

Service Appeal No. 1388/2014

07.02.2019

Appellant in person present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 15.02.2019 for arguments before D.B-I.



(AHMAD HASSAN)  
MEMBER

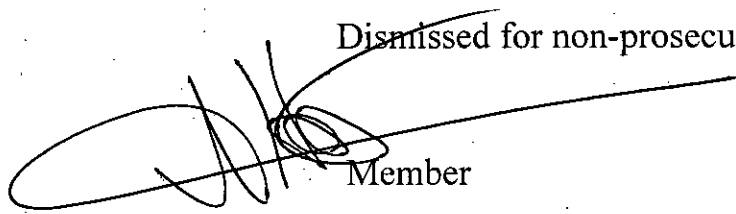
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

15.02.2019

Nemo for appellant. Addl. AG for the respondents present.

It is already 3.00 P.M and the case has been called several times, despite no one is in attendance on behalf of the appellant.

Dismissed for non-prosecution.



Member




Chairman

ANNOUNCED  
15.02.2019

03.08.2018

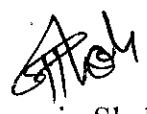
Appellant in person present. Learned counsel for the appellant is absent. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 18.09.2018 before D.B.


  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

18.09.2018

Appellant in person and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 08.11.2018 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

08.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on ~~08.12.2018~~. ~~Written reply not received~~

  
READER

Service Appeal No. 1388/2014

16.03.2018

Appellant present. Learned counsel for the appellant is absent. However, junior to senior counsel for the appellant present and seeks adjournment. Mr. Riaz Ahmed Pinda Kheil, Assistant AG for the respondents present. Adjourned. To come up for arguments on 04.05.2018 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member


04.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come on 22.06.2018

  
READER

22.06.2018

Junior counsel for the appellant present. Mr. Riaz Ahmad Pindakheil, Assistant AG alongwith Mr. Jaffar Ali, Senior Clerk for the respondents also present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 03.08.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member


21/8/2017

None for the appellant and Mr. Muhammad Adeel Butt, AAG alongwith Mr. Yar Gul, Assistant for the respondents present. Due to non-availability of DB, case to come up for argument on 2/11/2017 before DB.

  
Reader

02.11.2017

Appellant in person present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Appellant requested for adjournment on the ground that his counsel is not in attendance today. Adjourned. To come up for arguments on 30.11.2017 before D.B.

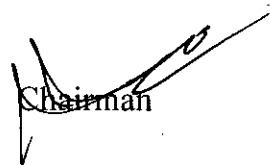
  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

30.11.2017


Counsel for the appellant and Addl: AG alongwith Mr. Muhammad Akram, Supdt for respondents present. Counsel for the appellant seeks adjournment Adjourned. To come up for arguments on 26.01.2018 before D.B.

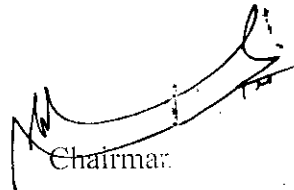
  
Member

  
Chairman

26.01.2018

Appellant in person present. Mr. Muhammad Jan, DDA for the respondents present. Appellant seeks adjournment as his counsel is not attendance today. Adjourned. To come up for arguments on 16.03.2018 before D.B.

  
Member

  
Chairman

11.01.2017

Appellant in person and Mr. Muhammad Jan, GP for the respondents present. Appellant seeks adjournment as his counsel is indisposed. Request accepted. To come up for arguments on 15.05.2017.

  
(AHMAD HASSAN)  
MEMBER

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

15.05.2017

Appellant alongwith his counsel present. Mr. Yar Gul, Senior Clerk alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. During the course of arguments it was contended by the learned Deputy District Attorney that the impugned order of termination dated 02.09.2014 of the appellant annexed with the appeal of the appellant is a fabricated and the documents including termination order dated 01.02.1990 annexed by the official respondents with the reply is genuine, therefore, the representative of the respondent-department is directed to produce original record of the termination order and other relevant record of the appellant on the next date. To come up for record and arguments on 21.08.2017 before D.B.

  
(GUL ZEB KHAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

14.10.2015

Appellant in person and Mr. Yar Gul, Senior Clerk alongwith Assistant A.G for respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity is extended subject to payment of cost of Rs. 500/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 8.2.2016 before S.B.

  
Chairman

08.02.2016

Appellant in person and Mr. Yar Gul, Senior Clerk alongwith Assistant AG for respondents present. Para-wise comments submitted. Cost of Rs. 500/- paid and receipt thereof obtained. The appeal is assigned to D.B for rejoinder and final hearing for 17.5.2016.

  
Chairman

17.05.2016

Appellant in person and Addl. AG for respondents present. Appellant requested to file rejoinder request accepted. To come up for rejoinder/arguments on 7.9.2016.

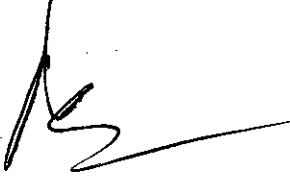
  
Member

  
Member

07.09.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Counsel for the appellant submitted rejoinder copy of which is placed on file. To come up for arguments on


11.1.17

  
Member

  
Member

21.05.2015

Appellant in person and Mr. Yar Gul, Senior Clerk  
alongwith Asstt: AG for the respondents present. Representative  
of the respondents requested for time to submit written  
reply/comments. To come up for written reply/comments on  
15.06.2015 before S.B.



Member

15.06.2015

Appellant in person and Asstt: AG for the respondents  
present. Written reply not submitted. Notice be issued to the  
respondents for submission of written reply/comments. To come up  
for written reply/comments on 27.07.2015 before S.B.



Member

27.07.2015

Appellant in person and Addl: A.G for respondents present.  
Written reply not submitted. Requested for adjournment. Last  
opportunity granted. To come up for written reply/comments on  
14.10.2015 before S.B.


  
Chairman

Appeal No. 1388/2014  
Mr. Muhammad GJB

19.01.2015

No one is present on behalf of the appellant. To come up

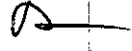
for preliminary hearing on 20.02.2015.

  
Member

20.02.2015

Appellant alongwith his counsel present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 02.09.2014, vide which the major penalty of termination from service has been imposed upon the appellant. Against the above referred impugned order appellant filed departmental appeal on 05.09.2014 which has not been responded within the statutory period of 90 days, hence the instant appeal on 09.12.2014. Counsel for the appellant further argued that neither any charge sheet, statement of allegation has been issued to the appellant nor any enquiry has been conducted against the appellant. No opportunity of personal hearing has been given to the appellant.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 09.04.2015.

  
Member

09.04.2015

Counsel for the appellant and Mr. Yar Gul, Senior Clerk alongwith Asstt: AG for the respondents present. Representative of the respondents requested for time. To come up for written reply/comments on 21.05.2015.

  
Member

4.  
Appellant deposited process fee  
for 9 months

5.




Form- A

FORM OF ORDER SHEET

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

Case No. 1388/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09.12.2014	<p>The appeal of Mr. Muhammad Ijaz resubmitted today by Mr. Peer Bakhsh Mahtab Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;">   REGISTRAR </p> <p style="text-align: center;"><del>Case is entered in the Institution register and put up to the Worthy Chairman for proper order.</del></p> <p style="text-align: center;"><del>Nothing to be put up there etc.</del></p> <p style="text-align: right;">CHAIRMAN</p>
2		

This is an appeal filed by Mr. Muhammad Ijaz today on 11/11/2014 against the order dated 02.09.2014 against which he preferred/made a departmental appeal on 05.09.2014 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

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

The law under which appeal is filed is not mentioned.

No. 1589 /ST,

Dt. 12-11 /2014

period of

Tribunal

Mr. Peer Bakhsh Mahtab Adv. Pesh.

*Leo*  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

*n/s*  
09-12-2014

*Resubmitted after completion  
of requisite period of filing of appeal pl.*

Mr. Peer Bakhsh Mahtab

*Peer Bakhsh Mahtab*  
09  
12  
2014  
PEER BAKHSH MAHTAB,  
(ADV. H.C. Counsel for appellant)

BEFORE THE HON'BLE SERVICE TRIBUNAL, KPK, PESHAWAR

service appeal No. 1388 / 2014

Muhammad Ijaz .....Appellant

versus

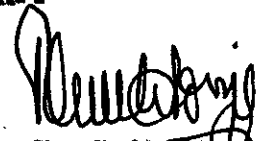
deputy director, Expanded programme on  
immunization, KPK peshawar and another.....respondents.

I N D E X

S. No.	Description of documents	Annexures	Pages
1.	Grounds of appeal		1 - 3
2.	Copy of impugned order dated 2-09-2014	'A'	0 - 4
3.	Copy of department appeal as representation dated 5-09-2014	'B'	0 - 5
4.	vakalat nama in original		0 - 6

Appellant

through



( PEER BAKHSH MAHTAB )  
Adv. H.C.  
cell No. 0333-9168541

PESHAWAR

~~12-12-2014~~ *Ph*  
9.12.2014

BEFORE THE HON'BLE SERVICE TRIBUNAL, K.P.K. PESHAWAR.

service Appeal No. 1388 / 2014

~~1359~~  
11-11-2014

Muhammad Ijaz son of Muhammad yousaf,  
Junior E.P.I. Technician, E.P.I. Unit  
Health Department, Peshawar  
resident of Gharsadda ..... Appellant

versus

1. Deputy Director, Expanded Programme on Immunization, K.P.K. Peshawar
2. Director General Health Services  
Khyber Pakhtunkhwa, Peshawar.

..... Respondents.

*In* 4/54 of KPK Service Tribunal Act 1974  
 SERVICE APPEAL AGAINST THE IMPUGNED OFFICE ORDER  
 NO. 56Q-65/EPI DATED 2-09-2014 WHEREBY SERVICES  
 OF THE APPELLANT AS JUNIOR EPI TECHNICIAN EPI UNIT  
 PESHAWAR HAVE BEEN DISPENSED WITH.

Respectfully submitted,

- A) That the appellant ~~was~~ was working as Junior EPI Technician with EPI Unit Peshawar in the office of the respondent No.1.
- B) That the services of the appellant as Junior EPI Technician have been terminated by the respondent No.1 as per impugned order No. 56Q-65/EPI dated 2-09-2014.

*[Handwritten signature]*  
C)

That the appellant made departmental appeal as representation to the respondent No.2 that has not yet been decided.

*[Handwritten signature]*  
D) 9/14/14

That being aggrieved by and dis-satisfied with the impugned order afore-mentioned, the appellant submits this service appeal before this Hon'ble service Tribunal on amongst other the following grounds :-

G R O U N D S

- 1) because the appellant is the bonafide citizen of this land that comes of a respectable family of charsadda having good repute in the locality.
- 2) because the impugned order passed by respondent No.1 aforementioned as being defiance of law and services rules and regulations is untenable.
- 3) because the allegations levelled against the appellant in the impugned order of the respondent No.1 are of least value in the eyes of law for no cogent grounds and reasons have been described in the impugned order that is liable to be set aside.
- 4) because neither the appellant remained disobedient nor took no interest in his legitimate duties.
- 5) because no conclusive proof is there in the impugned order of the respondent No.1 with respect to repeated complaints by D.H.O./FSHO and other supervisory staff regarding his no work and ill-conduct.
- 6) because no justification is there for termination of the services of the appellant for he amicably serviced the department for the period of 10/11 years on various places like Mardan, Charsadda, Kohat and Peshawar and during his tenure no complaint was lodged against him by public at large.
- 7) because no copy of any complaint as mentioned in the impugned order has been provided to the appellant thereby meaning that there is no complaint at all against him.
- 8) because the appellant served the department very honestly and his A.C.R. is very good, the impugned order passed by the respondent No.1 is purely and squarely unjustified that runs counter to law and justice.

- 9) because the appellant has been treated with discrimination as such he has been terminated just for nothing.
- 10) because the instant service appeal is in time and this Hon'ble service tribunal has got the jurisdiction to entertain the same.

PRAYER

viewed in perspective of all that has been stated above, it is prayed that on acceptance of the instant service appeal, the order impugned afore-mentioned may please be set aside so as to enable the appellant to be considered as being re-instated on the post of junior EPI Technician with EPI Unit, Health Department, Peshawar or such other and further orders as this Hon'ble court deems fit in the circumstances of the case may kindly be passed in the interest of justice otherwise the appellant would be seriously prejudiced.

Appellant

( Muhammad Ijaz )

through

( PEER BAKHSH MAHTAB )  
Adv. H.C.

PESHAWAR

4144-2014 09/12/2014

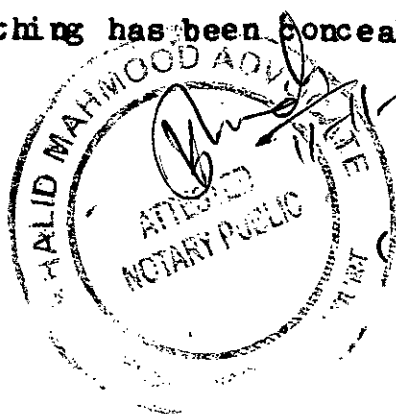
CERTIFICATE

This is to certify that no samelike service appeal has earlier been filed before this service tribunal.

COUNSEL

AFFIDAVIT

I, Muhammad Ijaz s/o Muhammad Yousaf, R/O Charsadda appellant do hereby solemnly affirm and declare on oath that the contents of this service appeal are true to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



deponent

( Muhammad Ijaz/appellant )

OFFICE OF THE DEPUTY DIRECTOR EXPANDED PROGRAMME ON  
IMMUNIZATION NWFP PESHAWAR.

C.T.C -

Dr 11/11/14

PEER BAKHSH MAHTAB  
M.A. LL.B.  
ADVOCATE HIGH COURT

OFFICE ORDER.

Services of Mohammad Ijaz: Jr. EPI Technician  
EPI Unit Kohat (on General Duty) at Peshawar are hereby terminated  
with effect from 20-06-2014 account of following reasons:-

- 1- Disobedience, un-willing worker & not taking interest in his legitimate duties.
- 2- Remains willful absence from duty continuously.
- 3- Un-social activities & not acceptable his services.
- 4- Repeated complaints by DHO/PHO & other supervisory staff, regarding his work & conduct.
- 5- Advertised in the news papers through Director, Information NWFP Peshawar vice this office No. 20502/EP dated 28-05-2014

S/-  
(Dr. Mohammad Alam Khan),  
Deputy Director,  
Expanded Programme on Immunization,  
N.W.F.P. Peshawar.

NO. 562-65/EPI Dated Peshawar 02-09-2014

Copy forwarded to the:

- 1- District Health Officer Kohat.
- 2- District Health Officer Peshawar.
- 3- PHO EPI Distt: Kohat.
- 4- PHO EPI Distt: Peshawar.

for information w/c to DHO Kohat letter No. 46 dated 30.1.2014

(Dr. Mohammad Alam Khan),  
Deputy Director,  
Expanded Programme on Immunization,  
Peshawar.

پیغام برائے چیف جسٹس فیاض محمد  
ڈائری نمبر 111/14

G.T.C

PEER BAKHSH MAHTAB  
M.A. LL.B.  
ADVOCATE HIGH COURT

درخواست برائے ایس ایف آر و انسداد دادرسی اور دیگر امور بحال کرنے

پیغام برائے چیف جسٹس فیاض محمد

Handwritten scribbles and marks.

ڈائری نمبر  
24895/E10  
4/9/2014

پیغام برائے چیف جسٹس فیاض محمد

مناب عالی

1. میری ماں اور اچھانہ اور یوسف کے نام آباد چمنہ صوبہ گلگت بلتستان

2. ایک فیس اور دیگر بہت کچھ کیوں

3. پتہ و پتہ اور مال مجموعہ اور کچھ کیوں

4. زلف کیوں کی کٹنگ اور سٹریٹ

5. درصوم کیوں کہ قانون کا سامنا

6. اندر میں وقت ہے روز گامہوں اور نہایت تنگدستی

7. دو ماہہ اپنی نوکری کا کام پر جا رہی ہے

میرا اللہ کا نام ہے یہ سب کچھ دروازہ بند ہے

میں نے اس کا حال سے اصلاح سے اور فرما رہی

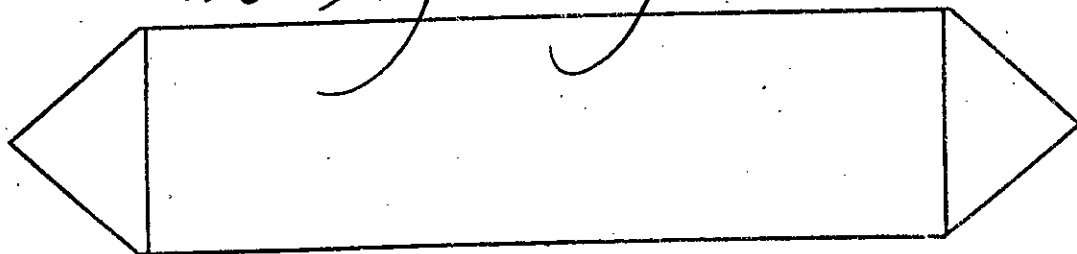
05/9/2014

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السید اعجاز  
محمد اعجاز



## بعدالت ہائے سروسز اسٹریٹریٹس نیشنل کونسل



محمد اعجاز بنام 2 منجانب  
 ڈیس ڈائریکٹر

ملفوظ  
 مقدمہ  
 دعویٰ  
 بنام

س/Annual#-2014 باعث تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ پیریڈ کے دوران پیریڈ کے لئے پیریڈ میں پیریڈ پر مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار، وگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضعی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

09/12/2014

20

ماہ

المرقوم

واہ العب کے لئے منظور ہے۔

بمقام

PEER BAKHSH MAJID  
 M.A. LL.B.  
 ADVOCATE HIGH COURT

محمد اعجاز ولد محمد لاکھ  
 محمد اعجاز

**BEFORE SERVICE TRIBUNAL PESHAWAR.**

**Appeal No. 1388 /2014**

Muhammad Ijaz .....Appellant.

**Versus.**

Government of Khyber Pakhtunkhwa & Others.....Respondents.

**Parawise comments on behalf of respondent No.1 & 3.**

**Respectfully Sheweth:**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has no cause of action/locus standi.
2. That the appellant has deliberately concealed the material facts from the Honorable Peshawar High Court, Peshawar, hence, liable to be dismissed.
3. That the appellant has filed the instant petition just to pressurize the respondents.
4. That the appellant has filed the instant appeal on malafide motives.
5. That the instant appeal is against the prevailing Law and Rules.
6. That the appeal is not maintainable in the present form and also in the present circumstances of the issue

**ON FACTS:**

- A. Correct to the extent that the appellant was appointed as EPI Tech in Sept 1984 by Provincial EPI and was transferred to District Kohat in 1988.
- B. Correct to the extent that the services of appellant were terminated by then DD EPI, Dr. Mohammad Alam Khan vide letter No 56Q-65/EPI Dated 1-2/1990. Termination order was effective from 20.08.1988 enclosed as **(Annexure A)** and not on 2.09-2014 as the Appellant has claimed.
- C. Pertain to record, however Appellant was timely informed by Director General Health Services N.W.F. Province, Peshawar vide letter No.19144/E.V, dated 10/10/1990 that his departmental Appeal against his termination orders from service was considered and rejected**(Annexure B)**.  
The Appellant appealed to Service Tribunal against his termination for the period during which he was appointed in leave vacancy for 4 months, which was dismissed by the Service Tribuna! and he was accordingly informed by the department that his appeal has already been dismissed by the Honorable Service Tribunal Peshawar as well as his appeal was time barred and could not be approved as per rules/poolicy. Copy attached as **(Annexure C)**.

- D. The Appellant has got no cause of action to file instant appeal.

## COMMENTS ON GROUNDS:


1. Incorrect as the appellant has repeatedly attempted to appeal the Department through tampered termination letters and attempted to deceive the Government. He was terminated by Dr. Muhammad Alam Khan Deputy Director EPI vide letter No:562-65 dated 01-02-1990 enclosed as **Annexure A**. His termination was effective from 20.08.1988. He has made his petition showing a forged termination letter with fake signatures of said DD EPI with same letter number twice since then. First dated 02-09-2013 enclosed as **(Annexure D)** and second time on 28-05-2014 enclosed as **(Annexure E)** Whereas in reality Dr. Muhammad Alam was retired long before this mentioned date.
2. Incorrect. The appellant was terminated by then DD EPI on the basis of complaints from FSMO/DHO Kohat and other supervisory staff regarding his work and conduct on account of willful absence, disobedience, and unwilling working as indicated in his termination letter enclosed as . . .  
As per his personal file necessary advertisement notice regarding his willful absence from duty w.e.f 20.8.88 has been published in the Newspapers through the Director of information NWFP.  
These facts have also been mentioned by DD EPI in a letter No.2798/EPI Dated 19/4/1990 addressed to Director General Health Services enclosed as **(Annexure F)**.
3. Incorrect. The appellant has tried repeatedly to tamper the dates of his termination order and tried to deceive the Government by presenting forged Office orders. This fact has also been reported by DHO Kohat vide letter No 2937/P.3 dated 10/10/2013 enclosed as **Annexure G**.
4. As replied in above paras.
5. Relevant record is not available but he has submitted forged termination letters with fake signs of DD EPI with intention to deceive the department and honorable service tribunal.**(Annexure A, D&E)**
6. Incorrect as he was appointed in 1984 and terminated in 1988. His initial posting was in Peshawar and later on was posted to District Kohat in 1988. He was also appointed against a post of Junior EPI technician in BPS-5 for 120 days on leave arrangement in place of Mr. Imtiaz Ali who was granted earned leave for 120 days. Copy of appointment order is enclosed as **Annexure H**.
7. No record is available as per his personal file.
8. Incorrect. The impugned order is according to law and rules. The appellant has also tried to submit tampered and forged termination letter, therefore his honesty is very much doubtful.
9. Incorrect. As mentioned earlier the appellant was terminated on the basis of complaints lodged by DHO Kohat however no record of any such complaint is available in the record of Health Department.
10. Incorrect. His appeal is time barred.

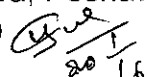
**Comments on Prayer:**

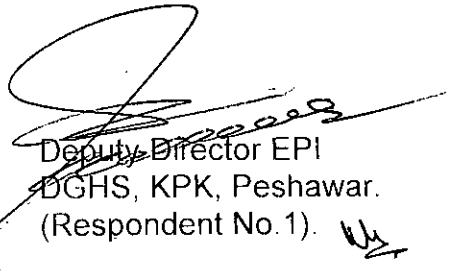
The appellant was terminated vide office order issued by then DD EPI Dr. Mohammad Alam Khan No 56Q-65/EPI Dated 1-2/1990. His termination order was effective from 20.08.1988. (Annexure A). Where as he through a forged termination letters (Annexure D&E) appealed to the Director General Health Services for re-instatement into services. It is worth mentioning that these termination letters were with forged signatures of Dr. Mohammad Alam on fake dates enclosed as (Annexure D&E), Who was not even in service during this period. The issue of tampering the termination order was also reported by DHO Kohat requesting an enquiry into the matter enclosed as (Annexure G). It is worth mentioning that the DD EPI Dr. Alam Khan was retired long before 2013, whose signatures were on the forged termination letter, enclosed as (Annexure D&E).


The appellant appealed to service tribunal against his termination for the period during which he was appointed in leave vacancy for 4 months, which was dismissed by the service tribunal and he was accordingly informed by the department that his appeal has already been dismissed by the honorable service Tribunal Peshawar as well as his appeal was time barred and could not be approved as per rules/policy.

As the appellant has tried to deceive the honorable court through tampered termination letter and by concealing the facts from Honorable court, hence it is humbly prayed that the appeal may graciously be dismissed with cost in the best interest of public.

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

  
20/1/16

  
Deputy Director EPI  
DGHS, KPK, Peshawar.  
(Respondent No. 1)



OFFICE OF THE DEPUTY DIRECTOR EXPANDED PROGRAMME ON,  
IMMUNIZATION, NWFP PESHAWAR.

OFFICE ORDER.

The services of Mohammad Ijaz:Jr: EPI Technician  
EPI Unit Kohat (on General Duty) at Peshawar are hereby terminated  
with effect from 20.08.1988 on account of following reasons:-

- 1- Disobedience, un-willing worker & not taking interest  
in his legitimate duties.
- 2- Remains wilful absence from duty continuously.
- 3- Un-social activities & not acceptable his services.
- 4- Repeated complaints by DHO/FSMO & other supervisory  
staff, regarding his work & conduct.
- 5- Advertised ~~and~~ in the news papers through Director,  
Information NWFP Peshawar vice this office No. 20502/E  
dated 28.11.1988.

Sd/-

(Dr. Mohammad Alam Khan),  
Deputy Director,

Expanded Programme on Immunization,  
N.W.F.P. Peshawar.

no. 562-65 /EPI Dated Peshawar the 1-8-1990

Copy forwarded to the:

- 1- District Health Officer Kohat.
- 2- District Health Officer Peshawar.
- 3- FSMO EPI Distt:Kohat.
- 4- FSMO EPI Distt:Peshawar.

for information w/r to DHO Kohat letter No.46 dated 30.1.1990.

(Dr. Mohammad Alam Khan),  
Deputy Director,  
Expanded Programme on Immunization,  
Peshawar.

A.

No.  
From:

1914 /E.V. Dated Peshawar the 10 /10/1990

The Director Health Services,  
N.W.F.P., Peshawar.

To,

Mr. Mohammad Ejaz  
Res: of Village Gulabad PO Cheens,  
Teh: Tang Distt: Charsadda.

Subject:- APPEAL FOR RE-INSTALEMENT IN SERVICE.

Memo;

Reference your appeal dated 2.4.90.

Your appeal against the termination orders  
from service has been considered and is hereby rejected

*M*  
Director Health Services,  
N.W.F. Province, Peshawar.

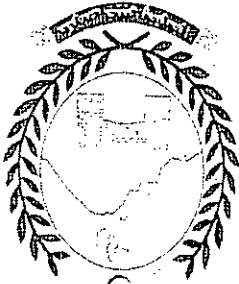
No. 19145 /E.V.

Copy forwarded to the Deputy Director EPI, NW  
Peshawar, for information and necessary action w/r to  
letter No. 6334/EPI, dated 27.8.90.

*M*  
Director Health Services,  
N.W.F. Province, Peshawar.

Mati/- 7.10.90.

I



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHWA PESHAWAR.**

E-Mail Address: [mgp@pko.gov.pk](mailto:mgp@pko.gov.pk) Office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax # 091-9210730

NO. 1681 /E-V, Dated 13/3 /2014

To

Muhammad Ejaz S/O Muhammad Yousof  
Village Cheena Tehsil & District Charsadda

Subject: - APPEAL

Dear Sir,

I am directed to refer to the subject noted above and to state that your appeal has already been dismissed by the honourable Service Tribunal Peshawar as well as has badly time barred and not cover under the rules/policy.

ASSISTANT DIRECTOR OF THE  
HEALTH SERVICES, PESHAWAR

11/3/14

OFFICE ORDER

The services of Mohammad Ijaz Jr. EPI Technician  
EPI Unit Kohat (on General Duty) at Peshawar are hereby terminated  
with effect from 20.06.2012 on account of following reasons:-

- 1- Disobedience, un-willing worker & not taking interest in his legitimate duties.
- 2- Remains wilful absent from duty continuously.
- 3- Un-social activities & not acceptable his services.
- 4- Repeated complaints by DHO/FSMO & other supervisory staff, regarding his work & conduct.
- 5- Advertised in the news papers through Director, Information, Peshawar, this office No. 20502/EPI dated 28-6-2013.

Sd/-  
(Dr. Mohammad Alam Khan),  
Deputy Director,  
Expanded Programme on Immunization,  
N.W.F.P. Peshawar.

NO. 562-65/EPI Dated Peshawar the 2-9/2013

Copy forwarded to the

- 1- District Health Officer Kohat.
- 2- District Health Officer Peshawar.
- 3- FSMO EPI Distt: Kohat.
- 4- FSMO EPI Distt: Peshawar.

For information w/c to DHO Kohat letter No.46 dated 30.1.2013

(Dr. Mohammad Alam Khan),  
Deputy Director,  
Expanded Programme on Immunization,  
Peshawar.

U



D

Dr. Mohammad Alam Khan  
Deputy Director  
Expanded Programme on Immunization  
M.A. LL.B. Beshwar

For information w/e to DHO Kohat letter No. 46 dated 30.1.2014

- 1- District Health Officer Kohat.
- 2- District Health Officer Beshwar.
- 3- Memo BSH DHO Kohat.
- 4- Memo BSH DHO Beshwar.

copy forwarded to the

no. 562-63/EPJ dated Beshwar on 02-09-2014

S/-  
(Dr. Mohammad Alam Khan)  
Deputy Director  
Expanded Programme on Immunization  
M.A. LL.B. Beshwar

1- In addition, an-acting work is not being pursued in his legitimate duties.

2- Remaining will be taken from duty continuously.

3- Un-social activities & not acceptable his services.

4- Reported complaint by DHO/EPJ is other superfluous staff regarding his work & conduct.

5- Advertisement in the news papers through District Information Officer Beshwar also this office No. 30502/EP dated: 28-05-2014

with effect from 20-06-2014 account of following reasons:-  
The services of Mohammad Ijaz: DHO Beshwar are hereby terminated  
DHO Unit Kohat (on General Duty) & Beshwar are hereby terminated

PEER BAKHSH MANTAB  
M.A. LL.B.  
ADVOCATE HIGH COURT

OFFICE ORDER

C-7-C-  
09/11/14

OFFICE OF THE DEPUTY DIRECTOR, EXPANDED PROGRAMME ON IMMUNIZATION, BESHWAR.

Page # 04

Amrwaite H

To

No. 7678 /EPI  
Dated 19 /4/1990

The Director Health Services,  
NWFP Peshawar.

Subject:- APPEAL FOR RE-INSTANTMENT IN SERVICES.

Sir,

Reference your letter No.7678/EV dated Peshawar the  
15-4-90

I have the honour to offer my parawise comments on t  
appeal of Mr.Mohammad Ijaz Junior EPI Tech as under:-

1. Yes correct that he was appointed as EPI Tech in  
Sept 1984 in this organization.
2. Yes correct that he was transferred to Kohat Distr  
but he did not prove himself as dutiful Governmen  
Servant. Repeated complaints from FSMO/DHO kohat and  
other supervisory staff including DDDHS Kohat Divs  
were received about his work and conduct for which  
his services ~~was~~ terminated on account of wilful  
absence, Disobedience, and unwilling working.
3. Necessary advertisement notice regarding his wilfu  
absence from duty w.e. from 20-8-88 has been  
advertised in the News papers through the Directo  
of information NWFP Psr.
4. He was terminated from services from the above n  
date by the then DD/EPI on account of above ment  
charges.
5. Neither inquiry officer was appointed to conduct  
the proper inquiry into his case nor charge shes  
show cause notice have been served against him n  
as required under Efficency and Discipline rules  
1973.

His personaly file containing 41 pages is al  
sent herewith for your kind persual (return requested).

DEPUTY DIRECTOR  
EXPANED PROGRAMME ON IMMUNIZATION  
GOVT:OR NWFP PESHAWAR.

Shamaz Gul.

**OFFICE OF THE DISTRICT HEALTH OFFICER, KOHAT.**

83

No. 2937 /P.3  
Dated 10 /10/2013

Phone # (0922)9260364  
Fax # (0922)9260364

To,

The Director General, Health Services,  
KP, Peshawar.

28/6/13

16/10/13

Subject: **APPLICATION FOR RE-INSTATEMENT.**

Dear Sir,

Reference your letter No. 24182/AE.VII, dated 25.09.2013, on the subject noted above.

I have the honour to state that the services of Mr. Mohammad Ejaz, Jr. EPI Technician was terminated by the then Deputy Director EPI (Dr. Mohammad Alam) who has since been retired from Govt. service.

Moreover, the applicant tempered the date of his termination in the office order, as he stated in his application on 28.06.2013, while the date in the office order is 20.06.2013. Further more he also tempered the date of dispatch. This issue needs enquiry.

  
DISTRICT HEALTH OFFICER  
KOHAT

H

OFFICE OF THE DEPUTY DIRECTOR EXPANDED PROGRAMIZATION PROGRAMME  
IMMUNIZATION NWFP, PESHAWAR.

OFFICE ORDER

As recommended by District Health Officer, Kohat  
Vice his letter No.560 dated 3.11.1990, Mr.Imtiaz Ali Jr:  
EPI Technician attached to District Health Officer Kohat is  
hereby sanctioned 120 days earned leave with ~~with~~ effect from  
7.1.1991 or from the date of availing.

Certified that he will likely to resume duty of his  
original post on the expiry of four months earned leave.

2. Mr.Mohammad Ijaz S/O Mohammad Yousaf vill:& P.O.Cheena  
Banda Gul-Abad Teh:& Distt:Charsadda is hereby appointed as Jr:  
Technician in BPS-5 in leave arrangement in place of No.1st above

Sd/-

Deputy Director

Expanded Programme on Immunization  
NWFP, Peshawar.

No.124-28/EPI

Dated Peshawar the 9.1.1991.

Copy forwarded to the:-

1. District Health Officer, Kohat.
2. District Account Officer Kohat.
3. FSMO EPI Unit Kohat
4. Mr.Imtiaz Ali Junior EPI Technician.
5. Mr.Mohammad Ijaz S/O Mohammad Yousaf.

er

for information & n/action.

Sd/- As above.

Copy forwarded to the Director Health Services,  
NWFP, Peshawar for information w.r. to his letter No.24081/E-V  
dated 9.12.1990.

Sd/- As above.