04.01.2021

Rabia Muzaffar Advocate counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General

Former requested for withdrawal of the instant appeal on the ground of demise of appellant. To this effect, an application was also received which is placed on file; request is acceded.

In view of above, instant service appeal stands dismissed as withdrawn. No order as to costs. File be consigned to the record room.

Announced. 04.01.2021

Atiq-Ur-Rehman Wazir) Member (E)

(hman) Member (1)

the 1118 Honokable. KP S-AH P019 Service Thibural, Peshquae Dr. Khalil UK Rehman. Applicant Appllan Gout. of KPK & others Respondente. Application For Withdrawal of the instant cuit sappeal. Respectfully Submitted; 1) That the above mentioned service Appeal perding adjudication before this Honolable V Terbunal which is fixed for today i-e; 4,01,2021. That the coursel for the Appellant wants to withdraw the instant Service appeal due to death of the Appellant hence the Cerine Appeal is infractous. That there is no embago in mitheliand proceedings.

It is therefore respectfully requested that this application be allowed to mithelian this semice Appeal. Theorgh, Appellant Rabia Muzafar Advocate. Pated: 4-1-2021.



Junior to counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Salim Javid Litigation Officer present on behalf of respondents No.1 to 3 while Amjid Ali Senior Clerk present on behalf of Medical Superintendent (respondent No.4).

Again a request was made for adjournment which is allowed on cost of Rs.2000/-. To come up for written reply/comments on 24.08.2020 before S.B.

Member (J)

24.08.2020

Counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Hazrat Shah Superintendent and Amjid Ali Senior Clerk for respondents present.

Representatives of respondents submitted written reply which is placed on file. To come up for rejoinder if any, and arguments on 27.10.2020 before D.B. Cost be paid on the next date positively.

Member (J)

27.10.2020

Junior to counsel for the appellant and Addl. AG alongwith Amjad Ali, Senior Clerk for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 04.01.2021 for hearing before the D.B.

(Atiq-ur-Rehman Wazir) Member

Chairman

1118/2019

23.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Amjad Ali, Senior Clerk for the respondents present.

Representative of the respondents seeks time to furnish the requisite reply/comments. Adjourned to 02.03.2020 on which date reply/comments shall positively be furnished.

Chairman

02.03.2020

Junior to counsel for the appellant present. Addl. AG alongwith Dr. Ziaur Rahman, Litigation Officer & Amjad Ali, Senior Clerk for official respondents present and requested for further time to furnish reply/comments. Nemo for respondent No.4. Fresh notices be issued to respondent No.4. Last opportunity is granted to respondents to furnish requisite reply/comments on 09.04.2020 before S.B.

Member

09.04.2020

1.3

Due to public holiday on account of COVID-19, the case is adjourned to 01.07.2020 for the same. To come up for the same as before S.B.

Reader

17.10.2019

Contends that the salary of appellant was deducted on account of alleged absence on 23.02.2019. For the said date the appellant had applied for casual leave but his request was disregarded by the competent authority. It was further contended that through deduction of salary the terms and conditions of service of appellant, more particularly noted in Section 17 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, have been violated and the appellant has been penalized albeit without observing the requirements of departmental disciplinary proceedings, under the relevant rules. The impugned order dated 11.03.2019 is, therefore, not sustainable.

In view of arguments of learned counsel and available record, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for submission of written reply/comments on 16.12.2019 before S.B.

Chairman

16.12.2019

ippallent peposited

Appellant in person and Addl. AG alongwith Sher Baz Khan, SO, Dr. Shakeel, Litigation Officer, Amjad Ali, Assistant Jaffar Ali, Senior Clerk for official respondents and private respondent No. 4 in person present.

Respondents seek time to submit requisite reply/comments. Adjourned to 23.01.2020 on which date the respondents shall positively furnish reply/comments.

Chairman

Form- A

FORM OF ORDER SHEET

Court of		
•	·.	*
Case No	·	1118/ 2019

	Case No	1118/ 2019
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	. 3
1-	03/09/2019	The appeal of Dr. Khalil-ur-Rehman resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.
2-	ળ્યાંગ્યાંત્ર.	This case is entrusted to S. Bench for preliminary hearing to be put up there on 17/10/2019.
		是一种的人。 CHAIRMAN
		3110115
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The appeal of Dr. Khail-ur-Rehman Principal Medical officer District Headquarter Hospital Mardan received today i.e. on 07.08.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Memorandum of appeal may be got singed by the appellant.
- 4- Affidavit may be got attested by the Oath Commissioner.
- 5- Annexures-A and C of the appeal are illegible which may be replaced by legible/better one.
- 6- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal. obscene

No. 1383 /S.T,
Dt. 07/8 /2019.

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

Six, Resubonithed affect necessary
Completion. Call
Objection NO. 5 is still Stand (Adv)
and the appeal in hand is returned to
his coensel for completion and resubmission within 10 days.
NO. 1458 18.7
ctt. 22-8-12019
Fazal Shah mohumand Adv.

Sir. Remonittal after necessary 03/9/19 Haws

Siri Resulamital affew necessary Completion. affew affew

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1118 /2019

Dr. Khalil Ur Rehman......Appellant.

<u>V E R S U S</u>

Govt. of KPK & Others......Respondents

INDEX

Description of documents	Annexure	Pages
Service Appeal with affidavit		<u> </u>
Copy of Office Order dated 11-03-2019	Α .	1-3
Copy of departmental Appeal dated 09-04-2019	В	9-
Copy of Application and documents	С	1 5
Wakalat Nama		6-8
	Service Appeal with affidavit Copy of Office Order dated 11-03-2019 Copy of departmental Appeal dated 09-04-2019 Copy of Application and documents	Service Appeal with affidavit Copy of Office Order dated 11-03-2019 Copy of departmental Appeal dated 09-04-2019 Copy of Application and documents C

Dated:-06-08-2019.

Appellant

Through

Fazal Shah Mohmand

Advocaté Peshawar.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

Email:- fazalshahmohmand@gmail.com

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1118 /2019

Dr. Khalil Ur Rehman, Principal Medical Officer, District Headquarter Hospital Mardan.... ..Appellant.

VERSUS

- 1. Govt. of KPK through Chief Secretary, Civil Secretariat Peshawar.
- 2. Secretary, Health Govt. of KPK Peshawar.
- 3. Director General Health Services Govt. of KPK Peshawar.
- 4. Dr. Abdul Latif, Medical Superintendent DHQ Hospital Mardan.

.....Respondents.

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE OFFICE ORDER DATED 11-03-2019 PASSED BY RESPONDENT NO 4 WHEREBY ONE DAY SALARY HAS BEEN DEDCUTED FROM THE APPELLANT AND AGAINST WHICH DEPARTMENTAL APPEAL OF THE APPELLANT DATED 09-04-2019 HAS NOT BEEN RESPONDED SO FAR DESPITE THE LAPSE OF MORE THAN NINETY DAYS.

PRAYER:-

On acceptance of this appeal the impugned Office Order to-day dated 11-03-2019 to the extent of the appellant may kindly be set aside and the appellant may kindly be paid the deducted salary with all service benefits.

Respectfully Submitted:-

1. That the appellant is highly qualified and presently is serving as Principal Medical Officer at District Headquarter Hospital Mardan and since then he performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.

Re-submitted to -day and filkd.

- 2. That the appellant has always performed his duties with due diligence and never became absent, however he was shocked to know that vide Office Order dated 11-03-2019 his one day salary has been deducted on the false allegations that the appellant was absent on 23-02-2019. (Copy of Office Order dated 11-03-2019 is enclosed as Annexure A).
- 3. That the appellant filed departmental appeal before respondent No 2 vide diary No 6091 dated 09-04-2019 which has not been responded so far despite the lapse of more than the statutory period of ninety days. (Copy of departmental appeal is enclosed as Annexure B).
- **4.** That the impugned Office Order dated 11-03-2019 to the extent of the appellant is against the law, facts and principles of justice on grounds inter-alia as follows:-

GROUNDS:-

- **A.** That the impugned Office Order dated 11-03-2019 is illegal and void ab initio.
- **B.** That mandatory provisions of law have been violated by the respondents while taking action against the appellant and more particularly rules governing the subject.
- **C.** That ex-parte action has been taken against the appellant and he has been condemned unheard, thus the impugned order is void.
- **D.** That the appellant never became absent on 23-02-2019 rather on 22-02-2019 he vide written application requested for casual duty which was duly processed rather allowed. (Copy of Application with other documents is enclosed as Annexure C).
- **E.** That no charge sheet and show cause notice was communicated to the appellant and no inquiry was conducted in the matter to have found out the true facts and circumstances, nor was procedure in case of absence followed while taking action against the appellant.
- **F.** That the impugned Office Order to the extent of the appellant is void being without jurisdiction and legal authority.

- **G.** That the impugned Office Order is based on malafide as respondent No 4 has already taken such like action which the appellant has challenged before this honorable Tribunal.
- **H.** That the impugned order is defective and as such not maintainable in the eyes of law.
- I. That the appellant was not afforded the opportunity of personal hearing.
- **J.** That the appellant has a long service career with unblemished service record.

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

Dated:-06-08-2019.

Appellant

Through

Fazal Shah Mohmand

Advocate Peshawar.

AFFIDAVIT

I, Dr. Khalil Ur Rehman, Principal Medical Officer, District Headquarter Hospital Mardan, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

Fazal Shah Mohmand

Advocate Peshawar.

DEPONENT

OFFICEROLDER

The Allie Marchael Carle Control of the Control

14.

The following doctors were noted absent on the lines in at February 2019 dated 07 3 2019 name for which one/two days salary is hereby deducted from the below me The of absence

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	the state of the s	
	Name of doctor with Designation	02 02 23
	July Designation	-1
	I am an alcolor Williamore.	09.2.2019
C No	I Name of upon	2010
S.No	1 MO	20.2.2019
17	Dr. Imran M.O. Pahman SMO	
	J. J. Lahih-ur-Kanillan	-1-20.2.2019
12	Dr. Imran M.O. Dr. Mian Habib-ur-Rahman SMO	20.0.
2	Hassan MU.	- 20.2.2019 -
3-	Dr. Amlad Hastan MO.	20.6
J ²	I = - TUTOU SMO	23.2.2019
77	Dr. Aziz Khan SMO	23,618
4	1	23.2.2019
5-	Dr. Hussaln M.O.	Care and and
- July	The Medical Rahman Signature	1:52 5 2019
16.	Dr. Khalil-ul-Rahman SMO	26.2.2019
, O,	Dr. Zarghuna WMO Dr. Huma Jabean Dental Surgeon Dr. Huma Jabean Dental Surgeon	26.2.2019
7	Ur. Lary Dental Surgeon	20.2.20
:	n. Wilma Jabeen Denter Townson	1 57 7 5019
8	Dental Dury	26.2.2019
1	Dr. Huma Jabeen Dental Surgeon Dr. Mujeebur Rehman Dental Surgeon Dr. Mayboul Shah Dental Surgeon	26.2.2019
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11	Dr. Sidra Aril Dental Surgaon	1
111 4	Dr. Samenta Murad WMO	
12	Dr. Samenia	
'4" -	1	
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Medice D.H.Q.

Dated 113 12019

Copy forwarded for-

- 1 Director General Flealth Services Khyber Pakhtunkhwa Peshawai
- 2 PS to Sacretary to Gove of Khyber Pakhtunkhwa Health Department Pashawar
- 3. Director IMIJ Health Postiawar (House # 5-A, Park Road, University Town Pestiaw.
- 4 Divisional Monitoring Officer Independent Monitoring Unit Health Mardan Divisi
- Bill Clark DFIQ. Hospital Maidan for information with three from to deduct mention theh monthly dary

Page No. (4)

OFFICE ORDER

February 2019 dated 07.03.2019.

The following doctors were noted absent on the dates mentioned a name for which one/two days salary is hereby deducted from the below mentioned.

S. No.	Name of doctor with Designation	Date of Absence
1.	Dr. Imran M.O	02 & 23/2/2019
		(two days)
2.	Dr. Mian Habib-ur-Rahman SMO	09.2.2019
3.	Dr. Amjad Hasan MO	20.2.2019
4.	Dr. Aziz Khan SMO	20.2.2019
5.	Dr. Hussain M.O	20.2.2019
(6.)	Dr. Khalil-ur-Rahman SMO	23.2.2019
7.	Dr. Zarghuna WMO	23.2.2019
8.	Dr. Huma Jabeen Dental Surgeon	26.2.2019
9.	Dr. Mujeebur Rehman Dental	26.2.2019
	Surgeon	
10.	Dr. Maqbool Shah Dental	26.2.2019
	Surgeon	
11.	Dr. Sidra Arif Dental Surgeon	26.2.2019
12.	Dr. Sameera Murad WMO	26.2.2019

Medical

D.H.Q

No. 2247-51/

Dated 11/3/2019

Copy forwarded to:-

- 1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2. P.S to Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
- 3. Director IMU Health Peshawar (House # 5-A, Park Road, University Town, Peshawar, for information.
- 4. Divisional Monitoring Officer Independent Monitoring Unit Health Mardan Division, for information.
- 5. Bill Clerk DHQ, Hospital Mardan for information with direction to deduct mentioned their monthly salary

HEALTH DEPARTMENT Government of Khyber Pakhtunkhwa حکومت خیبر پخترنخوا

The Secretary:
Govt of Khyber Pukhtoonkhwa
Health Department Peshawar.

Subject: Casual Leave Recorded as Absentee from Place of Duty.

Respected Sir.

With due respect, being Principal Medical Officer of DHQ Hospital Mardan; I humbly submit to your kind office that after observing my pay-slip I came to know that ONE day salary has been deducted on February 23, 2019 even a casual leave application submitted priorly & duly forwarded by in charge orthopedic unit even approved by DMS 2. I would respectfully state that this act actively defies the norms of Professional Ethics & continued harassment by the Medical Superintendent because this act is not carried out 1st time. A written Explanation was submitted to MS office on February 26, 2019 & even referred to Personal file but still the deduction of salary was carried out.

I have served the DHQ Hospital for more than 29 years, being the Senior most Medical Officer I respectfully request this kind office to issue vocal directions to the Medical Superintendent about ensuring healthy work place environment & not to get personal with other Government Employees.

Kindly probe into this matter & devise a suitable solution.

Thank you!

Dated: 03/04/2019

Signature:

Dr. Khalil Ur Rehman.
Principal Medical Officer,
DHQ Hospital Mardan.

ATTESTED
To Be True Copy

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ATTESTED
To Be The Copy

Page No. (6)

То

The M.S DHQ Hospital Bajour.

Subject: One Day Casual Leave

R/Sir,

Due to some emergency work, I will not be able to come for duty tomorrow i.e. on 27.2.19.

You are requested to grant me one day casual leave and oblige.

Dated: 26.2.2019

Yours truly

-sd-

OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTERS HOSPITAL MARDAN Ph#0937-9230145 Fax# 9230226

Dated

- Dr Farmanullah Orthopaedic Surgeon. Dr. Khalil-ul-Rahman, SMO
- Dr Shoaib M.O.

SUBJECT -Memo:

Tr

ABSENT FROM PLACE OF DUTY

It is noted that being your O.T. day on 23.2.2019 only Dr. Shoaib M.O. was fond busy in O.T.

Dr. Khalilul-Rahman's application is noted by Dr. Shoaib and Dr. Khalil-ul Hahman is not present

It has been communicated to you that leave application is to be noted by other shift M.O. not by same shift M.O. If is advised that

- Dr. Farmanullah Orthopaedic Surgeon should explain why he is habitual late comer.
 - Forwarded leave explanation of Dr. Khalil-ul-Rehman not noted by othe
- Dr. Khalil-ul-Rahman explain why he did not note his application fro
- Dr Shoaib M.O. why noted application of same shift M.O.

D.H.Q. Hospital Mard

DHQ ftosipital marda Assest from place q'diely. Référence your effici lette No 1715-12 Datal 23.2/19- I wond that 9. C. Sou blad one day casual loave for 23-2-19 on by from Things. Pipe channel duly formanted by The 1/2 Mis Parket Br. Show. 3 being generatived a competent was prosen I day what will lacturge and every thing hil I have walled much than 29 yrs · vortire and are shift wording; paramical apprecialist Observes this vale etter nomachys and The office has of forest parce of alocher that the office 1.5 p. Abreas fu de sero hon. Jacy be observed

for per their fam. a Westanto la

AT TESTED

Page No. (8)

To

The MS DHQ Hospital Mardan

ABSENT FROM PLACE OF DUTY

Reference to your letter dated 28.7.19. I would like to submit this I submitted on one casual leave for 23.02.2019 for one day prior through proper channel forwarded by the I/C Orthopedic Dr. Shoaib being qualified and competent was present on that day along with Incharge and everything went smoothly.

Sir, I have worked more than 29 years and it is a routine and all other staff holding Nursing, Medical and specialist observe the rules even nowadays and the officer is aware of it. But sorry to say, that the office has different policy for doctors especially medical officers.

Sir, I do six days in a work my duty with full devotion. I would request your good office that same policy be observed with all staff.

Your obediently

Dr. Khalil ur Rehman PMO

26.2.19

WAKALAT NAMA

THE COURT OF Service Triburel Pedracear

Dr. Khelil uy Rehmony VERSUS

Gart of

KNOW ALL to whom these presents shall come that I the undersigned appoint:

Fazal Shah Mohmand Advocate Supreme Court of Pakistan, Rabi a (herein after called the advocate) to be the Advocate for the Petitioner No. ____ / Plaintiff No. ___ / Defendant No. ____ in the above Advocate mentioned case, to do all the following acts, deeds and things or any of them ,that is to say:

- 1) To act and plead in the above mentioned case in this court or any other Court in which the same may be tried or heard in the first instance or in appeal or review or execution or in any other stage of its progress until its final decision.
- 2) To sign, verify and present pleadings, appeals, cross- objections ,petitions for execution, review, revision, withdrawal, compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of said case in all its stages.
- 3) To withdraw or compromise in the said case or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said
- 4) To receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said case.
- 5) To engage any other Legal practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so. AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

AND I hereby agree not to hold the Advocate or its substitute responsible for the result of the said case and in consequence of his absence from the court when the said case is called up for hearing

AND I hereby that in the event of the whole or any part of the fee agreed by me to be paid to the Advocate remaining unpaid., He shall be entitled to withdraw from the prosecution of the said case until the same is paid.

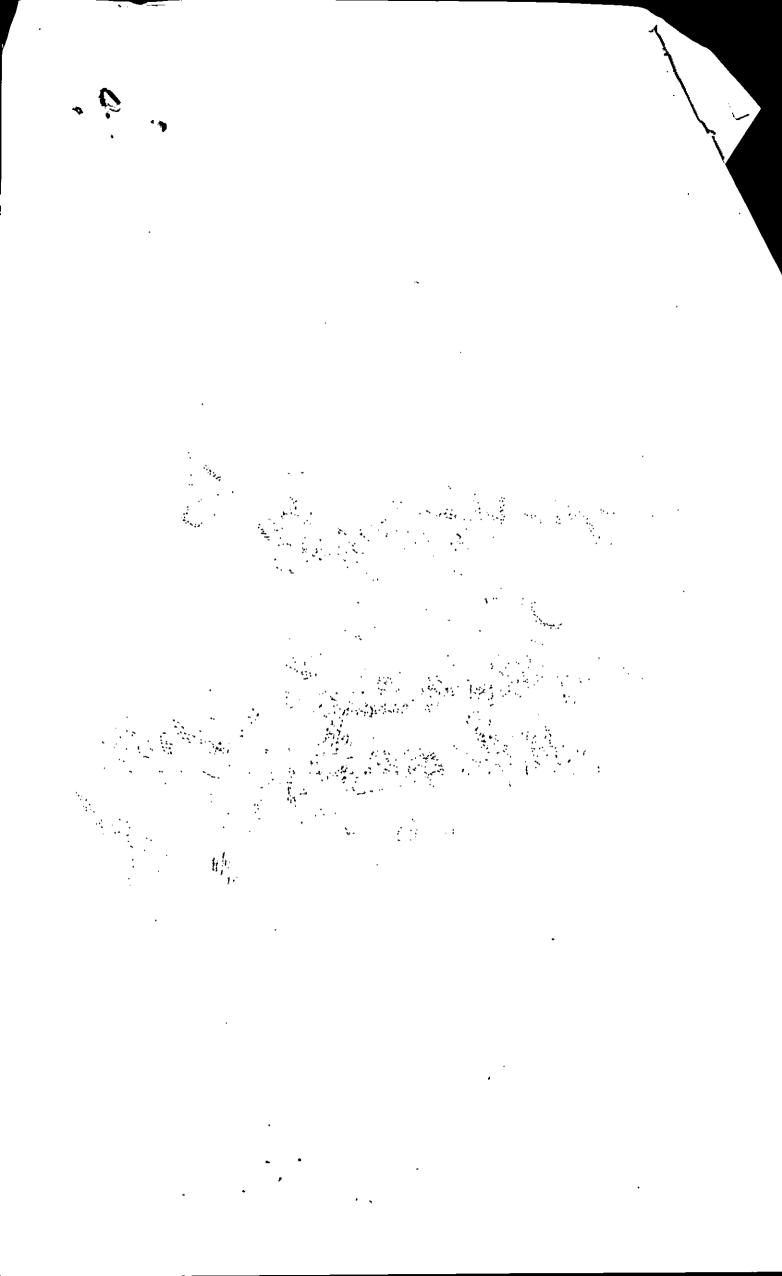
IN WITNESS WHEREOF I hereunto set my hand to these presents the contents of which have been explained to and understood by me, this_____/2019

Accepted By

Fazal Shah Mohmand

Advocate Supreme Court of Pakistan Flat # 3/B, Cantonment Plaza, Khyber Bazar, Peshawar. Signature/ thumb impression of party / parties.

Dr. John Jed



Before the Service Tribunal Khyber Pakhtunkhwa Peshawar.

Appeal No. 1118-/2019

Appellant

Dr. Khalil Ur Rehman, Principal Medical Officer, DHQ Hospital Mardan. Respondents

Medical Superintendent DHQ Hospital Mardan & Others.

Dr. Khalil Ur Rehman,
V/S
Medical Superintendent DHQ Hospital Mardan & Others.

Index of Documents

S. No	Description of Documents	Annexure	Page
01.	Para wise Comments on behalf of Respondent No. 1 to 4.	-	01 - 02
02.	Affidavit	-	03
03.	Authority Letter	-	04
04.	Finance Department Notification.	Annexure – A	05
05.	Absent Report Explanation/ Reply.	Annexure – B	06 – 07
06.	IMU Report for the month of February 2019	Annexure – C	08 – 19

Medical Superintendent DHQ Hospital Mardan,



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Appeal NO. 1118/2019

Dr. Khalil Ur Rehman Principal Medical Officer, District Head Quarter Hospital MardanAppellant.

VERSUS

- 01. Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Peshawar.
- 02. Secretary Health Department, Government of Khyber Pakhtunkhwa Peshawar.
- 03. Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 04. Dr. Abdul Latif, Medical Superintendent, DHQ Hospital Mardan.

Written Statement on behalf of Res No. 01 to 04......Respondents.

Preliminary Objections: -

- 01. That the Appeal is incompetent & is not maintainable in its present form.
- 02. That the Appellant is stopped by its own conduct to bring the present appeal.
- 03. That the Appellant has got no cause of action.
- 04. That the Appellant has no lacus standi.
- 05. That the Appeal is bad for misjoinder & non-Joinder for necessary party.
- 06. That the Appeal is hit by laches.

Para wise comments on behalf of respondent No. 01 & 04.

Respectfully Sweweth.

- 01. Pertained to record.
- 02. Incorrect appellant was absent from lawful duty hospital duty, without the permission of the competent authority.
- 03. Pertained to record, Departmental Appeal might be done, but not through proper channel i.e. No correspondence have been done with Respondent No. 02.
- 04. Incorrect.

GROUNDS.

- A. Incorrect, order have been done as per rules & regulation of Department Copy of the Finance Department Khyber Pakhtunkhwa Peshawar Notification No. SO(FR)/FD/5-14/2014, dated, 16-12-2014, for deduction of salary Government Employee in case of Absentee sum is attached. (Annexure - "A").
- B. Incorrect, Explained in Para -A.
- C. Incorrect, explanation has been called vide office order. No. 1710-12, dated 23-02-2019. (Annexure-"B").



- D. Incorrect, Appellant was found absent from duty on 23-02-2019. Copy of the IMU Report for the month of February 2019 is attached. Moreover his application was never accepted, rather explanation was called for not noting the application other shift Medical Officer. (Annexure-"C").
- E. Incorrect, explain in Para C earlier (Incorrect, Explanation has been called **Annexure-"B"**). Reply was not satisfactory.
- F. No Comments.
- G. Incorrect, Deduction has been made as per Rules & Regulation of the Department.
- H. No Comments.
- I. Incorrect explanation has been called vide office order No. 1710-12, dated 23-02-2019.
- J. Pertain to record.

lt is, therefore requested that the Appeal of appellant may kindly be dismissed with Cost.

Director General Health Services,

Khyber Pakhtunkhwa Peshawar.

Medical Superintendent, DHQ Hospital Mardan

Secretary Health,

Government of Khyber Pakhtunkhwa, Peshawar.



OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTERS HOSPITAL MARDAN Ph.#.0937-9230145.Fax.#.9230226

AUTHORITY LETTER.

Dr. Shakeel Ahmad Litigation Officer & Mr. Amjad Ali Court Dealing Assistant to attend the honorable court of service Tribunal Khyber Pakhtunkhwa, Peshawar in case of Dr. Khalil Ur Rehman Principal Medical Officer V/S Medical Superintendent DHQ Hospital Mardan & others, Appeal No.1118/19 on 23-01-2020.

No.____/MS

Dated 17/12/2019.

Copy forwarded to:

- 01. Secretary Health Govt, Khyber Pakhtunkhwa Peshawar.
- 02. Additional Advocate General, Khyber Pakhtunkhwa Services Tribunal Peshawar.
- 03. Registrar Khyber Pakhtunkhwa Services Tribunal Peshawar.
- 04. Director General Health Services Khyber Pakhtunkhwa, Peshawar.
- 05.Dr. Shakeel Ahmad Litigation Officer, DHQ Hospital Mardan.
- 06.Mr. Amjid Ali Court Dealing Assistant, DHQ Hospital Mardan.
- 07. Accountant DHQ Hospital Mardan.
- 08. Head Driver DHQ Hospital Mardan.

Medical Superintendent DHQ Hospital Mardan,

Medical Superintendent DHQ Hospital Mardan

4

AFFIDAVIT

It is certified that I Dr. Shakeel Ahmad, Litigation Officer, DHQ Hospital Mardan, do hereby solemnly affirm & declared that contents of Para wise comments in the Appeal No. 372/2019 Dr. Khalil Ur Rehman Principal Medical Officer DHQ Hospital Mardan are true & correct to the best of my knowledge & nothing has been concealed from the honorable court.

DEPENDENT

Dr. Shakeel Ahmad, Litigation Officer,

DHQ Hospital Mardan

CNIC No. 16102-5314230-5



JERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

(REGULATION WING)

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

To. .

Additional Chief Secretary, Khyber Pakhtunkhwa.

Senior Member Board of Revenue, Khyber Pakhtunkhwa. 2.

All Administrative Secretaries, Govt; of Khyber Pakhtunkhwa.

Subject: -

DEDUCTION OF SALARY FROM GOVT; EMPOYEES IN CASE OF ABSENTEESIUM

Dear Sir,

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

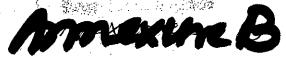
I am further directed to convey that all Administrative Departments and their attached entities shall ensure implementation of the above legal provisions in letter & spirit.

Yours faithfully,

(SHAUKAT ULLAH) SECTION OFFICER (FR)

Copy is forwarded to the: -

- Principal Secretary to Governor, Khyber Pakhtunkhwa.
- Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- PSO to Chief Secretary to Government of Khyher Pakhtunkhwa







OFFICE OF THE MEDICAL SUPERINTENDENT DISTRICT HEADQUARTERS HOSPITAL MARDAN Ph # 0937-9230145 Fax # 9230226

No. 1740-1)/	Dated	23-2	_/201	9

- 1. Dr. Farmanullah, Orthopaedic Surgeon.
- 2. Dr. Khalil-ul-Rahman, SMO
- 3. Dr. Shoaib, M.O.

SUBJECT:-Memo:

ABSENT FROM PLACE OF DUTY

It is noted that being your O.T. day on 23.2.2019 only Dr. Shoaib M.O. was fond busy in O.T.

Dr. Khalilul-Rahman's application is noted by Dr. Shoaib and Dr. Khalil-ul Rahman is not present.

It has been communicated to you that leave application is to be noted by other shift M.O. not by same shift M.O.

It is advised that

- 1. Dr. Farmanullah Orthopaedic Surgeon should explain why he is habitual late comer.
 - Forwarded leave explanation of Dr. Khalil-ul-Rehman not noted by other shift M.O.
- Dr. Khalil-ul-Rahman explain why he did not note his application from other shift M.O.
 - 3. Dr. Shoaib M.O. why noted application of same shift M.O.

Medical Superintendent D.H.Q. Hospital Mardan.

AMEXIMET B 7 The MS. OHE Hospital Mension Absent for fleele of Orty. Mefering your Are botter No. 1710-12 daled 23.2.19 - I would like to be brief the I Submitted on Dry Casual Lecense for 23.8. on day prior through propor ibannel duty forwarded by The 1/c onespaced or Br. Shading being good fred a Confetent was present That day along with Include and every thing Fil I have worked more Than 29 yrs Went Smoothly. and it is a vortine only all other staff molody Morsing, Rainamed, cal aspecialist Observe This viele etter nowdodys and The office is durant of it. But borry to buy
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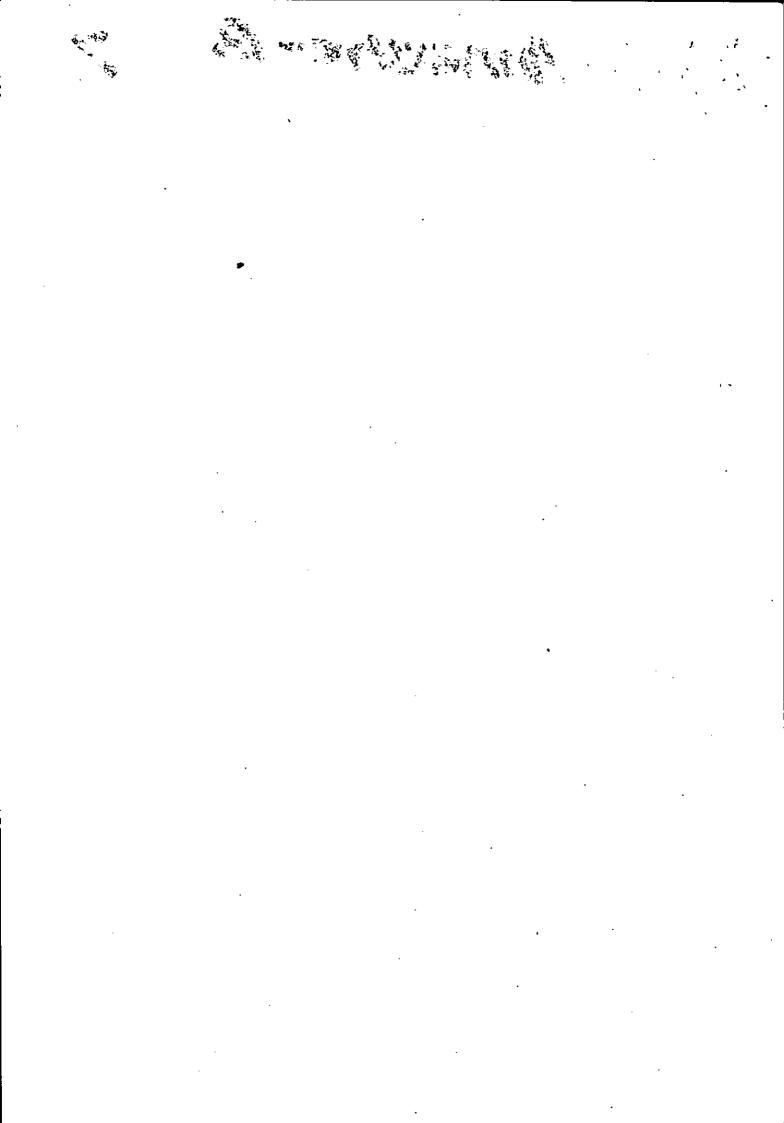
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IMU/Health 2018-19/57 DMO, Mardan, Monthly Report Feb. a.a.; Dated: March 7, 2, 3,3

District Health Officer, Mardan Medical Superintendent, DHQ Mardan

Subject: Monthly Report based on visit of IMU to Healthcare Facilities

Please find enclosed herewith monthly report based on visits of independent Monitoring Unit in the month of February 2019 for further necessary action please.

Tauquer Litikhar Divisional Monitoring Office.

CC:

- Director IMU Headquarter Peshawar
- 2. Deputy Commissioner Mardan

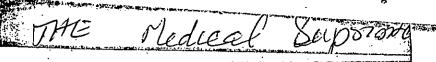
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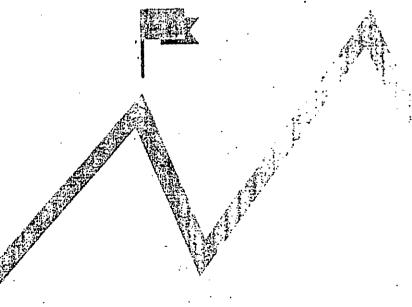


IMU HEALTH DATA PAGES

February 2019

MARDAN

Primary



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istrict Performance Summary

page summarizes the performance of your district on key performance indicators

ptal visits to Secondary Health Care Facilities (SHCFs)

1

number of SHCFs visited at least once

3.

SHCFs found Illegally occupied

Type-D Hospital Katlang

0

Performance on Key Indicators

Health Staff	Current	Target
Vacant Nurses	0	=<2
Vacant MOs	0	=<3
Vacant MTs	0.	=<5
Vacant SMO	0	· =<5

Hittles Not Available of Non Functiona

The table below shows current status of utilities in Secondary Health Care Facilities x shows that the utility is not functional / available in the facility

Facility Name Electricity Drinking Water Tollet Facility

Editioment Not Available or None Functional

ИО

The table below shows the status of equipment in Secondary Health Care Facilities. 'X' shows that the equipment is a functional.

Facility Name	Equipment Name	AvailaLil.ty	Functionally
Type-D Hospital Shahbaz Garhi	Xray Machine	YES).i.
Type-D Hopsital Toru	Ophthalmoscope	YES	ıγc

Vacant Staff Details

ble below shows the status of Vacant positions of Specialists, MOs, MTs and Nurses. The NULL value shows that CA couldn't ascertain the status of vacant positions at the facility.

racility Name	Vacant Medical Specialist	Vacant Medical Officer	Vacant Medical Technicia:	Vecun, Illises
pHQ Hospital	7	0	E	5
DHQ Hospital Mardan DHO Hopsital Toru	2	0	0	. 0

page lists details of staff found absent during DCA visit.

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çivil Hospital Lund Khwar	22-Feb-19	Noorul Azeem	Store Keaper	Un-Authorite I Absent
Civil Hospital Lund Khwar	28-Feb-19	Hajea Begumili	Nu s	ur-Altolicati Alexant
DHQ Hospital Mardan	. 02-Feb-19	Dr Farman /	Spacialist Doctor	Un-Automobile I Absent
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DHQ Hospital	. 02-Feb-19	/ Dr Tauseef uddin-	Spucialist Doctor	en-Altolite. Absort
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DHQ Hospital Mardan	• 11-Feb-19	Dr Nuzhat Jehangir	SIVIO /	Late Conner
DHQ Hospital Mardan	• 11-Feb-19	Dr Wagma Zeb	WMC	Late Const
DHQ Hospital	15-Feb-19	Syed Ashfaq Ali	Special Doctor	La e Corner
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- DHQ Hospital . Mardan	• 15-Feb-19	Ghani Rehman	Vyarc Calaery	Un-Articulae Acsiviti
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DHQ Hospita Mardan	● 23-Feb-19	Hakeem Khan //	Nurse	Un-Authorize.t Absent
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DHQ Hospita Mardan	l 26-Feb-19	Bibi Aamna Physio Tech	N. A.	Co-Autrodie i Absent
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OFFICE OF THE MEDICAL SUPERINTENDENT

DISTRICT HEADQUARTERS HOSPITAL MARDAN Ph # 0937-9230145 Fax # 9230226

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Vo	/	Dated	/2019



OFFICE ORDER

As reported by the Divisional Monitoring Officer Independent Monitoring Unit Health Mardan Division vide his letter No. IMU/Health/2018-19/57 DMO, Mardan, Monthly report February -2019 dated 07.3.2019.

The following doctors were noted absent on the dates mentioned against each name for which one/two days salary is hereby deducted from the below mentioned staff.

S.No.	Name of doctor with Designation	Date of absence
1-	Dr. Imran M.O.	02 & 23/2/2019 (two days)
2-	Dr.Mian Habib-ur-Rahman SMO	09.2.2019
3-	Dr. Amjad Hassan MO.	20.2.2019
.4-	Dr. Aziz Khan SMO	20.2.2019
5-	Dr. Hussain M.O.	20.2.2019
6.	Dr. Khalil-ul-Rahman SMO	23.2.2019
7.	Dr. Zarghuna WMO	23.2.2019
8.	Dr. Huma Jabeen Dental Surgeon	26.2.2019
9.	Dr. Mujeebur Rehman Dental Surgeon	26.2.2019
10.	Dr. Magbool Shah Dental Surgeon	26.2.2019
11.	Dr. Sidra Arif Dental Surgeon	26.2.2019
12.	Dr. Sameera Murad WMO	26.2.2019

Medical Superintendent D.H.Q. Hospital Mardan

No. 2847:51

Copy forwarded to:-

- 1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2. P.S. to Secretary to Govt: of Khyber Pakhtunkhwa Health Department Peshawar.
- 3. Director IMU Health Peshawar (House # 5-A, Park Road, University Town Peshawar) for information.
- 4. Divisional Monitoring Officer Independent Monitoring Unit Health Mardan Division for information
- 5. Bill Clerk DHQ: Hospital Mardan for information with direction to deduct mentioned days from their monthly salary.

Medical Superintendent D.H.Q. Hospital Maran