and unlawful order, copy of the Impugned Order dated 13.01.2023 is attached as Annexure E.
9. That, against the Impugned Order dated 13.01.2023, Departmental Appeal / Representation was filed by the

M/E A (69) (4)

Appellant on 09.02.2023, copy of the Departmental Appeal / Representation dated 09.02.2023 is attached as Annexure F.

10. That, vide Impugned Appellate Reply communicated to the Appellant on 21.02.2023, the Respondent's Department decided the fate of the Departmental Appeal / Representation, hence this Service Appeal on the following amongst other grounds: -

GROUNDS:

- A. That, treating the intervening period w.e.f 01.10.2010 till 27.01.2022 as leave without pay is illegal, unlawful, void and ineffective.
- B. That, same is against the principles of Natural Justice, also.
- C. That, till date, despite joining and performing the duties, the Appellant has not yet been paid his legitimate salaries even from the date of reinstatement i.e. 27.01.2022.
- D. That, Appellant was vigorously fighting for his legal rights, right from the beginning, when she was verbally / orally terminated from the Government Service.
- E. That, since the Appellant did not willfully absent from duty rather she was forced to sit at home by the illegal and unlawful acts of the Department, hence stoppage of her benefits and salaries etc as well as treating her intervening period as absence is not warranted under the law.
- F. That, Appellant has not been treated in accordance with law and provisions of the Constitution of Islamic Republic of Pakistan, 1973.
- G. That, even after reinstatement of the Appellant, she has not been given her due pay scale as other similarly placed employees are being paid in higher pay scales.

41/D

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- H. That, during the tenure of alleged absence of the Appellant, other employees of the same cadre have been allotted the benefit of upgradation and now other similarly placed employees are being paid in higher pay scale.
- I. That, the Appellant was retained on the payroll of the Department, even during the period of absence as she was promoted as well by the Department during the alleged absence period, copies of the Promotion Orders are attached as Annexure G.
- J. That, the Appellant has been victimized due to no fault on her part.
- K. That, all the proceedings initiated against the Appellant were malafide and malicious and purportedly were initiated in order to inflict maximum financial loss to the Appellant.

It is, therefore, requested that Appeal be accepted as prayed for.



Appellant

Through:

BILAL AHMAD KAKAIZAI

Advocate, Supreme Court of Pakistan.

213, Sunehri Masjid Road, Peshawar

Cantt. 0300-9020098.

K/E

SR

K

BEFORE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No: _____ / 2023

ROZEENA RAHIM vs Government of Khyber Pakhtunkhwa etc

AFFIDAVIT

I, ROZINA RAHIM, W/o Ihsanuddin, JCT / FMT, Government ID Children Hospital, Peshawar. R/o Gulbahar No. 1, Asad Anwar Colony, Peshawar City, Appellant, do hereby on oath affirm and declare that the contents of the Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Honourable Tribunal.

Rozeena

Deponent

Identified by:

BILAL AHMAD KAKAIZAI

Advocate, Supreme Court of Pakistan.



**DIRECTORATE GENERAL
HEALTH SERVICES, KHYBER
PAKHTUNKHWA, PESHWAR**

OFFICE ORDER:-

Consequent upon approval accorded by the Departmental Promotion Committee, the following PHC Technicians (MP) (BS-12) are hereby promoted to the post of Senior PHC Technicians (MP) (BS-14) with immediate effect:-

S.No	Name	Place of Posting
1.	Zohra Begum D/O Fozal Ullah	DHO Charsadda
2.	Zahida Khawon D/O Azizur Rehman	DHO Manshera
3.	Muhammad Hanif Jan S/O Muhammad Sharif	DHO Charsadda
4.	Suleman Shah S/O Faqir Shah	DHO Charsadda
5.	Abdullah Jan S/O Rab Nawaz	DHO Charsadda
6.	Naghina Shabani D/O Abdul Ghafar	DHO Lakki Marwat
7.	Amjad Hanif S/O Habibullah Khan	DHO Nowshera
8.	Hunnar Raz D/O Gul Raziq	DHO Malakand
9.	Gul Nasreen D/O Saeedullah Khan	DHO Lakki Marwat
10.	Muhammad Amjad S/O Muhammad Akbar	DHO Manshera
11.	Kousar Parveen D/O Khuzair Shah	DHO Manshera
12.	Nargis Begum D/O Roghan Gul	DHO Charsadda
13.	Shah Pasand S/O Halia Khan	DHO Tank
14.	Nafeesa Bibi D/O Gul Rehman	DHO Peshawar
15.	Abdul Basit S/O Abdul Hameed	DHO Manshera
16.	Sameena Bibi D/O Sarwar Khan	DHO Abbotabad
17.	Muhammad Hyus S/O Akbar Ali	DHO Abbotabad
18.	Khursaid Anwar S/O Wazir Jung	DHO Kohat
19.	Fazal Rahim S/O Muhammad Zaman	DHO Shangla
20.	Shah Malook S/O Samber Khan	DHO SW
21.	Shakila D/O Amir Rahman	DHO Malakand
22.	Mukhtar Zaman S/O Badruzaman	DHO Charsadda
23.	Soraj Parkash S/O Kharsham Lal	DHO Shangla
24.	Liaquat Ali S/O Khalil ur Rahman	DHO Manshera
25.	Shagufta D/O Sher Afzal	DHO Nowshera
26.	Shamim Kousar D/O Niaz Muhammad	DHO Manshera
27.	Fahim Jan S/O Faiz Muhammad	DHO Lakki Marwat
28.	Azra Jabeen D/O Muhammad Ayub	DHO Hosp. Haripur
29.	Dilshad Bibi D/O Fida Muhammad	DHO Manshera

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30.	Khalida Sarder D/O Kula Khan	DHO Abbotabad
31.	Shahida Khawon D/O Saif Abbas	DHO Abbotabad

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30.	Khalida Sardar D/O Kala Khan	DHO Abbottabad
31.	Shahida Khatoon D/O Said Alam	DHO Abbottabad
32.	Neelum Rana D/O Muhammad Ishaq	DHO Manshra
33.	Fazlj Raziq S/O Munawar Khan	DHO Dir Upper
34.	Muhammad Humayoon S/O Muhammad Aslam	DHO SW
35.	Rashida Bibi D/O Gulab Shah	DHO Manshra
36.	Nuzha Sherin S/O Muhammad Yousof	DHO Lakki Marwat
37.	Sirajul Haq S/O Gul Zaman	DHO Manshra
38.	Faleema Bibi D/O Muhammad Yousof	DHO Manshra
39.	Saeeda Bano D/O Kala Khan	DHO Manshra
40.	Qulsia Nurten D/O Asghar Nawaz	DHO Manshra
41.	Bibi Zainah D/O Ghulam Giltani	DHO Manshra
42.	Ayesha Bibi D/O Ali Khan	DHO Manshra
43.	Saeeda Bibi D/O Kaleemullah	DHO Shangla
44.	Rahim Taj Bibi D/O Minhajuddin	DHO Hosp: Shangla
45.	Shaukat Ali S/O Shamsul Haq	DHO Buner
46.	Saeed-ur Rehman S/O Muhammad Tanyab	DHO Abbottabad
47.	Muhammad Yousaf S/O Subhan Gul	DHO Dir Lower
48.	Shahi Room S/O Shah Zada	DHO Buner
49.	Imran Khan S/O Sher Bahadar	DHO Buner
50.	Rabeela Naz D/O Abdul Malik	DHO Charsadda
51.	Aziz Ahmad S/O Muhammad Ayub Khan	DHO Shangla
52.	Muhammad Javid S/O Muhammad Farooq	DHO Shangla
53.	Penzi Nawaz D/O Haq Nawaz	DHO Haripur
54.	Rukhsana Jabeen D/O Ali Ayghar	DHO Manshra
55.	Rabeela D/O Muhammad Nawaz	DHO Peshawar
56.	Nelofar D/O Nafizullah	DHO Tank
57.	Mussirat Nazir D/O Muhammad Jehanzeer	DHO D.I Khan
58.	Saeeda Akhtar D/O Wali Muhammad	DHO Abbottabad
59.	Muhammad Khalid Jan S/O Sherin Jan	PMI Swat
60.	Nusrat Jehan Aini D/O Khair Muhammad	DHO Peshawar
61.	Musarat Bibi D/O Sadiq Hussain Shah	DHO D.I Khan
62.	Raqia Bibi D/O Khuda Baskhsh	DHO D.I Khan
63.	Aurangzeb S/O Dawar Khan	DHO Manshra
64.	Zamarul Taj Begum D/O Gul Dad	DHO Karak
65.	Shaheen Akhtar D/O Ruess Khan	DHO Banna
66.	Shamim Akhtar D/O Ghulani Muhammad	DHO Swat
67.	Nayar Jahan D/O Abdul Ghaffar	DHOSWA

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68.	Khalida Rehan S/O Abdul Wakeel	DHO Charsadda
69.	Muhammad Sher Bahadar S/O Muhammad Sher Dil	DHO Dir Lower
70.	Shabana Reza D/O Ishtiaq Ahmad	DHO Nowshera
71.	Amir Shah S/O Khalid Shah	DHO Khyber

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68.	Khaisa-Rehman S/O Abdul Wakeel	DHO Charsadda
69.	Muhammad Sher Bahadar S/O Muhammad Sher Df	DHO Dir Lower
70.	Shabana Rouhi D/O Ishaq Ahmad	DHO Nowshera
71.	Amir Shah S/O Khalid Shah	DHO Khyber
72.	Rukhsana Khan D/O Awal Khan	DHO Manshra
73.	Atiqur Rehman S/O Zahir Ali Shah	DHO Nowshera
74.	Farzma D/O Khuda Yar	DHO Lakki Marwat
75.	Zubaida Bibi D/O Muhammad Zafran	DHO Manshra
76.	Shabeen Bibi D/O Noor Habi	DHO Abbottabad
77.	Khushnida Begum D/O Muhammad Zaman	DHO Manshra
78.	Balqees Bibi D/O Khani Zaman	DHO Manshra
79.	Anwar Iqbal S/O Mukhtiar Ahmad	DHO Swat
80.	Nuzhat Begum D/O Saeedul Arifin	DHO Nowshera
81.	Muhammad Zubair S/O Abdul Aliad	DHO Dir Upper
82.	Mumtaz Khan S/O Darayza	DHO Dir Upper
83.	Shah Syed Mian S/O S. Aft Hussain	DHO Kohat
84.	Sabir Khan S/O Khawaza Din	DHO Wanno
85.	Muhammad Haroon S/O Noor Gul Shah	DHO Dir Upper
86.	Tahira Farid D/O Ghulam Farid	DHO Peshawar
87.	Eid Mer Khan S/O Ejaz Badshah	DHO Kohat
88.	Kalsoom Bano D/O Sardar Muhammad	DHO Malakand
89.	Ashfaq S/O Raj Gul	DHO Kohat
90.	Parveen D/O Nizamullah	DHO Nowshera
91.	Saeed Shah S/O Akram Sher	DHO Kohat
92.	Shabeen Begum D/O Muhammad Amir	DHO Charsadda
93.	Ghulam Ferooz S/O Ghulam Sadig	DHO Khyber
94.	Muhammad Iqbal S/O Ghulam Jan Afridi	DHO Khyber
95.	Shakirullah S/O Abdul Walid	DHO Khyber
96.	Nasreen Akhtar D/O Nasrullah Khan	DHO Tank
97.	Shagufta Habib D/O Kamal Habib	DHO Banna
98.	Sulma Bibi D/O Muhammad Aziz	DHO SW
99.	Yasmin D/O Muhammad Raizan	DHO D.I Khan
100.	Gul Nar Begum D/O Haji Akram	DHO SW
101.	Rozina Khatun D/O Rahim Bakhsh	DHO D.I Khan
102.	Sajida Abb/DHO/D/O Ghulam Abbas	DHO SW
103.	Saeed Alam S/O Zahirullah	DHO Charsadda
104.	Saeedul Azhar D/O Syed-ul-Ibrar	DHO Charsadda
105.	Husan Bano D/O Karim Bakhsh	DHO Lakki Marwat
106.	Mushra Rehman D/O Amin Kelman	DHO Malakand

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107.	Miraj Akhtar D/O Amanullah	DHO D.I Khan
108.	Shakila Anjum D/O Ghulam Shabir	DHO Lakki Marwat
109.	Jameela Khatoun D/O Muhammad Boshir	DHO Manshra
110.	Zahida Parveen D/O Muhammad Ferooz	DHO Manshra
111.	Saadia Noreen D/O Muhammad Aslam	DHO Manshra
112.	Nusrat Jabeen D/O Safdar Ali	DHO Manshra

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Missing No. MP EPS
184 Mubashir H. /o Shauqat Khan
2020, 2021 with Fresh NOE

Missing No. MP EPS (14)

- 185 Khatim Ullah /o Gulam Hassan
2020, 2021
- 187 Nadeem Nawaz /o M. Azam
2020, 2021
- 186 Shahman Anwar /o Khuda Bakhsh
2020, 2021
- 171 Shujaat Hbal /o intenz Masi
2020, 2021
- 181 Rafiq Jaban /o M. Sadiq
2020, 2021
- 184 Raziq Sultan /o Abdulhik Khan
2020
- 185 Sajid Iqbal /o M. Rahimz
2020
- 183 Mansoor Farhan /o M. Aslam Singh
2020, 2021
- 189 Javed Iqbal /o Maso Khan
2020, 2021
- 190 Farhan Tabassam /o Abdulrahman
2020, 2021
- 188 Amjad BBE /o Sahibzade Umar Daro
2020, 2021
- 197 Shouman Akhter /o Allamuddin
2020
- 198 Tahira Yasmin /o Ali Bakhsh
2020, 2021
- 196 Panchshankar Hbal /o Mubashir Khan
2020, 2021
- 199 Amjad Iqbal /o Asad Ullah
2020, 2021

- Missing No. MP EPS (14)
- 184 Mubashir H. /o Shauqat Khan
2020, 2021 with Fresh NOE
- 185 Mubashir Ali /o J. H. Afi
2020, 2021 with Fresh NOE
- 186 Shujaat Farhan /o Abdulhik
2020, 2021 with Fresh NOE
- 187 Gulam Nawaz /o M. Nawaz
2020, 2021 Fresh NOE
- 188 Mubashir Ahmad /o Malik Rashid Ali
2020, 2021 Fresh NOE
- 186 Noor Jahan /o Abdul Karim
For 2020, 2021 For. Required For 2 NOE
- 185 Rukhsana Yasmin /o M. Asmer
For 2020 For 2 NOE
- 189 Roziq BBE /o Gulam Nawaz
2020, 2021
- 188 Saad Ahmad /o Farhan Rahman
2020, 2021
- 188 Musad Ali /o M. Jahan
2020
- 186 Kausar Firdose /o Abdul Razzaq
2020, 2021
- 189 Musad BBE /o Sadiq Hussain
2020, 2021
- 187 Rashid Anjum /o Husam Ali
2020, 2021
- 185 Gulam Raza /o Shauqat
2020, 2021

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158	ADKIA SOBAY Rawal	DHO Dera		05.05.1970	NA	
159	REZA SULTAN S/O Raza Ali	DHO Peshawar		11.07.1970	C	
160	ABDUL QADIR S/O Khalid Ali	DHO Dera Tarnak		11.11.1970 G. Udri	NA	
161	ABDUL QADIR S/O Khalid Ali	DHO Peshawar		05.03.1971 Swabi		
162	ABDUL QADIR S/O Khalid Ali	DHO Peshawar		05.01.1971 Swabi		
163	ABDUL QADIR S/O Khalid Ali	DHO Dera		12.02.1971	NA	
164	ABDUL QADIR S/O Khalid Ali	DHO Peshawar		12.12.1972 Charnada		
165	ABDUL QADIR S/O Khalid Ali	DHO Peshawar		28.03.1973 Peshawar	NA	
166	ABDUL QADIR S/O Khalid Ali	DHO Dera		01.12.1971 Dera	NA	
167	ABDUL QADIR S/O Khalid Ali	DHO Mardan		12.02.1973 Mardan		
168	ABDUL QADIR S/O Khalid Ali	DHO Swat		30.01.1973 Swat	NA	
169	ABDUL QADIR S/O Khalid Ali	DHO Peshawar		01.01.1976 Peshawar		
170	Qazi Ziaul Islam S/O Anees-ur- Rehman	DHO Haripur		24.03.1970 Haripur	NA	
171	Razaq D/O Muhammad Nawaz	DHO Peshawar		16.09.1967 Peshawar	NA	
172	Nelofer D/O Nahidullah	DHO Tank		02.01.1958 Tank	NA	
173	Khalid Sultan S/O Durrani	DHO Laska Mardan		06.03.1972 Laska Mardan		
174	Khalid Khan S/O Nahidullah	DHO Mardan		20.01.1968 Mardan		

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S.NO	Name/Father Name	From	to	Pay Roll	pay Roll, PERS
273	Muhammad D.O. Khan	DHO Dikhan		02.07.1969	
274	Muhammad D.O. Khan	DHO Dikhan		23.07.1972	
275	Muhammad D.O. Khan	DHO Dikhan		01.08.1958	N.A.
276	Muhammad D.O. Khan	DHO Dikhan		21.01.1970	
277	Muhammad D.O. Khan	DHO Dikhan		14.01.1968	N.A.
278	Muhammad D.O. Khan	DHO Dikhan		05.02.1976	
279	Muhammad D.O. Khan	DHO Dikhan		01.01.1973	
280	Muhammad D.O. Khan	DHO Dikhan		08.08.1967	N.A.

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Year	Month	Day	Event	Notes
1973	01	01
1973	01	02
1973	01	03
1973	01	04
1973	01	05
1973	01	06	...	...
1973	01	07	...	...
1973	01	08	...	...
1973	01	09	...	...
1973	01	10	...	...
1973	01	11	...	...
1973	01	12	...	...
1973	01	13	...	...
1973	01	14	...	...
1973	01	15	...	...
1973	01	16	...	...
1973	01	17	...	...
1973	01	18	...	...
1973	01	19	...	...
1973	01	20	...	...
1973	01	21	...	...
1973	01	22	...	...
1973	01	23	...	...
1973	01	24
1973	01	25
1973	01	26
1973	01	27
1973	01	28
1973	01	29
1973	01	30
1973	01	31

OK

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Choral

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258	Musarat Nazir D O Muhammad Hussain	DHO Dikhan		20.12.1965 Dikhan	OK NA	complete
267	Nasir Ullah D O Dikhan Muhammad	DHO Dikhan		25.01.1971	Pay roll ok	Subject to provision of 2020 PER
273	Musarat Bibi D O Sadiq Hussain Shah	DHO Dikhan		05.07.1969 Dikhan	NA	complete
274	Rozina Bibi D O Abul Baskash	DHO Dikhan		03.01.1974 Dikhan	NA OK	complete
275	Deewan ul Nisa D O Khan, Dad	DHO Jank		15.02.1974	NA	Subject to provision of 2020 PER along with fresh NOC
277	Rashida Anjum D O Muhammad Ali Shah	DHO Dikhan		23.07.1972 Dikhan	NA	Subject to provision of 2020 PER along with fresh NOC
279	Zamara Tari Begum D O Gul Dad	DHO Karak		09.03.1975 Karak	NA	complete
284	Nasreen Nawaz D O Muhammad Azam	DHO Dikhan		18.10.1972 Dikhan	NA	complete
286	Shabnum Awan D O Khuda Bakhsh	DHO Dikhan		01.04.1973 Dikhan	NA OK	complete
287	Shagufta Iqbal D O Jadaryus Masab	DHO Dikhan		01.08.1967 Dikhan	NA	Subject to provision of 2020 PER along with fresh NOC RTD
288	Shaheen Akhtar D O Muhammad Ramzan	DHO Bannu		01.05.1970 Dikhan	NA	Subject to provision of 2020 PER along with fresh NOC
289	Shaheen Akhtar D O Races Khan	DHO Bannu		01.05.1972 Bannu	NA OK	Completed
293	Nasir Ullah D O Abdul Ghaffar	NA in Bannu DHO Bannu		01.01.1971 Dikhan	NA	Subject to provision of 2020 PER along with fresh NOC

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114	Muhammad	DHO Larkana	07.02.1975	Larkana	NA	Completed
115	Muhammad Ali	DHO Bahawalpur	01.12.1965	Bahawalpur	NA	Completed
116	Muhammad	DHO Muzaffargarh	03.09.1967	Muzaffargarh	NA	Completed
125	Muhammad	DHO Muzaffargarh	13.12.1972	Muzaffargarh	OK	Completed
127	Muhammad	DHO Peshawar	09.03.1966	Peshawar	OK	Completed
137	Muhammad	DHO Multan	21.03.1970	Multan	OK	Completed
138	Muhammad	DHO Muzaffargarh	01.04.1970	Muzaffargarh	OK	Completed
145	Muhammad	DHO Buner	01.02.1966	Buner	NA	Completed
153	Muhammad	DHO Muzaffargarh	15.01.1967	Muzaffargarh	NA	Completed
156	Muhammad	DHO Muzaffargarh	03.01.1970	Muzaffargarh	OK	Completed
160	Muhammad	DHO Muzaffargarh	28.04.1971	Muzaffargarh	OK	Completed
166	Muhammad	DHO Hangu	06.04.1970	Hangu	NA	Completed
167	Muhammad	DHO Hangu	25.02.1972	Hangu	NA	Completed
175	Muhammad	DHO Muzaffargarh	06.07.1971	Muzaffargarh	NA	Completed
186	Muhammad	DHO Buner	01.02.1969	Buner	OK	Completed

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Sl. No.	Name of Candidate	Qualification	Post	Remarks
217	Tehy-e-Ahmad Sardar Muhammad	SR. PHC Tech: (MP) BS-14	DHO Mardan	PERs 2020 REQUIRED
218	Orde Rehman D.O. Muhammad Ayub Khan	SR. PHC Tech: (MP) BS-14	Ahmedabad	PERs 2020 REQUIRED
219	Anees Ahmad D.O. Asadullah	SR. PHC Tech: (MP) BS-14	DHO Dir Kishu	PER 2020/21 along with fresh NMC Required
220	Shahzad D.O. Munir Khan	SR. PHC Tech: (MP) BS-14	Ahmedabad	PERs 2020 REQUIRED
221	Sana Ullah D.O. Muhammad Munim	SR. PHC Tech: (MP) BS-14	DHO Haripur	PERs 2020 REQUIRED
222	Khalid D.O. Regum D.O. Muhammad Zaman	SR. PHC Tech: (MP) BS-14	DHO Mardan	PERs 2020 REQUIRED
223	Wajid D.O. Sardar Khan	SR. PHC Tech: (MP) BS-14	DHO Malakand	PERs 2020 REQUIRED
224	Abdul Baseer D.O. Muhammad Iqbal	SR. PHC Tech: (MP) BS-14	Ahmedabad	PER 2020/21 along with fresh NMC Required
225	Ayaz Iqbal S.O. Muhammad Ahmad	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
226	Umarullah S.O. Khalidullah	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
227	Muhammad Ali S.O. Muhammad Ali	SR. PHC Tech: (MP) BS-14	DHO Haripur	PERs 2020 REQUIRED
228	Muhammad Shahr Sardar Khan	SR. PHC Tech: (MP) BS-14	Ahmedabad	PERs 2020 REQUIRED
229	Ali Far Zeb S.O. Chaman Gul	SR. PHC Tech: (MP) BS-14	DHO Swat	PER 2020/21 along with fresh NMC Required
230	Sadruddin Muhammad S.O. (Badrudin) Muhammad	SR. PHC Tech: (MP) BS-14	DHO Dir Upper	PER 2020/21 along with fresh NMC Required
231	Wahid Khan S.O. Mian Ali Khan	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
232	Aamir Zaid S.O. Ajab Khan	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
233	Muhammad Raza S.O. (Habib) Raza	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 & NOW REQUIRED
234	Muhammad Anwar S.O. (Muhammad) Dargach	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
235	Abdul Hameed S.O. Ali Ahmad	SR. PHC Tech: (MP) BS-14	DHO Khas	PERs 2020 REQUIRED
236	Muhammad Muhammad S.O. Waseem Khan	SR. PHC Tech: (MP) BS-14	DHO Tank	PERs 2020 REQUIRED
237	Ram Dargah Khan S.O. Muhammad Khan	SR. PHC Tech: (MP) BS-14	DHO Dargah	PERs 2020 REQUIRED
238	Khalid D.O. S.O. Habibullah	SR. PHC Tech: (MP) BS-14	DHO Tank	PER 2020/21 along with fresh NMC Required
239	Muhammad Khan S.O. Parvez Khan	SR. PHC Tech: (MP) BS-14	DHO Tank	Postal of PERs Notification 2020, 2021 & NOW REQUIRED
240	Muhammad S.O. Muhammad	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
241	Muhammad Zubair S.O. (Habib) Khan	SR. PHC Tech: (MP) BS-14	DHO Swat	PER 2020/21 along with fresh NMC Required
242	Abdul Qadir S.O. Ali Raza	SR. PHC Tech: (MP) BS-14	DHO Malakand	PERs 2020 REQUIRED
243	Muhammad S.O. Fazlullah	SR. PHC Tech: (MP) BS-14	DHO Swat	PERs 2020 REQUIRED
244	Khalid D.O. Regum D.O. Ali Shah	SR. PHC Tech: (MP) BS-14	DHO Peshawar	PERs 2020 REQUIRED
245	Naveed D.O. Regum D.O. Abdul Rashid Khan	SR. PHC Tech: (MP) BS-14	DHO Nowshera	PER 2020/21 along with fresh NMC NA
246	Taslim Farid D.O. Fazlullah	SR. PHC Tech: (MP) BS-14	DHO Peshawar	PERs 2020 REQUIRED
247	Jamila Regum D.O. Muhammad Ali	SR. PHC Tech: (MP) BS-14	DHO Nowshera	PER 2020/21 along with fresh NMC Required
248	Khalid D.O. Regum D.O. Muhammad	SR. PHC Tech: (MP) BS-14	DHO Malakand	PERs 2020 REQUIRED

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249	Kaay Begum D/O Taj Mahal	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 REQUIRED
250	Muhammad Hanon S/O Miran Gul	SR PHC Tech (MP) BS-14	DHO Hanau	PER 2020 and NCR REQUIRED
251	Ushan Khan S/O Arbab Khan	SR PHC Tech (MP) BS-14	DHO Kohistan	PER 2020 REQUIRED
252	Nour Nawaz Khan S/O M. Salim	SR PHC Tech (MP) BS-14	DHO Tank	PER 2020 REQUIRED
253	Muhammad Farhad S/O Muhammad Razaq	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA
254	Shahen Begum D/O Muhammad Amir	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 NA along with tech NCR Required
255	Muhammad Iqbal S/O Ghulam Jan Ali Ji	SR PHC Tech (MP) BS-14	DHO Peshawar	PER 2020 REQUIRED
256	Nasim Nisha D/O Maha Nwan	SR PHC Tech (MP) BS-14	DHO Mardan	PER 2020 REQUIRED
257	Naila Andaleeb D/O Ghannullah	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 NA
258	Tabeena Mahmood D/O Abdul Mahmood	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 REQUIRED
259	Hansa Nooren D/O Ghannullah	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 REQUIRED
260	Shagufta Khalid D/O Khalidullah	SR PHC Tech (MP) BS-14	DHO Mardan	PER 2020 REQUIRED
261	Muhammad Saad S/O Muhammad Wali	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 REQUIRED
262	Abbas Ali Shah S/O Mubarak Shah	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 NA
263	Amir Abdullah S/O Muhammad Jehangir	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA
264	Nasim Hakem S/O M. Sher Nawaz	SR PHC Tech (MP) BS-14	DHO Dera	PER 2020 NA
265	Nasreen Akhtar D/O Nasrullah Khan	SR PHC Tech (MP) BS-14	DHO Tank	PER 2020 NA
266	Saba Ali Khan S/O Adam Khan	SR PHC Tech (MP) BS-14	DHO Lala Marswat	PER 2020 NA
267	Muhammad Mushtaq S/O Muhammad Manzoor	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
268	Abdur Rahim S/O Hamir Ali	SR PHC Tech (MP) BS-14	DHO Mardan	PER 2020 NA
269	Shagufta Habib D/O Kamal Habib	SR PHC Tech (MP) BS-14	DHO Bannu	PER 2020 NA
270	Qasara Begum D/O M. Yousof	SR PHC Tech (MP) BS-14	DHO Bannu	PER 2020 NA
271	Saeeda Tabira D/O Muhammad Sharif	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
272	Sadia Begum D/O Raza Hussain Khan	SR PHC Tech (MP) BS-14	DHO Hanau	Period of PER Not mention PER 2020 2021 REQUIRED
273	Munawar Gul S/O Zar Gul	SR PHC Tech (MP) BS-14	DHO Dera	PER 2020 NA
274	Shamim Akhtar D/O Qamar Din	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA
275	Najma Nureen D/O Muhammad Sharif	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA
276	Yasmin D/O Muhammad Razaq	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
277	Faheem Akhtar D/O Jazal Kareem	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
278	Gul Zarin S/O Pamla Muhammad	SR PHC Tech (MP) BS-14	DHO Charsadda	PER 2020 NA
279	Nasim Jehan D/O Ghulam Rabbani	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
280	Rozina Rahim D/O Rahim Hakeem	SR PHC Tech (MP) BS-14	DHO DI Khan	PER 2020 NA along with tech NCR Required
281	Sajida Abbas D/O Ghulam Abbas	SR PHC Tech (MP) BS-14	DHO Dera	PER 2021 and NCR NA
282	Perveen D/O D/O Inayat Masih	SR PHC Tech (MP) BS-14	DHO Dera	PER 2021 NA

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To

The Director General
Health Services,
Govt. of KPK, Peshawar

39975/E11
09/11/19

Subj:- Compliance of Judgment
dated 16.10.2019 of Hon'ble
Service Tribunal, Peshawar

Respected Sir,

With respect, it is stated that
Order dated 09.05.2017, whereby my
departmental Appeal was rejected, was
challenged before Service Tribunal in
Appeal No. 1096/2017. The said Appeal has
now been accepted, copy of the Order/
Judgment dated 16.10.2019 is attached
herewith for ready reference.

It is, therefore, requested that
I may please be reinstated in light
of judgment dated 16.10.2019.

Thanking you

Yours faithfully
ROZINA RAHIM
JCT.

To,

(55)

The medical Superintendent

D. H. O. Peshawar

(SB)

Annual Report

Subject

R/s

DHO	
OFFICER OF	Diary No. 3734
	Date 22/06/22
	R. Date

I have the honour to
 Submit my Annual Report to this
 office No, letter 9647-53/DHO
 dated 06-6-22 according to the
 order E.D.O Health Peshawar
 Date 16-6-2022 10 AM at Adezan B.H.U.

Thanking you anticipation
 Yours obediently



Annual Report
 PR- DHO Peshawar
 20/06/22

Miss Rozina Raheem B.H.U.

Agents Sect 2 P.M.T. B.H.U.
 Adezan
 16/6/22

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OFFICE OF THE DISTRICT HEALTH OFFICER DISTRICT PESHAWAR

OFFICER ORDER:

Sanction is hereby accorded to the Preparation of Duplicate Service Book in respect of Mst. Rozina Rahim PHC tech MP BPS-12 attached to BHU Adizai Peshawar under the control of the undersigned.

Sd/-----
DISTRICT HEALTH OFFICER
PESHAWAR

No. 1555-58 /DHO Peshawar.

Dated Peshawar the 06/01/2023

Copy forwarded for information to the:-

1. Accountant General Office Khyber Pakhtunkhwa Peshawar.
2. Account Section with the direction to prepare duplicate service book of the above mentioned official.
3. Official Concerned.
4. Office Record.

(Signature)

DISTRICT HEALTH OFFICER
PESHAWAR

بعدالت جناب خیبر پختونخواہ سروس ٹریڈیونل، پشاور

ADPELLANT منجانب

مورخہ

Govt. of KPK etc. نام: ROZINA RAHIM

مقدمہ

دعویٰ

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور کے لیے بلال احمد گلے زئی ایڈووکیٹ سپریم کورٹ آف پاکستان مقرر کر کے اقرار کیا جاتا ہے۔ کہ وکیل موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے، جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے۔ اور اس کا ساختہ پرواختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا یا کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم

بمقام

کے لیے منظور ہوا۔

Attested & Accepted

bilalahmad78@gmail.com

Bar Council No. bc-11-1062

Mobile No. 0300-9020098

CNIC: 17301-1353033-7

Rozina
Attested & Accepted
Umair Waheed Advocate
Umair