

1190/2014

26.10.2015

Clerk of counsel for the appellant and Mr. Farhaj Sikandar, GP with Muhammad Jamshed, Chief Technologist for the respondents present and requested for adjournment. Last opportunity is given to the respondents. Case to come up for written reply by way of another last at camp court, D.I.Khan on 28-12-15.



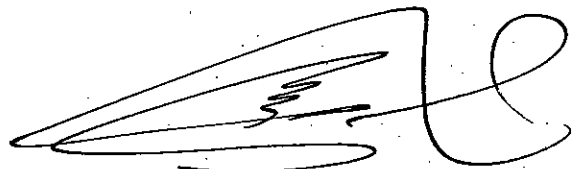
MEMBER  
Camp court, D.I.Khan

29.3.2016

Counsel for the appellant and Mr. Farhaj Sikandar, GP for the respondents present. Counsel for the appellant submitted an application for withdrawal of the appeal. Application placed on file. As such the appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED

29.03.2016



MEMBER

Camp Court, D.I.Khan

*I want  
to withdraw my  
present appeal  
because Respondent has  
Reminded me  
W.D*

4.

27.01.2015

Counsel for the appellant present and heard. The learned counsel contended that in violation of law and rules, major penalty of dismissal from service has been imposed on the appellant by respondent No. 3. The impugned order is based on personal whim of respondent No. 3.

Points raised at the Bar, need consideration. Admit. Process fee and security be deposited within 10 days. Therefore, notices be issued to respondents for submission of written reply on 30.03.2015 at Camp Court. D.I Khan.



Member.  
Camp Court, D.I. Khan.

30.3.2015

Clerk to counsel for the appellant and Mr Farhaj Sikander, GP with Dr Kiramtulla SMO for respondent no, 3 and Qaiser Nadeem DPE for respondent no 4 present. Needs time for submission of written reply, to come up for written reply on 25.5.15. at Camp Court D.I.Khan.



MEMBER  
Camp Court, D.I.Khan

Form - A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 1190 /2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/09/2014	<p>The appeal of Mr. Khaled Mehmood resubmitted today by Mr. Muhammad Idrees Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2	16-10-14	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up there on <del>28-10-14</del></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
3	28-10-14	<p>No one is present on behalf of appellant. Fresh notice be issued to appellant/counsel for preliminary hearing on 27-1-2015 at Camp Court, D.I.Khan</p> <p style="text-align: right;"><i>[Signature]</i> Registrar Camp Court, D.I.K.</p>

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA PESHAWAR**

S.T.A No. 1190 /2014

Khalid Mehmood **VERSUS** Govt. of KPK etc

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2	Copy of officer order dated 23-04-2014	A	7
3	Copies of show cause dated 23-05-2014,	B	8
4	Reply / objection to show notice dated 30-05-2014,	C	9-10
5	Impugned order dated 11-06-2014,	D	11-12
6	Departmental appeal dated 23-06-2014	E	13-15
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8	Copy of departmental notification No. SOH-III/8-90/10 (Delegation of Powers) dated 24-09-2010	G	31
9	Wakalat Nama	-	32

Dated: 20-09-2014

Appellant  
**Khalid Mehmood**  
Through Counsel

~~Muhammad Idrees Khan~~  
Advocate High Court

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA PESHAWAR**

S.T.A No. 1190 / 2014

Khalid Mehmood S/o Ghulam Sarwer, Caste Segarr, JCT Pharmacy (BPS-09), Gomal Medical College Dera Ismail Khan.

.....Appellant

**VERSUS**

1. Govt. of Khyber Pakhtunkhwa Through Secretary Health Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Dr. Karim Shah, Medical Superintendent D.H.Q Teaching Hospital Dera Ismail Khan.

**W.F. Prov.**

1215  
Dated 25/9/2014

.....Original Respondents

4. Chief Executive / Principal Gomal Medical College / DHQ / MMM Teaching Hospital Dera Ismail Khan.

..... Obligatory Respondent

5. District Comptroller of Accounts, Dera Ismail Khan.

..... Proforma Respondent

**APPEAL U/S 4 OF SERVICES TRIBUNAL ACT 1974 AGAINST**  
**IMPUGNED ORDER VIDE 3535-37 / PF DATED 11-06-2014 PASSED**  
**BY RESPONDENT NO. 3, VIDE WHICH SERVICES OF THE**  
**APPELLANT AS JCT PHARMACY WERE DISMISSED BY**  
**AWARDING MAJOR PUNISHMENT WITH IMMEDIATE EFFECT.**

25/9/14  
**PRAYER:-**

*By declaring impugned order passed by Respondent No. 3 as without lawful authority and of no legal effect as respondent No. 3 is not competent authority under E&D Rules 2011 and Impugned order may graciously be set aside along with interim relief through suspension of operation of impugned order dated 11-06-2014, till the disposal of main appeal.*

Appellant alongwith other grounds respectfully submits as under,

**BRIEF FACTS:-**

1. That being reporting employee to the office of the Chief Executive vide office order No. 1463-66 dated 23-04-2014, appellant was working as JCT Pharmacy at Gomal Medical College Dera Ismail Khan. Copy of officer order dated 23-04-2014 is enclosed as Annexure-A.
2. That respondent No. 3 vide letter No. 3085/PF dated 23-04-2014 issued a show cause notice against appellant, which was legally objected by the appellant, being incompetent and unlawful, but respondent No. 3 beside adopting legal channel for his desired activity, issued impugned order dated 11-06-2014, against which an appeal to "Competent Authority" (Chief Executive Gomal Medical College/DHQ Teaching/MMM Teaching D.I.Khan) was submitted, which was formally forwarded for necessary action to D.G Health Services D.I.Khan on 23-06-2014. Copies of show cause dated 23-05-2014, reply / objection to notice dated 30-05-2014, impugned order dated 11-06-2014, and departmental appeal dated 23-06-2014 are annexed as Annexure- B, C, D, & E.
3. That after having no response from respondent / competent authorities, appellant proffered this appeal supported though following grounds.

**GROUND:**


- a) That respondent No. 3, being under the administrative control of Chief Executive Gomal Medical College/ DHQ Teaching Hospital D.I.Khan / MMM Teaching Hospital Dera Ismail Khan, Head of the attached office to the Director General Health Services (Respondent No. 2), time to time communicated to all attached offices including respondent no. 5 through number of office orders and notifications, issued impugned order in violation to the delegation of powers vide departmental notification No. SOH-III/8-90/10 (Delegation of Powers) dated 24-09-2010, issued without lawful authority and hence having no legal effects on the rights of the appellant, copies of orders and notifications are jointly enclosed as Annexure-F.
- b) That respondent No. 3 vide issuing impugned show cause notice was not in authority to do so, as Medical Superintendent is not "Competent Authority" in light of E & D Rules 2011 to initiate any legal proceedings under the rule, but

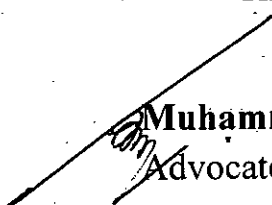
he could complain the matter if any to the concerned competent authority i.e. **“Chief Executive declared as competent authority”**, (delegated the powers under delegation of powers departmental notification No. SOH-III/8-90/10 (Delegation of Powers) dated 24-09-2010), who was competent enough to lodge enquiry on the complaint, but respondent No. 3 presuming himself as above the law, by passed the competent authority by issuing show cause notice without any enquiry or complaint has exposed himself through his ulterior motives and self temptations. Copy of departmental notification No. SOH-III/8-90/10 (Delegation of Powers) dated 24-09-2010 is annexed as **Annexure-G.**

- c) That the alleged illegal proceedings through show cause, lodged was legally objected and was requested to be withdrawn and respondent No. 3 was further requested to acquire legal pathway against appellant for his grievances if any, which are reproduced para wise as under:-
- i) That the impugned show cause was based on malafide surmises and according the para No. 1 of the show cause the appellant is held responsible for locking the M.S Office on 25-03-2014, while in reply it was explained that neither the appellant is the custodian of the M.S Office nor in a position or authority to do the alleged activity, and if the alleged activity is presumed to be done the matter can be enquired from the officials who are connected to the M.S Office or from the then person in authority.
  - ii) That for para No. 2 of the show cause notice reference was quoted that as per the verdict of the Honourable Supreme Court of Pakistan in PLD 2003 SC 187, mere involvement in any criminal case is not a justification for departmental proceedings, and when the matter is prejudice in a court of competent jurisdiction, how departmental action can be initiated against the appellant, and that the authority issuing show cause is not in legal competence to do so.
  - iii) In reply to the Para No. 3 of show cause it was submitted that the then M.S Mr. Dr. Jehanzeb Khan had already disposed off the matter and any proceedings on the matter would amount to double jeopardy (دوہری سزا), which would be un-lawful and again the issuing authority is not in legal competence to issue the same.

- 4
- d). That Respondent No. 3 while issuing impugned proceeding, had interfered into the powers of his superior authority (حاکم مجاز) which is accountable (لائق مواخذہ) and impugned order is liable to be set aside.
- e). That impugned order and proceeding initiated by respondent No. 3 are an outcome of malafide and arbitrary behavior (من مانا رویہ) and counter blast (انتقامی کاروائی) against his predecessor Mr. Dr. Amanullah, where the appellant is real nephew to his predecessor, are liable to be condemned and discouraged.
- f). That appellant is at verge of the age of retirement i.e. 25 years service and impugned proceedings against the appellant are nothing but to make the entire service of the appellant a waste.
- g.) That Counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

Dated: 20-09-2014

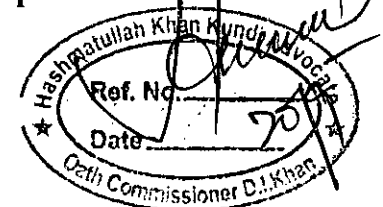
Appellant   
Khalid Mehmood  
Through Counsel

  
Muhammad Idrees Khan  
Advocate High Court

**AFFIDAVIT**

I, Khalid Mehmood S/o Ghulam Sarwer JCT Pharmacy, do hereby solemnly affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge, and nothing has been concealed.

  
Deponent





**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA PESHAWAR**

S.T.A No. \_\_\_\_\_ / 2014

Khalid Mehmood **VERSUS** Govt. of KPK etc

**APPLICATION FOR SUSPENSION OF OPERATIONS OF IMPUGNED**  
**ORDER DATED 11-06-2014 BY RESPONDENT NO. 3 TILL THE**  
**DISPOSAL OF MAIN APPEAL IN HAND.**

Respectfully Sir,

1. That instant application is moved alongwith the main appeal and be considered as part and parcel of it.
2. That appellant has good prima facie case and balance of convenience tilts on the appellant side.
3. That there is likelihood of success of the appellant and if the impugned order had not been suspended appellant may suffer irreparable loss.
4. That suspension of impugned order will not be an interference into public affairs, but if not suspended will suffer the appellant / applicant.

*In view of submission made above, it is , humbly prayed that on acceptance of instant application operation of the impugned order may be suspended till disposal of the main appeal in hand.*

Dated: 20-09-2014

Appellant  
**Khalid Mehmood**  
 Through Counsel

**Muhammad Idrees**  
**Khan**

Advocate High Court

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA PESHAWAR**

S.T.A No. \_\_\_\_\_ / 2014

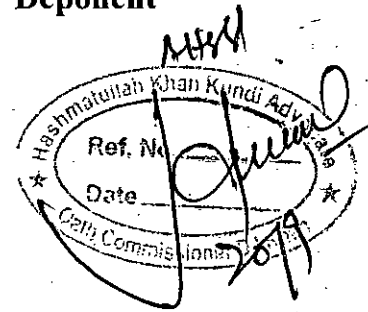
Khalid Mehmood **VERSUS** Govt. of KPK etc

**AFFIDAVIT**

I, Khalid Mehmood S/o Ghulam Sarwer JCT Pharmacy, do hereby solemnly affirm and declare on oath that the contents of the application are true and correct to the best of my knowledge, and nothing has been concealed.

*[Handwritten signature]*

Deponent



7

Anex: A

7



OFFICE OF THE PRINCIPAL /CHIEF EXECUTIVE GOMAL MEDICAL COLLEGE /DHQ/MMM TEACHING HOSPITAL DERA ISMAIL KHAN

Exchange # 0966-9280338-39  
Fax:# 0966-9280340

Office # 0966-9280341  
Email: [gmc.principal@yahoo.com](mailto:gmc.principal@yahoo.com)

No.GMC/Estt:/ 1463-66

Dated. 22/04/2014

OFFICE ORDER

On the recommendation of Mr. Ali Amin Khan Minister for Revenue Khyber Pakhtunkhwa Peshawar vide dated 22/04/2014, Mr. Khalid Mehmood JCT Pharmacy attached to DHQ Teaching Hospital DIKhan is hereby directed to report for duty at Gomal Medical College DIKhan with immediate effect till further order

PRINCIPAL/CHIEF EXECUTIVE

Cc:

1. PS to Minister for Revenue Khyber Pakhtunkhwa Peshawar
2. The Medical Superintendent DHQ Teaching Hospital DIKhan
3. The Vice Principal Administration Gomal Medical College DIKhan
4. Official concerned.

PRINCIPAL/CHIEF EXECUTIVE

*assisted*

*[Signature]*

To,

Annex: B

Khalid Mehmood (BS-9)  
JCT Pharmacy  
DHQ Teaching Hospital DIKhan.

SHOW CAUSE NOTICE UNDER RULE-7  
OF THE KHYER PAKHTUNKHWA GOVERNMENT SERVANTS'  
(EFFICIENCY AND DISCIPLINE) RULES, 2011.

I, Dr. Karim Shah, Medical Superintendent DHQ Teaching Hospital D.I.Khan as a competent authority under the rules ibid do hereby serve you Khalid Mehmood J.C.T Pharmacy as follows.

1. (i) Whereas, you, Khalid Mehmood J.C.T Pharmacy, after learning about my posting as a Medical Superintendent, locked the MS Office by force on 25/3/2014. All the important files, computer, Telephone, Fax Machine and DSL were locked up. As such the MS Office remained cut off from the rest of the Country and no communications on important / sensitive issues could be made. This situation remained for complete 03 days. You intentionally and forcibly obstructed the functions of the MS Office which is the height of misconduct.
- (ii) Whereas, you, Khalid Mehmood J.C.T Pharmacy, while posted as a technician in Orthopedic Ward obtained Rs.5000/- as illegal gratification from a patient namely Amanullah S/O Qadir Bakhsh admitted as MLC on 25/6/2009 and fraudulently handed over him a forged PTA test, on the basis of which a criminal case U/S 161-420-468-471/PPC/5(2) PC Act was registered against you by ACE DIKhan dated 14/5/2012. The perusal of the record is sufficient to prove that you are in the habit of committing fraudulent acts and forgery.
- (iii) Whereas, you, Khalid Mehmood J.C.T Pharmacy were found guilty of making false countersignature of Medical Superintendent namely Dr. Jehanzeb Khan on Bogus Medical Bills, suffice to prove that you have a constant reputation of being corrupt.

From your conduct and on going through the material on record alongwith other connected papers, I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules.

- a) Misconduct.
  - b) Corruption, as having a reputation of being corrupt.
2. For reasons of the above, I as competent authority have tentatively decided to impose upon you the major penalty of dismissal from service specified in Rule 4 (b) (iv) of the rules ibid.
  3. You are required to show cause as to why the aforesaid penalty should not be imposed upon you.
  4. If you failed to reply to this notice within 07 days of its delivery it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
  5. Intimate whether you desire to be heard in person.
  6. Meanwhile, you are placed under suspension under Rule 6 of the said Rules.

Karim Shah  
COMPETENT AUTHORITY

attested  
[Signature]

Amex: c

⑨ 596  
30/5/14

To

Medical Superintendent  
D.H.Q Teaching Hospital  
D.I.Khan

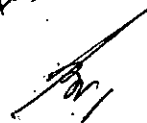
SUBJECT: REPLY TO SHOW CAUSE NOTICE NO 3085/PF DATED 23-05-2014

Respected Sir,

With reference to your Office Letter/ Show Cause notice No. 3085/PF Dated 23-05-2014 received On 24-05-2014 at odd hours, i.e. 8:20 Pm Through your special messenger Mr. Saddullah khan office attendant.

1. Most respectfully it is Submitted that as the undersigned employee has reported to a higher office for duty vide order dated 23-04-2014 bearing No. GMC/Estb/1463-66; hence you are requested to withdraw notice cited above or otherwise adopt legal channel if you desire to do so.
2. Sir, I am low paid official in health department and do not have any force/power to lock the office of Honorable Medical Superintendent D.H.Q Teaching Hospital D.I.Khan, If you presume that alleged activities was done by any one, proper enquiry can be conducted, I have no concern into the matter,
3. In response to 2<sup>nd</sup> para of the allegation leveled against the undersigned, it is submitted that the case cited is under trial pending adjudication with a court of competent jurisdiction and before conclusion of that, no departmental consequences can be initiated against undersigned, referred here PLD 2003 Supreme Court Page 187 wherein it is hold by Honorable Supreme Court of Pakistan that mere involvement in criminal case is not justification for departmental proceedings. Therefor for reasons discussed above your office has no legal competence enquiring about the matter.
4. In response to Para 3, it is submitted that allegation imposed upon me has already been disposed of by the then M.S Dr. Jahanzeb Khan, The EX Medical superintendents have made my A.C.R with best satisfaction of himself, hence Para 3 ibid has no legal competence and has legally unjustified.
5. Undersigned is ready/agree for personal hearing and obey to order issued by your goodself.

attested



10

Therefore, I am humbly requested to kindly withdraw the charges/ show Cause Notice framed against me.

I am performing my duty with best satisfaction of my superior recently as well as previously.

No any proof is available in the office which show my bad or fraudulent activities.

It is again prayed that kindly allow me to work smoothly and to perform my duty under your good supervision as well as Chief Executive and to save me from mental, physical and financial tortures.

Dated: 30-05-2014.

Your's obediently  
Khalid Mehmood (BS-9)

JCT Pharmacy

Gomal Medical College, D.I.Khan

C.C

- 1. To Chief Executive/ Principal GMC/ DHQ TH for information and request to consider my case on genuine and sympathetic grounds please.

attest  


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No. 3535-37, PF

Dated 11 / 6 / 2014

Anex: D

(11)

OFFICE ORDER

Mr. Khalid Mehmood JCT Pharmacy was served with show cause notice under Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules, 2011 which is reproduced as under.

I, Dr. Karin Shah, Medical Superintendent DHQ Teaching Hospital DIKhan as competent authority under the rules ibid do hereby serve you Khalid Mehmood J.C.T Pharmacy as follows

1. (i) Whereas, you, Khalid Mehmood J.C.T Pharmacy, after learning about my posting as a Medical Superintendent, locked the MS Office by force on 25.03.2014. All the important files, Computer, Telephone, Fax machine and DSL were locked up. As such the MS Office remained cut off from the rest of the Country and no communication on important / sensitive issues could be made. This situation remained for complete 03 days. You intentionally and forcibly obstructed the functions of the MS Office which is height of misconduct.
- (ii) Whereas, you, Khalid Mehmood J.C.T Pharmacy, while posted as a technician in Orthopedic Ward obtained Rs.5000/- as illegal gratification from a patient namely Amanullah s/o Qadir Bakhsh admitted as MLC on 25.06.2009 and fraudulently handed over him a forged PTA test, on the basis of which a criminal case U/S 161-420-468-471/PPC/5(2) PC Act was registered against you by the ACE DIKhan dated 14.05.2012. The perusal of the record is sufficient to prove that you are in the habit of committing fraudulent acts and forgery.
- (iii) Whereas, you, Khalid Mehmood J.C.T Pharmacy, were found guilty of making false countersignature of Medical Superintendent namely Dr. Jahanzeb Khan on Bogus Medical Bills, suffice to prove that you have a constant reputation of being corrupt.

From your conduct and on going through the material on record along with other connected papers, I am satisfied that you have committed the following acts / omissions specified in rule 3 of the said rules.

- (a) Misconduct
- (b) Corruption, as having a reputation of being corrupt.

2. For reasons of the above, I as competent authority have tentatively decided to imposed upon you the major penalty of dismissal from service specified in Rule 4(b)(i) of the rules ibid.
3. You are required to show cause as to why the aforesaid penalty should not be imposed upon you.
4. If you failed to reply to this notice within 07 days of its delivery it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.

Arrested  
[Signature]

6. Meanwhile, you are placed under suspension under Rule 6 of the said Rules.

The official submitted reply to the show cause notice. His reply was without substance to counter the charges. He was also heard in person but he has no defense to put in because the incident of locking of MS office forcibly by him for 03 days long was committed in broad day light, which could not be denied. During personal hearing his attitude was rude and maintained a demeanor, as if he is neither answerable to his superior nor he has any respect for rules.

He has a chequered history of service. He was booked by Anti Corruption Establishment DIKhan u/s 161-420-468-471/PPC/5(2)PC Act, in a case of corruption which is pending adjudication.

He was also found guilty in a departmental enquiry for making forge signature of Ex-MS Dr. JehanZeb Khan on bogus medical reimbursement bills.

The facts on record are sufficient to prove that the official is guilty of gross misconduct and corruption as having a reputation of being corrupt. I am convinced that he is incorrigible. The official is on the pay roll of this Hospital. I Therefore being a competent authority impose major penalty upon him and dismiss him from service with immediate effect.

COMPETENT AUTHORITY

Copy To:

- 1. District Accounts Officer DIKhan.
- 2. Official Concerned.
- 3. Incharge establishment MS office DHQTH DIKhan.

Karim Shah 11/06/2014  
COMPETENT AUTHORITY

*Handwritten signature and scribble*



Anex: E

13



OFFICE OF THE PRINCIPAL /CHIEF EXECUTIVE GOMAL MEDICAL COLLEGE /DHQ/MMM TEACHING HOSPITAL DERA ISMAIL KHAN

Exchange # 0966-9280338-39  
Fax:# 0966-9280340

Office # 0966-9280341  
Email: [gmc.principal@yahoo.com](mailto:gmc.principal@yahoo.com)

No.GMC/Estt:/PF/ 2289-90

Dated 23/06 /2014

To

The Director General health Services  
Khyber Pakhtunkhwa  
Peshawar

Subject:

APPEAL AGAINST ORDER OF MS DHQ TEACHING HOSPITAL DIKHAN BEARING NO. 3535-37/PF DATED 11/06/2014 UNDER WHICH TO APPELLANT WAS AWARDED WITH MAJOR PUNISHMENT OF DISMISSED FROM SERVICE.

Enclosed please find herewith self explanatory application in respect of Mr. Muhammad Khalid JCT Pharmacy for further necessary action.

PRINCIPAL/CHIEF EXECUTIVE

Cc.

Mr. Muhammad Khalid JCT Pharmacy

PRINCIPAL/CHIEF EXECUTIVE

*Handwritten signature*

To,

The Principal / Chief Executive  
Gomal Medical College/DHQ/MMM  
Teaching Hospital Dera Ismail Khan.

(14)

SUBJECT: APPEAL AGAINST ORDER OF MEDICAL SUPERINTENDENT DHQ TEACHING HOSPITAL DERA ISMAIL KHAN BEARING NO.3535-37/PF DATED 11/6/2014 VIDE WHICH THE APPELLANT WAS AWARDED WITH MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE.

Respectfully Sir,

Reference to the Office order cited in the head of the Appeal, it is submitted that proper reply was submitted to the show cause dated 23/5/2014, wherein a number of legal objections were raised by the appellant and the authority was requested to withdraw proceeding initiated by him un-lawfully. Legal objections against show cause proceedings are reproduced as under,

1. That being reporting employee to the office of the Chief Executive Gomal Medical College D.I.Khan, M.S DHQ Teaching is not competent authority to initiate any legal proceedings under the rules, but he could complain the matter to the competent authority and then the authority, competent, could lodge any proceedings lawful according to the circumstances, but presuming himself as competent authority, acted illegally under the influence of his allured temptation issued the impugned order.
2. That the impugned show cause was based on surmises and according the para No.1 of the show cause the appellant is held responsible for locking the M.S Office on 25/3/2014, while in reply it was explained that neither the appellant is the custodian of the M.S Office nor in a position or authority to do the alleged activity, and if the alleged activity is presumed to be done the matter can be enquired from the officials who are connected to the M.S Office or from the then person in authority.
3. That for Para No.2 of the show cause notice reference was quoted that as per the verdict of the Honourable Supreme Court of Pakistan in PLD 2003 SC 187, mere involvement in any criminal case is not a justification for departmental proceedings, and when the matter is prejudice in a court of competent jurisdiction, how departmental

assessed  

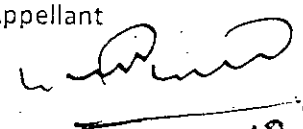

proceedings can be initiated against the appellant, and that the authority issuing show cause is not in legal competence to do so.

4. In reply to the Para No.3 of show cause it was submitted that the then M.S Mr.Dr. Jehanzeb Khan had already disposed off the matter and any proceedings on the matter would amount to double jeopardy, which would be un-lawful and again the issuing authority is not in legal competence to issue the same.

That keeping in view the substance of the reply the issuing authority was in obligation to withdraw the proceedings against the appellant, but becoming personal to the appellant under the influence of his allured temptation, the notice issuing authority without any legal competence and against the prevailing rules, without any concrete evidence issued the impugned order, which is illegal / unlawful without any jurisdiction and is liable to be set aside.

That appellant has a good service track record, standing on the verge of retirement, and impugned order without any jurisdiction is against natural justice; and by acceptance of the appeal in hand, impugned order being not competent may graciously be set aside.

Appellant




KHALID MEHMOOD  
JCT Pharmacy  
Gomal Medical College  
D.I.Khan.

13/6/2014

Note: Copy of impugned order dated 11/6/2014, copy of show cause notice dated 23/5/2014, copy of the reply to the show cause dated 30/5/2014, copies of the decision of the case cited in para-2 of the notice by Judicial Magistrate-1 DiKhan are annexed herewith to the appeal.

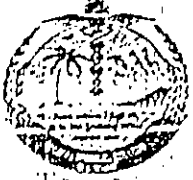
Copy of this appeal is kept intact for its further use.



16

Annex: F

OFFICE OF THE PRINCIPAL  
DERA ISMAIL KHAN



No. 1529-33/Estt/13 Dated: DIKhan/21/12/2013  
Telephone No: 9280338-40/41 FAX: 9280340 Email: principal@yaho.com

To: The District Accounts Officer  
Dera Ismail Khan.

Subject: STOPPAGE OF PAY

Reference your Office Letter No. DAO-DIKhan/PR-I-Health/1529-33 dated 24-01-2013.

It is stated that :

1. The undersigned has been declared as Chief Executive by the competent authority vide Health Department Notification No SO(Reg) 2-97/PMDC dated 12/02/2002.
2. The Health Department so many time issued direction that the Chief Executive is competent authority of both Hospitals DHQ & MMM Teaching Hospitals DIKhan vide following letters.
  - a. No. SOH-111/8-90/10 (Delegations of Powers) dated 24-09-2010 regarding Delegation of Powers
  - b. 2-111/SPO/PC/H/Vol-1/2004-05 dated 12/07/2005 & even number dated 29-03-2010 regarding chairman of Purchase Committee DHQ & MMM Teaching Hospitals
  - c. Directorate General Health Services Peshawar letter No.8206/ Personal dated 26-09-2011
  - d. Directorate General Health Services Peshawar Letter No. 6732/ Personal dated 25/10/2010.
  - e. Directorate General Health Services Peshawar Letter No. 30436/ E-V dated 23/12/2011.
  - f. Directorate General Health Services Peshawar Letter No. 30615/E-V dated 22/12/2011.
  - g. Directorate General Health Services Peshawar Letter No.13277/E-V dated 23/05/2011.
  - h. Health Department Letter No SOB/HD/3-11/2009/12 dated 29/11/2011.

All the above quoted letters photocopies enclosed for ready reference & further necessary action please.

*[Signature]*  
Chief Executive / Principal  
DHQ / MMM Teaching Hospital /  
Principal Gomal Medical College  
Dera Ismail Khan

- Cc:
1. The Secretary Government of Khyber Pakhtunkhwa Health Department Peshawar
  2. The Director General Health Services Khyber Pakhtunkhwa Peshawar

*[Signature]*  
Chief Executive / Principal  
DHQ / MMM Teaching Hospital /  
Principal Gomal Medical College  
Dera Ismail Khan

*[Handwritten signature]*

GOVERNMENT OF NWFP  
HEALTH DEPARTMENT.

Dated Peshawar the 12.2.2002.

JUSTIFICATION

SO(Reg)2-97/PMDC. In order to provide uniformity in administrative control of teaching hospitals of Saidu Medical College Swat and Gomal Medical College, DIKhan on the analogy of Khyber Teaching Hospital and Ayub Teaching Hospital, the competent authority pleased to desire that Principal Saidu Medical College Swat and Gomal Medical College DIK shall act as Chief Executives of Saidu Group of Teaching Hospital Swat & District Headquarter Teaching Hospital DIKhan respectively with the same administrative relations as of Khyber Teaching Hospital and Ayub Teaching Hospital with the Medical Superintendent concerned.

This department notification of even no dated 29.1.2002 is hereby cancelled.

SECRETARY HEALTH

Endst No. SO(Reg)2-97/PMDC

Dated 12.2.2002.

Copy forwarded for information and necessary action to:-

1. Principal Saidu Medical College, Swat.
2. Principal Gomal Medical College, D.I. Khan.
3. Principal KMC, Peshawar.
4. Principal Ayub Medical College, Abbottabad.
5. Principal Khyber College of Dentistry, Peshawar.
6. Director General, Health Services, NWFP, Peshawar.
7. Dean PGMI, Peshawar.
8. Chief Executive HMC, Peshawar.
9. Chief Executive LRH, Peshawar.
10. Chief Executive KTH, Peshawar.
11. Chief Executive, Ayub Teaching Hospital, Abbottabad.
12. Medical Superintendent Saidu Group of Hospital, Swat.
13. Medical Superintendent Distt. Headquarter Hospital, DIKhan.
14. Officer concerned.
15. P.S to Secretary Health.

(MEGHA SAREDI)

Adjunct Officer  
Gomal Medical College  
Dera Ismail Khan

18



DIRECTORATE GENERAL HEALTH SERVICES, GOVT: OF KHYBER PUKHTUNKHWA, PESHAWAR.  
NO 8206 /PERSONNEL  
DATED 26 /09/2011.



15/11/11

To, The Chief Executive,  
Gomal Medical College D.I Khan.

Subject:

REQUEST FOR RETIREMENT FROM GOVT: ON ATTAINING 60-YEARS AGE,

Dear Sir,

I am directed to refer to your letter No. 3273-74/Accts/GMC/2011-12 dated 25.08.2011, on the subject noted above and to state that DHQ Teaching Hospital D.I Khan is under your Administrative control and you are competent authority to issue retirement/ encasement order of Mr. Muhammad Raffiq Talib office Assistant of DHQ Teaching Hospital D.I Khan.

*[Signature]*  
ASSISTANT DIRECTOR (P-II)  
DIRECTORATE GENERAL HEALTH SERVICES, K.P.K PESHAWAR

*Exit  
ML  
09/10/11*

Hafiz S.M. Ali Shah

*attested*



20



DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHWA PESHAWAR.

Postal Address: [dgshs@kpk.gov.pk](mailto:dgshs@kpk.gov.pk) Office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax# 091-9210273  
NO: 30436 /E-V Dated: 22/12/2011

To  
The Medical Superintendent,  
MMI Teaching Hospital DI Khan.

Subject: - ILLEGAL ADMISSION IN GOMAL UNIVERSITY BEING GOVT OFFICIAL

Dear Sir,

I am directed to refer to your letter No. 5309/11/11/PF dated 01.12.2011 on the subject noted above and to advise to take-up the case with the Chief Executive GMC / MMTH / DIHQ Teaching Hospital DI Khan for initiating disciplinary action beside forfeiting Rs-6,00,000/- as bond money, being competent authority.

ASSISTANT DIRECTOR (P-II)  
DGHS, KHYBER PAKHTUN KHWA  
PESHAWAR

Haji Kamran Khan

*Attest*  
*[Signature]*





21

DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHW PESHAWAR.

E-Mail Address: [mgj@dghs@di.khwa.gov.pk](mailto:mgj@dghs@di.khwa.gov.pk) Office Ph# 091-9210269 Exchange# 091-9210187, 9210198 Fax# 091-9210300

NO. 30615 /E-V Dated. 22/12/2011

To.

The Medical Superintendent,  
DHQ Teaching Hospital DI Khan.

Subject: -  
Dear Sir,

SUSPENDED STORE KEEPER AT DHQ HOSPITAL DI KHAN.

996  
30/12/11  
I am directed to refer to your letter No. 8618, dated 04.11.2011 on the subject noted above with the request to take up the case with the competent authority viz: Chief Executive General Medical College / DHQ Hospital DI Khan.

ASSISTANT DIRECTOR (P-II)  
DGHIS, KHYBER PAKHTUNKHWA  
PESHAWAR

21/12

Put up  
on 6/1/12

Haji Kamran Khan

Handwritten signature



22  
GOMAL MEDICAL COLLEGE  
731/-  
Date-17-06-2011

# DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUN KHWA PESHAWAR.

Mail Address: mmfrelg@yahoos.comi Office Ph: 091-9210269 Exchanges: 091-9210187, 9210196 Fax: 091-9210230  
NO. /E-V, Dated. 23/5/2011

To: The Medical Superintendent,  
MMM Teaching Hospital DI Khan.

Subject: ADJUSTMENT OF MR. RAMZAN PLASTER ROOM ASSISTANT.

Dear Sir,

I am directed to refer to your letter No. 1202/DU/2011/PF dated 14.01.2011, on the subject noted above with request to settle the issue in consultation with the competent authority viz Chief Executive. This Directorate has got no reserved pool for such employees.

*[Signature]*  
ASSISTANT DIRECTOR (P-II)  
DGHS, KHYBER PAKHTUNKHWA  
PESHAWAR

No. 132/77 JE-V  
Copy forwarded to the Chief Executive Gomal Medical College / DHO /  
MMM Teaching Hospital DI Khan for information and necessary action.

*[Signature]*  
ASSISTANT DIRECTOR (P-II)  
DGHS, KHYBER PAKHTUNKHWA  
PESHAWAR  
23/05

MMM Teaching Hospital DI Khan

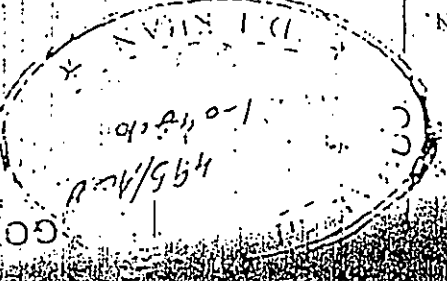
*[Handwritten signature]*

*[Signature]*  
Medical Superintendent

GOVERNMENT OF N W F P

HEALTH DEPARTMENT

Dated: 9/03/2005



NOTIFICATION

No. 3.189/SP/HC/11/Vol-1/2004-05. In pursuance of Govt. of NWFP Finance

Department's Notification regarding Procurement of Goods, Works and Services

dated 08/01/2005 that these rules shall take precedence over Inter

Departmental purchase Committee (IDPC), the Competent Authority in the

Health Department is pleased to accord approval of the following Purchase

Committee for purchase for Health institutions for the offices working under the

Chief Executive, Moulana Mufti Mahmood Memorial Hospital (DHO) Teaching

Hospital and Ghosal Medical College D.I. Khan, with the following composition:

1. Chief Executive, DHO Teaching Hospital/GMC,

2. Medical Superintendent, DHO Teaching Hospital, D.I. Khan

3. MS. Moulana Mufti Mahmood Memorial Hospital, D.I. Khan

4. Vice Principal Ghosal Medical College, D.I. Khan

5. Head Department of Surgery, DHO Teaching Hospital/GMC,

6. Head Department of Medicine, DHO Teaching Hospital/GMC,

7. Head/In-charge of concerned Department / Specialty

8. Deputy Medical Superintendent, DHO Teaching Hospital

9. Member

10. Member

11. Member

12. Member

13. Member

The Committee will strictly follow the Procurement of Goods, Works and Services Rules 2003, notified by the Finance Department, NWFP, and circulated by this department vide letter of even number dated 06/06/2003, for the above mentioned purpose.

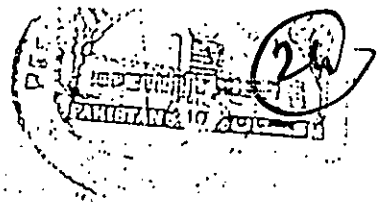
Secretary to Govt. of NWFP, Health Department

- 1. Secretary to Govt. of NWFP, Finance Department
- 2. Secretary to Govt. of NWFP, PWD Department
- 3. Medical Superintendent, Ghosal Medical College, D.I. Khan
- 4. Chief Executive, DHO Teaching Hospital
- 5. P.S. to Secretary Health, NWFP Committee

(SAAJINA KHAN)  
PLANNING OFFICER III  
24/3/2005

Moulana Mufti Mahmood Memorial Hospital

Handwritten signature and date: 9/3/2005



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOB/HD/3-11/2009/TA  
Dated Peshawar, the 29<sup>th</sup> November, 2011



To: The Principal,  
Gomal Medical College, D.I. Khan.

Subject: COUNTERSIGNATURE OF TA/DA BILLS IN R / O  
MEDICAL SUPDT: MMT / DHQ D.I. KHAN.

I am directed to refer to your memo No.3229/Acctt./GMC/2011-12, dated 23.08.2011 on the subject noted above and to convey the authorization of the Chief Executive Group of Teaching Hospitals, D.I. Khan regarding countersignature of the bills of Medical Superintendents of the subject cited Teaching Hospitals till further orders.

(JAVED IQBAL)  
SECTION OFFICER (B&A-II)

ENDS! NO DATE EVEN.

Copy forwarded to:

1. The Chief Executive, Group of Teaching Hospitals, D.I. Khan.
2. The District Accounts Officer, D.I. Khan.

SECTION OFFICER (B&A-II)

*Dist office  
17/12/11*

*19/12/2011  
17-12-2011*

(25)

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

PRESENT:  
MR. JUSTICE MIAN SAQIB NISAR  
MR. JUSTICE AMIR HANI MUSLIM

CIVIL PETITION NO. 761 OF 2013

(On appeal against the judgment dated 25.04.2013  
passed by the Peshawar High Court, D.I. Khan, in  
Writ Petition No. 917/2011)

Muhammad Javed and others ... Petitioners

VERSUS

The Govt. of KPK thr. Secy.  
Govt. of KPK, Health Dept and others ... Respondents

For the petitioners : Mr. Ijaz Anwar, ASC

For the respondents : Not represented

Date of hearing : 01-07-2013

JUDGMENT

MIAN SAQIB NISAR, J.: All the petitioners were working in the District Headquarter Teaching Hospital, D.I. Khan and were in BS. 2 or 3, but the Medical Superintendent of the Hospital adjusted/promoted them either in BS-7/9 or changed their cadre. Subsequently, on inquiry such action/order of the Medical Superintendent was found to be un-authorized and, therefore, the order of adjustment/promotion was cancelled vide general order dated 09.12.2011. The petitioners un-successfully challenged the said order through a Constitution Petition. When questioned, the learned counsel for the petitioner was unable to satisfy us that the Medical Superintendent has any authority in law to adjust and promote or even change the cadre of the petitioners. However, it is argued that under the Khyber Pakhtunkha Government Servant (Efficiency and Discipline)

Attested  
/s/

ATTESTED



27



Dairy No 232  
Dated: 06/03/2013  
D.H.Q. Teaching Hospital  
Dera Ismail Khan

MOST IMMEDIATE  
COURT MATTER,  
OUT TODAY.

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

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.  
Exchange # 091-9210187, Tele # 9210196 Fax # 091-9210230

No. 325 /A.D. Lit. Dated Peshawar the, 7/2 /12/2012.

To  
The Medical Superintendent,  
DHQ Teaching Hospital, D.I, Khan.

Subject: WRIT PETITION NO.917/2011.& 918/2011  
Memo:

Reference your letter No. 284, dated 14-01-2013 on the subject cited above.

A copy of inquiry Report conducted on 17.07.2011 by Dr Shad Ali Khan Ex-EDO(H), Kohat is sent herewith for further submission to the Court. at the earliest.

*M. Chaudhry*  
For ASSISTANT DIRECTOR (LITIGATION),  
DIRECTOR GENERAL HEALTH SERVICES,  
KHYBER PAKHTUNKHWA, PESHAWAR

*M. Chaudhry*  
04/12

Encl.

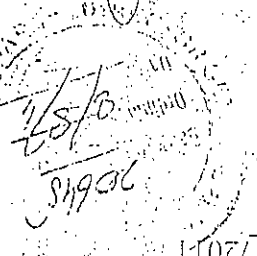
*Attest*

GOVT OF KHYBER PAKHTUNKHWA

OFFICE OF THE  
EXECUTIVE DISTRICT OFFICER  
(HEALTH) KOHAT

\*\*\*\*\*

No 3841 /B-17  
Dated / 11/8/2011



The Director General,  
Health Services,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: OFFICE ORDER / ENQUIRY.

Dear Sir,

Reference your office order endsl. No. 555-57/CC/1725/2011, dated 29-06-2011, on the subject noted above.

I have the honour to submit herewith the enquiry report for further  
reference your office order endsl. No. 555-57/CC/1725/2011, dated 29-06-2011, on the subject noted above.

Executive District Officer  
(Health) Kohat

~~Atty~~

Office Complex-2<sup>nd</sup> Floor Block-A KDA Gate No.2 Kohat  
Ph. & Fax: 0922-9260364  
Email Address: eohkohat@yahoo.com

(18)



With reference to the Director-General Health Services, Khyber Pakhtunkhwa, Peshawar office order No. 555-57/CC/1725/2011, dated 29-06-2011, the undersigned proceeded to DHO Teaching Hospital, D.J. Khan on 19-07-2011 to conduct enquiry into the complaint of Mr. Farhan Laghari, PSF D.J. Khan against the Medical Superintendent DHO Hospital, D.J. Khan regarding illegal appointment of two Para-Medics and two Class-IV. REF: 10/10/11

As per record produced by the Medical Superintendent DHO Hospital, D.J. Khan, it reveals that two posts of Para-Medics one as JCT Pharmacy (BPS-09) and one as JCT Pathology (BPS-09) were vacant. According to the Service Rules, these posts were required to be filled after fulfilling all the codal formalities i.e. Advertisement, Departmental Selection Committee, merit list & Minutes of the Departmental Selection Committee but it is astonishing to note that no codal formalities have been completed by the Medical Superintendent DHO Hospital, D.J. Khan. No advertisement has been made in the Daily Press. They were appointed directly on the basis of their qualification.

It is also worth mentioning here that Mr. Mohammad Jamil S/o Mohammad Ibrahim pointed as JCT Pathology is not qualified for the post having no Diploma / Certificate of Khyber Pakhtunkhwa, Medical Faculty (copy of certificate attached). Mr. Mohammad Younas appointed as JCT Pharmacy on 01-01-2011 (copy attached) was appointed as Ward Orderly on 24-03-1998 and passed the JCT Pharmacy examination from Medical Faculty, Peshawar in Session 11/2007 (copy of certificate attached), but no leave entry was found in his Service Book.

After appointment of the above mentioned JCTs, two vacant Posts of Class-IV, one Ward Orderly and one Naib Qasid were filled without observing the codal formalities. No requisition to Employment Exchange, No. Departmental Selection Committee, The irregularities committed by the Medical Superintendent DHO Hospital D.J. Khan are crystal clear that one Mohammad Shouib S/o Ghulam Siddique was appointed as Ward Orderly on 01-01-2011 (copy appointment order attached) while the registration card of Employment Exchange was issued

AM-10

29

18-05-2011 (copy attached) i.e. two months and 18 days late after issuing of appointment order. The appointment of Mr. Jehan Zeb S/o Allah Nawaz as Naib Qasid is also illegal.

*(Handwritten initials)*

CONCLUSION

1. The appointments of Para-Medics and Class-IV made by the Medical Superintendent, Teaching Hospital, D.L. Khan are illegal as no codal formalities required under the rules were completed for filling of the vacant posts.
2. Mr. Mohammad Jamil S/o Mohammad Ibrahim appointed as JCT Pathology is not qualified for the post.
3. Medical Superintendent, Teaching Hospital, D.L. Khan is not appointing authority in the light of Govt. of Khyber Pakhtunkhwa, Health Department letter No. SOH-111/8-90/10 (Delegation of Power) dated 24-09-2010 (copy attached).

RECOMMENDATIONS:

1. The appointment orders of Mohammad Jamil S/o Ibrahim as JCT Pathology, Mohammad Younas appointed as JCT Pharmacy, Mohammad Shoib as Ward Orderly & Jehan Zeb as Naib Qasid should be cancelled as these are irregular and illegal.
2. Necessary action may be taken against Medical Superintendent, DHQ Hospital, D.L. Khan on account of irregular appointments.

*(Handwritten signature)*

Dr. Shad Ali Khattak  
Executive District Officer  
(Health) Kohat  
(Inquiry Officer)

*(Handwritten signature)*

— A-14 G (31) —

GOVT OF KHYBER PAKHTUKHWA  
HEALTH DEPARTMENT

No. SOH-III/8-90 / 10 (Delegation of Powers)  
Dated 24<sup>th</sup> September 2010

To:

The Director General,  
Health Services,  
Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: DELEGATION OF POWERS.

I am directed to refer to your two letters No. 2199/Personnel dated 05.05.2010 and letter No. 5043/Personnel dated 30.08.2010 on the subject noted above and to state that under the KPK, Appointment, Promotion and Transfer (APT) Rules, 1989 (copy attached), the Head of the Attached Offices are competent to make appointments through initial recruitment, to the posts in BPS-01 to BPS-15, whereas DGHS is competent to exercise the powers of Appointing Authority, to posts in BPS-01 to BPS-15 falling vacant within his administrative control, as Head of the Attached Department.

The Medical Colleges and attached Teaching Hospitals, Khyber Pakhtunkhwa are directly under the administrative control of the Provincial Govt. (Health Department) and are headed by their respective Chief Executives who act as Heads of the Attached Offices.

It is therefore, requested that a fresh proposal for delegation of powers to Head/Incharge of sub-offices, falling under the administrative control of DGHS, as Head of the Attached Department, may be sent to this Department for delegation of powers of Appointing Authority for the posts in BPS-01 to BPS-15, so that no duplication occurs.

Encl: As above.

SECTION OFFICER-III

Copy forwarded to:-

1. Chief Executive, Group of Teaching Hospitals, Bannu.
2. Chief Executive, Saidu Group of Teaching Hospitals, Saidu Sharif Swat.
3. Chief Executive, MM Teaching Hospital, D.I.Khan.
4. Chief Executive, Mardan Medical Complex Teaching Hospital Mardan.

*[Signature]*  
SECTION OFFICER-III

*affixed*  
*[Signature]*





**OFFICE OF THE MEDICAL SUPERINTENDENT  
DISTRICT HEAD QUARTER TEACHING HOSPITAL DIKHAN**

No. 1866 / PF/G-2  
Phone No.0966-9280201

Dated 30 / 3 /2015  
Fax No.0966-9280446

**Authority Letter**

Dr.Kiramtullah Senior Medical Officer BPS-18 attached to DHQ Teaching Hospital DIKhan is hereby authorized to attend the Service Tribunal Court Bench DIKhan in appeal No. 1190/14 case title Khalid Mehmood Vs Govt: of KPK on behalf of the undersigned on 30.03.2015.

*Kasim Shah*  
**Medical Superintendent  
DHQ Teaching Hospital DIKhan**

**OFFICE OF THE PRINCIPAL GOMAL MEDICAL COLLEGE**  
**DERA ISMAIL KHAN.**

**AUTHORITY LETTER.**

Mr. Qaisar Nadeem Director Physical Education (BPS-17) Gomal Medical College Dera Ismail Khan is hereby authorized to attend the Honorable Service Tribunal Bench Dera Ismail Khan in the case of Service Appeal No. Khalid Mehmood Versus Government of KPK etc on behalf of the undersigned on dated 30/03/2015 and onward.

✓  
**CHIEF EXECUTIVE / PRINCIPAL**  
**GOMAL MEDICAL COLLEGE**  
**DERA ISMAIL KHAN.**

No *1313-15* /Estt: *---* Dated **DIKhan** the *30/03/2015*

**Copy to:-**

1. The Service Tribunal Khyber Pakhtunkhwa Court Camp DIKhan.
2. The Government Pleader Service Tribunal Khyber Pakhtunkhwa Court Camp DIKhan.
3. Mr. Qaisar Nadeem DPE Gomal Medical College DIKhan for information and compliance.

*Qaisar*  
**CHIEF EXECUTIVE / PRINCIPAL**  
**GOMAL MEDICAL COLLEGE**  
**DERA ISMAIL KHAN.**

①

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GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
No. SOH-III/8-89/2015(Khalid Mehmood/Enquiry report)  
Dated the Peshawar 03<sup>rd</sup> February, 2016

To

The Director General,  
Health Services Khyber Pakhtunkhwa,  
Peshawar.

SUBJECT: APPLICATION/ENQUIRY REPORT.

I am directed to refer to your letter No. 1643-44/E-V, dated: 27-01-2016 on the subject noted above and to state that the Chief Executive/Principal, Gomal Medical College/DHQ/MMM Teaching Hospital, D.I Khan has already re-instated Mr. Khalid Mehmood JCT Pharmacy of D.I Khan. It is added that Medical Superintendent, DHQ is not implementing the said order. Now the said hospital has already been declared MTI.

I am further directed to state that in light of the above the case may be resolved as per rules/policy.

(Muhammad Tariq)  
Section Officer-III

Endst: even no & date.

Copy forwarded to:-

PS to Secretary Health, Khyber Pakhtunkhwa.

Section Officer-III



**TO BE SUBSTITUTED WITH LETTER No. 1261-66/PF dated 24/03/2015**  
**OFFICE OF THE PRINCIPAL /CHIEF EXECUTIVE GOMAL MEDICAL**  
**COLLEGE /DHQ/MMM TEACHING HOSPITAL DERA ISMAIL KHAN**

Exchange # 0966-9280338-39  
Fax # 0966-9280340

Office # 0966-9280341

No GMC/ID: 1307-12

Dated: 27/03/2015

**OFFICE ORDER**

In Partial modification of this office letter No. 1261-66/PF dated 24/03/2015, As desired by the Minister for Revenue & State Khyber Pakhtunkhwa vide his DO letters dated 17/03/2015 & dated 20/03/2015, Mr. Khalid Mahmood JCT Pharmacy (BPS-09) at DHQ Teaching Hospital DIKhan, is hereby re-instated in service from the date of termination at his original post with immediate effect. An enquiry has been constituted to probe into the matter and submit the detailed report to the undersigned.

CHIEF EXECUTIVE/PRINCIPAL

**Copy to the:-**

- 1- The Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2- Medical Superintendent DHQ Teaching Hospital DIKhan.
- 3- District Accounts Officer DIKhan.
- 4- PS to Ali Amin Khan Gandapur Minister for Revenue & State Khyber Pakhtunkhwa, vide his DO letters referred above.
- 5- Professor Dr Fazal Rehman Vice Principal Admn: (Enquiry Officer)
- 6- Professor Dr Amin Jan Mahsud HOD Pathology (Enquiry Officer) for information and directed to conduct a complete enquiry and submit detailed report to the undersigned within 10 days after receipt of this letter.
- 7- Official Concerned.

CHIEF EXECUTIVE/PRINCIPAL