



OMBUDSMAN (محاسب) GOVERNMENT  
OF KHYBER PAKHTUNKHWA

CLOSURE FINDINGS		
1	COMPLAINT NO.	PO/Complaint No. 529/03/2023.
2	NAME & ADDRESS OF THE COMPLAINANT	Mr. Zahid Shah s/o Tahir Shah r/o Village Shakardharand P.O Sardheri Tehsil & District Charsadda (Cell-0313-9174190)
3	NAME OF THE AGENCY COMPLAINED AGAINST	1) Director General, Health and Services, Khyber Pakhtunkhwa, Peshawar. 2) District Health Officer (DHO), Mardan. 3) District Health Officer (DHO), Charsadda. 4) Medical Superintendent, Mardan Medical Complex, Mardan.
4	NAME OF THE INVESTIGATION OFFICER	Shabana Gul, Director-II
5	SUBJECT OF COMPLAINT	Request for Appointment against Deceased Employee's Children Quota.
6	DATE OF REGISTRATION	02/03/2023.
7	DATE OF FINDINGS	25/09/2024.

**THE COMPLAINT**

Mr. Zahid Shah r/o District Charsadda instituted the instant complaint stating that his father was serving in Mardan Medical Complex and died during service on 31/08/2021. After demise of his father, he approached to the Director General Health Services and Mardan Medical Complex Authorities to appoint him on Deceased Employee's Children Quota but laps of two years, they did not appoint him. He requested this Forum for redressal of his grievance.

**REPLY OF THE AGENCY**

Notices under Section 10(4) of the Khyber Pakhtunkhwa, Provincial Ombudsman Act, 2010 were issued to Director General, Health and Services, Khyber Pakhtunkhwa, Peshawar, District Health Officer (DHO) Mardan & Charsadda and Medical Superintendent Mardan Medical Complex to meet the allegations contained in the complaint and submit written reply including rebuttal, if any. In response, District Health Officer, Mardan informed that the complainant was contacted who attended in District Health Office on 22/03/2023 for redressal of his grievance. His father Mr. Tahir Shah was appointed in Lady Reading Hospital Peshawar, his last place of duty was Mardan Medical Complex Mardan while his domicile is of District Charsadda. He further stated that his father never performed his duties under control of District Health Office Mardan. On other hand Hospital Director MTI, MMC Mardan informed that since the promulgation of MTI Act, 2015 and consequently after declaration of MMC Hospital in MTI, the civil servants working over there considered as on deputation. The MTI is governed by the regulations of policy Board and MTI rules which are to be followed by MTI employees and any such quota for the deceased employees of the civil servants shall be followed by their competent authority.



**OMBUDSMAN (محتسب) SECRETARIAT, GOVERNMENT  
OF KHYBER PAKHTUNKHWA**

**REJOINDER**

Reply of the Agency was shared with complainant for his feedback / rejoinder. In response, he reiterated over stance of the Agency.

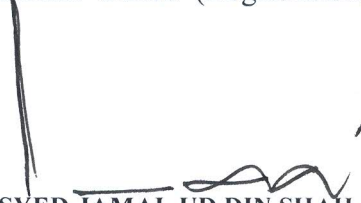
**HEARING**

Due to divergent stance of both the parties, hearing was fixed on 06/06/2023. Mr. Altaf Ahmad Manager HR, Mardan Medical Complex attended hearing while complainant appeared in person. Representative of the Agency informed that in this case competent authority is DG Health and DHO. MTI Mardan is an autonomous intuitions working under its own Board of Governors and working under regulations of policy Board. He further informed that civil servant working under MTI are on deputation wherein we are responsible for our own institution employees.

To find the factual position of the case, again a hearing was fixed on 11/07/2023 Dr. Ahsan (Coordinator) DHO Mardan attended the hearing on behalf of the Agency and stated that they had requested to Director General Health office to send an official letter regarding retired employees children quota.

**FINDINGS**

During the course of investigation in the instant complaint, complainant sent a letter of thanks and stated that his name has been included in waiting list by the Medical Superintendent District Headquarter Teaching Hospital Mardan. He thanked this Forum for redressal of his grievance. Investigation in the instant complaint is closed having born fruit in terms of Regulation 10(2) of the Khyber Pakhtunkhwa Provincial Ombudsman Office (Registration, Investigation, and Disposal of Complaints) Regulations, 2011.

  
SYED JAMAL UD DIN SHAH  
Provincial Ombudsman,  
Khyber Pakhtunkhwa.

25.9.2024