


FORM OF ORDER SHEET

Court of _____

Appeal No. 02/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	01/01/2024	<p>The appeal of Dr. Jamshed Saeed resubmitted today by Mr. Nazir Ahmad Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>05/01/24</u>. Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

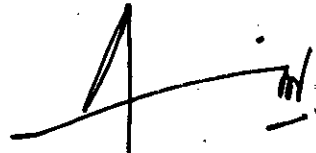
This is an appeal filed by Mr. Jamshed Saeed today on 21.12.2023 against the order dated 21.09.2023 against which he made/preferred departmental appeal/representation on 26.09.2023 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

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

- 1- The law under which appeal is filed is not mentioned.
- 2- Copy of impugned order dated 16.09.2023 mentioned in the heading of the appeal is not attached with the appeal.
- 3- The authority to whom the departmental appeal was made/preferred has not been made a party.

No. 3921 /ST.

DE. 22/12/2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Nazir Ahmad Adv.
High Court Peshawar.

- Smt,
1. The Section 7 of the Service Tribunal Act, 1974 is essential, sorry for oversight.
 2. The impugned order at page 16 is dated 21-9-2023 & not 16-9-2023 sorry for inconvenience.
 3. There is no need of it as the appellant is aggrieved of order/Notification dated 21-9-2023. by Respondent.

Re-submitted.
Regin
11/12/2023

In the KP SERVICE TRIBUNAL Peshawar

Service Appeal No 02 /2024

Dr Jamshed saeedVs.....Government of KP
through Secretary Health Peshawar.

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Appellant

Through

Nazir Ahmad. Advocate.
High Court Peshawar.

Cell#0301-8571879/03328540783.

①

IN THE KP SERVICE TRIBUNAL PESHAWAR .

Service Appeal No 02 /2023

Dr. Jamshed Saeed S/O Saeed Ahmad, Ex Medical Superintendent
District Head Quarter Hospital Landi Kotal Khyber Agency ..
(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Health
Civil Secretariat Peshawar..... **(Respondent)**

U/S 4 of the Service Tribunal Act

Service Appeal Against the impugned order dated 21.9.2023¹ whereby the Appellant is transferred on administrative grounds unknown to service law before completion of his tenure and is not posted anywhere and his monthly salary is stopped without any reason.

Prayer:

On acceptance of this Appeal this Honourable Tribunal may

- A. Set- aside the impugned order dated 21.9 2023.**
- B. Order the Respondent to release the salary of the Appellant
Petitioner without any further delay as no disciplinary action is
pending or taken against him.**

Respectfully Sheweth:-

Facts:-

- 1. That the Appellant is a general Medical Doctor and after gaining the required qualification through gazette Notification Dated the 10th September 2018, the competent authority inducted him along with others doctors of the general cadre and on his option into Health Management Cadre .**

(Copy of Notification dated 10.9.2018 is attached as Annexure A).

2. That the Appellant performed services as Deputy Director General Health Services Khyber Pakhtunkhwa BS-19 but was transferred and posted Medical Superintendent DHQ Hospital Landi Kotal Khyber Pakhtunkhwa through Notification No-SOH(H-V)/4-4/2022 Dated 20th May 2022 and he took charge immediately.

(Copy of the Notification is attached as Annexure B).

3. That at the time of posting of the Appellant he was specially called by the then Secretary Health and Director General health Khber - Pakhtunkhwa and was shown a number of prime minister portal complaints and news paper reports in respect of the worst administration and management of the DHQ Hospital including private practice of the doctors in duty time and on the hospital premises, continuous absence of the doctors and even their non-availability at the time of emergency as well as other staff with the demand of the public to take notice of the situation . The Respondent issued direction of biometric attendance, prevention of the doctors' private practice in the hospital which the Appellant accepted as challenge and with a missionary zeal acted upon.

4. That this is believed to be true that the punctuality and honesty hardly work in the existing circumstances, the Appellant who was directed specially but interestingly while officially nominated to attend workshop in Peshawar was sent a Notification of transfer on administrative grounds with authority to the junior to hold additional charge and the post is still lying vacant.

(Copy of the impugned Notification is as Annexure C).

5. That for regular attendance of the staff and on the direction of the Respondent the Appellant introduced and strictly acted upon on Bio-Metric attendance and dealt with anyone who was found in the violation of it ,

(Copy of Biometric attendance is attached as Annexure D).

6. That the Appellant took a difficult task of vacating the illegal occupants of the Hospital accommodation who were living there or were doing private practice with no proper legal sanction and vacate the houses and faced the court proceeding but the petition of such

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(4)

illegal occupants was dismissed in the court of law. Needless to mention that the Appellant bore all the legal expenses of these cases and others from his own pocket in the best interest of public at large.

(Copy is attached as Annexure E and the contents of all these orders and judgments shall be considered part and parcel of this service Appeal)

7. That in the pursuance of Notification No.PA(DS-A)HD /1-1/17 Health Department Government of KhberPakhtunkhwa the Appellant issued a circular dated 4/10/2022 and banned the private practice within 500 meters of the Hospital on Doctors, Nurses , Paramedics and LHVs ,this infuriated all those with vested interest so many of them challenged through Writ Petition No-4051-P/2022 in the Peshawar High Court Peshawar which was dismissed on 15.3.2022 and the Secretary Health then notified it by Notification dated 9th Jun 2023 to all government hospitals calling and claiming it a great success for his administration.

(Copy of notification , writ Petition, judgment and notification by the Respondent is attached as Annexure F).

8. That the Appellant took bold administrative actions against the delinquent employees of the DHQ Hospital and recovered the amount in the form of deduction from the salaries of habitual absent employees which is recognized by the Respondent and is endorsed . The employees challenged it in court of law but been wrong were defeated again .

(Copy of such actions is attached as Annexure G).

9. That the Appellant took notice of conduct of the habitual absentees and called their explanations without any discrimination and even reported the matter to the Respondent for appropriate actions against them.

(The copy of such action is attached as Annexure H).

(4)

10. The Appellant made enquiries as per Efficiency and Discipline Rules against the delinquent employees and took appropriate action according to circumstances.

(Copy is attached as Annexure I)

11. That the Appellant brought positive and beneficial reforms in the Hospital by improving its status for the public at large, improved the numbers of Patient visiting the OPD and so, increased the Hospital income out of it and when the performance during his tenure is evaluated by the Respondent it showed the tremendous improvement in the condition of Hospital and patient care in it which is publicly appreciated with no adverse complaint by the public or the Respondent against the Appellant in any form. **This unblemished record justify that the words used administrative grounds in the transfer order is wrong and unwarranted.**

(Copies supporting the point raised by the Appellant is attached as Annexure J)

12. That the employees of the Hospital unrecognized interest became at stake due to the implementation of law and rules in letter and spirit, the toleration of which was beyond their integrity resultantly from the day one when the Appellant took the administrative action through different modes, they started harassing the Appellant to toe him to their vicious action but failed so incited the other employees and held strike for which they all were strictly warned but the evil was spreading and when the Appellant was nominated for workshop at Peshawar and was out of Hospital, the indiscipline employees again held a strike which for employees of essential services is not allowed under the law. Sensing the evil the Appellant in the beginning wrote to the Respondent for the transfer and relieving of some vicious minded employees but it was not honored which encouraged such elements.

(Copies of the relevant documents is attached as Annexure K).

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13. That it is pertinent to mention that the Respondent appreciated the efforts and pains of the Appellant for the betterment of Hospital and medical care and even appreciation letters were sent to him by the Respondent and all the inspectors and visitors.

(The copies are attached as annexure L)

14. In view and in the consequences of the above circumstances the Respondent mode due to the pressure of the staff at the Hospital changed and transferred the Appellant on strange grounds i.e. administrative grounds which have no room in the service law at all.

15. That the Appellant filed a Departmental Appeal against the impugned order and with no decision over it filed a Writ Petition No-4847/2023 and the Honourable Court directed the Respondent to decide it within stipulated time in the Rules which is 15 days .

16. That till the filing of this Appeal no decision is taken on the departmental Appeal of the Appellant . .

(Copy of the Departmental Appeal , Writ Petition and order of the court is attached as Annexure M)

Being aggrieved hence this Appeal is preferred inter alia on the following grounds.

Grounds:-

A. That the reasons ; administrative grounds ; for the transfer of the Appellant and that too on the pressure of the striking employees is arbitrary, discriminatory and unreasonable attitude of the Respondent towards him consequent thereof is illegal, tainted malafide, without jurisdiction and lawful Authority and is ineffective upon the rights of the Appellant .

B. That the Appellant did nothing wrong and tried his level best with full capacity of his ability implemented the notifications, circulars and orders of the Respondent so the facts mentioned above is a record which transpires the fairness and competence of the

(6)

Appellant and his dedication towards his duty which is placed as a challenge before this Tribunal.

- C. That by no stretch of imagination the Appellant conduct come within the meaning of administrative wrongs and has not done anything against the administrative law or for the consolation of his thirst for power but what he has done has done in good faith and with full support of the then Respondent and on his directions.
- D. That with the change of Respondent the change in the established legally recognized policy is not a symbol of good governance but may further deteriorate the medical and health care in the province which is not in the interest of the common man. This is an ugly example of bad governance.
- E. That the treatment meted out to the Appellant will definitely discourage honest, professional and competent officer in the department which is not a good omen.
- F. That this is agitating in the mind of the Appellant that for what wrong he is punished and on what manner he is punished. His removal from the post is against the tenure policy of transfer too.
- G. That under Article 4 of the Constitution of Islamic Republic of Pakistan, 1973, every person shall be treated in accordance with law and the Appellant pray for this.
- H. That under Article 5 of the Constitution of Islamic Republic of Pakistan the state authorities are bound to obey the law otherwise it is disloyalty with state and so in the case of the Appellant, the Respondent has acted in discriminatory and arbitrary manner.
- I. That under Section 24-A of General Clauses Act, the State functionaries are bound to act fairly, justly and in a transparent manner and not be tainted malafide and this is the demand of good governance too.

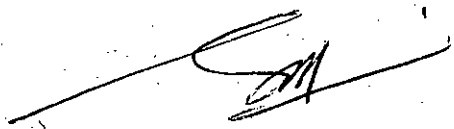
⑧

Therefore it is prayed that the Appeal may be accepted with a prayer as above.

Interim Relief.

May this Honorable Court be gracious to release the salary of the Appellant and allow to perform duty at his place of posting till further order.

through


Appellant


Nazir Ahmad .Advocate.

High Court. Peshawar.

Cell# 0301-8571879/03328540783

Certificate

Certified that earlier than this one the Petitioner has not filed any Appeal in respect of the same subject matter before this Tribunal.


Appellant

IN THE KP SERVICE TRIBUNAL PESHAWAR

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Service Appeal. No -----/2023

Dr. Jamshed Saeed S/O Saeed Ahmad, Ex Medical Superintendent
District head Quarter Hospital Landi Kotal Khyber Agency ..


(Appellant)

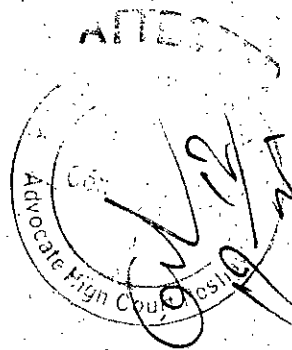
Versus

Government of Khyber Pakhtunkhwa through Secretary Health Civil
Secretariat Peshawar..... (Respondent)

Affidavit

I Dr. Jamshed Saeed S/O Saeed Ahmad, Ex Medical
Superintendent District head Quarter Hospital Landi Kotal Khyber
Agency(the Appellant ,do hereby affirm and declare on oath that
contents of this Appeal is true and correct to the best of my
knowledge and belief and nothing has been kept concealed from
this Tribunal.

Identify by 
Nazir. Ahmad Advocate
High court. Peshawar.




Deponent

17301-3237766-1

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 01st OCTOBER, 2018.

GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT

NOTIFICATION

Dated Peshawar, the 10th September, 2018.

No.SOH(E-VI)-20/2018

In Continuation of this Department Notification of even number dated 07th May, 2018, the competent authority (Chief Minister Khyber Pakhtunkhwa) is pleased to induct the following doctors of the General Cadre, on their option, into the Health Management Cadre having the requisite qualification.

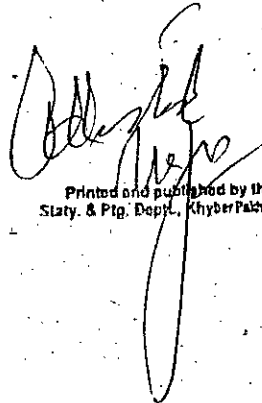
2. Their inter se seniority will be determined in the new Cadre in terms of Section-8 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 and Rule-17 of the Appointment, Promotion Transfer Rules, 1989.

S.#	NAME OF DOCTOR	FATHER NAME
1.	Dr.Khan Bahadar BS-19	Gul Akbar
2.	Dr.Muhammad Usman Shah BS-18	Muhammad Zahir Shah
3.	Dr.Shiraz Ahmad BS-18	Rashid Ahmad
4.	Dr.Shafiqullah BS-17	Amir Hamza
5.	Dr.Fayaz Ali Rooni BS-17	Humayun Rooni
6.	Dr.Muhammad Javed Khan BS-20	Shah Zaman Khan
7.	Dr.Syed Gul Hussain Syed BS-18	Syed Shah Jehan
8.	Dr.Wasullah BS-18	Shakirullah
9.	Dr.Jamil Ahmad BS-19	Abdullah
10.	Dr.Farman Ali BS-18	Muhammad Naseem
11.	Dr.Waseem Ahmad BS-19	Qazi Muhammad Saleem
12.	Dr.Irfanuddin BS-17	Habibul Mukhtar
13.	Dr.Shaukat Saleem Khan BS-18	Saleem Khan
14.	Dr.Sardar Aurangzeb BS-19	Sardar Muhammad Ashraf
15.	Dr.Shah Faisal BS-19	Ronaq Zaman
16.	Dr.Zahir Shah BS-19	Bahadar Khan
17.	Dr.Irshad Ali BS-17	Muhammad Razaq
18.	Dr.Muhammad Farooq Gul BS-18	Gul Muhammad
19.	Dr.Muhammad Alamgir BS-17	Nisar Muhammad
20.	Dr.Bakht Belanad BS-17	Fazal Rehman
21.	Dr.Khalid Khan BS-17	Shah Muhammad Khan
22.	Dr.Jamaluddin BS-18	Muhammad Din
23.	Dr.Sherin Muhammad BS-17	Bacha Muhammad
24.	Dr.Saeedullah Khan BS-19	Mukarram Khan
25.	Dr.Erum Qayum BS-19	Syed Qayum
26.	Dr.Nazar Muhammad BS-18	Bakht Sar
27.	Dr.Zoeshan BS-17	Said Ali Khan
28.	Dr.Fakhr-e-Alam BS-17	Sultan Room
29.	Dr.Hammad BS-18	Said Badshah

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S.#	NAME OF DOCTOR	FATHER NAME
30.	Dr. Muhammad Arif Khan BS-18	Amir Nawaz Khan
31.	Dr. Waqar Ahmad BS-17	Mehboob Ali
32.	Dr. Sageer Ahmad BS-18	Noor Eishi
33.	Dr. Ikramullah BS-17	Yar Jan
34.	Dr. Muhammad Siddiqui BS-18	Muhammad Anis
35.	Dr. Humera Semab BS-17	Malik Khan Muhammad
36.	Dr. Kamran Yousaf BS-18	Muhammad Yousaf
37.	Dr. Muhammad Wajid Ali BS-17	Muhammad Anam
38.	Dr. Naseeb Gul BS-17	Haseeb Gul
39.	Dr. Muhammad Mudasser Iqbal Khan BS-17	Muhammad Iqbal Khan
40.	Dr. Naik Muhammad BS-18	Khawaja Muhammad
41.	Dr. Sohrab Ali BS-17	Azizullah Khan
42.	Dr. Noor Islam BS-17	Sheraz Gul
43.	Dr. Saeeda Bibi BS-18	Daud Khan
44.	Dr. Muhammad Hayat BS-19	Muhammad Amir
45.	Dr. Muhammad Sajjad BS-17	Muhammad Saeed
46.	Dr. Muhammad Arif Khan BS-18	Gulbar Khan
47.	Dr. Attaullah BS-17	Khair Muhammad
48.	Dr. Khizar Hayat BS-18	Pir Muhammad Khan
49.	Dr. Jamshed Saeed BS-18	Saeed Ahmad
50.	Dr. Saleem Khan BS-17	Muhammad Akbar Khan
51.	Dr. Tariq Khan BS-19	Rasool Khan
52.	Dr. Muhammad Tahir Khan BS-18	Faiz Muhammad Khan
53.	Dr. Muhammad Umar BS-18	Gul Muhammad Khan
54.	Dr. Ghani-ur Rehman BS-19	Abdul Ghani
55.	Dr. Mian Habib-ur-Rehman BS-19	Mian Fazlur Rehman
56.	Dr. Syed Rahmat Ali BS-17	Mian Gul Zada
57.	Dr. Muhammad Kashif Shahid Khan BS-17	Jamandos Khan
58.	Dr. Shahzada Muhammad Halder-ul-Mulk BS-18	Shahzada Muta-ul-Mulk
59.	Dr. Daud Khan BS-18	Muhammad Rahim Khan

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa



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GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Amir

Dated Peshawar the 20th May, 2022

B.

NOTIFICATION

NO. SOH(E-V)/4-4/2022. Consequent upon promotion to the post of Member of Service (BS-19) vide this Department's Notification No. SOH(E-V)/4-4/2022/1652-1667 dated 19.04.2022, the following posting/ transfer of doctors are hereby ordered for actualization of their promotion, with immediate effect, in the best public interest:-

(11)

S.NO.	NAME OF DOCTORS	FROM	TO
FOR ACTUALIZATION UPON PROMOTION IN BS-19			
1.	Dr. Muhammad Shafiq S/O Akbar Gul, Management Cadre (BS-19)	Attached to DHO Office Nowshera	MS Cat-D Hospital Dag Ismail Khel, Nowshera against the vacant post
2.	Dr. Muhammad Azhar Shah S/O Israrul Arifeen, Management Cadre (BS-19)	P.D.A Category-D Hospital Akora Khattak, Nowshera.	MS Cat-D Hospital Kaka Sahib, Nowshera. Vice S.No.34.
3.	Dr. Muhammad Riaz S/O Gohar Khan, Management Cadre (BS-19)	Senior Demonstrator, MTI/Gaju Khan Medical College, Swabi	Medical Superintendent, Cat-D Hospital Kalu Khan, Swabi against the vacant post
4.	Dr. Muhammad Usman Shah S/O Muhammad Zahir Shah, Management Cadre (BS-19)	Attached to DHQ Hospital, Abbottabad	District Health Officer, Kohistan Lower. Vice S.No.36.
5.	Dr. Uzma Habib D/O Taj Muhammad, Management Cadre (BS-19)	Deputy Director, Directorate Health Services, Khyber Pakhtunkhwa	Director Provincial Health Services Academy, Peshawar (M&E)
6.	Dr. Hammad S/O Said Barishah, Management Cadre (BS-19)	THQ Hospital Chakdara, Dir (Lower)	Medical Superintendent, THQ Hospital Chakdara Dir, Lower against the existing post

Far

*Attested
Majid*

15.	Dr. Nalk Muhammad S/O Muhammad, Management (BS-19) Khawaja Cadre	Civil Hospital, Daraband Kalan D.I.Khan	Medical Superintendent, Cat-D Hospital, Kulachi, D.I. Khan
16.	Dr. Fazal Majeed S/O Muhammad Aslam, Management (BS-19) Cadre	Deputy Director, Nutrition Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar	Director, Nutrition Directorate General Health Services, Khyber Pakhtunkhwa against the existing post
17.	Dr. Muhammad Umar S/O Haji Gul Muhammad Khan, Management (BS-19) Cadre	THQ Hospital, Sadda, Kurram (Lower)	Medical Superintendent, Cat-D Hospital, Thall Hangu against the vacant post
18.	Dr. Shahid Mehmood S/O Muhammad Sardar Aslam, Management (BS-19) Cadre	Coordinator (Public Health), DHO office Abbottabad	Deputy DHO Abbottabad against the vacant post.
19.	Dr. Jamshed Saeed Sherani S/O Saeed Ahmad Sherani, Management (BS-19) Cadre	Deputy Director, Directorate General Health Services, Khyber Pakhtunkhwa Peshawar	Medical Superintendent, DHQ Hospital, Landikotal. Vice S.No.44.
20.	Dr. Wazir Khan S/O Rukam Khan, Management (BS-19) Cadre	District Health Officer, North Waziristan	District Health Officer, North Waziristan
21.	Dr. Qasim Abbas S/O Salfur Rehman, Management (BS-19) Cadre	Director (Admn) Directorate General Health Services, Khyber Pakhtunkhwa	Director (Admn) Directorate General Health Services, Khyber Pakhtunkhwa against the existing post
22.	Dr. Amir Raffiq S/O Muhammad Raffiq Khattak, Management (BS-19) Cadre	Deputy SHPI, Khyber Pakhtunkhwa, Peshawar	Director, Directorate General Health Services, Khyber Pakhtunkhwa against the vacant post
23.	Dr. Muhammad Arif Khan S/O Gulbar Khan, Management (BS-19) Cadre	Director (EPI), Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar	Director (EPI), Directorate General Health Services, Khyber Pakhtunkhwa against the existing post

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33.	Dr. Khizar Hayat S/O Pir Muhammad Khan Management Cadre (BS-19)	Attached to MTI/LRH, Peshawar	Director, General Services, Pakhtunkhwa against the vacant post	Director Health Khyber Pakhtunkhwa
34.	Dr. Farman Ali S/O Muhammad Nasim, Management Cadre (BS-19)	Medical Superintendent, Category-D Hospital Kaka Sahib district Nowshera	Medical Superintendent, Category-D Hospital Akora Nowshera. S.No.02.	Hospital Khattak Vice
35.	Dr. Kamran Zakria S/O Ghulam Zakria Khan, Management Cadre (BS-19)	Attached to MTI/DHQ Hospital, D.I.Khan	Medical Superintendent, Cat-D Hospital, Pahar Pur D.I.Khan against the vacant post	
ADJUSTMENT/ SUBSTITUTION				
36.	Dr. Muhammad Siddique, Management Cadre (BS-19)	District Health Officer, Kohistan (Lower)	Medical Superintendent, Government Mental & General Hospital, Dadar Mansehra. Vice S.No. 37.	
37.	Dr. Ahmad Faisal, Management Cadre (BS-19)	Medical Superintendent, Government Mental & General Hospital, Dadar Mansehra	District Health Officer, Abbottabad. Vice S.No.40.	
38.	Dr. Abdul Waheed Management Cadre (BS-19)	District Health Officer, Shangla	Report to Directorate General Health Services, Khyber Pakhtunkhwa	
39.	Dr. Rabia Waheed General Cadre (BS-19)	Medical Superintendent, DHQ Hospital, Alpuri Shangla	Report to Directorate General Health Services, Khyber Pakhtunkhwa	
40.	Dr. Shah Faisal Akhunzada, Management Cadre (BS-19)	District Health Officer, Abbottabad	Report to Directorate General Health Services, Khyber Pakhtunkhwa	
41.	Dr. Ihsan Ullah, Management Cadre (BS-19)	Waiting for posting at Directorate General Health Services, Khyber Pakhtunkhwa	Deputy District Health Officer, Tarnak Vice S.No.45.	

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7.	Dr. Muhammad Munib S/O Sher Ali Khan, Management Cadre (BS-19)	Attached to Saidu Group of Teaching Hospital, Swat	Deputy Medical Superintendent, Saidu Group of Teaching Hospital, Swat against the vacant post
8.	Dr. Nazar Muhammad S/O Bakht Sar, Management Cadre (BS-19)	Coordinator (Public Health) DHO Office, Dir (Upper)	Deputy District Health Officer, Dir (Upper) against the vacant post
9.	Dr. Muhammad Farooq Gul S/O Gul Muhammad, Management Cadre (BS-19)	Coordinator (LHW) DHO Office, D.I.Khan	Deputy District Health Officer, DI Khan against the vacant post
10.	Dr. Zakir Hussain S/O Hakim Khan, Management Cadre (BS-19)	Attached to DHQ Hospital, Bajaur	He will actualize his promotion for one day as MS Cat-D Hospital Lal Qila, Dir (Lower) and then posted as District Health Officer, Dir (Lower). Vice S.No. 43.
11.	Dr. Jamaluddin S/O Muhammad Dln, Management Cadre (BS-19)	Attached to Category-D Hospital Abad, PDA Charsadda	Medical Superintendent, Category-D Hospital Jamal Abad, Charsadda against the vacant post
12.	Dr. Aurangzeb Afridi S/O Ghulam Hussain, Management Cadre (BS-19)	Deputy Medical Superintendent, Services Hospital, Peshawar	He will actualize his promotion for one day as MS Women & Children Hospital Rajarr District Charsadda and then be posted as PMO (BS-19) at Services Hospital, Peshawar
13.	Dr. Roshan Zada S/O Syed Latif, Management Cadre (BS-19)	Attached to DHO Haripur	Medical Superintendent, Cat-D Hospital Ghazi, Haripur against the vacant post
14.	Dr. Ali Asghar S/O Abdul Akbar Khan Management Cadre (BS 19)	Deputy Director Malakand Region	Medical Superintendent, THQ Hospital Dargal, Malakand by relieving Dr. Irfan Ali from Additional Charge of the post of MS THQ Hospi Dargal, Malakand

Attended by
Mejzo

24.	Dr. Ijaz Ahmad S/O Bashir Ahmad, Management Cadre (BS-19)	Director, SHPI, Khyber Pakhtunkhwa.	He will actualize his promotion for one day as DDHO/ MS Cat-D Hospital Mardan District Peshawar and then be posted as Director SHPI, Khyber Pakhtunkhwa
25.	Dr. Shaukat Saleem Khan S/O Saleem Khan, Management Cadre (BS-19)	Deputy Medical Superintendent, Mian Abdul Haq Kidney Hospital, Swat	He will actualize his promotion for one day as MS, DHQ Hospital, Alpuri Shangla and then be posted as District Health Officer, Shangla. Vice S.No.38.
26.	Dr. Muhammad Ibrahim Khan S/O Abdul Halim Khan, Management Cadre (BS-19)	Coordinator (Public Health) DHO Office, Shangla	Medical Superintendent, DHQ Hospital, Alpuri Shangla. Vice S.N.39.
27.	Dr. Mushtaq Ahmad S/O Haji Fazal Khan, Management Cadre (BS-19)	Deputy Director Directorate PDA Director, General Services,	Director, Director General Health Services, Khyber Pakhtunkhwa against the vacant post
28.	Dr. Saeeda Bibi D/O Dawood Khan, Management Cadre (BS-19)	Deputy Director, SHPI, Pakhtunkhwa	Director, Directorate General Health Services, Khyber Pakhtunkhwa against the vacant post.
29.	Dr. Sheraz Ahmad S/O Rashid Ahmad, Management Cadre (BS-19)	Vice Principal, Paramedical Institute, Swat	Principal, Paramedical Institute, Swat against the vacant post
30.	Dr. Erum Qayum D/O Syed Qayum, Management Cadre (BS-19)	Deputy Director, Directorate Health Khyber Pakhtunkhwa	Director, General Services, Medical Superintendent, Cat-D Hospital, Gara Tajil Peshawar. Vice S.No.42.
31.	Dr. Muhammad Ismail S/O Saïd Muhammad, Management Cadre (BS-19)	Deputy Program Manager Integrated Vector Control, Khyber Pakhtunkhwa	Director, (Admin Provincial Health Services Academ Peshawar
32.	Dr. Muhammad Naeem S/O Habibullah Khan, Management Cadre (BS-19)	Benazir Shaheed Bhutto Hospital, Abbottabad	Deputy District Heal Officer, Battagra against the vaca post

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GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Amir



Dated: Peshawar the 21st September 2023

NOTIFICATION

NO.SOH (E-V)/4-4/2023 Dr. JAMSHED SAEED SHERANI (1730132377861) S/O SAEED AHMAD SHERANI, Medical Superintendent (BPS-19), DHQ Hospital Landikotal is hereby transferred and directed to report to Directorate General Health Services, Khyber Pukhtukhwa on administrative grounds with immediate effect, in the best public interest.

(15)

Consequent upon the above, DR. ZAFAR ALI KHAN (1730163125135) S/O NAWAB KHAN KHANKHEL, District Health Officer, Khyber is hereby authorized to hold additional charge of the post of Medical Superintendent, DHQ Hospital, Landikotal in addition to his own duties till further orders

SECRETARY HEALTH
KHYBER PAKHTUNKHWA

No. 1859-65/Notification of even No. & dated:
Copy of the above is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Director, HRMIS, DGHS Office, Peshawar.
4. Medical Superintendent, concerned.
5. District Health Officer, concerned.
6. District Account Officer, concerned.
7. Deputy Director (IT), Health Department, Khyber Pakhtunkhwa.
8. PS to Secretary Health Department, Khyber Pakhtunkhwa.
9. PS to Special Secretary (E&A) Health Department, Khyber Pakhtunkhwa.
10. Doctors concerned.
11. Master file.

Amir

Fazal Amin
(FAZAL AMIN)
SECTION OFFICER (E-V)



3111321931779



**OFFICE OF THE ADDITIONAL DIRECTOR GENERAL (M&E)
HEALTH DIRECTORATE KHYBER PAKHTUNKHWA, PESHAWAR**

ADG Office Ph No. 091-9211918, Exchange No. 091-9212339 email add: adghealthm.ekp@gmail.com

All Communication should be addressed to the Director General Health Services Khyber Pakhtunkhwa and not to any official by name.

No.2184-2264 / Biometric Attendance/ M&E/ 2023-24

Date:04-09-2023

Reminder-I

1. Regional Directors Hazara Region, Southern Region, Northern Region and Central Region
2. All Medical Superintendents Secondary Hospitals, Khyber Pakhtunkhwa.
3. All District Health Officers, Khyber Pakhtunkhwa.

Subject: BIOMETRIC ATTENDANCE.

Reference to this office letter no. 1870-85 / Biometric Attendance/ M&E/ 2023-24 dated 31-07-2023 on the subject mentioned above, you all are once again directed to submit biometric attendance in hard signed by the respective DHOs and Medical Superintendents with the office of the undersigned, so that it is ensured that biometric machines are installed and functional in every health facilities of Khyber Pakhtunkhwa as well as to check that the HR Health are doing biometric attendance.

The above information should come in hard copies signed by the respective DHOs of the districts and Medical Superintendents of secondary hospitals as well as email in soft (excel form) on the email address: adghealthm.ekp@gmail.com.

It is further directed that while compiling the biometric attendance of each health staff of every health facilities of Khyber Pakhtunkhwa, mention separately the absent health staff of every category and also those health staff who are against the biometric attendance and not registering themselves in biometric machine with names.

It is further added that the health staff absent should be treated by doing the deduction for number of absent days from their salaries and they should also be reported for disciplinary proceedings in case of grade 17 and above while below 17 by the respective DHOs and Medical Superintendents fulfilling all the codal formalities under the E&D rules with a copy to this office.

All Regional Directors are directed to pursue this direction through DHOs and Medical Superintendents for strict compliance.

An early action in this regard will be appreciated.

**ADDITIONAL DIRECTOR GENERAL M&E
DIRECTORATE GENERAL HEALTH SERVICES,
KHYBER PAKHTUNKHWA PESHAWAR.**

Endst: No and Date Even.

Copy for information: -

- 1) Secretary Health, Govt. of Khyber Pakhtunkhwa.
- 2) Director General Health Services, DGHS Khyber Pakhtunkhwa.
- 3) Office File for record.

**ADDITIONAL DIRECTOR GENERAL M&E
DIRECTORATE GENERAL HEALTH SERVICES,
KHYBER PAKHTUNKHWA PESHAWAR**

*Bis. Malina
Attendance*

OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT H.Q. HOSPITAL LANDIKOTAL.

18/

S.#	Name	Remarks
1	Fida Muhammad (AIP)	Last Biometric attendance on 29 th January 2022
2	Haider Ali (AIP)	Last Biometric attendee on 20 May 2023
3	Safdar Ali (AIP)	According to Biometric attendance complete absent in month of March. Only one day present on 4 April 2023 to Till date
4	Maoz khan (AIP)	Absent From 1 st March 2023
5	Samina Naz (AIP)	Absent form 14 April 2023
6	Ibne Amin (C.S)	Continuously absent from September 2022 to till date according to biometric attendance.
7	Abdul Aziz (C.S)	Continuously absent from 15 March 2023 to till date
8	Lubna Jabeen (C.S)	Absent from arrival (1 st September to till date)(only present on 14 Feb 2023)

*Attended
Noj*

202

Employee ID First Name Department					538 Abdul Aziz Department											
22-Sep	22-Oct		22-Nov		22-Dec		23-Jan		23-Feb		23-Mar		23-Apr		23-May	
01	01		01		01		01	19:36	01		01		01		01	
02	02		02		02	12:15-13:58	02	07:10	02		02		02		02	
03	03		03	13:25	03		03	08:01-19:40	03		03		03		03	
04	04		04	15:09	04	14:25	04	09:00	04		04		04		04	
05	05	14:47-22:18	05		05		05	08:06-19:42	05		05		05		05	
06	06		06		06	15:32-18:59	06	09:13	06		06		06		06	
07	07	14:40-19:14	07		07		07		07	13:18-14:47	07		07		07	
08	08	14:39-20:02	08		08	14:49	08	18:14	08		08		08		08	
09	09		09		09	14:19-18:10	09	08:11	09		09		09		09	
10	10	14:57	10	19:00	10	15:34	10		10	20:08	10		10		10	
11	11		11	14:15-19:33	11	15:51	11		11	09:19	11	19:12	11		11	
12	12		12	14:58-19:51	12	14:41	12		12		12	08:05	12		12	
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20

Employee ID
First Name
Position

Allyson
Ray
550
Iban E Amin
Nurses Regular

22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May
01	01	01	01	01	01	01	01	01
02	02	02	02	02	02	02	02	02
03	03	03	03	03	03	03	03	03
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2

Employee ID			1327					
First Name			Lubna Jabeen					
Position			Nurses Regular					
22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May
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11:16



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT H.Q. HOSPITAL LANDIKOTAL
Phone/Fax No. 0924-210901 Email mskhyber5@gmail.com

No. 3972-78

Dated 12/12/2022.

Office Order:

In continuation of the hospital management committee meeting held on 07th December, 2022 para 2) stating ***that official hospital accommodation should be vacated from all local, illegal and irrelevant occupants. Some gross negligence in allotment of accommodation have been observed. Notices will be served with 15 days period,...***

It has also been noticed that you occupants are using hospital electricity as no meter has been installed for domestic users. This electricity cost and bills are and causing a massive pressure on national exchequer.

In view of above and expanding man power now available to hospital administration after upgradation of hospital, it is need of the hour to implement the government accommodation policy in true letter and spirit ensuring better service delivery to the public.

You all are directed (Doctors, Nurses, Paramedics, LHVs, Class IV) to vacate your accommodation if occupied illegally either by your relatives, friends or out siders within 15 days of receiving this office order, positively. Local health employees are also directed to vacate their accommodation according to the accommodation policy as it's the right of non-local civil servants.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

No. 3972-78/DHQ-LKL

C/C:

1. PS to Secretary Health, Khyber Pakhtunkhwa.
2. PS to DG Health, Khyber Pakhtunkhwa.
3. PS to DC Khyber.
4. PS to Registrar Peshawar High Court.
5. PS to AC Landikotal.
6. SHO PS Landikotal.
7. Office record.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

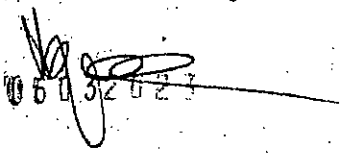
①

IN THE COURT OF LEARNED DISTRICT JUDGE
KHYBER

Titled Appeal No. _____ 2023

Dr Rasim Shah S/o Wadan Shah Residents of Doctor's Colony
District Headquarter Hospital, Landi Kotal, District Khyber.

.....Appellant



Versus

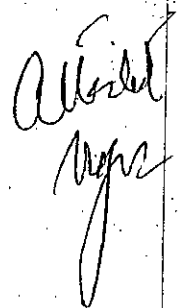
M.S, Medical Superintendent, Dr. Jamshed Sherani, District
Headquarter Hospital, Landi Kotal, District Khyber.

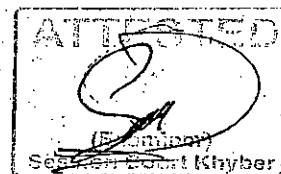
.....Respondent

APPEAL AGAINST THE IMPUGNED JUDGEMENT/
ORDER DATED: 03/03/2023 PASSED BY THE
LEARNED CIVIL JUDGE TEHSIL LANDI KOTAL
DISTRICT KHYBER WHEREBY HE REJECTED THE
SUIT OF THE APPELLANT.

Prayer:

By accepting this appeal the impugned judgment/
Order dated: 03/03/2023 passed by civil judge, Landi
Kotal District Khyber may kindly be set aside and
consequently and the case may kindly be remanded
back to the learned civil judge tehsil landi Kotal district
Khyber.





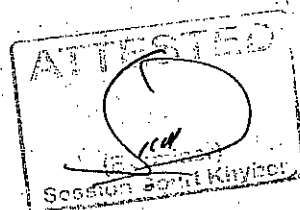
②

①
②
③

Respectfully Sheweth:

1. That the appellant/plaintiff filed a suit for declaration and permanent injunction coupled with an application for temporary injunction before the court of Hon'ble civil judge landi Kotal district Khyber. (attested copy of the plaint and application are attached)
2. That the Hon'ble court was kind enough to grant status quo vide order no # 2 dated 22/12/2022 restraining the defendant and notice to the defendant was issued. (copy of order dated 22/12/2022 is attached)
3. That the defendant appeared before the learned court below and filed his written statement, reply to the application of temporary injunction along with an application for rejection of plaint on the ground that the jurisdiction of the learned court below is barred in the matter in dispute. (attested copy of written statement, written reply and application under order VII rule XI is as annexed)

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(3)

(7)

4. That the learned civil judge landi Kotal district Khyber after hearing the arguments on the application under order VII rule 11 rejected the suit filed by the plaintiff/appellant vide order dated: 03/03/2023: (order of the CJ-LKL dated 03/03/2023 is annexed)
5. That the plaintiff/ appellant feeling highly aggrieved from the said order of the Hon'ble Court below prefers the instant appeal on the following grounds inter alia:

(25)

Grounds:

1. That the impugned order dated 03/03/2023 of learned Civil Judge Tehsil Landi Kotal Khyber is against the law and facts hence liable to be set aside.
2. That the learned court below failed to properly appreciate the appellant/ plaintiff stance and material available on record in its true and correct legal perspective, the impugned order therefore, is liable to be set aside.
3. That the learned trial court has failed to correctly and properly apply the law on the subject to the material

*Attorney
Khyber*

ATTESTED
[Signature]
Khyber

(4)

(26)

facts of the case, hence the impugned order suffers from material irregularities.

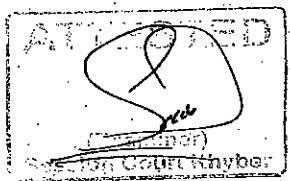
(26)

4. That the trial court completely ignored the available record and documents annexed with plaint, passed impugned order in haste and hurry manner.

5. That the learned court below by rejecting the suit of the plaintiff under order VII rule 11 opted for technicality instead of merit even though the apex court in its judgments have held that merit and not the technicalities must be made the basis for administration and dispensation of justice.

6. That the precedents of the Apex Courts have not properly been followed and the Learned Trial Court has passed the impugned judgment/ order in haste manner.

7. That the learned court below has had a birds, eye view over the material available on file and has neither properly appreciated and examined the facts of the case nor has properly applied the law on the subject, hence the impugned order is liable to be dismissed.



8. That appellant however, reserve the right to advance further points during arguments not specifically taken

*Attended
by*

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in the instant appeal with permission of this Hon`able court.

27

Prayers:

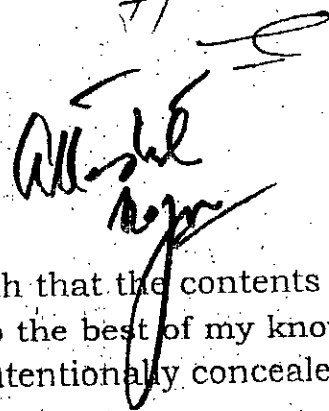
It is therefore prayed that by accepting this appeal the impugned judgment/ Order dated: 03/03/2023 passed by Learned civil judge, Landi Kotal District Khyber may kindly be set aside and consequently the case may kindly be remanded back to the learned civil judge tehsil landi Kotal district Khyber by providing an opportunity decide the case on merit.

Appellant * 

Through

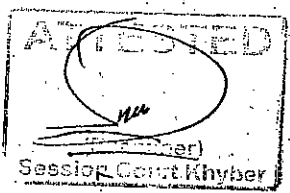
Muhammad Haroon Shinwari
Advocate high court Peshawar

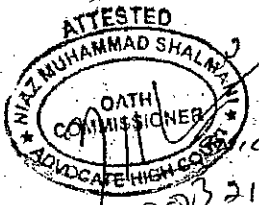
Dated: 06/03/2023

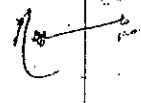


Affidavit

I do hereby solemnly verify on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been intentionally concealed from this Hon`ble Court.


Session Court Khyber



Deponent 

06-03-2023 21203-2392920-7

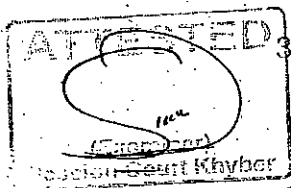
6 16
BEFORE THE HONOURABLE DISTRICT JUDGE KHYBER

Dr Rasim ShahVersus... Dr Jamshed
28

APPLICATION FOR SUSPENSION OF IMPUGNED
ORDER 03/03/2023 AND RESTRAINING THE
RESPONDENT TILL THE DECISION OF TITLED
APPEAL.

Respectfully Sheweth:

- 1) That the above titled appeal is pending before this Honorable Court in which no date of hearing has yet been fixed.
- 2) That prima facie case exists in favour of the appellant.
- 3) That the balance of convenience heavily leans in favor of the appellant.
- 4) That if the impugned order dated: 03/03/2023 is not suspended and ad-interim is not granted, the appellant would suffer an irreparable loss and the titled appeal would lose its object.

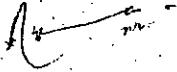


Handwritten signature of the appellant, Dr. Rasim Shah.

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It is, therefore, most humbly prayed that on acceptance of this application ad-interim injunction may kindly be granted in favour of appellant as prayed for till final disposal of the appeal.

Appellant 

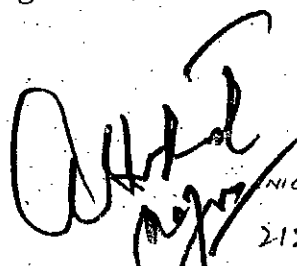
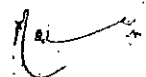
Through,

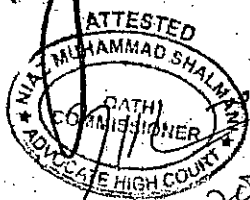
Muhammad Haroon Shinwari
Advocate High Court Peshawar

Dated: 06/03/2023

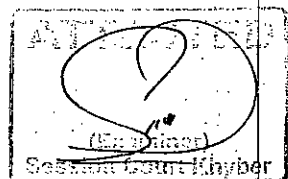
AFFIDAVIT:

I, do hereby solemnly affirm and declared on oath, that the contents of this application are true and correct to the best of my knowledge and belief.

 Deponent 
NIC #
21203-23.92920-7.



06-03-2023



IN THE COURT OF DISTRICT AND SESSIONS JUDGE, KHYBER

Civil Appeal# 24/13 of 2023
Date of Inst: 06-03-2023

Dr. Rasim Shah

Appellant

VERSUS

MS DHQ Hospital Landikotal

Respondent

For Appellant:
For Respondent:
Date of Hearing:

Muhammad Haroon Shinwari Advocate
Mr. Sajjad Shinwari Advocate
05.04.2023.

JUDGMENT

Hidayat Ullah Khan, District & Sessions Judge:- Impugned herein is the order dated 03-03-2023, of court of learned Civil Judge Landikotal, District Khyber, whereby the learned court rejected the suit of the appellants under order 7 rule 11 CPC.

2. The facts stated in the pleadings are that the appellant filed a suit for declaration to the effect that notification No: 3979-86 and 3972-78 dated 12-12-2022, issued by the defendant, whereby the plaintiff was directed to vacate his official accommodation situated at DHQ-Hospital Landikotal within 15 days, be declared illegal, unlawful, without lawful authority and ineffective upon the rights of the plaintiffs. As a consequential relief they have prayed for mandatory injunction. Along with the suit they filed an application for the grant of temporary injunction. It has been averred in the plaint that the appellant/plaintiff is the regular employee of the DHQ Hospital Landikotal and have been allotted official accommodation in the residential colony of the said hospital. That they are the lawful occupants of their official accommodation and are duly paying house rent and utilities attached thereto. That they remains on duty and remains on call 24 hours a day and it is not possible for them to commute for duty from their native towns. That the notice of vacation was issued to them with mala fide intention and for ulterior motive and requested that the same may be declared null and void.

3. The defendant contested the suit and submitted written statement and replication to the application for the grant of temporary injunction. The defendant also submitted an application under order 7 rule 11 CPC for the rejection of the plaint contending that the suit of the appellants/plaintiffs

ATTESTED
(Signature)
District & Sessions Judge
Khyber

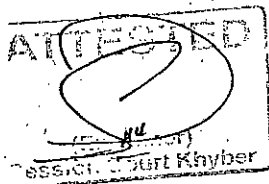
District & Session Judge
Khyber

does not disclose cause of action and is barred by time. Such application was also contested. Arguments on application were heard and the learned court was pleased to reject the plaint vide the impugned order.

4. Arguments heard.

5. It was contended by learned counsel for appellant that the appellant is residing in his official accommodation since long and is duly paying house rent and ancillary utility bills. That the disputed accommodations was allotted to him in due course of law and he regular employee of the hospital and is entitled to retained the accommodation. That the disputed order of vacation is against law and facts and has been issued with mala fide intention, therefore, this court has got jurisdiction to entertain the suit. That the appellant is availing the facility prior to the promulgation of Khyber Pakhtunkhwa Residential Accommodation Rules 2018, however the respondent is not competent authority to issue vacation order. That the findings of the learned trial court holding an opinion that the civil court has got no jurisdiction is without any lawful justification and being a suit for declaration it is the civil court to adjudicate the controversy. He submitted that the learned trial court has committed misreading and non-reading of evidence and has formed an opinion which is not sustainable in law and facts and requested that the same may be set-aside and the learned trial court may be directed to decide the suit on merit.

6. On the other hand learned counsel for the respondents submitted that the official accommodation occupied by the appellant has remained unaudited and there is huge liabilities against the occupant. It was further submitted that the official accommodation is meant for the employees of the hospital only, therefore, the Khyber Pakhtunkhwa Residential Accommodation Rules-2018, is not applicable to the hospital accommodation. That the appellant has been transferred and the suit accommodation is not in the use of appellant, therefore, he is bound to vacate the same. That even for the sack of arguments if the same rules are applied even then there is no allotment in favor of the appellant. That the appellant was issued the disputed notification in order to ensure the status of the occupants. That being administrative head of the hospital it falls within his duty and competency to monitor the official building and lawful occupants. That the purpose behind the notice was to streamline the affairs




District & Session Judge
Khyber

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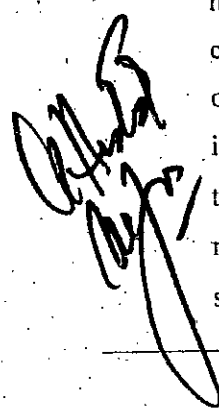
of the official accommodation. He supported the impugned order and submitted that the same is well reasoned and in accordance with law.

7. Record perused.

8. The respondent/medical superintendent DHQ Hospital Landikotal on 12-12-2022, issued a general order directing all Doctors, Nurses, Para-Medics LHV's and Class-IV Employees to vacate official accommodations if occupied illegally within 15 days. Through the suit the appellant has challenged the above stated order to have been issued illegally and unlawfully and without lawful authority. It is not the case of the appellants that he holds in their favor a proper allotment order. It came up for hearing during arguments that subsequently the respondents on 03-01-2023, has issued a circular directing doctors, nurses, para-medics and Class-IV, to submit proper applications for allotment before the accommodation committee for proper allotment. It falls within the domain of respondent to regulate the affairs of any matter attach to the hospital and is competent authority with respect to any matter concerning the DHQ Hospital Landikotal. The Khyber Pakhtunkhwa Residential Accommodation at District (Procedure Allotment) Rules-2018, though meant for district Peshawar, however, it is also applicable to all the districts of Khyber Pakhtunkhwa, where there are no special rules for official accommodations, however, according to the stated rules the respondent is competent for the purpose of allotment of official accommodations. The notice of the respondent requiring all the occupants of all categories of employees to vacate the official accommodations illegally occupied or sub let in favor of third person does not arise any cause in favor of the appellants if they are the lawful allottees. Admittedly the appellant has transferred out and he is not occupying official accommodation at his duty station. The stated accommodation rules permits those employees who have availed the facility can retain such accommodation with certain conditions. If this is the case of the appellant that he is occupying the official accommodations by implication being employees of the hospital in that case they have been required through a circular dated 03-01-2023, to apply afresh for proper allotment order. It has been observed that before merger the record of the offices has not been maintained properly and the same is the case of official accommodations of DHQ Hospital Landikotal

ATTESTED

District & Session Judge
Khyber

District & Session Judge
Khyber

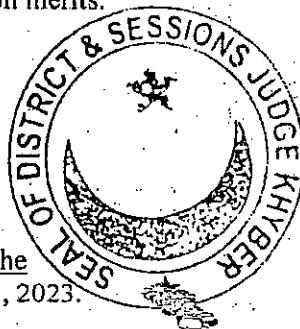


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which is now being desired by the respondent to make it upto date in order to ensure its proper management. Though the learned trial court has got the jurisdiction in the matter in hand, however, the issuance of office order dated 12-12-2022, does not arise any cause in favor of the appellant to file the suit as by means of the stated order he has not been adversely affected.

9. Resultantly, this appeal fails and is dismissed with costs, however, the appellants in the light of circular dated 03-01-2023 issued by the respondents shall submit applications for allotment before the respondent/accommodation committee which shall be decided by the respondent on merits.

233



(HIDAYAT ULLAH KHAN)
District Judge, Khyber

Khyber, the
05th April, 2023.

Certificate: Certified that this judgment consists of four pages that have been checked, corrected where necessary, and signed by me.



(HIDAYAT ULLAH KHAN)
District Judge, Khyber

Handwritten signature
CERTIFIED TO BE TRUE COPY
Handwritten signature
Copying Agency Session Court
Khyber
7-08-23

No. of Application	1974-1974
Date of Application	7-08-23
Name of Applicant	P. U. Kh.
Word/Pages	4400 = 11/Pgc
Fee	X Urgent Fee
Signature of Copyist & Date	<i>Handwritten signature</i>
Date of Preparation	7-08-23
Date of Delivery	7-08-23



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL

Email: mskhyber5@gmail.com
No. 7042 /DHQH/LKL/MS

Phone: 0924210901
Date: 14/09/2023

To
Secretary Health
Khyber Pakhtunkhwa.

Subject: **VIOLATION OF HONORABLE PESHAWAR HIGH COURT JUDGMENT**

Reference to the subject cited above it is stated that one of the District Specialist Dr. Bakhtyar Alam (District Surgeon) is continuously disregarding the Honorable High Court Peshawar order. W.P. No.4051-P/2022 dated 15-03-2023 and also violating the Government Notification No: SOG/IID/1-46/Gen. Notification/2023 dated 09-06-2023.

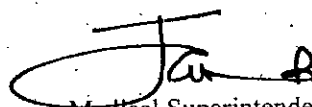
He has warned in written and verbally many time but he did not refrain from such type illegal criminal private practice within the hospital premises.

During routine round of undersigned in morning dated 12/09/2023 it has been observed that the gate of the allotted accommodation was opened and the patient were waiting in the waiting area, he was informed but did not respond. Today on 14/09/2023 the undersigned again noticed that patients are visiting continuously to his official accommodation allotted to him which can also be verified through CCTV footage and record.

As for as his performance is concerned, his performance as District Specialist also not upto the mark. He is continuously taking casual leave four, five per months as he got stay order at service tribunal.

He is running his private hospital within the 500 meters' premises of hospital again violating the Peshawar High court judgment and government orders. He is busy all the time sending patients from the public sector to private sector and inquiry has also been made against him recently. Surgical department admissions and bed occupancy not up to the bench mark according to IMU report which has been reported in every month.

The doctor's official allotments will be cancelled soon in this regard.
Health Department is requested to initiate disciplinary action against the concerned doctor.

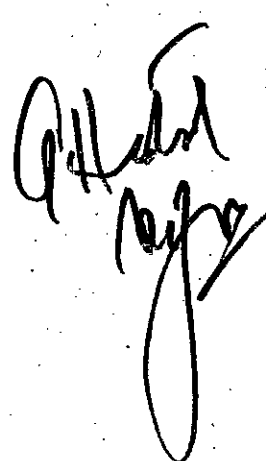

Medical Superintendent
District Headquarter Hospital
Landikotal

No. _____ /DHQH/LKL/MS

Date: ___/___/2023

CC:

1. PA to Director General Health Services Khyber Pakhtunkhwa.
2. PA Senior Session Judge Khyber, District Khyber at Jamrud.
3. PA Deputy Commissioner Khyber at Peshawar.
4. Office Copy.


Medical Superintendent
District Headquarter Hospital
Landikotal.

O/c Recd

(4)

(35)

IN THE COURT OF DISTRICT AND SESSIONS JUDGE, KHYBER

Civil Appeal# 23/13 of 2023
Date of Inst: 06-03-2023

Dr. Bakhtiar Alam etc.

Appellants

VERSUS

MS DHQ Hospital Landikotal

Respondent

For Appellant:
For Respondent:
Date of Hearing:

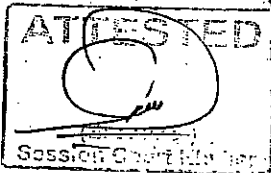
Muhammad Haroon Shinwari Advocate
Mr. Sajjad Shinwari Advocate
05.04.2023.

JUDGMENT

Hidayat Ullah Khan, District & Sessions Judge:- Impugned herein is the order dated 03-03-2023, of court of learned Civil Judge Landikotal, District Khyber, whereby the learned court rejected the suit of the appellants under order 7 rule 11 CPC.

2. The facts stated in the pleadings are that the appellants filed a suit for declaration to the effect that notification No: 3972-78 dated 12-12-2022, issued by the defendant, whereby the plaintiffs were directed to vacate their official accommodation situated at DHQ Hospital Landikotal within 15 days, be declared illegal, unlawful, without lawful authority and ineffective upon the rights of the plaintiffs. As a consequential relief they have prayed for mandatory injunction. Alongwith the suit they filed an application for the grant of temporary injunction. It has been averred in the plaint that the appellants/plaintiffs are the regular employees of the DHQ Hospital Landikotal and have been allotted official accommodation in the residential colony of the said hospital. That they are the lawful occupants of their official accommodation and are duly paying house rent and utilities attached thereto. That they remains on duty and remains on call 24 hours a day and it is not possible for them to commute for duty from their native towns. That the notice of vacation was issued to them with mala fide intention and for ulterior motive and requested that the same may be declared null and void.

3. The defendant contested the suit and submitted written statement and replication to the application for the grant of temporary injunction. The defendant also submitted an application under order 7 rule 11 CPC for the rejection of the plaint contending that the suit of the appellants/plaintiffs



District & Sessions Judge
Khyber

~~FOI~~ 36

does not disclose cause of action and is barred by time. Such application was also contested. Arguments on application were heard and the learned court was pleased to reject the plaint vide the impugned order.

4. Arguments heard.

5. It was contended by learned counsel for appellant that the appellants are residing in their official accommodation since long and are duly paying house rent and ancillary utility bills. That the disputed accommodations were allotted to them in due course of law and they being regular employees of the hospital are entitled to avail the accommodation. That the disputed order of vacation is against law and facts and has been issued with mala fide intention; therefore, this court has got jurisdiction to entertain the suit. That the appellants are availing the facilities prior to the promulgation of Khyber Pakhtunkhwa Residential Accommodation Rules 2018, however the respondent is not competent authority to issue vacation order. That the findings of the learned trial court holding an opinion that the civil court has got no jurisdiction is without any lawful justification and being a suit for declaration it is the civil court to adjudicate the controversy. He submitted that the learned trial court has committed misreading and non-reading of evidence and has formed an opinion which is not sustainable in law and facts and requested that the same may be set-aside and the learned trial court may be directed to decide the suit on merit.

ATTENDED
for
District & Session Judge
Khyber

5/4/2023
District & Session Judge
Khyber

6. On the other hand learned counsel for the respondents submitted that the official accommodation occupied by the appellants have remained un-audited and there is huge liabilities against the occupants. It was further submitted that the official accommodation is meant for the employees of the hospital only; therefore, the Khyber Pakhtunkhwa Residential Accommodation Rules-2018, is not applicable to the hospital accommodation. That even for the sack of arguments if the same rules are applied even then there is no allotment in favor of the appellants. That the appellants were issued the disputed notification in order to ensure the status of the occupants. That being administrative head of the hospital it falls within his duty and competency to monitor the official building and lawful occupants. That the purpose behind the notice was to streamline the affairs of the official accommodation. He supported the impugned order and submitted that the same is well reasoned and in accordance with law.

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CP 37

7. Record perused.

8. The respondent/medical superintendent DHQ Hospital Landikotal on 12-12-2022, issued a general order directing all Doctors, Nurses, Para-Medics LHV's and Class-IV Employees to vacate official accommodations if occupied illegally within 15 days. Through the suit the appellants have challenged the above stated order to have been issued illegally and unlawfully and without lawful authority. It is not the case of the appellants that they holds in their favor a proper allotment order. It came up for hearing during arguments that subsequently the respondents on 03-01-2023, has issued a circular directing doctors, nurses, para-medics and Class-IV, to submit proper applications for allotment before the accommodation committee for proper allotment. It falls within the domain of respondent to regulate the affairs of any matter attach to the hospital and is competent authority with respect to any matter concerning the DHQ Hospital Landikotal. The Khyber Pakhtunkhwa Residential Accommodation at District (Procedure Allotment) Rules-2018, though meant for district Peshawar, however, it is also applicable to all the districts of Khyber Pakhtunkhwa, where there are no special rules for official accommodations, however, according to the stated rules the respondent is competent for the purpose of allotment of official accommodations. The notice of the respondent requiring all the occupants of all categories of employees to vacate the official accommodations illegally occupied or sub let in favor of third person does not arise any cause in favor of the appellants if they are the lawful allottees. If this is the case of the appellants that they are occupying the official accommodations by implication being employees of the hospital in that case they have been required through a circular dated 03-01-2023, to apply afresh for proper allotment order. It has been observed that before merger the record of the offices has not been maintained properly and the same is the case of official accommodations of DHQ Hospital Landikotal which is now being desired by the respondent to make it upto date in order to ensure its proper management. Though the learned trial court has got the jurisdiction in the matter in hand, however, the issuance of office order dated 12-12-2022, does not arise any cause in favor of the appellants to file the suit as by means of the stated order they have not been adversely affected.

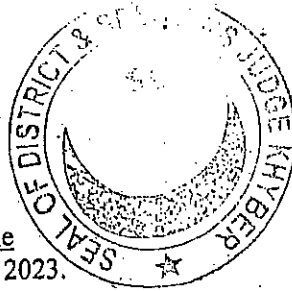
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(Signature)
Session Court Khyber

(Signature)
District & Session Judge
Khyber
5/1/2023

(Signature)

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9. Resultantly, this appeal fails and is dismissed with costs, however, the appellants in the list of circular dated 03-01-2023 issued by the respondents shall submit applications for allotment before the respondent/accommodation committee which shall be decided by the respondent on merits.



[Signature]
(HIDAYAT ULLAH KHAN)
District Judge, Khyber

Khyber, the
05th April, 2023.

Certificate: Certified that this judgment consists of four pages that have been checked, corrected where necessary, and signed by me.

[Signature]
(HIDAYAT ULLAH KHAN)
District Judge, Khyber

CERTIFIED TO BE TRUE COPY
[Signature]
(Examiner)
Copying Agency Session Court
Khyber
7/08/23

No.	1473
Date	7-8-23
Signature of Copier	<i>[Signature]</i>
Dated of Preparation	7/08/23
Date of Delivery	7/8/23

[Signature]

②
⑤
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It is, therefore, most humbly prayed that on acceptance of this application ad-interim injunction may kindly be granted in favour of appellants as prayed for till final disposal of the appeal.

S. Raza

Appellants

Through,

Muhammad Haroon Shinwari
Muhammad Haroon Shinwari

Advocate High Court Peshawar

Dated: 06/03/2023

AFFIDAVIT:

Saleem Raza

I, Saleem Raza (special Attorney), do hereby solemnly affirm and declared on oath, that the contents of this application are true and correct to the best of my knowledge and belief.

S. Raza

Deponent

ATTESTED
* MUHAMMAD SHALMA *
OATH
COMMISSIONER
ADVOCATE HIGH COURT
06-03-2023

ATTESTED
Saleem Raza
(Special Attorney)
Session Court Khyber

ORDER-05
05/04/2023

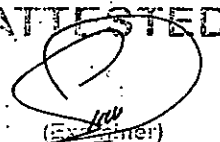
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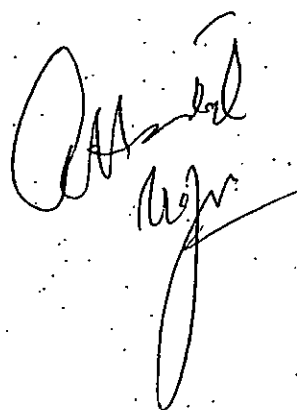
Parties present.

Vide my detailed judgment of today, consists upon four pages, resultantly, this appeal fails and is dismissed with costs, however, the appellants in the light of circular dated 03-01-2023 issued by the respondents shall submit applications for allotment before the respondent/accommodation committee which shall be decided by the respondent on merits. This file be consigned to record room after completion and compilation.

ANNOUNCED
05-04-2023



(HIDAYAT ULLAH KHAN)
District & Sessions Judge, Khyber

ATTESTED

(Examiner)
Session Court Khyber

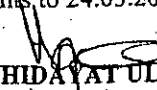


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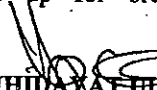
Order-02 10.03.2023 Appellant through counsel present. Respondent in person alongwith counsel are also present who submitted wakalatnama, placed on file. Adjourned for arguments to 17.03.2023.

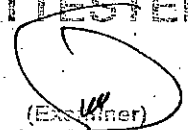

(HIDAYAT ULLAH KHAN)
District Judge, Khyber


Order-03 17.03.2023 Parties through counsel present. Both counsels sought adjournment. Adjourned for arguments to 24.03.2023.

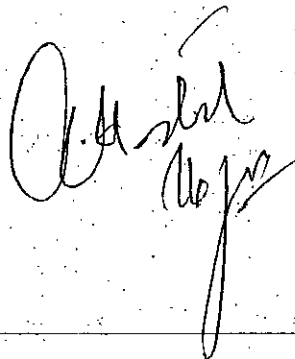

(HIDAYAT ULLAH KHAN)
District Judge, Khyber

Order-04 24.03.2023 Parties alongwith their respective counsels present. Arguments heard. File to come up for order on 05.04.2023


(HIDAYAT ULLAH KHAN)
District Judge, Khyber

ATTESTED

(Examiner)
Session Court Khyber

ATTESTED

(Examiner)
Session Court Khyber



ORDER-01
06/03/2023


Impugned herein is the order dated 03-03-2023 of court of learned Civil Judge Landikotal whereby the suit filed by appellants was rejected.

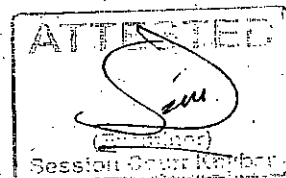
2. The appellants filed a suit seeking declaration with respect to notification No: 3972-78 dated 12-12-2022, whereby the appellants have been directed to vacate their official accommodation situated at DHQ Hospital Landikotal. As a consequential relief they have also prayed for mandatory injunction. During pendency of the suit the respondent filed an application for the rejection of the plaint under order 7 rule 11 CPC. It was contested, argued and was allowed vide impugned order, hence the instant appeal.

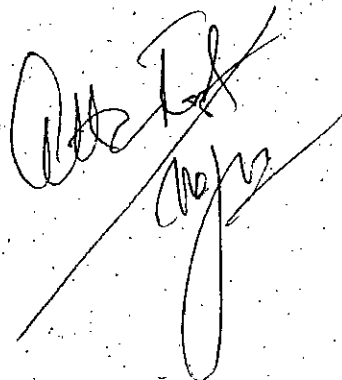
3. Preliminary arguments heard.

4. It was contended by the appellants that they are the employees of the hospital and are residing in the official accommodation under the rules and are entitle to retain the same. It was further contended that the official accommodation have not been misused and are paying rent of the same. It was further contended that there no liabilities against the appellants.

5. Points raised need consideration. Admitted. Notice be issued to respondents for ~~10-3-2023~~ alongwith appeal there is an application for the suspension of the impugned. Notice of the application shall also be issued to the respondents. Till the decision of appeal parties shall keep the status quo.


(HIDAYAT ULLAH KHAN)
District & Sessions Judge, Khyber
District & Session Judge
Khyber







**OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL**

Annexure
F

No. ~~2371-77~~ DHQ/LKL

Phone No. 0924-210901

Date 04/10/2022


CIRCULAR :

43

With reference to the Notification No. PA(DS-A) HD/1-1/17, Health Department, Government of Khyber Pakhtunkhwa, it is to inform that all (Doctors, Nurses, Paramedics & LHVs) that private practice is ban within or 500 meters of the hospital premises.

The same issue has been repeatedly highlighted on various forums and social media which brings bad reputation & adversely affecting the services delivery in this institution. The undersign observed the same issue during routine rounds from last three months.

All concerned may please cease off & discourage such ill-legal practice. Moreover, it is requested to transfer your private clinics from the hospital premises within two weeks in the best of public interest.

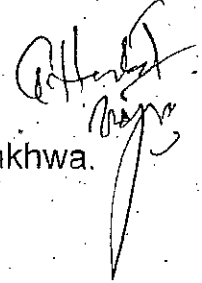

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

No. ~~2371-77~~ /DHQ/LKL

Date 04/10/2022

Cc

1. PS to Secretary Health. Khyber Pakhtunkhwa.
2. PS to Director General, Health Services, Khyber Pakhtunkhwa.
3. DMS (admin) for follow up Official concerned.
4. Officers concerned.
5. All notice boards.
6. Office file for records.



Medical Superintendent,
District Headquarter Hospital,
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL

Email: mskhyber5@gmail.com
No. _____/DHQH/LKL/MS

Phone: 0924210901
Date: ___/___/2023

To

Secretary Health
Khyber Pakhtunkhwa.

Subject:

ILLEGAL PRACTISE IN EARNED SANCTION LEAVE

Reference to the subject cited above it is stated that Dr. Naheed Sadiq Women Medical Officer DHQ Hospital Landikotal (MCPS Trained) is the only specialized sonologist currently working in the radiology departments doing Obs/Gynae and general ultrasounds. The hospital is in acute shortage of Women Medical Officer from the last one year.

Dr. Naheed Sadiq got two months leave sanctioned by your good office under Notification No. SOH(E-II)/4-1/2022/17824-836 on dated 05.09.2023 without forwarding from undersigned put the administration in a deep trouble to run the whole hospital in the presence of only three WMO, the letter has already communicated with your office (No.1676/DHQH; LKL dated 26/04/2023).

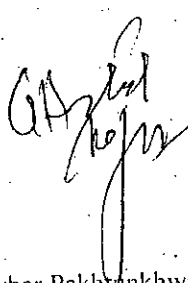
After getting sanction leave she informed the Incharge of radiology department that she is admitted in CMH for treatment while she is continuously busy in running her private clinic within 500 meter of hospital premise which comes into the COC of Honorable High Court Peshawar order. W.P. No.4051-P/2022 dated 15-03-2023 and also violation of the Government Notification No. SOG/IID/1-46/Gen. Notification/2023 dated 09-06-2023 as well.

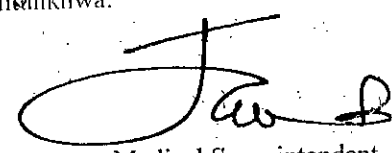
Her personnel file shows multiple explanations and warning letters. She also filled a writ petition, for her private practice and harassment against the undersigned in the civil court five months back which was totally dismissed by the honorable court. Her appeal was also dismissed in the court of District and Senior Session Judge Khyber.

Therefore, it is requested to initiate proper disciplinary action and transfer her out of district with provision of substitute.

No. 724857/DHQH/LKL/MS
CC:

1. PA to Director General Health Services Khyber Pakhtunkhwa.
2. Civil Judge/Magistrate, Tehsil Landikotal.
3. Deputy Commissioner Khyber at Peshawar.
4. Office Copy.


Medical Superintendent
District Headquarter Hospital
Landikotal
Date: 14/09/2023


Medical Superintendent
District Headquarter Hospital
Landikotal

①

BEFORE THE HONORABLE PESHAWAR HIGH COURT, PESHAWAR

W.P. _____/2022

1. Dr. Abdul Hameed S/O Shugal *Hassan*.
2. Dr. Abdul Sattar S/O Haji haleem Khan
3. Dr. Pervaiz Khan S/O Said Alam
4. Dr. Afrasaib khan S/O Dr. Liaqat Ali
5. Dr. Naheed D/O Muhammad Sadiq
6. Dr. Khiali khan S/O Stana Gul
7. Dr. Bakhtair S/O Haji Shah Zamir Afridi
8. Dr. Muhammad khan S/O haji Shah jehan Khan
9. Dr. Feroz Shah S/O Rahim
10. Dr. Khalid Javeed S/O Zulfiqar Khan
11. Dr. Khail Wali S/O Yaghi shah
12. Dr. Haroon S/O Jahangir khan all R/O and posted in district Head Quarter Hospital, Landi Kotal, Khyber

V
ersus

1. Medical Superintendent, (Jamshed saeed Sherani S/O Saeed Ahmad Sherani) District Headquarter hospital, Landi Kotal, Khyber.
2. Government Of Khyber, through Secretary health, health Secretariat Gate #5 Khyber road near PTCL colony Khyber Pakhtunkhwa.
3. Director General, Health Services, health Secretariat Gate #5 Khyber road near PTCL colony Khyber Pakhtunkhwa

(Respondents)

*Abdul
Rajm*

ATTESTED
EXAMINER
Peshawar High Court

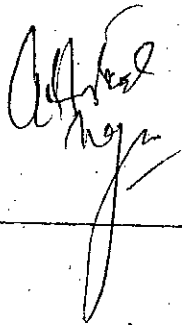
**PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF THE ISLAMIC
REPUBLIC OF PAKISTAN, 1973**

Respectfully Sheweth;

The petitioner humbly submits as under;

ON FACTS:

1. That the petitioners is the law abiding citizen of Pakistan and respect the law of the land.
2. That the petitioners are qualified Doctors by profession and serve their duty as Senior Medical Officers, Specialist of different caliber and Medical Officer respectively, In District Head Quarter hospital Landi kotal, Khyber.
3. That the petitioners after official duty hour, run their private clinics in their residence for ensuring easy health services to the local people at their door step to general public on nominal fees. Consequentially the Respondents NO. 1 (New Medical Superintendent) with mala fide intention issued Circular No.2371/DHQ/LKL dated 04/10/2022 notified that the private practice within 500 meters of the hospital premises is strictly banned. (Copy of the CIRCULAR No.2371/DHQ/LKL dated 04/10/2022 is attached as annexure "A").
4. That the petitioner with great seriousness and faithfulness performing their due job on official hour and after duty time for the best interest of general public carry out the private clinics. The petitioners were shocked when come to know about the Circular No.2371/DHQ/LKL dated 04/10/2022 issued without any authority and approach respondent no.1 for redress of his grievance but in vain.
5. That the respondent no. 1 instead of facilitating the petitioners to deliver their best health services to the locality compelled the petitioners for the closure of the humanity health services reason best known to him. In response when the petitioner abstains from doing the same was pressurized and warn with terrible consequences in future.
6. That Feeling aggrieved of the act of the respondent's, the petitioners approached this honorable court on inter-alia, grounds.



ATTESTED
EXAMINER
Peshawar High Court

**GROUNDS:**

- A. Whereas; the said act of the Office of respondent No.1 is without authority and have no value in the eye of law; as the impugned circular was issued on the basis and referred notification No. PA(DS-A) HD/1-1/17 dated 5th january 2017, wherein its clearly mentioned that private practices of the Doctors are banned only on duty hour, not beyond that period. While the petitioners are running their private clinics after duty hours. Hence the impugned Circular is against the merit, natural justice, and criteria laid for the private practices of doctors. (Copy of the notification No. PA(DS-A) HD/1-1/17 dated 5th january 2017. as annexed as "B")
- B. Whereas; the under notification No. SO (H) IV-1-69/78.Pt.II. Dated 14thjan 1982, the private practices of the Government doctors after duty hours were clearly legalized and place of practice and timing were also specified. Hence the act of respondents is without law and rules specified be bang with the hammer of justice. (Copy of the Notification No. SO (H) IV-1-69/78.Pt.II. Dated 14th jan 1982 is annexed as "C")
- C. Whereas; the respondents got no jurisdiction to deprive the petitioners from his legal right to the government services and facility.
- D. Whereas; as per Article 25 of the constitution of 1973 of Islamic republic of Pakistan, there shall be no discrimination in between the citizen of Pakistan, but here the whole process was done partially and according to the will of the respondent No. 1.
- E. Whereas; the impugned Circular No.2371/DHQ/LKL dated 04/10/2022 is erred both in law and facts and based on mis-reading and non-reading of evidence placed before it, thus, not sustainable in the eyes of law.
- F. Whereas; the impugned Circular No.2371/DHQ/LKL dated 04/10/2022 is based on conjectures and surmises, hence liable to be vacated.
- G. Whereas; the Circular No.2371/DHQ/LKL dated 04/10/2022 is suffering from serious legal infirmities, thus legally not maintainable.
- H. Whereas; respondent's act is against the law and rules, laid down for the private practices/Clinics. Hence which is never warranted in the eyes of law.

ATTESTED
EXAMINER
Peshawar High Court

- I. Whereas; the respondents have not treated petitioner in accordance with Law, rules, and policy on subject and acted in violation of the article 4 of the constitution of 1973 of the Islamic republic of Pakistan.
- J. Whereas; more grounds / documents, if any, will be taken/ produced at the time of arguments with the permission of this honorable court.

PRAYAR:

While considering the above and acceptance of this constitutional petition in hand an appropriate writ/Order may kindly be;

- A. That the impugned Circular No.2371/DHQ/LKL dated 04/10/2022 may kindly be quashed, declare null and void and annulled as the said isn't issued in accordance with the law and rules & regulation laid down for the private practices of Government Doctors.
- B. Direction be issued to the Respondents No.1 not to harassed and annoyed the petitioners (noble professional of society) for his own ulterior motive.
- C. Any other remedy appropriate in the circumstances but not specifically asked for may please also be granted to the petitioner.

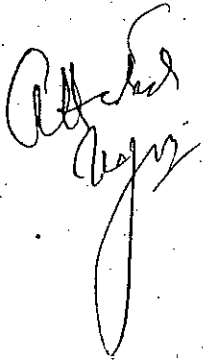
Interim relief:

Till the final disposal of the main writ petition it is humbly prayed that the private practices of the petitioners be restored and respondents No.1 be restrained not to pressurize and annoyed the petitioners.

Dated: 16/10/2022

Petitioner

Through



Liaqat Ali Shinwari

Advocate high court, Peshawar.

Mobile: +92 301 8938463

Email; liaqat211993@yahoo.com

Address: TF-241 Deans Trade Center,
Peshawar Cantt.

ATTESTED
EXAMINER
Peshawar High Court

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Certificate: No such petition on the name of the petitioner has been earlier filed by the petitioner in this honorable court.

Note:

This instant writ petition may kindly be place before hon'able Divisional Bench.

Law Book:

1. Constitution of the Islamic Republic of Pakistan 1973.
2. As per Need.

ATTESTED
EXAMINER
Peshawar High Court

Abdul Hameed
ujm

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.


W.P _____/2022

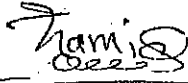
Dr. Abdul Hameed & others **V** ersus Medical Superintended & others
(Petitioners) (Respondents)

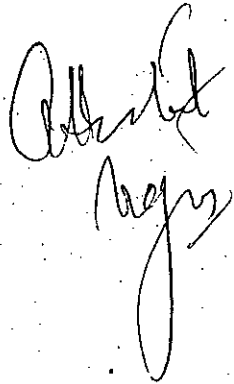
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Affidavit


I, Mr. Dr. Abdul Hameed Afridi S/O Shughal ^{Hussain} Khan R/O phase 6 hayatabad house no, 405 street No, 11 Sector F-7 Peshawar and posted in district Head Quarter hospital, Landi Kotal Khyber, do hereby solemnly affirm and declare on oath that the contents of this writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

Liaqat Ali Shinwari 
Advocate high court, Peshawar

Deponent 
Dr. ABDUL HAMEED
CNIC: 21202-8481800-9
Mobile #0302 5599580



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017
Shughal Khan

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Dr. Abdul Hameed
Peshawar
Liaqat Ali Adv.

17/10/2022

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8, 7 of
the Qanun-e-Shahadat Act 1984
04-JUL 2023

JUDGMENT SHEET

**PESHAWAR HIGH COURT,
PESHAWAR
(Judicial Department)**

W.P No.4051-P/2022 with IR

**(Dr. Abdul Hameed & others VS Medical
Superintendent DHQ, Hospital Landi Kotal &
others)**



JUDGMENT

Date of hearing: 15.03.2023

Petitioners by: *Mr. Liaqat Ali Shinwari,
advocate.*

Respondent No.1 by: *Mr. Nazir Ahmad,
advocate.*

Respondents No.2-3 by: *Mr. Javed Akhtar, AAG.*

MOHAMMAD IBRAHIM KHAN, J.- The
petitioners being qualified doctors by profession
are performing their duties as Senior Medical
Officers/ Specialists and Medical Officers at
District Headquarter Hospital, Landi Kotal
District, Khyber. They are accustomed to run their
private clinics after hospital duty hours in their
official residences to ensure easy health services.
However, the respondent No. 1 with *malafide*
intention issued circular dated 04.10.2022
wherein, it has been mentioned that private
practice within 500 meters of the hospital

Handwritten signature and initials

**ATTESTED
EXAMINER
Peshawar High Court**

premises is banned. The petitioners are performing their duties with great zest and zeal during hospital hours. Felt aggrieved from the impugned circular dated 04.10.2022, they approached respondent No. 1 for redressal of their grievance but proved bootless. The respondent No. 1 instead to facilitate the petitioners for delivering their health services to the locality, has banned their private practice in official residences. Hence, they have come up to this court through this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer:

"While considering the above and acceptance of this constitutional petition in hand an appropriate writ/order may kindly be issued:

a. That the impugned Circular No. 2371/DHQ/LKL dated 04.10.2022 may kindly be quashed, declare null and void and annulled as the said is not issued in accordance with the law and rules & regulations

ATTESTED
EXAMINER
Peshawar High Court

laid down for the private practices of Government Doctors.

b. Direction be issued to the respondent No. 1 not to harass and annoyed the petitioner (noble professional of society) for his own ulterior motive.

c. Any other remedy appropriate in the circumstances but not specifically asked for may please also be granted to the petitioner."

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A. H. Khan
K.P.

2. Amongst the respondents, respondent No. 1 filed para-wise comments wherein, the stance of petitioners has been negated on various legal and factual grounds.

3. Arguments heard and available record gone through.

4. It is not deniable that the petitioners are performing their duties as Senior Medical Officers/Specialists at District Headquarter Hospital, Landi Kotal District, Khyber and are

✓

ATTESTED
EXAMINER
Peshawar High Court

also running their private clinics in their official residences situated within the premises of the hospital. The question is, why this controversy arose in between the Medical Superintendent, DHQ Hospital, Landi Kotal, District Khyber and the practicing specialists and Medical Officers? it is on account of receiving various complaints on Pakistan Citizen's Portal (PCP). The initiative to ban practice in the official residences was taken on the directive of the worthy Chief Minister, Khyber Pakhtunkhwa to shun such practice as for the private practice, the resources and facilities provided for the hospitals by the Government were misused. We have before us copy of "*The North-West Frontier Province (Doctors in Government Service) Private practice Rules, 1981*" dated 24.12.1981/14.01.1982. Rule 5 of the *ibid* Rules prohibits private practice during office hours while Rule 6 whereof allows private practice after hospital hours at the doctor's residence or at the residence of the patient or at such other place as may be approved by Government. Therefore, the respondent No.1 issued the impugned circular dated 04.10.2022

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Attested
No. 1

ATTESTED
EXAMINER
Peshawar High Court

whereby, such illegal practice was discouraged and the doctors, nurses, paramedics and LHVs were strictly prohibited from private practice within 500 meters of the hospital's premises. In order to interpret Rule 6 of the *ibid* Rules, as referred to above, though private practice is allowed in the doctors' residences but such practice be owned privately by the doctors and as such, no practice is to be carried out in their official residences.

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5. There is no illegality found in the impugned circular dated 04.10.2022, issued by the respondent No.1, hence, the petitioners have no cause of action as they have been rightly debarred from private practice within 500 meters of the hospital's premises.

Attended
M/S

6. In view of above, the desired writ cannot be issued; resultantly, this petition stands dismissed.

Announced.
Dt: 15.03.2023
Zia*

the

JUDGE

JUDGE

D.B Hon'ble Mr. Justice Mohammad Ibrahim Khan, J
Hon'ble Mr. Justice Ishtiaq Ibrahim, J

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 6, 7 of
the Qanoon-e-Shanadat Act 1984
04 JUL 2023

1

IN THE COURT OF LEARNED DISTRICT JUDGE
KHYBER

Titled Appeal No _____ 2023

(57)

1. Dr Bakhtiar Alam S/O Shah Zamir
2. Dr Abdul Sattar S/O Halcem Khan
3. Dr Khial Wali S/O Yaghi Shah
4. Dr Walayat Khan S/O Shad Muhammad
5. Dr. Feroz Shah S/O Raheem Shah
6. Dr Pervaiz Khan S/O Said Alam
7. Dr Naheed Sadiq D/o M Sadiq
8. Dr Muhammad Khan S/O Shah Jihan Khan
9. Dr Khiali Khan S/O Stana Gul
10. Dr Khalid Javed S/O Zulfiqar Khan
11. Dr Abdul Hameed S/O Shughal Hassan
12. Dr Afrasiab S/O Dr Liaqat Ali
13. Dr Muhammad Ihsan S/O Sahib Gul all Residents of Doctor's Colony District Headquarter Hospital, Landi Kotal, District Khyber.

.....Appellants

Versus

06/03/2023

M.S, Medical Superintendent, Dr, Jamshed Sherani, District Headquarter Hospital, Landi Kotal, District Khyber. 0315-960608

.....Respondent

APPEAL AGAINST THE IMPUGNED JUDGEMENT/
ORDER DATED: 03/03/2023 PASSED BY THE
LEARNED CIVIL JUDGE TEHSIL LANDI KOTAL
DISTRICT KHYBER WHEREBY HE REJECTED THE
SUIT OF THE APPELLANTS.

Attested

ATTESTED
(Signature)
Session Judge, Khyber

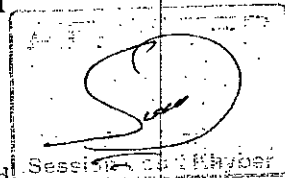
Prayer:

By accepting this appeal the impugned judgment/
Order dated: 03/03/2023 passed by civil judge, Landi
Kotal District Khyber may kindly be set aside and
consequently and the case may kindly be remanded
back to the learned civil judge tehsil landi Kotal district
Khyber.

Respectfully Sheweth:

1. That the appellants/plaintiffs filed a suit for
declaration and permanent injunction coupled
with an application for temporary injunction before
the court of Hon'ble civil judge landi Kotal district
Khyber. (attested copy of the plaint and
application are attached)
2. That the Hon'ble court was kind enough to grant
status quo vide order no # 2 dated 22/12/2022,
restraining the defendant and notice to the
defendant was issued. (copy of order dated
22/12/2022 is attached)
3. That the defendants appeared before the learned
court below and filed his written statement, reply

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Attended
Majid



(B)

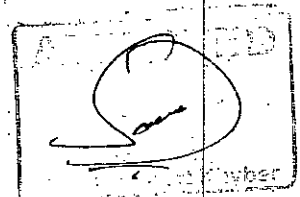
to the application of temporary injunction along with an application for rejection of plaint on the ground that the jurisdiction of the learned court below is barred in the matter in dispute. (attested copy of written statement, written reply and application under order VII rule XI is as annexed)

- (50B)
(59)
4. That the learned civil judge landi Kotal district Khyber after hearing the arguments on the application under order VII rule 11 rejected the suit filed by the plaintiffs/appellants vide order dated: 03/03/2023. (order of the CJ-LKL dated 03/03/2023 is annexed)
 5. That the plaintiffs/ appellants feeling highly aggrieved from the said order of the Hon'ble Court below prefers the instant appeal on the following grounds inter alia:

Grounds:

1. That the impugned order dated 03/03/2023 of learned Civil Judge Tehsil Landi Kotal Khyber is against the law and facts hence liable to be set aside.

Attested
Signature



2. That the learned court below failed to properly appreciate the appellants/ plaintiffs stance and material available on record in its true and correct legal perspective, the impugned order therefore, is liable to be set aside.

3. That the learned trial court has failed to correctly and properly apply the law on the subject to the material facts of the case, hence the impugned order suffers from material irregularities.

4. That the trial court completely ignored the available record and documents annexed with plaint, passed impugned order in haste and hurry manner.

5. That the learned court below by rejecting the suit of the plaintiff under order VII rule 11 on technicality instead of merit even though the apex court in its judgments have held that merit and not the technicalities must be made the basis

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ATTESTED
[Signature]
Sd/-
Deputy Registrar
District Court, Rhybat

for administration and dispensation of justice.

6. That the precedents of the Apex Courts have not properly been followed and the Learned Trial Court has passed the impugned judgment/ order in haste manner.

7. That the learned court below has had a birds, eye view over the material available on file and has neither properly appreciated and examined the facts of the case nor has properly applied the law on the subject, hence the impugned order is liable to be dismissed.

8. That appellants however, reserve the right to advance further points during arguments not specifically taken in the instant appeal with permission of this Hon'able court.

Prayers:

It is therefore prayed that by accepting this appeal the impugned judgment/ Order dated:

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Attested
[Signature]

ATTESTED
[Signature]
Sesior Clerk of the Court

03/03/2023 passed by Learned civil judge,
Landi Kotal District Khyber may kindly be set
aside and consequently the case may kindly be
remanded back to the learned civil judge tehsil
landi Kotal district Khyber by providing an
opportunity decide the case on merit.

S. Raza
Appellants

Through

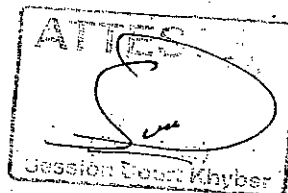
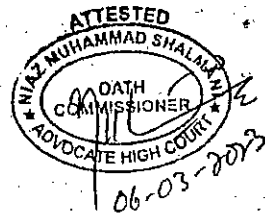
Muhammad Haroon Shinwari
Advocate high court Peshawar

Dated: 06/03/2023

Affidavit

I Saleem Raza, (special attorney), do hereby solemnly verify on
oath that the contents of this application are true and correct
to the best of my knowledge and belief and nothing has been
intentionally concealed from this Hon'ble Court.

S. Raza
Deponent



(Handwritten signature)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 9th June, 2023.

NOTIFICATION:

No. SOG/MD/1-46/Gen. Notification/2023/1 In pursuance of judgement of Hon'able Peshawar High Court, Peshawar, rendered in W.P No. 4051-J/2022, titled Dr. Abdul Hameed & others vs Medical Superintendent DHO Hospital Landikotal & others, dated 15.03.2023, the Competent Authority is pleased to impose ban on all kind of private practice within the premises of 500 meters of Government Hospitals, other than Medical Teaching Institutions, with immediate effect.

SECRETARY
GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Encls. No. & date even.

Copy forwarded for information /further necessary action to the:

1. All Commissioners in Khyber Pakhtunkhwa.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Director General Drugs Control and Pharmacy Services Khyber Pakhtunkhwa.
4. Director General Provincial Health Services Academy Khyber Pakhtunkhwa, Peshawar.
5. Chief Planning Officer, Health Department Khyber Pakhtunkhwa, Peshawar.
6. Chief HSRU, Health Department Khyber Pakhtunkhwa, Peshawar.
7. Chief Executive Officer, Healthcare Commission Khyber Pakhtunkhwa.
8. Director IMU Health Department Khyber Pakhtunkhwa, Peshawar.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. All DHOs/MSs Health Department Khyber Pakhtunkhwa.
11. All Sections Officers in Health Department Khyber Pakhtunkhwa.
12. PS in Advisor to Chief Minister for Health Khyber Pakhtunkhwa, Peshawar.
13. PS to Secretary Health Department Khyber Pakhtunkhwa, Peshawar.
14. PS to Special Secretary (E&A)(H&D), Health Department Khyber Pakhtunkhwa, Peshawar.
15. PA to Additional Secretary (E&A)(H&D)(MHs), Health Department, Khyber Pakhtunkhwa.
16. PA Deputy Secretary (Admin)(E&A)(H&D)(MHs) (L.H) & (Drugs), Health Department.

Abdul Hameed
Muz

B. Khan
SALIM ULLAH KHAN
Section Officer (General)
(091-9210863)

BEFORE THE HONOURABLE DISTRICT JUDGE KHYBER

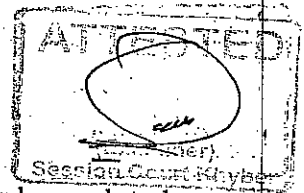
Dr Bakhtiar Alam etc

...Versus... Ms Dr Jamshed

APPLICATION FOR SUSPENSION OF IMPUGNED
ORDER 03/03/2023 AND RESTRAINING THE
RESPONDENT TILL THE DECISION OF TITLED
APPEAL.

Respectfully Sheweth:

- 1) That the above titled appeal is pending before this Honorable Court in which no date of hearing has yet been fixed.
- 2) That prima facie case exists in favour of the appellant.
- 3) That the balance of convenience heavily leans in favor of the appellant.
- 4) That if the impugned order dated: 03/03/2023 is not suspended and ad-interim is not granted, the appellants would suffer an irreparable loss and the titled appeal would lose its object.



(40)

(7)

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Attested
Aggs

Administrative
action letter

OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL

SALARY DEDCUTION REPORT W.E.FROM 01.06.2022 TO 30.11.2022.

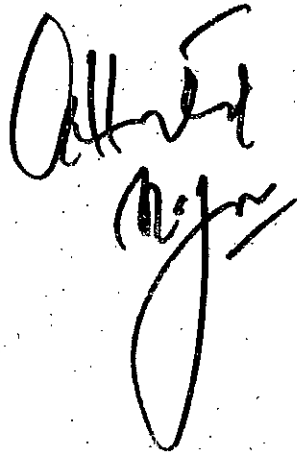
Approved
G

S.No	Designation	No.	Amount	Remarks
01	Gynecologist	01	37390/-	Deduction from the employees of DHQ:Hospital
02	Eye Specialist	01	13458/-	Landikotal w.e.from 01.06.2022 to 30.11.2022.
03	ENT Specialist	01	4603/-	
04	Dental surgeon	01	19629/-	
05	Orthopedic Surgeon	01	23508//-	
06	Surgcal Specialist	01	17481/-	
07	Chest Specialist	01	20520/-	
08	Cardiologist	01	18519/-	
09	Radiologist	01	24543/-	
10	SMO 09	09	169884/-	
11	SWMO	01	27081/-	
12	Medical Officers	98	936648/-	
13	W.Medical Officer	02	31116/-	
14	Head Nurse	01	7005/-/-	
15	Charge Nurse	28	109575/-	
16	Paramedics	23	61445/-	
17	Class IV	08	18665/-	
	Total:-		1541070/-	

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Medical Superintendent
District Headquarter Hospital,
Landikotal.



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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIVOTAL
DISTRICT KHYBER, SALARY DEDUCTION DETIAL W.F FROM 01.06.2022 TO 31.05.2023

Cost center KH4031

S.No.	Designation	Previous	Current Month	Progressive
		Progressive	01.05.2023	up to 31.05.2023
1	Gynecologist	252290		252290
2	Eye Specialist	13458		13458
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	29159		29159
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	SMOs	286234		286234
11	SWMO	27081		27081
12	Medical Officers	2158325	19541	2177866
13	W. Medical Officers	58895		58895
14	Head Nurse	7005		7005
15	Charge Nurses	250580	107750	358330
16	Paramedics	175935	19561	195496
17	Class IV	68554	2765	71319
	TOTAL:-	3426979	174619	3600998

Attest
Agar

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION STATEMENT FROM 01 04 2022 TO 30 04 2022

Cost center KH4011

S.No.	Designation	Previous	Current Month	Progressive
		Progressive	01 04 2022	up to 30 04 2022
1	Gynaecologist	252200		252200
2	Eye Specialist	11150		11150
3	ENT Specialist	4600		4600
4	Dental surgeon	17670		17670
5	Orthopedic Surgeon	21500		21500
6	Surgical Specialist	20150		20150
7	Chest Specialist	20520		20520
8	Cardiologist	18510		18510
9	Radiologist	24540		24540
10	SMOs	286214		286214
11	SWMO	27081		27081
12	Medical Officers	2016012	142201	2158213
13	W Medical Officers	58805		58805
14	Head Nurse	7005		7005
15	Charge Nurses	136925	109661	246586
16	Paramedics	175970		175970
17	Class IV	55636	4418	60054
	Total:-	3170007	256372	3426379

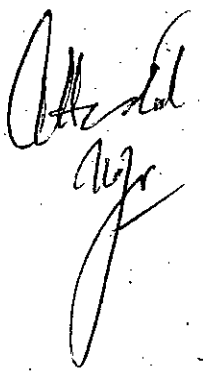
Attested
[Signature]

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION DETIAL W.E.FROM 01.06.2022 TO 31.03.2023

Cost center KH4031

S.No.	Designation	Previous Progressive	Corrent Month 01.03.2023	Progressive up to 31.03.2023
1	Gynecologist	252290		252290
2	Eye Specialist	13458		13458
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	29159		29159
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	S.MOs	279200	7034	286234
11	SWMO	27081		27081
12	Medical Officers	1736052	279980	2016032
13	W.Medical Officers	58895		58895
14	Head Nurse	7005		7005
15	Charge Nurses	129809	7116	136925
16	Paramedics	169519	6451	175970
17	Class IV	38406	17230	55636
	Total:-	2852196	317811	3170007

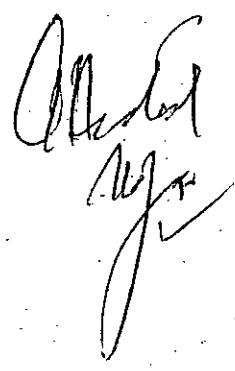


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**OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTERS HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION DETAIL W.E. FROM 01.06.2022 TO 28.02.2023**

Cost center: RH5031

S.No.	Designation	Previous Progressive	Current Month 01.02.2023	Progressive up to 28.02.2023
1	Gynecologist	252290		252290
2	Eye Specialist	13458		13458
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	29159		29159
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	SMOs	264922	14278	279200
11	SWMO	27081		27081
12	Medical Officers	1736052		1736052
13	W. Medical Officers	48717	50178	58895
14	Head Nurse	7005		7005
15	Charge Nurses	129809		129809
16	Paramedics	125498	44021	169519
17	Class IV	38406		38406
	Total:-	2783719	68477	2852196



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**OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION DETIAL W.E.FROM 01.05.2022 TO 31.01.2023**

Cost center KH4031

S.No.	Designation	Previous Progressive	Corrent Month 01.01.2023	Progressive up to 31.01.2023
1	Gynecologist	209310	42980	252290
2	Eye Specialist	13458		13458
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	23320	5839	29159
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	SMOs	221329	43593	264922
11	SWMO	27081		27081
12	Medical Officers	1466406	269646	1736052
13	W.Medical Officers	42850	5867	48717
14	Head Nurse	7005		7005
15	Charge Nurses	122693	7116	129809
16	Paramedics	105238	20260	125498
17	Class IV	18665	19741	38406
	Total:-	2368677	415042	2783719

*Attested
Signature*

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION DETIAL W.E FROM 01.06.2022 TO 31.12.2022

Cost center KH4031

S.No.	Designation	Previous Progressive	Corrent Month 01.12.2022	Progressive up to 31.12.2022
1	Gynecologist	37390	171920	209310
2	Eye Specialist	13458		13458
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	17481	5839	23320
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	SMOs	169884	51445	221329
11	SWMO	27081		27081
12	Medical Officers	936648	529758	1466406
13	W.Medical Officers	31116	11734	42850
14	Head Nurse	7005		7005
15	Charge Nurses	109575	13118	122693
16	Paramedics	61445	43793	105238
17	Class IV	18665		18665
	Total:-	1541070	827607	2368677

Abdul
Wazir

(71)

**OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
DISTRICT KHYBER, SALARY DEDUCTION OF HAI W.I. FROM 01.06.2022 TO 30.06.2023**

Cost center KH4091

S.No.	Designation	Previous	Current Month	Progressive
		Progressive	01.06.2023	up to 30.06.2023
1	Gynecologist	252200		252200
2	Eye Specialist	14388		14388
3	ENT Specialist	4603		4603
4	Dental surgeon	19629		19629
5	Orthopedic Surgeon	23508		23508
6	Surgical Specialist	20189		20189
7	Chest Specialist	20520		20520
8	Cardiologist	18519		18519
9	Radiologist	24543		24543
10	SMOs	286234		286234
11	SWMO	27081		27081
12	Medical Officers	2177866	42423	2220289
13	W. Medical Officers	58895		58895
14	Head Nurse	7005		7005
15	Charge Nurses	354336		354336
16	Paramedics	195533		195533
17	Class IV	87819	25000	112819
	Total:-	3600998	67423	3668421

*Attested
W.I.*

AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 09/2022.


Date. / /
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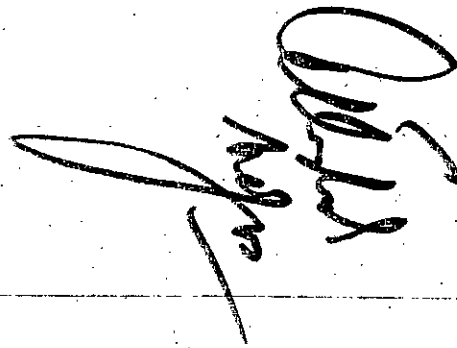
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Description. Medical Supdt : DHQ : Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount			Remarks
00436610	WALAYAT KHAN AFRIDI	ENT Specialist	B.Pay	5801	4603	01-DAY	They are absent from the duties, it is Therefore requested to please make the deduction in their salaries for the month of 09.2022.
00430103	TALIB KHAN	Eye Specialist	B.Pay	5801	7258	01-DAY	
00847500	HUMAIRA AFRIDI	Medical Officer	B.Pay	5801	4849	01-DAY	
00981940	NADIA SHARAFAT	Medical Officer	B.Pay	5801	4849	01-DAY	
00884815	MR ABDULLAH	Eye Tech	B.Pay	5801	1368	01-DAY	


Medical Superintendent
District Headquarter Hospital,
Landikotal.





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL
FOR THE MONTH OF 09/2022.

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 Description. Medical Supdt : DHQ : Hospital Landikotal.

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 Employee Name. Dr. Fozia Afridi Designation. Medical Officer:

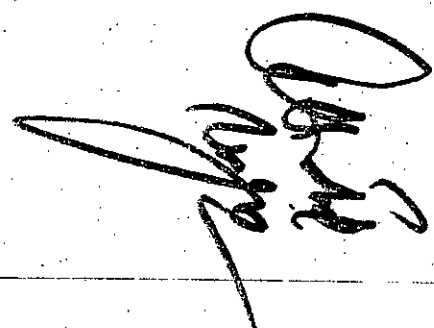
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 17.

GENERAL DATA CHANGE/ ALLOWANCE	Wage Type	Amount	Remarks
	B.Pay 5801	11994	The above mention employee is absent from the duties, it is therefore requested to please make the deduction in their salary for the month of 09.2022.


Medical Superintendent
District Headquarter Hospital,
Landikotal.





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AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 09/2022.

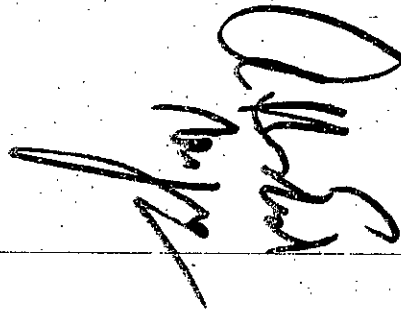
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Description. Medical Supdt : DHQ : Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount			Remarks
00504387	TAJ RAHIM	Lab Tech	B.Pay	5801	2418	01-DAY	They are absent from the duties, it is
00415726	SAFDAR KHAN	Lab Tech	B.Pay	5801	1965	01-DAY	Therefore requested to please make the
00835557	SONIA KIRAN	Charge Nurse	B.Pay	5801	2624	01-DAY	deduction in their salaries for the month of
							09.2022.


Medical Superintendent
District Headquarter Hospital,
Landikotal.





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

Date. ___/___/___
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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 08/2022.

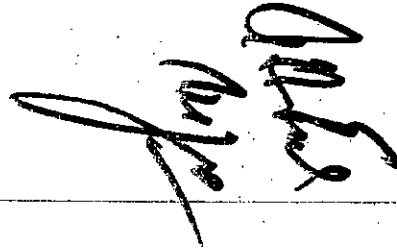
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 Description. Medical Supdt : DHQ : Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount		Remarks	
00408960	RUHUL ALA	SWMO	B.Pay 5801	5801	6876	02-days	They are absent from their duties continuesly,
00981940	NADIA SHARAFAT	Medical Officer	B.Pay 5801	5801	7167	02-days	It is therefore requested to please deduction
50337966	MUHAMMAD ALI	Medical Officer	B.Pay 5801	5801	15555	03-days	in their salaries.
00976069	ATTIQ UR RAHMAN	Medical Officer	B.Pay 5801	5801	4616	01-day	
00904968	ROOHI GUL	Medical Officer	B.Pay 5801	5801	14703	03-days	stop
00936906	HAFIZ SARTAJ ALI	Medical Officer	B.Pay 5801	5801	23275	05-days	
00976210	KHALIL UR RAHMAN	Medical Officer	B.Pay 5801	5801	4616	01-day	
00976234	IMDAD ULLAH	Charge Nurse	B.Pay 5801	5801	6375	03-days	stop
50212841	YASIR MOHAMMAD	Charge Nurse	B.Pay 5801	5801	8250	03-days	Stop
00978331	KHAN ZEB	Charge Nurse	B.Pay 5801	5801	6915	03-days	stop
50194336	KISHWAR BAGUM	Charge Nurse	B.Pay 5801	5801	6372	02-days	
00415760	ASIF NADEEM	Sweeper	B.Pay 5801	5801	3495	03-days	
00415253	ALI AKBAR	Lab Attend	B.Pay 5801	5801	4569	03-days	


Medical Superintendent
District Headquarter Hospital,
Landikotal.





SINGLE EMPLOYEE ENTRY.

OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL

FOR THE MONTH OF 08/2022

DDO CODE K H 4 0 3 1

Description. Medical Supdt : DHQ : Hospital Landikotal.

P. No.	Name	Designation.	Wage T	Amount	Remarks
50156265	Dr. M. SHAFIQ	S. Medical Officer	B. Pay	5801	5801
00936906	Dr. HAFIZ SARTAJ ALI	Medical Officer	B. Pay	5801	5801
00953675	Dr. KAMRAN QAYUM	Medical Officer	B. Pay	5801	4722
00810074	Dr. M. YASIR JAN	Medical Officer	B. Pay	5801	4722
00927803	Dr. M. ADNAN SAEED	Medical Officer	B. Pay	5801	4722
50154776	Dr. SALMAN AFRIDI	Medical Officer	B. Pay	5801	4810
50337435	Dr. Usman Ali	Medical Officer	B. Pay	5801	5243
00752528	Dr. NASEEB ULLAH	Medical Officer	B. Pay	5801	5185
00967360	Dr. MIR WAIS	Medical Officer	B. Pay	5801	5586
00976224	Dr. SUHAIL WISAL	Medical Officer	B. Pay	5801	4722
00976069	Dr. ATTIQ UR RAHMAN	Medical Officer	B. Pay	5801	4829
00994373	Dr. MUHAMMAD DAUD	Medical Officer	B. Pay	5801	4616
00415359	Mrs. Asia Begum	Charge Nurse	B. Pay	5801	4425
00445106	Mrs. RABIA SHAHEEN	Charge Nurse	B. Pay	5801	3803
50194336	Mrs. KISHWAR BAGUM	Charge Nurse	B. Pay	5801	3884
00747361	Mr. UMAR HAYAT	Radiology Tech	B. Pay	5801	3186
00711795	Mr. ZIVAD KHAN	Sterilization Tec	B. Pay	5801	1725

The same employees are reported by IMU
 District Khyber, that they are absent from
 there duties. It is therefore requested to
 To make one Day deduction in their salaries
 for the Month of 08, 2022.

Medical Superintendent

District Headquarter Hospital,
Landikotal.

Attested
[Signature]

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K H 4 0 3 1

Description. Medical Supdt : DHQ : Hospital Landikotal.


P.No.	Name	Designation.	Wage T	Amount			Remarks
				B.Pay			
00425923	FAHAD NAZIR	Dental Surgeon	B.Pay	5801	19629	03-days	They are absent from their duties, due to illegal and unannounced strike, it is therefore requested to please make the deduction in their salaries for the month of 10.2022.
00968688	IMRAN KHAN	Medical Officer	B.Pay	5801	15975	03-days	
50212533	AFRASIAB KHAN	Medical Officer	B.Pay	5801	30489	05-days	
00924794	HAROON UR RASHID	Medical Officer	B.Pay	5801	27230	05-days	
00847500	HUMAIRA AFRIDI	Medical Officer	B.Pay	5801	22695	05-days	
00981940	NADIA SHARAFAT	Medical Officer	B.Pay	5801	13503	03-days	
00408960	RUHUL ALA	S.W. M. Officer.	B.Pay	5801	20205	03-days	
00936908	INTIKHAB ALAM	Medical Officer	B.Pay	5801	19748	04-DAY	
50314503	AYAZ AHMAD	Medical Officer	B.Pay	5801	9672	02-DAY	
00976224	SUHAIL WISAL	Medical Officer	B.Pay	5801	4745	01-DAY	
50374929	MUHAMMAD KHAN	Medical Officer	B.Pay	5801	14436	03-days	
00974803	DR. EKRAM UDDIN	Medical Officer	B.Pay	5801	22545	05-days	
50154776	SALMAN AFRIDI	Medical Officer	B.Pay	5801	4975	01-DAY	
50337966	MUHAMMAD ALI	Medical Officer	B.Pay	5801	15774	03-days	
00114004	DR KHIAL WALI	ORTHOPAEDIC SURGEON	B.Pay	5801	23508	03-days	
00415295	KHIALI.KHAN	S. Medical Officer	B.Pay	5801	18804	03-days	
50346237	FARHAD KHAN	Medical Officer	B.Pay	5801	15765	03-days	
50150587	ABDUL SATTAR KHAN	Chest Specialist	B.Pay	5801	20520	03-days	
00981937	USMAN SAEED	Medical Officer	B.Pay	5801	13809	03-days	
50313162	IMRAN KHAN	Medical Officer	B.Pay	5801	15093	03-days	
00756466	MUHAMMAD SHAFIQ	Medical Officer	B.Pay	5801	13230	03-days	
50296004	BAKHTIAR ALAM	SURGICAL SPECIALIST	B.Pay	5801	17481	03-days	
00934388	HAROON KHAN	Medical Officer	B.Pay	5801	15978	03-days	
50172926	ABDULSALAR KHAN	Cardiologist	B.Pay	5801	18519	03-days	
00992070	SAMINA KHAN	Medical Officer	B.Pay	5801	15639	03-days	
00415301	FEROZ SHAH	S. Medical Officer	B.Pay	5801	21399	03-days	
00415334	KHALID JAVED	S. Medical Officer	B.Pay	5801	19257	03-days	
50309669	SHAHIN SHAH	Medical Officer	B.Pay	5801	16053	03-days	
00422345	FAZAL RAZIQ	S. Medical Officer	B.Pay	5801	22101	03-days	
00935251	REHMAN SHAH	Medical Officer	B.Pay	5801	14697	03-days	

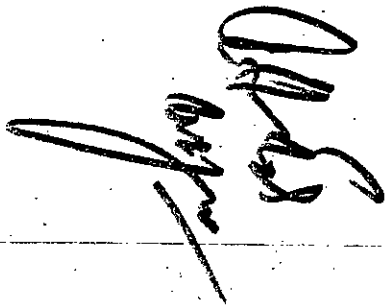
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50310202	FOZIA AFRIDI	Medical Officer	B.Pay	5801	14232	03-days
00939892	KAMRAN ALAMGIR	Medical Officer	B.Pay	5801	15318	03-days
00972995	MEHREEN IQBAL	Medical Officer	B.Pay	5801	14403	03-days
00656882	MOHAMMAD IHSAN	Medical Officer	B.Pay	5801	15765	03-days
00810074	M. YASIR JAN	Medical Officer	B.Pay	5801	13887	03-days
00952499	MARYAM MUNIR	Medical Officer	B.Pay	5801	13947	03-days
00992071	MUIZZ ZAHOOR	Medical Officer	B.Pay	5801	14085	03-days
00992068	KHAYYAM AMER	Medical Officer	B.Pay	5801	14082	03-days
00976035	NOOR FARAZ	Medical Officer	B.Pay	5801	14019	03-days
00415344	ABDUL HAMID AFRID	S. Medical Officer	B.Pay	5801	22452	03-days
00141827	DR PERVEZ KHAN	S. Medical Officer	B.Pay	5801	19176	03-days
00978723	SHAMS UL ISLAM	Medical Officer	B.Pay	5801	14061	03-days
00978932	SIDRA AFRIDI	Medical Officer	B.Pay	5801	15222	03-days
00154354	AJMAL KHAN	S. Medical Officer	B.Pay	5801	20046	03-days
00115440	SHAM SHAD KHAN	RADIOLOGIST	B.Pay	5801	24543	03-days
50157509	NAHEED SADIOQ	W. Medical Officer	B.Pay	5801	16188	03-days
50198591	DR PARVEEN NISAR	Gynaecologist	B.Pay	5801	23715	03-days
50454764	NADIA HABIB	W. Medical Officer	B.Pay	5801	14928	03-days
00962399	M. MUDASSIR MEHBOOB	Medical Officer	B.Pay	5801	14064	03-days


 Medical Superintendent
 District Headquarter Hospital,
 Landikotal.





AMENDMENT FORM
 SINGLE EMPLOYEE ENTRY.
 OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSITAL LANDIKOTAL.
 FOR THE MONTH OF 10/2022.


Date. ___/___/___
 Page No. ___

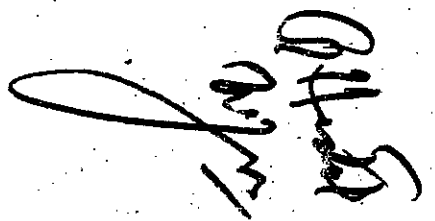
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 Description. Medical Supdt : DHQ : Hospital Landikotal.

P.No.	Name	Designation.	Wage T			Amount	Remarks
			B.Pay	5801	2505		
00504477	SHAKATULLAH	Dispenser	B.Pay	5801	2505	01-DAY	They are absent from their duties, it is therefore requested to please make the deduction in their salaries for the month of 10.2022.
00504475	HAYAT KHAN	Dispenser	B.Pay	5801	7515	03-DAY	


 Medical Superintendent
 District Headquarter Hospital,
 Landikotal.





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

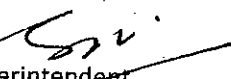
OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL
FOR THE MONTH OF 11/2022.

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 Description

P.No.	Name	Designation
00154354	ALMAL KHAN	Medical Officer
50374929	MUHAMMAD KHAN	Medical Officer
00974803	DR. EKRAM UDDIN	Medical Officer
00934388	HAROON KHAN	Medical Officer
00847500	HUMAIRA AFRIDI	Medical Officer
00992070	SAMINA KHAN	Medical Officer
00432174	Hamida	Charge Nurse
50310202	FOZIA AFRIDI	Medical Officer
00981940	NADIA SHARAFAT	Medical Officer
00952499	MARYAM MUNIR	Medical Officer
00987845	MUHAMMAD HARIS	Charge Nurse
00415601	MUHAMMAD SHAFIQ	RADIOGRAPHER
00415244	REHMAT ULLAH	Lab Asstt.
00415835	TAYYAB KHAN	Blood Bank Tech
00794415	SHAFIQ UR REHMAN	OT. Tech
00814082	ASAD JAN	OT. Tech
00415370	MUHAMMAD UZAIR	OT. Tech
00859150	NOMI IQBAL	Charge Nurse
50367335	ANAS KHAN	Mali

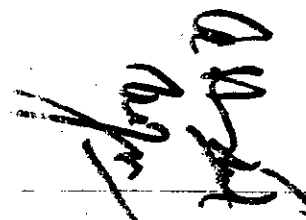

Medical Superintendent
District Headquarter Hospital,
Landikotal.

Date: ___/___/___
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HOSPITAL LANDIKOTAL.

Supdt: DHQ: Hospital Landikotal.

Amount			Remarks
P.No.	Amount	Days	
5801	6905	01-day	They are absent from their duties, it is therefore requested to please make the deduction in their salaries for the month of 11.2022.
5801	4972	01-day	
5801	9318	02-day	
5801	5504	01-day	
5801	14586	01-day	
5801	4883	01-day	
5055	7050	02-days	
5801	4883	01-day	
5801	4369	01-day	
5801	4512	01-day	
5801	2212	01-day	
5801	2246	01-day	
5801	1699	01-day	
5801	2132	01-day	
5801	2360	01-day	
5801	1716	01-day	
5801	1975	01-day	
5801	3193	01-day	
5801	943	01-day	





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 11/2022.


DDO COD

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 Description: Medical Supdt. DHQ: Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount			Remarks
00976055	MAJID KHAN KAKAKHEL	Medical Officer	B.Pay	5801	9686	02-days	They are absent from their duties, it is
00976210	KHALIL UR RAHMAN	Medical Officer	B.Pay	5801	9688	02-days	Therefore requested to please make the
50156265	MUHAMMAD SHAFIQ	S. Medical Officer	B.Pay	5801	13166	02-days	deduction in their salaries for the month of
50154776	SALMAN AFRIDI	Medical Officer	B.Pay	5801	5141	01-day	11.2022.
00810074	MUHAMMAD YASIR JAN	Medical Officer	B.Pay	5801	4783	01-day	
50314503	AYAZ AHMAD	Medical Officer	B.Pay	5801	4998	01-day	
00936908	INTIKHAB ALAM	Medical Officer	RCA	5055	5169	01-days	
00976224	SUHAIL WISAL	Medical Officer	B.Pay	5801	9806	02-days	
50212533	AFRASIAB KHAN	Medical Officer	B.Pay	5801	5651	01-day	
00992070	SAMINA KHAN	Medical Officer	B.Pay	5801	9766	02-days	
00952499	MARYAM MUNIR	Medical Officer	B.Pay	5801	9608	02-days	
50313162	IMRAN KHAN	Medical Officer	B.Pay	5801	5429	01-day	
00656775	M. ARIF KHAN	Medical Officer	B.Pay	5801	5432	01-day	
00415370	MUHAMMAD UZAIR	Anesthesia Tech	B.Pay	5801	3950	02-days	
00504387	TAJ RAHIM	Lab Tech.	B.Pay	5801	4674	02-days	
00500784	SAIF ULLAH	Lab Asstt.	B.Pay	5801	2150	02-days	
00987844	ASMA RASHEED	Charge Nurse	B.Pay	5801	5512	02-days	
01004353	NEELAM WAZIR	Charge Nurse	B.Pay	5801	4764	02-days	
00415726	SAFDAR KHAN	Lab Tech.	B.Pay	5801	3930	02-days	


Medical Superintendent
District Headquarter Hospital,
Landikotal.





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

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OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 11/2022.

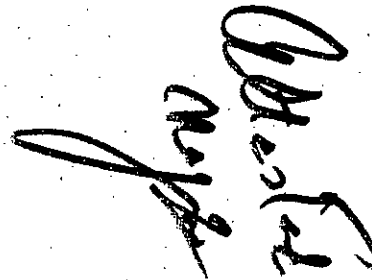
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 Description: Medical Supdt: DHQ: Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount			Remarks
00847500	HUMAIRA AFRIDI	Medical Officer	B.Pay	5801	24310/-	05-days	The concern employee is absent from her duty Therefore requested to please make the deduction in their salaries for the month of 11.2022.


Medical Superintendent
District Headquarter Hospital,
Landikotal.





AMENDMENT FORM
SINGLE EMPLOYEE ENTRY.

Date. ___/___/___

Page No. _____

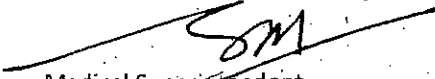
OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
FOR THE MONTH OF 06/2022.

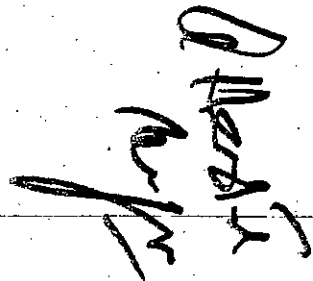
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 Description. Medical Supdt : DHQ : Hospital Landikotal.

P.No.	Name	Designation.	Wage T	Amount			Remarks
50198591	Dr. Parveen Nisar	Gynecologist	B.Pay	5801	13675	2-days	They are absent from their duties, it is
936908	Dr. Intikhab Alam	Medical Officer	B.Pay	5801	13947	2-days	Therefore requested to please deduction
936906	Dr. Hafiz Sartaj	Medical Officer	B.Pay	5801	6732	1-days	in their salaries.
877567	Dr. Umar Ilyas	Medical Officer	B.Pay	5801	7614	5-days	
974803	Dr. Ikram Ud Din	Medical Officer	B.Pay	5801	7614	1-days	
978714	Dr. Umaima Batool	Medical Officer	B.Pay	5801	7614	1-days	
50157509	Dr. Naheed Sadiq	Medical Officer	B.Pay	5801	7614	2-days	
415675	Mr. Samad Khan	Dhobi	B.Pay	5801	2262	2-days	
415610	Mr. Baber Azeem	Sweeper	B.Pay	5801	1387	1-days	


Medical Superintendent
District Headquarter Hospital,
Landikotal.





OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL.

No. 24277 /DHQH: LKL

Dated: 05 / 06 /2023

To

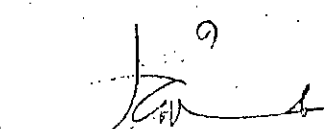
Director General Health Services
Directorate of Health Services, Peshawar

Annexure
(H) (84)

Subject: REQUEST FOR TRANSFER OF SERVICES OF ABSENT
CIVIL SERVANTS

In accordance with the above mentioned subject, it is intimated to your good office that since my joining as Medical Superintendent of DHQ Hospital, Landikotal on 23-05-2022, few of the staff nurses (civil servants) were found absent. Their salary has been stopped by the undersigned.

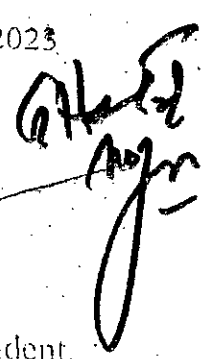
List of the absentee staff is annexed and their services are no more required to the said hospital and surrendered to health directorate for further necessary action, please.

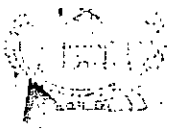

Medical Superintendent,
DHQ Hospital,
Landikotal.
Dated. / /2023

No. /DHQH-LKL

C/C: -

1. PS to Secretary Health, Peshawar
2. Office record


Medical Superintendent,
DHQ Hospital,
Landikotal.



GOVT. OF KHYBER PAKHTUNKHWA
OFFICE OF THE MEDICAL SUPERINTENDENT,
DISTRICT HQ HOSPITAL LANDIKOTAL.

Phone # 0924210901 | Email No. mskhyber@gmail.com

No. 740 DHQH-LKI

Dated: 05/02/2023.

85

Subject:-Explanation Regarding absent report (05/02/2023)

During the Routine Round of Morning/Evening/Night shift DMS and Nursing Supervisor as per biometric Report. The following RNOs were found absent from their duty place without any information and prior permission of the competent authority

You are hereby directed to explain your position within 48 hours, otherwise Strict disciplinary action will be initiated against you.

Nurses

1	Fida Muhammad (AIP)	2	Pir Azhar (AIP)	3	M. Yasin (AIP)
4	Ibne Amin (C.S)	5	Saleem (AIP)	6	

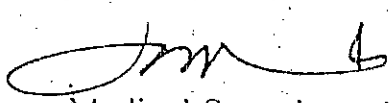
Pharamadics

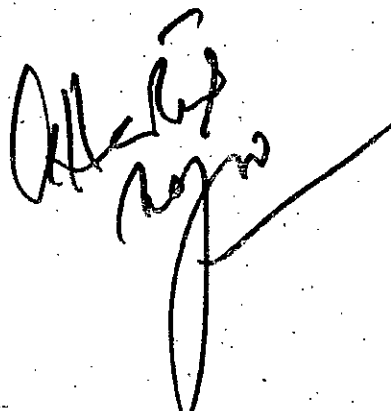
1	Omar OTA	2	Mohsin OTA		
---	----------	---	------------	--	--

Medical Superintendent,
District headquarter Hospital,
Landikotal.

Cc:

- All Absent RN Officers/Personal File.
- Account Section officers of DHQ Hospital Landikotal for information
- & to deduct pay from their salaries


Medical Superintendent,
District headquarter Hospital,
Landikotal





GOVT. OF KHYBER PAKHTUNKHWA
OFFICE OF THE MEDICAL SUPERINTENDENT,
DISTRICT HQ HOSPITAL LANDIKOTAL.

Phone # 0924210901 Email No. mskhyber@gmail.

No. 739 /DHQH-LKL

Dated. 06/02/2023.

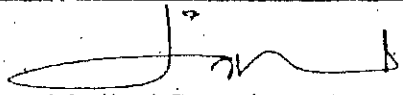
Subject:-Explanation Regarding absent report (04/02/2023)

During the Routine Round of Morning/Evening/Night shift DMS and Nursing Supervisor as per biometric Report. The following RNOs were found absent from their duty place without any information and prior permission of the competent authority

You are hereby directed to explain your position with in 48 hours. otherwise Strict disciplinary action will be initiated against you.

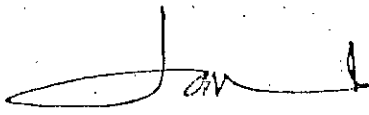
Nurses

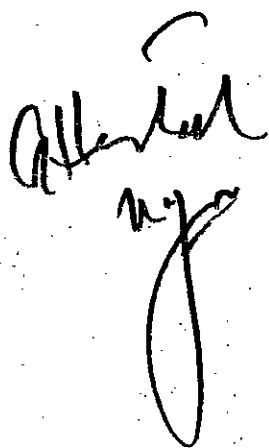
1	Asim Begum (C.S)	2	Rifaqat Begum (C.S)	3	Shehnaaz Shaheen (C.S)
4	Abdul Aziz (C.S)	5	Faisal Khan (AIP)	6	Habib ullah (AIP)
7	Moaz Khan (AIP)	8	Mushtaq Ahmad (AIP)	9	Najeeb Alam (AIP)
10	M. Irshad (AIP)	11	M. Asim (AIP)	12	Safdar Ali (AIP)
13	Shoukat Ali (AIP)	14	Sulaiman (AIP)	15	Talha Usman (AIP)
16	Akber Hussain (AIP)	17	M. Yasen (AIP)	18	Mohabat Khan (AIP)
19	Farzana (C.S)	20	Mehnaz (C.S)	21	Samina naz (AIP)
22	Mukhlis Ullah (AIP)	21	Bacha Khan (AIP)	22	Ibne Amin (C.S)


Medical Superintendent,
District-headquarter Hospital,
Landikotal.

Cc:

- All Absent RN Officers/Personal File.
- Account Section officers of DHQ Hospital Landikotal for information
- & to deduct pay from their salaries


Medical Superintendent,
District headquarter Hospital,
Landikotal





GOVT. OF KHYBER PAKHTUNKHWA
OFFICE OF THE MEDICAL SUPERINTENDENT,
DISTRICT HQ HOSPITAL LANDIKOTAL.

(87)

No. 781 /DHQH-LKL Phone # 0924210901 Email No. mskhyber@gmail.

Dated 07/02/2023.

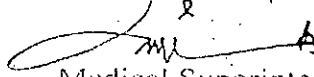
Subject:- Explanation Regarding absent report (07/02/2023)

During the Routine Round of Evening shift DMS and as per biometric Report. The following RNOs were found absent from their duty place without any information and prior permission of the competent authority

You are hereby directed to explain your position within 48 hours, otherwise Strict disciplinary action will be initiated against you.

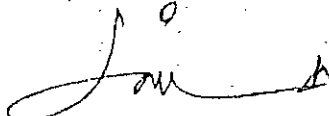
Nurses

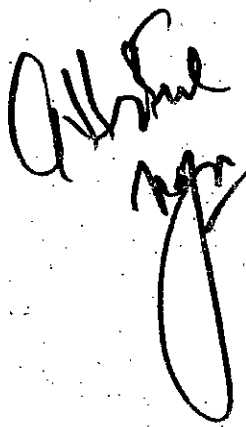
1	Fida Muhammad (AIP)	2	Sonia (C.S)	3	M. Yasin (AIP)
4	Ibne Amin (C.S)	5	Bachia Khan (AIP)	6	Zohra Bibi (C.S)


Medical Superintendent,
District headquarter Hospital,
Landikotal.

Cc:-

- All Absent RN Officers/Personal File.
- Account Section officers of DHQ Hospital Landikotal for information
- & to deduct pay from their salaries


Medical Superintendent,
District headquarter Hospital,
Landikotal





GOVT. OF KHYBER PAKHTUNKHWA
OFFICE OF THE MEDICAL SUPERINTENDENT,
DISTRICT HQ HOSPITAL LANDIKOTAL.

88

Phone # 0924210901 Email No. mskhyber@gmail.

No. 132 /DHQH-LKL

Dated. 09/01/2023.

Subject:- Explanation Regarding absent report.

During the Routine Round of Morning Shift nursing supervisor. The following RN officers were found absent from their duty place without information and prior permission of the competent authority.

You are hereby directed to explain your position within 48 hours, otherwise Strict disciplinary action will be initiated against you.

Nurses

S.NO	Names	Date	S.NO	Names	Date
1	Ibne amin(C.S)	01/01/2023	1	Ibne amin(C.S)	04/01/2023
2	Ali Khan (AIP)	01/01/2023	2	Ali Khan (AIP)	04/01/2023
3	Akbar Gull	01/01/2023	3	Akbar Gull	04/01/2023
4	Saif Ullah (AIP)	01/01/2023	4	Saif Ullah (AIP)	04/01/2023
1	Ibne amin(C.S)	02/01/2023	1	Ibne amin(C.S)	05/01/2023
2	Ali Khan (AIP)	02/01/2023	2	Ali Khan (AIP)	05/01/2023
3	Akbar Gull	02/01/2023	3	Akbar Gull	05/01/2023
4	Saif Ullah (AIP)	02/01/2023	4	Sabiha (C.S)	05/01/2023
1	Ibne amin(C.S)	03/01/2023	1	Ibne amin(C.S)	06/01/2023
2	Ali Khan (AIP)	03/01/2023	2	Ali Khan (AIP)	06/01/2023
3	Akbar Gull	03/02/2023	3	Akbar Gull	06/12/2023
4	Saif Ullah (AIP)	03/01/2023	4	Sabiha (C.S)	06/12/2023

H. M. Khan
Nursing Supervisor
District headquarter Hospital,
Landikotal.

[Signature]
Medical Superintendent,
District headquarter Hospital,
Landikotal.

Cc:

- Account Section officers of DHQ Hospital Landikotal for information & to deduct one day pay from their salaries.
- All absent staff

[Signature]



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HQ HOSPITAL LANDIKOTAL

Phone #: 0924210901

Email: mskhyber@gmail

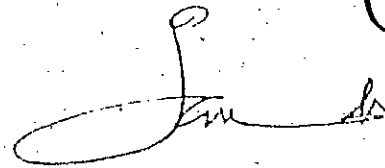
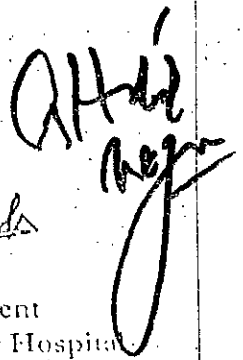
No. 257 /DHQ/H LKL

Dated 05/02/2023

89

List of Staff Nurses Civil Servant

S.No	ID	Name	Designation	Remarks	Comments
1		Lubna Jabeen	RNO	Absent	Absent from 13 Feb 2023
2		Sonia kiran	RNO	Absent	Absent from 24 September 2022. According to biometric report
3		Waseema gul	RNO	Absent	Absent form Date of arrival 13 Feb 2023
4		Rasheeda yaqoob	RNO	Absent	Absent from 1 st March 2023
5		Humara Parviz	RNO	Absent	Absent from Date of arrival 13 Feb 2023
6		Shamim Nargis	RNO	Absent	Absent from Date of arrival 13 Feb 2023
7		Muhammad Zahid	RNO	Absent	Absent from 24 September 2022 According to biometric report
8		Ibn E Amin	RNO	Absent	Absent from 24 September 2022 According to biometric report
9		Abdul Aziz	RNO	Absent	Absent from 15 March 2023

Medical Superintendent
District Headquarter Hospital
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL LANDIKOTAL.
Phone No.0924-210901 Email mskhyber5@gmail.com
No. 2297 /PF. Dated 16 /2023

To,

The Director General Health Services,
Khyber Pakhtunkhwa Peshawar

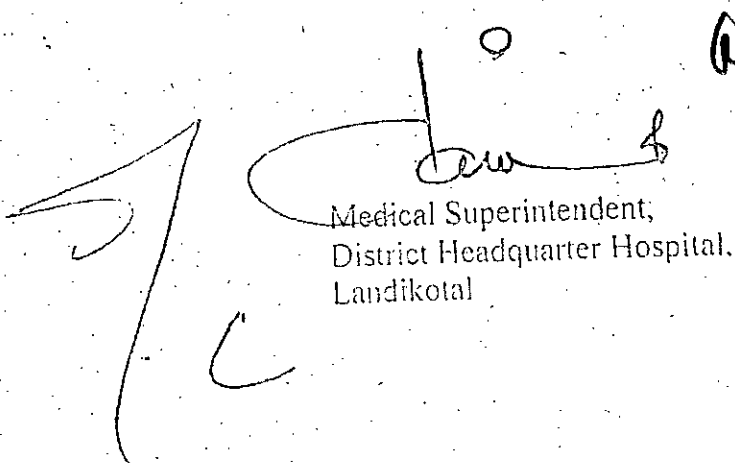
90

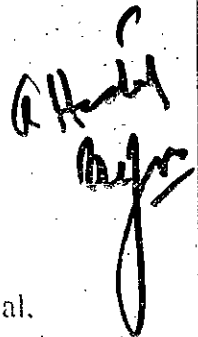
Subject
Dear Sir,

MR; ABNI AMIN S/O MUHAMMAD ALAM RNO BPS-16

Reference your office letter No 3176/E-11 dated 02.06.2023,
on the subject noted above. Mr Abni amin S/O Muhammad Alam RNO (BPS-16) has been
remained absent from 01.06.2022 to till date. His salary also been stopped on the same date.

Forwarded for information and necessary action please.


Medical Superintendent,
District Headquarter Hospital,
Landikotal





OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ; HOSPITAL LANDIKOTAL DISTRICT KHYBER

Phone # 0924210901

Email .mskhyber@gmail

No. 5174 /PF

Dated 25/09/2023.

To,

The Medical Superintendent,
DHQ Hospital Landikotal.

Amesure

QD

Subject:- Submission of Inquiry report

Reference to the letter No. 5074-79/DHQ-LKL dated 31/08/2023. It is stated that Dr. Nowshaba Lal WMO (BPS-18) appeared in the front of Inquiry Committee. She submitted her written apology to the inquiry committee and also willing to appear in the front of Medical Superintendent in his Office for her verbal apology as well.

The report is submitted along with her written apology affidavit to your kind office, for further necessary action please.

Abdul Haleem

Dr. Abdul Haleem
Chairman Inquiry
Committee

9/23

Dated. / /2023.

No. /DHQH-LKL

Copy forwarded to the:

1. PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
3. PA to Assistant Commissioner Khyber.
4. Staff Concerned.
5. Office Record.

Dr. Abdul Haleem
Chairman Inquiry
Committee



OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ; HOSPITAL LANDIKOTAL DISTRICT KHYBER

Phone # 0924210901 Email mskhyber@gmail
No. _____/PF Dated ___/___/2023.

To,

92

The Medical Superintendent,
DHQ Hospital Landikotal.

Subject:- Submission of Inquiry report

Reference to the letter No. 5074-79/DHQ-LKL dated 31/08/2023. It is stated that Dr. Nowshaba Lal WMO (BPS-18) appeared in the front of Inquiry Committee. She submitted her written apology to the inquiry committee and also willing to appear in the front of Medical Superintendent in his Office for her verbal apology as well.

The report is submitted along with her written apology affidavit to your kind office, for further necessary action please.

Dr. Abdul Haleem
Chairman Inquiry
Committee

Dated. 05/09 /2023.

No. 5775-79 /DHQH-LKL

Copy forwarded to the:

1. PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
3. PA to Assistant Commissioner Khyber.
4. Staff Concerned.
5. Office Record.

Dr. Abdul Haleem
Chairman Inquiry
Committee



OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ; HOSPITAL LANDIKOTAL DISTRICT KHYBER

Phone # 0924210901

Email .mskhyber@gmail

No. 5752 /PF

Dated 04/09/2023.

To,

Dr. Nowshaba Lal
DHQ Hospital Landikotal.

93

Subject:- 2nd Inquiry

Reference to the inquiry letter No.5074-79/DHQH-LKL dated 31/08/2023. You were directed to appear in front of inquiry Committee but you did not.

Hereby you are directed once again to appear before the said Committee at 01:30 Pm on Tuesday dated 05.09.2023. In case of failure, strict disciplinary action (Misconduct) will be initiated against you under E&D Rules, 2011.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

Dated. ___/___/2023.

No. _____ /DHQH-LKL

Copy forwarded to the:

1. PS to Secretary Health, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
3. PA to Deputy Commissioner Khyber.
4. PA to Assistant Commissioner Khyber.
5. Staff Concerned.
6. Office Record.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ; HOSPITAL LANDIKOTAL DISTRICT KHYBER
Phone # 0924210901 Email mskhyber@gmail
No. _____ /PF Dated 04/09/2023

To,

Dr. Nowshaba Lal
DHQ Hospital Landikotal

(94)

Subject:- 2nd Inquiry

Reference to the inquiry letter No.5074-79/DHQH-LKL dated 31/08/2023. You were directed to appear in front of inquiry Committee but you did not.

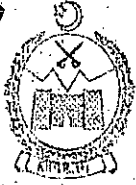
Hereby you are directed once again to appear before the said Committee at 01:30 Pm on Tuesday dated 05.09.2023. In case of failure, strict disciplinary action (Misconduct) will be initiated against you under E&D Rules, 2011.

No. 5753-58 /DHQH-LKL
Copy forwarded to the:

1. PS to Secretary Health, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
3. PA to Deputy Commissioner Khyber.
4. PA to Assistant Commissioner Khyber.
5. Staff Concerned.
6. Office Record.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.
Dated. 04/09/2023

Medical Superintendent,
District Headquarter Hospital,
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL.

No. 422-23 /DHQH/LKL

Dated. 21/01/2023

Miss. Aaliya Jamshed (Charge Nurse)

Miss. Rafaqat (Charge Nurse)

(95)

Subject: Inquiry.

In continuation of office letter No.391/DHQH/LKL dated 20-01-2023, the explanation you have submitted in this office is found to be non-satisfactory. The undersigned has constituted an inquiry committee comprising of following to probe the matter and submit their report in seven (07) days positively.

1. Dr. Adnan (MO Incharge Inquiry Committee)
2. Miss. Hamida (Charge Nurse Member)

recd

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

No. 424-27 /DHQH-LKL
C/C:

Dated. 21/01/2023.

1. PS to Secretary Health, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
3. Staff Concerned.
4. Office Record

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

all the
recd

OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL

Phone No.: 0924-210901
No. 1556 /DHQH:LKL

Email: mskhyber5@gmail.com
Dated: 11/04/2023

Enquiry Report of Death of Patient in Gynae Labour Room on 30-03-2023 in DHQ Hospital, Landikotal

Background:

A patient registered by the name of W/O Awais, 21 years old was brought to Gynae/ labour room of District Headquarter Hospital, Landikotal who later on died after being referred to Peshawar.

Facts:

1. The said patient registered by the name of W/O Awais, a 21-year-old pregnant lady was brought to DHQ Hospital in the morning around 11 am on 30th March, 2023.
2. Arrival of the patient was confirmed on 30th March 2023 by the written entry into the patient registration register placed in labour room. The same was also verified by CCTV footage as well.
3. Duty roster was also checked to confirm that Dr. Rohi Gul was on duty on the said date i.e. 30th March, 2023.

Findings:

- 1) Dr. Rohi Gul (WMO) is working as Medical Officer in Gynae department and was present on duty as per scheduled duty roster.
- 2) The said patient visited labour room at 11 am (Annex I) and was sent home to be re admitted at 02:00 pm and the doctor on duty (Dr. Rohi Gul) failed to explain the reason for sending the patient home.
- 3) No admission record or treatment chart was maintained by the doctor on duty.
- 4) Around 07:00 pm, the patient deteriorated and was unstable. The doctor on duty (Dr. Rohi Gul) did not ask for help from seniors or colleagues and referred the patient to tertiary care hospital in Peshawar. She did not bother to stabilize an unstable patient by administering proper treatment or call seniors for assistance.
- 5) The patient was in critical situation and did not make her way to Peshawar.



(Handwritten signature)

96

OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HEADQUARTER HOSPITAL
LANDIKOTAL

Phone No.: 0924-210901

No. 1557 /DHQH:LKL

Email: mskhyber5@gmail.com

Dated: 11/4/2023

(97)

Conclusion:


- I. This fact finding committee finds Dr. Rohi Gul actions as non-professional and her lack of interest towards performing her duties has led to a demise of a human life.
- II. The committee also concludes that if Dr. Rohi Gul could have followed the ethical and professional duties in a better manner, a human live could have been saved.

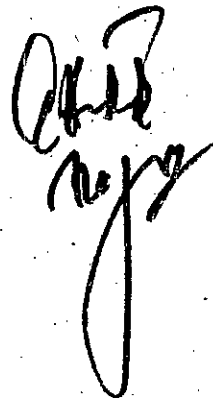
Recommendations:

The committee recommend strict departmental disciplinary action against Dr. Rohi Gul under Efficiency and Discipline Rules 2011, as she has been found negligent in performing her duties in the best of public interest.

The committee submits its report to the office of the undersigned on the forenoon of April 3rd 2023 for further necessary action:

Member: Dr. Rabail Incharge Gynae Unit


Dr. Rabail Incharge Gynae Unit





GOVT: OF KHYBER PAKHTUNKHWA
OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT HQ.HOSPITAL LANDIKOTAL.

Ph.No.0924210901 Email No.mskhyber5@gmail.com

No. _____/DHQH-LKL Dated. ____/____/2023.

To,

Subject: INQUIRY.

The incident took place yesterday date 29.08.2023 his between charge Nurse and Incharge Police Chowki DHQ Hospital Landikotal at Evening in Casualty Department. The Undersign here by Nominated the following Committee Members to Investigate the matter and Submit the inquiry report with in 72 hours in the office of undersign positively.

Committee Members

01. Dr. Haleem (Evening DMS)
02. Dr. Rabnawaz (Principal Medical Officer)
03. Dr. Hidayat Shah (Focal Person SSP)
- 04.Mst. Hameeda (Charge Nurse)
- 05.Mr.Nasrullah (Nursing Supervisor Evening)

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

No. _____/DHQH-LKL

Copy forwarded to the:

1. PS to Secretary Health, Peshawar.
2. PS to DGHS Khyber Pakhtunkhwa, Peshawar.
- 3.PA to Deputy Commissioner Khyber.
- 4.PA to Assistant Commissioner Khyber.
- 5.PA to District Police Officer.
- 6.Police Station Tehsil Landikotal.
3. Staff Concerned.
4. Office Record.

Dated. ____/____/2023.

Medical Superintendent,
District Headquarter Hospital,
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT H.Q. HOSPITAL LANDIKOTAL.

Phone/Fax No. 0924-210901

Email mskhyber5@gmail.com

No. _____ /DHQH-LKL

Dated _____ /_____/2023.

99

OFFICE ORDER:

Upon the verbal complaint of patient attendants and local people, about the crepe bandages not provided to R.T.A patients dated 13th of July 2023. The undersigned has constituted the following members to probe the matter and submit its report within 7 days positively.

1. Dr. Inayat Ullah (Medical Officer/ Chairman)
2. Dr. Fahad Malak (Medical officer)

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

Dated: 18/7/2023

NO. 3110-12 /DHQH-LKL

C/C

- 1-PS to Secretary Health Khyber Pakhtunkhwa, Peshawar.
- 2-PS to Direct General Health Services KPK, Peshawar.
- 3-Deputy Commissioner Khyber

Medical Superintendent,
District Headquarter Hospital,
Landikotal.



OFFICE OF THE MEDICAL SUPERINTENDENT
DISTRICT H.Q. HOSPITAL LANDIKOTAL.

Phone/Fax No. 0924-210901

Email mskhyber5@gmail.com

No. _____ /DHQH-LKL

Dated ____ / ____ /2023.

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OFFICE ORDER:

Upon the written complaint of patient attendant name Shehzada, about the non availability of Oxygen cylinder in OT dated 19th of July 2023. The undersigned has constituted the following members to probe the matter and submit its report within 7 days positively.

1. Dr. Jamshed Saeed (Medical Superintendent/ Chairman)
2. Dr. Inayat Ullah (Medical officer)
3. Mr. Inam Khan (Incharge Pharmacy)

Medical Superintendent,
District Headquarter Hospital,
Landikotal.

Dated: 18/7/2023

No. 3110-12 /DHQH-LKL

C/C

- 1-PS to Secretary Health Khyber Pakhtunkhwa, Peshawar.
- 2-PS to Director General Health Services KPK, Peshawar.
- 3-Deputy Commissioner Khyber

Medical Superintendent,
District Headquarter Hospital,
Landikotal.