



GOVERNMENT OF THE PUNJAB
PRIMARY & SECONDARY
HEALTHCARE DEPARTMENT.

Dated Lahore the 30th April, 2021

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ORDER

No. SO (INQ) 2-7/2009(P): WHEREAS, the Chief Minister Punjab/Competent Authority initiated disciplinary proceedings against following Officer/Officials on the charges of misconduct, inefficiency, gross irregularities and embezzlement of Public funds under the provisions of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by constituting a four Member Inquiry Committee under Convenorship of Dr. Muhammad Afzal Shaheen (PMO/BS-20), Medical Superintendent, Lady Willingdon Hospital, Lahore vide order No. SO (INQ) 2-7/ 2009 dated 09.02.2010:-

- a) Dr. Iftikhar Ahmad Ghumman, ex-Medical Superintendent, Kot Khawaja Saeed Hospital, Lahore R/o 396/D-III, WAPDA Town, Lahore.
- b) Mr. Muhammad Latif, ex- Accountant, Kot Khawaja Saeed Hospital Lahore (now posted at Government Hospital, Shahdara Lahore).
- c) Mr. Amanat Ali, Storekeeper (General), Kot Khawaja Saeed Hospital, Lahore.
- d) Mr. Muhammad Rashid, ex-Storekeeper (Repair, Maintenance and Purchase) Kot Khawaja Saeed Hospital, Lahore (now retired from Government service on attaining age of superannuation on 04.05.2018).
- e) Mr. Zaheer Ahmad, ex-Sanitary Inspector, Kot Khawaja Saeed Hospital, Lahore (now working on general duty with District Officer, Public Health, Town Hall, Lahore).
- f) Mr. Shahzad Ahmad, ex-Storekeeper (Medicines), Kot Khawaja Saeed Hospital, Lahore R/o H.No.9, Ahata No. 34 Kazalbash Road, Bibi Pakdaman, Lahore.

2. **AND WHEREAS**, after fulfilling all codal formalities, the Chief Minister/Competent Authority imposed following penalties under the PEEDA Act, 2006 to the accused officer/ officials as mentioned against their names vide order dated 02.09.2010:-

Sr.#	Name of officer / officials	Penalty imposed
i.	Dr. Iftikhar Ahmad Ghumman, ex-Medical Superintendent, Kot Khawaja Saeed Hospital, Lahore	Major penalty of recovery of Rs. 75,000/-and removal from service.
ii.	Mr. Muhammad Latif, ex- Accountant, Kot Khawaja Saeed Hospital, Lahore	Major penalty of removal from service
iii.	Mr. Amanat Ali, Storekeeper (General) Kot Khawaja Saeed Hospital Lahore.	Exonerated of the charges levelled against him.
iv.	Mr. Muhammad Rashid, Storekeeper (Repair Maintenance and Purchase), Kot Khawaja Saeed Hospital, Lahore	Major penalty of recovery of Rs. 75,000/- and removal from service.

v.	Mr. Zaheer Ahmad, Sanitary Inspector, Kot Khawaja Saeed Hospital Lahore and	Major penalty of forfeiture of three year service.
vi.	Mr. Shahzad, Storekeeper (Medicines), Kot Khawaja Saeed Hospital, Lahore	Exonerated of the charges leveled against him.

3. **AND WHEREAS**, Dr. Iftikhar Ahmad Ghumman filed a Review Petition under Section-16 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, before the Chief Minister, Punjab/Competent Authority against the penalty orders dated 02.09.2010; which was rejected by the Chief Minister, Punjab/ Appellate Authority vide orders dated 27.07.2011.

4. **AND WHEREAS**, feeling aggrieved, Dr. Iftikhar Ahmad Ghumman (2) Mr. Muhammad Latif, (3) Mr. Muhammad Rashid (4) Mr. Zaheer Ahmad preferred Appeals Nos. 3878/2010, 4152/2010, 4100/2010 and 4203/2010 respectively, before the Learned Punjab Service Tribunal, Lahore. The appeals were allowed vide a consolidated judgment dated 11.09.2014. The operative part of the judgment is as under: -

“All the four appeals are allowed, the impugned order is set aside, the appellants in appeal No. 3878/2010, 4100/2010 and 4152/2010 are reinstated into service. The appellant in appeal No. 4203/2010 is already in service. The competent authority if so advised may initiate fresh inquiry proceedings against all the four appellants strictly in accordance with law. The nature of intervening period shall be determined after the outcome of the inquiry proceedings.”

5. **AND WHEREAS**, P&SH Department filed CPLAs No.2008-L/2014, 2009-L/2014, 2010-L/2014 and 2011-L/2014 before the Honorable Supreme Court of Pakistan against the judgment dated 11.09.2014 passed by the Learned Punjab Service Tribunal.

6. **AND WHEREAS**, Dr. Iftikhar Ahmad Ghumman and Mr. Muhammad Latif filed Writ Petition No. 39991/ 2016 and 28459/2015 respectively for implementation of Learned Punjab Service Tribunal’s judgment dated 11.09.2014. Later on, Dr. Iftikhar Ahmad Ghumman filed CrI. Org. No. 948-W-17 in Writ Petition No. 39991/16 for implementation of the PST’s judgment dated 11.09.2014.

7. **AND WHEREAS**, EDO (H) Lahore, in compliance with the orders of PST and LHC, Lahore, posted Mr. Muhammad Latif as Accountant at Govt. Hospital Shahdara Town, Lahore and his monthly salaries (with arrears) were also released by regularizing the intervening period and adjusting him against a vacant post, vide orders No. 4189/E dated 27.01.2015 and No. 1488-94/E dated 02.02.2016 respectively without prejudice to the outcome of CPLA No. 2010-L/2014 in the August Supreme Court of Pakistan.

8. **AND WHEREAS**, in pursuance of judgment dated 11.09.2014 passed by learned PST in Appeals Nos. 3878/2010 and 4152/2010 and subsequent approval of the Chief Minister/ Competent Authority, the following officer/official were also reinstated into service with effect from 18.07.2017 subject to eventual outcome of CPLAs No. 2008-L to 2011-L/2014 pending before the Honorable Supreme Court of Pakistan vide order dated 18.07.2017: -

Sr.#	Name of officer / official
i.	Dr. Iftikhar Ahmad Ghumman (APMO/BS-19), Ex-Medical Superintendent, DHQ/Teaching Hospital Kot Khawaja Saeed, Lahore.

ii.	Mr. Muhammad Rashid, Storekeeper (BS-06), Storekeeper (Repair Maintenance and Purchase), Kot Khawaja Saeed Hospital, Lahore.
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9. **AND WHEREAS**, Dr. Iftikhar Ahmad Ghumman was posted as Additional Principal Medical Officer (APMO/BS-19), DHQ Hospital, Sheikhpura vide order dated 17.10.2017, and he assumed the charge of this post on 19.10.2017. Thereafter, he proceeded on LPR with effect from 01.01.2018. However, a gap from 11.09.2014 (the date of passing of judgment by PST) to 18.10.2017 (the date of joining at DHQ Hospital, Sheikhpura) occurred in the service span of Dr. Iftikhar Ahmad Ghumman. He moved applications for his reinstatement from the date of judgment of PST i.e. 11.09.2014 as was allowed in the case of Mr. Muhammad Latif ex- Accountant, Kot Khawaja Saeed Hospital Lahore (now posted at Government Hospital, Shahdara Lahore).

10. **AND WHEREAS**, Dr. Ifikhar Ahmad Ghumman filed Writ Petition No. 178628/2018 in Lahore High Court, Lahore; which was disposed of on 19.03.2018 with the following verdict: -

“In view of fair stance taken by the petitioner respondent/ Secretary Primary and Secondary Healthcare Department, 1-Birdwood Road, Lahore is directed to decide the above said application of the petitioner, if pending before him, strictly in accordance with law, after affording an opportunity of hearing to the petitioner and all other concerned, and, through a well-reasoned speaking order as expeditiously as possible preferably within a period of 20-days from the date of receipt of certified copy of this order under intimation to the Deputy Registrar (Judicial) of this court and if the same is decided then copy shall be provided to the petitioner. The petitioner is directed to appear before respondent on 26.03.2018 at 11.00 a.m.”

11. **AND WHEREAS**, in compliance of the orders of Honorable Lahore High Court, Dr. Ifrikhar Ahmad Ghumman was heard in person on 17.05.2018. In order to determine the date of his reinstatement into service and adjustment of intervening period, the case was placed before the Chief Minister/Competent Authority for orders.

12. **AND WHEREAS**, in the meantime, the Apex Court of Pakistan disposed of CPLAs Nos. 2008-L/2014, 2009-L/2014, 2010-L/2014 and 2011-L/2014 with the following orders passed on 04.02.2019: -

“The impugned judgment by the learned Punjab Service Tribunal dated 11.09.2014 gave the option to the respondent government department to initiate fresh inquiry against all the four employee-respondents in the connected petitions in accordance with law. No inquiry has since been initiated. Two of the petitioner-employees before this Court have already retired. The other two are still in service but the inaction by the government is indicative of their intention to not proceed further in matter. In these circumstances, all these petitions have become infructuous and are disposed of accordingly.”

13. **AND WHEREAS**, the Chief Minister/ Competent Authority, after due examination of the facts of the case, passed orders to reinstate the following four appellants into service with effect from 11.09.2014 (the date of judgment passed by PST) and to initiate fresh Inquiry against them accordingly; besides determining the intervening period, between date of penalty order i.e. 02.09.2010 and date of joining i.e.

18.10.2017, in respect of Dr. Iftikhar Ahmad Ghumman after final outcome of the fresh Inquiry proceedings.

i.	Dr. Iftikhar Ahmad Ghumman (APMO/BS-19/ Retired on 31.12.2018), ex-Medical Superintendent, Kot Khawaja Saeed Hospital, Lahore
ii.	Mr. Muhammad Latif, (ex-Accountant, Kot Khawaja Saeed Hospital, Lahore (Presently Accountant, Govt. Hospital Shahadra Town, Lahore.
iii.	Mr. Muhammad Rashid (Retired on 04.05.2018), ex-Storekeeper (Repair, Maintenance and Purchase), Kot Khawaja Saeed Hospital, Lahore
iv.	Mr. Zaheer Ahmad, ex-Sanitary Inspector, Kot Khawaja Saeed Hospital Lahore (Presently Sanitary Inspector Lahore Municipal Corporation.

14. **AND WHEREAS**, the Judgment dated 11.09.2014 passed by PST still holds the field and an option was available with the Administrative Department to initiate fresh inquiry proceedings against the aforesaid accused officer/officials Accordingly.

15. **AND WHEREAS**, the Chief Minister /Competent Authority appointed **Mr. Shahid Nasir Raja** (ex-PSS/BS-20), Member (Inquiries-I), Government of the Punjab, S&GAD, as Inquiry Officer to conduct fresh inquiry under Section 5(1) (b) of the PEEDA Act, 2006 vide order dated 11.09.2019 against following officer/ officials: -

i.	Dr. Iftikhar Ahmad Ghumman (APMO/BS-19/ retired on 31.12.2018), ex-Medical Superintendent, Kot Khawaja Saeed Hospital, Lahore
ii.	Mr. Muhammad Latif, (ex-Accountant, Kot Khawaja Saeed Hospital, Lahore (Presently Accountant, Govt. Hospital Shahadra Town, Lahore.
iii.	Mr. Muhammad Rashid (retired on 04.05.2018), ex-Storekeeper (Repair, Maintenance and Purchase), Kot Khawaja Saeed Hospital, Lahore
iv.	Mr. Zaheer Ahmad, Sanitary Inspector, Kot Khawaja Saeed Hospital Lahore

The following charges were set forth against the accused Officer/ Officials: -

(A) Dr. Iftikhar Ahmad Ghumman (APMO/BS-19/ retired on 31.12.2018), ex-Medical Superintendent, Kot Khawaja Saeed Hospital, Lahore

- i. Irregular purchase of medicines amounting to Rs.1,95,57,840/-.
 - a) Bulk purchase of medicines without justification and demand from end user.
 - b) Bulk purchase of medicines for which consultants were not available.
 - c) Bulk purchase of medicines without provision of proper storage capacity and cold chain.
 - d) Purchase of medicines out of formulary of DHQ Hospital, Kot Khawaja Saeed Hospital, Lahore.
 - e) Order of bulk purchase at rate contract for more than Rs.1,50,000/- a limit for category-II Officer without obtaining sanction from the competent authority.

- II. Purchase of medicines/general store / other stores in bulk quantity which caused pecuniary loss to Govt. exchequer amounting to Rs. 9,18,925/-.
 - a) Misuse of local / bulk purchase against the purchase policy of Government.
 - b) Purchase of surgical disposals at higher rates than the rate contract.
 - c) Repeated local purchase of same items collectively leading to bulk quantity at the rates higher than prevailing market rates.
 - d) The bulk purchase of 500 intra ocular lenses amounting to Rs.5,85,000/- at exorbitant rates and without open tendering which tantamount misuse of powers.
 - e) Bulk Purchase of General store items through open tender but without getting sanction for tender acceptance from competent authority and at exorbitant rates.
 - f) Misuse of local purchase of medicines on fraud prescriptions and bogus entries for higher officers with embezzlement of huge amount.
 - III. Deployment of hospital staff during duty hours to his private residences.
 - IV. Mis-appropriation of POL funds through utilization shown against unserviceable vehicles.
 - V. Illegal cutting of shady trees without involvement of Forest Department and sanction from higher authority and purchase of palm trees without technical advice.
 - VI. Irregular / dubious repair of machinery and equipment (X-Ray plant) from incompetent firms, without proper workshop facilities.
- (B) **Mr. Muhammad Latif, (ex-Accountant, Kot Khawaja Saeed Hospital, Lahore (Presently Accountant, Govt. Hospital Shahadra Town, Lahore.**
- I. Inefficiency in mentioning / notifying the powers and sanctioning authority of category –II Officer in various bills and purchases.
 - II. Non verification of local market rates for different purchases being member of Rate Verifying Committee.
 - III. Formation of bogus firms for supply of different items / articles.
 - IV. Collaboration with Dr. Iftikhar Ahmad Ghumman, ex-Medical Superintendent, Kot Khawaja Saeed, Hospital, for purchase of 500 intra ocular lenses at exorbitant rates, hence causing loss to Government exchequer.
- (C) **Mr. Muhammad Rashid (Retired on 04.05.2018), ex-Store Keeper (Repair, Maintenance and purchases)**
- I. Illegal assistance to the Medical Superintendent (Dr. Iftikhar Ahmad Ghumman) for dubious repair of X-Ray Plant.
 - II. Wrong entry of X-Ray Plant repair.
 - III. Illegal assistance to Medical Superintendent (Dr. Iftikhar Ahmad Ghumman) for repair of vehicles on papers only.
- (D) **Mr. Zaheer Ahmad, Sanitary Inspector, Kot Khawaja Saeed Hospital Lahore.**
- I. Illegal deployment of hospital employees to the private residences of Dr. Iftikhar Ahmad Ghumman, ex- M.S.
 - II. Providing assistance in illegal cutting of shady trees.
 - III. Providing assistance in illegal purchase of palm tree without demand from Mali and technical advice from Forest Department.

16. **AND WHEREAS**, Mr. Shahid Nasir Raja, Member (Inquiries-I), S&GAD, Government of the Punjab/ Inquiry Officer returned the case vide letter No. PS/Member-I (Enquiries)2-68/2019 dated 24.10.2019 stating that all the accused submitted their representations wherein they have raised objections that Inquiry order dated 11.09.2019 is violation and contempt of the PST orders and August Supreme of Pakistan's decision dated 04.02.2019. They have also moved contempt application in Supreme Court of Pakistan on above point and requested that de novo inquiry proceedings may be withheld till decision of their petition. The Inquiry Officer observed to seek advice from the Law Department.

17. **AND WHEREAS**, in the instant case, the Law Department observed as under:-

"The accused officers/officials perceived different connotations of the judgment of Hon'ble Apex Court. They have moved Crl.original before Hon'ble Apex Court, being dissatisfied with the order for de novo enquiry, passed by the Chief Minister. Having gone through the order meticulously, it can be learnt that Hon'ble Apex Court gave preponderant effect to the aspect of inaction of the Administrative Department during the period strewn over five years or so. The Hon'ble Apex Court observed that it is tantamount to abdication of the path of enquiry against the accused officers/officials and this way, the petitions were declared infructuous. By necessary implication, the order tends to scuttle the avenues of any proceedings under PEEDA Act, more so, when couple of the accused persons have already superannuated. The assiduous observation is that the option of de novo enquiry seems to be a far cry. In order to eschew any petition before Hon'ble Apex Court and to ensure implementation of the order dated 04.02.2019, it would be appropriate that the order of initiation of de novo enquiry is withdrawn. As no specific provisions are available in PEEDA Act, 2006 for withdrawal of the orders of de novo inquiry, the provisions, contained in Section 20 of the Punjab General Clause Act, 1956, may be adverted to."

18. **AND WHEREAS**, in pursuance of the approval of the Chief Minister/Competent Authority, a draft order regarding withdrawal of de novo inquiry proceedings against the accused was again referred to the Law Department for vetting to avoid any legal complication in future. In response thereto, Law Department advised that the Chief Minister accorded approval for withdrawal of the de novo inquiry proceedings. The Administrative Department is to issue the order of withdrawal accordingly and no vetting of draft order is required to be made by the Law department.

19. **NOW THEREFORE**, the Chief Minister/Competent Authority, after going through the Hon'ble Apex Court's order dated 04.02.2019 alongwith relevant record meticulously and the observations of the Law Department, in exercise of powers conferred upon him under Section 20 of the Punjab General Clauses Act, 1956, has been pleased to **WITHDRAW** the denovo inquiry order dated 11.09.2019 referred above. However, this order shall not affect criminal proceedings pending against the accused, if any.

**BY THE ORDERS OF THE CHIEF MINISTER /
COMPETENT AUTHORITY**



**SPECIAL SECRETARY
P&SH DEPARTMENT**

No. S.O(INQUIRIES) 2-7/2009 (P)

Dated Lahore, the 30th April, 2021.

A copy is forwarded for information & necessary action to :-

1. The Principal Secretary to Chief Minister Punjab, Lahore.
2. The Secretary, Specialized Healthcare and Medical Education Department.
3. The Director General Health Services, Punjab, Lahore.
4. The Accountant General Punjab, Lahore.
5. The Commissioner, Lahore Division.
6. The Deputy Commissioner, Lahore.
7. The Chief Executive Officer, District Health Authority, Lahore.
8. Medical Superintendent, Kot Khawaja Saeed Teaching Hospital, Lahore.
9. Senior Law Officer, P&SH Department
10. Registrar, Punjab Service Tribunal, Lahore.
11. Registrar, August Supreme Court of Pakistan, Islamabad.
12. Section Officers (GC-II, Confidential and AHP-I), P&SH Department
13. P.S.O. to Secretary, P&SH Department.
14. P.S. to Special Secretary, P&SH Department.
15. Dr. Iftikhar Ahmad Ghuman (APMO/BS-19), ex-Medical Superintendent Kot Kawaja Saeed Hospital, Lahore R/o 396/D-III, WAPDA Town Lahore.
16. M. Muhammad Rashid, ex-Store Keeper, R/O House No. 9, Street No.34 Dhobi Ghat Bibi Pakdaman, Empress Road, Lahore.
17. Mr. Zaheer Ahmad, ex-Sanitary Inspector, Kot Khawaja Saeed Hospital, Lahore Presently working in Lahore Municipal Corporation, Lahore.
18. Mr. Muhammad Latif, ex-Accountant, Kot Khawaja Saeed Hospital, Lahore (Presently Accountant, Govt. Hospital Shahadra Town, Lahore.
19. Master file 2021.



**(SOHAIL ALI)
SECTION OFFICER (INQUIRIES)**