

**BEFORE THE HON'BLE KHYBER PAKHUNKHWA SERVICE  
TRIBUNAL, PESHAWAR**

Service Appeal No. 372 /2023

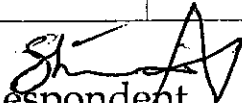
Dr. Irfan Ullah

Vs

Deputy Medical Superintend

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Respondent

Though

Counsel

N-D-08-11-2023  
P. Heng - Camp - (and) Street  
Dated: 01-11-2023



**OFFICE OF THE MEDICAL SUPERINTENDENT  
DHQ TEACHING HOSPITAL TIMEGARA DIR LOWER**

Phone No. 0945-9250099

Fax No. 0945-9250174

No. *EV-194*/DHQTMG Dated Timergara **30/10/2023**

**Authority Letter**

Dr. Sikandar Bakht DMS BPS-18 is hereby allowed to submit the reply in appeal number 372/2023 of Dr. Irfanullah vs. MS and DMS DHQ hospital Timergara, to honorable service tribunal Peshawer.

*[Handwritten Signature]*  
Medical Superintendent  
DHQ; Teaching Hospital  
Timergara.

the court of Khyber pukhtun khwa Service Tribunal Peshawar at Camp  
Court Swat.

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 8786

Dated 1-11-23

Doctor Irfan Ullah

Appellant

Versus

Medical superintendent

Respondents

Service Appeal 372/2023

Reply On behalf of Respondents

**Preliminary Objections:**

- I. That the Appellant have no Cause of action
- II. That the appellant has not came to courts with clean hands.
- III. That the applicant has been Continuously absent from his duty
- IV. That the applicant time and again has given show cause notices to applicant due to his absence from duties.
- V. That the district staring committee meeting under the chair of the deputy commissioner dated 25-01-2023 and suggested that the applicant be issued the show cause notice and also their salary must be stopped.  
.....Annex A)
- VI. That the respondent no 1 under the office order dated 09-02-2023 notice was made to the 11 staff members including the appellant, whereas the appellant did not attend the meeting regarding their absence from duties.  
.....(Annex B)
- VII. That the divisional monitoring officer/Govt of KPK independent monitoring unit through their Letter dated 16-02-2023 directed to the Deputy Commissioner Dir Lower, that along with other doctors, and staff members, the appellant was also directed to improve their presence, but

the appellant as usually been absent both from the meetings and duties.  
.....(Annx E)

VIII. That respondent no 1 under letter dated 01-05-2023 to the appellant and others have called on an explanation from monitoring unit malakand II for their continuous absence from duties for one week without any prior permission but the appellant has failed to give any reply or justification.  
.....(Annx D)

IX. That the respondent no 1 under letter dated 08-06-2023 sent a reminder to appellant for the awaited reply or justification and a personals hearing whereby again the appellant nor have replied to the respondents no ;1 nor have attended any meeting in this regard....(Annx F)

X. That under the letter no SO,FR/FD/5-14/2014 dated 16-12-14 Govt of KPK finance department to all secretaries including the respondents whereby their personals who were absent from duties without authorization , loses the right to payment of pay under the KPK Govt Servants efficiency and disciplinary rules 2011 and the appellants was rightly according to law one day salary was deducted . ....(Annx G)

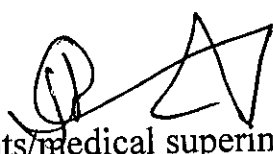
XI. That Govt of KPK head department letter dated 27-09-2023 whereby a two members committee was constituted against the appellant whereby the appellant involved in anti state activities on the day of 09 may 2023 and the appellant was charged guilty of miss conduct. --- (Annx C)

**Factual Objections**

- I. That the para no 1 is incorrect. The order dated 22-07-2022 no 3154 regarding deduction of salary is legal and according to the principles of law and justice.
- II. That the para no 2 is correct upto the extent of dental surgeon but the question to his duty is in negative as he had remained absent from his duties time and again without any prior permission and any justification.
- III. That the para no 3 is incorrect. Furthermore, the said order dated 22-07-2022 is absolutely in accordance with law.

- (4)
- IV. That the Para no 4 is incorrect. Furthermore ,the appellant has already been given the opportunity of personal hearing and explanation but despite having notice and reminder has failed to justify his absence from duties .
- V. That the Para no 5 is incorrect. Furthermore, the explanation that is called on from the appellant is evidence of the disciplinary committee action but the appellant failed to make any presence in front of the officials. Letter dated 16-02-2023 is made for the purpose to ensure doctors attendance.
- VI. That the Para no 6 is incorrect . furthermore the appellant has already been given the opportunity of hearing was said and explained in earlier paras.
- VII. That the para no 7 is incorrect . furthermore the proceedings are in consistency with the norms of justice.

It is therefore humbly prayed that the instant appeal may kindly be dismissed with cost .

  
Respondents/medical superintendent etc

(9) (5)

**BEFORE THE SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. 372 /2023

**DR. IRFAN ULLAH**  
**VERSES**  
**DEPUTY MEDICAL SUPERINTENDENT**

**AFFIDAVIT**

*I, Mr. Dr. Sheraz Ahmad Deputy Medical Superintendent DHQ Hospital Timergara, do hereby solemnly affirm and declare on oath that all the contents of this replay are true and correct to the best of my knowledge and belief. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defence have been struck off.*

Deponent: 

**DR. SHERAZ AHMAD**

(Anx A)

5

MEETING MINUTES OF THE DISTRICT STEERING COMMITTEE MEETING  
INDEPENDENT MONITORING UNIT HEALTH DEPARTMENT DIR LOWER

In order to discuss the performance of Health Department in the District through Data packs of Independent Monitoring Unit, the subject meeting was held on 25-01-2023 at 12:30 PM under the chairmanship of the undersigned and attended by the participants as per following list.

INDEPENDENT

- |  |           |
|--|-----------|
| 1. Mr. Abdul Wali Adil Deputy Commissioner (G) | In Chair  |
| 2. Dr Wali Khan Coordinator DHO Dir Lower      | Secretary |
| 3. Dr Ali Asghar MS DHO Dir Lower              | Member    |
| 4. Mr. Abdul Waheed DMO IMU Health             | Member    |
| 5. Mr. Shahab Khan DMO IMU Health Dir Lower    | Member    |
| 6. Dr Shahid DPWO Dir Lower                    | Member    |
| 7. Representative of DAO Dir Lower             | Member    |
| 8. Mursaleen Alam MDCA IMU Health              | Member    |
| 9. Muhammad Qasim Shah MDCA IMU Health         | Member    |

3.

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S.No	Issue	Decision	Responsibility
1	Compliance	The Chair showed displeasure over the pending actions as per previous meeting minutes and directed to take actions immediately as per IMU reports.	DHO MS
2	Medicines availability	DHO MS DPWO to ensure medicines at facilities. DPWO requested for release of full budget in third quarter.	DHO Dir Lower MS DPWO Dir Lower
3	Habitual absent cases	DHO MS to initiate actions as per E&D rule against following absent staff: 1: Kashif PHC; his salary must be stopped immediately and initiate E&D for termination. 2: Fazal Naeem; stop his salary till he improves his attendance. 3: Action against Dr Fazal Mannan & Dr Bilal Qureshi MO at Cat-D Munda must be shared with the chair by DHO. Showcause notice must be issued to the following staff and their salary must be stopped till they improve their performance. 4: Dr Noor Habib MO DHQ Timergara 5: Mr Zubair OFA DHQ Timergara 6: Mr Akhtar Ali PHC DHQ Timergara 7: Dr Norshad DHQ Timergara 8: Dr Ghufraan DHQ Timergara 9: Dr Irfan DHQ Timergara 10: Palwasha Optometrist DHQ Timergara 11: Sher Azam MN DHQ Timergara 12: Dr Umer Hussain DHQ Timergara 13: Explanation and notice of displeasure must be issued to Dr Bakhtzada DHQ Timergara. Duty orders of BHI Hayasera must be shared with the Chair and IMU Staff.	DHO Dir Lower MS DHQ
4	BHI Hayasera staff		DHO Dir Lower

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 9/1/23  
 (11)

8/1/23  
 B/Medical Superintendent  
 Hospital Timergara  
 Dir (L)

**MEETING MINUTES OF THE DISTRICT STEERING COMMITTEE MEETING**  
**INDEPENDENT MONITORING UNIT HEALTH DEPARTMENT DIR LOWER**

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- |   |           |
|---|-----------|
| 1. Mr. Abdul Wali Addl. Deputy Commissioner (G) | In Chair  |
| 2. Dr. Wali Khan Coordinator DHQ Dir Lower      | Secretary |
| 3. Dr. Ali Aghar MS DHQ Dir Lower               | Member    |
| 4. Mr. Abdul Waheed DMO IMU Health              | Member    |
| 5. Mr. Shahab Khan DMO IMU Health Dir Lower     | Member    |
| 6. Dr. Shahid Khan DMO IMU Health Dir Lower     | Member    |
| 7. Representative of DAO Dir Lower              | Member    |
| 8. Mursaleen Mam MDCA IMU Health                | Member    |
| 9. Muhammad Qasim Shaha MDCA IMU Health         | Member    |

S. No.	Issue	Decision	Responsibility
1	Compliance	The Chair showed displeasure over the pending actions as per previous meeting minutes and directed to take actions immediately as per IMU reports.	DHO MS
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		<p>Showcase notice must be issued to the following staff and their salary must be stopped till they improve their performance.</p> <ol style="list-style-type: none"> <li>4. Dr. Noor Habib MO DHQ Timergara</li> <li>5. Mr. Zubair OTA DHQ Timergara</li> <li>6. Mr. Akhtar Ali PHC DHQ Timergara</li> <li>7. Dr. Norshad DHQ Timergara</li> <li>8. Dr. Ghufraan DHQ Timergara</li> <li>9. Dr. Irfan DHQ Timergara</li> <li>10. Palwasha Optometrist DHQ Timergara.</li> <li>11. Sher Azam MN DHQ Timergara</li> <li>12. Dr. Umer Hussain DHQ Timergara</li> <li>13. Expalnation and notice of displeasure must be issued to Dr. Bakhtzada DHQ Timergara.</li> </ol>	
4	BHU Hayaserai Staff	Duty orders of BHU Hayaserai must be DHO Dir Lower shared with the Chair and IMU Staff.	

(Ann B)

7

OFFICE OF THE MEDICAL SUPERINTENDENT  
DHQ HOSPITAL TIMERGARA.  
PHONE # 0945-9250099.

OFFICE ORDER.

As per direction/decision in the District Steering Committee Meeting of Independent Monitoring unit under the chairmanship of the Deputy Commissioner Dir Lower, regarding disciplinary action of the following absent staff of DHQ Hospital Timergara on dated 25/01/2023 at 12:30 PM.

In this regard the following Officers/Officials DHQ Hospital Timergara are hereby directed to attend the meeting, which will be held in the office of the undersigned on dated 16/02/2023 (Thursday) at 11.00 AM, otherwise their name will be reported to high ups for taking disciplinary action under the rules.

- ✓ 1. Dr. Bakht Zada Principal Medical Officer. *[Signature]*
- ✓ 2. Dr. Noor Habib Medical Officer Radiology Department. *[Signature]*
- ✓ 3. Dr. Noor Shad Medical Officer Urology Department. *[Signature]*
- ✓ 4. Dr. Ghufran Ullah Medical Officer. *[Signature]*
- ✓ 5. Dr. Irfan Ullah Dental Surgeon. *[Signature]*
- ✓ 6. Dr. Umar Hussain Medical Officer. *[Signature]*
- ✓ 7. Mrs. Palwasha Optometrist.
- ✓ 8. Mr. Sher Azam Male Nurse.
- ✓ 9. Mr. Zubair CT Surgical. *[Signature]*
- ✓ 10. Mr. Akhtar Ali CT Radiology. *[Signature]*
- ✓ 11. Mr. Shamroz Khan Ward Attendant. *[Signature]*

Sd-x-x-x-x-x-x  
Medical Superintendent  
DHQ Hospital Timergara.

No. 363-65

Dated Timergara the. 09 / 02 /2023.

Copy to:-

1. Deputy Commissioner Dir Lower for information with reference to his No. 10214-19 Dated 30/01/2023 please.
2. Divisional Monitoring Officer IMU Health Department Dir Lower at Timergara for information with the request to attend the said meeting on the above mentioned date and time positively.
3. All staff members for information, they are hereby directed to attend the meeting on the mentioned date & time.

IMU  
file

*[Signature]*  
Medical Superintendent  
DHQ Hospital Timergara.

*[Signature]*  
D/Medical Superintendent  
DHQ Hospital Timergara  
Dir (L)



Ann E

GOVERNMENT OF KHYBER PAKHTUNKHWA  
INDEPENDENT MONITORING UNIT  
HEALTH DEPARTMENT

8

IMUH/Drl/misc/113

Dated: 16/02/2023

To,  
The Deputy Commissioner,  
Dir Lower.

Subject: Compliance Meeting on Pending actions; Decision point#1 of DSC held On 26-01-2023

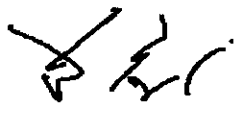
Dear Sir,

Reference to the subject cited above please find below decision points of the meeting held at MS DHQ office on 16-02-2023.

S,No	Name	Remarks	Action
1	Dr Bakht Zada PMO Mr Akhtar Ali CT Radiology Mr Shamroz W/A	Absent in meeting.	Salary deduction for the absent period followed by E&D rules.
2	Dr Noor Shad Dr Ghufran Dr Noor Habib Dr Irfan ullah D/S ← Dr Umer Hussain Mrs Palwasha Noor Zubair CT/S Sher Azam M/N	Present in meeting.	It was decided that they will improve their presence and will be observed during this month, if found absent strict action along with deduction for the previous period will be done.
3	On Call staff	Their names must be available on duty-rota and will ensure presence when called by monitoring staff.	
4	Mrs Palwasha Noor	MS DHQ will make arrangement for her duty place and space for official communication.	
5	Leave protocol	Staff going on leave must inform unit i/c, DMS to avoid conflict in reporting mechanism of IMU.	

*M. H. Akhtar*  
Medical Superintendent  
B.H.Q Hospital Timergara  
Dir (L)

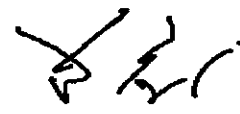
9



Divisional Monitoring Officer  
IMU Health Malakand II

Copy to:

- 1: MS DHQ Timergara
- 2: Director IMU Health Peshawar



Divisional Monitoring Officer  
IMU Health Malakand II

(Part D)

10

OFFICE OF THE MEDICAL SUPERINTENDENT  
DHQ HOSPITAL TIMERGARA.  
PHONE # 0945-9250099.  
No. 1946 / Dated 01/05/2023.

To,

1. Dr. Irfan Dental Surgeon.
2. Dr. Liaqat Ali Khan Medical Officer.  
DHQ Hospital Timergara.

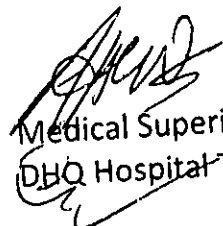
SUBJECT :-  
Memo :-

EXPLANATION.

As reported by In depended Monitoring Unit IMU Malakand-II as well as Local Administration, that you are remained absent from duty for the last one week without any prior permission/information to the competent authority , which is highly objectionable and against the Government rules.

In this connection you are hereby directed to explain your position that why disciplinary action should not be taken against you, on your negligence in performing of your duties.

Your written reply should reach to this office within 03 days after the receipt of this letter immediately, otherwise your case will be forwarded to high ups for taking disciplinary action under the rules.

  
Medical Superintendent  
DHQ Hospital Timergara.

No. \_\_\_\_\_

Copy forwarded to:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar for information please.
2. Deputy Commissioner Dir Lower for information please.
3. Divisional Monitoring Officer IMU Malakand-II for information please.

Medical Superintendent  
DHQ Hospital Timergara.

  
D/Medical Superintendent  
D.H.Q Hospital Timergara  
Dir (L)

(Ann F)

(11)

OFFICE OF THE MEDICAL SUPERINTENDENT  
DHQ HOSPITAL TIMERGARA  
DIR LOWER

No. 2039 / Dated Timergara the 08/06/2023

Phone No: 0945-9250099

REMINDER-I

To

Dr Irfan Ullah Dental Surgeon  
Dental Unit

Subject: -  
Memo:


EXPLANATION AND PERSONAL HEARING

The undersigned have shown grave concern that you were not join your duties till date which is against the government rules.

Moreover, your reply of explanation was unsatisfactory that shows your least interest. You were also directed to appear before the undersigned for personal hearing but you did not obey the order which is misconduct.

Therefore, you are hereby directed to appear before the undersigned within 03 days personally, if you fail to appear, your name will be circulated to highups for for further proceeding.

Your written reply should reach to this office within 03 days after the receipt of this letter.

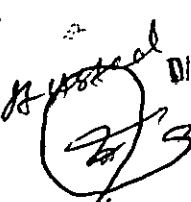
  
Medical Superintendent  
DHQ Hospital Timergara  
Dir Lower


No. 2040-421

Copy forwarded to:-

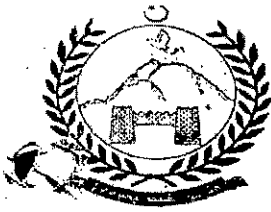
1. The Deputy Commissioner Dir Lower
2. The Director General Health Services Khyber Pakhtunkhwa Peshawar
3. The Divisional Monitoring Officer IMU Health Department Dir Lower

For information and necessary action, please.

  
D/Medical Superintendent  
D.H.Q Hospital Timergara  
Dir (L)

  
Medical Superintendent  
DHQ Hospital Timergara  
Dir Lower

(1)



(Anx 6)  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

12

No. SO(FR)/FD/5-14/2014  
Dated Peshawar, the 16-12-2014

To,

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries, Govt; of Khyber Pakhtunkhwa.


Subject: - **DEDUCTION OF SALARY FROM GOVT; EMPLOYEES IN CASE OF ABSENTEESISM**

Dear Sir,

I am directed to refer to the subject noted above and to state that it has come to the notice of the government that on some occasion government employees remain absent from duty without authorization or fail to perform their assigned duties. Such instances attract the provision of Fundamental Rules and Khyber Pakhtunkhwa Government servant (Efficiency and Disciplinary) Rules 2011. Accordingly, such government employee loses right to payment of pay and allowances for such periods besides making themselves liable for disciplinary proceedings. All concerned offices are duty bound to deduct pay and allowances of the defaulting government employees for the period of absence and non-performance of the duty.

I am further directed to convey that all Administrative Departments and their attached entities shall ensure implementation of the above legal provisions in letter & spirit.


Yours faithfully,

  
(SHAUKAT ULLAH)  
SECTION OFFICER (FR)

**Copy is forwarded to the: -**

- Principal Secretary to Governor, Khyber Pakhtunkhwa.
- Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- PSO to Chief Secretary to Government of Khyber Pakhtunkhwa.
- Registrar, Peshawar High Court, Peshawar
- Accountant General, Khyber Pakhtunkhwa.
- All Heads of Attached Departments in Khyber Pakhtunkhwa.
- All Commissioners in Khyber Pakhtunkhwa.
- All Deputy Commissioners in Khyber Pakhtunkhwa.
- All District / Agency Accounts Officers in Khyber Pakhtunkhwa.
- Treasury Officer, Khyber Pakhtunkhwa.
- All officers in Finance Department.

  
Medical Superintendent  
D.H.Q Hospital Timergara  
Dir (4)

  
SECTION OFFICER (FR)

13

(AmxU)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Date..... 29-5-23

Dated: Peshawar the 21<sup>st</sup> September 2023 Health Service  
Khyber Pakhtunkhwa

**NOTIFICATION**

No. SOB (E-V)/3-3/2023 The Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to order formal inquiry as per provision contained in Rule-5 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules, 2011 for the acts of omission & commission defined as "misconduct" in terms of Rule 3 of the Rules ibid against Dr. Irfan S/O Maroof Khan, Dental Surgeon (BS-17) attached to DHQ Hospital Timergara.

2. For the purpose of inquiry against the aforementioned accused with reference to enclosed allegations, in terms of Rules ibid; the Competent Authority has been pleased to constitute formal inquiry committee comprising of the following officers:-

- a. Mr. Jehanzeb Khan (PMS BS-19), Additional Secretary, Zakat, Ushr, Social Welfare & Women Empowerment Department; and
- (b) b. Dr. Wali Khan, Management Cadre (BS-19), Director (Technical), Health Foundation

3. Consequent upon the above, in terms of Rule-6 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) is pleased to suspend the services of Dr. Irfan S/O Maroof Khan, Dental Surgeon (BS-17) attached to DHQ Hospital Timergara, for a period of 120-days with immediate effect.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. 1936-42 / Notification of even No. & dated:  
Copies forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
  2. Accountant General, Khyber Pakhtunkhwa.
  3. CSC to Chief Secretary, Khyber Pakhtunkhwa.
  4. Mr. Jehanzeb Khan (PMS BS-19), Additional Secretary, Zakat, Ushr, Social Welfare & Women Empowerment Department (Inquiry Officer), Charge Sheet & Statement of Allegations alongwith requisite documents are enclosed for necessary action.
  5. Dr. Wali Khan, Management Cadre (BS-19), Director (Technical), Health Foundation (Inquiry Officer). Charge Sheet & Statement of Allegations alongwith requisite documents are enclosed for necessary action.
- Director General Health Services, Khyber Pakhtunkhwa. Charge Sheet & Statement of Allegations are enclosed with the request to serve upon the accused through proper acknowledgement receipt and sent the same to this department

Received

29/5/23

Handwritten signature

Handwritten initials



(Amend)

(14)

Further requested to nominate a departmental representative to  
inquiry officer during course of inquiry proceedings.  
Timergara, Dir Lower.  
Accounts Officer, Dir Lower.  
Secretary, Health Department, Khyber Pakhtunkhwa.

(FAZAL AMIN)  
SECTION OFFICER (E-V)

MOST URGENT/OUT TODAY  
OFFICE OF THE DIRECTORATE GENERAL HEALTH KPK PESHAWAR

N/6073-77/E1

Dated 12/10/2023.

Copy of the above along with copies of charge sheet & statement of allegations against

Dr. S O Maroof Khan Dental Surgeon (BS-17) is forwarded to the :-

- 1. M.S DHQ Hospital Timergara Dir Lower for information with the remarks to serve the same upon the accused officer through proper acknowledgement receipt and sent the same to this Directorate on war footing basis for onward submission to Govt.
- 2. Dr. Tariq Aziz Deputy Director (DHIS) DGHS Office for information with the remarks to assist the inquiry officer during inquiry proceedings as Departmental representative (Mob: 0346-9739504)

0346 9739504

DIRECTOR (HRM) DGHS  
KHYBER PAKHTUNKHWA PESHAWAR  
12/10

Cc:-

- 1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department for information.
- 2. Mr. Jehanzeb Khan (PMS BS-19) Adul Secretary Zakat, Ushr, Social Welfare & Women Empowerment Department and
- 3. Dr. Wali Khan Management Cadre (BS-19) Director (Technical), Health Foundation for information

OFFICE OF THE M.S. DHQ TIMERGARA  
NO 4521 Dated 18/10/2023

Copy of the above is forwarded to Dr. Maroof Khan, Dental Surgeon, M.S Hospital Timergara for information and necessary action.

Medical Superintendent  
M.S Hospital Timergara

01

To

The Medical

**STATEMENT OF ALLEGATIONS**

1. Nadeem Aslam Chaudhary, Chief Executive Officer, Khyber Pakhtunkhwa as competent authority, and of the Government of Khyber Pakhtunkhwa, Dr. Irfan, Dental Surgeon (BS-17), DHQ Hospital, Timergara, has rendered himself liable to be proceeded against, as he has committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline, Rules, 2011).

**STATEMENT OF ALLEGATIONS**

"That he was involved in anti-state activities on the day of 09<sup>th</sup> May, 2023 i.e. an incident of public attacks on Government/ Military personnel/ installations while involved in damaging the public/ private properties and challenged the law & order situation and took the law into his hand"

2. For the purpose of inquiry against the said accused with reference to the above allegations, an Inquiry Officer/ Inquiry Committee consisting of the following, is constituted under Rule-10 (1)(a) of the ibid rules.

- i. Mr. Jehanzeb Khan As. Zaidat Ushoro.
- ii. Dr. Wali Khan Director Tech. Health Fundation

The Inquiry Officer/ Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within 60-days of the receipt of this order,

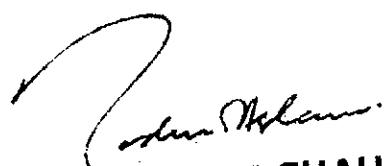
*Signature*

16

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

recommendations 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 Inquiry Officer/ Inquiry Committee.



**(NADEEM ASLAM CHAUDHARY)  
CHIEF SECRETARY, KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

CHARGE SHEET

Addressee: **Dr. Irfan, Dental Surgeon (BS-17), DHQ Hospital Timergara**, as competent authority.

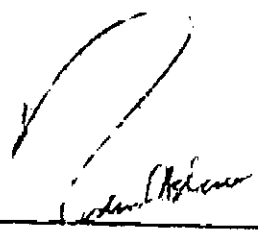
That you, while posted as **Dental Surgeon (BS 17), DHQ Hospital Timergara** committed the following irregularities:-

"That you were involved in anti-state activities on the day of 09<sup>th</sup> May, 2023 i.e. an incident of public attacks on Government/ Military personnel/ installations while involved in damaging the public/ private properties and challenged the law & order situation and took the law into your hand"

2 By reason of the above, you appear to be guilty of "Misconduct" under Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself to all or any of the penalties specified in Rule-4 of the rules Ibid.

3 You are, therefore, required to submit your written defence within Ten (10) days and not more than fourteen (14) days from the date of the receipt of this Charge Sheet to the Inquiry Officer/ Committee, as the case may be.

4 Your written defence, if any should reach the Inquiry Officer/ Inquiry Committee within the specified period.





GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

(15) (18)

It is presumed that you have no defence to put in and  
in that case ex-parte action shall be taken against you.

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

(NADEEM ASLAM CHAUDHARY)  
CHIEF SECRETARY, KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY

Dr. Irfan, Dental Surgeon. (BS-17), DHQ Hospital, Timergara

GOVERNMENT OF KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

DIARY No.77-8

Date: 27-09-2023

Dated: Peshawar the 21<sup>st</sup> September 2023 health Services Khyber Pakhtunkhwa

**NOTIFICATION**

**No.SOH (E-V) (3-3/2023)**. The Competent Authority (Chief Secretary Khyber Pakhtunkhwa) has been pleased to order formal inquiry as per provision contained in Rule-5 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary) Rules 2011 for the acts of omission & commission defined as "misconduct" in terms of Rules 3 of the Rules Ibid against Dr. Irfan S/O Maroof Khan, Dental Surgeon (BS-17) attached to DHQ Hospital Timergara.

2. For the purpose of inquiry against the aforementioned accused with reference to enclosed allegations, in terms of rules ibid, the competent authority as been pleased to constitute formal inquiry committee comprising of the following officers.

- a. Mr. Jehanzeb Khan (PMS BS-19), Additional Secretary, Zakat, Ushr, Social Welfare & Women Empowerment Department, and.
- b. Dr. Wali Khan, Management Cadre (BS-19), Director (Technical), health Foundation.

3. Consequent upon the above, in Terms of Rule-6, of the Khyber Pakhtunkhwa Government Servants (Efficiency & discipline) Rules, 2011, the Competent Authority (Chief Secretary Khyber Pakhtunkhwa) is pleased to suspend the services of Dr. Irfan S/O Maroof Khan, Dental Surgeon (BS-17) attached to DHQ Hospital Timergara, for a period of 120-days with immediate effect.

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

No.1936-42/ Notification of even no. & dated:

Copies forwarded to the.

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. Accountant General, Khyber Pakhtunkhwa.
3. CSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Mr. Jehanzeb Khan (PMS-19), Additional Secretary, Zakat, Ushr, social Welfare & Women Empowerment Department (Inquiry Officer) Charge sheet & Statement of Allegations alongwith requisite documents are enclosed for necessary action.
5. Dr. Wali Khan, Management Cadre (BS-19), director (Technical), health foundation (Inquiry Officer). Charge Sheet & Statement of Allegations alongwith requisite documents are enclosed for necessary action.
6. Director General health Services, Khyber Pakhtunkhwa, Charge Sheet & Statement of Allegations are enclosed with the request to serve upon the accused through proper acknowledgement receipt and sent the same to this Department .
7. MS DHQ Hospital Temergarah Dir Lower. It is further requested to nominate a departmental representative to ..... Health officer during course of inquiry proceedings.

6. MS DHQ Hospital Timergara, Dir Lower.
9. District Accounts Officer, Dir Lower.
10. PS to Secretary Health Department, Khyber Pakhtunkhwa.

**(Fazal Amin)**  
**Section Officer (E-V)**

**MOST URGENT/OUT TODAY**

**OFFICE OF THE DIRECTORATE GENERAL HEALTH KPK PESHAWAR**

**No.16073-77/EI**

**Dated:12-10-2023**

Copy of the above along with copies of charge sheet & statement of allegations against Dr. Irfan s/o Maroof Khan Dental Surgeon (BS-17) is forwarded to the:-

1. M.S DHQ Hospital Timergara Dir Lower for information with the remarks to serve the same upon the accused officer through proper acknowledgement receipt and sent the same to this directorate on war footing basis for onward submission to Govt.
2. Dir. Tariq Aziz Deputy Director (DHIS) DGHS Office for information with the remarks to assist the enquiry officer during inquiry proceeding as departmental representative.

**Director (HRM) DGHS**  
**Khyber Pakhtunkhwa Peshawar**

**Copy to:**

1. Secretary to Govt. Of Khyber Pakhtunkhwa health Department for information.
2. Mr. Jehanzeb Khan (PMS BS-19) Addl: Secretary Zakat, Ushr, Social Welfare & Women Empowerment Department and
3. Dr. Wali Khan Management Cadre (BS-19) Director (Technical), Health Foundation for information.



**GOVERNMENT OF KHYBER PAKHTUNKHWA**

**HEALTH DEPARTMENT**

**STATEMENT OF ALLEGATIONS**

I, Nadeem Aslam Chaudhry, Chief Secretary Khyber Pakhtunkhwa, as competent authority, am of the opinion that, **Dr. Irfan, Dental Surgeon (BS-17), DHQ Hospital Timergara**, has rendered himself liable to be proceeded against, as he has committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

**STATEMENT OF ALLEGATIONS**

“That he was involved in anti-state activities on the day of 09<sup>th</sup> May, 2023 i.e an incident of Public attacks on Government / Military personnel / installations while involved in damaging the public / private properties and challenged the law & order situation and took the law into his hand”

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/ inquiry committee consisting of the following is constituted under Rule-10 (I) (a) of the Ibid rules.

1. Mr. Jehanzeb Khan As. Zakat Ushar.
2. Wali Khan Director Tech: health foundation

3. The Inquiry Officer/ Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within 60-days of the receipt of this order, recommendations 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 inquiry officer/ inquiry committee.

**(Nadeem Aslam Chaudhary)**  
**Chief Secretary, Khyber Pakhtunkhwa**  
**Competent Authority**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

**CHARGE SHEET**

I, Nadeem Aslam Chaudhary, chief Secretary Khyber Pakhtunkhwa, as competent Authority, hereby Charge you, Dr. Irfan, Dental Surgeon (BS-17), DHQ Hospital, Timergara as follow:-

That you, while posted as Dental Surgeon (BS-17) DHQ Hospital Timergara Committed the following irregularities:

“That you were involved in anti-state activities on the day of 09<sup>th</sup> may, 2023 i.e. an incident of public attacks on Government/ Military personnel/ installations while involved in damaging the public/ private properties and challenged the law & order situation and took the law into your hand”

2. By reason of the above, you appear to be guilty of “Misconduct” under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself to all or any of the penalties specified in rule-4 of the rules ibid.

3. You are, therefore, required to submit your written defence within Ten (10) days and not more than fourteen (14) days from the date of the receipt of this charge sheet to the inquiry Officer/ Committee, as the case may be.

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

5. Intimate whether you desire to be heard in person.

6. A Statement of Allegation is enclosed.

**(Nadeem Aslam Chaudhary)  
Chief Secretary, Khyber Pakhtunkhwa  
Competent Authority**

Dr. Irfan, Dental Surgeon BS-17 DHQ Hospital, Timergara.