

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	29.08.2016	<p style="text-align: center;">3</p> <p style="text-align: center;"><u>BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;">Appeal No. 1299/2014</p> <p style="text-align: center;">Dr. Muhammad Rahim Bangash Versus The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 3 others.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-</u></p> <p>Appellant with counsel and M/S Amjad Ali, Asstt. &amp; Hammad Hussain, Legal Advisor alongwith Mr. Muhammad Jan, Government Pleader for respondents present.</p> <p>2. Dr. Rahim Bangash, Ex-Professor (Anatomy) Khyber Medical College, Peshawar, hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against impugned order dated 23.07.2014 communicated to the appellant 05.08.2014 whereby major penalty in the shape of compulsory retirement was imposed against him and where-against his departmental review was not answered within the statutory period constraining him to prefer instant service appeal on 05.11.2014.</p> <p>3. Brief facts giving rise to the present appeal are that the appellant was serving as Professor (Anatomy) in Khyber Medical College, Peshawar when subjected to enquiry on the following charges:-</p>

*Handwritten signature and date: 29.08.16.*

"You have disrespected not only a female student namely Misbah Syed student of Ist year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H).

After enquiry appellant was found guilty and vide orders dated 23.07.2014 penalty in the shape of compulsory retirement from service was imposed against the appellant with immediate effect.

4. Learned counsel for the appellant argued that no opportunity to cross examine the witnesses during enquiry was extended to the appellant. He further argued that despite lapses in enquiry the appellant would not contest the appeal if stigma attributed to the appellant through impugned order is done away with. He also referred to the affidavit submitted by the appellant sworn by him in the following words:-

" میں مسی ڈاکٹر محمد رحیم بنش ولد اسماعیل خان  
پروفیسر انالٹومی خیبر میڈیکل کالج پشاور۔ بقائم ہوش  
خود اس حلفہ اقرار کر کے لکھ دیتا ہوں۔ کہ میں مسلمان  
ہوں۔ اسلام کے تمام عقائد اور حقوت محمد صلی اللہ علیہ  
وسلم کے ختم نبوت پر غیر مشروط ایمان رکھتا ہوں۔ اور  
انحوت صلی اللہ علیہ وسلم کی شان میں تحریراً، تقریراً  
اشارتاً، کنایتاً یا تعریفاً کسی بھی قسم کی گستاخی کا  
تصور نہیں کر سکتا۔ بلکہ آپ صلی اللہ علیہ وسلم کی شان  
میں گستاخی کرنے والے کو واجب القتل سمجھتا ہوں۔

تاریخ ۱۲ دسمبر ۲۰۱۳ کو کلاس میں وقوعہ غلط  
فہمی کی بنیاد پر پیش کیا تھا۔ اس سے انحوت صلی اللہ  
علیہ وسلم پر ایمان رکھنے والے مسلمانوں بالخصوص  
خیبر میڈیکل کالج کے طالب علموں، طالبات اور

29.08.16.

طہجنگ اور مان طہجنگ سٹاف کی دل ازاری ہوئی  
 تو میں صدق دل سے معافی کا طلبگار ہوں۔  
 اللہ تعالیٰ میری تمام غلطیوں اور کوتاہیوں کو  
 معاف فرمائیں۔

The said affidavit of the appellant was referred to by the Committee to Darul Iftaa, Jamia Imadul Uloom Islamia, Darvesh Masjd, Peshawar Cantt, which was endorsed as correct and in accordance with the faith and belief of Ahl-e-Sunnat Wal-Jamaat.

5. Keeping in view the afore-stated position, we are of the humble view that the appellant is entitled to live a peaceful life as enshrined and adorned in Islamic Injunctions and, therefore, we do not feel any hesitation in extending him environment wherein he can ~~live~~ have a peaceful and respectable life in accordance with the Injunctions of Islam and for that purpose would modify the impugned order and would hold that the appellant shall stand retired from service with effect 23.07.2014 but without any stigma. The service appeal of the appellant is accepted in the above terms, leaving the parties to bear their own costs. File be consigned to the record room.

(Muhammad Azim Khan Afridi)  
 Chairman

29.08.16.

(Pir Bakhsh Shah)  
 Member

ANNOUNCED  
 29.08.2016

08.08.2016

Counsel for the appellant, Mr. Amjid Ali, Assistant  
alongwith Additional AG for respondents No.1 to 3 and Mr.  
Hamad Hussain, Advocate for respondent No. 4 present. Since  
another D.B to the exclusion of Mr. Abdul Latif, Learned  
Member (Executive) is not constituted for today therefore, case  
is adjourned for arguments to 29-8-16 before a D.B in  
which Mr. Abdul Latif, learned Member (Executive) is not  
sitting.

  
Member

14.07.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Since another D.B to the exclusion of Mr. Abdul Latif, Learned Member (Executive) is not constituted for today therefore, case is adjourned for arguments to ~~26-7-16~~ before a D.B in which Mr. Abdul Latif, Learned Member (Executive) is not sitting.

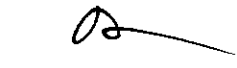
31-8-16

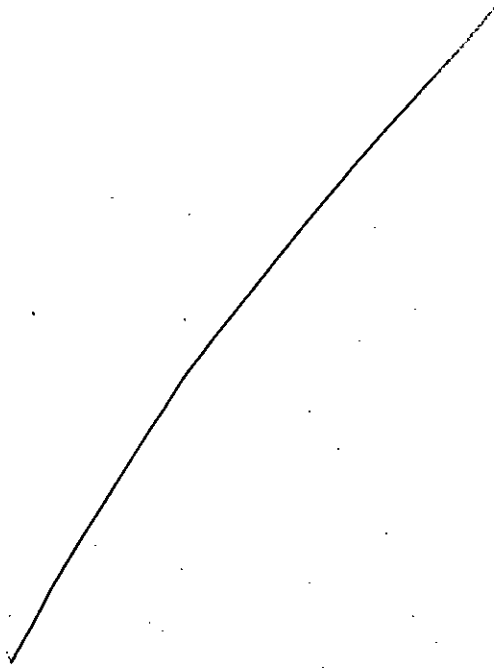
  
MEMBER

26.07.2016

Appellant in person and Mr. Muhammad Jan; GP for respondents present. Appellant requested for adjournment. Adjournment granted. To come up for arguments on 08.08.2016.

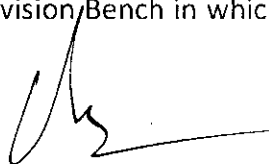
  
Member

  
Member



19.05.2016

Clerk of counsel for the appellant and Mr. Bilal Ahmed, Assistant provost alongwith Addl: AG for respondents present. Due to strike of the Bar learned counsel for the appellant is not available today before the Court, therefore, case is adjourned for arguments on application and main appeal before a Division Bench in which Mr. Abdul Latif Khan is not sitting to 14.09.2016.



Member

27.05.2016

Counsel for the appellant present and submitted an application for early hearing. Application is allowed. To come up for arguments on application and main appeal before a D.B in which Mr. Abdul Latif is not sitting on 15.6.2016 instead of 14.09.2016.

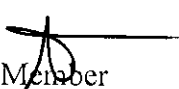


Chairman


15.6.2016

Counsel for the appellant and Assistant AG for respondents present. Counsel for the respondent No. 4 not present. This case file <sup>received on</sup> in respect of transfer therefore, notice be issued to counsel for the respondent No. 4 and his counsel for appearance. To come up for arguments on 14.7.2016.

Notes for Mr. Mohd



Member



Member


29.02.2016

Counsel for the appellant and Mr. Bilal Ahmed, Assistant Provost alongwith Addl: A.G for respondents present. Since D.B to the exclusion of learned Executive Member, Mr. Abdul Latif Khan, is not constituted as such the appeal is adjourned to 11.4.2016 for arguments on application as well as entire appeal before a Bench in which Mr. Abdul Latif Khan is not setting.

  
Member

11.04.2016

Appellant with counsel and M/S Muhammad Arshad, SO and Bilal Ahmad, Asstt. Provost alongwith Sr.GP for the respondents present. Since D.B to the exclusion of learned Executive Member, Mr. Abdul Latif Khan, is not constituted as such the appeal is adjourned for arguments on application and appeal before a Division Bench in which Mr. Abdul Latif Khan is not setting to 19.5.2016.

  
Chairman

14.10.2015

Appellant with counsel, M/S Qibaz Khan, SO and Bilal, Assistant Provost alongwith Assistant A.G for respondents present. Rejoinder submitted. Moreover, application for directing the PMDC to renew the PMDC registration in respect of appellant submitted. To come up for reply to the said application as well as arguments on the entire appeal including application referred to above on 11.11.2015 before a Bench in which Mr. Abdul Latif Khan, learned Member (Executive) is not sitting.

  
Chairman

11.11.2015

Appellant in person, M/S Qibaz Khan, SO and Hamad Hussain, Advocate alongwith Addl: A.G for respondents present. Reply to application by respondent No. 4 submitted. To come up for arguments on application as well as entire appeal on 27.1.2016 before a Bench in which Mr. Abdul Latif Khan, Learned Member is not sitting.

  
Member

27.1.2016

Appellant with counsel, M/S Muhammad Arshed, SO, Bilal, Assistant Provost alongwith Assistant AG and counsel for respondent No. 4 present. Since D.B to the exclusion of learned Executive Member Mr. Abdul Latif Khan is not constituted as such the appeal is adjourned to 29.2.2016 for arguments on application as well as entire appeal before a Bench in which Mr. Abdul Latif Khan is not sitting.

  
Chairman



02.07.2015

Appellant with counsel, M/S Zakir Shah, Junior Clerk and Bilal, Provost alongwith Addl: A.G for respondents present. Written reply by respondents No. 1 to 3 submitted. Respondent No. 4 has already submitted the written reply. The appeal is assigned to D.B for rejoinder and final hearing for 12.08.2015. Since Mr. Abdul Latif Khan was associated with the case at the time of inquiry as such the same is to be heard by a division bench of which the said learned Member is not sitting.

  
Chairman

12.08.2015

Appellant with counsel, Assistant A.G for respondents No.1 to 3 and counsel for respondent No.4 present. D.B to the exclusion of Mr. Abdul Latif learned Member (Executive) could not be constituted due to leave of Learned Member (Judicial) and vacant position of two other Members. Appeal is, therefore, adjourned to 14.10.2015 for further proceedings.

It is added that the Provincial Government is not processing the case of two Members including one Judicial Member and one Executive Member which unnecessarily causes delay of appeals and contribute to the backlog of cases. Let the Provincial Government i.e Chief Secretary and Secretary Establishment be informed of the situation for taking up immediate remedial measures.

  
Chairman

07.05.2015

Appellant in person, Addl: A.G for respondents No. 1 to 3 and Legal Advisor for respondent No. 4 present. Mr. Ghulam Sohaib Jally, Advocate submitted fresh Wakalat Nama on behalf of respondent No. 4. Written reply not submitted. Requested for further time to submit written reply. To come up for written reply on 11.6.2015 before S.B.

  
Member

11.06.2015

Appellant with counsel and Mr. Zahir Shah, Junior Clerk alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 25.6.2015 before S.B.

  
Chairman

25.06.2015

Appellant in person, M/S Jan Ayaz, Supdt. and Bilal, Assistant Provost alongwith Addl: A.G for respondents present. Written reply not submitted despite last opportunity. Requested for further time. Further opportunity granted for submission of written reply/comments on 2.7.2015 before S.B.

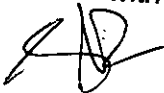
  
Chairman

3. 16.01.2015

Counsel for the appellant present and heard. Contends that the appellant was serving as Professor of anatomy (BPS-20), KMC, Peshawar and was proceeded against under E&D Rules 2011 and was awarded punishment vide impugned order dated 23.7.2014 in the shape of compulsory retirement from service which decision was communicated to the appellant on 5.8.2014. That the appellant made a Representation/review against the impugned order on 20.8.2014 which was not responded and hence the present appeal after lapse of statutory period on 5.11.2014.

That initially fact finding inquiry was conducted in the charges of blasphemy as well as physical assault on a female student for wearing Hijab. That neither the appellant has used any improper words against the Holy Prophet (Peace Be Upon Him) nor has assaulted any student. That some harsh words between students and the appellant were exchanged during lecture in a class attended by almost 245 students out of which 8 interested students were examined in the absence of appellant. That the inquiry was not conducted in the prescribed manners.

Appellant Deposited  
Security & Process Fee  
Rs. 350/- Bank  
Receipt is Attached with File.





Points urged need consideration. Admit. Subject to deposit of security and process fee, notice be issued to respondents, for 7.5.2015.

  
Chairman.

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 1299/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05.11.2014	<p>The appeal of Dr. Muhammad Rahim Bangash presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This case is entrusted to Bench <u>1st</u> for preliminary hearing to be put up there on <u>16.01.15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;"><small>تلفون نمبر: 3733 3733 3733</small></p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

APPEAL NO. 1299 /2014.

Dr. Muhammad Rahim Bangash.

VS

Health Deptt.

INDEX.

S.NO	DOCUMENTS	ANNEXURE	PAGE
1-	Memo of appeal.	---	1-3
2-	Copy of fitwa.	A	4-5
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5-	Reply to charge sheet.	D	9-11
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8-	Penalty order.	G	16
9-	Appeal/ Review.	H	17-22
10-	Vakalat nama.	---	23.

APPELLANT

THROUGH:

RAHIM BANGASH

*M. Asif Yousafzai*  
M.ASIF YOUSAFZAI  
ADVOCATE

*Taimur Ali Khan*  
TAIMUR ALI KHAN  
Advocate

*Gohar Sajjad Khan*  
G. HAR SAJJAD KHAN  
Advocate

1

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

APPEAL NO. 1299 /2014.

Stamp: 1337  
05/11/2014

Dr. Muhammad Rahim Bangash,  
Ex- Professor ( Anatomy), KMC, Peshawar.....Appellant.

**VERSUS**

- 1- The Govt: of KPK Through The Chief Secretary KPK Peshawar.
- 2- The Chief Secretary KPK Peshawar.
- 3- The Secretary Health KPK Peshawar.
- 4- The Principals KMC Peshawar.....Respondents.

**APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 READ WITH RULE 19 OF THE E&D RULES 2011 AGAINST THE ORDER DATED. 23.07.2014 RECEIVED BY APPELLANT ON 5.08.2014 WHEREBY THE APPELLANT HAS BEEN COMPULSORY RETIRED FROM SERVICE AND AGAINST NOT TAKING ACTION ON THE REVIEW PETITION WITHIN STATUTORY PERIOD FIXED BY LAW.**

**PRAYER:**

That on acceptance of this appeal the impugned order may be set-aside and the appellant may be re-instated with all back and consequential benefits. OR the compulsory retirement may be converted into a simple retirement without any stigma. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of appellant.

**R.SHEWETH.**

- 1- That the petitioner is a true Muslim and believes in the God Almighty and his last Prophet Muhammad (PBUH). The appellant has more than 29 years service at his credit with good record through out of his career. Copy of fitwa is attached as Annexure - A
- 2- That a clash was taken between the students of the KMC and the appellant and that was raised by the students to the peak. Therefore a fact finding inquiry was conducted in the which the blames leveled against the

appellant were declared baseless and wrong. Copy of the report is attached as Annexure – B.

- 3- That despite that the appellant was charge sheeted for allegation mentioned in the charge sheet. How ever the appellant filed reply to the charge sheet and denied all the allegations categorically with proofs. Copy of the charge sheet and reply are attached as Annexure – C & D.
- 4- That then an inquiry was conducted at the back of appellant and the inquiry committee recorded the selected statements of few students out of 240 witnesses and that too in absence of appellant which is the violation of true justice. However, on the basis of inquiry report, the appellant was served with the show cause notice which was also replied by the appellant in time and again rebutted all the allegations with proofs and objections on the inquiry committee's findings. Copy of show cause notice and reply are attached as Annexure – E & F.
- 5- That on 23.7.2014 the penalty of compulsory retirement was imposed on appellant. The appellant received that order on 5.8.2014. The appellant filed appeal/review petition on 7.8.2014 which was forwarded to the concerned quarter on 22.08.2014. The appellant waited for the statutory period but the appeal of the appellant has not been responded till the expiry of statutory period fixed by law. Copy of the order and appeal are attached as Annexure – G & H.
- 6- That now the appellant comes to this august Tribunal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned order is against the law, facts, material on record and norms of justice, therefore not tenable and liable to be set-aside.
- B- That the appellant has not been dealt in accordance with the law and norms of justice and condemned unheard and undefended.
- C- That the inquiry committee has not recorded the stamen of all students who were present at the time of incidence and recorded the statements of those picked students only who were the associate of disobedient girl student and even that too in absence of appellant and the appellant was not allowed to cross examine them. Thus the very essence of the rules are violated.
- D- That some political students wanted to cash the occasion and they succeeded , otherwise it was declared in the fact finding inquiry that the

students gave statements in exaggerations. All that proves that the appellant has not been dealt fairly.

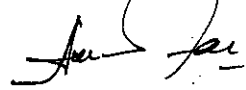
- E- That even the inquiry committee cross the limits of their powers by recommending a penalty which legally, under the law an inquiry committee cannot recommend punishments.
- F- That the impugned penalty order will affect the appellant in sense of endangering his life, kids and whole family and the penalty will stigmatize the appellant for no fault o his part and will degrade the appellant and his family in the society.
- G- That the appellant has been penalized for the act which not done by appellant and the inquiry committee too ignored the language, attitude and behavior of the girl student who did all in the class room in presence of 240 students.
- H- That the appellant has not been treated fairly, according to the settle norms of justice.
- I- That the inquiry committee has not proved the appellant guilty of any misconduct and the appellant has been penalized for no fault on his part.
- J- That the appellant was not provided with the full inquiry report to make him enable to defend himself in the reply to show cause notice.
- K- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

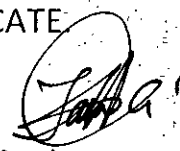
It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

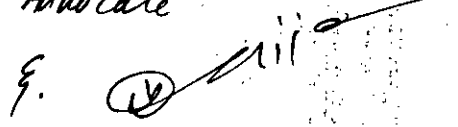
APPELLANT

  
RAHIM BANGASH

THROUGH:

  
M. ASIF YOUSAFZAI  
ADVOCATE

  
TAIMUR ALI KHAN  
Advocate

  
GOHER SAJJAD KHAN  
Advocate



میں مسیحا ڈاکٹر فیصلہ <sup>1594</sup> ولد اسماعیل خان

پروفیسر اناٹومی خیبر میڈیکل کالج لیارد، بقائم ہوش و حواس

حلفیہ اقرار کر کے لکھ دیتا ہوں۔ کہ میں مسلمان ہوں

اسلام کے تمام عقائد اور حضرت محمد صلی اللہ علیہ وسلم کے ختم نبوت

پر غیر مشروط ایمان رکھتا ہوں۔ اور آنحضرت صلی اللہ علیہ وسلم

کی شان میں تحریراً، تقریراً، اشارتاً، کتایۃً یا تعریفاً

کسی بھی قسم کی گستاخی کا تصور نہیں کر سکتا۔

بلکہ آپ صلی اللہ علیہ وسلم کی شان میں گستاخی کرنے والے کو

واجب القتل سمجھتا ہوں۔

تاریخ: 12 دسمبر 2013ء کو کلاس میں وقوعہ علیٰ منہی کی بنیاد

پر پیش آیا ہے۔ اس سے آنحضرت صلی اللہ علیہ وسلم پر ایمان رکھنے والے

مسلمانوں، بالخصوص خیبر میڈیکل کالج کے طالب علموں، اور

پنجنگ و نان پنجنگ سٹاف کی دلی آزاری ہوئی ہوگی، تو میں

صدق دل سے معافی کا طلباء ہوں۔

اللہ تعالیٰ ہماری تمام غلطیوں اور کوتاہیوں کو عاف و ماس۔

16-12-2013

Attested

سوال: 2 کہ مذکورہ شخص کیا حکم

نام اور دستخط ارکان کمیٹی

1. پروفیسر ڈاکٹر صاحب اسلم Asim

2. ڈاکٹر حافظ عبدالغفور

3. ڈاکٹر شیدا احمد شیخ Shida

4. پروفیسر ڈاکٹر شامزہ حسین Shamza  
اسٹاک ایسیالوجی اسلامیہ کالج کشور

5. پروفیسر ڈاکٹر بشری اجتیار Bashra

HOD کلینٹونی میڈیسن کیمبرجیہ یونیورسٹی کالج کشور

6. ڈاکٹر شادی HOD فارماکالوجی ڈیپارٹمنٹ کیمبرجیہ یونیورسٹی کالج کشور Shadi

7. ڈاکٹر اعجاز اللہ صاحب Ajaz

8. ڈاکٹر محمد صابر (سیدین) Muhammad

9. پروفیسر ڈاکٹر لیاقت علی (پہتلاوی) Liaqat

10. ڈاکٹر سلیم الرحمن اسٹاک ایسیالوجی اسلامیہ کالج کشور

11. پروفیسر ڈاکٹر نور صاحب Nur  
ڈیپارٹمنٹ آف ایچ ایس سی کی KTH

12. ڈاکٹر محمد زاہد (اسٹاک سیدین) کیمبرجیہ یونیورسٹی کالج کشور Muhammad

15347

5

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
الجواب وبالله التوفيق

جس کا یہ عقیدہ ہو :

میں مسلمان ہوں، اسلام کے تمام عقائد اور حضرت محمد صلی اللہ علیہ وسلم کے ختم نبوت پر غیر مشروط ایمان رکھتا ہوں اور آنحضرت صلی اللہ علیہ وسلم کی شان میں تحریماً، تقریماً، اشارتاً، کنایۃً یا تعریضاً کسی بھی قسم کی گستاخی کا تصور نہیں کر سکتا۔ بلکہ آپ صلی اللہ علیہ وسلم کی شان میں گستاخی کرنے والے کو واجب القتل سمجھتا ہوں۔  
تو یہ عقیدہ درست اور اہل سنت والجماعت کے عقیدے کے مطابق ہے۔

قال تعالى ما كان محمد ابا احد من رجالكم ولكن رسول الله وخاتم النبيين . (الاحزاب) .  
وفي شرح الفقه الاكبر لملائي القاري ودعوى النبوة بعد نبينا صلي الله عليه وسلم كذب بالاجماع . ص ١٦٤ .  
وفي التنف في الفتاوى ص ٢٤٢ من سب رسول الله صلي الله عليه وسلم فانه مرتد وحكمه حكم المرتد .  
ويفعل به ما يفعل بالمرتد .

فقط والله اعلم

سید محمد شفیع



دارالافتاء، جامعہ امداد العلوم پشاور  
۱۷ صفر ۱۴۲۵ھ - ۲۱ دسمبر ۲۰۱۳ء

Attested  
[Signature]

**MEDICAL COLLEGE PESHAWAR**

Dated: 16 / 12 / 2013

/PS/KMC

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The Secretary to Govt. of Khyber Pakhtunkhwa,  
Health Department,  
Peshawar.

Through: The Chief Executive, KTH/KMC/KCD, Peshawar.

Subject: ENQUIRY REPORT

Dear Sir,

An enquiry committee constituted to look into the incident that took place in 1<sup>st</sup> Year MBBS class in Khyber Medical College Peshawar held its meeting on 14<sup>th</sup> December, 2013. The committee listened to 1<sup>st</sup> Year MBBS student Ms. Misbah Syed Canadian-Pak national and recorded her statement. The committee also recorded statement of Ms. Khushbah, 1<sup>st</sup> Year MBBS and class representative of 1<sup>st</sup> Year MBBS Mr. Asad Ullah. The committee also recorded the statement of Prof. Dr. Rahim Bangash and cross questioned him (copy of the statement is attached).

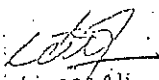
Prof. Dr. Rahim Bangash also recorded his statement tendering an apology if he has hurt the sentiments of anyone. He further said that as Muslim he believes in the Khatm-e-Nabowat and honour of the prophet (P.B.U.H) (copy of the statement is attached) and consider those liable for capital punishment who would commit Touheen-e-Rasalat.

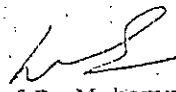
The committee is of the opinion that the views expressed by the professor in the class room were mere a slip of tongue unintentional, unintended. He therefore has not committed any blasphemy in the honour of the Prophet (P.B.U.H).


However, the situation in the classroom was mishandled. The professor was not supposed to express opinion regarding religion in a professional class. The professor expressed that he was extremely sorry and said that he would not repeat this act in future.

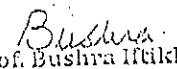
According to the professor which he explained in front of the committee that he is not against hijab in general however his personal opinion differs. On the other hand, the female students concern presented the situation with some exaggeration which was then misused by some elements.

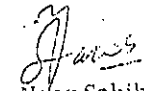
Being a civil servant, his case is forwarded and recommended to the Health Department Khyber Pakhtunkhwa for further necessary action.


  
Prof. Dr. Liaqat Ali  
Chairman  
Enquiry Committee  
KMC Peshawar

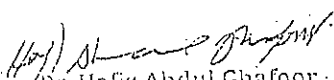
  
Prof. Dr. Muhammad  
Humayun  
Member  
Enquiry Committee KMC


  
Prof. Dr. Jamsheed Ali  
Member  
Enquiry Committee KMC

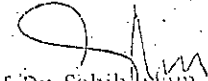
  
Prof. Bushra Iftikhar  
Member  
Enquiry Committee KMC.

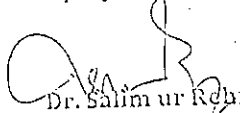
  
Prof. Dr. Noor Sahib Khan  
Member  
Enquiry Committee KMC


  
Prof. Dr. Miraj ul Islam Zia  
Co-opted Member  
Enquiry Committee KMC


  
Dr. Hafiz Abdul Ghafoor  
Co-opted Member  
Enquiry Committee KMC

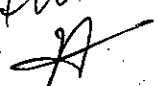
  
Prof. Dr. Rashid Ahmad  
Co-opted Member  
Enquiry Committee KMC

  
Prof. Dr. Sahib Islam  
Co-opted Member  
Enquiry Committee KMC

  
Dr. Salim ur Rehman  
Co-opted Member  
Enquiry Committee KMC

  
Prof. Dr. Nisar Muhammad  
Co-opted Member  
Enquiry Committee KMC

  
Dr. Muhammad Zahid  
Co-opted Member  
Enquiry Committee KMC

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CHARGE SHEET

I, Pervez Khan Khattak, Chief Minister Khyber Pakhtunkhwa as competent authority, hereby charge you, Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), KMC, Peshawar as follows:-

"You have disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H).

For the above reason you appear to be guilty of misconduct under Rule 3 (b) of the Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011 and have rendered yourself to all or any of the penalty specified in Rule 4 of the rules ibid.

You are therefore required to submit your written defence within 07 days of the receipt of this charge sheet to the enquiry officer/committee as the case may be.

Your written defense if any, should reach the enquiry officer/enquiry committee within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5. Intimate as to whether you desired to be heard in person.
6. A statement of allegation is enclosed.

(Pervez Khan Khattak)  
Chief Minister, Khyber Pakhtunkhwa

Dr. Muhammad Rahim Bangash,  
Professor of Anatomy,  
KMC, Peshawar.

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### Disciplinary action

I, Pervez Khan Khattak, Chief Minister Khyber Pakhtunkhwa as competent authority, am of the opinion that Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), KMC, Peshawar has rendered himself liable to be proceeded against as he committed the following act/omission within the meaning of rule-3 (b) of the Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011

### STATEMENT OF ALLEGATION

"He has disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H).

2. For the purpose of enquiry against the said accused with reference to the above allegation, an enquiry officer/enquiry committee consisting of the following is constituted under Rule 10 (1) (a) of the ibid rules.

- i. Mr. Muhammad Hanjoo (P.S. Sg BS-20)
- ii. Dr. Rafiq Sajid (BS-20) LLH, Pesh.
- iii. \_\_\_\_\_

3. The enquiry officer/committee shall, in accordance with the provisions of the rules, provide reasonable opportunity of hearing to the accused, record its findings and make within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the enquiry officer/enquiry committee.

Pervez Khan Khattak  
(Pervez Khan Khattak)  
Chief Minister, Khyber Pakhtunkhwa

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Birth Inquiry Committee

Reply to the charge sheet and statement of allegation

Reference allegations mentioned in the charge sheet, following are submitted:-

The allegation that I have disrespected a female student and resorted to physical assault on the basis of wearing Hijab is not true.

The second allegation that I used word against (Allah forbid) Prophet (P.B.U.H) is not only untrue but also very painful.

To further explain my position I have to give few details of the incident:-

- (a) I am teaching at Khyber Medical College, the subject of Anatomy for the last 28 years. During this long period of time hundreds of girls students wearing Hijab remained my students and to none of them I said a single word about their Hijab. I considered it their personal matter of faith and I never commented on their attire.
- b) On the day of incident I was taking an introductory lecture of Neuro Anatomy on the topic of "Receptors of Nervous System in Human Body". It was a long topic and took about two hours to complete. Towards the end of the lecture I asked the class that who would be the new class representatives (CRs). I asked this question for the reason that faculty have to frequently interact with the CRs. A boy declared himself as unopposed male CR, while on the female side Miss Misbah Syed declared herself as a female CR but another girl also stood up to be a CR candidate. I asked for voting by show of hands and Miss Misbah Syed was elected as CR by obtaining majority votes. I continued the discussion on receptors of nervous system in human body and expressed my opinion that in medical profession, all doctors including lady doctors have to examine male and female patients which could involve detail body examination. The demand of the profession is to know the identity of the doctor during examination. Further, feeling the pulse and palpation of the whole body from hair to genital tract could only be performed with bare hands without gloves. Miss Misbah Syed at this point said that she was following the dress cod of Umahat-ul-Momeneen (RAT Anham) and was observing full Pardah as they used to observe. I commented that no one can compare himself / herself

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with Sahabah and Umahat-ul-Momeneen as they were very sacred people. Moreover, Umahat-ul-Momeneen were the sacred house wives of Prophet (P.B.U.H) and would stay all the time in their homes. While the profession of a lady doctor demands her presence in the hospital and interactions with both male and female patients and colleagues. I also presented comparison of various facilities available to mankind now a days which were not available at the time of Prophet (P.B.U.H). In fact, I was talking on the medical ethics related to my topic of lecture i.e. Receptors of Nervous System in Human Body but unfortunately Miss Misbah Syed who was wearing gloves, veil and Abaya took it personally due to the fact that she was attending first class of her medical career and was probably not used to such type of academic discussion. Afterward I again explained to the class what I meant by my comments regarding veil and the medical profession and also that I had nothing against one's personal believe and attire.

- (c) Instead of further arguing the case in the light of medical ethics, Miss Misbah Syed rushed to the Dais and tried to snatch the microphone attached to my blazer / collar. I voluntarily handed it over to her. Afterward, she started provoking speech for which she was not allowed and it comes under the breach of code of conduct for the students. I tried to stop her but she did not. At this point I turned her out of the class because no student could be allowed to deliver a provoking speech and I was duty bound to stop her.
- (d) Although inquiry committee was constituted within two hours of the incident but Miss Misbah Syed, instead of following the due course of rules and discipline, opted to take the issue to the streets and media and fully-played into the hands of political mafia causing disrepute to the college and medical community.
- (e) The committee comprising of senior professors as well as senior religious scholars thoroughly probed the matter and held detailed proceedings. List of the committee members is attached as Anex 'A'. Report of the committee has already been submitted.

Based on the facts explained above, it is humbly submitted that:-

- (a) Miss Misbah Syed was not disrespected and not subjected to physical assault on the basis of wearing Hijab, as alleged, rather she resorted to misbehave during course of academic discussion related to the topic of the day, by coming to dais, trying to snatch microphone and delivering a provoking speech. By the events which followed it became evident that the issue was blown up by the political mafia present within the student community, only and only for their political motives. Resultantly, I faced agony; it caused disrepute to the institution and doctor community. It also created embarrassment for Miss Misbah Syed who unknowingly



played into the hands of union mafia. The fact has been admitted by her parents in a statement Annex 'B' which states, Quote "We do not have any personal grudges against each other about the incident which was developed due to misunderstanding between Professor Dr. Muhammad Rahim Bangash and newly admitted medical student Miss Misbah Syed on the issue of Hijab, occurred at the end of the lecture dated 12<sup>th</sup> December 2013. The two parties agreed in the best interest of public / institution and the general law and order situation prevailing in the province / country now a days, and not to further aggravate the issue and put the life and property of public danger", unquote.

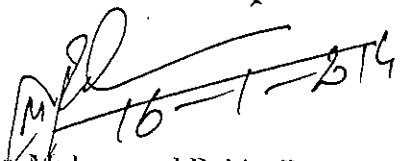
Dear sir, the statement is sufficient to prove me not guilty of the charges and it also indicate that me and my family suffered a lot due to the incident for no fault of mine. We were threatened and terrified by the miscreants taking advantage of the volatile situation. Lives of me and my family are still at danger. Further, the complainant party itself is asking for amicable settlement, therefore, prolongation of the issue would not be judicious.

- (b) Regarding allegations of using words against the Prophet (P.B.U.H) I only wish to state that being a Muslim I can never think of using such words. My statement in this regard was referred to Mufti who has given a written Fatwa in this regard (Anex 'C').

Last but not the least, it needs to be highlighted that Academic discussion in Colleges, Universities and Professional Institutions, throughout the world, is treated as privileged discourse and cannot be made the basis of any legal action. Similarly, unless misconduct is proved, E&D rules also would not envisage disciplinary action on the basis of academic discussion especially in the class of professional college.

It is, therefore, most humbly prayed that the charges leveled against me may be dropped being baseless, untrue and in contravention to the privilege discourse safeguarded from the legal action.

I also wish to be heard in person to further clarify my position.

  
(Dr. Muhammad Rahim Bangash)  
Professor of Anatomy  
Khyber Medical College Peshawar

16 January 2013

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SHOW CAUSE NOTICE

I, Pervez Khan Khattak, Chief Minister Khyber Pakhtunkhwa as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), Khyber Medical College, Peshawar as follows:-

"You have disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H)".

2. I am satisfied that you have committed the following acts/omission specified in rule 3 (b) of the said rules:-

a) Guilty of Misconduct.

3. As a result therefore, I, as competent authority, have tentatively decided to impose upon you the penalty of Compulsory Retirement under rule 4 of the said rules.

4. You, are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an exp-parte action shall be taken against you.

6. A copy of the findings of the enquiry officer/enquiry committee is enclosed.

(Pervez Khan Khattak)  
Chief Minister, Khyber Pakhtunkhwa  
07.03.2014

Dr. Muhammad Rahim Bangash,  
Professor of Anatomy,  
Khyber Medical College, Peshawar.

*Attended*  
*Ab*

- that was

- Parental discussion, admonishing  
completely lacking malice, ill-intentions,  
malafide or bad-intentions

BEFORE HIS EXCELLENCY THE CHIEF MINISTER, KHYBER  
PAKHTUNKHWA, PESHAWAR.

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Subject: SHOW CAUSE NOTICE – REPLY THEREOF.

Respected Sir,

I am in receipt of Letter No. <sup>SOH-I/HD/1-321/2013</sup> \_\_\_\_\_ dated 13-03-2014 whereby I have been asked to show cause as to why I may not be compulsorily retired from service.

The following few submissions are respectfully made for kind consideration;

The proposed punishment is the result of the following original charge: -

*“You have disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijib and also used words against Prophet (P B U H)”.*

An inquiry committee consisting of Mr. Muhammad Humayun Khan Secretary Transport and Pro: Dr. Zafar Iqbal was constituted. The committee visited the Class Room on 21<sup>st</sup> January, 2014 and obtained written statements of eight witnesses and concluded that I am guilty and recommended the above punishment to the Authority.

Sir,

I am astonished to note with respect that either the so called committee members had never conducted inquiry in their illustrious careers or they deliberately turned a blind eye to the rules governing their action.

Received Parlawy / with 03 pages  
today 26/3/14

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*My superiors know it better than anybody that departmental proceedings are a substitute for criminal trial as both result in punishment, hence these have been equated with judicial proceedings. These proceedings are required to be conducted in circumstances required of a Court and the superior Courts have held so in many cases.*

*It is admitted that the statements were obtained in absence as admittedly my entry into the college and University has been banned, hence my basic right of hearing has been taken away from me for reasons known to the worthy inquiry committee.*

*Sir,*

*I have been robbed of my basic right of cross examination which right is universally accepted and granted even to criminals under trial for heinous offences like genocide. The committee in their own wisdom ignored many principles of conduct of inquiry much less the inalienable right of my presence during any evidence recorded against me. More painful is the fact that this folly of the inquiry committee was not noted by the legal minds advising your honour in such like cases.*

*As regard the unfortunate event itself, it is admitted that at that particular moment I was delivering a lecturer occupying my lawful place called the stage from where ordinarily the lecture is to be delivered. It is admitted that the student namely Misbahd Syed tried to come on to the stage and she did. The framers of the charge ignored the fact that she was the person who started the event by trying to go to a space not meant for she wanted to use the speaker and the rostrum to further her agenda. Nobody felt*

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or raised the question about her conduct to start the offence herself by leaving her seat and trying to interfere in the place meant for the teacher. When she was requested to take her seat she made a mockery of the situation by crying.

Sir,

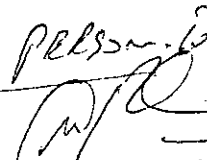
Had I been heard in the matter even on a single occasion, I would have highlighted this conduct of the student but the inquiry committee had come to fore with a settled agenda and would never try to keep the balance even. There is no gain saying that even the worst laws on earth gives the right of hearing to accused / respondents but the so called inquiry committee ignored this basic principles of law governing the trials.

In the light of the above it can be safely concluded that the above inquiry is a nullity of law and has been arbitrarily conducted with a preplanned agenda and does not meet the minimum requirement of legal norms.

It is, therefore, humbly prayed that the inquiry proceeding may declared null and void and I may be honourably exonerated from the charge levelled against

<sup>me.</sup>  
I also wish to be heard in person.

Dated 26/03/2014

  
Prof: Dr. Rahim Bangash  
Khyber Medical College  
Peshawar.  
Cell # 0300-8593977



5767  
24/07/14

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

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Dated Pesh: the 23<sup>rd</sup> July 2014.

**NOTIFICATION**

**No.SOH-I/1-321/2013**

WHEREAS Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), Khyber Medical College, Peshawar was proceeded against under Efficiency and Discipline Rules, 2011 on account of charges levelled against him by 1st year MBBS student namely Ms. Misbah Syed, Canadian Pak National that he disrespected her not only verbally but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H).

2. AND WHEREAS an enquiry Committee was constituted to probe into the charges levelled against him.

3. AND WHEREAS the enquiry committee recommended that major penalty of compulsory retirement from Service may be imposed upon him.

4. AND WHEREAS a show cause notice was issued to the doctor concerned to which he replied.

5. NOW THEREFORE, in exercise of powers conferred under Khyber Pakhtunkhwa, Govt. Servants Efficiency and Disciplinary Rules, 2011, the Competent Authority is pleased to impose major penalty of **"Compulsory Retirement from service"** on Dr. Rahim Bangash, Professor of Anatomy, Khyber Medical College, Peshawar with immediate.

SECRETARY HEALTH,

**Endst No and date even**

- C.C
1. Chief Executive, KTH/KMC/KCD, Peshawar.
  2. Principal Khyber Medical College, Peshawar.
  3. Accountant General, Khyber Pakhtunkhwa, Peshawar.
  4. P.S to Minister Health, Khyber Pakhtunkhwa, Peshawar.
  5. Doctor concerned.
  6. Personal file of the doctor concerned.

Est  
24/7/14

(Muhammad Jamil)  
Section Officer-I

Attested

**KHYBER MEDICAL COLLEGE, PESHAWAR**

No. 5828-39 /F.S.H/KMC

Dated: 24/7/2014

Copy of Notification No. SOH-I/I-321/2013

Dated: 23-07-2014 is forwarded to:

1. The Chief Executive KTH/KMC/KCD Peshawar.
2. The Head Department of Anatomy, KMC, Peshawar.
3. The Director Finance KTH/KMC/KCD Peshawar.
4. The Accounts Officer, KMC, Peshawar.
5. Prof. Dr. Muhammad Rahim Bangash, Department of Anatomy, KMC.  
for information and necessary action.

*Gassan*

PRINCIPAL  
KHYBER MEDICAL COLLEGE  
PESHAWAR

*Copy Received on 5-8-2014.*

*KMC*



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**CHIEF MINISTER'S SECRETARIAT  
KHYBER PAKHTUNKHWA  
PESHAWAR**

No. S O-II/CMS/KPK/1-1/2014  
Dated Peshawar the 22<sup>nd</sup> August, 2014

To

The Secretary to Govt. Khyber Pakhtunkhwa,  
Health Department,  
Peshawar.

Subject: - REPRESENTATION-NOTIFICATION REGARDING COMPULSORY  
RETIREMENT FROM SERVICE.

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith copy of Representation-Notification submitted by Prof. Dr. Rahim Bangash Khyber Medical College Peshawar, for necessary action as per rules/policy as desired by the Competent Authority.

Encl: as above.

Yours Faithfully,

*sd*

(MUHAMMAD TAUFIQUE)  
SECTION OFFICER-II

Copy to the:-

1. Prof. Dr. Rahim Bangash Khyber Medical College, Peshawar.
2. PS to Principal Secretary to Chief Minister Khyber Pakhtunkhwa.

*sd*

SECTION OFFICER-II

*for*

*W*

*Attested*  
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BEFORE HIS EXCELLENCY THE CHIEF MINISTER, KHYBER  
PAKHTUNKHWA, PESHAWAR.

SUBJECT: REPRESENTATION - NOTIFICATION REGARDING  
COMPULSORY RETIREMENT FROM SERVICE.

Respected Sir,

I am in receipt of Notification No. SOH-I/1-321/2013 dated 23<sup>rd</sup> July 2014, received on 5<sup>th</sup> August 2014, whereby major penalty of compulsory retirement from service have been imposed on me.

The following few submissions are respectfully made for kind consideration.

The proposed punishment is the result of the following original charge:-

"You have disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P B U H)".

An inquiry committee consisting of Mr. Muhammad Humayun Khan Secretary Transport and Pro: Dr. Zafar Iqbal was constituted. The committee visited the Class Room on 21<sup>st</sup> January, 2014 and obtained written statements of eight witnesses out of two hundred and forty students who were the witnesses. Even three of those eight selected witnesses negate the allegation leveled against me and still the inquiry committee concluded that I am guilty and recommended the above punishment to the Authority.

Sir,

I am astonished to note with respect that either the so called committee members had never conducted inquiry in their illustrious carriers or they deliberately turned a blind eye to the rules governing their action.

*Ali*  
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*Received*  
*30/8/14*

My superiors know it better than anybody that departmental proceedings are a substitute for criminal trial as both result in punishment, hence these have been equated with judicial proceedings. These proceeding are required to be conducted in circumstances required of a Court and the superior Courts have held so in many cases.

It is admitted that the statements were obtained in my absence as admittedly my entry into the college and University has been banned, hence my basic right of hearing has been taken away from me for reasons known to the worthy inquiry committee.

Sir,

I have been robbed of my basic right of cross examination, which right is universally accepted and granted even to criminals under trial for heinous offences like genocide. The committee in their own wisdom ignored many principles of conduct of inquiry much less the inalienable right of my presence during and evidence recorded against me. More painful is the fact that this folly of the inquiry committee was not noted by the legal minds advising your honor in such like cases.

As regard the unfortunate event itself, it is admitted that at that particular moment I was delivering a lecture occupying my lawful place called the stage from where ordinarily the lecture is to be delivered. It is admitted that the student namely Misbah Syed tried to come on to the stage and she did. The framers of the charge ignored the fact that she was the person who started the event by trying to go to a space not meant for her. She wanted to use speaker and the rostrum to further her agenda. Nobody felt or raised the question about her conduct to start the offence herself by leaving her seat and trying to interfere in the place meant for the teacher. When she was requested to take her seat she made a mockery of the situation by crying.

Sir,

Had I been heard in the matter even on a single occasion, I would have highlighted this conduct of the student but the inquiry committee had come forth with a settled agenda and would never try to keep the balance even. There is no gain saying that even the worst laws on earth gives the right of hearing to accused / respondents but the so called inquiry committee ignored this basic principles of law governing the trials.

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In reply to show cause notice, I requested your good-self for personal hearing. The opportunity for personal hearing was not provided rather, after a long wait; Chief Secretary KP was nominated for personal hearing. Although, so called personal hearing with Chief Secretary, KP was conducted but that was only a formality and without even listening to my view point decision / rejection was made. The competent authority is expected to take all the necessary precautions before deciding to end my 29 years long service and put myself and my family in danger.

In the light of the above it can be safely concluded that the above inquiry is a nullity of law and has been arbitrarily conducted with a preplanned agenda and does not meet the minimum requirement of legal norms. Further, a proceeding after show cause notice has been conducted only as formality with prejudice mind.

Further, major penalty of compulsory retirement is not commensurate with the allegations which do not correspond to the fraud or financial mismanagement. Additionally, an academic discussion was blown-up by the media and interest groups of faculty and students, which not only harmed the prestigious institution but also put the lives of me and my family in severe danger. It is important to note that the matter arising from in-class argument was reconciled with the female student concerned (Annexure- A) but the enquiry committee ignored that.

On the question of committing blasphemy, I was cleared by eminent religious scholars (Annexure -B).

IT IS REPEATEDLY SAID AND PROJECTED IN THE PRINT MEDIA THAT MY CUMPOLSARY RETIREMENT IS IN MY INTEREST AND TO SAVE MY LIFE. Contrary to what is projected, in this pretext, my compulsory retirement will be taken as a proof for the sin that I did not commit and will endanger myself and my family lives.

The notion that my compulsory retirement would be in my interest and in the interest of the institution is totally wrong. My compulsory retirement would not only be a miscarriage of justice but would provide ample reason to the extreme element of the society to endanger my life and the lives of my family. It will become a stigma for me and my children. Further, it will bring bad name to Khyber Medical College

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across the world. This might adversely affect training/jobs of tens and thousands of our graduates worldwide.

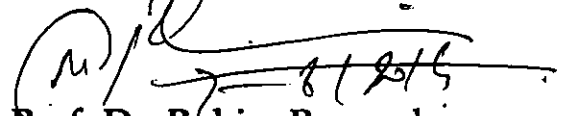
Lastly, Prophet Mohammad (BPUH) once said that nature of any act is determined by the intention with which it is executed. It was never my intention to insult the female students concerned and can never think of committing blasphemy.

At least my service record spanning over 29 long years together with my reputation, as a committed teacher should have been taken into account while imposing this harsh penalty, as no one in his right mind would put his career at stake and reputation for a pity dispute, provoked rather unveiled for an unnecessary discussion by a fresh first year student unaware of the culture for mutual respect between teacher and student in our society. A trivial matter was blown out of proportion by certain elements entertaining professional jealousy who otherwise could not match professional standing of the petitioner, therefore cashed on the event to fulfill their sinister desire. The fact that students of first year asking for special lectures by a professor, teaching senior students of 2<sup>nd</sup> year will bear testimony to the professional excellence of the petitioner on one hand, and reveal the real desire of those interested in character assassination and tormenting image of the petitioner on the other hand.

Sir, as chief executive of the province I expect you to give due consideration to the following.

1. My 29 years long service as a teacher to the students of Khyber medical college and the society.
2. Adverse decision against me would put myself and the life of my family in danger for the sin I did not commit.
3. Adverse decision against me would be a stigma for me and my family and will make our living difficult in the current circumstances, again for the sin I did not commit.

It is, therefore, humbly prayed that notification regarding compulsory retirement may be withdrawn and I may be reinstated on service.



Prof: Dr. Rahim Bangash  
Khyber Medical College  
Peshawar  
Cell # 0300-8593977

Dated: 07.08.2014



22

TO WHOM IT MAY CONCERN

Today we the following aggrieved parties do hereby agree that:

We do not have any personal grudges against each other about the incident which was developed due to the misunderstanding between Prof. Dr Muhammad Rahim Bangash and newly admitted medical student Miss Misbah Syed on the issue of Hijab, occurred at the end of the lecture dated 12 of December 2013.

The two parties agreed in the best interest of public/institution and the general law & order situation prevailing in the province/country nowadays, and not to further aggravate the issue and put the life & property of public in danger. We therefore hereby undertake that

- 1) Not to politicize the situation
- 2) That the parties have full confidence and faith in the enquiry committee constituted for the purpose

It is therefore requested that the issue be resolved at the earliest impeccably.

Parties concerned:



1. Engr. Dr. Muhammad Sadiq

F/O Miss Misbah Syed

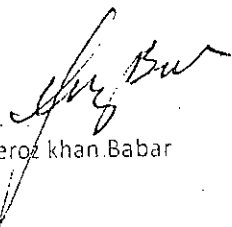


2. Prof. DR. Salma Rahim

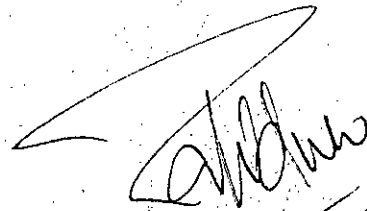
W/O Prof. DR. Muhammad Rahim Bangash



Witnesses:

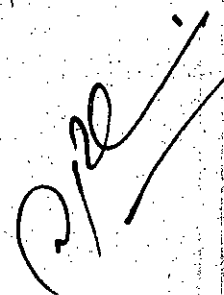


1. Feroz Khan Babar



2. Engr. Zahid Ullah Khan

24/12/13



# VAKALAT NAMA

23

NO. \_\_\_\_\_/20

IN THE COURT OF Service Tribunal Peshawar

Dr. Rahim Bangash (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Health Dept. (Respondent)  
(Defendant)

I/We Dr. Rahim Bangash (Appellant)

& Taimur Ali Khan & Gohar Sajjad

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/20

[Signature]  
( CLIENT )

ACCEPTED

[Signature]  
**M. ASIF YOUSAFZAI**  
Advocate

[Signature]  
**TAIMUR ALI KHAN**  
Advocate

**M. ASIF YOUSAFZAI**  
Advocate High Court,  
Peshawar.

**OFFICE:**  
Room No.1, Upper Floor,  
Islamia Club Building,  
Khyber Bazar Peshawar.  
Ph.091-2211391-  
0333-9103240

[Signature]  
**GOHER SAJJAD KHAN**  
Advocate

CONFIDENTIAL

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**SUBJECT:- INQUIRY AGAINST DOCTOR MUHAMMAD RAHIM BANGASH.  
PROFESSOR (ANATOMY) KHYBER MEDICAL COLLEGE  
PESHAWAR.**

**INTRODUCTION**

According to the Health Department Notification No SO(H-I)/HD/1-321/2013 dated 7-1-2014, the Chief Minister KPK was pleased to appointment an Inquiry Committee comprising of following to conduct inquiry against Professor Dr. Muhammad Rahim Bangash regarding misbehavior with Miss Misbah a student of 1<sup>st</sup> Year MBBS, physical assault on wearing Hijab and used words against Holy Prophet (Annexure-A).

S. No.	Name	Designation
1.	Mr. Muhammad Humayun, PCS (SG) BS-21	Secretary Transport & Mass Transit Deptt
2.	Prof. Dr. Zafar Iqbal (BS-20)	Professor of Ophthalmology, LRH Peshawar.

Letter in question was received on 08-01-2014. Dr. Muhammad Rahim Bangash, Professor of Anatomy Khyber Medical College, Peshawar was asked vide letter dated 09-01-2014 for submission of written reply within seven days failing which it shall be presumed that he had no defense to put in & in that case ex-parte decision shall be taken (Annexure-B). The Health Department nominated Dr. Muhammad Zahid, Assistant Professor, Department of Anatomy, Khyber Medical College Peshawar as departmental representative to assist the committee and provide relevant record (Annexure-C). Dr. Muhammad Rahim Bangash, Professor of Anatomy Khyber Medical College, Peshawar has been charged as under:-

"He has disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (PBUH)."

Dr. Muhammad Rahim Bangash joined Health Department as Medical Officer (BPS-17) Khyber Teaching Hospital Peshawar on 01-10-1985. He was promoted as Senior Medical Officer (BPS- 18) and also served as Senior Registrar (Surgical) in the same hospital. During June, 1996 he was appointed as Assistant Professor (Anatomy),



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Khyber Medical College Peshawar. Subsequently he was promoted to the post Associate Professor in 2010 and as Professor on regular basis in October, 2013. He is on probation for a period of one year, extendable for further one year. He is MBBS & FCPS (Surgery). According to date of birth of Dr. Muhammad Rahim Bangash he will attain the age of Superannuation on 14-08-2017.

Dr. Muhammad Rahim Bangash, Professor of Anatomy Khyber Medical College, Peshawar submitted his written reply on 16-01-2014 which at Annexure "D". He stated that he is teaching the subject of Anatomy at KMC for the last twenty eight (28) years during this period hundreds of girls students wearing Hijab remained his students. None of them raised any question. He always considers it their personal faith. On the day of incident he was taking an introductory lecture of Neuro Anatomy on the topic of "Receptors of Nervous System in Human Body". Lecture took about two hours to complete. At the end new class representatives were chosen. A boy declared himself as unopposed Male Class Representatives while Miss Misbah Syed and another female were candidates for female GR. Miss Misbah Syed was elected as GR by show of hand. Discussion on receptors of Nervous System continued and he expressed his opinion that in medical profession, all doctors including Lady Doctors have to examine male and female patients which involves detailed body examination.

The demand of the profession is to know the identity of the doctor during examination. Further, feeling the pulse and palpitation of whole body from hair to genital track could only be performed with bare hand without gloves. Miss Misbah Syed at this point said that she was following the dress code of Ummahatul Momineen and was observing full Prada as used to observe by wives of Prophet. He commented that no one can compare himself/herself with Sahaba and Umahatul Momineen as they were very sacred people. Moreover Umahatul Momineen were sacred house wives of Holy Prophet and would stay all the time in their homes. The profession of a lady doctor demands her presence in the hospital and interaction with male and female patients and doctors. He also presented comparison of various facilities available to mankind now-a-days which were not available at the time of Holy Prophet. He was talking on the medical ethics related to his lecture. Unfortunately Miss Misbah Syed who was wearing gloves, veil and abaya took it personally due to the fact that she was attending first class of her medical career and probably not used to such type of academic discussion. He again explained to the class that his comments regarding veil and medical profession and he had nothing against one personal believe. Instead of further arguing the case in the light of medical ethics Miss Misbah Syed rushed to dice and tried to snatch the microphone attached to his collar. He voluntarily handed over to her. She started provoking speech for which she was not allowed as it comes under the breach

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Subsequently an inquiry committee was constituted within two hours of the incident by the Principal KMC but Miss Misbah Syed opted to take the issue to media creating disrepute to the college and medical community. The matter was investigated by the committee comprising of senior Professors. Miss Misbah Syed in her statement admitted that not have any personal grudges against each other about the incident which developed due to misunderstanding between Professor Dr. Muhammad Rahim Bangash and newly admitted medical student Miss Misbah on 12-12-2013. Both the parties agreed not to further aggravate the issue. Dr. Bangash added that being muslim he can never think of using the words against the Holly Prophet. He requested that academic discussions in colleges and universities throughout the world is treated as privilege and cannot be made the basis for any legal action. He requested that charges leveled against him are baseless, untrue and in contravention to the privilege. He requested that may be exonerated.

#### Miss Misbah Syed

The Government of Khyber Pakhtunkhwa has reserved twelve seats for foreign students on self finance basis in the Public Sector Medical Colleges of the Province. Miss Misbah Syed daughter of Syed Muhammad Saddique Canadian national obtained 914/1100 marks. She applied through Higher Education Commission for seats reserved for self finance basis as well as through Ministry of Economic Affairs Division, Government of Pakistan, Islamabad for three seats reserved under Technical Assistance Programme. The Higher Education Commission finalized merit list earlier than Ministry of Economic Affairs Division. Initially she got admission in 1<sup>st</sup> Year MBBS Khyber Medical College Peshawar on self finance basis. Subsequently she also got admission under Technical Assistance Programme in the Khyber Medical College Peshawar (Annexure-E).

#### PROCEEDINGS

Enquiry Committee asked the Principal, Khyber Medical College Peshawar to inform all the students that two members Inquiry Committee will visit Khyber Medical College Campus on 21-1-2014 for recording statements. The Committee visited Khyber Medical College

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Peshawar on the given date, met the Principal and discussed the case in detail. During the visit following students of first Year MBBS who were present in the class on the day of incident i.e. 12-12-2013 appeared before the Committee and recorded their statements. Other students were reluctant to appear before the Committee Details are as under:-

S. No.	Name of student	Annexure
1.	Miss Mishbah Syed	F
2.	Miss Bakhtawar	G
3.	Miss Maryam Riaz	H
4.	Mr. Abdul Basit	I
5.	Mr. Yasar Amir Khan	J
6.	Mr. Hamad Muhammad	K
7.	Mr. Ikramullah	L
8.	Mr. Nasir Naseer	M
9.	Mr. Arshad Ali	N
10.	Prof. Dr. Qaiser Inayat	O

From the statements of the students it was noticed that Prof. Dr. Muhammad Rahim Bangash delivered lecture on the topic of "Receptors of Nervous System in Human Body" on 12-12-2013. There were more than 240 students in the class. Attendance sheet was not got signed from the students on 12-12-2013. Dr. Muhammad Rahim Bangash sought permission from Dr. Muhammad Zahid, Assistant Professor to take extra time. After completion of lecture, Girls students demanded appointment of Girls Representative. On the demand of other students Miss Misbah Syed wanted to become girls' representative. A day before the incident she met Dr. Muhammad Rahim Bangash. She said "Sir, whatever task you will assign to the GR I would not mind". Prof. Dr. Muhammad Rahim Bangash replied "No. Are you the GR?". Miss Misbah answered that no but she would like to help. Prof. Bangash stated that if you are not GR, you cannot do it. Miss Misbah replied that she actually wants to become GR for the reasons that students wanted her to be GR. Prof. Bangash said that he will see her tomorrow. On the next day at the end of the lecture Dr. Bangash said "The girl that came to me yesterday where is she?" Miss Misbah raised her hand. Dr. Bangash asked the students was this girl chosen by selection or by election? The students replied "by election". Dr. Muhammad Rahim Bangash asked why she wants to become girls representative. Initially there was only one candidate i.e. Miss Misbah Syed. Dr. Muhammad Rahim Bangash asked whether girls' representative shall be appointed by selection or by election. He was informed that GR shall be appointed by election. He asked any other girl would like to compete. Miss Azka Kanwal came forward. Election was conducted by show of hand. Miss Misbah Syed got majority votes. She was declared Girls Representative by the Dr. Bangash. On this occasion he said if he had to select Girls Representative he will not

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select Miss Misbah Syed. She is fully covered. She shall change her getup. Miss Misbah Syed came on the dice to thank students. She replied that Ummahatul Momineen used to wear Hijab. Dr. Bangash said that there are a number of things which were not done during the era of The Holly Prophet but we are doing. He specifically quoted that Holy Prophet did not use Toilet and flush but he is using now a day. He added that Holy Prophet had thirteen wives where as he has only one. Miss Misbah Syed raised objections. She asked Prof Bangash whether wearing of Hijab is wrong. Professor said it is your choice if you want to wear shuttle cock Hijab or this Hijab or that Hijab". Miss Misbah said that wives of Holy Prophet used to wear Hijab. Dr. Bangash tried to stop her. Both were chasing each other. She took one round and was not willing to hand over the mike to Dr. Bangash. At this stage boys were shouting and beating desks. Dr. Bangash became furious and took the mike by force. He suddenly slammed her with his fist on face, pushed towards the class door and kicked out of the class. He was constantly saying "get lost". He also directed the students to be calm.

He added that if girls students like Hijab they should wear the same by themselves. He further stated that he will not take classes any more. Miss Misbah was taken to the office of Dr. Anjum Humayun. According to Prof. Dr. Qaiser Inayat, Head of Department (Anatomy), Khyber Medical College she was very upset and crying bitterly. He tried to console her and brought to the office of Principal, Khyber Medical College Peshawar. Students of the college boycotted the classes and came out for agitation. They were trying to go out of the College towards the main Jamrud Road. It was apprehended that there might be strong reaction from the students. They can cause damage to college buildings etc. The Principal immediately took preventive measures. He alongwith other staff members met the students and assured them that a committee is being constituted to fix the responsibility. After this assurance the students peacefully dispersed. The Principal asked that Dr. Rahim Bangash may be contacted. He was informed that Dr. Bangash had left the college and his cell phone is off. Timely action by the Principal, Khyber Medical College Peshawar controlled the situation. Within two hours a committee comprising of the following was constituted:-

S. No.	Name	Designation
1.	Prof. Dr. Liaqat Ali	Chairman
2.	Prof. Dr. Muhammad Humayun	Member
3.	Prof. Dr. Jamshed Ali	Member
4.	Prof. Dr. Bushra Iftikhar	Member
5.	Prof. Dr. Noor Sahib Khan	Member
6.	Prof. Dr. Mirajul Islam Zia	Co-opted Member
7.	Prof. Dr. Hafiz Abdul Ghafoor	Co-opted Member
8.	Prof. Dr. Rashid Ahmad	Co-opted Member
9.	Prof. Dr. Sahib Aslam	Co-opted Member

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10.	Dr. Salim ur Rehman	Co-opted Member
11.	Prof. Dr. Nisar Muhammad	Co-opted Member
12.	Dr. Muhammad Zahid	Co-opted Member

One page report of the Committee constituted by the Principal, Khyber Medical College is at Annexure-P. The Committee was of the opinion that views expressed by the Dr. Bangash hurt the sentiments of students. Situation in the class was mishandled. He was not supposed to express opinion regarding religion in the professional class. Dr. Bangash expressed that he was extremely sorry and would not repeat in future. He added that he is not against Hijab but his personal views are different. Preliminary report of the Committee is without specific recommendations therefore they may be conveyed displeasure.

#### COVERAGE OF INCIDENT

Matter was immediately reported to the news channels. Representatives of various TV channels tried to contact the Principal for obtaining his views. He avoided to respond. Incident was highlighted in the Daily Aaj Peshawar, Daily Mashriq Peshawar, and The News Islamabad with headlines (Annexure-Q).

After few days Miss Misbah Syed addressed a press conference at Press Club Peshawar. The matter was again highlighted in various news papers (Annexure-R). She demanded constitution of an impartial commission for investigating the case. She also demanded that strict action may be taken against Dr. Muhammad Rahim Bangash. Matter was also agitated during Jumma Sermons.

The issue was also debated in the Provincial Assembly on 08-01-2014. A number of MPAs took part in the discussion. Minister for Health informed the Provincial Assembly that Dr. Muhammad Rahim Bangash has been suspended. A two member enquiry committee has been constituted. Recommendations of the committee will be honoured by the Government. His entry in the college has been banned (Annexure-S).

Audio and video recording was collected from the Principal, Khyber Medical College Peshawar. A copy of the audio recording is attached. Comparison of written statement and audio recording shows that both have similar text.

#### Observations:

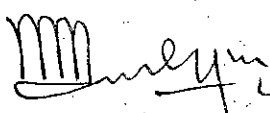
Miss Misbah Syed is a Canadian national but she observes pardah. She was wearing hijab, abaya and gloves. She wanted to become Girls Representative. She was elected by the girls students by show of hands. Dr. Muhammad Rahim Bangash after her election advised her to change her

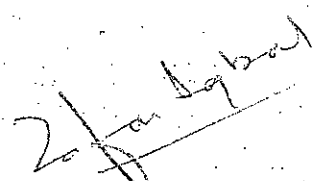
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getup for the reasons that she has to interact with Principal, students and heads of Departments. She argued that she follows Ummahat ul Momineen. Dr. Bangash started debate that no one can compare himself/herself with Sahaba and Ummahat ul Momineen. The discussion took sudden turn. Dr. Bangash stated that there are a number of things which we are being done now but were not available at the time of Prophet. He particularly referred to the Toilet and Flush and stated that he is using the same and the Prophet had not. He also mentioned that Holy Prophet had thirteen wives but he cannot have thirteen wives. Words used by the Dr. Bangash were not only resisted by Miss Misbah Syed but were also objected by other students as well. Dr. Bangash tried to stop her from delivering provoking speech. She took one round and was not returning mike. Dr. Bangash became furious and took the mike by force. In the presence of the students he suddenly slammed her with his fist on face, pushed her towards the class door and kicked out of the class. He was constantly saying "get lost". Matter was reported to the Principal, Khyber Medical College Peshawar. Students of the college came out of their class rooms. It was expected that there might be strong reaction from the students. Entry of Dr. Muhammad Rahim Bangash in the college has been banned.

#### RECOMMENDATIONS

- a) Under circumstances explained above retention of Prof. Dr. Rahim Bangash in the service is neither in his own interest nor in the interest of Khyber Medical College. It is therefore recommended that major penalty of compulsory retirement from service may be imposed upon him.

  
4.2.14  
MUHAMMAD HUMAYUN  
(MEMBER)

  
PROF. DR. ZAFAR IQBAL  
(MEMBER)

SUBJECT:- INQUIRY AGAINST DOCTOR MUHAMMAD RAHIM BANGASH,  
PROFESSOR (ANATOMY) KHYBER MEDICAL COLLEGE  
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INTRODUCTION

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Letter in question was received on 08-01-2014. Dr. Muhammad Rahim Bangash, Professor of Anatomy Khyber Medical College, Peshawar was asked vide letter dated 09-01-2014 for submission of written reply within seven days failing which it shall be presumed that he had no defense to put in & in that case ex-parte decision shall be taken (Annexure-B). The Health Department nominated Dr. Muhammad Zahid, Assistant Professor, Department of Anatomy, Khyber Medical College Peshawar as departmental representative to assist the committee and provide relevant record (Annexure-C). Dr. Muhammad Rahim Bangash, Professor of Anatomy Khyber Medical College, Peshawar has been charged as under:-

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of code of conduct for the students. He tried to stop her but she did not. At this point he turned her out of class for the reason that no student is allowed to deliver provoking speech and he was duty bound to stop her.

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#### Miss Misbah Syed

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#### PROCEEDINGS

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7.	Mr. Ikramullah	L
8.	Mr. Nasir Naseer	M
9.	Mr. Arshad Ali	N
10.	Prof. Dr. Qaiser Inayat	O

From the statements of the students it was noticed that Prof. Dr. Muhammad Rahim Bangash delivered lecture on the topic of "Receptors of Nervous System in Human Body" on 12-12-2013. There were more than 240 students in the class. Attendance sheet was not got signed from the students on 12-12-2013. Dr. Muhammad Rahim Bangash sought permission from Dr. Muhammad Zahid, Assistant Professor to take extra time. After completion of lecture, Girls students demanded appointment of Girls Representative. On the demand of other students Miss Misbah Syed wanted to become girls' representative. A day before the incident she met Dr. Muhammad Rahim Bangash. She said "Sir, whatever task you will assign to the GR I would not mind". Prof. Dr. Muhammad Rahim Bangash replied "No. Are you the GR?". Miss Misbah answered that no but she would like to help. Prof. Bangash stated that if you are not GR, you cannot do it. Miss Misbah replied that she actually wants to become GR for the reasons that students wanted her to be GR. Prof. Bangash said that he will see her tomorrow. On the next day at the end of the lecture Dr. Bangash said "The girl that came to me yesterday where is she?" Miss Misbah raised her hand. Dr. Bangash asked the students was this girl chosen by selection or by election? The students replied "by election". Dr. Muhammad Rahim Bangash asked why she wants to become girls representative. Initially there was only one candidate i.e. Miss Misbah Syed. Dr. Muhammad Rahim Bangash asked whether girls' representative shall be appointed by selection or by election. He was informed that GR shall be appointed by election. He asked any other girl would like to compete. Miss Azka Kanwal came forward. Election was conducted by show of hand. Miss Misbah Syed got majority votes. She was declared Girls Representative by the Dr. Bangash. On this occasion he said if he had to select Girls Representative he will not

select Miss Misbah Syed. She is fully covered. She shall change her getup. Miss Misbah Syed came on the dice to thank students. She replied that Ummahatul Momineen used to wear Hijab. Dr. Bangash said that there are a number of things which were not done during the era of The Holly Prophet but we are doing. He specifically quoted that Holy Prophet did not use Toilet and flush but he is using now a day. He added that Holy Prophet had thirteen wives where as he has only one. Miss Misbah Syed raised objections. She asked Prof Bangash whether wearing of Hijab is wrong. Professor said it is your choice if you want to wear shuttle cock Hijab or this Hijab or that Hijab". Miss Misbah said that wives of Holy Prophet used to wear Hijab. Dr. Bangash tried to stop her. Both were chasing each other. She took one round and was not willing to hand over the mike to Dr. Bangash. At this stage boys were shouting and beating desks. Dr. Bangash became furious and took the mike by force. He suddenly slammed her with his fist on face, pushed towards the class door and kicked out of the class. He was constantly saying "get lost". He also directed the students to be calm.

He added that if girls students like Hijab they should wear the same by themselves. He further stated that he will not take classes any more. Miss Misbah was taken to the office of Dr. Anjum Humayun. According to Prof. Dr. Qaiser Inayat, Head of Department (Anatomy), Khyber Medical College she was very upset and crying bitterly. He tried to console her and brought to the office of Principal, Khyber Medical College Peshawar. Students of the college boycotted the classes and came out for agitation. They were trying to go out of the College towards the main Jamrud Road. It was apprehended that there might be strong reaction from the students. They can cause damage to college buildings etc. The Principal immediately took preventive measures. He alongwith other staff members met the students and assured them that a committee is being constituted to fix the responsibility. After this assurance the students peacefully dispersed. The Principal asked that Dr. Rahim Bangash may be contacted. He was informed that Dr. Bangash had left the college and his cell phone is off. Timely action by the Principal, Khyber Medical College Peshawar controlled the situation. Within two hours a committee comprising of the following was constituted:-

S. No.	Name	Designation
1.	Prof. Dr. Liaqat Ali	Chairman
2.	Prof. Dr. Muhammad Humayun	Member
3.	Prof. Dr. Jamshed Ali	Member
4.	Prof. Dr. Bushra Iftikhar	Member
5.	Prof. Dr. Noor Sahib Khan	Member
6.	Prof. Dr. Mirajul Islam Zia	Co-opted Member
7.	Prof. Dr. Hafiz Abdul Ghafoor	Co-opted Member
8.	Prof. Dr. Rashid Ahmad	Co-opted Member
9.	Prof. Dr. Sahib Aslam	Co-opted Member

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10.	Dr. Salim ur Rehman	Co-opted Member
11.	Prof. Dr. Nisar Muhammad	Co-opted Member
12.	Dr. Muhammad Zahid	Co-opted Member

One page report of the Committee constituted by the Principal, Khyber Medical College is at Annexure-P. The Committee was of the opinion that views expressed by the Dr. Bangash hurt the sentiments of students. Situation in the class was mishandled. He was not supposed to express opinion regarding religion in the professional class. Dr. Bangash expressed that he was extremely sorry and would not repeat in future. He added that he is not against Hijab but his personal views are different. Preliminary report of the Committee is without specific recommendations therefore they may be conveyed displeasure.

### COVERAGE OF INCIDENT

Matter was immediately reported to the news channels. Representatives of various TV channels tried to contact the Principal for obtaining his views. He avoided to respond. Incident was highlighted in the Daily Aaj Peshawar, Daily Mashriq Peshawar, and The News Islamabad with headlines (Annexure-Q).

After few days Miss Misbah Syed addressed a press conference at Press Club Peshawar. The matter was again highlighted in various news papers (Annexure-R). She demanded constitution of an impartial commission for investigating the case. She also demanded that strict action may be taken against Dr. Muhammad Rahim Bangash. Matter was also agitated during Jumma Sermons.

The issue was also debated in the Provincial Assembly on 08-01-2014. A number of MPAs took part in the discussion. Minister for Health informed the Provincial Assembly that Dr. Muhammad Rahim Bangash has been suspended. A two member enquiry committee has been constituted. Recommendations of the committee will be honoured by the Government. His entry in the college has been banned (Annexure-S).

Audio and video recording was collected from the Principal, Khyber Medical College Peshawar. A copy of the audio recording is attached. Comparison of written statement and audio recording shows that both have similar text.

### Observations:

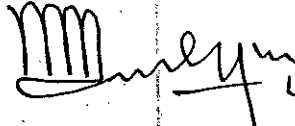
Miss Misbah Syed is a Canadian national but she observes pardah. She was wearing hijab, abaya and gloves. She wanted to become Girls Representative. She was elected by the girls students by show of hands. Dr. Muhammad Rahim Bangash after her election advised her to change her

55  
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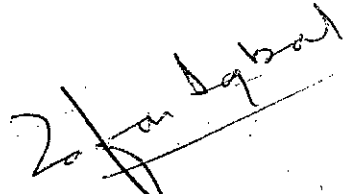
setup for the reasons that she has to interact with Principal, students and heads of Departments. She argued that she follows Ummahat ul Momineen. Dr. Bangash started debate that no one can compare himself/herself with Sahaba and Ummahat ul Momineen. The discussion took sudden turn. Dr. Bangash stated that there are a number of things which we are being done now but were not available at the time of Prophet. He particularly referred to the Toilet and Flush and stated that he is using the same and the Prophet had not. He also mentioned that Holy Prophet had thirteen wives but he cannot have thirteen wives. Words used by the Dr. Bangash were not only resisted by Miss Misbah Syed but were also objected by other students as well. Dr. Bangash tried to stop her from delivering provoking speech. She took one round and was not returning mike. Dr. Bangash became furious and took the mike by force. In the presence of the students he suddenly slammed her with his fist on face, pushed her towards the class door and kicked out of the class. He was constantly saying "get lost". Matter was reported to the Principal, Khyber Medical College Peshawar. Students of the college came out of their class rooms. It was expected that there might be strong reaction from the students. Entry of Dr. Muhammad Rahim Bangash in the college has been banned.

#### RECOMMENDATIONS

- a) Under circumstances explained above retention of Prof. Dr. Rahim Bangash in the service is neither in his own interest nor in the interest of Khyber Medical College. It is therefore recommended that major penalty of compulsory retirement from service may be imposed upon him.

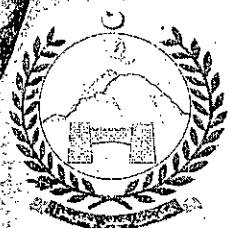
  
4.2.14

MUHAMMAD HUMAYUN  
(MEMBER)



PROF. DR. ZAFAR IQBAL  
(MEMBER)

Jan 8  
620



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOH-I/HD/1-321/'2013  
Dated Pesh: the 7<sup>th</sup> Jan; 2014

Diary No. 620  
Dated 08-01-2014  
PS To Secy Transport  
Khyber Pakhtunkhwa

To

1. ✓ Muhammad Humayun (PCS SG BS-21),  
Secretary Transport,  
Govt. of Khyber Pakhtunkhwa.
2. Dr. Zafar Iqbal (BS-20),  
Professor of Ophthalmology,  
LRH, Peshawar.

Subject:- Disciplinary proceedings/suspension of Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), KMC, Peshawar.

Dear Sir,

I am directed to refer to the subject noted above and to state that the Chief Minister, Khyber Pakhtunkhwa (competent authority) has been pleased to approve initiation of disciplinary proceedings against Dr. Muhammad Rahim Bangash, Professor of Anatomy, KMC, Peshawar on account of disrespect not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis wearing Hijab and also used words against Prophet (P.B.U.H) vide attached statement of allegations and charge sheets.

Consequently, the competent authority has been further pleased to appoint you as an enquiry committee to scrutinize the conduct of the aforesaid accused doctor and desires that the enquiry committee should take further necessary action and submit findings recommendations and report within 30 days in accordance with the provision of Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011

I am, therefore, directed to request you to conduct the enquiry and findings and recommendations of the enquiry may kindly be furnished to this department within the specific period.

Yours faithfully,

*(Signature)*  
(Muhammad Jamil)  
Section Officer-I

Encl: As above

Endst No and date even

- C.C
1. Chief Executive, KTH/KMC/KCD, Peshawar with the request that the attached charge sheet may be served to the officer concerned.
  2. Principal Khyber Medical College, Peshawar. He is requested to nominate an officer well conversant with the case to assist the enquiry committee.
  3. Dr. Muhammad Rahim Bangash, Professor of Anatomy, KMC, Peshawar. He is directed to appear before the enquiry committee on the date, time and venue fixed by the enquiry committee for the purpose of enquiry proceedings.

PS

8/14

Section Officer-I



Disciplinary action

I, Pervez Khan Khattak, Chief Minister, Khyber Pakhtunkhwa as competent authority, am of the opinion that Dr. Muhammad Rahim Bangash, Professor of Anatomy (BS-20), KMC, Peshawar has rendered himself liable to be proceeded against as he committed the following act/omission within the meaning of rule-3 (b) of the Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011

STATEMENT OF ALLEGATION

"He has disrespected not only a female student namely Misbah Syed student of 1<sup>st</sup> year MBBS but also resorted to physical assault on the basis of wearing Hijab and also used words against Prophet (P.B.U.H).

2. For the purpose of enquiry against the said accused with reference to the above allegation, an enquiry officer/enquiry committee consisting of the following is constituted under Rule 10 (1) (a) of the ibid rules.

- i. Mr. Farooq Ahmad
- ii. Mr. Farooq Ahmad
- iii. Mr. Farooq Ahmad

3. The enquiry officer/committee shall, in accordance with the provisions of the rules, provide reasonable opportunity to the accused, record its findings and make within 30 days of receipt of this order, recommendation as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the enquiry officer/enquiry committee.

(Pervez Khan Khattak)  
Chief Minister, Khyber Pakhtunkhwa

*P 22*  
*16-1-2014*

*2/5*

Why before the incident took place, Dr. Rahim Bargar  
 ring class asked for the GR & CR after class to hand them  
 a task; but the CR was already elected by the ~~74~~ <sup>68</sup>  
 class; However, the GR wasn't elected because the  
 students wanted me to be GR but I hadn't made up  
 my mind of becoming GR yet. After class, I went  
 the Professor to help out with the task since there  
 was no GR; ~~not~~ I went to him, the CR & a few  
 other students were with the professor but others students  
 had left since it was the end of class.

I went towards the Professor and asked him that  
 Sir, whatever task you were to hand the GR; I wouldn't  
 mind helping with the task."

On this, the Professor said in a stern manner;  
 No! Are you the GR?"; I was like "NO, Professor  
 it's okay I would like to help". The Professor  
 further stated; "If you aren't the GR; You can't do it"  
 I was like; "I actually may become GR because the  
 students wanted me to be GR and I still haven't  
 made up my mind but maybe I become GR"  
 The Professor uttered; "They want you to be GR".  
 I said; "Sort of!"; The Professor further said;  
 "No! You shouldn't become GR". I was like;  
 "Yah! I'm not sure"; he said; "No! you shouldn't  
 become GR! Go now! we will see tomorrow".

His manner of speech was so stern that it did  
 put me in melancholy but I thought maybe he  
 was in a bad mood or so. Then, the next day,  
 he had 30 minutes free time towards end of



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lecture because he had taken over another ~~prof~~ the  
class. He then on the request of students, asked for the  
nominees of GR; the students uttered my name & he  
like the girl that came to me yesterday; where is she  
the ~~st~~ I raised my hand; then he asked the stu  
if was this girl chosen by selection or election?  
The students said; "by selection!" ; On this he  
constantly asked for nominees for GR. But to  
no one came up! Then; he called me down the  
benches towards the front of the class.

Then, a girl did come up as a nominee but  
due to my votes exceeding hers; the Prof  
was left with no choice but to announce  
as GR. The Professor said; "I will announce  
as GR (referring to me) but if this was my choice  
I wouldn't have selected her"; on this statement

of his many students went into a perplexed  
ambiance; then, he was like; "From tomorrow on  
GR she should not change her get up; (referring to  
to me being fully covered". Then, he went on the  
unnecessary on the hijaab on which then I said  
"Professor do you think wearing the Hijab is  
wrong?"; The Professor said in a jarring, sarcas  
way that; "It is your choice if you want to wear  
shatib cot hijaab or this hijaab or that hijaab"

he went on. Then, I asked he said in a tho  
less "even the Prophet's wives wore the hijaab!  
On this he took the wrong turn with words  
that; "The Prophet had 13 wives but I can't have  
13 wives"; ~~the~~ I have the toilet & flush; your prophet didn't

the awful terms used against the Prophet  
 W & taking the B making a joke out of  
 Prophet's living. I snatched the mic from  
 Professor & went round the table then stated,  
 Professor I Respect you but I would not allow  
 to say anything against Prophet S.A.W."

on this there was an encouraging applause  
 from all the students; on this the Professor  
 suddenly slammed me with his fist on my  
 chest; pushed me towards the class door  
 & kicked me out of class; repetitively,  
 using the term "Get Lost!"  
 then, I was out of class crying & teachers surround  
 me & took me to their office then later  
 I was taken to the ~~campus~~ Principled office &  
 the situation was brought front.

Misbah Sayyed

Bakhtawar (1<sup>st</sup> year Mbbs)

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At of all we requested Sir Bangash that we want to elect our CR. He accepted our request and called the candidates. Two candidates came there (Misbah and Azka). Misbah got more votes than Azka and I elected as CR. Sir Bangash said to Misbah that according to my point of view, you could reveal your identity and change your setup. On saying this Misbah answered that Sir prophet (PBUH) wives also used to wear hijab and covered their faces. Then Sir Bangash replied that in our <sup>(PBUH)</sup> prophet's time there were no toilets but we have toilet, he had 13 wives but were not allowed to have 13 wives. In order to give answer, Misbah requested sir to give her milk but did not do so. Then Misbah took milk from Sir Bangash's hands. Misbah was not giving milk to sir and they were chazing each other around the desk and there was also a boy sitting from boy's side. Misbah sat on his face, and time on his shoulder and I kicked her leg with his leg. After this he also shouted at us to sit in the class.

F	S	S
3	4	5
11	12	13
7	18	19
1	25	26
	20	27

21/01/20

اللہ تعالیٰ کا حکم ہے  
” اور تو اپنی کومت چھپاؤ اس سے تمہارا دل

گنہگار ہوگا

میں عمریم ریاضن آفریدی کو اپنی بیس کر رہی ہوں کہ جو

میں 12 دسمبر 2013 میں ہونے والے واقعہ میں دیکھا وہ

کہا۔ کہ Sir Rahim Bangash کو ہم نے GR کے انتخاب

تیار کیا، تو انہوں نے یہاں جو لڑکیاں GR بننا چاہتی

ہیں وہ کھڑی ہو جائیں۔ ان دو لڑکیوں میں سے ایک مصباح سید تھی

جسے جواب کی وجہ سے Sir نے بتا دیا کہ یہ Section ہے تو

میں آپکو select نہیں کرونگا اگر یہ Section ہے تو لے کر آئے

کی Classfellows کی فرمیں ہے۔ وہ Elect ہو گئی تھی اور

Thanks لکھ لکھ لکھ اور Sir لے لے لے

اس سے Mike لیا اور آپ میں اس کے Favours میں نہیں ہوں

تو نہ اس کے اپنی آپ نے اپنی Identity چھپائی ہوئی ہے اور

اس کے لئے کہ جس نے اپنی Identity دیکھائی ہوئی۔ تو مصباح نے اس

مائد لیا اور کہا کہ you respect Sir میں نے

جواب تو حضور صلی اللہ علیہ وسلم کی بیویوں نے بھی لیا تھا اور یہ

ہم انکو Follow کر رہے ہیں۔ اور مصباح نے اسے بھی اس کے حوالے سے

بات کی تو Sir نے مائد لیا جاتا لیکن مصباح نے اس کے حوالے

سے بات پوری نہیں کی تھی تو مصباح نے اس وقت مائد نہیں دیا

JANUARY 2010	FEBRUARY 2010	MARCH 2010	APRIL 2010	MAY 2010	JUNE 2010
T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

Amir / 21/01

6 Saturday  
065\*300 week 9

تو اس وقت Sir تو علم آتا اور دور سے ثابت کیا

8.00 am

8.30 سنا کہ میں مصباح کو میرے یہ فارا اور دکھا دیا اور Kicks کہی

9.00 فارا کی عمر یہ - اور فلاس سے رگو دے کر باہر نکالا - اس سے لہجہ شہرے

9.30 مصباح تو باہر نکالنے سے میں سرے پہ کہی آتا کہ حضور صلی اللہ علیہ وسلم

10.00 لیلہ Rules آتے اور ہماری لے آتے ان کوں نے خود تو 13

10.30 سادیاں کی پوس کہی اور اس وقت ہم Toilet استعمال کرتے ہیں

11.00 اور اسے ہی نے پاس نہ میں تھا۔

11.30 اور اس سے علاوہ سرے لیا کہ doctors کو اپنی ID برطال میں show

12.00 noon کرتی تھی کہ - تو جب لڑکوں نے کیا میں تو اس نے سرے لیا تو ہم لوگ کہی

12.30 خود تو cover کرتا - اس سے علاوہ یہ کہی لیا کہ ہم لوگ خود تو

1.00 برائی خواتین کی Anal canal میں لے رہے ہو اور خود کوئی

1.30 wives تو قصباتے ہو۔

2.00 اور اس سے ایسے سے سرے قرآن کے خلاف کہی آتے بات کہی کہ قرآن

2.30 بات میں لگتا ہے کہ heart سوچ سکتا ہے نہ اخلاقی

3.00 ہے - تو یہ سچ کا عقیدہ یہ تھا کہ یہاں سر یہ عقیدتی عقیدار ہے۔

3.30

4.00

5.00

5.30

6.00

Evening

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2010/12/2014

JULY 2010							AUGUST 2010							SEPTEMBER 2010							OCTOBER 2010							NOVEMBER 2010							DECEMBER 2010																																																																																		
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(5)

Abdul Basit Khan (0313-0106116)  
Class no. 140

that very day Sir Rahim Bangish was  
ng us Nervous system After his lecture  
requested for selection of GIR Misbah  
came on the stage and there was  
one girl in contest with her but  
was selected Sir asked her she has  
change her get up as she fully covers  
and that dress doesn't suit with  
as she has to interact with differ-  
people. He told her that he would not  
his daughter and wife to wear such  
He told her that she has to exposed  
Misbah told Sir that 'pardah' is  
sunnah of Holy Prophet (S.A.W). Sir  
her that Prophet (S.A.W) also don't  
toilet but we use it Prophet (S.A.W)  
many wives but we are only allowed  
have four. During this conversation the  
mour of boys was very annoying and  
were shouting and beating desk Misbah  
mic from Sir to speak. And then  
that very moment I left the class  
haven't saw Sir personally slaping her  
later my friends told me that Sir  
slaped her

happened and girl went out-

Am/ (05  
21/01/20



YASIR  
05  
MBBS

That day when rahim Bangesh sir completed his lecture - We asked him for an election to select GR (Girl representative) - A girl named (Misbah Syed) and another girl whom name I dont know were in competition for GR. Eventually Misbah was elected - Sir Rahim Bangesh said that if GR was to be selected I would have not selected you because your dress is not suitable for GR as you have to talk to ~~girls~~ Boys you will have to interact and also this dress is not suitable for a doctor you will have to touch your patient etc for which Misbah argued that Hijab was wore by Hazrat Muhammad (SAW) wives and much more - Rahim Bangesh said that we cannot reach Hazrat Muhammad (SAW) in acts in life - After that Rahim Bangesh sir went to take the mike from the girl Misbah Syed but she was refusing ~~at~~ when Sir Rahim Bangesh took the mike from her at that time one of my friend (Basit) stood up and was leaving the Hall from back side - "I called him not to go" In this I was unable to watch what happened and girl went out -

Am/ (05  
21/01/2

ASIR  
05  
MBBS

ANNEXURE- J

75  
ANNEXURE- J  
(1)

That day when Rahim Bangesh sir completed his lecture - We asked him for an election to select G.R (Girl representative) - A girl named (Mishbah Syed) and another girl whose name I don't know were in competition for G.R. Eventually Mishbah was elected - Sir Rahim Bangesh said that if G.R was to be selected I would have not selected you because your dress is not suitable for G.R. as you have to talk to boys you will have to interact and also this dress is not suitable for a doctor. You will have to touch your patient etc- for which Mishbah argued that Hijab was worn by Hazrat Muhammad (SAW) wives and much more - Rahim Bangesh said that we cannot reach Hazrat Muhammad (SAW) acts in life - After that Rahim Bangesh sir went to take the Mike from the girl Mishbah Syed but she was refusing when Sir Rahim Bangesh took the Mike from her at that time one of my friend (Basit) stood up and was leaving the hall from back side - I called him not to go in this I was unable to watch what happened and girl went out-

05  
01/04/20



It was 12<sup>th</sup> Dec, 2013. The teacher, Dr. Rahim Bangash, came to the class at 11:00 am. The normal duration of a class is one hour but the teacher said at the very beginning of the class that that day his class will be of one and a half hour. At 12:00 noon, our Islamiyat teacher, Dr. Zahid, came to the class but Dr. Rahim said that he had a lengthy class. So, Dr. Zahid went back.

At the end of the class, the girls asked the teacher to do election for the GR (Girls Representative) of the class. Misbah Syed stood up as a nominee for the GR. The teacher asked that GR is nominated by election or selection. The girls replied that by election. The teacher said that if it was by selection, he would not select her as she had covered her identity (face). The students said that they would select the GR. Misbah went to the stage. Dr. Rahim gave her the mike. She asked if there were any other nominee. Another girl also came up and the girls voted by raising their hands. Misbah was elected as the GR. The teacher told her that she had become the GR but now had to change her lookup and would

not cover her face while talking to him or any other Professor. He said that he is not in the favour of covering face for a doctor. He said that his own wife is a doctor and is not doing so. Misbah said that no, the wives of our Holy Prophet (S.A.W) used to cover herself by doing Hijab, so "you are speaking against our Holy Prophet (S.A.W)". The teacher replied that the Holy Prophet (S.A.W) had not even used the toilet, then why we are using it. He further said that the Holy Prophet (S.A.W) had done so many marriages but he is not allowed to do that many. Misbah said that "Professor! I respect you but you are speaking against our Holy Prophet (S.A.W)". (At the same time, other students were also shouting against the teacher). The teacher now asked Misbah to give him the mike but she was not giving it. She just wanted to say something. Now the teacher approached her to get the mike but she move forward, turned across the desk and moved ahead. The teacher then pull the mike from her hand. He gave her a push with his hands, slapped her and moved his foot forward to hit her. As they were near the door, she was knocked out

of the class. The students shouted, "Shame! Shame!" Dr Rahim shouted and the students became quiet. He said, "Tomorrow (after becoming doctors), you will be playing in the vagina and anal canal of the patient and will be covering yourself." He further said, "I boycott your class. I will not take any of your class or examination." Finally, Dr. Rahim got out of the class.

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HAMMAD MUHAMMAD

Hammad Muhammad  
 Class No. 58  
 1st Year M.B.B.S  
 Khyber Medical College Peshawar

جیسر عدیکل کالج کے فیسٹ انٹرن کلاس میں رحیم ننگش اور معالیہ  
 کے درمیان جو تنازعہ پیش آیا تو اس کی تفصیل کیجیوں ہے کہ طلبہ رحیم  
 کلاس میں داخل ہوا تو لڑکیوں نے اس سے CR کی مسابقت کا مطالبہ  
 کیا تو رحیم ننگش نے CR کے امیدوار کے بارے میں پوچھا تو اس نے یہ  
 معالجہ سید کوٹی کوئی تو رحیم ننگش نے اس سے پوچھا کہ آپ مسابقت یا  
 اس سے CR بننا چاہتی ہو تو معالجہ سید نے جواب دیا کہ میں دونوں سے  
 اس دوران اس کا مقابلے میں ایک اور لڑکی کوٹی کوئی ہو گئی اور CR  
 کے الٹن شروع ہوا۔ نتیجے میں معالجہ سید ہماری الٹن بنتے سے  
 گئی تو رحیم ننگش نے اس سے پوچھا کہ اتے تو آپ CR  
 لیکن اس کے علاوہ کلاس میں آئے ہوئے آپ کو اپنا خلیہ (پیر  
 پیر بیگا کہونکہ میرے میں آپ CR کا task اچھی طرح سے  
 کر سکتی تو اس معالجہ پیر دونوں کے درمیان تنازعہ شروع ہوا اور  
 نے رحیم ننگش سے پوچھا کہ آپے کون جواب کے خلاف ہو اور  
 اس پر سارے کلاس کو مخاطب لہجے تو عرضے رحیم ننگش نے اس  
 سے ہانگ لینے کی کوشش کی لیکن اس نے ہانگ نہ دیا اور سارے  
 کو اس بات میں arguments دے رہی تھی تو اس پر رحیم  
 غضب ہوا اور اس نے لڑکی سے ہانگ حاصل کرتے ہوئے اسے  
 تشدد کا نشانہ بنا کر گروہ شجاعت سے باہر نکال دیا۔

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Keramullah

Class 1st year kmc.

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*[Signature]*

جب ڈاکٹر رحیم بنگلش صاحب فلاس میں آئے تو معمول کی طرح لیکچر شروع ہوا  
 انہوں نے اپنا فلاس قلم کیا لیکن لیکچر ابھی باقی تھا۔ اتنے میں زاہد صاحب  
 اپنا فلاس لینے آئے تو بنگلش صاحب نے ان سے کچھ وقت مانگا کہ  
 میں اپنا لیکچر قلم رکھوں تو زاہد صاحب نے ان سے کہا کہ پھر آپ  
 پورا فلاس لے لو انہوں نے لیکچر کو جاری دکھا۔ جب لیکچر قلم  
 ہو گیا تو لڑکیوں نے GR کی selection کی فرمائش کی  
 تو GR ship کیلئے صبح سید نیچے اتری تو بنگلش صاحب  
 نے اس سے کہا کہ اگر تم selection دے دے تو میں آپ کو  
 ہی آر منتخب نہیں کروں گا جب election ہوا تو صبح  
 GR منتخب ہو گئی تو بنگلش صاحب نے کہا اگر تمہیں  
 بنا ہے تو تمہیں اپنے اہل روپ میں آنا پڑے گا! تو اس پر  
 صبح سید نے کہا کہ سر آپ میں ٹیپر ہے میں آپ کی عزت  
 کرتی ہوں لیکن حجاب کا فرق مجھے اسلام نے دیا ہے اور یہ  
 تو امرات المؤمنین نے بھی کیا ہے۔ بنگلش صاحب کے اس  
 رویے کی وجہ سے میں فلاس سے نکل گیا۔ اس کے بعد جو  
 باتیں ہوئی وہ میں نے پس سنی لیکن تھوڑی دیر کے بعد  
 واپس آیا اور لڑکوں کی طرف جو دروازہ ہے اس کے ساتھ  
 کھڑا ہو گیا۔ صبح سید اپنی بات پوری کرنا چاہتی تھی اور  
 بنگلش صاحب اس سے مانگ لیتا چلتے تھے تو اس پر ایوں  
 نے مزے کے ایک دو چکر لگائے تو بنگلش صاحب نے اس مانگ  
 چھینا اور اسے پھر مارا اور لات بھی ماری جس کی وجہ سے  
 وہ دو لڑی اور فلاس سے نکل گئی

① میں اپنے بیوی اور بیٹی کو حجاب کی اجازت نہیں دینا۔

Name => Nasar Rashid

Class => 1st year MBBS

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

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IVV

پچھلے ماہ جو واقعہ درمیان آیا تھا، یہ بالکل سہم  
سامنے واقع ہو چکا تھا۔ میرے ذہن میں ابھی تک  
جو مناظر اس واقعے کے موجود ہیں۔ میں درج  
ذیل لائنوں میں اسے قلمبند کر رہا ہوں۔

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واقعہ ایسا تھا کہ رجم سنگھ صاحب کے لیکچر کے  
اختتام پر G.R کی Selection باور پائی تھی۔ جنہیں  
صباح سید دونوں الیکشن اور سلیکشن سے منتخب  
ہوئی۔ لیکن میرے کہنا کہ اگر تم نے G.R منتخب  
ہونا ہے تو پھر آپ کو اپنے Identity دکھانے کے  
لیے اپنے آپ کو expose کرنا ہوگا۔ اس گفتگو کے  
دوران میرے حمار سے متعلق غیر اسلامی باتیں بھی  
کہی۔ وہ میرے حمار سے متعلق غیر اسلامی باتیں  
فہم کہتی تو میرے صبح سید کو مانگ لیا اور  
میرے سر خلاف باتیں کہیں کہ اسلام ہمیں ایسا  
کرنے کی اجازت دیتا ہے جس پر ہم نے clapping  
کے اسلامی اور شہر عجماء۔ جس پر ہم نے کہا۔ ہوا  
اور وہ صبح سے مانگ لیتا جانتے رہے۔ لیکن  
صبح اپنی اپنی دے دے کے چھوڑ چاہ رہی تھی  
کہ میں اپنی بات کو Complete کر لوں۔ اس دوران  
G.R کے دو تین حکم بھی Table کے  
گرد لگائے اور میرے اس کا سمجھا کر رہا تھا کہ  
مجھے مانگ دو۔ چونکہ G.R مانگ رہی تھی  
یہی تھی جس پر میرے ہر نام ہوتے۔ اور  
اس کے ایک لفظ مارا اور لاتی تھی اکھاٹا، لیکن  
مجھے پتہ نہیں کہ G.R کو کس لیے کہتے ہیں۔  
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میرے G.R کو پانچ لاکھ لکھنے اس G.R

PROF. DR. QAISER INAYAT, HEAD DEPARTMENT OF ANATOMY  
KHYBER MEDICAL COLLEGE PESHAWAR.

INCIDENCE ON 12<sup>TH</sup> DECEMBER, 2013 IN CLASS OF  
PROF. DR. RAHIM BANGASH

On the day of incidence, I was sitting in P.A office of the Principal KMC when Dr. Shamim from the Department of Physiology came running to the Principal Office. She told me that Dr. Rahim Bangash has thrashed a 1<sup>st</sup> Year MBBS girl student and that the girl is not well and is lying in the office of Dr. Anjum Humayun. I rushed to the office of Dr. Anjum Humayun and found that the girl was very upset and crying bitterly. I tried to console her and got her to the Principal office KMC. While she was narrating the incident, the Principal KMC was informed that the students have boycotted the classes and are agitating and are trying to go out of the college towards the main Jamrud road. I along-with other faculty members accompanied with the Principal KMC. We convinced the students to come to the Anatomy Dissection Hall KMC and listen to the Principal. The Principal addressed the students who were demanding immediate dismissal of the professor concerned and lodging an FIR under the blasphemy act.

The Principal KMC assured the students that they should calm down and the college administration will take appropriate action as per rules. After this assurance, the students dispersed. I along-with other faculty accompanied the Principal KMC to his office. He asked me to call Dr. Rahim Bangash. I sent a peon to call Dr. Rahim but was informed that he has left his car in front yard of the college and has left the college through back door. His cell phone was off. The Principal asked Prof. Dr. Jamshed Ali, the Vice Principal (admin) to go to the Forest Guest House where Dr. Rahim was residing

Qaiser Inayat



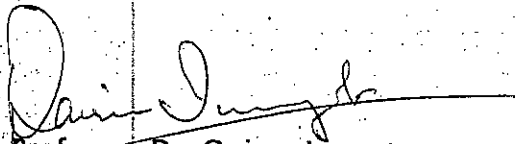
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and bring him in his car and make sure that while bringing him the students are out of the college and no body sees him for his safety as the students were in emotional state.

Prof. DR. Rahim Bangash was brought to the college by Prof. Dr. Jamshed Ali and his initial statement was heard.

That night, the students of Peshawar University, Agriculture University, Engineering University, Islamia College University and Khyber Medical College blocked the main jamrud road and were demanding immediate dismissal of the professor. Dr. Muhammad Zahid, Assistant Provost KMC hostels was dispatched to defuse the situation. He assured them that the government will take the notice and appropriate action will be taken after this the student were dispersed.

Again on the 19<sup>th</sup> December, 2013 on the occasion of KMC Convocation, the students agitated and presented a complaint to the Governor for the delay in action against the professor concerned. The students presented another complaint to Mr. Asad Qaiser, Speaker Provincial Assembly on his visit to Peshawar University.

  
Professor Dr. Qaiser Inayat  
Head. Department of Anatomy,  
Khyber Medical College,  
Peshawar.

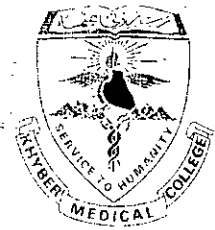


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**KHYBER MEDICAL COLLEGE, PESHAWAR, PAKISTAN**  
**OFFICE OF THE PRINCIPAL & DEAN**

Phone: 9216212-9216206-10  
Fax No: 9216213

WAKALATNAMA

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Dr. Muhammad Rahim Bangash      Appeal No. 1299/2014

Versus:

Respondent:      Principal Khyber Medical College, Peshawar.

By this, power-of-attorney Respondent No. 4, the said Respondent in the above case do hereby constitute and appoint **GHULAM SHOAIB JALLY ADVOCATE** as my attorney for me/us in my/us name and on my behalf to appear, plead, give statement, verify, administer oath, file comments, written statement, reply and do all lawful acts and things in connection with the said case on my behalf or with the execution of any decree or order passed in the case in my favour/against which I/we shall be entitled or permitted to do myself, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my success or failure in case, provided that if the case is heard at any place other than the usual place of sitting of the court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

Hamed Hassan Yousafzai  
Advocate

Accepted  
GHULAM SHOAIB JALLY  
ADVOCATE

  
PRINCIPAL  
KHYBER MEDICAL COLLEGE,  
PESHAWAR

**IN THE COURT OF SERVICE TRIBUNAL PESHAWAR**

In Ref:

**Dr. Mohammad Rahim Bangash**

**Versus**

**Government of KPK and others**

**PARAWISE COMMENTS ON BEHALF  
OF ADDED RESPONDENT /PRINCIPAL KMC**

Sheweth

**PRELIMINARY OBJECTIONS**

1. That the petitioner has no locus standi and cause of action to file the instant appeal.
2. That the appellant has been treated in accordance with law and no discrimination or illegality has been exercised by the respondents.
3. That the petition is not maintainable in its present form.

**PARAWISE REPLY**

1. Needs no Comments.
2. Para No.2 is correct to the extent that a clash took place between the students of KMC. However it may be added that the matter in a twinkling of an eye became talk of the town. The Trainee Medical Officers, Students of KMC and House Officer started protest and demanded termination of appellant Services immediately.

When the situation was going out of control the minister immediately suspended the services of the appellant and directed the principal to constitute committee as soon as possible to probe into the matter.

3. Para No.3 is correct to the extent that the appellant was charge sheeted for allegations mentioned in the charge sheet rest to the para is incorrect.
4. Para No.4 is evasive. Initially Prof. Dr. Liaqat Ali, Prof. Fr Muhammad Humayun, Prof. Dr Jamshed Ali, Prof. Dr. Bushra Iftikhar, Prof. Dr Noor Sahib was included in the committee. Later on when the Principal realized the sensitivity of the situation the committee was expanded by adding names of religious scholars form University of Peshawar and Islamia College University as co-opted members which includes prof. Dr. Miraj ul Islam Zia, Dr Hafiz Abdul Ghafoor, Prof. Dr. Rashid Ahmad, Prof. Dr Sahib Islam, Dr. Salim-ur-Rahman, Prof. Dr. Nisar Muhammad and Dr. Muhammad Zahid. The enquiry committee heard the student namely Miss Misbah Syed, her friends, boy class representative and Dr. Raheem Bangash in depth. On 14 December 2013 the larger committee crossed question him. The committee after through discussion and looking from all aspects the committee recommended the following recommendations.

*"Prof Dr. Rahim Bangash also recorded his statement tendering an apology if he has hurt the sentiments of any one. He further said that as Muslim he believes in the Khatm-e-Nabowat and honour of the prophet (P.B.U.H) (copy of the statement is attached) and consider those liable for capital punishment who would commit Touheen-e-Rasalat.*

*The committee is of the opinion that the view expressed by the professor in the class room were mere a slip of tongue unintentional, unintended. He therefore has not committed any blasphemy in the honour of prophet (P.B.U.H).*

However the situation in the classroom was mishandled. The professor was not supposed to express opinion regarding religion in a professional class. The professor expressed that he was extremely sorry and said he would not repeat this act in future.

According to the professor which he explained in form of the committee that he is not against hijab in general however his personal opinion differs. On the other hand the female students concern presented the situation with some exaggeration which was then misused by some elements.

Being a civil servant, his case is forwarded and recommended to the Health Department Khyber Pakhtunkhwa for further necessary action.

5. In reply to Para No.5 it is submitted that the enquiry committee after recommendation forwarded the case of appellant to the Health Department for necessary action. The Health Department issued Show Cause Notice to the appellant which was replied. The appellant was charge sheeted and after hearing him the appellant was found guilty and vide Notification No.SOH-I/I-321/2013 the Secretary Health major penalty of "Compulsory Retirement for Services". Rest of the para is not related to answering respondent/Principal KMC.

6. Para No.6 along with its grounds are incorrect.

#### REPLY TO THE GROUNDS

- A. Incorrect. Replied as above.
- B. Replied as above.
- C. Incorrect. Replied as above.
- D. Replied as above.
- E. Incorrect. Inquiry committee conducted inquiry as per rules.
- F. Replied as above.
- G. Replied as above.
- H. Incorrect.
- I. Incorrect.
- J. Replied as above.
- K. Legal

It is therefore requested that the appeal may kindly be dismissed in the best interest of justice.

*[Signature]*  
For Principal  
KMC

Principal KMC

Through

*[Signature]*

Ghulam Shoaib Jally,  
Advocate  
Supreme Court of Pakistan

Verification

It is hereby verified and affirmed that the contents of the above reply have been taken from the record the same are true and correct to the best of my knowledge and belief.

*[Signature]*  
For Principal  
KMC

