

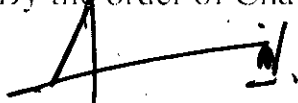
FORM OF ORDER SHEET

Court of _____

Appeal No. 2445 /2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/11/2023	<p>The appeal of Mst. Rashida Begum presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshai is given to the counsel for the appellant.</p>

By the order of Chairman


REGISTRAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal NO. 2445 -P/2023

MISS RASHIDA BEGUM

VS

GOVT: OF KPK & OTHERS

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APPELLANT

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

1-

BEFORE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal NO. 2445 -P/2023

Miss Rashida Begum, Nurse (BPS-16)
DHQ Teaching Hospital KDA, Kohat.

..... APPELLANT

V E R S U S

1. The Government of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintended DHQ Teaching Hospital KDA, Kohat.
4. Miss Najma Firdous, Charge Nurse, Shaheed Farid Khan DHQ Hospital Hangu.

..... RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974 AGAINST BOTH THE IMPUGNED ORDERS DATED 03/10/2023, WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM DHQ HOSPITAL KOHAT TO DHQ HOSPITAL KARAK AND THROUGH SUBSEQUENT ORDER, THE APPELLANT HAS BEEN RELIEVED FROM HER POST AT DHQ HOSPITAL KOHAT AND AGAINST THE APPELLATE ORDER DATED 20/11/2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED ON NO GOOD GROUND.

PRAYER:-

That on acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No 2 and impugned relieving order dated 03/10/2023 of respondent No 3 and appellate order dated 20/11/2023 may very kindly be set aside and the respondents may kindly be directed, not to transfer the appellant from DHQ Hospital Kohat. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH:
ON FACTS:

Respectfully Sheweth:

Facts arising for the institution of instant service petition are as under:-

- 1- That the Appellant is the employee of the respondent department and performing her duties as Charge Nurse DHQ Teaching Hospital KDA, Kohat quite efficiently and to the entire satisfaction of her superiors and no complaint whatsoever made against the Appellant.
- 2- That the respondent No 3 vide letter dated 15/02/2023 issued a Final Warning to private respondent as the private respondent misbehaved with her colleagues and created problems in the Nursing Hostel. Copy of the Final Warning is attached as annexure.....**A**
- 3- That the Appellant alongwith her other colleagues moved a complaint to the respondent No 3 vide dated 03/04/2023 against the aggressive, assailing and misbehavior of the private respondent, further the Appellant moved another complaint against the same belligerent behavior of the private respondent. Copies of the complaints are attached as annexure.....**B**
- 4- That in response to the above complaints, the respondent No 3 through Office Order dated 28/03/2023 initiated a Departmental Inquiry and constituted an Inquiry Committee to probe into the matter, whereafter the Inquiry Committee submits his final report. Copies of office order and Inquiry report are attached as annexure.....**C&D**
- 5- That it is important to mention here that the Appellant and her colleagues once again filed a complaint vide dated 22/06/2023 against the abusive behavior of private respondent. Copy of complaint is attached as annexure.....**E**
- 6- That it is pertinent to mention here that upon the various complaints of the Appellant and her colleagues, inspite to solve the problems facing by the Appellant and her colleagues from the belligerent behavior of the private respondent, astonishingly, the respondents issued the impugned transfer order dated 23/10/2023 of Appellant on administrative grounds whereby the Appellant has been transferred from DHQ Teaching

Hospital Kohat to DHQ Hospital Karak, whereafter the respondent No 3 through subsequent impugned office order dated 23/10/2023, relieved the Appellant from the post of Charge Nurse DHQ Teaching Hospital KDA Kohat. Copies of the both the impugned orders are attached as annexure.....**F&G**

7- That feeling aggrieved from impugned orders, the Appellant preferred departmental representation, which was regretted vide impugned order dated 20/11/2023. Copy of the departmental representation and order dated 20/11/2023 are attached as annexure.....**H&I.**

8- That Appellant aggrieved from the impugned transfer order and having no other remedy preferred the instant service appeal on the following grounds:-

GROUND:

- A-** That both the impugned transfer orders dated 03/10/2023 & appellate order dated 20/11/2023 being contrary to law and rules, hence not tenable in the eye of Law and needs interference of this Honorable Court to be set aside.
- B-** That Appellant has not been treated by the respondent department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C-** That the treatment meted out to the Appellant is highly discriminatory and in clear violation of the notification of the Election Commission of Pakistan as mandated under Articles 218 (3), 220 of the Constitution of Islamic Republic of Pakistan. Copies of Notification & Transfer posting Policy are attached as Annexure.....**J & K.**
- D-** That the treatment meted out to the Appellant is a clear violation of the Fundamental Rights of the Appellants as enshrined in the Constitution of Pakistan 1973.
- E-** That both the impugned orders are also violative of Rules 12 of Appointment, Promotion & Transfer Rules, 1989.
- F-** That as the children of the Appellant were admitted in Army Public School Kohat Cantt and through impugned orders, the Appellant has been transferred to DHQ Hospital Karak and in District Karak, there is no Army Public School, so to admit the


children of the Appellant to continue their schooling. Copy of receipt is attached as annexure.....L

- G- That the Appellant seek 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

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT


UMAR FAROOQ MOHMAND


WALEED ADNAN


MAHMOOD JAN
ADVOCATES HIGH COURT

VERIFICATION:

It is verified that no other earlier Service Appeal was filed between the parties.


DEPONENT

-5-

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

CM NO. _____ -P/2023

In

Service Appeal NO. _____ -P/2023

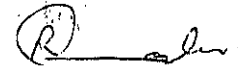
MISS RASHIDA BEGUM

VS

THE GOVT: OF KPK & OTHERS

AFFIDAVIT

I, Miss Rashida Begum, Nurse (BPS-16) DHQ Teaching Hospital KDA, Kohat, do hereby solemnly affirm that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



DEPONENT

-6-

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

C.M NO. _____ -P/2023

In

Service Appeal NO. _____ -P/2023

MISS RASHIDA BEGUM

VS

THE GOVT: OF KPK & OTHERS

APPLICATION FOR SUSPENSION OF OPERATION OF BOTH THE IMPUGNED ORDERS DATED 03/10/2023, WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM DHQ HOSPITAL KOHAT TO DHQ HOSPITAL KARAK AND THROUGH SUBSEQUENT ORDER, THE APPELLANT HAS BEEN RELIEVED FROM HER POST AT DHQ HOSPITAL KOHAT, TILL THE DISPOSAL OF THE MAIN APPEAL.

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against both the impugned orders dated 03/10/2023, whereby the appellant has been transferred from DHQ Hospital Kohat to DHQ Hospital Karak and through subsequent order, the appellant has been relieved from her post at DHQ Hospital Kohat.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That both the impugned orders dated 03/10/2023 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of both the impugned orders dated 03/10/2023 may very kindly be suspended till the disposal of the above mentioned service appeal.

THROUGH:

APPLICANT

NOOR MOHAMMAD KHATTAK
ASC

7-
A-6
OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

No. 184 / PF
Date: Kohat the 15 / 02 / 2023

To: Ms. Najma Firdous (Charge Nurse)
DHQ Teaching Hospital KDA Kohat.

Subject: FINAL WARNING

Memo:

It has been brought into the notice of the undersigned that you've misbehaved with your working colleagues by using abusive language, bullying them via character assassination and showing rivalryism and disruptive behavior in the nursing hostel. Further, you have shown no regret and also used harsh words for the hospital management as well.

Moreover, it has also been reported that in contradiction to the hostel rules you are allowing male persons to visit you in the Nursing Hostel.

Your consistent violation and defiance of the Medical Superintendent Orders is not acceptable. Therefore, consider this letter as a warning to refrain from such activities forthwith, improve your behavior and familiarize yourself with the hospital policies and do your best to comply with them. As you are aware that this institution is extremely particular with rules and regulations and anyone who fails to adhere to them, the office will not hesitate in taking strict actions against them. Take this as a final warning and appropriate disciplinary action will be proceeded against you according to service rules for misconduct, if the same is noticed at any time in future.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Encl: No. and Date: None

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat for Information.
4. Provost DHQ Teaching Hospital KDA Kohat for Information.
5. Nursing Superintendent DHQ Teaching Hospital KDA Kohat for Information.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

ADJUTANT
GENERAL
THE GOVT

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA KOHAT

No. 654/PF

Dated Kohat, the 15/02/2023

To

Ms: Najma Firdous (Charge Nurse)
DHQ Teaching Hospital KDA Kohat.

Subject:- FINAL WARNING

Memo:

It has been brought into the notice of the undersigned that you've misbehaved with your working colleagues by using abusive language, bullying them via character assassination and showing and disruptive behavior in the Nursing Hostel. Further, you have shown no regret and also used harsh words for the hospital management as well.

Moreover, it has also been reported that in contradiction to the hostel rules you are allowing male persons to visit you in the Nursing Hostel

Your consistent violation and diligence of the Medical Superintendent Orders is not acceptable. Therefore, consider this as a warning to refrain from such activities forthwith, improve your behavior and familiarize yourself with the hospital and do your best to comply with them. As you are aware that this Institution is extremely particular with rules and regulations and anyone who falls to adhere to them, the office will not hesitate in take strict actions against them, Take this as a final warning and appropriate disciplinary action will be proceeded you according to service-rules for misconduct, if the same is noticed at any, time in future.

Medical Superintendent
DHQ Teaching Hospital
Kohat

Endst: No. and Data Even

Copy forwarded to the

1. Director General Health Services Cyber Pakhtunkhwa Peshawar.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat for Information
4. Provost DHQ Teaching Hospital KDA Kohat for information.
5. Nursing Superintendent OHO Teaching Hospital KDA Kohat for Information

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

"B" - 8 -

A-4

To
The medical superintendent
Dhq hospital kida kohat

Subject: Reporting against aggressive and assailing behavior of R/N najma firdos

Respected sir,

I would like to bring into your kind consideration of hostile behavior of one of our colleague najma firdos. she has violent and rude behavior, she always misbehaves using very rough tone and abusive language with derogatory remarks at hostel with each and everyone. one of her married sister and niece are residing in hostel with her (has no concern with hospital or health department) have violent behavior with staff, they sneak into rooms without permission and threatened the fellow staff and sometimes beat them up, recently she and her sister sneak into our colleague room abused her and beat her.

Respected sir, this is not the first instance that has happened she has also received a warning letter from administration because of her belligerent behavior but nothing has changed. because of this situation we are very disturbed as she is constantly conspiring against all and we all female staff are threatened by it.

Therefore it is requested that kindly take strict disciplinary action against her and halt her from using abusive slang language, threatening and physical assault.

We thank you to look into this matter as early as possible and looking forward to your positive response.

Date 3-4-023

Sincerely and regards

Wardens of nursing hostel

RNO Kasthida Habibas - R.N.S.M

RNO - Kasthida Begum - R.N.S.M

RNO Shabnam - R.N.S.M

~~RNO Kasthida Begum - R.N.S.M~~

RNO Saira Naz - R.N.S.M

RNO Yasmeen - R.N.S.M

RNO Gulshon Hanweda - R.N.S.M

RNO - Shazia Sadiq - R.N.S.M

RNO - R.B. Hanweda - R.N.S.M

RNO Noorhead Hanweda - R.N.S.M

RNO - Farida - R.N.S.M

Wardens

TESTED
True Copy

Better Copy

Page No 8

To

The Medical Superintendent
DHQ Hospital KDA Kohat

Subject: REPORTING AGAINST AGGRESSIVE AND ASSAILING
BEHAVIOR OF R/N NAJAM FRIDOUS

Respected sir,

I would like to bring into your kind consideration of hostile behavior of one of our colleague Najam Firdous, she has violent and rude behavior, she always misbehaves using very rough tone language with derogatory remarks at hostel with each and everyone one. Her marriage sister and niece are residing in hostel with her (has no concern with hospital or health department) have violent sometimes beat them up, recently she and her sister sneak into our colleagues room abused her and beat her.

Respected sir, this is not the first Instance that has happened she has also received a warning letter from administration because of her belligerent behavior but nothing has changed. Because of this situation we are very disrobed as eh is constantly conspiring against all and we all female staff are threatened by it.

Therefore, it is requested that kindly take strict disciplinary action against her and halt her from using abusive slang language, threatening and physical assault.

We thanking your to look into this matter as early as possible and looking forward to your positive response.

Your obediently and regards

-9-

8

To:

The Medical Superintendent
DHQ Teaching Hospital KDA Kohat.

Subject: **COMPLAINT AGAINST BELLIGERENT BEHAVIOR OF C/N NAJMA FIRDOS**

Respected Sir,

I would like to bring into your kind consideration the hostile behavior of one of our colleague staff Miss Najma. Yesterday she alongwith her sisters entered my room without knocking, she was furious and combative and used very rough tone. Her behavior was very rude and violent and she alongwith her sister and niece beat me up. This is not the first instance this has happened. Her violent behavior is habitual. She and her sisters sneak into rooms without seeking any prior permission and threaten fellow staff members, sometimes beating them up. I would like to mention that her married sisters are living in the hostel illegally. At first we bore with her rude behavior thinking she will change but now we've had enough of her and cannot put up with her belligerent behavior anymore. She was also warned to behave herself few days back but in vain.

Your kind honour is therefore requested to kindly take strict actions against her before something unfortunate happens.

I shall be thankful,

Yours truly,

Rashida Begum

Ms. Rashida Begum
Charge Nurse

DHQ Teaching Hospital KDA Kohat

ATTESTED
to be true Copy

Dr. Nasem ul Haq Chairman
Dr. Muzamil member
Dr. Tahir member
are nominated to conduct
fact finding inquiry and
submit the report with the
copy approved
Ms. Rashida
on 27/3/23

Dated: 27/03/2023

Formal
27/3/23

"C" - 10 - B - ①

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

An enquiry committee comprising of the following members is hereby constituted and directed to conduct the fact finding enquiry in to the complaint of Ms Rashida Begum (C/N) against Ms Najma firdous (C/N) and submit the report along with recommendations within three days positively (copy of complaint attached).

- | | |
|---|----------|
| 1. Dr. Naeem Shah (DMS Estb/HR) | Chairman |
| 2. Dr. Mussarat Ali (PMO/MLO) | Member |
| 3. Dr. Syed Tahir Ali Shah (DMS Coordination) | Member |

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

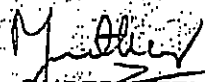
No. 1207 /K-18

Dated Kohat the 28 /03/2023

Copy forwarded to the:-

1. Regional Director Health services (south) Khyber pakhtoon Khuwa.
2. Enquiry Committee for further necessary action.
3. All concerned for information.

ATTESTED
to be ~~Copy~~ Copy


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

"D"

-11-

19

D-

Dated Kohat the: 03/04/2023

INQUIRY REPORT

With reference to the Medical Superintendent DHQ Teaching Hospital KDA Kohat Office No.1207/K-18 dated 28/03/2023;

After assessing Mst. Najma Firdous (Charge Nurse) personal file, Mst. Jamsheeda Ghafoor (Nursing Superintendent), Mr. Syed Nawaz (Nursing Supervisor - Morning) and complainant Mst. Rasheeda Begum (Charge Nurse), the following was concluded:-

1. Mst. Najma Firdous (Charge Nurse) has some behavior issues or personality problem for being unmarried? Psychiatrist help can be taken in her case.
2. Mst. Najma Firdous (Charge Nurse) did not take proper route to handle the issue and instead tried to handle the case ill handedly.
3. Warden of hostels should be appointed.
4. Defined SOPs for hostel affairs for residents may be followed in future.
5. All illegal residents from the hostel rooms should be directed to leave with immediate order.
6. Moreover, Mst. Najma Firdous (Charge Nurse) kept illegal residents in her hostel room without permission from the competent authority, therefore her room allotment should be cancelled.
7. Mst. Najma Firdous (Charge Nurse) has no respect for hospital management or seniors. Her bad behaviour, arrogance and ready to flare fight are sufficient grounds so that Mst. Najma Firdous (Charge Nurse) may be relieved from this institution, with immediate effect.
8. Mst. Rasheeda Begum (Charge Nurse) shall be served with last warning for being involved in fight with Mst. Najma Firdous (Charge Nurse) and her hostel allotment should be cancelled for keeping illegal residents in her hostel room without permission from the competent authority.
9. Medical Superintendent, if directs committee can provide defined set of SOPs for hostel residents.

Member
Dr. Musarat Ali
MLO / PMO
DHQ Teaching Hospital
Kohat
Principal Medical Officer
DHQ Teaching Hospital
Kohat

Member
Dr. Syed Tanir Shah
DMS (Coord.)
DHQ Teaching Hospital
Deputy Medical Superintendent
DHQ Teaching Hospital Kohat

Chairman
Dr. Naeem Shah
DMS (Estab. / HR)
DHQ Teaching Hospital
Deputy Medical Superintendent
DHQ Teaching Hospital Kohat

ATTESTED

"E" -12-

Date 22/06/2023

To

The Medical Superintendent
DHQ. KDA Hospital.

Respected Sir

With due respect I beg to say that we are living in nursing hostel. At our hostel one Rno Najma Firdous she is disturbing all the nurses hostel. She have living one married sister in this hostel & her kids some time when the Najma own duty her sister "Shazja" she is disturbing the nurses. She tears the uniforms, broke the kitchen items etc. The both sis tomuch disturbed the nursing hostel. The both sisters abusing the nurses. Kindly we request you please Rno Najma separate from us in hostel because we are very mently upset from this girl. Our male visitors specially our husband when they came on vacceition. please allow our husband to meet us in nursing hotel. Because our husbands are govt Serrant. if we found the out side house for us. How to we manage with out male in private house please kindly solve our promblems. we are sure inshallah you will solve our problems.

Thanks

ATTESTED
22/06/2023

List of Registered Nurses Officer

- ① Asia Asce
- ② Rashida Begum (R)
- ③ Gulshan Hameeda (G)
- ④ Rashida Abbas (A)
- ⑤ Fouzia (F)
- ⑥ Shabnum (S)
- ⑦ Naheed (N)
- ⑧ Yasmin (Y)
- ⑨ Saira Naz (S)
- ⑩ Sara Noreen (S)
- ⑪ Shazja Sadiq (S)

All the nurses agree with this application

TESTED

-14- "F" (18)



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to The Director General
Health Services Peshawar and not to any official by name
Office: (011) - 9210200/2000, 9210207, 9210208, 9210209 Fax: (011) - 9210230

OFFICE ORDER

As approved by the competent authority the following posting/transfer of Registered Nurse Officer (RNO) / Charge Nurses (BPS-16) are hereby ordered on administrative ground in the interest of public Service with immediate effect:-

S.#	Name of Charge Nurse	From	To	Remarks
01	Mst. Najma Firdous D/O Muhammad Suleman RNO BS-16	DHO Hospital, Kohat	Shaheed Farid Khan DHO Hospital, Hangu	Against the vacant post
02	Mst. Rashida Begum RNO BS-16	DHO Hospital, Kohat	DHO Hospital, Karak	Against the vacant post

NB: - Arrival/Departure reports should please be submitted to this Directorate for record.

Sd/-
DIRECTOR GENERAL HEALTH SERVICES, K.P. PESHAWAR.

No. 5717-25 /E.II. Dated Pesh. The 03/10/2023.

Copy forwarded to the:-

- 01. Medical Supdt. DHO Hospital Kohat for information w/r to his letter No.654/PF dated 15/02/2023
- 02. Medical Supdt. DHO Hospital Karak.
- 03. District Health Officer, Kohat for information w/r to his letter No.3606/DHO/Kohat dated 25/09/2023.
- 04. Medical Superintendent, Shaheed Farid Khan DHO Hospital, Hangu.
- 05. District Account Officer, Kohat.
- 06. District Account Officer, Hangu.
- 07. District Account Officer, Karak.
- 08. Registered Nurse Officer concerned.
- 09. DA-concerned, DGHS KP Peshawar.

For information and necessary action.

est. Secy / Act Secy
do necessary Action
Musawer

[Signature]
ADD: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH SERVICES, KP PESHAWAR
2/10/2023

[Signature]
3/10/2023

ATTACHED
30/09/2023

-15- "G" (11)

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

OFFICE ORDER

With reference to the Additional Director (Nursing) Directorate General Health Service Khyber Pakhtunkhwa Peshawar office order No:5717-25/E.II DATED 03.10.2023; the following Registered Nurse Officer (RNO) / Charge Nurses (BS - 16) are hereby relieved from their duties at this hospital and directed to report to their new place of posting, with immediate effect, on administrative ground, in the best interest of public service (copy attached).

Sr.	Name of Charge Nurse	From	To
1.	Ms. Najma Firdous	DHQ Teaching Hospital KDA Kohat	Shaheed Farid Khan DHQ Hospital Hangu
2.	Ms. Rashida Begum	DHQ Teaching Hospital KDA Kohat	DHQ Hospital Karak

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 4115-23/PF

Dated Kohat the 03/10/2023

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa for information w/r to his office No. quoted above.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Medical Superintendent, DHQ Hospital Karak.
4. Medical Superintendent, Shaheed Farid Khan DHQ Hospital Hangu.
5. District Comptroller of Accounts, Kohat.
6. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat.
7. Nursing Superintendent DHQ Teaching Hospital KDA Kohat.
8. Accounts / Establishment Sections DHQ Teaching Hospital KDA Kohat.
9. Charge Nurses concerned.

For information and further necessary action.

ATTACHED

M. Athar
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

جناب عالی "H" بھنخور جناب ڈائریکٹر جنرل صاحب ہیلتھ پشاور

درخواست، مراقرین انصاف فراہم کرنے سائلہ یوجوہات ذیل

جناب عالی! سائلہ حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ سائلہ ایک معزرا اور عزت دار گھرانے سے تعلق رکھتی ہے اور اپنی سرورس کے دوران کسی بھی باا آفسر کو شکایت کا موقع تک نہ دیا۔

۲۔ یہ کہ سائلہ و نجرہ فردوس کیساتھ کسی بات پر لڑائی ہوئی اور نجرہ فردوس اور آسکی بہن شازیہ بی بی نے سائلہ سے لڑائی جھگڑا ہوا۔ اسی بات سائلہ نے اپنے آفسر MS صاحب DHQ ہسپتال میں درخواست گزار کی جس پر واقعہ کا نوٹس لیتے ہوئے ایک کمیٹی مقرر کی گئی۔ اور مذکورہ کمیٹی میں مخالف پارٹی یعنی نجرہ فردوس کو پیشی مریتس (Psychiatrist Patient) بنا کر اسکے خلاف کوئی کارروائی نہ کی گئی جبکہ نجرہ فردوس کے خلاف اس پہلے بھی چنگہ میں باقی اسٹاف سے روایہ ٹھیک نہ ہونے کی وجہ سے کافی Warning دی گئی۔ اور اس تہل بھی Adminisstrator صاحبان سے تلخ کلامی ہوئی ہے۔

۳۔ یہ کہ نجرہ فردوس جو کہ سیاسی اثر و رسوخ کی حامل ہے اور بشیر کسی بچہ کے سائلہ کے خلاف کارروائی کر کے سائلہ کو لڑا سفر کیا گیا۔ بعد از ہر وہ فریقین کے مابین راضی نامہ ہوا۔ لیکن نجرہ فردوس کی ذمہ داری حالت ٹھیک نہ ہونے کی وجہ سے باقی اسٹاف سے لڑائی جھگڑا کرتی رہی۔ بعد از DG ایلیٹھ پشاور سے ایک اور انکو انٹری مقرر کی گئی اور اس میں بھی باا وجہ سائلہ کو نشانہ بنایا گیا اور اس کے خلاف قانونی کارروائی کی گئی۔

۴۔ یہ کہ سائلہ کا اب ٹرانسفر ضلع کرک میں ہوا ہے جبکہ سائلہ کے بچے زیر تعلیم کوہاٹ APS سکول میں ہیں اور ضلع کرک میں APS سکول نہ ہونے کی وجہ سے سائلہ کے بچوں کے تعلیم کے زیور سے محروم ہو سکتے ہیں۔ لہذا سائلہ کو لڑا سفر واپس کوہاٹ میں کیا جائے یا پھر دوہارہی انکو انٹری کر کے سائلہ کو انصاف فراہم کیا جائے۔

نوٹ: (نقل نقولات ہمراہ درخواست لف ہیں)۔

لہذا استدعا کی جاتی ہے کہ حسب مضمون درخواست منظور فرمائی جا کر مشکور فرمائیں۔

مورخہ ۲۳-۱۵-۹

عرفیہ رضا

رشیدہ بیگم چارجز DHQ کوہاٹ

D/o Chulorn Sodal: qm

ATTESTED
TO BE TRUE COPY

"I" -17-



DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

All correspondence should be addressed to the Director General
Health Services, Peshawar (Khyber Pakhtunkhwa), P.O. Box
1000, Peshawar. Telephone: (011) 9230000

No. 6374 Date: 24/11/2023

24/11/2023

To
The Medical Superintendent
DHQ Hospital Kohat

Subject: APPEAL
Memo:

Reference to the subject noted above and state that the request for cancellation of transfer order in respect of Mrs. Rashida Begum RNC BS-16 DHQ Hospital Kohat under transfer to DHQ Hospital Karak is hereby permitted.

Please direct the above RNC concerned to report for duty at DHQ Hospital Karak immediately.

ADDL. DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR.**

NO 6394/E-III, Dated Pesh: The 20/11/2023

To

The Medical Superintendent
DHQ Hospital, Kohat

Subject:- APPEAL

Reference to the subject noted above and state that the request for cancellation of transfer order in respect of Mrs. Rashida Begum RNO BS-16 DHQ Hospital Kohat under transfer to DHQ Hospital Karak is hereby regretted.

Please direct the above RNO concerned to report for duty at DHQ Hospital Karak immediately.

ADDI: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

"Jan-18-
C-18"

ELECTION COMMISSION OF PAKISTAN
NOTIFICATION

Islamabad the 22nd January, 2023

F.No.2(1)/2023-Cord.- WHEREAS, the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa under Article 112 of the Constitution of the Islamic Republic of Pakistan stand dissolved on 14th and 18th January, 2023 respectively.

AND WHEREAS, the Election Commission of Pakistan is mandated with the constitutional duty to organize and conduct elections in terms of Article 218(3) of the Constitution and to make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with the law and that corrupt practices are guarded against;

AND WHEREAS, it has become imperative that the Election Commission shall take all necessary steps under the Constitution and prevalent law for smooth conduct of General Elections to the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa.

NOW THEREFORE, in exercise of the powers conferred upon it under Articles 218(3), 220 of the Constitution of the Islamic Republic of Pakistan, Sections 4, 5, 8(c) read with Section 230 of the Elections Act, 2017 and as supported by the Workers' Party case through Akhtar Hussain Advocate, General Secretary and 6 others Versus Federal of Pakistan and 2 others reported in PLD 2012 SC 681, and all the other powers enabling it in that behalf, the Election Commission of Pakistan, to ensure transparent election and to provide a level playing field for all contesting candidates and political parties, hereby directs the Caretaker Governments of Punjab and Khyber Pakhtunkhwa:-

- (a) To assist the Election Commission to hold elections in accordance with law as provided under section 230(1)(b) of the Elections Act, 2017.
- (b) To ensure the compliance of all the notifications, directives and the provisions as laid down in Section 230 of the Act *ibid*.
- (c) Not to post or transfer any public official after the issuance of this notification within and to / from Punjab & Khyber Pakhtunkhwa without prior approval in writing of the Election Commission as laid down in Clause 2(f) of Section 230 of the Elections Act, 2017.
- (d) Ensure that all kinds of recruitments in any Ministry, Division, Department or Institution under the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunkhwa are banned with immediate effect, except recruitments by the Provincial Public Service Commissions and those government organizations where test / interviews have already been conducted before this day.
- (e) Not to announce / execute any kind of Development Schemes in Punjab and Khyber Pakhtunkhwa Provinces except those which are ongoing and approved before the issuance of this notification. Moreover, the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunkhwa shall not issue tenders of such schemes till culmination of General Elections of both Assemblies.

Contd... Page-2



ATTACHED
TO FILE NO
11/2023

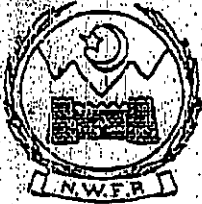
- (f) All development funds relating to Local Government institutions of Punjab and Khyber Pakhtunkhwa and Cantonment Boards falling in the jurisdiction of Punjab and Khyber Pakhtunkhwa shall stand frozen with immediate effect till announcement of results of the said General Elections.
- (g) To ensure immediate termination of services of all heads of the institutions appointed on political basis and to send their lists to the Commission forthwith.
- (h) To ensure vacation of the government residential facilities from Ex-Chief Ministers and their advisors, Ex-Provincial Ministers and Ex-Members of the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa, besides ensuring withdrawal of official vehicles from them. Furthermore, the dignitaries shall be provided security / protocol as per their entitlement and any extra deployment of security / protocol be withdrawn from them forthwith.
- (i) The Caretaker Governments shall perform their functions and attend to day-to-day matters which are necessary to run the affairs of the Provinces in accordance with law.
- (j) The Chief Minister or a Minister or any other member of Caretaker Governments shall, within three days from the date of assumption of office, submit to the Commission, a statement of assets and liabilities including assets and liabilities of his spouse and dependent children as on the preceding 30th day of June on Form B.

This issues with the approval of Election Commission of Pakistan.

(Omar Hamid Khan)
Secretary
Election Commission of Pakistan

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ATTESTED
10/12/2013
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**GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)**

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained
- vi) While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

ATTESTED
[Signature]

Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

- 21-
- 17
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

ATTESTED
SECRETARY

-22-

(18)

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S.No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

.....

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer:
(Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003).

.....

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

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AS TRUE COPY

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Parents Copy

ARMY PUBLIC SCHOOL & COLLEGE
KOHAT CANTONMENT

Allied Bank Bank of Punjab Branch Kohat A/C No. 0010017994240040		Bank AL Habib Ltd Collection A/C 0030-901156-D1 (Cash and Branches of H.P.K.)	
Admission No.		14006	
Class	Gth-F(B)	Name: Muhammad Alyan	
Cal.	EC (S)	Billing Month	Oct-23
Issue date: 1 Oct 23		Due date: 20th of every month	

Ser	Nature of Fee / Fund	Amount
1	Admission Fee	0
2	Security Fee	0
3	Tuition Fee	1310
4	Exam. Fur-J (Six-Monthly)	0
6	Science Fund	50
7	Ribbon / Cards	0
7	Bank Chellan	0
8	Computer Fund	50
9	News Letter / File	0
11	Misc Fund	558
TOTAL		1968
12	Late Fee	0
13	Arrear	0
Fee to be deposited		1968

Bank Cashier: *[Signature]*
Accountant: *[Signature]*
Army Public School & College
Kohat Cantonment

Note:
1. Submission of fees after due date, late fees penalty will be imposed in next fee bill @ Rs. 50/- per day.
2. If Fee Bill is lost or damaged, Rs. 20/- will be charged as duplicate Fee Bill.

ATTACHED

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL No /2023

MISS RASHIDA BEGUM

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

GOVT OF KPK

(RESPONDENT)
(DEFENDANT)

I/We MISS RASHIDA BEGUM

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** 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 cost. 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.

Dated. / /202

Rashida
CLIENT

ACCEPTED

NMK
**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

WAD
WALEED ADNAN

UFM
UMAR FAROOQ MOHMAND

MAA
MUHAMMAD AYUB

&

MJM
**MAHMOOD JAN
ADVOCATES**

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)