

INDEX

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

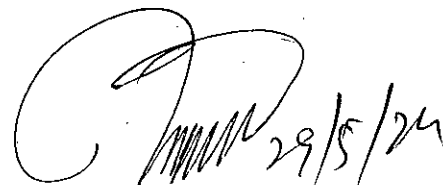
APPEAL NO	INSTITUTION	ORIGINAL INSTITUTION	DECISION	PAGES
89/2024	-	05.01.2024	23.02.2024	74

Najma Firdous VS *Health Department*

Sr.No.	Page No.	No. of Pages	Documents
Part-A			
1	-		Letter
2	01 - 01	01	Order Judgment
3	02 - 05	04	Order Sheets
4	06 - 30	25	Appeal
5	31 - 38	08	Application for Suspension
6	39 - 70	32	Reply of R 1-3
7	71 - 73	03	Notices
8	74 - 74	01	Challan
9	-		
10	-		
11	-		
12	-		
Part-B			
1	-		
2	-		
3	-		

Total Pages in Part-A	074
Total Pages in Part-B	0


Muharrir Compilation


29/5/24
Incharge Judicial Branch

ORDER

23rd Feb. 2024

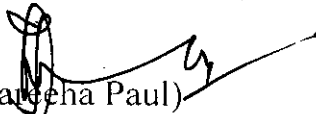
1. Learned counsel for the appellant and Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

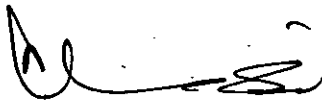
2. Vide our consolidated judgment of today placed on file of connected Service Appeal No.2445/2023, the appeal is allowed and the impugned transfer order is set aside. The Competent Authority is, however, at liberty to initiate disciplinary proceedings against the appellant, if at all, it considers of any misconduct had been committed by the appellant. (Copy of the judgment be placed on file of this appeal). Consign.

3. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 23rd day of February, 2024.*

SCANNED
KFST
Peshawar


Mutazem Shah



(Faleeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

12.02.2024 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney alongwith Dr. Khan Azkar for the respondents present.

2. Learned counsel for the appellant, stated at the bar that this appeal be fixed alongwith the service appeal No. 2445/2018 titled "Rashida Begum Vs. Health Department" who was transferred alongwith the appellant through the same order which is fixed for 23.04.2024. Request of the appellant seems genuine therefore, it will be fixed alongwith the above mentioned appeal for arguments on 23.02.2024 before D.B. P.P given to the parties.



(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)

SCANNED
KEEST
Peshawar

19.01.2024

Appellant alongwith her counsel present. Mr. Yousaf, Focal Person alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present and requested for some time for submission of reply/comments. Adjourned. To come up for reply/comments on 02.02.2024 before the S.B. Parcha Peshi given to the parties.


(Salah-ud-Din)
Member (J)

SCANNED
KPST
Peshawar

Naeem Amin

2nd Feb. 2024

SCANNED
KPST
Peshawar

01. Counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Dr. Khan Askar, CHMO DHQ Hospital, Kohat for the respondents present.

02. Reply/comments on behalf of the respondents and application for vacation of suspension order dated 08.01.2024, received through office. Copies handed over to the learned counsel for the appellant. To come up arguments on application as well as main appeal on 12.02.2024 before the D.B. FP given to the parties.


(Fareeha Paul)
Member(E)

Fazle subhan P.S

08.01.2024 1. Appellant alongwith his counsel present. Preliminary arguments heard.

2. As against the impugned transfer order dated 03.10.2023, the appellant filed departmental appeal on 05.10.2023, which was not responded within the statutory period, hence preferred the instant service appeal on 05.01.2023. The learned counsel submits that the appellant was transferred not only on administrative ground but also on the basis of some complaint, whereas, posting/transfer could not be made as a punishment. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fees within 10 days. Thereafter respondents be summoned through TCS, the expenses of which be deposited by the appellant within 03 days. To come up for reply/comments on 19.01.2024 before S.B. P.P given to learned counsel for the appellant.

RECEIVED
19/01/2024
S.B. P.P.

3. As to the application for suspension of the operation of the impugned transfer order dated 03.10.2023, it is directed that operation of the impugned order shall stand suspended to the extent of appellant, if not already complied by the appellant.

(Muhammad Akbar Khan)
Member (E)

FORM OF ORDER SHEET

Court of _____

Appeal No. 89/2024

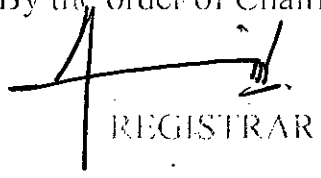
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
-------	---------------------------	--

1.	05/01/2024	
----	------------	--

The appeal of Mst. Najma Firdous presented today by Mr. Mohibullah Tarichvi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 08/01/24. Parcha Peshi is given to counsel for the appellant.

SCANNED
KPST
Peshawar

By the order of Chairman



REGISTRAR

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title:

Najma Firdaus V Secretary Health

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?		✓
17	Whether list of books has been provided at the end of the appeal?		✓
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On		✓
26	Whether copies of comments/reply/rejoinder submitted? On		✓
27	Whether copies of comments/reply/rejoinder provided to opposite party? On		✓

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Muhibullah Torichvi
 Signature: M. Qalebi
 Dated: 5-1-2024



7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

SCANNED
13
Peshawar

Service Appeal No. 89/2024

Mst. Najma Firdous(Appellant)

VERSUS

Secretary Health Services, Government of Khyber
Pakhtunkhwa and others.....(Respondents)

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Service Appeal		1-5
2.	Affidavit		6
3.	Addresses of the parties		7
4.	Copy of office order and inquiry report	A	8-9
5.	Copies of both the impugned orders	B & C	10-11
6.	Copy of representation	D	12
7.	Copies of other relevant documents		13-20
8.	Wakalat Nama		21

Appellant

Through



Dated: 05/01/2024

Muhibullah Tarichvi
LLM

Advocate High Court,
Peshawar.

Cell No. 0345-3434235

(1) 8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10372

Service Appeal No. 89 /2024

Dated 05-1-2024

Mst. Najma Firdous D/o Muhammad Suleman (RNO) (BS-16),
District Headquarter Hospital, KDA, Kohat.....(Appellant)

VERSUS

1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974, AGAINST THE IMPUGNED ORDER
DATED 03/10/2023 SERIAL NO. 1
WHEREBY THE APPELLANT HAS BEEN
TRANSFERRED FROM THE DHQ HOSPITAL
KOHAT TO SHAHEED FARID KHAN DHQ
HOSPITAL HANGU AGAINST THE VACANT
POST.**

PRAYER:

On acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No. 2 and reliving order dated 03/10/2023 may kindly be set aside and the

(2) 9

respondents No. 3 may kindly be directed to allow performing duty in DHQ Teaching Hospital KDA Kohat.

Any other remedy which this Hon'ble Tribunal deems fit that may also be awarded in favour of the appellant.

Respectfully Submitted:

1. That the appellant is the employee of the respondents department and performing her duties as Registered Nursing Officer (RNO) BS-16 DHQ Teaching Hospital KDA Kohat quite efficiently and to the entire satisfaction of her superiors and so far no complaint whatsoever made against the appellant.
2. That on the complain of the colleague staff about hostel accommodation respondent No. 3 through office order dated 28/03/2023 initiated a departmental inquiry committee to probe into the matter where after the inquiry committee submitted his final report. (Copy of office order and inquiry report are attached as annexure "A").

3. That after receiving the inquiry report respondents issued transfer order dated 03/10/2023 of appellant on administrative grounds whereby the appellant has been transferred from DHQ Teaching Hospital KDA Kohat to Shaheed Farid Khan DHQ Hospital Hangu and respondent No. 3 relieved the appellant from the DHQ Teaching Hospital KDA Kohat. (Copies of both the impugned orders are attached as annexure "B" & "C").

4. That feeling aggrieved from impugned orders the appellant preferred departmental representation, which was no response till date. (Copy of representation is attached as annexure "D").

5. That the appellant aggrieved from the impugned transfer order and having no other remedy preferred the instant service appeal on the following grounds:

GROUND:

- A. That the impugned transfer order dated 03/10/2023 tenable contrary to law and rule hence

not liable in the eyes of law and needs interference of this Hon'ble Tribunal to be set aside.

- B. That appellant has not been treated by the respondent department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C. That the treatment meted out to the appellant is a violation of the fundamental rights of the appellant as enshrined in the Constitution of Islamic Republic of Pakistan, 1973.
- D. That both the impugned orders are also violative of Rule 12 of the Appointment, Promotion and Transfer Rules 1989.
- E. That the impugned order is against the zonal policy of health department.
- F. That the treatment of the respondents are malafide, malicious and discriminatory one.

5

12

G. That other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.



It is, therefore, respectfully prayed that on acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No. 2 and reliving order dated 03/10/2023 may kindly be set aside and the respondent No. 3 may kindly be directed to allow performing duty in DHQ Teaching Hospital KDA Kohat in her previous position.

Any other remedy which this Hon'ble Tribunal deems fit that may also be awarded in favour of the appellant.

Appellant

Through

Dated: 05/01/2024



Muhibullah Tarichvi
LLM
Advocate High Court,
Peshawar.
Cell No. 0345-3434235

6

13

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2024

Mst. Najma Firdous(Appellant)

VERSUS

Secretary Health Services, Government of Khyber
Pakhtunkhwa and others.....(Respondents)

AFFIDAVIT

I, Mst. Najma Firdous D/o Muhammad Suleman (RNO)
(BS-16), District Headquarter Hospital, KDA, Kohat, do hereby
solemnly affirm and declare that all the contents of the
Service Appeal are true and correct to the best of my
knowledge and belief and nothing has been concealed from
this Hon'ble Tribunal.



DEPONENT
CNIC: 14202-4239043-6
Cell No. 0334-8322832

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2024

Mst. Najma Firdous(Appellant)

VERSUS

Secretary Health Services, Government of Khyber
Pakhtunkhwa and others.....(Respondents)

ADDRESSES OF THE PARTIES

APPELLANT:

Mst. Najma Firdous D/o Muhammad Suleman (RNO) (BS-16),
District Headquarter Hospital, KDA, Kohat.

RESPONDENTS:

1. Secretary Health Services, Government of Khyber
Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road,
Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA,
Kohat.

Appellant

Through



Dated: 05/01/2024

Muhibullah Tarichvi
LLM
Advocate High Court,
Peshawar.

8/15

Anex 16 A³³

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

An enquiry committee comprising of the following members is hereby constituted and directed to conduct the fact finding enquiry in to the complaint of Ms Rashida Begum (C/N) against Ms. Najma firdous (C/N) and submit the report along with recommendations within three days positively (copy of complaint attached).

- | | |
|---|----------|
| 1. Dr. Naeem Shah (DMS Estb/HR) | Chairman |
| 2. Dr. Mussarat Ali (PMO/MLO) | Member |
| 3. Dr. Syed Tahir Ali Shah (DMS Coordination) | Member |

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 1027 /K-18

Dated Kohat the 28 /03/2023

Copy forwarded to the:-

1. Regional Director Health services (south) Khyber pakhtoon Khuwa.
2. Enquiry Committee for further necessary action.
3. All concerned for information.

M. Ullah
ATTESTED

M. Ullah
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

INQUIRY REPORT

With reference to the Medical Superintendent DHQ Teaching Hospital KDA Kohat Office No.1207/K-18 dated 28/03/2023.

After assessing Mst. Najma Firdous (Charge Nurse) personal file, Mst. Jamsheeda Ghafoor (Nursing Superintendent), Mr. Syed Nawaz (Nursing Supervisor - Morning) and complainant Mst. Rasheeda Begum (Charge Nurse), the following was concluded:-

1. Mst. Najma Firdous (Charge Nurse) has some behavior issues or personality problem for being unmarried? Psychiatrist help can be taken in her case.
2. Mst. Najma Firdous (Charge Nurse) did not take proper route to handle the issue and instead tried to handle the case ill handedly.
3. Warden of hostels should be appointed.
4. Defined SOPs for hostel affairs for residents may be followed in future.
5. All illegal residents from the hostel rooms should be directed to leave with immediate order.
6. Moreover, Mst. Najma Firdous (Charge Nurse) kept illegal residents in her hostel room without permission from the competent authority, therefore her room allotment should be cancelled.
7. Mst. Najma Firdous (Charge Nurse) has no respect for hospital management or seniors. Her bad behaviour, arrogance and ready to flare fight are sufficient grounds so that Mst. Najma Firdous (Charge Nurse) may be relieved from this institution, with immediate effect.
8. Mst. Rasheeda Begum (Charge Nurse) shall be served with last warning for being involved in fight with Mst. Najma Firdous (Charge Nurse) and her hostel allotment should be cancelled for keeping illegal residents in her hostel room without permission from the competent authority.
9. Medical Superintendent, if directs committee can provide defined set of SOPs for hostel residents.

Member
 Dr. Musarat All
 MLO / PMO
 DHQ Teaching Hospital
 Kohat
 Principal Medical Officer
 DHQ Teaching Hospital
 Kohat

ATTESTED

Member
 Dr. Syed Tahir Shah
 DMS (Coord:)
 DHQ Teaching Hospital
 Deputy Medical Superintendent
 DHQ Teaching Hospital Kohat

Chairman
 Dr. Naeem Shah
 DMS (Estab: / HR)
 DHQ Teaching Hospital
 Deputy Medical Superintendent
 DHQ Teaching Hospital Kohat



(10) 17
DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

Aney 16 B

All communications should be addressed to The Director General
 Health Services Peshawar and not to any official by name
 (Office Telephone - 21102, 21103, 21104, 21105, 21106, 21107, 21108, 21109, 21110, 21111, 21112, 21113, 21114, 21115, 21116, 21117, 21118, 21119, 21120, 21121, 21122, 21123, 21124, 21125, 21126, 21127, 21128, 21129, 21130, 21131, 21132, 21133, 21134, 21135, 21136, 21137, 21138, 21139, 21140, 21141, 21142, 21143, 21144, 21145, 21146, 21147, 21148, 21149, 21150, 21151, 21152, 21153, 21154, 21155, 21156, 21157, 21158, 21159, 21160, 21161, 21162, 21163, 21164, 21165, 21166, 21167, 21168, 21169, 21170, 21171, 21172, 21173, 21174, 21175, 21176, 21177, 21178, 21179, 21180, 21181, 21182, 21183, 21184, 21185, 21186, 21187, 21188, 21189, 21190, 21191, 21192, 21193, 21194, 21195, 21196, 21197, 21198, 21199, 21200)

OFFICE ORDER

As approved by the competent authority the following posting/transfer of Registered Nurse Officer (RNO) / Charge Nurses (BPS-16) are hereby ordered on administrative ground in the interest of public Service with immediate effect:-

S.#	Name of Charge Nurse	From	To	Remarks
01	Mst. Najma Firdous D/O Muhammad Suleman RNO BS-16	DHO Hospital, Kohat	Shaheed Farid Khan DHO Hospital, Hangu	Against the vacant post
02	Mst. Rashida Begum RNO BS-16	DHO Hospital, Kohat	DHO Hospital, Karak	Against the vacant post

NB: - Annual/Departure reports should please be submitted to this Directorate for record.

Sd/-
 DIRECTOR GENERAL HEALTH SERVICES, K.P. PESHAWAR.

No 5717-25 IE II. Dated Pesh. The 03/10/2023.

Copy forwarded to the -

- 01. Medical Supdt. DHO Hospital Kohat for information w/ to his letter No 654/PF dated 15.02.2023
- 02. Medical Supdt. DHO Hospital Karak
- 03. District Health Officer Kohat for information w/ to his letter No 3605/DHO/Kohat dated 25.09.2023.
- 04. Medical Superintendent Shaheed Farid Khan DHO Hospital, Hangu
- 05. District Account Officer, Kohat.
- 06. District Account Officer, Hangu
- 07. District Account Officer, Karak.
- 08. Registered Nurse Officer concerned.
- 09. DA-concerned, DGHS KP Peshawar.

For information and necessary action

ext. seen / Act seen
do necessary Action please

ADDI: DIRECTOR (NURSING)
 DIRECTORATE GENERAL HEALTH SERVICES, KP PESHAWAR

2/10/2023

ATTESTED

M. Aneer
 3/10/2023.

11

18

Anex "C"

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

With reference to the Additional Director (Nursing) Directorate General Health Service Khyber Pakhtunkhwa Peshawar office order No.5717-25/E.II DATED 03.10.2023; the following Registered Nurse Officer (RNO) / Charge Nurses (BS - 16) are hereby relieved from their duties at this hospital and directed to report to their new place of posting, with immediate effect, on administrative ground, in the best interest of public service (copy attached).

Sr.	Name of Charge Nurse	From	To
1.	Ms. Najma Firdous	DHQ Teaching Hospital KDA Kohat	Shaheed Farid Khan DHQ Hospital Hangu
2.	Ms. Rashida Begum	DHQ Teaching Hospital KDA Kohat	DHQ Hospital Karak

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 4115-23 /PF

Dated Kohat the 03 /10/2023

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa for information w/r to his office No. quoted above.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Medical Superintendent, DHQ Hospital Karak.
4. Medical Superintendent, Shaheed Farid Khan DHQ Hospital Hangu.
5. District Comptroller of Accounts, Kohat.
6. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat.
7. Nursing Superintendent DHQ Teaching Hospital KDA Kohat.
8. Accounts / Establishment Sections DHQ Teaching Hospital KDA Kohat.
9. Charge Nurses concerned.

For information and further necessary action.

M. J. Khan
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

M. J. Khan

بخدمت جناب سیکرٹری ہیلتھ صاحب، خیبر پختونخواہ
پشاور

درخواست براد کینسل کرنے
آفس آرڈر نمبر EII/25-5717-5717 مصدرہ 3 اکتوبر 2023

جناب عالی! گزارش ہے۔

- 1- یہ کہ سائلہ DHQ بچنگ ہسپتال KDA کوہاٹ میں رجسٹرڈ نرسنگ آفیسر RNO/چارج نرس (BS-16) خدمات انجام دے رہی ہوں، اور میری سروس 13 سالوں پر محیط ہے۔
- 2- یہ کہ ہسپتال کے نرسنگ ہاسٹل میں تنازعہ ہو کر معاملہ انکوائری تک پہنچ گیا انکوائری 03/04/2023 کو رپورٹ آئی، اور اس انکوائری کے بنیاد پر وارننگ دیکر معاملہ ختم کر دیا گیا انکوائری رپورٹ اور وارننگ لیٹرف ہذا ہے۔
- 3- یہ کہ سائلہ اس کے بعد بدستور اپنے سرکاری فرائض منصبی انجام دے رہی ہوں کہ اچانک 03/10/2023 کو سائلہ کو بغیر کسی وجہ کے دور از علاقہ ہنگو ٹرانسفر کر دیا گیا جو کہ غیر قانونی ہے، آفس آرڈر کی کاپی لف ہذا ہے۔
- 4- یہ کہ سائلہ بنیادی طور پر کرک سے تعلق رکھتی ہے اور نزدیک اسٹیشن کوہاٹ میں ڈیوٹی انجام دے رہی ہوں اور چھٹیوں میں گھر جا کر اپنے بوڑھے والدین کی بیماری داری کر رہی ہے جو کہ زیر علاج ہیں اور سائلہ گھر کی واحد کفیل بھی ہے اور سنگل ہے، سائلہ کیلئے ہنگو جیسے دور دراز علاقہ جا کر ڈیوٹی انجام دینا ناممکن ہے۔

لہذا استدعا ہے کہ سائلہ کا ٹرانسفر آرڈر مورخہ 03/10/2023 کینسل فرما کر سائلہ کو اپنے اسٹیشن DHQ کوہاٹ میں ڈیوٹی انجام دینے کا حکم صادر فرمائیں۔

المرقوم: 05/10/2023

عرضی

نجمہ فردوس ولد محمد سلمان
RNO/چارج نرس، DHQ ہسپتال کوہاٹ۔

ATTESTED
M @ bali

13

20



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No SOH-III/3-5/2023/Najma Firdous
Dated the Peshawar 12th October, 2023

To

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

Subject: **REQUEST FOR CANCELLATION OF POSTING/TRANSFER ORDER.**

I am directed to refer to the subject noted above and to state that Miss Najma Firdous Charge Nurse (BS-16) attached to DHQ Hospital Kohat (under transfer to DHQ Hospital Hangu) has submitted a Departmental appeal against the office order dated 03.10.2023 of Director General Health Services Khyber Pakhtunkhwa to this Department and request for cancellation of the above mentioned order.


In view of the above it is therefore, request that views/comments in the subject case may be furnished to this Department at the earliest to proceed further in the matter, please.


(ALI KHAN)
SECTION OFFICER - III

Endst: of even no & date.

Copy forwarded to:-

1. PS to Secretary Health, Khyber Pakhtunkhwa.
2. P S to Special Secretary Health Department.


SECTION OFFICER - II

ATTESTED


14

21

To

The Medical Superintendent
DHQ Teaching Hospital KDA Kohat.

Subject: **COMPLAINT AGAINST BELLIGERENT BEHAVIOR OF C/N NAJMA FIRDOS**

Respected Sir,

I would like to bring into your kind consideration the hostile behavior of one of our colleague staff Miss Najma. Yesterday she alongwith her sisters entered my room without knocking, she was furious and combative and used very rough tone. Her behavior was very rude and violent and she alongwith her sister and niece beat me up. This is not the first instance this has happened. Her violent behavior is habitual. She and her sisters sneak into rooms without seeking any prior permission and threaten fellow staff members, sometimes beating them up. I would like to mention that her married sisters are living in the hostel illegally. At first we bore with her rude behavior thinking she will change but now we've had enough of her and cannot put up with her belligerent behavior anymore. She was also warned to behave herself few days back, but in vain.

ATTESTED!
[Signature]

Your kind honour is therefore requested to kindly take strict actions against her before something unfortunate happens

I shall be thankful.

Dr. Nazam Shah Chairman
Dr. Muneer member
Dr. Talib member
are nominated to conduct
fact finding inquiry and

Case both
Miss Najma

Ms. Rashida

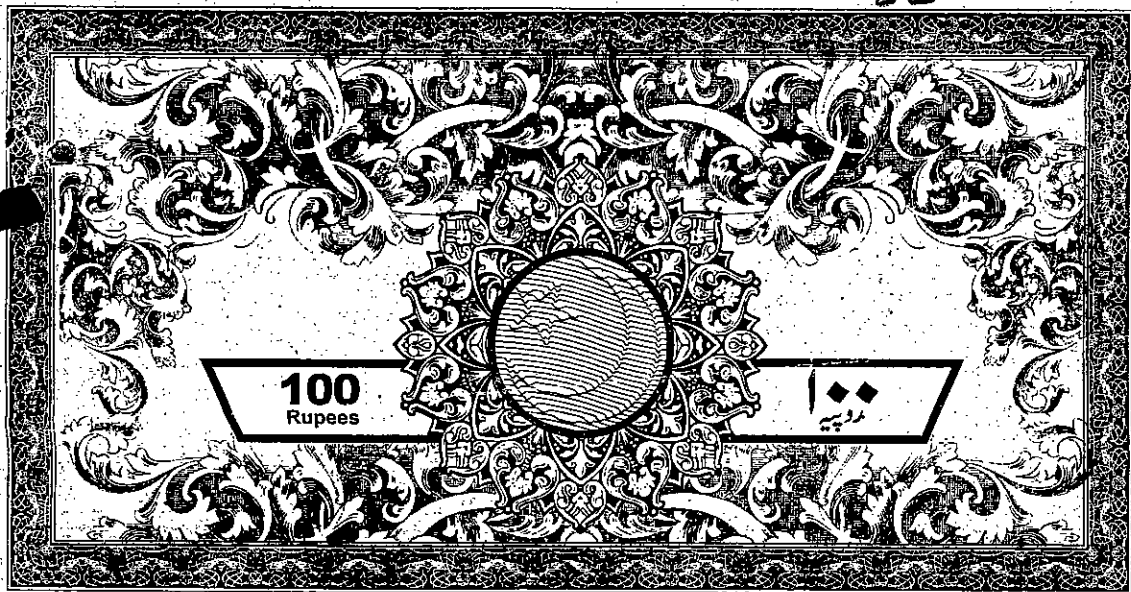
Permanently
on 28/3/23

Yours truly,

[Signature]
Ms. Rashida Begum
Charge Nurse
DHQ Teaching Hospital KDA Kohat

1. Submit the report with the
2. as approved
ACW

[Signature]
27/3/23



اقوال نام / راہی نام

- 1. فریق اول محمد نعیمی ولد محمد سلیمان چارج نمبر 8088 ضلع سیالکوٹ
- 2. فریق دوم اہمف خان ولد محمد علی خان ایسٹریٹ ڈی اے سیالکوٹ
- 3. فریق سوم رشیدہ بیگم چارج نمبر 8088 ضلع سیالکوٹ

اقوال نام کے فریق اول کا فریق دوم کے ساتھ زنانہ رجسٹر میں داخلہ
 اعتراف کیا گیا۔ اور فریق دوم اکثر اوقات میں زنانہ رجسٹر رشیدہ بیگم کی پرانی
 پیم چادر و چادر بوری کو پھونکا کر تاراج کیا اور تازہ بیابا حرکت میں ملوث کیا گیا۔
 اور رشیدہ بیگم کے رجسٹر کے حالات خراب کرنے پر ایجنٹ بھی اس تمام واقعات
 کا میڈیکل سپرنٹنڈنٹ کو خوب علم تھا۔ لیکن خاموشی ماسٹائی تھا۔
 تاہم فریق اول محمد نعیمی کے حالات سے تنگ آئی اور لوکل پولیس کو خبردار کیا۔
 لوکل پولیس کی مداخلت پر دونوں فریقین کو فیصلے پر راہی کیا۔
 اور فریق دوم اہمف خان کو آئینہ زنانہ رجسٹر میں داخلہ پر منع
 کیا۔ خلاف ورزی کرنے پر اہمف خان کو KDA ضلع سیالکوٹ سے تھیں
 اور ٹرانسفر کیا جائیگا۔ غیر رجسٹرڈ نام سے ہو۔

Asif

Asif Khan
 90 Lais Khan
 Kurmatu Bali Town
 Kohat
 1430175548117

نمبر 30793
 74202888
 تفصیل
 12
 2019

ATTESTED
M. Malik

(16)

23

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

No. 1646 /PF

Dated Kohat the: 10 /05/2023

To

Ms. Najma Firdous (Charge Nurse)
DHQ Teaching Hospital KDA Kohat.

Subject:- **FINAL NOTICE**

Memo:

You were directed to vacate the room occupied by you in the nursing hostel of this institution vide this office letter No.1605/PF dated 06.05.2023, but you failed to obey the order.

You are hereby once again directed to vacate the room in the nursing hostel within 24-hours, positively; failing which strict disciplinary action will be initiated against you.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

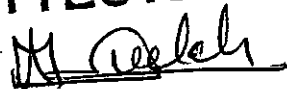
Endst: No. and Date Even:

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat.
4. Provost DHQ Teaching Hospital KDA Kohat.
5. Nursing Superintendent DHQ Teaching Hospital KDA Kohat.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

ATTESTED



(17)

29

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ HOSPITAL, KDA, KOHAT

OFFICE ORDER

MS. NAJMA FIRDUS (Charge Nurse) is hereby allotted Visitor Room of the Nursing Hostel, DHQ Hospital, KDA, Kohat, alongwith MS. FARZANA KAUSER (JCT Cardiology – Female) in the public interest with immediate effect.

SD/
MEDICAL SUPERINTENDENT
DHQ HOSPITAL, KDA, KOHAT

No. 8654 /K-37.

Dated Kohat 11 /01/2012.

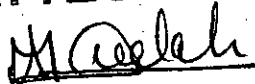
Copy forwarded to the:-

1. Accountant, DHQ Hospital, KDA, Kohat.
2. Warden, Nursing Hostel, DHQ Hospital, KDA, Kohat.
3. Person concerned.

For information and necessary action.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL, KDA, KOHAT

ATTESTED



بخدمت جناب ڈی جی ہیلتھ صاحب پشاور

جناب عالی۔۔

احترام کیساتھ عرض کی جاتی ہے کہ میں سٹاف نرس محمد فردوس ڈی ایچ کیو ہسپتال کوہاٹ میں سٹاف نرس کی ڈیوٹی سرانجام دے رہی ہوں۔ اور میں کوہاٹ میں نرسنگ Hostal میں پیچلر ہاسٹل میں رہائش پذیر ہوں۔ PNC رول کے مطابق تو یہ نرس پیچلر ہاسٹل ہے اور میں پیچلر ہاسٹل کیساتھ متعلقہ مسائل اور حلقہ انفرادی نازیبا رویہ کی شکایت کر رہی ہوں میں درخواست کرتی ہوں کہ آپ میری شکایت سنبھالیں اور میرے مسائل کے حل کی جانچ پڑتال کریں

جہاں سے بنیادی اسکے شروع ہوئے ہیں اور میں تفصیلاً بیان کرتی ہوں کہ ہمارے پیچلر نرس ہاسٹل میں مرد حضرات کا آنا جانا رہتا ہے اور نازیبا حرکتیں کرتے رہے ہیں۔ جس میں Male Candidata پارسل اور سٹاف کی مرد دوست ان کے روم تک آتے ہیں منع کرنے والا کوئی نہیں ہے اور ایسے حالات میں ہم خود کو محفوظ محسوس نہیں کرتی ہے اس کے علاوہ اس ہاسٹل کے سٹاف نرس نے اپنی ذمائی ایل لیگل کنٹریشن کرنے کے اپنے لیے کوارٹر بنائے ہیں جو رول کے خلاف ہیں۔ اس میں نقل فیملی کیساتھ رہائش پذیر ہیں۔ جیسا ماں اور ساس، بھتیجے، بھتیجیاں، بہنیں بچے سب شامل ہیں۔ اور ان سب میں ہمارا ایڈیشنیشن ملوث ہے۔ اگر اس بارے میں کوئی ایکشن کرتے تو وہ انا ایم ایس ان کو ریلیو کرنے کی دھمکی دیتے ہیں اور سٹاف کو مسائل پیدا کرنے والا قرار دیتے دیتے ہیں۔ ہمارے ہاسٹل کی کوئی رولز ریگولیشن نہیں ہے اور ہمارے ایڈیشنیشن نے شادی شدہ نرس کو ہاسٹل میں رہنے کی سہولت دی ہوئی ہے۔ ان کے ساتھ اپنے شوہر، بہن، چھوٹے بچے اور نرسنگ ہاسٹل میں رہائش پذیر ہوتے ہیں۔ میں نے ایڈیشنیشن میں درخواست دی ہے چونکہ یہ پیچلر ہاسٹل ہے اس میں مرد حضرات کا آنا جانا بند ہونا چاہیے۔ غور طلب ہے اگر میرے روم کے ارد گرد 4 رومز میں میل حضرات ہیں تو میں کیسے خود کو محفوظ تصور کر سکتی ہوں۔ ایسے حالات میں خود کو غیر محفوظ تصور کرتی ہوں، اور اس بارے میں میں نے ایڈیشنیشن میں درخواست دی تو شادی شدہ نرسز میں سے تین جاز نرسز نے اتحاد کر کے بند کی بنائی اور ہاسٹل تو کیا ہسپتال سے نکالنے کی دھمکیاں دے رہی ہے۔ ایڈیشنیشن میں ڈاکٹر ظاہر علی شاہ، مسرت علی اور قاضی نعیم نے شادی شدہ نرسز کو کہا کہ آپ لوگ سٹاف کے خلاف ایڈیشنیشن میں درخواست دیں وہ ہم ان کو رٹائر کر دیں گے، ان ڈاکٹر صاحبان کے ان نرسز کے ساتھ تعلقات اچھے، ایڈیشنیشن کی طرف سے مجھ پر اپنی مرضی کے تحت کبھی بنائی گئی اور کبھی کی طرف سے جو فیصلہ سنایا اس سے متنازعہ ظاہر ہوتا ہے کہ ان کبھی ممبران کا میرا ساتھ کوئی ذاتی دشمنی ہو اور ان لوگوں نے جو انکواری میں بیان کیا ہے وہ انتہائی توہین آمیز ہے، سرانکواری میں کبھی بھی کوئی ایسے الفاظ نہیں لکھتا انکواری کے فیصلے کوئی بھی پڑھ لے تو اس سے صاف پتہ چلتا ہے کہ ایڈیشنیشن کس قدر پرستل ہوا ہے۔ میرے لئے ماہر نفسیات ڈاکٹر کو بلانے کا کہا ہے کہ مجھے کوئی انکواری نہیں مجھے پریسڈنٹ بل کر بیٹھا ہوا، اس ایڈیشنیشن میں اگر کوئی ایسے حقوق کیلئے بات کرتا ہوا ایسے سازش ہوتی ہے کہ انسان چکرا کر رہ جاتا ہے۔ اس کے علاوہ اس ہسپتال میں ایک آصف نامی ایڈیشنیشن ہے جو دو سال سے مجھے بلیک میل کرنے میں لگا ہوا ہے، میری فیملی والوں کو نظر کر مجھے بلیک میل کرنے کی کوشش کی جب میرے فیملی دانے اس کے ہاتھ میں نہیں آئے تو سابق MS کوچنگ کے ذریعے مجھے بلیک میل کرنے کی کوشش کی سابق ایم ایس نے مجھے بلایا اور میں نے ساری صورت حال سے آگاہ کیا، اس ایم ایس نامی نے مجھے نقل تحفظ دیا۔ لیکن سابق ایم ایس کے جانے کے بعد آصف پھر اپنے حرکتوں پر آتا آیا، ہاسٹل میں میری روم کی بجلی خراب کرنے کی کوشش کی مختلف طریقوں سے مجھے تنگ کرتا رہتا ہے، اس کے تمام سازش میں کچھ نرسز اور ہمارا ایڈیشنیشن ان میں ملوث ہے، ان کی ملی بھگت سے سب ہو رہا ہے سر میں درخواست کرتی ہوں کہ انکواری کبھی اور اس پلاننگ میں شامل تمام عناصر مختلف ایکشن لیا جائے، کیونکہ مذکورہ شخص نے میرے کرکٹر اور پرستالی پراؤن لگانے کی کوشش کی۔ جس سے میں از دوں زندگی متاثر ہو سکتی ہے، کیونکہ مذکورہ شخص نے ہسپتال میں مشہور کر رکھا ہے کہ مجھے منجھلی ٹرینٹ کی ضرورت ہے۔ یہ منجھلی مرلیفہ ہے۔ چونکہ یہ بااثر بندے سے اور میری بات سنائی نہیں دے رہی تھی، بجائے یہ کہ ایم ایس صاحب شادی شدہ نرس کو یہ آڈیو دے دے کہ اپنے شوہر کو ہاسٹل نہ لایا کریں اور آپ لوگ اپنے لیے کوارٹر کا بندوبست کریں، کیونکہ ہاسٹل پیچلر نرس کیلئے ہوتا ہے۔ انا ایم ایس صاحب نے مجھے آڈیو دیا کہ آپ یہاں سے جائیں۔ میں ہاسٹل میں خود کو محفوظ سمجھتی ہو گا وہاں میں میری دشمنی ہے اور میں نے ایم ایس صاحب کو اس بارے میں کئی بار آگاہ کیا ہے، ایڈیشنیشن مجھے بلیک میل اور تنگ کرنے کی کوشش کرتا ہے کہ میں ہسپتال سے باہر ہو جاؤ تب وہ مجھے تنگ کرے گا، میں بہت غیر محفوظ ہو جاؤ گی، میں آپ صاحبان سے درخواست کرتی ہوں کہ اس پر صاف و شفاف انکواری بنائی جائے، اس مسئلے کا مناسب حل نکالا جائے۔ میں ہسپتال کے رولز ریگولیشن کے مطابق رہنا چاہتی ہوں، لیکن یہاں میری زندگی اجیران بنا دی گئی ہے، میں صرف اور صرف اپنی حقوق مانگتی ہوں۔ اصول کے مطابق ہوں اور PNC رولز کے مطابق جو حق مجھے ملنا چاہئے اس کی طلبگار ہوں۔

لہذا آپ صاحبان شفاف انکواری کر کے واقعے میں ملوث اصل ملزمان کو کیفر کردار تک پہنچائیں۔

میں نوازش ہوگی

نام: محمد فردوس
 شناختی کارڈ نمبر: 14002-4239093-6
 پتہ: ٹرنٹ
 ہسپتال: ڈی جی ایس کوہاٹ
 پوسٹ: حاجی نرسنگ
 تاریخ: 17/7/2023

ATTESTED


19

PAKISTAN National Identity Card
ISLAMIC REPUBLIC OF PAKISTAN

Name: Najma Eirdous

Father's Name: Muhammad Sultanah

Gender: F Country of State: Pakistan

Identity Number: 14202-4239043-6 Date of Birth: 01/03/1989

Date of Issue: 29/10/2019 Date of Expiry: 29/10/2029

Holder's Signature

14202-4239043-6

50313108796

Minister General of Pakistan


گمشدہ کارڈ بننے پر قریبی لیو بکس میں ڈال دیں

ATTESTED
Majid

(20)

Pakistan Nursing Council
REGISTRATION CARD


NAJMA FIRDUS
NURSE
INITIAL REG. DATE: 08-02-2010
VALID UPTO: 10-02-2028



A-51458

Najma Firdus
REGISTRAR

www.pnc.org.pk

CIN/PASSPORT: 14202-4230423-6	INITIAL REG. N/A	CITIZENSHIP PAKISTAN
DATE OF BIRTH: 01-02-1989	EDUCATION General Postgraduate Studies	
SPECIALTY:		
ISSUED BY: NAJMA FIRDUS DAUGHTER OF: MUHAMMAD SULEMAN UNDER THE AUTHORITY OF PAKISTAN NURSING COUNCIL AT ISLAMABAD		
This Card is Property of Pakistan Nursing Council If Found Please Post to Pakistan Nursing Council National Institute of Health, Etimad Road, Islamabad		
 SERIAL NO: 49350		

ATTESTED
M. Adil

(21)

28

WAKALATNAMA

IN THE Khyber Pakhtunkhwa Service Tribunal Peshawar

Mst Najma Firdaus -

VERSUS

Secretary Health and others

(Petitioners)

(Plaintiffs)

(Applicants)

(Complainant)

(Degree Holder)

(Respondents)

(Defendants)

(Accused)

(Judgment Debtors)

SCANNED
KPEP
Peshawar

Case _____

I/ We, Appellant do hereby appoint and constitute **MUHIB ULLAH TARICHVI** **Advocate** High court, Peshawar, to appear. Plead, act, compromise, withdraw or refer to arbitration for me/ us as my/ our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any another Advocate/ Counsel at my/ our matter.

Attested & Accepted:

Dated: 5 / 1 / 2024

M. Ullah

MUHIB ULLAH TARICHVI

Advocate High Court Peshawar
Office: Flat No,106 Second Floor
Abbas Center Main Sadder Peshawar.
Gmail: muhibullahtarichvi@gmail.com
Mobile : 0345-3434235
Office: 091-5250837
CNIC: 15202-0447199-1
BC No: 09-04-03

Clients

Najma Firdaus

0334 8322 832

CNK 14202-4239043-8

FORM OF ORDER SHEET

Court of

Appeal No.

2445 /2023

S.No.

Date of order proceedings

Order or other proceedings with signature of judge

1

2

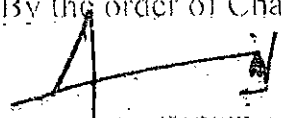
3

22/11/2023

BOANIBEN
PESHAWAR
Peshawar

The appeal of Mst. Rashida Begum presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 04-12-2023. Parcha Peshai is given to the counsel for the appellant.

By the order of Chairman

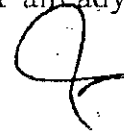

REGISTRAR

14th Dec. 2023

1. Learned counsel for the appellant present and heard.
2. Against the impugned transfer order dated 03.10.2023, the appellant filed departmental appeal on 09.10.2023, which was rejected on 20.11.2023. The learned counsel submits that the appellant was transferred not only on administrative grounds but also on the basis of some complaint, whereas, posting/transfer could not be made as a punishment. The appeal is admitted to full hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fee within 10 days. The appellant shall also deposit the expenses of TCS for summoning the respondents, within seven days. To

come up for reply/comments on 13.12.2023 before S.B.
P.P given to the learned counsel.

3. As to the application for suspension of the operation of the impugned order dated 03.10.2023, it is directed that the operation of the impugned order shall stand suspended to the extent of appellant if not already complied by the appellant.



(Kalim Arshad Khan)
Chairman

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

C.M. No. _____/2024

In

Service Appeal No. 89/2024

Mst. Najma Firdous(Appellant)

VERSUS

Secretary Health Services, Government of Khyber
 Pakhtunkhwa and others.....(Respondents)

SCANNED
KPST
Peshawar

Khyber Pakhtunkhwa
 Service Tribunal

Diary No. 10409

Dated 08-01-2024

APPLICATION FOR SUSPENSION OF
IMPUGNED TRANSFER ORDER DATED
03/10/2023 OF RESPONDENTS NO. 2 AND
3, TILL THE FINAL DECISION OF THE MAIN
SERVICE APPEAL.


Respectfully Sheweth:

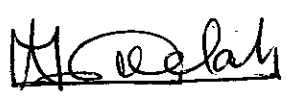
1. That the above titled Service Appeal is pending adjudication before this Hon'ble Tribunal, which is fixed for today 08/01/2024.
2. That on the face of it, the appellant has got a strong arguable case and is sanguine about its success.

3. That the balance of convenience also lies in favour of appellant.

4. That if the operation of the impugned transfer order dated 03/10/2023 of respondents No. 2 and 3 is not suspended then the appellant will suffer irreparable loss.

It is, therefore prayed that on acceptance of this application, the operation of the impugned transfer order dated 03/10/2023 of respondents No. 2 and 3 may kindly be suspended, till the final disposal of the main Service Appeal.

Appellant 

Through 

Dated: 08/01/2024

Muhibullah Tarichvi
LLM
Advocate High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

C.M. No. _____/2024

In

Service Appeal No. _____/2024

Mst. Najma Firdous(Appellant)

VERSUS

Secretary Health Services, Government of Khyber
Pakhtunkhwa and others.....(Respondents)

AFFIDAVIT

I, Mst. Najma Firdous D/o Muhammad Suleman (RNO)
(BS-16), District Headquarter Hospital, KDA, Kohat, do hereby
solemnly affirm and declare that all the contents of the
Application are true and correct to the best of my knowledge
and belief and nothing has been concealed from this Hon'ble
Tribunal.

DEPONENT

CNIC: 14202-4239043-6

Cell No. 0334-8322832

ATTESTED
Oath Commissioner
Advocate High Court Peshawar
01/08/2024

34

2/2

①

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10861

Dated 29-1-2024

Service Appeal No: 89/2023

Mst. NajmaFidous D/o Muhammad Suleman RNO (BPS-16)

**SCANNED
KPST
Peshawar**

***** VERSUS *****

1. Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director, General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, DHQ Teaching Hospital, KDA, Kohat.

APPLICATION FOR VACATION OF SUSPENSION ORDER

DATED 08/01/2024 PASSED BY THIS HON'BLE TRIBUNAL

IN SERVICE APPEAL NO. 89/2023

Respected Sheweth:

The petitioner / R-3 being aggrieved from the order dated 08/01/2024 passed by this Hon'ble Tribunal in captioned service appeal, now seeks its withdrawal in the following grounds, inter alia.

1. That the appellant Mst. NajmaFidous, Registered Nurse Officer BPS-16 was serving in DHQ Teaching Hospital KDA, Kohat w.e.f 10/01/2012 as Charge Nurse. She rendered the entire service in DHQ Hospital Kohat. Her normal tenure has since been completed and no violation of the transfer posting policy has been made by the department.
2. That the transfer order of the appellant was issued on the recommendation of inquiry conducted by the

CPK

District Health Officer, Kohat on administrative ground.

- 3. That the transfer order of the appellant has been suspended by the Hon'ble Service Tribunal vide order dated 08/01/2024 without hearing of Health Department. The departmental stance would have to be heard, so as the actual facts of the case can be brought before the court.

It is, therefore, most humbly prayed that, to please vacate the decision of the suspension of transfer order dated 03/10/2023 till the final decision of the Hon'ble service Tribunal.

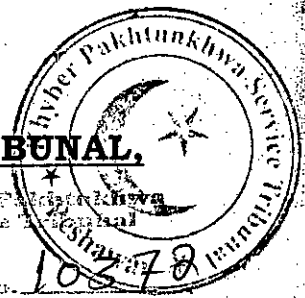
Dated: 29/01/2024

HABIB ANWAR
Additional Advocate General
Khyber Pakhtunkhwa Service Tribunal
Peshawar.

Copy furnished

Additional Advocate General
Khyber Pakhtunkhwa Service Tribunal
Peshawar

① 36



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Diary No. 10278

Service Appeal No. 89 /2024

Dated 05-1-2024

Mst. Najma Firdous D/o Muhammad Suleman (RNO) (BS-16),
District Headquarter Hospital, KDA, Kohat.....(Appellant)

VERSUS

1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974, AGAINST THE IMPUGNED ORDER
DATED 03/10/2023 SERIAL NO. 1
WHEREBY THE APPELLANT HAS BEEN
TRANSFERRED FROM THE DHQ HOSPITAL
KOHAT TO SHAHEED FARID KHAN DHQ
HOSPITAL HANGU AGAINST THE VACANT
POST.**

Handwritten signature and date: 05/01/24

PRAYER:

On acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No. 2 and reliving order dated 03/10/2023 may kindly be set aside and the

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



08.01.2024

1. Appellant alongwith his counsel present. arguments heard.

2. As against the impugned transfer order dated 03.10.2023, the appellant filed departmental appeal on 05.10.2023, which was not responded within the statutory period, hence preferred the instant service appeal on 05.01.2023. The learned counsel submits that the appellant was transferred not only on administrative ground but also on the basis of some complaint, whereas, posting/transfer could not be made as a punishment. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fees within 10 days. Thereafter respondents be summoned through TCS, the expenses of which be deposited by the appellant within 03 days. To come up for reply/comments on 19.01.2024 before S.B. P.P given to learned counsel for the appellant.

3. As to the application for suspension of the operation of the impugned transfer order dated 03.10.2023, it is directed that operation of the impugned order shall stand suspended to the extent of appellant, if not already complied by the appellant.

Certified to be true copy

(Muhammad Akbar Khan)
Member (E)


EXAMINER
Peshawar Chapter Pakhtunkhwa
Service Tribunal
Peshawar

S.A No. 89/2024

19.01.2024



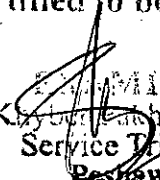
Appellant alongwith her counsel present Mr. Yousaf,
Focal Person alongwith Mr. Asad Ali Khan, Assistant
Advocate General for the respondents present and requested
for some time for submission of reply/comments. Adjourned.
To come up for reply/comments on 02.02.2024 before the
S.B. Parcha Peshi given to the parties.


(Salah-ud-Din)
Member (J)

SCANNED
KPST
Peshawar

Naeem Amin

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 28/1/24
Number of Words 37
Copying Fee 18/3
Urgent 1/3
Total 20/7
Name of Copy _____
Date of Certification 28/1/24
Date of Delivery of Copy 28/1/24

39

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 89/2024

**SCANNED
KPST
Peshawar**

Najma Firdous.....Appellant

2/2/24

Versus

Government of Khyber Pakhtunkhwa & others**Respondents**

Index

S. No.	Description	Annexure	Pages No.
1	Comments		1-2
2	Transfer Order dated 03/10/2023	A	3-5
3	Notice dated 27/12/2013	B	6-9
4	Inquiry Report dated 03/04/2023	C	10-18
5	Inquiry Report	D	19-23
6	Session Court Judgment dated 12/12/2023	E	24-28
7	Affidavit		29
8	Authority letter		30

2-2-24
Pesh

40

BEFORE THE KHYBER PAKHTUNKHWA, SERVICES TRIBUNAL,
PESHAWAR.

SCANNED
KPST
Peshawar

Service Appeal.No. 89/2024.

Miss Najma Firdous D/O Muhammad Sulaiman (RNO) (BS-16), District Headquarter Hospital, KDA Kohat.....**Appellant**

2/2/24

VERSUS

1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat..... **Respondents.**

Comments on behalf of Respondents No.1 to3.

Khyber Pakhtunkhwa
Service Tribunal

Preliminary Objections.

Dir. No. 10977

1. That the appellant has neither cause of action nor locus standi.
2. That the appellant is not maintainable in the present form.
3. That the appellant has not come to the Court with Clean hands.
4. That the appellant is bad due to mis joinder and non- joinder of necessary party.

D. 02-02-2024

RESPECTFULLY SUBMITTED.

1. Correct to the extent that the Appellant had been transferred from District Karak to DHQ Hospital KDA Kohat vide Officer Order No:3086-7/E-II, Dated Pesh. The 26/12/2011. Since which the appellant was posted at DHQ Hospital KDA Kohat.(Annex-A)
 Regarding of Appellant efficiency and complaints; she has been remained unsatisfactory and multiple times complaints in duty and in hostel in her entire service. (Annex-B)
2. Correct upto the extent that respondent No.3 constitute an inquiry committee vide office order No.1207/k-18 Dated.28/03/2023 in response of complaint launched by appellant's colleague nurse for residing outsiders/ relatives in the Nursing hostel violating the hostel rules. The inquiry committee issue recommendation for relieving appellant from Hospital and cancellation of allotment. However Respondent No.3 issued cancellation of their hostel allotment of both nurses but the appellant did not comply the order. (Copy attached as Anexx-C)
3. Correct. The appellant submitted a complaint in the office of respondent No.2 and an inquiry committee was constituted to inquire the matter and submit the report to respondent No.2. (Copy attached).
 On recommendation of inquiry officer respondent No.2 issued transfer order dated 3/10/2023 of appellant on administrative grounds where appellant was transferred from DHQ Hospital Kohat to Farid Khan Shaheed DHQ Hospital Hangu and consequently respondent No.3 relieved the appellant from DHQ Teaching Hospital KDA Kohat.(Copies of the inquiry committee, inquiry report, transfer order and relieving order are attached as Annex-D)
4. Correct. Appellant had submitted departmental representation to Respondent No.1

on 5/10/2023 which was dispatched to Respondent No.2; but the decision is still awaited.

5. Incorrect. The appellant and other resident nurses had exercising quarrels and abusive languages on many occasions. During inquiry proceedings on 16th September 2023, Deputy Medical Superintendent on duty at Night Shift submitted an incident report of quarrel between nurses of the hostel especially appellant and Mst. Rasheeda Begum Charge Nurse and in continuation of the incident report Deputy Medical Superintendent on duty at Evening shift on 17/09/2023 write letter to SHO Police station KDA for Police contingents especially Ladies Police for evacuation of outsider and illegal occupants from hostel.

The appellant had launched FIR in Police Station KDA Kohat for steeling of gold, cash and other belongings and harassment against respondent No.3.


The trial in honorable Additional Session Judge -I/EX officio justice of peace Kohat was preceded and judgment was issued on 12/12/2023. (Copies attached as Annex-E)


GROUNDS:


- A. Incorrect. The appellant and Mst. Rasheeda Begum transferred on administrative ground by the competent authority after fulfilling all codal formalities/Inquiry.
 B. Citation and References not attached.
 C. The appellant was treated according to constitution.
 D. Incorrect. The transfer order is not violation of Appointment, Promotion and Transfer Rules, 1989 Rule 12. Zone distribution and quota are not attached.
 E. Incorrect. As mentioned in Para D.
 F. Incorrect the treatment of the respondents are not on malafied, malicious and discriminatory intention.

It is therefore most humbly prayed that the appeal may very kindly be dismissed with cost.

- G. The respondents seek permission to raise additional grounds at the time of arguments.


 Mahmood Aslam
 Secretary Health Services,
 Government of Khyber Pakhtunkhwa,
 Khyber Road, Peshawar
 Respondent No-1.


 Dr. Shoukat,
 Director General Health Khyber Pakhtunkhwa,
 Peshawar.
 Respondent No- 2.


 Dr. Mushfaq Ahmad,
 MEDICAL SUPERINTENDENT,
 DHQ HOSPITAL KDA KOHAT.
 Respondent No-3

42

A



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

Office Ph (091 - 9210269 Exchange ☎ 091 - 9210187, 091 - 9210196 Fax (091 - 9210230

OFFICE ORDER

As approved by the competent authority the following posting/transfer of Registered Nurse Officer (RNO) / Charge Nurses (BPS-16) are hereby ordered on administrative ground in the interest of public Service with immediate effect:-

S.#	Name of Charge Nurse	From	To	Remarks
01	Mst: Najma Firdous D/O Muhammad Suleman RNO BS-16	DHQ Hospital, Kohat	Shaheed Farid Khan DHQ Hospital, Hangu	Against the vacant post
02	Mst: Rashida Begum RNO BS-16	DHQ Hospital, Kohat	DHQ Hospital, Karak	Against the vacant post

NB: - Arrival/Departure reports should please be submitted to this Directorate for record.

Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, K.P. PESHAWAR.

No. 5717-25 /E.II, Dated Pesh. The 03/10/2023.

Copy forwarded to the:-

01. Medical Supdt: DHQ Hospital Kohat for information w/r to his letter No.654/PF dated 15.02.2023.
02. Medical Supdt: DHQ Hospital Karak.
03. District Health Officer Kohat for information w/r to his letter No.3606/DHO/Kohat dated 25.09.2023.
04. Medical Superintendent Shaheed Farid Khan DHQ Hospital, Hangu.
05. District Account Officer, Kohat.
06. District Account Officer, Hangu.
07. District Account Officer, Karak.
08. Registered Nurse Officer concerned.
09. DA-concerned, DGHS KP Peshawar.

For information and necessary action.

[Handwritten signature]
[Handwritten signature]

Office order

[Handwritten signature]
ADDI: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

2/10/2023

43



**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.
Office Ph: 091-9210269 Exchange No: 091-9210187, 091-9210196 Fax: 091-9210230

NO. 6251-53 /E-II DATED PESH: THE 08/11/2023.

To

- ✓ 1. The Medical Superintendent
DHQ Hospital Kohat.
- 2. Medical Superintendent
Women and Children/LMH Kohat.

Subject: OFFICE ORDER.
Memo:-

In continuation of this Directorate office orders bearing endst:
No. 5717-25/E-II dated 03.10.2023 and No.2672-77/E-II dated 28.04.2022 on
the subject noted above wherein ~~Ms~~ Najma Firdous D/O Muhammad
Suleman Registered Charge Nurse BS-16 DHQ Hospital Kohat and Miss:
Rahat UI Ain Registered Nurse Officer BS-16 Women & Children /LMH Kohat
were transferred to Shaheed Farid Khan DHQ Hospital Hangu but still they
did not reported for duty, at their new assignment uptill now.

You are requested to relieve the above mentioned Registered
Nurse Officers immediately and direct them to report to Shaheed Farid Khan
DHQ Hospital Hangu on urgent basis.

*25
5/11/2023*

**ADDI: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR.**

7/11/2023

Cc
Medical Superintendent Shaheed Farid Khan DHQ Hospital Hangu w/r to his
reference referred above.

Accountal

PS

*ext. Seelie
+
Jm n/a please.*

*M. Anthony
5/11/2023.*

44

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

With reference to the Additional Director (Nursing) Directorate General Health Service Khyber Pakhtunkhwa Peshawar office order No.5717-25/E.II DATED 03.10.2023; the following Registered Nurse Officer (RNO) / Charge Nurses (BS - 16) are hereby relieved from their duties at this hospital and directed to report to their new place of posting, with immediate effect, on administrative ground, in the best interest of public service (copy attached).

Sr.	Name of Charge Nurse	From	To
1.	Ms. Najma Firdous	DHQ Teaching Hospital KDA Kohat	Shaheed Farid Khan DHQ Hospital Hangu
2.	Ms. Rashida Begum	DHQ Teaching Hospital KDA Kohat	DHQ Hospital Karak

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT


No. 4115-23 /PF

Dated Kohat the 03 /10/2023

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa for information w/r to his office No. quoted above.
2. Regional Director Health Services (South) Khyber Pakhtunkhwa.
3. Medical Superintendent, DHQ Hospital Karak.
4. Medical Superintendent, Shaheed Farid Khan DHQ Hospital Hangu.
5. District Comptroller of Accounts, Kohat.
6. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat.
7. Nursing Superintendent DHQ Teaching Hospital KDA Kohat.
8. Accounts / Establishment Sections DHQ Teaching Hospital KDA Kohat.
9. Charge Nurses concerned.

For information and further necessary action.


MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Attendant


45

B

(46)

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

No. 4685 /PF

Dated Kohat the 27 /12/2013


To,
Ms. Najma Firdous (Charge Nurse)
DHQ Teaching Hospital;
KDA; Kohat.

Subject:- NOTICE

Memo:

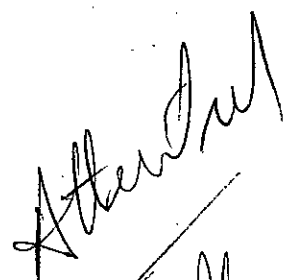
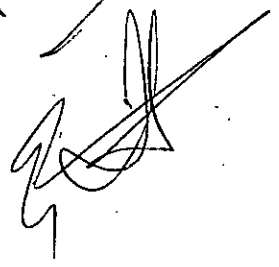
It has been observed that an outsider is residing with you in your room in the Nursing Hostel. You are hereby directed to stop this practice and vacate the room from her within 24 hours on the receipt of this letter. Otherwise, your room allotment will be cancelled.





MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Even No. & Dated:-

Copy forwarded to the House Keeper Nursing Hostel DHQ Teaching Hospital KDA Kohat for information and further necessary action.




MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

POSTAGE
PAID
UNLESS THEY
ARE
POSTAGE
PAID
UNLESS THEY
ARE
POSTAGE
PAID
UNLESS THEY
ARE

50

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

As recommended by the Enquiry Officer and approved by the Chief Executive DHQ Teaching Hospital KDA Kohat, Ms. Najma Firdous (Charge Nurse) under the control of this office is hereby relieved of her duty from this Hospital with immediate effect and directed to report to the Directorate General Health Services Khyber Pakhtunkhwa Peshawar for further posting on account of not allowing Sadaqat Saba (Charge Nurse) in the room in the Nursing Hostel with her allotted vide this office No.5156/K-37 dated 30/09/2013; living her sister with her in the room in the Nursing Hostel and brining unauthorized male visitor to her room in the Nursing hostel for night stay.

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 4379 /PF

dated Kohat the 28 /10/2013

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar for information and with the request to transfer her out of this Hospital on administrative ground.
2. Chief Executive DHQ Teaching Hospital KDA Kohat.
3. Ms. Najma Firdous (Charge Nurse) to immediately vacate the room in the Nursing Hostel and report to the Directorate General Health Services Khyber Pakhtunkhwa Peshawar for further posting.
4. Ms. Sadaqat Saba (Charge Nurse) DHQ Teaching Hospital KDA Kohat with the direction not to bring those friends to room in the Nursing Hostel who are not acceptable to her roommate.
5. Accountant DHQ Teaching Hospital KDA Kohat to inactivate her salary and freeze her salary account till she vacates the room in the Nursing Hostel.

Attended
[Signature]

[Signature]
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

47

(44)

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

As recommended by the Enquiry Officer and approved by the Chief Executive DHQ Teaching Hospital KDA Kohat, Ms. Najma Firdous (Charge Nurse) under the control of this office is hereby relieved of her duty from this Hospital with immediate effect and directed to report to the Directorate General Health Services Khyber Pakhtunkhwa Peshawar for further posting on account of not allowing Sadaqat Saba (Charge Nurse) in the room in the Nursing Hostel with her allotted vide this office No.5156/K-37 dated 30/09/2013; living her sister with her in the room in the Nursing Hostel and bringing unauthorized male visitor to her room in the Nursing hostel for night stay.

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 4379 /PF

dated Kohat the 28 /10/2013

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar for information and with the request to transfer her out of this Hospital on administrative ground.
2. Chief Executive DHQ Teaching Hospital KDA Kohat.
3. Ms. Najma Firdous (Charge Nurse) to immediately vacate the room in the Nursing Hostel and report to the Directorate General Health Services Khyber Pakhtunkhwa Peshawar for further posting.
4. Ms. Sadaqat Saba (Charge Nurse) DHQ Teaching Hospital KDA Kohat with the direction not to bring those friends to room in the Nursing Hostel who are not acceptable to her roommate.
5. Accountant DHQ Teaching Hospital KDA Kohat to inactivate her salary and freeze her salary account till she vacates the room in the Nursing Hostel.

Admitted
[Signature]

[Signature]
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

48

102

OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA, KOHAT

No. 561 /B-07

Dated Kohat the 5 /04/2017

To

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

Subject:-

DISCIPLINARY ACTION AGAINST CHARGE NURSES ON ACCOUNT OF MISCONDUCT

It is stated that Ms. Jamila Begum has resumed the charge as Chief Nursing Superintendent (BPS – 18) at this hospital on 24.03.2017 vide Government of Khyber Pakhtunkhwa Health Department Notification No.SOH-III/10-4/2016 dated 03.03.2017 and have applied for residential room in the Nursing Hostel (copy attached).

It is further stated that the Charge Nurses of this hospital have occupied all the rooms in the Nursing Hostel being a single in each room. They were directed to become in pairs in each room through this office order No.546/K-37 dated 01.04.2017 (copy attached) but the instructions were not obeyed. Moreover the hospital Accommodation Regulatory Committee constituted vide this office No.550/K-37 dated 03.04.2017 (Copy attached) have approached the concerned Charge Nurses and tried to resolve the issue but all of them proved to be non-cooperative and straight away refused to become in pair to occupy the rooms.

It is requested that strict disciplinary action may please be initiated against the following Charge Nurses including Ms. Shagufta Naz (House Keeper) on account of disobedience and for creating administrative problems.

1. Ms. Najma Firdous d/o Muhammad Suleman
2. Ms. Rashida Begum d/o Ghulam Saddique
3. Ms. Yasmeen Akhtar d/o Abdul Munaf
4. Ms. Shakila Naz d/o Gul Ahmad
5. Ms. Shama Naz d/o Gul Daraz
6. Ms. Saira Aftab d/o Aftab Bahadar

Encl: As Above.

Attached
[Signature]

[Signature]
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

Dated Kohat the: 03/04/2023

INQUIRY REPORT

With reference to the Medical Superintendent DHQ Teaching Hospital KDA Kohat Office No.1207/K-18 dated 28/03/2023.

After assessing Mst. Najma Firdous (Charge Nurse) personal file, Mst. Jamsheeda Ghafoor (Nursing Superintendent), Mr. Syed Nawaz (Nursing Supervisor - Morning) and complainant Mst. Rasheeda Begum (Charge Nurse), the following was concluded:-

1. She has some behavior issues or personality problem for being unmarried? Psychiatrist help can be taken in her case.
2. She did not take proper route to handle the issue and instead tried to handle the case ill handedly.
3. Warden of hostels should be appointed.
4. Defined SOPs for hostel affairs for residents may be followed in future.
5. All illegal residents from the hostel rooms should be directed to leave with immediate order.
6. Moreover she kept illegal residents in her hostel room without permission from the competent authority
7. She has no respect for hospital management or seniors. Her bad behaviour, arrogance and ready to flare fight are sufficient grounds so that she may be relieved from this institution, with immediate effect.
8. Mst. Rasheeda charge nurse shall be served with last warning for being involved in fight with Charge Nurse Najma and keeping illegal residents in her hostel room without permission from the competent authority.
9. Medical Superintendent, if directs committee can provide defined set of SOPs for hostel residents.


Member

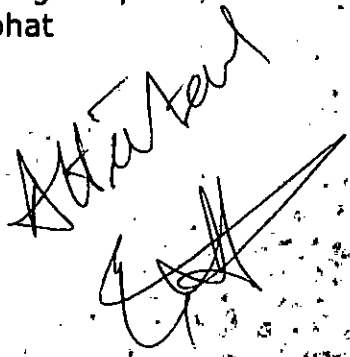
Dr. Musarat Ali
MLO / PMO
DHQ Teaching Hospital
Kohat


Member

Dr. Syed Tahir Shah
DMS (Coord:)
DHQ Teaching Hospital
Kohat


Chairman

Dr. Naeem Shah
DMS (Estab: / HR)
DHQ Teaching Hospital
Kohat



OFFICE OF THE
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KDA; KOHAT

OFFICE ORDER

An enquiry committee comprising of the following members is hereby constituted and directed to conduct the fact finding enquiry in to the complaint of Ms Rashida Begum (C/N) against Ms. Najma firdous (C/N) and submit the report along with recommendations within three days positively (copy of complaint attached).

- | | |
|---|----------|
| 1. Dr. Naeem Shah (DMS Estb/HR) | Chairman |
| 2. Dr. Mussarat Ali (PMO/MLO) | Member |
| 3. Dr. Syed Tahir Ali Shah (DMS Coordination) | Member |

SD/-
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

No. 1207 /K-18

Dated Kohat the 28 /03/2023

Copy forwarded to the:-

1. Regional Director Health services (south) Khyber pakhtoon Khuwa.
2. Enquiry Committee for further necessary action.
3. All concerned for information.

[Handwritten signature]

[Handwritten signature]
MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL
KOHAT

To

The Medical Superintendent
DHQ Teaching Hospital KDA Kohat.

Subject: **COMPLAINT AGAINST BELLIGERENT BEHAVIOR OF C/N NAJMA FIRDOS**

Respected Sir,

I would like to bring into your kind consideration the hostile behavior of one of our colleague staff Miss Najma. Yesterday she alongwith her sisters entered my room without knocking, she was furious and combative and used very rough tone. Her behavior was very rude and violent and she alongwith her sister and niece beat me up. This is not the first instance this has happened. Her violent behavior is habitual. She and her sisters sneak into rooms without seeking any prior permission and threaten fellow staff members, sometimes beating them up. I would like to mention that her married sisters are living in the hostel illegally. At first we bore with her rude behavior thinking she will change but now we've had enough of her and cannot put up with her belligerent behavior anymore. She was also warned to behave herself few days back but in vain.

Your kind honour is therefore requested to kindly take strict actions against her before something unfortunate happens.

I shall be thankful,

Yours truly,

Rashida Begum
Ms. Rashida Begum
Charge Nurse
DHQ Teaching Hospital KDA Kohat

Dr. Naeem Shah Chairman
Dr. Musarat member
Dr. Talib member
re nominated to conduct Case both
Fact finding inquiry and Miss Najma
Ms. Rashida
27/3/23
27/3/23
At the report with the
is approved

Dated: 27/03/2023

Attendant
[Signature]

To
The medical superintendent
Dhq hospital kda kohat

Subject: Reporting against aggressive and assailing behavior of R/N najma firdos

Respected sir,

I would like to bring into your kind consideration of hostile behavior of one of our colleague najma firdos. she has violent and rude behavior, she always misbehaves using very rough tone and abusive language with derogatory remarks at hostel with each and everyone. one of her married sister and niece are residing in hostel with her (has no concern with hospital or health department) have violent behavior with staff, they sneak into rooms without permission and threatened the fellow staff and sometimes beat them up, recently she and her sister sneak into our colleague room abused her and beat her.

Respected sir, this is not the first instance that has happened she has also received a warning letter from administration because of her belligerent behavior but nothing has changed. because of this situation we are very disturbed as she is constantly conspiring against all and we all female staff are threatened by it.

Therefore it is requested that kindly take strict disciplinary action against her and halt her from using abusive slang language, threatening and physical assault.

We thanking you to look into this matter as early as possible and looking forward to your positive response.

Truely and regards
All RNOs of nursing hostel

- ① R/N Qashida Beesum = *[Signature]*
- ② R/N Saadia *[Signature]*
- ③ R/N Gulshan *[Signature]*
- ④ R/N Rashida Abbas *[Signature]*
- ⑤ SHABNAM HAKIM *[Signature]*
- ⑥ Yasmeen Akhtar *[Signature]*
- ⑦ Shazia Sadia *[Signature]*
- ⑧ Bibi Hafsa *[Signature]*

[Signature]

To,
 The medical Superintendent,
 DHO Teaching hospital,
 KDA Kohat.

Subject: Application regarding
 information about threat
 from RNO Najma.

Respected sir,

With due respect it
 is stated that I am Jamsheed
 Ghafar working as Nursing Superintendent.
 I want to inform you that on date
 30-03-2023 at 03:57 pm I received a
 phone call from RNO Najma Firdus
 and she misbehaved with me and
 threatened me. So, I am in danger
 please take prompt action on it to
 protect me from any mishap. I will be
 very thankful. ~~My~~ ^{the} statements
 your sincerely
 N/s Jamsheed Ghafar
 31/3/23

Dated: 31-03-2023

آپ لوگوں نے سوائے میری یہ بات *conditional* کی کوئی یہ کیسٹرز اور *Evidence*

آپ لوگوں دیکھ لیں۔ اور پھر *Warrant* والیس کر دیں اگر آپ لوگوں اس پر کوئی

Investigation کرنا چاہتے ہیں پولیس نے *Through* یا کسی اور کے *Through*

کو اس پر مجھے خوش ہوگی۔ اس میں پھر آپ لوگوں کو اپنا سے *Evidence*

مل جائے

اور آخر میں پھر میں آپ لوگوں کو بتانا چاہتی ہوں کہ مجھے کس *Sources*

کے بہتر جلا لے کہ دستبند اور اغوا کا پلان ہے کہ کسی طرح سے مجھے بالمشکل

کے لگال لیں۔ کہ مجھ کو کوئی برائوٹا ملے گا یا نہیں پتہ نہیں ہے اور پھر

ٹارگٹ *Killer* کے ذریعے مجھے مارنے کی *Planing* کر سکتے۔ اس انٹراپری میں اس

آپ لوگوں کو بتانا چاہتی اور *Inform* کرنا چاہتی ہوں اور *Request* کرنا

چاہتی ہوں کہ آپ لوگ *M.O* کو بھی بتادیں کہ کل کو اگر میرے سوائے

ایسا کچھ ہوا تو اس کے ذمہ دار دستبند اور اغوا ہونگے۔ چونکہ دستبند میرے

اور مسعود صاحب کے *Help* کر رہے ہیں تو یہ دونوں اس میں برابر کے

ذمہ دار ہونگے اس مسئلہ میں تین چار اور سٹاف کزنز اس میں شامل ہیں۔

جسٹس نے عالمگیری کا جواب دے کر مجھے مارنا کا کہا۔

اور میں اس بار میں اپنی *AFFIDAVIT* لکھتی ہوں اور عند دلون

میں پولیس تھانے میں جمع کروا دے گی

[Handwritten signature]

سٹاف کچھ فرد ہیں

Date

والٹن چیمبر میں انٹو ایمری کمیٹی ڈی ایچ کیو Hospital کے ڈی ای کے کوپاٹ

Letter NO 1207/K18

Date:

کہ سب Asiatic الیکٹریٹیشن کی ^{plan} organized ہے۔ اس میں اس نے رشیدہ

سٹاف کو کہ Hostel میں اپنے شو ایر اور 13 سال بیڈ کے سائے illegal

طریقے سے رہائش پذیر ہے اس کو اپنے سائے متاثر کیا گیا ہے اس سے پہلے

آف آف کے چھ ایک سال سے مسلسل بلنگ میں کرنے کو سٹیشن ہی سے قبیلے تھوڑے سے

باس موجود ہیں جب میں اس کی باتوں میں نہ آئی تو اس نے میرے کھانوں

کو لپیٹ اور whats app کے ذریعے بلنگ میں کرنا شروع کیا۔ وہ لپیٹ اور message

اور whats app میرے پاس موجود ہے اور دیکھا بھی سکتی ہوں اس کے بعد میرا کھانا

کوپاٹ آیا آف کے سائے والا اور آف نے accept بھی کیا۔ کہ لپیٹ اور whats app

میں نے لپے ہیں اور کچھ کھانے نے آف الیکٹریٹیشن کو سنبھالی سے منع کیا۔ اور سائے میں نے

بھی لپا۔ کہ میری باتوں سے دور رہو ورنہ نتائج اچھے نہیں ہونگے تو کچھ اس کے بعد

آف الیکٹریٹیشن نے سابق ایم ایس ناہر انفریا کو اپنے کمر سے نہیں کسی دوسرے کمر

سے فنڈل شروع لپے چھ بلنگ میں کرنے لپے۔ اس کے بعد ms نے چھ لپا

اور میں نے سارے صورت حال سے آگاہ کیا۔ اور written بھی دیا کہ آف

الیکٹریٹیشن نے کسی مار میری روم کی بجلی فرای کرنے کی کوشش کی اور چھ بلنگ میں

کرتی تھی۔ تو سابق ایم ایس نے؟ سے ہاسٹل آنے منع کیا اور ہاسٹل کے لیے

ایک روم بھی بنایا کہ جب بھی میں لڑتی تو جو بھی مسئلہ ہو جا ہے وہ الیکٹریٹیشن

کا ہو یا کسی اور کا تو وہ proper طریقے سے complaint کو درجواست لپے cell

Complaint Cell

Complaint Cell

Complaint Cell

Complaint Cell

Complaint Cell

اور پیکر complaint cell کے آگے آئے اور پیکر کے ساتھ ساتھ

2013/12/26 کو آفس آف ایڈمنسٹریشن میں organized بلانہ کی تحت آیا

رشتیدہ سٹاف کے ساتھ مل کر اپنی Daily hours کے بغیر complaint cell

کو درخواست اور 2013/12/26 کے بغیر صرف اس وقت تک کہ وہ ٹیچر

کے لئے رات کو 8 بجے تک صیری بجلی بند کی۔ سٹاف رشتیدہ پتہ نہیں کہ وہ

اسیاموں کو رہیں ہے اور آف آف ایڈمنسٹریشن سے اسے لیا فائدہ ہے۔ حالانکہ میں رشتیدہ کے

ساتھ کچھ لبر نہیں لیا، لٹا صیرے اس پر بہت سے افسانہ میں میں نے اس کے

بغیر سوچا ہے لبر آیا کہ سال تک میں خود صیروں میں اس بات پر کہ صیرے اتر

افسانہ ہونے کے باوجود وہ ایڈمنسٹریشن کے ساتھ دے رہی ہے۔ یہ سب

حالت ہونے بھی کہ وہ صیرے حق میں ہیں، میں بہتر اسمان نہیں ہے صرف اس وقت

کے لئے کہ وہ فہمیل کا فائدہ اٹھا رہا ہے۔ جیلہ وہ خود بتا رہے ہیں اور چار

بلیٹوں کا باپ بھی ہے۔

[Handwritten signature]

سٹاف رشتیدہ نے اٹل کے کہنے پر آفس میں صیرے خلاف درخواست دی ہے

کہ میں نے اسے مارا ہے حالانکہ اس کا کچھ نہیں ہے میں اس کے رحم کٹی ہوا

جہاں رشتیدہ سٹاف کا مشورہ Host رول کے خلاف جو اس کے ساتھ رہائش

پذیر ہے اس کو بتانے کہ اپنی بیوی کو منع کر لیا کہ اس ادھی کا ساتھ نہ دیں

کل کر کچھ بھی ہو سکتا ہے۔ پیکر یہ نہ لیا کہ کچھ پتہ نہیں تھا۔ تو اس بات

پر سٹاف رشتیدہ نے صیرے اور لبر باجگہ اٹھایا تھیں مارے میں Uniform میں

تھی۔ صیرے Uniform کھاڑا اور پیکر کے رحم سے نکالا ہے اسے مشورے کے

سابقہ سبب لیا اور ساکھ میں جوان بیٹھا بھی تھا۔ یہ سبب ایس نے اس لیے لیا۔

کہ میں نے اس کے سٹوئیر کو سارے صورت حال کے بارے میں کیوں بتایا۔

تھپڑ کا Respond شاید دے بھی دیتی لیکن اس کا سٹوئیر اس کے ساکھ

کھڑا تھا۔ اس سے پریشیز ہو کر میں نے Respond نہیں کیا۔ باقی سبب

خود دیکھیں میری اور سٹاف رشتیدہ کی فزیکل باڈی ٹیپ کی۔ کہ لیا دقتی میں

میں اسے مار سکتی ہوں یہ صرف جھوٹ پر عینی ایک ڈرافٹ رچایا ہوا ہے جو ایف

اسے کہتا ہے یہ لڑتی رہتی ہے۔

میں نے پولیس کے ہاں میں ایف کے خلاف FIR درج کی ہے لیکن سٹاف

رشتیدہ پر نہیں۔ صرف ایف کے وہ ایک فیملی ہے شاید اسے احساس ہو جائے

اور ایسی غلطی پر معافی بھی مانگے۔ لیکن مجھ پر نہیں تھا کہ وہ اس حد تک جا سکتی ہے

پتھر میں انکویری کیٹیگی کو میں جینڈر کی Letters اور Evidence دے رہی ہوں

یہ اپنے پاس confidential رکھیں۔ اگر مجھ یہاں سے ایف نہیں چلا یا

میرے Application پر ایکشن نہیں ہوا۔ تو پھر میں مجبوراً پولیس کا دفتر سے لاؤ

لڑھی اور یہ FIA Evidence میں دونگی اور Complant کرونگی کہ بات

Find out کریں کہ یہ لیڈز کس نے send کے کس طرح کے میں کسی

ایس پولیس طور سے نہیں کہتا CPO سے Send کے میں اس کی عمل

انکویری کی جائے FIA دے کرے یا پولیس دے پولیس میں زبرد سے

FIR درج کیا ہے جس میں اس کی جو بھی لڑیاں ہیں چاہے وہ

رشتیدہ یا پتھر۔ جسبتیرہ ہو یا سبب سٹوئیر ایف سے سبب اس میں آجائے

INQUIRY REPORT
(HOSTEL'S ISSUE DHQH, KDA, KOHAT)

BACKGROUND:

The inquiry was conducted in accordance with office order no. 4285/E.II, dated 4/8/2023, signed by the ADDL (Nursing) and ordered in response to Mst. Najma Firdous's complaint contains allegations about the entry of men into the bachelor hostel and her general unease with life (Page 5).

ALLEGATIONS (Pages 6):

- a) According to PC-I, the nursing hostel is a bachelor, not a residential one, and it is against the law for more than two people to occupy a room meant for two staff members.
- b) The administration is directly responsible for the irregularities, and when a complaint is filed, she is singled out for punishment rather than the alleged offender.
- c) She feels unsafe among the 3-4 rooms of married nurses, despite the fact that it is a bachelor hostel without rules and regulations and the hospital's MS has permitted married nurses to live with their husbands for a longer period of time.
- d) The Medical Superintendent's inquiry committee declared her as a psychiatric patient in the report using unethical language.

MODE OF INQUIRY:

The inquiry was started on August 24, 2023, and on August 22, 2023, letter No. 3984 was sent to Mst. Najma Firdous to record her statement. On August 24, 2023, letter Nos. 4135-37 were sent to the members of the inquiry committee to record their statements in writing, and on August 24, 2023, letter No. 4145 was sent to the Medical Superintendent to respond to the questions raised in the same letter. On September 4, 2023, letter No. 4311-17 requesting that six nursing staff members and an electrical technician appear before the inquiry officer was also sent to those individuals. Six female nursing staff members and two male nursing staff members received letters Nos. 4367-72 and 4405-6, respectively (Pages 7-12).

INSPECTION OF THE HOSTEL:

A joint visit was carried out to both hostels and the following information was noted:

- a) The New Hostel had 12 rooms, 12 nurses, six married couples, six people who were currently found to be outsiders, nine rooms with two tons of split air conditioning, eight TVs, eight washing machines, five ovens, eleven large refrigerators, eleven irons, and ten cooking heaters, and three rooms that were locked.
- b) There were 13 rooms in the old hotel, 10 nurses, 5 married, 9 people were currently discovered outsiders, 8 had two tons split air conditioning, 6 TVs, 6 washing machines, 5 ovens, 11 large-size refrigerators, 10 irons, 10 cooking heaters, and two were locked.
- c) Due to the filthy surroundings, hostels were typically highly contaminated and unfit for habitation. There were no indications of cleanliness.

According to the MS of the hospital, each nurse is charged Rs. 10,000 for the use of electricity; however, no documented proof was produced.

STATEMENTS:

- i) Dr. Mushtaq, Medical Superintendent, DHQH, KDA, Kohat responded that according to the PC-I, the nursing hostel is bachelor one and he does not know about the male persons who visit the hostel; however, he clarified that only entitled persons have been allowed to reside. (Page 13)

The Inquiry Committee was given a questionnaire regarding its one-pager report and the committee responded. However, no attachment was found. The committee has further written that no warden or housekeeper is looking after the hostel, and the post is vacant. The inquiry committee report is entirely based on personal criticism and has attempted only to remove Mst. Najma Firdous from the hostel as well as the hospital because of her problematic nature (Pages 14-16).

- iii) Dr. Shamim Orakzai, DMS night shift mentioned that one night Mst. Najma Firdous asked to verify the presence of a male person in the room of Mst. Rashida. The room was checked by him along with 3-4 other nursing staff even Mst. Najma Firdous herself but no one was there and her act was merely to derange the smooth environment and blackmail Mst. Rashida Begum (Page 17).
- iv) The complainant Mst. Najma Firdous, Charge Nurse has mentioned that most (names have also been mentioned) of the married nursing staff live with their families in the bachelor hostel. All nurses have a single room except for three nurses who have two rooms. Her assertion that all nurses were not treated equally is true, but she failed to prove her allegation that the administration was involved in the hostel's conflict. She has shown her concerns about some words like a psychiatric patient, behaviour problem, and personality problem, written by the inquiry committee that if the said report is published or reaches social media then nobody will agree to marry her. No doubt, Mst. Najma Firdous had a personal relationship with Mr. Asif electrician. Later on, the friendship broke and he tried to harass her; however, they resolved the issue. Mst. Received negative remarks from the majority of staff and other employees. It is true that she cannot absorb rather quarrels with her colleagues for no reason and even beats them. Mst. Najma Firdous has written multiple applications/letters to the MS only for minor issues and should not have had to do so (Pages 18-29).
According to her verbal statement, MS has stopped outsiders by circulating rules but not by implementing them. The hostel lacks a visiting room or common kitchen. What was the reason for MS preventing my relatives while allowing other nurses? During the night a nurse stays outside and returns to the hostel in the daytime. An electrician Mr. Asif has a friendship with Mst. Rashida sends letters to my family. Several times, I have asked MS even in writing but he ignored me and said to leave while giving time to other staff.
- v) At first, Mst. Rashida Begam, a charge nurse was a friend of Mst. Najma Firdous but after transfer to Kohat in 2012, they slowly became enemies of each other due to the above-said electrician who was visiting the hostel initially to Najma's room and then to Mst. Rashida Begum and both of them have degraded the conducive environment of the hospital. In detail, she has documented the friendship history between Mr. Asif, an electrician and Mst. Najma Firdous, who now, resides with her family members in the hostel and quarrels with others (Page 30).
- vi) According to Mst. Gulshan Hameeda, Mst. Najma Firdous is the main character in disputes. Rashida Begum and Ms. Najma Firdous fought in March 2023, most likely early in the day. When I arrived back at the hostel that night, they were still arguing. I made an effort to find a solution, but Ms. Najma Firdous along with her sister, Shazia, and two nieces abruptly began beating me, (Page 31).
- vii) Charge Nurse Mst. Shabnam Hakeem claimed that Mst. Najma Firdous has a habit of arguing with nursing staff. She also claimed to have personally observed Mst. Firdous' brother Waqas lives in the hostel permanently and has seen Mr. Asif, an electrician, frequently visiting her room in the late evening (8 p.m.), but their relationship has since deteriorated.

The sister of Mst. Najma Firdous has lived in the hostel for the past eight months according to her verbal statement. Despite the fact that she gave birth in the same

hospital and her child is now 18 months old, her husband lives abroad. Prior to her friendship with Mr. Asif, Ms. Najma had no issues with male outsiders, but after their breakup, she began griping that Mst. Jamsheda, the Nursing Superintendent, was given a questionnaire and she replied that the outsiders were visiting the hostel before the SOPs were circulated and now the relatives still come but in the evening (Page 32).

- viii) Mr. Zafar Iqbal, president of the nursing cadre added that the long conflict in the hostel still continues between the two fighters Mst. Najma Firdous and Mst. Rashida Begum (Page 33).
- ix) Mr. Asif, electrician stated that after his friendship ended, Mst. Najama Firdous was stopping him from electricity work in the rooms of other nurses and tried to blackmail him. According to his verbal statement, he has a friendship with Mst. Najma Firdous but could not continue because she made a male nurse Mr. Wajid as her friend. When she beat me with a stick I wrote a letter to her family and the situation became worse (Page 34).
- x) The fight between Ms. Najma Firdous and Ms. Rashida Begum was also seen in person by Mr. Said Nawab, the night shift supervisor (Page 35). According to Mr. Said Nawab's verbal statement, Ms. Najma and Ms. Sadaqat previously fought. He personally requested MS and DMS to find a long-term solution, but he was unable to produce proof of his verbal statement. The hostel should have a warden and a visiting room, but neither is present
- xi) The main players in the conflict, according to Mr. Muhammad Wajid Male Nurse, are Mst. Najma Firdous, Mst. Rashida Begum, and third Mr. Asif electrician, as well as a weak administration as a result of the failure to implement SOPs created by the Medical Superintendent. He added that Mr. Asif wrote letters to Mst. Najma Firdous's family for blackmailing her (Page 36). According to the verbal statement made by Mr. Muhammad Wajid, the previous MS had stopped all outsiders, including husbands, but things had picked up again under the current administration. The MS created the rules, but because he didn't follow them, he is powerless to do anything about it. Despite having two adult sisters in her room, Mst. Najma was against visitors whereas Mst. Shabnum, Rashida, and were more interested in it. Mst. Najma Firdous in particular has received offensive words from the investigation officers, which may ruin her future.

FACT FINDINGS:

It is true that the conflict has grown over the past few months and is getting worse every day, despite the MS of the hospital's best efforts to resolve it and the distribution of SOPs for both the hostel. Administration lapses were noted, particularly a failure to carry out various office orders and directives. The problem has gotten worse since Mst. Najma Firdous and Mr. Asif Electrician's friendship ended and the latter one became closer to Mst. Rashida Begum. The written agreement between Mst. Najma Firdous, Mst. Rashida Begum, and Mr. Asif Electrician in the police station, to which all three have confessed, cannot be ignored (Page 37). Drs. Naeem Shah, Syed Tahir Shah, and Musarrat Ali, PMO, patrolled a burning fire when they used unethical language in their inquiry report (Page 15). The statements and words of the aforementioned four tiers provide sufficient proof of their involvement in degrading the hostel environment and the hospital as a whole.

According to the official record, the MS has called for multiple explanations from both Mst. Najma Firdous and Mst. Rashida Begum even issued them final warnings before relieving them by the DGHS on administrative grounds in the past (Page 38).

Similar to this, the police department looked into Mst. Najma Firdous' complaint in 2014 and found that her claims were unfounded (Pages 39-40).

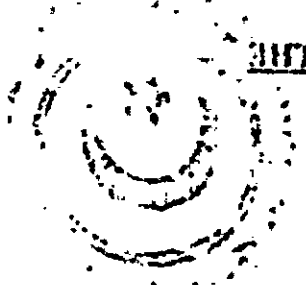
5714

83

2022
12/15/2022

BEFORE THE COURT OF SHAIKH HUSSAIN
ADJUDICATING JUDGE - OFFICE OF THE
DEPUTY COMMISSIONER

IN THE MATTER OF
MST. NAJMA PARVEEN VS. MRS. KIDA HOSPITAL KOHAT



Petitioner through brother, while respondent No.01 through representative present. Arguments have already been heard.

12.15.2022

The petitioner namely Mrs. Najma Parveen, daughter of Mr. Muhammad Sultan, who is presently at DHO Hospital KDA Kohat has filed instant application (No. 22-A) Cr.P.C. soliciting direction of this Court to respond to SHO Police Station KDA Kohat for registration of FIR against Mr. Ahmad Medical Superintendent, DHO KDA Hospital Kohat.

As per contents of instant petition, petitioner alleged that she is serving as a nurse in Health Department and has been transferred from DHO KDA Hospital Kohat to (Shahdada Fardha Khan) Hospital Hangu. That she has submitted an application to Secretary Health against her transfer order which is still pending. That respondent No.01 by taking undue advantage of her post started harassing the petitioner. That respondent No.01 issued her a seven-day notice to vacate the room of hostel and later issued a 24 hours' notice. That challenging the said notice, petitioner filed a Civil Suit in the court of Senior Civil Judge Kohat and interim injunction was granted in her favour. That despite the injunctive order, respondent No.01 on 14.10.2022 at 02.00pm illegally broke the lock of her residential room, in her absence, and stole 09 Tola gold and cash amount of Rs.3,22,000/-. That respondent No.01 has also extended threats of dire consequences to the petitioner. That petitioner approached the concerned SHO for registration of FIR, but of no avail. Therefore, the petitioner prayed that directions may be

SHAIKH HUSSAIN
ADJUDICATING JUDGE
OFFICE OF THE DEPUTY COMMISSIONER
KOHAT

Handwritten signature and initials.

FILED IN THE COURT OF
18 DEC 2022
DEPUTY COMMISSIONER
KOHAT



**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
Office Ph (091 - 9210269) Exchange - 091 - 9210187, 091 - 9210196 Fax (091 - 9210230)

No. 5735 /E.II,

Dated Pesh. The 03/10 2023

To

The Medical Superintendent
DHQ Hospital Kohat.

Subject: - INEQUIRY REPORT.
Memo:-

Enclose please find herewith a photo copy of inquiry report conducted by Dr. Fazal Maula District Health Officer Kohat into the complaint lodged by Mst: Najma Firdous D/O Muhammad Suleman Registered Nurse Officer BPS-16 DHQ Hospital Kohat regarding irregularities in Nursing Hostel of DHQ Hospital Kohat.

The recommendation No.1 to 5 and 7 are related to your office which may be implement in letter and spirit, under intimation to this Directorate.

[Signature]
ADDI: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

[Signature]
3/10/2023

K-18

Attent
[Signature]

CA- Sedu
[Signature]
29/12/2023

BEFORE THE COURT OF KHALID HUSSAIN
ADDL. SESSIONS JUDGE-1/EX-OFFICIO JUSTICE OF THE
PEACE, KOHAT

PETITION U/s 22-A No. 7/2023

MST. NAJMA PARVEEN VS MS KDA HOSPITAL KOHAT



Order---04
12.12.2023

Petitioner through brother, while respondent No.01 through representative present. Arguments have already been heard.

The petitioner namely Mst Najma Firdos daughter of Muhammad Sulaiman r/o Karak presently at DHQ Hospital KDA Kohat has filed instant application U/s 22-A(6) Cr.PC, soliciting direction of this Court to respondent SHO Police Station KDA Kohat for registration of FIR against Mushtaq Ahmad Medical Superintendent DHQ/KDA hospital Kohat.

As per contents of instant petition, petitioner alleged that she is serving as a nurse in Health Department and has been transferred from DHQ/KDA hospital Kohat to (Shaheed Farid Khan) hospital Hangu. That she has submitted an application to Secretary Health against her transfer order which is still pending. That respondent No.01 by taking undue advantage of her post started harassing the petitioner. That respondent No.01 issued her a seven-day notice to vacate the room of hostel and letter issued a 24 hours' notice. That challenging the said notice, petitioner filed a Civil Suit in the court of Senior Civil Judge, Kohat and interim injunction was granted in her favour. That despite the injunctive order, respondent No.01 on 14.10.2023 at 02.00pm, illegally broke the lock of her residential room, in her absence, and stole 09 Tolas gold and cash amount of Rs.3,55,000/-. That respondent No.01 has also extended threats of dire consequences to the petitioner. That petitioner approached the concerned SHO for registration of FIR, but of no avail. Therefore, the petitioner prayed that directions may be

KHALID HUSSAIN
Addl. District & Sessions Judge-1
Kohat

(Signature)

ATTESTED TO BE TRUE COPY
16 DEC 2023
EXAMINED COPING BRANCH KOHAT

64

BEFORE THE COURT OF KHALID HUSSAIN
ADDL. SESSIONS JUDGE-EX-OFFICIO JUSTICE OF THE
PEACE, KOHAT

PETITION U/S 22-A NO. 23/2023

MST. NAIMA PARVIEN VS MS KDA HOSPITAL KOHAT

issued to respondent SHO/DPO for registration of FIR against respondent No.01.

In view of the contents of the petition, comments of SHO concerned were called, who accordingly submitted his comments.

I have already heard arguments of learned counsel for the parties and perused the record.

Perusal of the contents of instant petition, comments of SHO concerned and other material produced and placed on file reveals that in order to vacate the official accommodation room of the hostel, the petitioner was issued and served with a seven-day notice bearing No.4165/ACCTS dated 05.10.2023. On expiry and non-compliance of the above-mentioned notice, a second notice, from the office of respondent No.01 was issued to the petitioner requiring her to vacate the hostel room within 24 hours. Thereafter, the matter was brought into the notice of District Administration with the request to depute a representative of their office alongwith the District Police, so that the room may be vacated by the hospital administration. On face of the record, malafide, ill-will, personal vendetta on part of respondent No.01 is lacking in the case, rather prima facie the respondent No.01 has performed his official obligations, therefore, to my mind, it would be unwise to proceed the respondent No.01 u/s 22-A Cr.PC for the registration of criminal case against him. If any injunction was violated, as alleged, the petitioner has efficacious remedy in the form of an application under Order-39 Rule-2 (3) CPC. No proof, whatsoever, in shape of receipt etc of the 09 Tolas gold is appended with the instant

Handwritten signature and stamp of Khalid Hussain, Addl. Sessions Judge, Kohat.

Handwritten signature and initials.

ATTESTED TO BE TRUE COPY
18 DEC 2023
EXAMINED COPING BRANCH KOHAT

**BEFORE THE COURT OF KHALID HUSSAIN
ADDL. SESSIONS JUDGE-I/EX-OFFICIO JUSTICE OF THE
PEACE, KOHAT**

PETITION U/S 22-A NO. 73/2023

MST. NAJMA PARVEEN VS MS RDA HOSPITAL KOHAT

application. Similarly, no proof of the existence of the cash amount, alleged to have been stolen, is annexed with the petition. It appears that an attempt was made on the part of petitioner to resolve a civil dispute/service matter, through criminal proceedings.

In the circumstances, the issuance of direction for registration of FIR does not seem of propiarte, hence, petition in hand is hereby dismissed. This file be consigned to record room after its completion and compilation.

**ANNOUNCED
12.12.2023**

**KHALID HUSSAIN,
Addl. Sessions Judge-I
Ex-Officio Justice of the Peace**

**Kohat
(KHALID HUSSAIN)
Addl. District Sessions Judge-I
Kohat**

Handwritten signature and initials

**ATTESTED TO BE TRUE COPY
18 DEC 2023
EXAMINED COPING BRANCH KOHAT**

بعدالت جناب ڈسٹرکٹ اینڈ سیشن جج باختیارات جیسٹس آف پیس کوہاٹ



سماۃ نجمہ فردوس دختر محمد سلیمان سکڑ کرک حال DHQ ہسپتال KDA کوہاٹ

بنام

۱۔ مشتاق احمد میڈیکل سپرنٹنڈنٹ ڈوچرٹل ہیڈ کوارٹر ہسپتال KDA کوہاٹ

۲۔ DPO کوہاٹ

۳۔ SHO تھانہ KDA کوہاٹ

مسؤل الیہ

درخواست بمراد 22-A CrPC بابت اندراج کرنے FIR پر خلاف مسؤل الیہ نمبر 1 بوجوہات ذیل

8

جناب عالی اسامہ حسب ذیل عرض کرتی ہے۔

۱۔ یہ کہ سالکہ محکمہ صحت میں بطور نرس 16-BPS جی ایچ کیو ہسپتال کوہاٹ میں ڈیوٹی سرانجام دے رہی ہے۔

۲۔ یہ کہ سالکہ کا تارلہ DG ایلتھ نے کوہاٹ سے ہٹوا لیا گیا۔

۳۔ یہ کہ سالکہ نے اس ٹرانسفر کے خلاف باقاعدہ انٹرفیو پارانٹسٹ اپیل دائر کیا۔ جو کہ زیر التواء ہے۔

۴۔ یہ کہ سالکہ نے مسؤل الیہ کے خلاف مورخہ 16-10-2023 جناب DIG صاحب کوہاٹ کو درخواست دی گئی۔ جس کا ڈاڑھی نمبر 1830 مورخہ 16-10-2023 ہے۔ جو کہ DIG صاحب نے DPO کوہاٹ کو ناک کیا۔ مذکورہ درخواست کا متن ذیل ہے۔

ATTESTED TO BE TRUE COPY

18 DEC 2023

EXAMINED COFING BRANCH KOHAT

درخواست بمراد اورج کرنے FIR پر خلاف مسؤل الیہ

جناب عالی

۱۔ یہ کہ سالکہ محکمہ صحت میں بطور نرس ملازمت کرتی ہے۔ اور سالکہ کا تارلہ KDA ہسپتال سے ہٹوا لیا گیا ہے۔ تارلہ حکم کے خلاف سالکہ نے پیکر فری ایلتھ ہسپتال کو درخواست گزار دی ہے۔ جو کہ زیر غور ہے۔ بدیں جو سالکہ نے ہنگو ہسپتال میں رپورٹ نہیں کی ہے۔

۲۔ یہ کہ مسؤل الیہ نے اپنی پوسٹ کا ناجائز فائدہ اٹھا کر سالکہ کو بے جا تنگ کرنا شروع کیا ہے۔ اور سالکہ کو مختلف طریقوں سے اذیت دی جا رہی ہے۔

- ۳- یہ کہ سوال الیہ نے سالانہ کو باطل کر دیا گیا ہے۔ کے لیے 07 یوم اور بعد ازاں 24 گھنٹے کا نوٹس جاری کیا۔
- ۴- یہ کہ سالانہ نے نوٹس کے خلاف سینئر سٹول جج صاحب کو حاکم میں ڈکوی وار کیا۔ اور عارضی حکم اتنا ہی جاری کیا گیا۔
- ۵- یہ کہ عارضی حکم اتنا ہی جاری ہونے کے باوجود اور نوٹس میں عارضی ہونے سے قبل سوال الیہ نے سالانہ کی عدم موجودگی میں غیر قانونی، غیر اخلاقی طور پر کرے کا تالہ توڑ کر جملہ سونا 9 تولے، سالانہ رقم مبلغ 3 لاکھ 55 ہزار روپے، دستاویزات وغیرہ غائب کر دیا ہے۔ اور دھمکیوں پر اتر آیا ہے۔
- ۶- یہ کہ سالانہ نے تھانہ KDA میں رپورٹ کرنے کے لیے کئی چکر لگائے۔ لیکن محرم تھا: اور SHO نے FIR رپورٹ درج کرنے سے انکار کر دیا اور سالانہ کی دادرسی نہیں کی۔ حالانکہ محرم SHO رپورٹ درج کرنے سے پابند ہیں۔
- استدعا ہے کہ سوال الیہ کے خلاف حسب مضمون FIR درج کی جائے۔

۵- یہ کہ مورخہ 14-10-2023 بوقت 2 بجے سرپر سوال الیہ نمبر 1 نے سالانہ کی عدم موجودگی میں سالانہ کے رہائشی کمرہ سے 9 تولے سونا اور مبلغ 3,55,000 روپے بمقام دستاویزات غائب کر کے چوری کی گئی ہے۔ اور ساتھ ہی سوال الیہ نمبر 1 نے گھریلو کو سالانہ کو سنگین قسم کی دھمکیاں بھی دے رہا ہے۔ نیز سوال الیہ نمبر 1 اپنے عہدے کا ناجائز فائدہ اٹھا رہا ہے۔

۶- یہ کہ سوال الیہ نمبر 1 نے اس کے علاوہ سالانہ کی دیگر تمام تر زیر استعمال اشیاء جس میں فرنیچ، واشنگ مشین، اسٹری، ٹی وی، آئینے، گھڑیاں، گھڑی، مندرجہ ذیل بمقام کچن گھریلو سامان، راہم دستاویزات بھی اپنے قبضہ میں لے گیا ہے۔ جس کی بابت سوال الیہ نمبر 1 نے سالانہ کو مورخہ 21-10-2023 بذریعہ میریل نمبر 4360 نوٹس بھی دیا گیا ہے۔ کہ اندر 2 یوم میں مذکورہ سامان لے جائیں۔ بصورت دیگر یہ سامان بھی ضبط کیا جائے گا۔ (نقل نوٹس لف ہے)

۷- یہ کہ سوال الیہ 2 کو ہدایت کی جائے کہ وہ سوال الیہ نمبر 3 کو حکم دے کہ وہ سوال الیہ نمبر 1 کے خلاف قانونی کارروائی کر کے FIR درج کرے۔ جرائم بوجہ قابل دست اندازی پولیس ہونے کے سوال الیہ 1 کے خلاف مقدمہ درج کرے۔

۵- یہ کہ عدالت حضور کے پاس زیر دفعہ 22-AI عمل اقتدارات ہیں۔ کہ وہ سوال الیہ 2 کو ہدایت کرے۔ کہ سوال الیہ نمبر 1 کے خلاف مقدمہ درج کر کے کارروائی کرے۔

لہذا استدعا ہے کہ درخواست ہذا منظور فرمائی جا کر سالانہ کی دادرسی فرمائی جاوے۔ اور سوال الیہ نمبر 1 کے خلاف کارروائی عمل میں لائی جائے۔

مورخہ 26-10-2023

نجر فردوس (سالانہ)

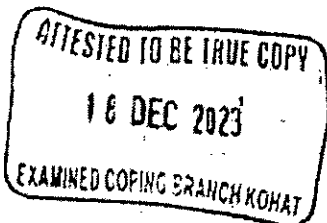
بذریعہ ڈاکٹر امیر محمد ایڈووکیٹ کو حاکم

بیان علی

حلفاً بیان ہے کہ جملہ مراتب درخواست بالاتحاد میرے علم و ہمت کے درست و صحیح ہیں۔ حلفاً بیان ہے کہ کوئی اور شخص کوئی سے کام نہیں پایا گیا ہے۔

العبد

نجر فردوس (سالانہ)



68



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

Office Ph (091 - 9210269 Exchange) 091 - 9210187, 091 - 9210196 Fax (091 - 9210230

No. 4285 /E.II,

Dated Pesh. The 04/10/2023

To:-

The District Health Officer,
Kohat

Subject: - INQUIRY REPORT

Memo:-

Enclosed please find herewith a copy of a complaint submitted by Mst Najma Firdous D/O Muhammad Suleman RNO (BS-16) DHQ Hospital Kohat against the irregularities in Nursing hostel DHQ Hospital Kohat.

You are requested to inquire the matter and submit detail report to this Directorate within 15 days positively for further necessary action.

Enclosures attached

Handwritten signature

Handwritten signature
ADDI: DIRECTOR (NURSING)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

Handwritten date
31/7/2023

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

SERVICE APPEAL NO. 89/2024

Najma Firdous.....Appellant

Versus

Government of Khyber Pakhtunkhwa & othersRespondents.

Affidavit

I, Dr. Shaukat Ali, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that the contents of the parawise Comments on behalf of Respondents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able Court. It is further stated on oath that in this appeal, the answering respondents have neither been placed Ex-parte nor their defense has been struck off. ~~costs of the respondents are to be paid by the respondents.~~
~~deposited on 17/02/2024.~~



[Signature]
Deponent

02 FEB 2024



**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
Office # 091-9210269 Fax # 091-9210230*

AUTHORITY LETTER

Muhammad Yousaf Jamal Focal Person Litigation Section Directorate General Health Services Khyber Pakhtunkhwa is hereby authorized to file / submit parawise comments in Service Appeal No. 89/2024 titled Najma Firdous versus Govt. of Khyber Pakhtunkhwa & others on behalf of the undersigned before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar.

**Director General Health Services
Khyber Pakhtunkhwa, Peshawar**