

S. No.	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	03.01.2017	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>CAMP COURT SWAT</u></p> <p style="text-align: center;">Service Appeal No. 1164/2015</p> <p style="text-align: center;">Shah Wazir Versus Government of Khyber Pakhtunkhwa through Secretary Health Peshawar and 3 others.</p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u></p> <p style="text-align: center;">Counsel for the appellant and Mr. Muhammad Zubair, Senior Government Pleader for respondents present.</p> <p>2. Shah Wazir son of Fazal Rahman hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against order dated 22.12.2014 whereby he was compulsorily retired from service with immediate effect on the allegations of mis-conduct as well as willful absence and where-against his departmental appeal dated 24.06.2015 was not responded and hence the instant service appeal on 12.10.2015.</p> <p>3. Brief facts giving rise to the present appeal are that the appellant was charged in a criminal case registered under Sections 420/489 F PPC on the charge that a cheque issued by the appellant in favour of one Muhammad Rafiq son of Talizar was not cashed and the appellant, as a consequence thereof, was arrested. Apart from the above appellant was also found involved by the competent authority in other activities warranting disciplinary action under the Government Servants (E&D)</p>

Handwritten signature and date:
03.01.17.

Rules 2011 and therefore major penalty in the shape of compulsory retirement with immediate effect was imposed against the appellant.

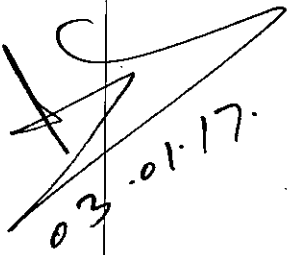
4. Learned counsel for the appellant has argued that the enquiry was not conducted in the mode and manners prescribed by rules. That no opportunity of hearing was afforded to the appellant. That the appellant was availing leave of 730 days including earned leave of 120 days on full pay and 620 days on half pay w.e.f. 01.07.2013. That the charges attributed to the appellant were not substantiated through a departmental enquiry and as such the impugned order is against facts and law and liable to be set aside.

5. Learned Government Pleader has argued that the appellant was a habitual absentee and involved in undesirable activities. That the competent authority has dispensed with formal enquiry and that the impugned order is in accordance with law and warrants no interference.

6. We have heard arguments of learned counsel for the parties and perused the record.

7. It is evident from the record that the appellant was available to the competent authority for enquiry. He was not associated with the enquiry proceedings. The nature of charges would suggest that a regular enquiry was essential for ascertaining the real facts and affording opportunity of hearing including defence of the appellant but the competent authority dispensed with the same. The order of the competent authority is not found in consonance with the settled procedures for ~~conducting~~ ^{conducting} such enquiry.

8. In view of the above we are constrained to accept the present


03-01-17

appeal set aside the impugned order dated 22.12.2014 and reinstate the appellant in service for the purpose of enquiry and direct that denovo enquiry be conducted against the appellant in the prescribed manners wherein opportunity of hearing including defence be afforded to the appellant in the mode and manners prescribed by rules. The enquiry shall be conducted and concluded within a period of 2 months from the date of receipt of this judgment. Parties are left to bear their own costs.

File be consigned to the record room.



(Ahmad Hassan)
Member



(Muhammad Azim Khan Afridi)

Chairman
Camp Court, Swat.

03.01.17

ANNOUNCED

03.01.2017

1164/15


06.04.2016

Counsel for the appellant and Mr. Wali Khan, Supdt. alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 08.06.2016 before S.B at Camp Court, Swat.


Chairman
Camp court, Swat.

08.06.2016

Appellant in person, M/S. Amjad Ali, Asstt. and Mr. Bakht Wali Shah, Asstt. alongwith Mr. Amir Qadir, GP for respondents present. Written reply by respondents No. 1, 2 and 4 submitted. Written reply by respondent No. 3 not submitted. Proceeded ex-parte. The appeal is assigned to D.B for rejoinder and final hearing for 07.09.2016 at camp court, Swat.


Chairman
Camp court, Swat.

07.09.2016

Counsel for the appellant and Mr. Muhammad Zubair, Sr.GP for the respondents present. Counsel for the appellant seeks adjournment. Adjourned for rejoinder and final hearing before the D.B on 03.01.2017 at camp court, Swat.


Member


Chairman
Camp Court, Swat

26.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as OT Attendant when subjected to inquiry and compulsorily retired from service vide impugned order dated 22.12.2014 regarding which he preferred departmental appeal on 24.6.2015 which was not respondent and hence the instant service appeal on 12.10.2015.

That the appellant had never absented himself as he was on two years sanctioned long leave effective from 20.6.2013 to 19.6.2015 and, moreover, the alleged cheque attributed to the appellant is subject to a criminal case which is yet to be decided by the Court of competent jurisdiction and, furthermore, inquiry in the prescribed manners was not conducted nor opportunity of hearing was afforded to the appellant.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 14.01.2016 before S.B at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division.


Appellant Deposited
Security & Process Fee




Chairman

14.01.2016

Appellant in person, Mr. Yar Gul, Senior Clerk and Dr. Shah Duran alongwith Mr. Muhammad Zubair, Sr. GP for respondents present. To come up written reply/comments on 6.4.2016 before S.B at Camp Court Swat.



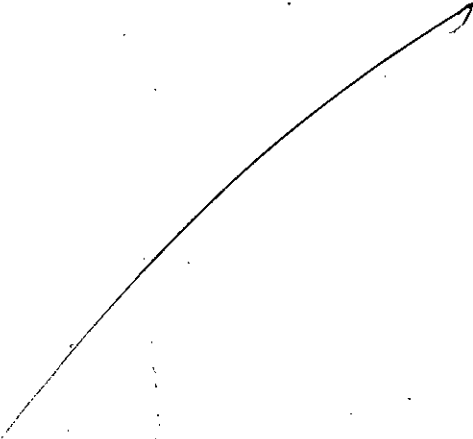

Chairman
Camp Court Swat

FORM-A

FORM OF ORDER SHEET

Court _____

Case No. 1164/2015

	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	16.10.2015	<p data-bbox="573 662 1435 892">---The appeal of Shah Wazir resubmitted to-day by Mr. L. Nawab Ali Noor, advocate may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p data-bbox="1149 892 1409 1016">  REGISTRAR </p> <p data-bbox="573 1116 1435 1226">This case be put up before the S.B for preliminary hearing on <u>26-10-15</u>.</p> <p data-bbox="1149 1250 1347 1340">  CHAIRMAN </p> 

The appeal of Mr. Shah Wazir son of Fazal Rahman R/O Chail Shagi Saidu Sharif, Swat received to-day i.e. on 12.10.2015 is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

1. Copies of show cause notice, FIR and proceedings against the appellant in competent court of law may be placed on file.

No. 1297 /ST,

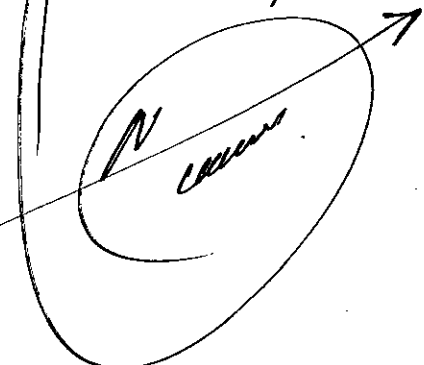
Dated 16/10 /2015


REGISTRAR -
KPK SERVICE TRIBUNAL,
PESHAWAR.

MR. L. Nawab Ali Noor, Advocate, Peshawar.

Respectfully Submitted

*That objection raised mentioned above regarding
Shows Cause notice etc cant be match because
the competent authority in absence during the
vacations issued order without full all the
court formalities like - Show Cause & others.
Copies mentioned all above are with respondent dept.
Kindly put before the Honorable Tribunal*


N. Nawab

**BEFORE THE SERVICE TRIBUNAL K.P.K,
PESHAWAR.**

Service appeal No. 2015.

1. Shah Wazir S/O Fazal Rahman V/O Chail Shagi Sidu Sharif Swat.

..... (Appellant)

VERSUS

1. Govt of K.P.K, through secretary Health Peshawar & others.

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S.NO	Description of documents	Annexure	Pages
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4	Copy of service card	A	6
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8.	Waklat nama		11

Appellant

Through

L.Nawab Ali Naor
Advocate High Court
Peshawar.
03469076945

SAID KARIM SHAHMAN
Adv
High Court.

1
P.W.P. Provincial
Service Tribunal
Diary No. 1203
Dated 12-10-15

**BEFORE THE SERVICE TRIBUNAL K.P.K,
PESHAWAR.**

Service appeal No. 114/2015.

1. Shah Wazir S/O Fazal Rahman R/O Chail Shagi Sidu Sharif Swat.

..... (Appellant)

VERSUS

1. Govt of K.P.K, through secretary Health Peshawar.

2. Director General Health Services Govt of K.P.K Khyber
Pukhtoon Khwa , Peshawar.

EX-PASTE
8-6-16
③ District Health officer at Gulkada SIDU Sharif Swat.

4. Medical Superintendent (MS) Sidu Teaching Hospital at
swat.

..... Respondents)

Appeal U/S 4 of the K.P.K civil servant Act of 1974 against the order dated 22.12.2014 in absentia of the respondent no 4 from which was appellant informed on 24.6.2015 & appeal of the appellant which was submitted on 24.6.2015 without no response .

Prayer in appeal.

On acceptance of this appeal the order dated 22.12.2014 passed by respondent no 4 & subsequent appeal of the appellant which was no response from the respondent no. 2 as result appellant has been compulsory retired from service , may kindly be set-aside and the appellant may kindly be reinstated in service with all back benefits.

Respectfully sheweth:

1. That the appellant was appointed in the health department as (O.T) operation attendant presently was serving at sidu teaching hospital swat.(Copy of the service card is annexure A).

2. That the appellant applied for th. long leave through proper channel and got the long leave from the concerned authority

Re-submitted
16/10/15
today.

on 20.6.2013 of 730 days through order no 7035/PF.
(Copy of the application & order are annexure B).

3. That appellant was granted the above cited mentioned leave w.e.f 1.7.2013.

4. That astonishment to the appellant that during the period of the leave appellant got information on 24.6.2014 that compulsory retirement awarded to him on cited information when the appellant came to hospital concerned on 24.6.2015 the appellant was informed orally that he has been compulsory retired from the service and after great efforts & request then order of compulsory retirement dated 22.12.2014 was handover to appellant.
(Copy of the order dated 22.12.2014 is annexure C).

5. That against the cited order dated 22.12.2014 from which informed and received by the appellant on 24.6.2015, appellant moved his departmental appeal to concerned authority on same date on 24.6.2015.
(Copy of the departmental appeal is annexure D).

6. That from the date of appeal dated 24.6.2015 till date respondent no response to appellant of his departmental appeal hence there was no way except to approach this honorable tribunal for seeking justice on the following grounds amongst others.

GROUND:

- a). THAT the oral order in question is against the law, rules of service and facts.
- b). THAT before passing the order in question the relevant procedure on the subject, as provided by the law, has not been followed.
- c). THAT no show cause notice was issued to the appellant before passing of his compulsory retirement order neither any opportunity of hearing has been provided to him nor any inquiry was conducted.
- f) THAT the respondents has not been published through

newspaper about the cancellation of the leave or through any other way they did not inform the appellant .

g) THAT the appellant is serving in the department with his best , and he has unblemished record and performed his duty honestly and to the best satisfaction of his superior.

h). THAT the appellant got the long leave through proper channel and leave was properly granted to appellant then thereafter the respondent made the episode with pre plane and to vacate the post for there blue eyed person.

i). THAT after the during f the vacation on 24.6.2014 the appellant went to hospital concerned over information that he has been retired compulsory from the service where the appellant for the first time informed about order in question. Thereafter the appellant approached the concerned & request for the order which was hand over on 24.6.2015 by the respondent so clearly malafide is present is there hence order is liable to be set aside.

It is therefore respectfully prayed that on acceptance of this appeal the order 22.12.2014 and appeal of appellant no response of the respondents may be seaside and the appellant may kindly be reinstated in service with all back benefits.

Through

Appellant

L. Nawab Ali Noor
Advocate High Court
Peshawar.

03469076945

SAID KARIM SHALMAN Adv
HIGH COURT SWAT.

Certificate:

Certified as per instruction of my client that no such like appeal is not before the court nor filed priorly.

L. Nawab Ali Noor
Advocate High Court
Peshawar

SAID KARIM SHALMAN Adv
HIGH COURT

(4)

**BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTOONKHWA AT PESHAWAR**

Service Appeal No _____ of 2015

~~S.T.F. Proceedings
Service Tribunal
Diary
Dated 12/10/15~~

Shah Wazir Khan S/o Fazal Rahman R/o Chail Shagai,
Saidu Sharif District Swat.Appellant

Versus

1. Directorate General Health Services, Government of
Khyber Pakhtunkhwa Through Assistant Director (P-II)
at Peshawar and others.Respondents

AFFIDAVIT

I, Mr Shah Wazir Khan appellant, do hereby affirm that no other service appeal of the same nature has been instituted prior to this Appeal nor is pending before any other competent court. It is further affirmed that the contents of this attached Appeal are true and correct according to the knowledge and belief.

Appellant


SHAH WAZIR KHAN

ATTESTED



5

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTOONKHWA AT PESHAWAR

Service Appeal No _____ of 2015

Shah Wazir Khan S/o Fazal Rahman R/o Chail Shagai,
Saidu Sharif District Swat.Appellant

Versus

1. Directorate General Health Services, Government of
Khyber Pakhtunkhwa Through Assistant Director (P-II)
at Peshawar and others.Respondents

ADDRESS OF THE PARTIES

APPELLANT:

Shah Wazir Khan S/o Fazal Rahman R/o Chail Shagai,
Saidu Sharif Swat.

CNIC No: 15602-3183380-9 - Cell No: 0343-8993344

RESPONDENTS:

- 1) Government of K.P.K Through Secretary Health
Department K.P.K at Sectriate Peshawar.
- 2) Directorate General Health Services, Government of
K.P.K through Assistant Director (P-II) at Peshawar.
- 3) District health Officer Swat at Gulkada Saidu Sharif
Swat.
- 4) Medical Superintendent Saidu Teaching Hospital at
Saidu Sharif Swat.


Appellant


SHAH WAZIR KHAN

Ann. A


68

SAIDU TEACHING HOSPITAL
 Saidu Sharif Swat
 Govt. of K.P.K
 Health Department



SHAH WAZIR KHAN
 O.T Attendant

Father's Name: **Fazal Rahman**
 Date of Birth: **1971**
 Address: **Muh: Chel Shagai**
P.O Saidu Sharif Swat,
 Blood Group: **B+ive**
 Contact: **0343-8993344**



N.I.C.#: 15602-3183380-9

g
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 attested to be
 true copy -
 Said Karim Shalman
 Advocate

Ans B.

79

To
Sir

The Medical Superintendent,
Saidu Teaching Hospital, Swat

Subject: APPLICATION FOR 730 DAYS EARNED LEAVE

Sir,

Respectfully it is stated that I have got some loans for the construction of my home. I have constructed home and now facing hardships in paying the loans due to which I received lot of threats and I feel I am not safe here.

Therefore I need 730 days earned leave w.e.f 01-07-2013.

Therefore your good self is requested to kindly grant me the said leave.

Thanking you.

Yours Obediently,

Wazir Khan
SHAH WAZIR KHAN,
OT Attendant,
Saidu Teaching Hospital, Swat.

Dated: 10-06-2013

*E ✓
for / a/c
of*

Accounty Section
Provided Complatt
leave record of the
official

*Sir,
The applicant is
entitled for the said
leave.*

S.K. Shalman Adv
be true copy
attested to

E. D.
Date of APPT: 1-9-90
Tot. leave in
Credit 1104 days
leave availed 320 - 5
leave in Balance 784 - 5

Ans. B. 8

OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING HOSPITAL SAIDU SHARIF, SWAT

No. 7035/PA

Dated Saidu Sharif the 20/06/2013

OFFICE ORDER

Sanction is hereby accorded to the grant of 730 days earned leave (120 days on full pay and 610 days on half pay) w.e.f 01-07-2013 in respect of Mr. Shah Wazir, OT Attendant of this Institution as admissible to him under the rules.

MEDICAL SUPERINTENDENT, Saidu Teaching Hospital, Swat

No. 7036-37/PP

Copy forwarded to:

- 1. Accounts Section, MS Office, Saidu Teaching Hospital Swat.
- 2. Official concerned.

MEDICAL SUPERINTENDENT, Saidu Teaching Hospital, Swat

Section, this office.

- 3. E-II Section, MS Office, Saidu Teaching Hospital, Swat.
- 4. Official concerned.

MEDICAL SUPERINTENDENT Saidu Teaching Hospital, Swat

Attested Copy
true copy

D.K. Shahman Adv

OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT

Ph: 0946-9240126-27, Fax: 0946-9240122

No. 15200/P.P

Dated Saidu Sharif the 22/12 2014

90

OFFICE ORDER:

Whereas it was reported by District Police Officer that Mr. Shah Wazir s/o Fazal Rehman OT Attendant BPS-03 of this hospital was involved in a criminal case under Section 420/489 F PPC and issued a bogus cheque to Mr. Muhammad Rafiq S/O Talizar which was bounced and not cashed.

And whereas the Police Department required assistance in his arrest and departmental action as the accused was absconder.

And whereas the accused official was on long leave, which was cancelled and notice was sent on his home address to report for duty.

And whereas the notice was returned back as the accused was not present at his home and his whereabouts were not known.

And whereas a Show Cause Notice was sent to Information Department to be published in News Paper, meanwhile the accused official reported for duty on 14-10-2014.

And whereas he was arrested by Police and got bail from court.

And whereas Departmental Disciplinary Proceedings were started.

And whereas his previous record is full of explanation regarding willful absence and misconduct.

And whereas he was compulsorily retired for his willful absence on 19-07-2011 and was reinstated in service on 14-12-2011.

And whereas he is known for taking money from different people on one pretext or the other and is always in debt and frequently becomes absent to escape from debtors and he was on long leave because of same reason being indebted.

And whereas a show cause was served upon him for gross misconduct and fraudulently issuing cheque.

And whereas he responded in writing on 20-11-2014.

And whereas he was called for personal hearing on 22-11-2014 and he appeared before the undersigned, where he confessed that he issued a cheque worth Rs. 800,000/= to Mr. Muhammad Rafiq which was not cashed due to non availability of money in his bank account.

And now I Dr. Siddiq ur Rehman Medical Superintendent as competent authority after going through his previous record, conduct during the disciplinary proceedings, response to show cause and personal hearing and non serious attitude towards Govt: Duty as he is in habit of absenting himself and putting some one else (Private non government official) for his duty, am of the opinion that accused official Mr. Shah Wazir Khan OT Attendant is found guilty of gross misconduct under Rule-3 of the Khyber Pakhtunkhwa Govt: servants (E&D) Rules 2011 and is not interested in govt: Service. He is liable to be punished by ~~expulsion/removal from service~~ but taking a lenient view impose the major penalty as under:

(i) Compulsory Retirement with immediate effect.

MEDICAL SUPERINTENDENT

Saidu Teaching Hospital, Swat

✓ Mr. Shah Wazir Khan OT Attendant
Saidu Teaching Hospital, Swat

22
20/12/2014
Assessed to be
true copy
P.K. Shalman Ash.

Anx-D-10

No. 1518 For Insurance Notices see reverse
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received a registered* addressed to Darreh

Initials of Receiving Officer W. K. M. A.

Insured for Rs. (in figures) 246 (in words) Two hundred and forty six

Insurance fee Rs. 246 Ps. 00 (in words) Two hundred and forty six Grams

Name and address 246 ar. 24.6.2015

*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it, when necessary.

TO, The Director Health Khyber

Departmental appeal against the order in absentia of the appellant dated 22.12.2014 of the medical superintendent sidu teaching Hospital saidu sharif swat against which appellant got information on 24.6.15 as appellant was on 730 days leaves w.e.f 1.7.2013.

Respectfully submitted,

- That appellant is civil servant and performing his job as O.T attendant.
- That appellant got 730 days leave through proper channel w.e.f 1.7.2013 on 20.6.2013 through office order no 7035/pp.
- That on 24.6.2015 appellant got the information about his compulsory retirement over the said information when the appellant concerned with the authority and query about the same same information was correct.
- That appellant then request for the cited order which was hand over to him by the hospital concerned on same date 24.6.2015.
- That astonishment to appellant to see that appellant was terminated by the concern authority during his leave duration without any prior information, notice, show cause notice or any other inquiry what aver under the law prescribed.
- That cited action of the medical superintendent sidu sharif swat was/ is against the basic rules of the civil servant and unjustified.
- That without any fault on the part of the appellant regarding the service or any other for which punished the appellant.
- That compulsory retirement of the appellant is not justified with four corners of service laws & rules of posting and termination.
- It is therefore most5 humbly prayed that on acceptance of this appeal your honor may kindly set aside the order dated 22.12.2014 through letter no 15200/PF & reinstate the appellant along with back benefit.

Appellant
Shah Waqar s/o Faraj Rahman.
Ex-O.T attendant Sidu Teaching
Hospital Swat.
R/O Chard Shagi Sidu Sharif
Swat.

بعدالت صائب ضمیر لکھنؤ سروس ٹریسٹنگ کمپنی

قیمت ایک روپیہ

کورٹ فیس

مورخہ 10 ستمبر ۲۰۱۵ منجانب سیشنر
مقدمہ نقابہ درہن خان بنام ڈاکٹر بلگورینا طینیل صاحبہ و مقدمہ
دعویٰ سروس اپیل

باعث تحریر آنکہ

جرم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام کیشور کپڑے سید کریم شہان ایدوٹ ٹکنالوجی اینڈ اینٹرٹینمنٹ ٹورازم اینڈ ہوسٹل ٹورازم کے مقرر کر کے اقرار کیا جاتا ہے کہ صاحبہ کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحبہ کو راضی نامہ و تقرر نامہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحبہ مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا یہ مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحبہ ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد تک باہر ہو تو وکیل سب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند ہے

10 ستمبر ۲۰۱۵

د گ واہ شدہ العبد
Admitted & Accepted
by Saib Karim Shalman کے لئے منظور ہے

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR

SERVICE APPEAL NO/2015

Mr. Shah Wazir S/O Fazal Rahman, R/O Chail Shagai, Saidu Sharif, Swat

.....**(APPELLANT)**

VERSUS

1. GOVT. OF K.P.K THROUGH SECRETARY HEALTH, CIVIL SECRETARIAT PESHAWAR
2. DIRECTOR GENERAL HEALTH SERVICES, KHYBER PAKHTUNKHWA, PESHAWAR
3. DISTRICT HEALTH OFFICER AT GULKADA, SAIDU SHARIF SWAT
4. MEDICAL SUPERINTENDENT, SAIDU GROUP OF TEACHING HOSPITAL, SWAT

.....**(RESPONDENTS)**

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1, 2 AND 4

PRELIMINARY OBJECTIVES:

- 1- That the appeal is incompetent and not maintainable.
- 2- That the appellant has got no cause of action.
- 3- That the appellant has got no locus standi.
- 4- That the appellant has not approached the honourable court with clean hands.

REPLY ON FACTS:

- Para-1 Correct upto his posting. He was Operation Theatre Attendant of Saidu Teaching Hospital Swat.
- Para-2 Correct
- Para-3 Correct
- Para-4 Incorrect, according to office order No. 10779/PF, dated 02-10-2014, he was informed that remaining leave period w.e.f 01-10-2014 is hereby cancelled and directed him to report for duty immediately is (Annexure-A). The same was sent to him direct by office but he did not receive the same with adding some verbally excuses through his home person that he/appellant was not at home. On the second time the same was sent to him through post office Saidu Sharif Swat but that time again return back the letter to this office without delivering to the appellant with quoting some remarks by the postman over the envelope is (Annexure-B) and then statement of allegation and Show Cause Notice No. 13240 dated 15-11-2014 served upon him on the same date 15-11-2014. He acknowledged receipt of Show Cause Notice with sign is (Annexure-C).

Para-5

Incorrect, the appellant received the aforesaid order in time. He approached for departmental appeal. The fact reveals from the letter No. 2502 dated 04-03-2015 is (Annexure-D) on which the high ups required comments on the appeal of the appellant from this office.


Para-6

Departmental appeal regretted through letter No. 5593/Personnel dated 19-05-2015 (Annexure-E)


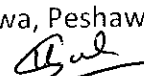
GROUND:

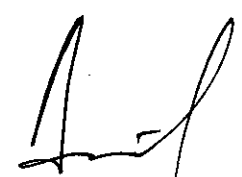
- A. Incorrect
- B. Incorrect detail available in Facts Para No-4.
- C. Incorrect also explained in Facts Para No-4.
- D. Incorrect, detail quoted in Fact Para No-5
- G. Incorrect, copies of enquiries and explanation total pages 24 enclosed is Service detail history previous punished and conduct (Annexure-F).
- H. Incorrect, due to shortage of staff and occurred great need for service of admitted patients etc. The act of cancellation of the remaining portion of leave was essential (being authorized authority of the department).
- I. Incorrect, the facts are explained in the above paras.

It is therefore respectfully prayed that the appeal is based on malafide, is baseless, having no grounds may kindly be dismissed with costs please.


Medical Superintendent,
Saidu Group of Teaching Hospitals, Swat

Respondent No.4
Medical Superintendent
Saidu Teaching Hospital
Saidu Sharif Swat.


Director General Health Services,
Khyber Pakhtunkhwa, Peshawar
Respondent No.2 


Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department, Peshawar
Respondent No.1

Annex "A"

Annex

OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

No. 10779/P.F

Dated Saidu Sharif the 2 / 10 / 2014

226

OFFICE ORDER

Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital Swat was granted 730 days leave (120 days on full pay and 620 days on half pay) w.e.f 01-07-2013 vide this office order No. 7035-37/PF dated 20-06-2013. He has availed 457 days leave till 30-09-2014. His remaining period of leave is hereby cancelled w.e.f.01-10-2014 due to his involvement in FIR No. 280 dated 03-06-2014 as communicated by Senior Superintendent of Police Investigation Swat vide his letter No. 4121/GB dated 18-07-2014 and District Police Officer Swat letter No. 15250/GB dated 26-09-2014. He is directed to report for duty immediately.

No. 10780-83/P.F

Shah Wazir
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
21/10/2014

Copy forwarded to the:

1. District Accounts Officer Swat.
2. District Police Officer Swat.
3. Accounts Section, MS Office, Saidu Teaching Hospital, Swat.
4. Mr. Shah Wazir Khan S/O Fazal Rahman, R/O Moh: Chail Shagai, Saidu Sharif, Swat.

For necessary action.

Shah Wazir
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
21/10/2014

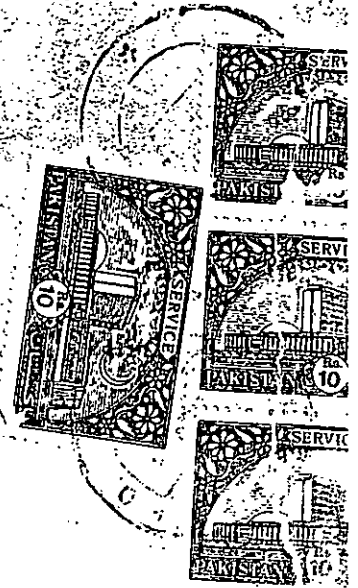
The Post Office is insured in the case of Insur. PS. a. they are so insured. Special conditions and restrictions are to be observed in the case of Insur. PS. a. The Post Office is insured in the case of Insur. PS. a. they are so insured. Special conditions and restrictions are to be observed in the case of Insur. PS. a. The Post Office is insured in the case of Insur. PS. a. they are so insured. Special conditions and restrictions are to be observed in the case of Insur. PS. a.

Annex B

وَأَمَّا فِي الْمَدِينَةِ الَّتِي كُفِّرَتْ عَنْهَا
الذَّنْبُ فَكَانَ فِيهَا الْقَوْمُ الَّتِي كُفِّرَتْ عَنْهَا

عَنْهَا
3/10
4/10

الَّذِينَ كُفِّرَتْ عَنْهَا
وَأَمَّا فِي الْمَدِينَةِ الَّتِي كُفِّرَتْ عَنْهَا
9/10



OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

No. 13191/RF

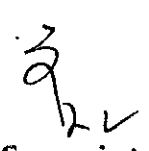
Dated Saidu Sharif the 13/11 / 2014

STATEMENT OF ALLIGATIONS:

With reference to the Senior Superintendent of Police Swat Letter 2999/GB dated 03-07-2014, wherein it has alledged that Mr. Shah Wazir Khan was indebted to Muhammad Rafiq for huge amout and issued a cheque Rs. 800,000/= in the name of Mr. Muhammad Rafiq which was when presented to the United Bank Saidu Sharif Branch was not entertained/cashed due to non availability of sufficient balance in the account of accused official Mr. Shah Wazir Khan. The official concerned was on long leave and when case was registered by the Police he absconded and police authorities requested the undersigned for help in his arrest. Subsequently leave was cancelled and he was given a notice to this effect and he was directed to join duty but notice returned back without delivery due to his non availibility.

This amounts to fraud and misconduct and wilful absence under section 3 of the Khyber Pakhtunkhwa, Govt: Servants E&D Rules 2011. The accused official is in the habit of taking loan from different sources and is always indebted. His previous record shows that he was removed from service because of wilful absence.

The illegation and offense are very much evident and I as competent authority do not consider to hold formal enquiry under Rule 10(1)-a of Khyber Pakhtunkhwa, Govt: Servants E&D Rules 2011. Issue Show Cause under Rules to dispense with the enquiry as i am satisfied that the accused official has committed the offense of gross misconduct under the rules ibid.


Medical Superintendent
Saidu Teaching Hospital Swat
13/11/20

OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

Annex 'C'

239

No. 13240/P.P

Dated 15/11/2014

SHOW CAUSE NOTICE

I, Dr. Siddiqur Rehman, Medical Superintendent, Saidu Teaching Hospital Swat as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, do hereby serve you, Mr. Shah Wazir Khan OT Attendant of Saidu Teaching Hospital Swat, as follows:

P. 220

1. Consequent upon your involvement in case FIR 280 U/S 420/489-F PPC P.S Khurshid Khan Shaheed dated 03-06-2014
2. On going through the record and current report, I am satisfied that you have committed the following acts/omissions specified in Section-3 of the said rules and there is no need to hold enquiry under rules 10(1)a of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, as the allegations are very much clear decided to dispense with the enquiry under Rule 7 of the said rules.
 - i. Misconduct
3. As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of Removal from Service under Rule 4 of the said rules.
4. You are therefore required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate that whether you desire to be heard in person.
5. If no reply to the notice is given within 10 days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte decision shall be taken against you.
6. A copy of the complaint/report is attached.

Competent Authority
Maj (R) Dr. Siddiqur Rehman
Medical Superintendent,
Saidu Teaching Hospital, Swat

Mr. Shah Wazir Khan OT Attendant
Saidu Teaching Hospital, Swat

[Handwritten signature]
Date: 15.11.2014

Reminder



Annex 'D'

DIRECTORATE GENERAL HEALTH SERVICES, GOVT: OF KHYBER PAKHTUNKHW, PESHAWAR.
NO 2502 /PERSONNEL
DATED 4 /03/2015.

248

To,

The Medical Superintendent
Saidu Teaching Hospital Swat.

Subject: **APPEAL FOR RE-INSTANTMENT IN GOVT: SERVICE.**
Dear Sir,

I am directed to refer to this Directorate letter No. 1764/Personnel dated 16.02.2015, on the subject noted above and furnish your reply immediately, so as to proceed further in the matter.

E-II / R. Kepper
Put up reference
and do the needful
urgently as per
directives of DGHS.

[Signature]
ASSISTANT DIRECTOR (P-II)
DGHS, Khyber Pukhtunkhwa
Peshawar

27/2/15
27.2.15

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1439
19.3.2015

3
22
3/9

211



DIRECTORATE GENERAL HEALTH SERVICES, GOVT: OF KHYBER PUKHTUNKHWA, PESHAWAR.
NO: 5593 /PERSONNEL
DATED 19 /05/2015.

Annex (E)

To,

Mr. Shah Wazir Ex: O.T Attendant
Saidu Teaching Hospital Swat.

Subject: **DEPARTMENTAL APPEAL.**

I am directed to refer to your appeal dated 16.02.2015, on the subject noted above.

Your appeal for re-instatement in to Govt Service has been considered by the competent authority and can not, it is regretted be acceded to, being time barred and not made within the stipulated mandatory period.

[Handwritten signature]

ASSISTANT DIRECTOR (P-II)
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K PESHAWAR

[Handwritten signature]

19/5/15
with 5/2/15

No 5594 /Personnel

Copy forwarded to the M.S Saidu Teaching Hospital Swat for information.

[Handwritten signature]

ASSISTANT DIRECTOR (P-II)
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K PESHAWAR

[Handwritten signature]

19/5/15

[Handwritten signatures and initials]
EV/PCW
19/5/15

No. 10449 PF

Dated Saidu Sharif the 11-9 /2008

From,

The Medical Superintendent,
Saidu Teaching Hospitals, Swat.

To,

The Director General,
Health Services, NWFP Peshawar

Subject:

ABSENCE REPORT OF MR. SHAH WAZIR, OT ATTENDANT.

Memo:

In continuation of this office letter No.5067/ dated 03/06/2008 and subsequent reminders issued in this respect vide this letter No.7121, dated 23/06/2008, No.7375/PF, dated 27/06/2008, No.8723/PF, dated 26/07/2008 and No.9598/PF, dated 18/08/2008 on the subject note above.

In this connection it is brought into your kind notice that Mr. Shah Wazir, OT Attendant, has been disappeared and his whereabouts is not known till date. He is an unwilling worker, disobedient, willful and habitually absent from his duty.

Moreover he was directed again and again to resume his duty and expedite replies to the explanations called for his willful absence ~~at~~ within three days at his home address through registered letter No.4407, dated 20/05/2008 and No.4706, dated 26/05/2008, but it was returned undelivered.

Therefore it is recommended that disciplinary action may kindly be taken against the ^{above} named accused on account of his willful absence from his official duty since 08/05/2008, under E&D Rules (Special Powers 2002) i.e. removal from service.


MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat.

CHARGE SHEET.

1. I, Dr.Sajid Shaheen, Director General Health Services, NWFP, Peshawar as Competent Authority hereby charge you, Mr.Shah Wazir, OT Attendant, Saidu Teaching Hospital, Saidu Sharif Swat as follows.

- (i) You have been found wilfully absent w.e.f 15/05/2008 till date.
- (ii) Miss-conduct.
- (iii) Poor performance.
- (iv) Unwilling worker.

2. By reasons of the above, you appear to be guilty of misconduct under section-3 (e) of the NWFP Removal from service (special powers) amended Ordinance-2000, and have rendered yourself liable to all or any of the penalties specified in section-3 of the Ordinance ibid.

3. You are, therefore, directed to submit your written defence within 07 days of the receipt of this charge sheet to the enquiry officer.

4. Your written defence, if any should reach the Enquiry Officer, within specified period, failing which it shall be presumed that you have no defence to put in and in that case exparte action shall follow against you.

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

6. Statement of allegations is attached.

DR.SAJID SHAHEEN,
DIRECTOR GENERAL HEALTH
SERVICES, NWFP, PESHAWAR.

No. _____/

Dated _____/2008

1) Mr.Shah Wazir S/O Mr.Fazal Rahman alias Khanay,
, OT Attendant, Saidu Teaching Hospital, Swat, Resident of Village, PO and
Tehsil: Saidu Sharif, Moh: Shaheen Abad, District Swat.

No. 10449/PF

Dated Saidu Sharif the 11/9 /2008

From,

The Medical Superintendent,
Saidu Teaching Hospitals, Swat.

To,

The Director General,
Health Services, NWFP Peshawar

Subject:

ABSENCE REPORT OF MR. SHAH WAZIR, OT ATTENDANT.

Memo:

In continuation of this office letter No.5067/ dated 03/06/2008 and subsequent reminders issued in this respect vide this letter No.7121, dated 23/06/200, No.7375/PF, dated 27/06/2008, No.8723/PF, dated 26/07/2008 and No.9598/PF, dated 18/08/2008 on the subject note above.

In this connection it is brought into your kind notice that Mr. Shah Wazir, OT Attendant, has been disappeared and his whereabouts is not known till date. He is an unwilling worker, disobedient, willful and habitually absent from his duty.

Moreover he was directed again and again to resume his duty and expedite replies to the explanations called for his willful absence ~~at~~ within three days at his home address through registered letter No.4407, dated 20/05/2008 and No.4706, dated 26/05/2008, but it was returned undelivered.

Therefore it is recommended that disciplinary action may kindly be taken against the ^{above} named accused on account of his willful absence from his official duty since 08/05/2008, under E&D Rules (Special Powers 2002) i.e. removal from service.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat.

No. 333-34/E-2

Dated Saidu Sharif the 12-01-2011

From:

The Chief Executive,
Saidu Teaching Hospitals, Swat.

To

1. Mr. Shah Wazir Khan, OT Attendant
2. Sher Khan, Ward Orderly
Saidu Teaching Hospital, Swat

Subject: ABSENCE FROM DUTY
Memo:

You are absent since long and you were directed to attend the office of the undersigned on 10-01-2011 vide this office letter No.214-15/E-II, dated 08-01-2011 but you failed to do so.

You are therefore directed to explain reasons that as to why disciplinary action should not be taken against you.

Your reply must reach this office within three days after the receipt of this letter failing to which strict disciplinary action will be taken against you which will amount to terminate your services.


CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

No. 335/E-2

Copy forwarded to the Accounts Section, MS Office, Saidu Teaching Hospital, Swat to stop their pay till further orders.


CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

DISCIPLINARY ACTION

(5) 155

I, the Chief Executive, Saidu Teaching Hospital Swat, Competent Authority, am of the opinion that Mr. Shah Wazir Khan S/O Fazal Rahman, OT Attendant, Saidu Teaching Hospital, Swat has rendered himself liable to be proceeded against as he committed the following acts/ omissions within the meaning of Section-3 of the North West Frontier Province Removal From Service (Special Power) Ordinance 2000, amended 2001.

STATEMENT OF ALLEGATION

25

1. Willful absence from duty
2. Disobedience
3. Misconduct

For the purpose of scrutinizing the conduct of the said accused with reference to above allegations the following are hereby appointed as enquiry officers under 5 of the ordinance.

- | | | |
|----|-------------------------|----------|
| 1. | Prof. Dr. Aziz Ahmad | Chairman |
| 2. | Prof. Dr. Manzoor Ali | Member |
| 3. | Prof. Dr. Haroon Rashid | Member |
| 4. | Mr. Sarzamin Khan, A/O | Member |

The enquiry officer shall in accordance with the provision of the ordinance, provide reasonable opportunity of hearing to the accused, record its findings and make within 7 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

The accused shall join the proceedings on the date time and place to be fixed by the enquiry officers.

CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

Copy forwarded to the:-

1. The above named officers, for information and necessary action.
2. Mr. Shah Wazir Khan, OT Attendant, Saidu Teaching Hospital, Swat.

CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

**OFFICE OF THE CHIEF EXECUTIVE,
SAIDU TEACHING HOSPITAL, SWAT**

No. 1105/E-4 Dated 01/02/2011

OFFICE ORDER

The enquiry committee, constituted vide this office order No.901-02, dated 25-01-2011 is hereby modified as under:

- | | | |
|----|---|----------|
| 1. | Prof. Dr. Aziz Ahmad, V.P Clinical/Head Medicine Department | Chairman |
| 2. | Prof. Dr. Manzoor Ali, Head Surgery | Member |
| 3. | Prof. Dr. Haroon Rashid, Head Ophthalmology Deptt: | Member |
| 4. | Mr. Sarzamin Khan, Accounts Officer, SMC Swat. | Member |

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

1104-07
Copy forwarded to the:

Medical Superintendent, Saidu Teaching Hospital, Swat.

the above named officers for information and necessary action.

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

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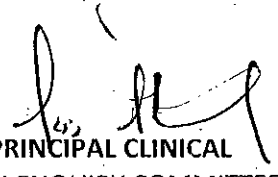
158
OFFICE OF THE VICE PRINCIPAL CLINICAL,
SAIDU TEACHING HOSPITAL, SWAT

No. 1413/E-3 Dated 07/02/2011

OFFICE ORDER

A meeting of the enquiry committee framed by the Chief Executive, Saidu Teaching Hospital, Swat comprising the following has been scheduled to be held on 10/02-2011 at 1100 a.m. in the office of the Medical Superintendent, Saidu Teaching Hospital, Swat to conduct the enquiry against Mr. Shah Wazir Khan

1. Prof. Dr. Haroon Rashid, Head Ophthalmology Department
2. Prof. Dr. Manzoor Ali, Head Surgery Department
3. Mr. Sarzamin Khan, Accounts Officer, SMC Swat.


VICE PRINCIPAL CLINICAL
CHAIRMAN ENQUIRY COMMITTEE
SMC/S.T.H, SWAT.

No. 1414-151

Copy forwarded to the:

1. The above named officers for information and to attend the meeting on the scheduled date, time and venue.
2. Mr. Shah Wazir Khan, OT Attendant for information. He is directed to attend the office of the Enquiry Committee (MS Office) for recording his statement, accordingly.

VICE PRINCIPAL CLINICAL
CHAIRMAN ENQUIRY COMMITTEE



Report of Enquiry Committee:

The enquiry committee constituted vide Chief Executive, STH office order No. 1105/E-4 dated 01-02-2011, held its meeting on 10/02/2011 at 11:AM in office of MS, STH.

According to the record, Mr. Shah Wazir , OT attendant, is absent from duty since very long and was given final warning to attend for duty twice during January 2011 and then summoned by the Chief Executive STH to report within 24 hours. Upon his failure to comply, this committee was constituted to probe his case.

Mr. Shah Wazir was given a notice to appear before the committee. So he appeared personally. He was inquired by the committee regarding his will full absence from duty during 2009-10 and until now. The official insisted that he has been doing his duty regularly as directed by the administration during this period. When specifically asked about his place of duty, he told that he is working with the Ex-chief Executive STH at his home for last two and half years at his home. He submitted a written reply to this effect and an official order of posting in the office of the Chief Executive. The committee checked the attendance register of the office of C.E. and found blank space in front of his name for last one year.

Service record of the official Mr. Shah Wazir Khan was reviewed in detail. It was found that the file consists of 145 Pages. All these pages consist of complaints of different Heads of departments and incharge of units regarding his absentees and disobedience. The file consists of warnings, explanations, enquiry reports and charge sheets. It speaks loudly of the irresponsible behavior of this official with no regard for the rules of service and institution.

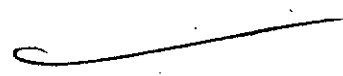
His service record can be briefly surmised as follow:

No & Date	Admin/Step Taken	Authorized Officer	Charge Levied	Defense	Result /Remarks
3116/E-2/94 30-04-94	Warning	DMS,SGH	1. (Negligence of Duty) 2. (Disobedience) 3. (Misbehavior)	In person written Nil/Nil	Guilt/Confirmed.
1710/E-2/95 02-05-95	Explanation	MO, I/C, S/W	1,2,3	Nil/Nil	-do-
7126/E-2/95 11-12-95	-do-	MS/SGH	1,2,3,	Nil/Nil	-do-
4361/E-2/96 22-10-96	-do-	MO, I/C SGH	1,2,3	Nil/Nil	-do-
7135/E-2/96 16-12-96	-do-	MS SGH	1,2,3	Nil/Nil	-do-
4376/E-2/97 30-05-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
_____/E-2/97 07-06-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
5799/E-2/97 12-06-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
6045/E-2/97 02-07-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
195/CW/97 05-07-97	Enquiry	Add:DMS	1,2,3	Nil/Nil	-do-

7248/E-2/97 19-07-99	Explanation	MO I/C S/W	1,2,3	Nil/Nil	-do-
9721/E-2/97 19-07-99	-do-	MS SGH	1,2,3	Nil/Nil	-do-
6174/E-2/98 23-09-98	Charge Sheet	MS SGH	1,2,3	Admitted	-do-
07-10-98	Enquiry	SMO I/C OPD	Written admission of allegation 2-10-98	Minor penalty 6 day deduction from Pay of Oct 1998	
5508/E-5/99	-do-	Discipline Committee	1,2,3	Inperson/Nil	1. Holding of One increment with accumulative effect. 2. Warring for removal from Service if found careless in future. Vide office order 6175/PF/99 dt:25-09-99
		1 2	Transfer form SGH Major Penalty		
6245/PF/99	suspension	MS SGH	1,2,3	-	-
	From Service/Duty				
6647/49/AB-3	Stoppage of Salary	MS SGH	1,2,3	-	-
674/E2 dated 23-9-98	Charge Sheet				
Enquiry report by Dr. Khurshid Ali	SMO I/C OPD				to be Removed out side STH
Enquiry Report No. 5508/E/99	dated 3/8/99				
02-09-99	Charge Sheet				No follow up available
No 7192	dated 01-11-99			Final Warring	
Enquiry Report Capt: Dr. Fazal Ali	4/99 to 10/99.....				recomeded for major disciplinary action
11-12-99	Enquiry report	DMS / SGTH			recomeded for termination of Service
2-2-2000	Charge Sheet No. 1058/PF.				No follow up
19-09-2005	Enquiry Committee				Transfer to another health facility recommended.
18-05-2007	Disciplining Committee				Major Penalty recommended.



9
16/4
E



10
No 3
[Handwritten scribbles]

Sir,

1. It is very obvious from above details, that this official has never performed his duty properly in this institute since 1994.
 2. He is a chronic case of absentees, disobediences and non compliance. He has never bothered to give explanation of his absentees.
 3. He has wasted the valuable time of the officers in conducting enquires.
- Moreover, It appears that he has been trying to influence administration politically to escape all sorts of punishments and transfers.

The committees unanimously recommend that he should be given an exemplary punishment.

[Handwritten signature of Prof. Dr. Aziz Ahmad]

PROF. DR. AZIZ AHMAD
VICE-PRINCIPAL/HO MEDICINE DEPARTMENT
(CHAIRMAN)

OS (Estab)
Keep it on Agenda
in Inmc meeting

[Handwritten signature of Prof. Dr. Manzoor Ali]

PROF. DR. MANZOOR ALI
HEAD OF SURGERY DEPARTMENT
(Member)

O/S (ESTAB) / AO-SMC
For Comments
[Handwritten initials]

[Handwritten signature of Prof. Dr. Haroon Rashid]

PROF. DR. HAROON RASHID
HEAD OF OPHTHALMOLOGY DEPARTMENT
(Member)

Sir,
Recommended one of the following penalty:
1. Termination from service
2. Stoppage of increment.
3. Compulsory Retirement.

Dated: 10-02-2011

AS/3
AO-SMC
[Handwritten signature]
5.3.2011

P-170

نوٹس غیر حاضری

آپ مسلمی شاہ وزیر ولد فضل رحمان عرف خانے، اوٹی انڈنٹ سید وٹچنگ ہاسپٹل، سید و شریف سوات مورخہ 22-02-2011 سے اپنے ڈیوٹی سے بغیر اطلاع کے غیر حاضر ہیں۔ اس سلسلے میں آپ سے دفتری چھٹی نمبر 2725/PF بمورخہ 19-03-2011 کے ذریعے باز پرس کی گئی ہے۔ پھر شوکا ز نوٹس نمبر 3104/PF بمورخہ 02-04-2011 کے ذریعے آپکو 15 دنوں کے اندر اندر حاضر ہونے کا حکم دیا گیا ہے۔ لیکن تا حال آپ اپنے ڈیوٹی سے غیر حاضر ہیں۔

آپ کو بذریعہ اشتہار ہذا اطلاع دی جاتی ہے کہ چودہ (14) دنوں کے اندر اندر اپنے ڈیوٹی پر حاضر ہو جائیں، ورنہ آپ کو نوکری سے درخواست کیا جائے گا۔

چیف ایگزیکٹو،
سید وٹچنگ ہاسپٹل، سوات

Dated: 18-4-2011

AAAJ. The Largest-Circulated Publication of the Province

روشنی کی مناسبت، آج کا نصب العین

روزنامہ

پشاور

پاکستان



ایڈیٹر
عبدالواحد ریوٹھی

صفحات 12

پشاور ایبٹ آباد سے بیک وقت شائع ہونے والا سب سے خیر بخشنا نمونہ کا کثیر الاشاعت اخبار

جلد 22 ہفتہ 23 اپریل 19-2011 جمادی الاول 1432 ہجرت 10 بجے سے لے کر 1 بجے

شمارہ 104

نوٹس غیر حاضری

آپ کی شاہ وزیر ولد فضل رحمان عرف صاحب نے اذنی انڈنٹ سید وٹجنگ ہاسپٹل سید شریف سوات پورخہ 22/02/2011 سے اپنے ذیولے سے بغیر اطلاع کے غیر حاضر ہیں اس سلسلے میں آپ سے دفتری پمپلی نمبر 2725/PF پورخہ 19/3/2011 کے ذریعے بازرسی کی گئی ہے۔ پھر شوکار نوٹس نمبر 3104/PF پورخہ 02/04/2011 کے ذریعے آپ کو 15 دنوں کے اندر اندر حاضر ہونے کے حکم دیا گیا ہے۔ لیکن تا حال آپ اپنے ذیولے سے غیر حاضر ہیں۔

آپ کو بذریعہ اشتہار مذکورہ اطلاع دی جاتی ہے کہ جو وہ (14) دنوں کے اندر اندر اپنے ذیولے پر حاضر ہو جائیں ورنہ آپ کو نوٹس سے درخواست کیا جائے گا۔

چیف ایگزیکٹو سید وٹجنگ ہاسپٹل سوات INF/SW/49

174
174
174

✓

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(B) ✓
P-173
3

OFFICE OF THE CHIEF EXECUTIVE,
SAIDU TEACHING HOSPITAL, SWAT

No. _____ / Dated 19/7/2011

OFFICE ORDER

WHEREAS, Disciplinary Proceedings were initiated against Mr. Shah Wazir Khan S/O Fazal Rahman, OT Attendant, Saidu Teaching Hospital, Swat on account of his continuous wilful absence from duty.

AND WHEREAS, an absence notice was published in Newspaper with the direction to resume his duty within 14 days.

AND WHEREAS, he failed to resume his duties in the stipulated period.

NOW THEREFORE, the competent authority after having considered the charges and evidence on record, in exercise of the powers conferred under Section-3 of the NWFP Removal from Service (Special Powers) Ordinance 2000, is pleased to impose the major penalty of Compulsory Retirement from Service upon Mr. Shah Wazir Khan, OT Attendant, Saidu Teaching Hospital, Swat with immediate effect.

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

No. 7424-28/PR

Copy forwarded to the:

1. Director General, Health Services, Khyber Pakhtunkhwa Peshawar.
2. Medical Superintendent, Saidu Teaching Hospital, Swat.
3. District Comptroller of Accounts, Swat.
4. Accounts Section, MIS Office, STH, Swat.
5. Mr. Shah Wazir S/O Fazal Rahman, resident of Shaheen Abad, Saidu Sharif, Swat.

CHIEF EXECUTIVE
Saidu Teaching Hospitals, Swat

A 27

14
183
OFFICE OF THE CHIEF EXECUTIVE,
SAIDU TEACHING HOSPITAL, SWAT
No. _____ / Dated 19/7/2011

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CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

No. 7424-28/PR

Copy forwarded to the:

1. Director General, Health Services, Khbyer Pakhtunkhwa Peshawar.
4. Medical Superintendent, Saidu Teaching Hospital, Swat.
5. District Comptroller of Accounts, Swat.
6. Accounts Section, MS Office, STH, Swat.
7. Mr. Shah Wazir S/O Fazal Rahman, resident of Shaheen Abad, Saidu Sharif, Swat.

CHIEF EXECUTIVE

I Rmd 15
P-196

**OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING
HOSPITAL SAIDU SHARIF, SWAT**

No. 1813/P.P Dated Saidu Sharif the 4/3 /2013

To

Mr. Shah Wazir,
OT Attendant,
Saidu Teaching Hospital Swat

Subject: **ABSENCE FROM DUTY**

Memo:

You are absent from your duty since 01-02-2013 till date. In this regard you were directed to explain the reasons of your absence vide this office letter No. 1502/PF dated 21-02-2013 but you did not respond to the same and absent still.

You are therefore directed to resume your duty and explain the reasons for your willful absence immediately; otherwise strict action will be taken against, you.

No. 1814/P.P

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
21/02/2013

Copy forwarded to the Account Section, MS Office, Saidu Teaching Hospital Swat with the direction to stop his pay till further orders.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
21/02/2013

No. 1502/PR
From:

Dated 21/02/2013

To:

The Medical Superintendent,
Saidu Teaching Hospital Swat.

Mr. Shah Wazir O.T. Attendent,
S.T.H., Saidu Sharif Swat.

Subject:-
Memo:

ABSENT FROM DUTY.

It has come to the notice of the undersigned that you are absent from duty from 1-2-2013, with out any application/leave.

You are directed to explain the reason of absentee with in three days after the receipt of this letter, other wise your pay will be stop from D.A.O., Office.

No. 1503/PR

Medical Superintendent,
Saidu Teaching Hospital Swat.

Copy forwarded to Accounts Branch for information and to stop the pay of the above named official till further order.

Medical Superintendent,
Saidu Teaching Hospital Swat.

DEA

17 Register

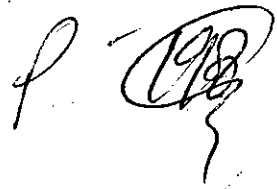
OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING HOSPITAL SAIDU SHARIF, SWAT

No. 2109 IPR

Dated Saidu Sharif the 15 / 3 / 2013

To

Mr. Shah Wazir,
OT Attendant,
Saidu Teaching Hospital Swat.



Subject: ABSENCE FROM DUTY

Memo:

Reference this office letter No. 1813/PF dated 04-03-2013 which has been returned to this office ^{By the post office.} with the remarks that you are not traceable anywhere and you are absent from your duty since 01-02-2013 till date.

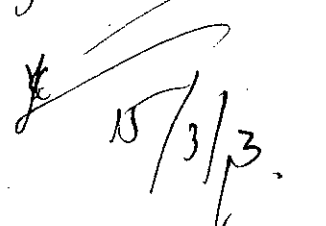
You are therefore directed to resume your duty within ³14 days and explain the reasons for your willful absence; otherwise strict action will be taken against, you.


MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat

No. 2110 IPR

Copy forwarded to the Account Section, MS Office, Saidu Teaching Hospital Swat.


MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat

Agreed

15/3/13

p 202
Reg: No. 118

**OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING
HOSPITAL SAIDU SHARIF, SWAT**

No. 2791/PP

Dated Saidu Sharif the 10 / 04 / 2013

OFFICE ORDER

Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital, Swat is absent from his duty since 01-02-2013. The following enquiry committee is hereby constituted to probe his absence case and submit their report to the undersigned within a week time to proceed further in the matter:

1. Dr. Rahmatullah Opal, Snr: District Physician
2. Prof. Dr. Manzoor Ali, HoD Surgery
3. Prof. Dr. Haroon Rashid, HoD Ophth:

Member
Member
Member

No. 2792-93/PP

MEDICAL SUPERINTENDENT
Saidu Teaching Hospital Swat
10/4/2013

Copy forwarded to the:

1. The above named officers.
2. Mr. Shah Wazir, OT Attendant, R/O Moh: Chail Shagai, Saidu Sharif, Swat.

MEDICAL SUPERINTENDENT
Saidu Teaching Hospital, Swat

P-208

20

No. mid

Dated: 25-4-2013

(14)

To

The Medical Superintendent,
Saidu Teaching Hospital, Swat

Subject:

INQUIRY REPORT WITH REFERENCE TO LETTER NO.2792-93/PF
DATED 10-04-2013 (REGARDING ABSENCE OF MR. SHAH WAZIR
KHAN, OT ATTENDANT)

Sir,

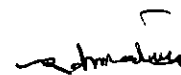
Please refer to the letter quoted above.


A meeting of the inquiry committee was held in the D.M.S Office,
Saidu Teaching Hospital, Swat on 18-04-2013 at 11:30 a.m. for conducting enquiry
regarding absence of Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital,
Swat. The following enquiry members attended the meeting:

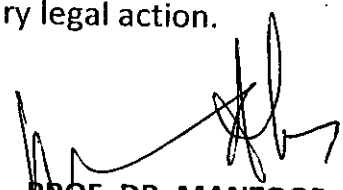
1. Dr. Rahmatullah Opal, Senior District Physician
2. Prof. Dr. Haroon Rashid, HoD Ophthalmology
3. Prof. Dr. Manzoor Ali, HoD Surgery

A registered letter bearing No. 2931-34/PF dated 10-04-2013 was
issued at the home address of Mr. Shah Wazir, OT Attendant but the letter was
not received by the home incumbents stating that he is absent from home since
long. His whereabouts are not known.

The said findings are forwarded for necessary legal action.


Dr. RAHMATULLAH OPAL
Senior District Physician
(Chairman Committee)


PROF. DR. HAROON RASHID
HoD Ophthalmology
(Member Committee)


PROF. DR. MANZOOR ALI
HoD Surgery
(Member Committee)

BS
for info
27-4-13

1425
27-4-2013

E-11
For publication
in press.
27-4-13

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From: The Senior Superintendent of Police,
Investigation, Swat.

To: The Medical Superintendent,
Saidu Group of Teaching Hospital,
at Saidu Sharif Swat.

No. 4121 /GB, dated Saidu Sharif the, 18-7- /2014.

Subject: CASE FIR NO.280 DATED 03-06-2014-U/S 420/489-F
PPC P.S KHURSHAD KHAN SHAHEED.

Memo:

Reference to your office memo No.7677/P.F SH: dated
07-07-2014.

A copy of FIR of the subject case is sent herewith for further
necessary action, please.

~~Senior Superintendent of Police,
Investigation, Swat.~~

3992

20-7-14

OS

OS

RK/E-II

put up Ref:

Put up for a/c.

M.S. STB

OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

No. 8423/PP

Dated 5/8/2014

To

The SSP Investigation Swat

Subject: CASE FIR NO. 280 DATED 03-06-2014 U/S 420/489-F PPC P.S KHURSHAD KHAN SHAHEED

Memo:

Reference your letter No. 4121/GB dated 18-07-2014.

In this connection it is submitted that the officer concerned is on long leave. His whereabouts is not known to this office.

It is further added that the FIR is not relating to this office to interfere in the matter, hence he may be contacted on his home address to clarify his position by himself being the same is his private matter/business.

h

MEDICAL SUPERINTENDENT
Saidu Teaching Hospital, Swat

*P.F
P.F. No. 11902*

4

From: The District Police Officer, Swat.

To: The Medical Superintendent,
Saidu Group of Hospital,
Saidu Sharif, Swat.

No. 15250/GB, dated Gulkada the, 26-9/2014.

Subject: COMPLIANT AGAINST C-IV SHAH WAZIR KHAN.

Memo:

According to the report of local Police of Police Station Saidu Sharif, C-IV Shah Wazir Khan s/o Fazal Rahman r/o Chail Shagai Saidu Sharif is involved in case FIR No. 280 dated 03-06-2014 u/s 420/489-F PPC Police Station Saidu Sharif.

It is, therefore, requested that Departmental action may be taken against the above named C-IV under intimation to this Office.

(Signature)
District Police Officer, Swat

No. —/GB,

Copy to SHO Police Station Saidu Sharif for information w/r to his Parwana 19-09-2014.

District Police Officer, Swat

4925

Dr. Saeedullah
to dist.

29/9/14

Put up service book
have sanction order.
Put up computer record

3/1
22/9/2014

Sir,

The class-iv concern
is on long leave and is
now in the police custody
(~~not~~) may suspend
him or other wise
submitted for order
Please

(Signature)
29/9/14

MS (ST)

نوٹس غیر حاضری

آپ مسلمی شاہ وزیر خان ولد فضل رحمان، OT Attendant، سیدو ٹیچنگ ہاسپٹل، سیدو شریف سوات، سکنہ محلہ چیل شگئی، گاؤں ڈاکخانہ سیدو شریف، ضلع سوات کو مورخہ 01-07-2013 سے 730 یوم کی چھٹی عطا کی گئی تھی جسمیں آپ نے 457 یوم کی چھٹی 30-09-2014 تکمیل کی ہے اور بقیہ حصہ بذریعہ چھٹی نمبر 10780-83/PF مورخہ 02-10-2014، 01-10-2014 سے کینسل کی گئی ہے کیونکہ آپ کے خلاف FIR نمبر 280 مورخہ 03-06-2014 میں ملوث ہونے کی اطلاع ایس پی انویسٹیگیشن ضلع سوات سے بذریعہ چھٹی نمبر 4121/GB مورخہ 18-07-2014 دفتر ہذا کو ملی ہے اور اس طرح ضلعی پولیس آفیسر سوات نے بھی بذریعہ چھٹی نمبر 15250/GB مورخہ 26-09-2014 کو رپورٹ کی ہے۔ اس وجہ سے آپ کو رجسٹری خط بمورخہ 02-10-2014 کو گھر کے پتہ پر رجسٹرڈ ارسال کیا گیا جو بغیر وصولی کے واپس کیا گیا ہے کہ وصول کنندہ گھر پر موجود نہیں ہے اور اُسکے بارے میں کوئی اطلاع نہیں ہے۔

لہذا آپ کو بذریعہ اشتہار ہذا اطلاع دی جاتی ہے کہ اس اشتہار کے شائع ہوتے ہی چودہ (14) دنوں کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور خط نہ لینے اور 01-10-2014 سے آج تک اپنے غیر حاضری کی وجہ بیان کریں ورنہ آپکے خلاف خیبر پختون خواہ گورنمنٹ سرونٹس E&D رولز 2011 کے تحت یکطرفہ تادیبی کارروائی کی جائیگی جسمیں ملازمت سے برخاستگی بھی ہو سکتی ہے۔

ہیڈیکل سپرنٹنڈنٹ،
سیدو ٹیچنگ ہاسپٹل، سوات۔

Dated: _____

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR

1164/
SERVICE APPEAL NO/2015

Mr. Shah Wazir S/O Fazal Rahman, R/O Chail Shagai, Saidu Sharif, Swat

.....(APPELLANT)

VERSUS

1. GOVT. OF K.P.K THROUGH SECRETARY HEALTH, CIVIL SECRETARIAT PESHAWAR
2. DIRECTOR GENERAL HEALTH SERVICES, KHYBER PAKHTUNKHWA, PESHAWAR
3. DISTRICT HEALTH OFFICER AT GULKADA, SAIDU SHARIF SWAT
4. MEDICAL SUPERINTENDENT, SAIDU GROUP OF TEACHING HOSPITAL, SWAT

.....(RESPONDENTS)

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1, 2 AND 4

PRELIMINARY OBJECTIVES:

- 1- That the appeal is incompetent and not maintainable.
- 2- That the appellant has got no cause of action.
- 3- That the appellant has got no locus standi.
- 4- That the appellant has not approached the honourable court with clean hands.

REPLY ON FACTS:

- Para-1 Correct upto his posting. He was Operation Theatre Attendant of Saidu Teaching Hospital Swat.
- Para-2 Correct
- Para-3 Correct
- Para-4 Incorrect, according to office order No. 10779/PF, dated 02-10-2014, he was informed that remaining leave period w.e.f 01-10-2014 is hereby cancelled and directed him to report for duty immediately is (Annexure-A). The same was sent to him direct by office but he did not receive the same with adding some verbally excuses through his home person that he/appellant was not at home. On the second time the same was sent to him through post office Saidu Sharif Swat but that time again return back the letter to this office without delivering to the appellant with quoting some remarks by the postman over the envelope is (Annexure-B) and then statement of allegation and Show Cause Notice No. 13240 dated 15-11-2014 served upon him on the same date 15-11-2014. He acknowledged receipt of Show Cause Notice with sign is (Annexure-C).

Para-5

Incorrect, the appellant received the aforesaid order in time. He approached for departmental appeal. The fact reveals from the letter No. 2502 dated 04-03-2015 is (Annexure-D) on which the high ups required comments on the appeal of the appellant from this office.

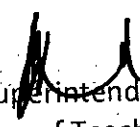
Para-6


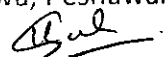
Departmental appeal regretted through letter No. 5593/Personnel dated 19-05-2015 (Annexure-E)

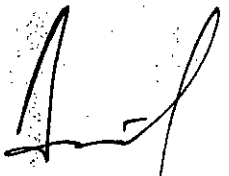
GROUND:

- A. Incorrect
- B. Incorrect detail available in Facts Para No-4.
- C. Incorrect also explained in Facts Para No-4.
- D. Incorrect, detail quoted in Fact Para No-5
- G. Incorrect, copies of enquiries and explanation total pages 24 enclosed is Service detail history previous punished and conduct (Annexure-F).
- H. Incorrect, due to shortage of staff and occurred great need for service of admitted patients etc. The act of cancellation of the remaining portion of leave was essential (being authorized authority of the department).
- I. Incorrect, the facts are explained in the above paras.

It is therefore respectfully prayed that the appeal is based on malafide, is baseless, having no grounds may kindly be dismissed with costs please.


Medical Superintendent,
Saidu Group of Teaching Hospitals, Swat
Respondent No.4
Medical Superintendent
Saidu Teaching Hospital
Saidu Sharif Swat.


Director General Health Services,
Khyber Pakhtunkhwa, Peshawar
Respondent No.2 


Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department, Peshawar
Respondent No.1

Annex "A"

Annex

Annex

OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

22

No. 10779/P.F

Dated Saidu Sharif the 2 / 10 / 2014

OFFICE ORDER

Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital Swat was granted 730 days leave (120 days on full pay and 620 days on half pay) w.e.f 01-07-201³ vide this office order No. 7035-37/PF dated 20-06-2013. He has availed 457 days leave till 30-09-2014. His remaining period of leave is hereby cancelled w.e.f 01-10-2014 due to his involvement in FIR No. 280 dated 03-06-2014 as communicated by Senior Superintendent of Police Investigation Swat vide his letter No. 4121/GB dated 18-07-2014 and District Police Officer Swat letter No. 15250/GB dated 26-09-2014. He is directed to report for duty immediately.

No. 10780-83/P.F

SR-17
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
01/10/2014

Copy forwarded to the:

1. District Accounts Officer Swat.
2. District Police Officer Swat.
3. Accounts Section, MS Office, Saidu Teaching Hospital, Swat.
4. Mr. Shah Wazir Khan S/O Fazal Rahman, R/O Moh: Chail Shagai, Saidu Sharif, Swat.

For necessary action.

SR-17
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
01/10/14

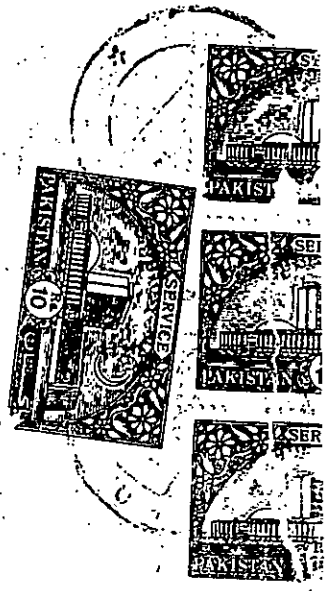
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insu. ps. a.
special conditions and restriction...
are being...
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Ammer B

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله الذي هدانا لهذا
9/10/71

9/10/71
9/10/71

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله الذي هدانا لهذا
9/10/71



OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

No. 13191/RF

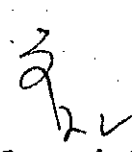
Dated Saidu Sharif the 13/11 /2014

STATEMENT OF ALLIGATIONS:

With reference to the Senior Superintendent of Police Swat Letter 2999/GB dated 03-07-2014, wherein it has alledged that Mr. Shah Wazir Khan was indebted to Muhammad Rafiq for huge amout and issued a cheque Rs. 800,000/= in the name of Mr. Muhammad Rafiq which was when presented to the United Bank Saidu Sharif Branch was not entertained/cashed due to non availability of sufficient balance in the account of accused official Mr. Shah Wazir Khan. The official concerned was on long leave and when case was registered by the Police he absconded and police authorities requested the undersigned for help in his arrest. Subsequently leave was cancelled and he was given a notice to this effect and he was directed to join duty but notice returned back without delivery due to his non availibility.

This amounts to fraud and misconduct and wilful absence under section 3 of the Khyber Pakhtunkhwa, Govt: Servants E&D Rules 2011. The accused official is in the habit of taking loan from different sources and is always indebted. His previous record shows that he was removed from service because of wilful absence.

The illegation and offense are very much evident and I as competent authority do not consider to hold formal enquiry under Rule 10(1)-a of Khyber Pakhtunkhwa, Govt: Servants E&D Rules 2011. Issue Show Cause under Rules to dispense with the enquiry as I am satisfied that the accused official has committed the offense of gross misconduct under the rules ibid.


Medical Superintendent
Saidu Teaching Hospital Swat
13/11/20

OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

Annex 'C'

239
44

No. 13240/P.P

Dated 15/11/2014

SHOW CAUSE NOTICE

I, Dr. Siddiquir Rehman, Medical Superintendent, Saidu Teaching Hospital Swat as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, do hereby serve you, Mr. Shah Wazir Khan OT Attendant of Saidu Teaching Hospital Swat, as follows:

P. 220

1. Consequent upon your involvement in case FIR 280 U/S 420/489-F PPC P.S Khurshid Khan Shaheed dated 03-06-2014
2. On going through the record and current report, I am satisfied that you have committed the following acts/omissions specified in Section-3 of the said rules and there is no need to hold enquiry under rules 10(1)a of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, as the allegations are very much clear decided to dispense with the enquiry under Rule 7 of the said rules.
 - i. Misconduct
3. As a result thereof, I as competent authority have tentatively decided to impose upon you the penalty of Removal from Service under Rule 4 of the said rules.
4. You are therefore required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate that whether you desire to be heard in person.
5. If no reply to the notice is given within 10 days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte decision shall be taken against you.
6. A copy of the complaint/report is attached.

Competent Authority
Maj (R) Dr. Siddiquir Rehman
Medical Superintendent,
Saidu Teaching Hospital, Swat

Mr. Shah Wazir Khan OT Attendant
Saidu Teaching Hospital, Swat

3
15.11.2014
Zeddy

Reminder



Annex 'D'

2MB

DIRECTORATE GENERAL HEALTH SERVICES, GOVT: OF KHYBER PAKHTUNKHW, PESHAWAR.

NO 2502 /PERSONNEL

DATED 4 /03/2015.

To,

The Medical Superintendent
Saidu Teaching Hospital Swat.

Subject:
Dear Sir,

APPEAL FOR RE-INSTANTMENT IN GOVT: SERVICE.

I am directed to refer to this Directorate letter No. 1764/Personnel dated 16.02.2015, on the subject noted above and furnish your reply immediately, so as to proceed further in the matter.

E-II / R. Keffer

Put up reference and do the needful urgently as per directives of DGHS.

M.S. 3
Amir

[Signature]
27/2/15

ASSISTANT DIRECTOR (P-I)
DGHS, Khyber Pukhtunkhwa
Peshawar

27.2.15

1439
19.3.2015

211



DIRECTORATE GENERAL HEALTH SERVICES, GOVT: OF KHYBER PUKHTUNKHWA, PESHAWAR. NO. 5593 /PERSONNEL DATED 19 /05/2015.

Annex (E)

To,

Mr. Shah Wazir Ex: O.T Attendant Saidu Teaching Hospital Swat.

Subject: **DEPARTMENTAL APPEAL**

I am directed to refer to your appeal dated 16.02.2015, on the subject noted above.

Your appeal for re-instatement in to Govt Service has been considered by the competent authority and can not, it is regretted be acceded to, being time barred and not made within the stipulated mandatory period.

[Handwritten signature]
19/5/15
ASSISTANT DIRECTOR (P-II)
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K PESHAWAR
[Handwritten initials]

No 5594 /Personnel

Copy forwarded to the M.S Saidu Teaching Hospital Swat for information.

[Handwritten signature]
19/5/15
ASSISTANT DIRECTOR (P-II)
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K PESHAWAR

[Handwritten signature]
19/5/15

No. 70449 PF

Dated Saidu Sharif the 11.9 /2008

From,

The Medical Superintendent,
Saidu Teaching Hospitals, Swat.

To,

The Director General,
Health Services, NWFP Peshawar

Subject:

ABSENCE REPORT OF MR. SHAH WAZIR, OT ATTENDANT.

Memo:

In continuation of this office letter No.5067/ dated 03/06/2008 and subsequent reminders issued in this respect vide this letter No.7121, dated 23/06/200, No.7375/PF, dated 27/06/2008, No.8723/PF, dated 26/07/2008 and No.9598/PF, dated 18/08/2008 on the subject note above.

In this connection it is brought into your kind notice that Mr. Shah Wazir, OT Attendant, has been disappeared and his whereabouts is not known till date. He is an unwilling worker, disobedient, willful and habitually absent from his duty.

Moreover he was directed again and again to resume his duty and expedite replies to the explanations called for his willful absence ~~at~~ within three days at his home address through registered letter No.4407, dated 20/05/2008 and No.4706, dated 26/05/2008, but it was returned undelivered.

Therefore it is recommended that disciplinary action may kindly be taken against the ^{above} named accused on account of his willful absence from his official duty since 08/05/2008, under E&D Rules (Special Powers 2002) i.e. removal from service.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat.

CHARGE SHEET.

1. I, Dr. Sajid Shaheen, Director General Health Services, NWFP, Peshawar as Competent Authority hereby charge you, Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital, Saidu Sharif Swat as follows.
- (i) You have been found wilfully absent w.e.f 15/05/2008 till date.
 - (ii) Miss-conduct.
 - (iii) Poor performance.
 - (iv) Unwilling worker.
2. By reasons of the above, you appear to be guilty of misconduct under section-3 (e) of the NWFP Removal from service (special powers) amended Ordinance-2000, and have rendered yourself liable to all or any of the penalties specified in section-3 of the Ordinance ibid.
3. You are, therefore, directed to submit your written defence within 07 days of the receipt of this charge sheet to the enquiry officer.
4. Your written defence, if any should reach the Enquiry Officer, within specified period, failing which it shall be presumed that you have no defence to put in and in that case exparte action shall follow against you.
5. Intimate as to whether you desire to be heard in person.
6. Statement of allegations is attached.

**DR. SAJID SHAHEEN,
DIRECTOR GENERAL HEALTH
SERVICES, NWFP, PESHAWAR.**

No. _____/

Dated _____/2008

1) Mr. Shah Wazir S/O Mr. Fazal Rahman alias Khanay,
OT Attendant, Saidu Teaching Hospital, Swat, Resident of Village, PO and
Tehsil: Saidu Sharif, Moh: Shaheen Abad, District Swat.

No. 10449/PF

Dated Saidu Sharif the 11-9 /2008

From,

The Medical Superintendent,
Saidu Teaching Hospitals, Swat.

To,

The Director General,
Health Services, NWFP Peshawar

Subject:
Memo:

ABSENCE REPORT OF MR. SHAH WAZIR, OT ATTENDANT.

In continuation of this office letter No.5067/ dated 03/06/2008 and subsequent reminders issued in this respect vide this letter No.7121, dated 23/06/2008, No.7375/PF, dated 27/06/2008, No.8723/PF, dated 26/07/2008 and No.9598/PF, dated 18/08/2008 on the subject note above.

In this connection it is brought into your kind notice that Mr. Shah Wazir, OT Attendant, has been disappeared and his whereabouts is not known till date. He is an unwilling worker, disobedient, willful and habitually absent from his duty.

Moreover he was directed again and again to resume his duty and expedite replies to the explanations called for his willful absence within three days at his home address through registered letter No.4407, dated 20/05/2008 and No.4706, dated 26/05/2008, but it was returned undelivered.

Therefore it is recommended that disciplinary action may kindly be taken against the ^{above} named accused on account of his willful absence from his official duty since 08/05/2008, under E&D Rules (Special Powers 2002) i.e. removal from service.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat.

No. 333-34/E-2

Dated Saidu Sharif the 12-01-2011

From:

The Chief Executive,
Saidu Teaching Hospitals, Swat.

To:

1. Mr. Shah Wazir Khan, OT Attendant
2. Sher Khan, Ward Orderly
Saidu Teaching Hospital, Swat

Subject: ABSENCE FROM DUTY

Memo:

You are absent since long and you were directed to attend the office of the undersigned on 10-01-2011 vide this office letter No.214-15/E-II, dated 08-01-2011 but you failed to do so.

You are therefore directed to explain reasons that as to why disciplinary action should not be taken against you.

Your reply must reach this office within three days after the receipt of this letter failing to which strict disciplinary action will be taken against you which will amount to terminate your services.


CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

No. 335/E-2

Copy forwarded to the Accounts Section, MS Office, Saidu Teaching Hospital, Swat to stop their pay till further orders.


CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

DISCIPLINARY ACTION

1. the Chief Executive, Saidu Teaching Hospital Swat, Competent Authority, am of the opinion that Mr. Shah Wazir Khan S/O Fazal Rahman, OT Attendant, Saidu Teaching Hospital, Swat has rendered himself liable to be proceeded against as he committed the following acts/ omissions within the meaning of Section-3 of the North West Frontier Province Removal From Service (Special Power) Ordinance 2000, amended 2001.

STATEMENT OF ALLEGATION

1. Willful absence from duty
2. Disobedience
3. Misconduct

For the purpose of scrutinizing the conduct of the said accused with reference to above allegations the following are hereby appointed as enquiry officers under 5 of the ordinance.

- | | | |
|----|-------------------------|----------|
| 1. | Prof. Dr. Aziz Ahmad | Chairman |
| 2. | Prof. Dr. Manzoor Ali | Member |
| 3. | Prof. Dr. Haroon Rashid | Member |
| 4. | Mr. Sarzamin Khan, A/O | Member |

The enquiry officer shall in accordance with the provision of the ordinance, provide reasonable opportunity of hearing to the accused, record its findings and make within 7 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

The accused shall join the proceedings on the date time and place to be fixed by the enquiry officers.

CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

Copy forwarded to the:-

1. The above named officers, for information and necessary action.
2. Mr. Shah Wazir Khan, OT Attendant, Saidu Teaching Hospital, Swat.

CHIEF EXECUTIVE,
Saidu Teaching Hospital, Swat.

OFFICE OF THE CHIEF EXECUTIVE,
SAIDU TEACHING HOSPITAL, SWAT

No. 1105/E-4 Dated 01/02/2011

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OFFICE ORDER

The enquiry committee, constituted vide this office order No.901-02, dated 25-01-2011 is hereby modified as under:

- | | | |
|----|---|----------|
| 1. | Prof. Dr. Aziz Ahmad, V.P Clinical/Head Medicine Department | Chairman |
| 2. | Prof. Dr. Manzoor Ali, Head Surgery | Member |
| 3. | Prof. Dr. Haroon Rashid, Head Ophthalmology Deptt. | Member |
| 4. | Mr. Sarzamin Khan, Accounts Officer, SMC Swat. | Member |

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

1156-07

Copy forwarded to the:

- Medical Superintendent, Saidu Teaching Hospital, Swat.
- All the above named officers for information and necessary action.

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

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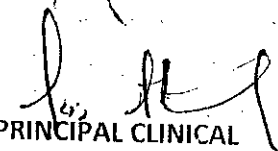
158
OFFICE OF THE VICE PRINCIPAL CLINICAL,
SAIDU TEACHING HOSPITAL, SWAT

No. 1413/E-3 Dated 07/02/2011

OFFICE ORDER

A meeting of the enquiry committee framed by the Chief Executive, Saidu Teaching Hospital, Swat comprising the following has been scheduled to be held on 08/02-2011 at 1100 a.m. in the office of the Medical Superintendent, Saidu Teaching Hospital, Swat to conduct the enquiry against Mr. Shah Wazir Khan

1. Prof. Dr. Haroon Rashid, Head Ophthalmology Department
2. Prof. Dr. Manzoor Ali, Head Surgery Department
3. Mr. Sarzamin Khan, Accounts Officer, SMC Swat.

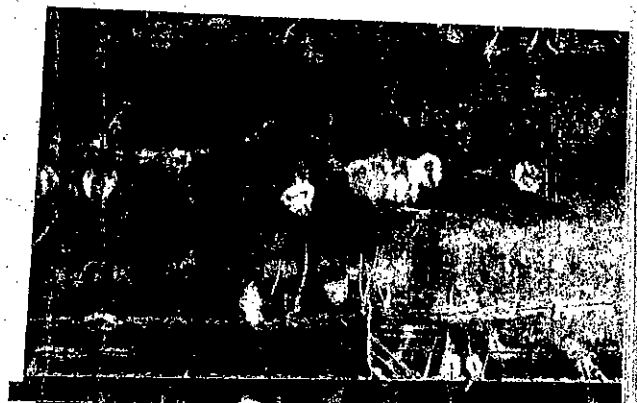

VICE PRINCIPAL CLINICAL
CHAIRMAN ENQUIRY COMMITTEE
SMC/S.T.H, SWAT.

No. 1414-15

Copy forwarded to the:

1. The above named officers for information and to attend the meeting on the scheduled date, time and venue.
2. Mr. Shah Wazir Khan, OT Attendant for information. He is directed to attend the office of the Enquiry Committee (MS Office) for recording his statement, accordingly.

VICE PRINCIPAL CLINICAL
CHAIRMAN ENQUIRY COMMITTEE



Report of Enquiry Committee:

The enquiry committee constituted vide Chief Executive, STH office order No. 1105/E-4 dated 01-02-2011, held its meeting on 10/02/2011 at 11:AM in office of MS STH. According to the record, Mr. Shah Wazir, OT attendant, is absent from duty since very long and was given final warning to attend for duty twice during January 2011 and then summoned by the Chief Executive STH to report within 24 hours. Upon his failure to comply, this committee was constituted to probe his case.

Mr. Shah Wazir was given a notice to appear before the committee. So he appeared personally. He was inquired by the committee regarding his will full absence from duty during 2009-10 and until now. The official insisted that he has been doing his duty regularly as directed by the administration during this period. When specifically asked about his place of duty, he told that he is working with the Ex-chief Executive STH at his home for last two and half years at his home. He submitted a written reply to this effect and an official order of posting in the office of the Chief Executive. The committee checked the attendance register of the office of C.E. and found blank space in front of his name for last one year.

Service record of the official Mr. Shah Wazir Khan was reviewed in detail. It was found that the file consists of 145 Pages. All these pages consist of complaints of different Heads of departments and incharge of units regarding his absentees and disobedience. The file consists of warnings, explanations, enquiry reports and charge sheets. It speaks loudly of the irresponsible behavior of this official with no regard for the rules of service and institution.

His service record can be briefly surmised as follow:

No & Date	Admin/Step Taken	Authorized Officer	Charge Levied	Defense	Result /Remarks
3116/E-2/94 30-04-94	Warning	DMS,SGH	1. (Negligence of Duty) 2. (Disobedience) 3. (Misbehavior)	In person written Nil/Nil	Guilt/Confirm med.
1710/E-2/95 02-05-95	Explanation	MO, I/C, S/W	1,2,3	Nil/Nil	-do-
7126/E-2/95 11-12-95	-do-	MS/SGH	1,2,3,	Nil/Nil	-do-
1361/E-2/96 22-10-96	-do-	MO, I/C SGH	1,2,3	Nil/Nil	-do-
7135/E-2/96 16-12-96	-do-	MS SGH	1,2,3	Nil/Nil	-do-
4376/E-2/97 30-05-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
____/E-2/97 07-06-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
5799/E-2/97 12-06-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
6045/E-2/97 02-07-97	-do-	MS SGH	1,2,3	Nil/Nil	-do-
195/CW/97 05-07-97	Enquiry	Add:DMS	1,2,3	Nil/Nil	-do-

7248/E-2/97 Explanation MO I/C S/W 1,2,3 Nil/Nil -do-
 19-07-99
 9721/E-2/97 -do- MS SGH 1,2,3 Nil/Nil -do-
 19-07-99
 6174/E-2/98 Charge Sheet MS SGH 1,2,3 Admitted -do-
 23-09-98
 07-10-98 Enquiry SMO I/C Written admission Minor penalty
 OPD of allegation 2-10-98 6 day deduction from
 Pay of Oct 1998

5508/E-5/99 -do- Discipline 1,2,3 Inperson/Nil 1. Holding of
 Committee One increment
 with
 accumulative
 effect.
 2. Warring for
 removal from
 Service if
 found careless
 in future. Vide
 office order
 6175/PF/99
 dt:25-09-99

6245/PF/99 suspension MS SGH 1,2,3 -
 From Service/Duty
 6647/49/AB-3 Stoppage of Salary MS SGH 1,2,3 -

674/E2 dated 23-9-98 Charge Sheet
 Enquiry report by Dr. Khurshid Ali SMO I/C OPD to be Removed out side STH

Enquiry Report No. 5508/E/99 dated 3/8/99
 02-09-99 Charge Sheet No follow up available

No 7192 dated 01-11-99 Final Warring
 Enquiry Report Capt: Dr. Fazal Ali 4/99 to 10/99.....recomeded for major disciplinary action

11-12-99 Enquiry report DMS / SGTH recomeded for termination of Service
 2-2-2000 Charge Sheet No. 1058/PF. No follow up

19-09-2005 Enquiry Committee Transfer to another health facility recommended.
 18-05-2007 Disciplining Committee Major Penalty recommended.

9
 16/04

✓

10
16/3
[Signature]

Sir,

1. It is very obvious from above details, that this official has never performed his duty properly in this institute since 1994.
 2. He is a chronic case of absentees, disobediences and non compliance. He has never bothered to give explanation of his absentees.
 3. He has wasted the valuable time of the officers in conducting enquires.
- Moreover, It appears that he has been trying to influence administration politically to escape all sorts of punishments and transfers.

The committees unanimously recommend that he should be given an exemplary punishment.

[Signature]

PROF. DR. AZIZ AHMAD
VICE-PRINCIPAL/HO MEDICINE DEPARTMENT
(CHAIRMAN)

OS (Estab)
Keep it on Agenda
in LMC meeting

[Signature]

PROF. DR. MANZOOR ALI
HEAD OF SURGERY DEPARTMENT
(Member)

O/S (ESTAB) / AO-Some
For Comments
[Signature]
07-3-11

[Signature]

PROF. DR. HAROON RASHID
HEAD OF OPHTHALMOLOGY DEPARTMENT
(Member)

Sir,
[Signature]
Recommended one of the following
Penalty:
1. Termination from service.
2. Stoppage of increment.
3. Compulsory Retirement.

Dated: 10-02-2011

OS/S
AO/SOME
[Signature]
5.3.11

نوٹس غیر حاضری

آپ مسلمی شاہ وزیر ولد فضل رحمان عرف خانے، اوٹی انڈنٹ سید ویجنگ ہاسپٹل، سید و شریف سوات مورخہ 22-02-2011 سے اپنے ڈیوٹی سے بغیر اطلاع کے غیر حاضر ہیں۔ اس سلسلے میں آپ سے دفتری چھٹی نمبر 2725/PF بمورخہ 19-03-2011 کے ذریعے باز پرس کی گئی ہے۔ پھر شوکا ز نوٹس نمبر 3104/PF بمورخہ 02-04-2011 کے ذریعے آپکو 15 دنوں کے اندر اندر حاضر ہونے کا حکم دیا گیا ہے۔ لیکن تا حال آپ اپنے ڈیوٹی سے غیر حاضر ہیں۔

آپ کو بذریعہ اشتہار ہذا اطلاع دی جاتی ہے کہ چودہ (14) دنوں کے اندر اندر اپنے ڈیوٹی پر حاضر ہو جائیں، ورنہ آپ کو نوکری سے برخاست کیا جائے گا۔

چیف ایگزیکٹو،
سید ویجنگ ہاسپٹل، سوات

Dated: 18-4-2011

AAAJ. The Largest Circulated Publication of the Province

پشاور کی سب سے بڑی اخبار

پشاور
پاکستان



روزنامہ

ایڈیٹر
عبدالواحد ریونی

مہلت 12

پشاور آج 23 اپریل 2011ء 19 جنوری 2011ء تا 10 ستمبر 2011ء 104 شماره جلد 22 ہفتہ 23 اپریل 2011ء 19 جنوری 2011ء تا 10 ستمبر 2011ء 104 شماره

نیشنل فیڈریشن

آپ کی شاہ وزیر ولد فضل رحمان عرف خانے اولی انڈسٹری سید و بیچک اسپتال سید شریف سوات مورخہ 22/02/2011 سے اپنے ڈیوٹی سے بغیر اطلاع کے غیر حاضر ہیں اس سلسلے میں آپ سے دفتری چھٹی نمبر 2725/PF مورخہ 19/3/2011 کے ذریعے باز پرس کی گئی ہے۔ پھر شوکار نوٹس نمبر 3104/PF مورخہ 02/04/2011 کے ذریعے آپ کو 15 دنوں کے اندر اندر حاضر ہونے کے حکم دیا گیا ہے۔ لیکن تا حال آپ اپنے ڈیوٹی سے غیر حاضر ہیں۔

آپ کو بذریعہ اشتہار بذراطلاع دی جاتی ہے کہ چودہ (14) دنوں کے اندر اندر اپنے ڈیوٹی پر حاضر ہو جائیں ورنہ آپ کو کوڑی سے برخواست کیا جائے گا۔

INF/SW/49

چیف ایگزیکٹو سید و بیچک اسپتال سوات

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(B)
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OFFICE OF THE CHIEF EXECUTIVE,
SAIDU TEACHING HOSPITAL, SWAT

No. _____ / Dated 19/7/2011

OFFICE ORDER

WHEREAS, Disciplinary Proceedings were initiated against Mr. Shah Wazir Khan S/O Fazal Rahman, OT Attendant, Saidu Teaching Hospital, Swat on account of his continuous wilful absence from duty.

AND WHEREAS, an absence notice was published in Newspaper with the direction to resume his duty within 14 days.

AND WHEREAS, he failed to resume his duties in the stipulated period.

NOW THEREFORE, the competent authority after having considered the charges and evidence on record, in exercise of the powers conferred under Section-3 of the NWFP Removal from Service (Special Powers) Ordinance 2000, is pleased to impose the major penalty of Compulsory Retirement from Service upon Mr. Shah Wazir Khan, OT Attendant, Saidu Teaching Hospital, Swat with immediate effect.

CHIEF EXECUTIVE,
Saidu Teaching Hospitals, Swat

No. 7424-28/PR

Copy forwarded to the:

1. Director General, Health Services, Khyber Pakhtunkhwa Peshawar.
2. Medical Superintendent, Saidu Teaching Hospital, Swat.
3. District Comptroller of Accounts, Swat.
4. Accounts Section, MS Office, STH, Swat.
5. Mr. Shah Wazir S/O Fazal Rahman, resident of Shaheen Abad, Saidu Shārif, Swat.

CHIEF EXECUTIVE
Saidu Teaching Hospitals, Swat

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P-196

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**OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING
HOSPITAL SAIDU SHARIF, SWAT**

No. 1813/P.P Dated Saidu Sharif the 4/3 /2013

To

Mr. Shah Wazir,
OT Attendant,
Saidu Teaching Hospital Swat

Subject: **ABSENCE FROM DUTY**

Memo:

You are absent from your duty since 01-02-2013 till date. In this regard you were directed to explain the reasons of your absence vide this office letter No. 1502/PF dated 21-02-2013 but you did not respond to the same and absent still.

You are therefore directed to resume your duty and explain the reasons for your willful absence immediately; otherwise strict action will be taken against, you.

No. 1814/P.P

K
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
11/03/2013

Copy forwarded to the Account Section, MS Office, Saidu Teaching Hospital Swat with the direction to stop his pay till further orders.

K
MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital Swat
11/03/2013

16

Dated 21/02/2013

No. 1502/PB

From: The Medical Superintendent,
Saidu Teaching Hospital Swat.

To: Mr. Shah Wazir O.T. Attendent,
S.T.H., Saidu Sharif Swat.

Subject:- ABSENT FROM DUTY.
Memo:

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It has come to the notice of the undersigned that you are absent from duty from 1-2-2013, with out any application/leave.

You are directed to explain the reason of absentee with in three days after the receipt of this letter, other wise your pay will be stop from D.A.O., Office.

No. 1503/PB

[Signature]
Medical Superintendent,
Saidu Teaching Hospital Swat.

Copy forwarded to Accounts Branch for information and to stop the pay of the above named official till further order.

[Signature]
Medical Superintendent,
Saidu Teaching Hospital Swat.

DEA

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OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING HOSPITAL SAIDU SHARIF, SWAT

No. 2109 1PR Dated Saidu Sharif the 15 / 3 / 2013

To

Mr. Shah Wazir,
OT Attendant,
Saidu Teaching Hospital Swat.

Subject: **ABSENCE FROM DUTY**

Memo:

Reference this office letter No. 1813/PF dated 04-03-2013 which has been returned to this office ^{by the post office.} with the remarks that you are not traceable anywhere and you are absent from your duty since 01-02-2013 till date.

You are therefore directed to resume your duty within ³14 days and explain the reasons for your willful absence; otherwise strict action will be taken against, you.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat

No. 2110 1PR

Copy forwarded to the Account Section, MS Office, Saidu Teaching Hospital Swat.

MEDICAL SUPERINTENDENT,
Saidu Teaching Hospital, Swat

Agreed
15/3/13

P. 202
Reg: No. 18

**OFFICE OF THE MEDICAL SUPERINTENDENT SAIDU TEACHING
HOSPITAL SAIDU SHARIF, SWAT**

No. 2791/PP.

Dated Saidu Sharif the 10 / 04 / 2013.

OFFICE ORDER

Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital, Swat is absent from his duty since 01-02-2013. The following enquiry committee is hereby constituted to probe his absence case and submit their report to the undersigned within a week time to proceed further in the matter:

1. Dr. Rahmatullah Opal, Snr: District Physician

[Signature]
Member

2. Prof. Dr. Manzoor Ali, HoD Surgery

Member

3. Prof. Dr. Haroon Rashid, HoD Ophth:

Member

No. 2792-93/PP.

[Signature]
MEDICAL SUPERINTENDENT
Saidu Teaching Hospital Swat
10/4/2013

Copy forwarded to the:

1. The above named officers.
2. Mr. Shah Wazir, OT Attendant, R/O Moh: Chail Shagai, Saidu Sharif, Swat.

[Signature]
MEDICAL SUPERINTENDENT
Saidu Teaching Hospital, Swat

P-208
1

No. mid

Dated: 25-4-2013

To
The Medical Superintendent,
Saidu Teaching Hospital, Swat

Subject: INQUIRY REPORT WITH REFERENCE TO LETTER NO.2792-93/PF
DATED 10-04-2013 (REGARDING ABSENCE OF MR. SHAH WAZIR
KHAN, OT ATTENDANT)

Sir,

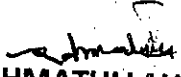
Please refer to the letter quoted above.


A meeting of the inquiry committee was held in the D.M.S Office, Saidu Teaching Hospital, Swat on 18-04-2013 at 11:30 a.m. for conducting enquiry regarding absence of Mr. Shah Wazir, OT Attendant, Saidu Teaching Hospital, Swat. The following enquiry members attended the meeting:

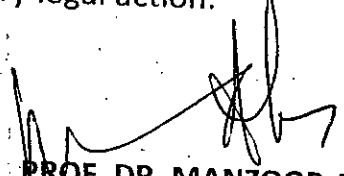
1. Dr. Rahmatullah Opal, Senior District Physician
2. Prof. Dr. Haroon Rashid, HoD Ophthalmology
3. Prof. Dr. Manzoor Ali, HoD Surgery

A registered letter bearing No. 2931-34/PF dated 10-04-2013 was issued at the home address of Mr. Shah Wazir, OT Attendant but the letter was not received by the home incumbents stating that he is absent from home since long. His whereabouts are not known.

The said findings are forwarded for necessary legal action.


Dr. RAHMATULLAH OPAL
Senior District Physician
(Chairman Committee)


PROF. DR. HAROON RASHID
HoD Ophthalmology
(Member Committee)


PROF. DR. MANZOOR ALI
HoD Surgery
(Member Committee)

BS
for m/acton
27.4.13

1425
27-4-2013

E-D
For Subst. with
the process
27.4.13

From: The Senior Superintendent of Police,
Investigation, Swat.

To: The Medical Superintendent,
Saidu Group of Teaching Hospital,
at Saidu Sharif Swat.

No. 4121 /GB, dated Saidu Sharif the, 18-7- /2014.

Subject: CASE FIR NO.280 DATED 03-06-2014-U/S 420/489-F
PPC P.S KHURSHAD KHAN SHAHEED.

Memo:

Reference to your office memo No.7677/P.F SH: dated
07-07-2014.

A copy of FIR of the subject case is sent herewith for further
necessary action, please.

~~Senior Superintendent of Police,
Investigation, Swat.~~

3992
20-7-14

OS

RK/E-II

put up Ref:

DTB up for w/c.

ATS SW

20
220
my

22 ✓
22 ✓
OFFICE OF THE MEDICAL SUPERINTENDENT

SAIDU TEACHING HOSPITAL SAIDU SHARIF SWAT



Ph: 0946-9240126-27, Fax: 0946-9240122

No. 8423/PP

Dated 5/8 / 2014

To

The SSP Investigation Swat

Subject: CASE FIR NO. 280 DATED 03-06-2014 U/S 420/489-F PPC P.S KHURSHAD KHAN SHAHEED

Memo:

Reference your letter No. 4121/GB dated 18-07-2014.

In this connection it is submitted that the officer concerned is on long leave. His whereabouts is not known to this office.

It is further added that the FIR is not relating to this office to interfere in the matter, hence he may be contacted on his home address to clarify his position by himself being the same is his private matter/business.

Sh
MEDICAL SUPERINTENDENT
Saidu Teaching Hospital, Swat

P.F
P.F. SA 11/9/02

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From: The District Police Officer, Swat.

To: The Medical Superintendent,
Saidu Group of Hospital,
Saidu Sharif, Swat.

No. 15250/GB, dated Gulkada the, 26-9/2014.

Subject: COMPLIANT AGAINST C-IV SHAH WAZIR KHAN.

Memo:

According to the report of local Police of Police Station Saidu Sharif, C-IV Shah Wazir Khan s/o Fazal Rahman r/o Chail Shagai Saidu Sharif is involved in case FIR No. 280 dated 03-06-2014 u/s 420/489-F PPC Police Station Saidu Sharif.

It is, therefore, requested that Departmental action may be taken against the above named C-IV under intimation to this Office.

District Police Officer, Swat

No. /GB,

Copy to SHO Police Station Saidu Sharif for information w/r to his Parwana 19-09-2014.

District Police Officer, Swat

✓ 4925
✓ 29/9/14
Dr. Saeedullah
to disas
E II
to Put up service book
leave sanction order
Put up computer record
29/9/2014

Sir,
The class-iv Cona
is on long leave and
now in the police
(~~unit~~) may suspen
him or other wise
submitted for or d.
Please
Amir
29/9

MS 571

نوٹس فیروز حاضری

آپ مسلحی شاہ وزیر خان ولد فضل رحمان، OT Attendant، سیدو ٹیچنگ ہاسپٹل، سیدو شریف سوات، سکنہ محلہ چیل شگلی، گاؤں ڈاکخانہ سیدو شریف، ضلع سوات کو مورخہ 01-07-2013 سے 730 یوم کی چھٹی عطا کی گئی تھی جس میں آپ نے 457 یوم کی چھٹی 30-09-2014 تک مل کی ہے اور بقیہ حصہ بذریعہ چھٹی نمبر 10780-83/PF مورخہ 01-10-2014، 02-10-2014 سے کینسل کی گئی ہے کیونکہ آپ کے خلاف FIR نمبر 280 مورخہ 03-06-2014 میں ملوث ہونے کی اطلاع ایس پی انوسٹیگیشن ضلع سوات سے بذریعہ چھٹی نمبر 4121/GB مورخہ 18-07-2014 دفتر ہذا کو ملی ہے اور اس طرح ضلعی پولیس آفیسر سوات نے بھی بذریعہ چھٹی نمبر 15250/GB مورخہ 26-09-2014 کو رپورٹ کی ہے۔ اس وجہ سے آپ کو رجسٹری خط بمورخہ 02-10-2014 کو گھر کے پتہ پر رجسٹرڈ ارسال کیا گیا جو بغیر وصولی کے واپس کیا گیا ہے کہ وصول کنندہ گھر پر موجود نہیں ہے اور اُس کے بارے میں کوئی اطلاع نہیں ہے۔

لہذا آپ کو بذریعہ اشتہار ہذا اطلاع دی جاتی ہے کہ اس اشتہار کے شائع ہوتے ہی چودہ (14) دنوں کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جائیں اور خط نہ لینے اور 01-10-2014 سے آج تک اپنے غیر حاضری کی وجہ بیان کریں ورنہ آپ کے خلاف خیبر پختون خواہ گورنمنٹ سروسز E&D رولز 2011 کے تحت یکطرفہ تادیبی کارروائی کی جائیگی جس میں ملازمت سے برخاستگی بھی ہو سکتی ہے۔

22

ہیڈیکل سپرنٹنڈنٹ،

سیدو ٹیچنگ ہاسپٹل، سوات۔

Dated: _____

19