

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 838/2014

Date of Institution ... 21.05.2014

Date of Decision ... 17.10.2019

Dr. Qamar Zaman S/O Haji Fazl-ur-Rehman, Ex-Principal, Medical Officer (BPS-19), DHQ, Hospital, Bannu. (Appellant)

VERSUS

Govt: of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat, Peshawar and three others. ... (Respondents)

MISS. UZMA SYED,
Advocate

For appellant.

MR. ZIAULLAH,
Deputy District Attorney

For respondents

MR. AHMAD HASSAN

MEMBER(Executive)

MR. MUHAMMAD AMIN KHAN KUNDI

MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER:- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS.

02. Learned counsel for the appellant argued that on the recommendations of Khyber Pakhtunkhwa Public Service Commission, he was appointed as Medical Officer (BPS-17) vide notification dated 09.08.1982 and promoted as Senior Medical Officer through notification dated 09.04.1990. He was granted Moveover from BPS-18 to BPS-19 w.e.f 01.12.1997 under notification dated 25.06.2012. His promotion to BPS-19 was due to w.e.f 29.06.2006 but was withheld due to disciplinary proceedings pending against him. That vide order dated 22.09.2010 minor penalty of withholding of one annual increment and recovery of loss of Rs. 196112/- at the @ of Rs. 2000 was awarded to him. However, on acceptance of departmental representation, he was exonerated of the charges through

notification dated 21.04.2011. That reaching the age of superannuation, he stood retired from government service on 01.01.2013 vide notification dated 28.02.2013. That the appellant was promoted to BPS-19 on notional basis w.e.f 14.12.2012 through notification dated 31.01.2013, instead of 29.06.2006. Feeling aggrieved, he filed departmental appeal on 06.02.2013 which was rejected on 30.04.2014, hence, the present service appeal. His promotion could not be withheld due to pending disciplinary proceedings as he was both qualified and eligible for promotion. Had he got promotion to BPS-19 in time, he could have availed the benefit of promotion to BPS-20 thus denial of due right proved double edge sword for him. Reliance was placed on case law reported as 2008 PLC (C.S) 450, 2005 PLC (C.S) 524, 2004 SCMR 62, 2017 PLC (C.S) 1496, 2006 SCMR 1415 and this Tribunal dated 27.02.2018 passed in service appeal no. 1050/2015.

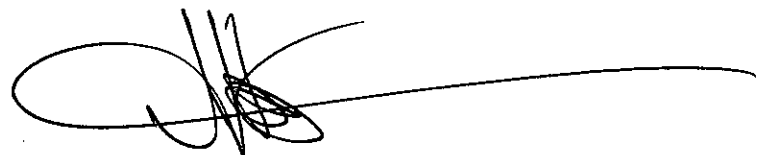
03. Learned DDA argued that as the appellant was proceeded under RSO-2000 and minor penalty was awarded to him, therefore, he was not entitled for promotion to BPS-19 in 2006. He was exonerated of the charges by the competent authority vide order dated 21.04.2011. Moreover, the appellant had not undergone mandatory training for promotion to BPS-19. He completed the said training in 2012 and thereafter became eligible for promotion. His promotion was referred to the Establishment Department for placement before PSB. The PSB in its meeting held on 14.12.2012 recommended for notional promotion to BPS-19 w.e.f. 14.12.2012 vide notification dated 31.01.2013. Moreover, on reaching the age of superannuation, he stood retired from government service w.e.f 01.01.2013 notified on 28.02.2013. Reliance was placed on case law 2006 SCMR 1324, PLD 2008 Supreme Court 395 and 2006 PLC (C.S) 1034.

CONCLUSION:

04. Through the present service appeal the appellant claims promotion to BPS-19 w.e.f 29.09.2006 instead of 14.12.2012. Disciplinary proceedings were pending against the appellant and upon culmination minor penalty alongwith recovery of loss of Rs.

196112/- was awarded to him through notification dated 22.09.2010. On consideration of his presentation by the competent authority the order of penalty was withdrawn vide notification dated 21.04.2014. This was one ground that led to deferment of his promotion. Another crucial point involved in the present service appeal was that he completed mandatory training for promotion in 2012, as such even if disciplinary proceedings were not pending against him, he was not eligible for promotion due to the said requirement of the rules. As he reached the age of superannuation, therefore, notional promotion was granted to him w.e.f 14.12.2012 vide notification dated 31.03.2013. He was treated in accordance with law and rules. Moreover, as the appellant has already retired from service and also availed the benefits of notional promotion alongwith pension etc way back in 2013 so the present claim for antedation of promotion lacks substance/justification. He was treated by the respondents according to law and rules and the present service appeal was not worth consideration.

05. As a sequel to the above, the present appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.



(AHMAD HASSAN)

Member

Muhammad Amin
(MUHAMMAD AMIN KHAN KUNDI)
Member

ANNOUNCED
17.10.2019

17.07.2019

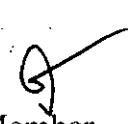
Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Appellant requested for adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court Peshawar. Adjourned to 17.09.2019 for arguments before D.B.

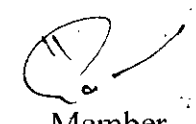

(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

17.09.2019

Uzma Syed Advocate appeared on behalf of appellant and submitted wakalat nama in favor of the appellant. Mr. Riaz Paindakheil learned AAG for the respondents present. Being freshly engaged, learned counsel for the appellant seeks adjournment. Adjourned by way of last chance. To come up for arguments on 17.10.2019 before D.B.


Member


Member

Order


17.10.2019

Appellant with counsel present. Mr. Ziaullah, Deputy District Attorney for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed on file, the appeal is dismissed. Parties are left to bear their own cost. File be consigned to the record room.

Announced:
17.10.2019


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

29.03.2019

Appellant alongwith his counsel present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Hazrat Shah, Superintendent for the respondents present. Adjournment requested. Adjourned. To come up for arguments on 03.05.2019 before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

03.05.2019

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. On previous numerous occasions similar requests were made by the appellant for adjournment. Last opportunity is granted to him for arguments. On the next date of hearing, if the learned counsel for the appellant was not available even then the case would be decided accordingly. Adjourned to 18.06.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

18.06.2019


Appellant in person and Mr. Riaz Paindakheil learned Asstt: Advocate General present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 17.07.2019 before D.B.


Member


Member

01.11.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 06.12.2018 before D.B.



Reader

06.12.2018

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Appellant seeks adjournment. Adjourned. To come up for arguments on 09.01.2019 before D.B.




(Ahmad Hassan)
Member



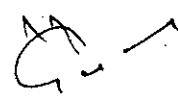
(M. Amin Khan Kundi)
Member

09.01.2019

Clerk to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Clerk to counsel for the appellant requested for adjournment that counsel for the appellant is not available today. Adjourned. To come up for arguments on 15.02.2019 before D.B.



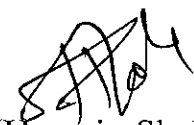
Member




Member

15.02.2019

Appellant in person and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Appellant requested for adjournment as his counsel is not in attendance. Adjourned. To come up for arguments on 29.03.2019 before D.B.



(Hussain Shah)
Member



(Muhammad Amin Khan Kundi)
Member

14.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come up on 31.07.2018.


READER

31.07.2018


Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 19.09.2018 before D.B

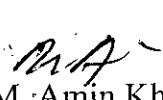

(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

19.09.2018

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Hazrat Shah, Superintendent for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 17.10.2018 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

17.10.2018

Appellant in person and Mr. Riaz Ahmed Paindakhel Assistant Advocate General alongwith Mr. Tahir Shah Superintendent for the respondents present. Appellant seeks adjournment that his counsel is not in attendance. Adjourn. To come up for arguments on 01.11.2018 before D.B.


Member


Member

16.11.2017

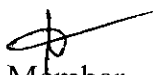
Appellant in person and Mr. Muhammad Jan, DDA for respondents present. Appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 19.12.2017 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

19.12.2017


Appellant in person and Asst: AG for respondents present. Appellant seeks adjournment as his counsel is not in attendance. Adjourned. To come up for arguments on 15.02.2018 before D.B.



Member


Chairman

15.02.2018

Appellant in person present. Mr. Muhammad Jan, learned DDA for the respondents present. Appellant seeks adjournment as his counsel is not available. Adjourned. To come up for arguments on 02.04.2018 before D.B.


(Ahmad Hassan)
Member(E)


(Muhammad Hamid Mughal)
Member(J)

07.04.2018

Clerk to counsel for the appellant and Mr. Muhammad Jan, Learned Deputy District Attorney for the respondents present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 14.05.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

838/2014

28.04.2017


Appellant has sent an application for adjournment. Mr. Muhammad Jan, Government Pleader for the respondents present. Adjourned for final hearing to 21.08.2017 before D.B.


Member


Chairman

21/8/2017

Appellant in person and Mr. Muhammad Adeel Butt, AAG for the respondents present. Due to non-availability of DB, case to come up for argument on 5/10/2017 before DB.


Reader

05.10.2017

Appellant with counsel and Mr. Ziaullah, DDA for respondents present. Counsel for the appellant submitted an application for placing additional documents alongwith the documents which is placed on file and seeks adjournment. Adjourned. To come up for 16.11.2017 before D.B..

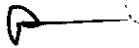

(MUHAMMAD HAMID MUGHAL)
MEMBER


(AHMAD HASSAN)
MEMBER

27.07.2016

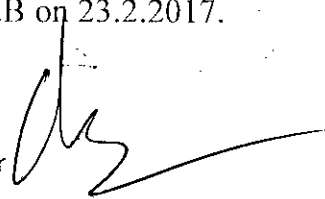
Counsel for the appellant and Addl: AG for the respondents present. Learned AAG informed that they are not in position of rejoinder. Learned counsel for the appellant promise to provide copy of rejoinder today. Case is adjourned to facilitate Asst: AG for preparing the case. To come up for arguments on 01.11.2016.


Member


Member

01.11.2016

Appellant with counsel and Mr. Ziaullah, GP for the respondents present. Learned counsel for the appellant intends to submit further documents in the appeal. Same be furnished in office within fortnight with a copy to the learned GP in advance and to come up for final hearing before the D.B on 23.2.2017.

Member 


Chairman

23.02.2017

Appellant with counsel and Mr. Ziaullah, GP for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 28.04.2017 before D.B.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

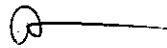
03.09.2015

Appellant with counsel and Mr. Yar Gul, Senior Clerk alongwith Addl: A.G for respondents present. Para-wise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 21.12.2015.


Chairman

21.12.2015

Appellant in person and Mr. Muhammad Jan, GP for respondents present. Rejoinder submitted. To come up for arguments on 19.4.2016.



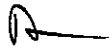
Member


Member

19.04.2016

Appellant in person and Mr. Ziaullah, GP for respondents present. Appellant requested for adjournment as his counsel is not available today before the Court. To come up for arguments on

~~27-7-16~~



MEMBER


MEMBER

12.05.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as SMO in BPS-18 when granted move-over to BPS-19 with effect from 1.12.1997 vide notification dated 25.6.2012. That the appellant was considered for regular promotion on 31.1.2013 and was regularly promoted to BPS-19 with effect from 14.12.2012 though entitled to regular promotion with effect from 29.9.2006. That the appellant was earlier subjected to inquiry and initially one annual increments was withheld and recovery of Rs. 196112/- was ordered against the appellant which order was set-aside by the appellate authority vide order dated 21.4.2011.

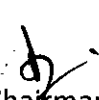
That the appellant preferred departmental appeal on 6.2.2013 which was rejected on 30.4.2014 and hence the instant service appeal on 21.5.2014.

That other colleagues of the appellant including Junior to him were promoted to BPS-19 with effect from 29.9.2006 while appellant deprived despite his entitlement.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 27.7.2015 before S.B.

Appellant Deposited
Security & Process Fee




Chairman

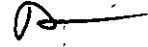
27.07.2015

Appellant in person and Mr. Yar Gul, Senior Clerk alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 3.9.2015 before S.B.


Chairman

6
17.02.2015

Appellant in person present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 06.03.2015



Member

7
06.03.2015

Appellant in person present and requested for adjournment. To come up for preliminary hearing on 31.03.2015.



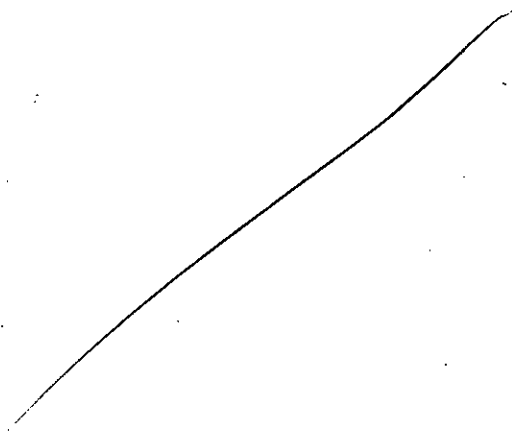
Member

8
31.03.2015

Appellant in person and Mr. Sabir Khan, SO (Litigation) for respondent No.1 present. Mr. Zulfiqar Ahmad, Advocate filed fresh Wakalat Nama on behalf of the appellant. Notice be issued to the learned AAG/GP to assist the Tribunal. To come up for preliminary hearing on 12.05.2015.



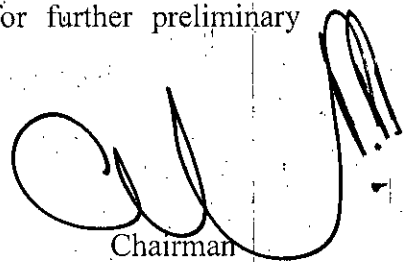
Member



3

22.08.2014

Appellant with counsel present and heard. In view of submission of the learned counsel for the appellant, a pre-admission notice be issued to the Secretary Health, Khyber Pakhtunkhwa, Peshawar (respondent No.1) for production of complete record showing availability of vacancies in BPS-19 in September, 2006 and eligibility of the appellant for ^{his} promotion of ~~the appellant~~ to BPS-19 at that time for further preliminary hearing on 15.10.2014.

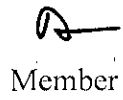


Chairman

4

15.10.2014

Assistant to counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 15.12.2014.



Member

5

Reader Note:

15.12.2014

No one is present on behalf of the appellant. Since the Tribunal is incomplete, therefore, case is adjourned to 17.02.2015 for the same.





Reader

Form - A
Form of Order Sheet

Court of _____

Case No. 838/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	12/06/2014	<p>The appeal of Dr. Qamar Zaman resubmitted today by Mr. Shakeel Ahmad Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	17-6-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>22-8-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Dr. Qamar Zaman Ex-Principal, Medical Officer DHQ Hospital Bannu received today i.e. on 21.05.2014 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure-G of the appeal is illegible which may be replaced by legible/better one.
- 2- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.

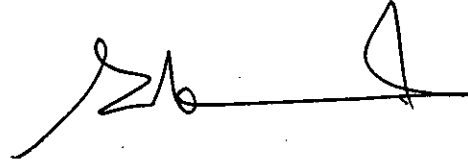
No. 777 /S.T,

Dt. 21/05 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Shakeel Ahmad Advocate, Pesh.

Resubmitted after the completion.



BEFORE THE SERVICE TRIBUNAL, KPK PESHAWAR

Service Appeal No. 838 of 2014

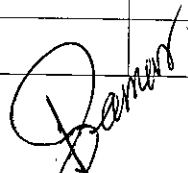
Dr. Qamar Zamanp (Appellant)

VERSUS

Govt of KPK and others(Respondents)

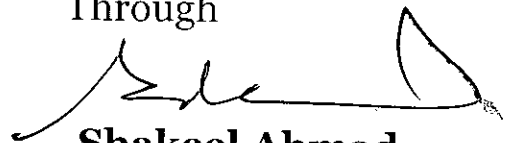
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S.No.	Description of Documents	Annexure	Page No.
1.	Grounds of service appeal		1-5
2.	Affidavit		6
3.	Addresses of the parties		6a
3.	Copy of notification dated 09/8/82	'A'	7-8
4.	Copy of notification dated 09/4/90	'B'	9-17
5.	Copy of notification dated 25/6/12	'C'	18
6.	Copy of representation dt. 21/4/11	'D'	19
7.	Copy of notification dated 31/01/13	'E'	20
8.	Copy of notification dated 28/02/13	'F'	21
9.	Copy of Appeal for promotion	'G'	22
10.	Copy of representation dt.31/12/13	'H'	23
11.	Copy of representation dt. 30/04/14	'I'	24
12.	Copy of representation regarding promotion to BS.19 w.e.f on 29/9/2006	'J'	25
13	Wakalatnama		



Appellant

Through



Shakeel Ahmad

Cell No. 0321-9179188

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

In Re:

Service Appeal No. 838 /2014

739
21-5-2014

Dr. Qamar Zaman S/o Haji Fazl-ur-Rehman
Ex-Principal, Medical Officer (BS-19)

DHQ Hospital, Bannu. Appellant

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat, Peshawar.
2. Director General Health Services near District Courts, Peshawar.
3. Medical Superintendent, DHQ Hospital, Bannu.
4. Govt. of Khyber Pakhtunkhwa through Secretary Finance, Civil Secretariat, Peshawar. . . Respondents

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE NOTIFICATION
NO.SOH(E-V)1-48/2007 DATED 31.01.2013
TO THE EXTENT OF PROMOTING THE
APPELLANT w.e.f. 14.12.2012 ON
NOTIONAL BASIS IN BPS-19 INSTEAD OF
w.e.f. 29.09.2006.**

21/5/14

re-submitted to ~~do~~
and filed.

12/6/14

Respectfully Sheweth:

Short facts giving rise to the present appeal are as under:

1. That, initially, the appellant was appointed as Medical Officer on the recommendation of the NWFP PSC now Khyber Pakhtunkhwa Public Service Commission vide notification No.18829-32/E-1 dated 09.08.1982. (Copy of order is annex "A").
2. That the appellant was promoted in BS-18 (SMO) on 09.04.1990. (Copy of the order is annex "B").
3. That the appellant was granted move over benefits from BS-18 to BS-19 w.e.f. 01.12.1997 vide notification No.SOH(E-V)1-48/2007 dated 25.06.2012. (Copy of the notification is annex "C").
4. That the appellant was due for promotion in BS-19 w.e.f. 29.09.2006, but due to an under process inquiry, he was not promoted in BS-19, though the departmental inquiry culminated in imposition of penalty of withholding of one annual increment and recovery of loss of Rs.1,96,112/- @ Rs.2000/-, however, on appeal the penalty was set aside and the appellant was exonerated of the charges vide notification No.SOH(E-V)1-48/2007 dated 21.04.2011.

5. That the appellant was lastly promoted in BS-19 on notional basis w.e.f. 14.12.2012 vide notification No.SOH(E-V)1-48/2007 dated 31.01.2013 instead of 29.09.2006, though many vacancies was laying vacant in BS-19 during those days, merely on the pretext of departmental inquiry against the appellant, not satisfied with the same, the appellant preferred two departmental appeals on 01.02.2013 one for promotion in BS-19 and other for BS-20, which was turned down vide order dated 30.04.2014. It is pertinent to mention here that the appellant stood retired w.e.f. 01.01.2013 vide notification No.SOH(E-V) 1-48/2007 dated 28.02.2013. It is worth mentioning that had the appellant been promoted in BS-19 in due course of time, he would have been promoted in BS-20 till 2011-12.
6. That the appellant feeling aggrieved from the impugned notification No.SOH(E-V)1-48/2007 dated 31.01.2013 to the extent of promotion in BS-19 w.e.f. 14.12.2012 instead of 29.09.2006 and, thereafter, rejection of departmental appeal vide order No.SOH(E-V)1-48/2002/Dr. Qamar Zaman dated 30.04.2014, now approaches this Honourable Court, inter alia, on the following grounds;

GROUNDS:

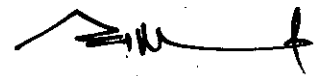
- A. That the notification impugned herein dated 31.01.2013 to the extent of promoting the appellant w.e.f. 14.12.2012 instead of 29.06.2012 and, thereafter, dismissal of his departmental appeals vide order dated 30.04.2014 is illegal, without lawful authority, void-ab-initio, mala fide and the same is liable to be modified accordingly.
- B. That withholding of the promotion of the appellant till 31.01.2013 on the pretext of departmental inquiry is not warranted by law.
- C. That many posts were lying vacant during process of inquiry, but he was not promoted, therefore, the impugned notification is liable to be modified by incorporating the date w.e.f. 29.09.2006.
- D. That the appellant possesses all requisite qualification to be promoted in BS-19, but he was deprived of the promotion illegally, therefore, warrant interference.
- E. That there was nothing adverse against the appellant to withhold in BS-19.
- F. That promotion of the appellant was withheld for no fault of him.

- G. That since the appellant was not promoted in due course of time, therefore, he could have been promoted in BS-20 till 2011-12, he was illegally deprived of the same.

It is, therefore, prayed that on acceptance of this appeal, the impugned notification No.SOH(E-V) 1-48/2007 dated 31.10.2013 to the extent of promoting the appellant in BS-19 w.e.f. 14.12.2012 on notional basis instead of 29.09.2006 and, thereafter, dismissal of his departmental appeals vide order dated 30.04.2014 be declared as illegal, unlawful, without lawful authority, without jurisdiction, void-ab-initio and have no legal effect and the respondents be directed to promote the appellant w.e.f. 29.09.2006.

Through


Appellant



SHAKEEL AHMAD
Advocate, Peshawar

Dated: 14.05.2014

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

In Re:

Service Appeal No. _____/2014

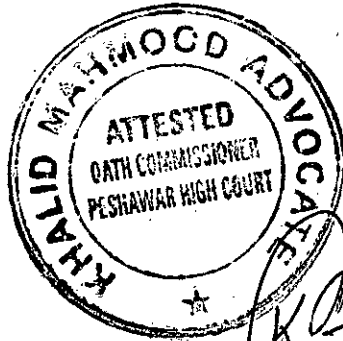
Dr. Qamar Zaman.Appellant

Versus

Govt. of Khyber Pakhtunkhwa & others. Respondents

AFFIDAVIT

I, Dr. Qamar Zaman S/o Haji Fazl-ur-Rehman, Ex-Principal, Medical Officer (BS-19) DHQ Hospital, Bannu, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.



Qamar Zaman

DEPONENT

Khalid Mahmood
18/5/14

(8a)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

In Re:

Service Appeal No. _____/2014

Dr. Qamar Zaman.Appellant

Versus

Govt. of Khyber Pakhtunkhwa & others. Respondents

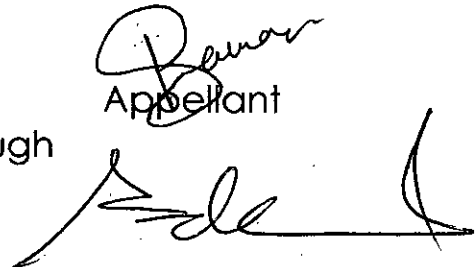
APPELLANT

Dr. Qamar Zaman S/o Haji Fazl-ur-Rehman
Ex-Principal, Medical Officer (BS-19)
DHQ Hospital, Bannu

RESPONDENTS

1. Govt. of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat, Peshawar.
2. Director General Health Services near District Courts, Peshawar.
3. Medical Superintendent, DHQ Hospital, Bannu.
4. Govt. of Khyber Pakhtunkhwa through Secretary Finance, Civil Secretariat, Peshawar

Through


Appellant

SHAKEEL AHMAD

Advocate, Peshawar

Dated: 18.05.2014

BEFORE THE SERVICE TRIBUNAL PESHAWAR, PESHAWAR.

DR. QAMAR ZAMAN

v/s

Health department.

Application For adjournment on behalf of
~~Applicant~~ Applicant DR. QAMAR ZAMAN

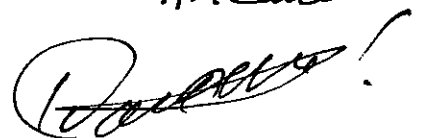
R/sheweth:

- ① That the above titled case is pending before this honourable court and is fixed for today i.e. 09-01-2019.
- ② That the Senior Council representing Applicant DR. QAMAR ZAMAN is in Islamabad and cannot appear before this honourable court today. i.e. 09-01-2019.

It is therefore most humbly prayed that on acceptance of this application the case may please be Adjourned.

Applicant

Through



Kamran

Check SARDAR Ali Raza

(ADSC)

Dated: 09-01-2019

M. J. Khan

RECEIVED
1982

Dr. Abdul Khaliq Khan)
M.A.P.P. Peshawar
Director Health Services



Encl: 1
1982

A copy of the Health and Age Certificate of the above named Doctor is sent herewith.
District Accounts Officers, D.I. Khan
For information.

A copy of the Nominal Roll Form is sent herewith for completion by the Doctor concerned immediately.
District Health Officer, D.I. Khan.
Secretary to Government of NWFP, Health & S. Welfare Department,
Peshawar for information.

Copy forwarded to the:-
Dated Peshawar the 09/8/1982
No. 1829-32

The Manager Govt. Printing Press and Stationery Department for publication in the Govt. Gazette.
(Dr. Abdul Khaliq Khan)
M.A.P.P. Peshawar
Director Health Services

AD.A.O. 1 5 AU 1982

Dr. Gamar Zaman
Appointment has been posted as Medical Officer Rural Health Centre, Ama Khel (D.I. Khan) on his 1st from 26-7-1982 (P.M.)
to fill the vacant post of M.M.O. R.M.C. Ama Khel.

Dr. Gamar Zaman, M.A.P.P. Peshawar the
as Temporary Medical Officer on adhoc basis at Rs 900/P.M. in the scale of Rs 900-50-1150/60-1750 (N. 17) plus usual allowances as sanctioned by the Government from time to time for a period of six months or till such time candidates are selected and recommended by the Public Service Commission for Medical Officers whichever is earlier.

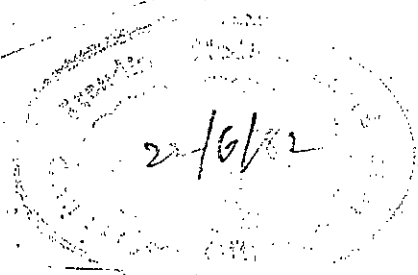
N.W.F.P. HEALTH DEPARTMENT, PESHAWAR
NOTIFICATION

(7)

"A"

MEDICAL CERTIFICATE.

Name of Official: Dr. J. J. J. J. J.
 Caste or race: Khaton
 Father's name: Mr. J. J. J. J. J.
 Residence: College Ho. Miran Shikri P.O. Bannu W.D.,
Teh. & Distt. F.R. Bannu
 Date of birth: 1-1-1953
 Exact height by measurement: 5 feet 7 inches
 Personal mark of identification: Scar on the neck of the Lt. J. J. J. J.
 Signature of the official: J. J. J. J.
 Signature of head of office: _____



Noted - Mr
 S. J. J. J.

Seal of Office _____

I do hereby certify that I have examined Mr. Dr. J. J. J. J. a candidate for employment in the office of the Health Dept. and can not discover that he has any disease, communicable or other, constitutional affection or bodily infirmity except None

I do not consider this as disqualification for employment in the office of the Health Dept. His age according to his own statement 27 1/2 years and by appearance about 29/30 years.

LEFT HAND THUMB AND FINGER IMPRESSIONS: _____

Civil Hospital, _____ Medical Superintendent,

[Signature]
 Prof. _____

[Signature]

(3) (4) B

Government of NWFP,
Health & S. Welfare Department,
Dated 24.11.1990.

NOTIFICATION

No. S.C.H. IV-9691/71. The Govt. of NWFP in consultation with the Provincial Selection Board is pleased to promote the following Medical Officers from BPS-17 to BS-18 with immediate effect :-

- 1) Dr. Fazli Hadi S/O Habib Khan
- 2) Dr. Mahmood Alam S/O Khawaja Muhammad Shafi,
- 3) Dr. Gul Zaman S/O Sher Zaman Khan.
- 4) Dr. Mumtez Khan S/O Bahadur Khan.
- 5) Dr. Capt: Khislat Mohammad S/O Awal Khan.
- 6) Dr. Liaqat Ali S/O Gulmet Khan.
- 7) Dr. Altaf Hussain S/O H. Mohammad Sadiq.
- 8) Dr. Pida Azizuddin S/O Hakim Mohammad.
- 9) Dr. Capt: Mohammad Salim S/O Ghulam Habib.
- 10) Dr. Capt: Fazal Ali S/O Badegh.
- 11) Dr. Capt. Muhammad Hussain S/O Anwarul Haq
- 12) Dr. Capt. Shimal Khan S/O Dara Khan.
- 13) Dr. Capt. Muhammad Naseem S/O Danishmand Khan.
- 14) Dr. Capt. Faizur Rehman S/O Habibur Rehman
- 15) Dr. Abdul Rahim S/O H. Abdul Rehman
- 16) Dr. Hidayatullah S/O Muhammad Ayub Khan.
- 17) Dr. Hazrat Zaman S/O Haqeen Payow.
- 18) Dr. Humayun Shah S/O Karam Usaid Shah
- 19) Dr. Khurshid Ahmed S/O Hazrat Ahmed.
- 20) Dr. Abdul Rehman S/O Obaidullah
- 21) Dr. Phog Chand S/O Sunder Dass
- 22) Dr. Amenullah Khan S/O Gul Muhammad
- 23) Dr. Asmatullah S/O Amin Khan
- 24) Dr. Anjum Parvez Khan S/O Mohd. Attal Khan
- 25) Dr. S. Amjad Hussain S/O S. Muhammad Hussain
- 26) Dr. Jan Muhammad S/O Eal Khan
- 27) Dr. Ibrahim S/O Allah Dad
- 28) Dr. Muhammad Islam S/O Abdullah Khan
- 29) Dr. Muhammad Israil Javed S/O Haji Muhammad Suleman
- 30) Dr. Muhammad Islam S/O Harebat Khan
- 31) Dr. Han Parkash S/O Sevak Ram.
- 32) Dr. Abdul Wahed Shah S/O Amin Shah
- 33) Dr. Shah Noor Khan S/O Than Gul.
- 34) Dr. Muhammad Iqbal S/O Abdul Karim.
- 35) Dr. Fazal Ahsan S/O Faqir Muhammad
- 36) Dr. Muhammad Fahim Jan S/O Sahibzada Abdul Baqi
- 37) Dr. Zahir Shah S/O Fazaal Shah
- 38) Dr. Muhammad Hassan Jhangir S/O Masoodur Rehmat Jhangiri.
- 39) Dr. Anisul Aziz Baluch S/O Anwar Rehman Baluch.
- 40) Dr. Capt. Muhammad Zahir Shah S/O Abdul Sattar.
- 41) Dr. Capt. Abdul Majeed Qureshi S/O Muhammad Ashiq.
- 42) Dr. Alamgir Khan S/O Faqir Sattar.
- 43) Dr. Saeed Badshah S/O
- 44) Dr. Ihsanullah S/O Faridullah
- 45) Dr. Jehanzeb Khan S/O Gauham Jilani
- 46) Dr. Saadat Fauzi S/O M. Hanif Khan.
- 47) Dr. S.M. Athar S/O S.M. Taqweemul Haque.
- 48) Dr. Khairul Boshar S/O Zarin Khan
- 49) Dr. Abdul Sattar S/O Inayatullah
- 50) Dr. Nisar Khan S/O Saifdar Khan
- 51) Dr. Ruhullah Jan S/O Mir Azam Khan
- 52) Dr. Sajjadur Rehman S/O Abdul Rehman
- 53) Dr. Abdul Reshid S/O Abdul Qayum.
- 54) Dr. S. Hussain Jan S/O Mir Abdullah Jan
- 55) Dr. Waheed Khan S/O Hasnain Khan
- 56) Dr. Abdul Ahsan S/O Abdul Waris
- 57) Dr. Zahid Jan S/O

Allosteed

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- (10)
59. Dr. Lisqst Ali Khan S/O Tursb Khan
 60. Dr. Khurshid Ahmed S/O Gul Muhammad
 61. Dr. Khalilur Rehman S/O Rokhan.
 62. Dr. Ismetullah Khan S/O Hawez Khan.
 63. Dr. Mohammed Rashid D/O Mohammed Ayub Khan.
 64. Dr. Capt: Samiullah S/O Bakht Afsar.
 65. Dr. Shahabud Din S/O Fozal Khaliq.
 66. Dr. Mir Alam Khab S/O Noor Hassan.
 67. Dr. Rizq Naseem S/O Abdul Salam
 68. Dr. Ali Akbar S/O Yousef Ali
 69. Dr. Muhammad Ismail S/O Haji Hawez Khan
 70. Dr. Capt. Abdul Wajid S/O Muhammad Azeem Khan
 71. Dr. Hafiz Saad Meharab S/O Abdul Qadir.
 72. Dr. Capt: Abdul Rehman S/O Abdul Khaliq.
 73. Dr. Capt: Jehanzeb Khan S/O Khalid Khan.
 74. Dr. Capt. Shah Nawaz Khan S/O Saif Jalal
 75. Dr. Ihsanul Khaliq S/O Hafiz Ghulam Haroon
 76. Dr. Zainul Ahmad S/O Abdul Qadir.
 77. Dr. Capt. Muslim Khan S/O M. Akbar.
 78. Dr. Melik Zafar Iqbal S/O M. Iqbal.
 79. Dr. Gul Hussein Bangash S/O Haji Muhammad Jan
 80. Dr. Aurangzeb S/O Anwar Beg Bhinhani
 81. Dr. Capt. Shafiqur Rehman S/O Rizwan
 82. Dr. Capt. Shansb-ud-din S/O Qazi Noor Hakim
 83. Dr. Capt. Parvez Ali Shah S/O Wasiq Shah.
 84. Dr. Iftikhar Ahmed S/O Abdul Jeber.
 85. Dr. Capt. Fazlur Rehman S/O Fazal Karim
 86. Dr. Capt. Muhammad Zaffar S/O
 87. Dr. Khalid Farooq S/O Muhammad Umar Jan
 88. Dr. Capt. Shafiq Anwar Taj S/O Hanif Muhammad Taj
 89. Dr. Capt. Muhammad Younis Khawaja S/O Muhammad Yousef Khawaja
 90. Dr. Khen Muhammad Khattak S/O Gul Muhammad.
 91. Dr. Manzoor Ahmed S/O Muhammad Amin
 92. Dr. Jehan Akbar S/O Abdul Akbar.
 93. Dr. Saif Badsah S/O
 94. Dr. Zakin Ahmad S/O Sher Bahadur.
 95. Dr. Zahid Hussain Khaliq S/O Muhammad Hussain.
 96. Dr. Muhammad Saad S/O Abdul Wedood
 97. Dr. Shufrenullah S/O Hazrat Allah
 98. Dr. Abdul Wedood S/O
 99. Dr. Abdul Ghafoor S/O Muhammad Rehman
 100. Dr. Fazle Azwem S/O Fazlur Rahim.
 101. Dr. Muhammad Iyaz Khan S/O Muhammad Ajab Khan
 102. Dr. Bahadar Khan S/O Khurshid.
 103. Dr. S. Luqman Ahmed Shah S/O S. Usman Ahmed Shah
 104. Dr. Muhammad Iyaz S/O Abdul Nawaz
 105. Dr. Tariq Anwar S/O Dr. Muhammad Anwar.
 106. Dr. Muhammad Ajmal Khan S/O
 107. Dr. Nazir Ahmed S/O Sardar Ahmed Khan
 108. Dr. Syed Muhammad Sultan S/O Haji S. Shah Sayed.
 109. Dr. Mukhtar Ahmed S/O Sarfarez Khan
 110. Dr. Fazlul Haq S/O Hazrat Jamal
 111. Dr. Shaikat Javed S/O Sher Zamin Khan
 112. Dr. Muhammad Saleh Shah S/O M. Nasser Shah
 113. Dr. Gulzar Muhammad Khan S/O Atte Muhammad.
 114. Dr. Muhammad Tahir Khan S/O Abdul Hamid Khan
 115. Dr. Qader Dad Khan S/O Mir Dad.
 116. Dr. Muzahir Hussain S/O Haji Lal Hussain.
 117. Dr. Noor Sahib Khan S/O Khamim Shah
 118. Dr. Atteur Rehman S/O Saif Yousef.
 119. Dr. Faqir Muhammad S/O Shah Nazar.
 120. Dr. Fazli Ghani S/O Gul Shahzad.
 121. Dr. Gul Samad S/O Sultan
 122. Dr. Qasim Zaman S/O Hajq Fazlur Rehman
 123. Dr. Capt. Muhammad Sadiq S/O Amir Khan
 124. Dr. Capt. Attaur Rehman S/O Muhammad Ayub
 125. Dr. Abdur Rehman S/O Muhammad Zarin
 126. Dr. Saif Muhammad S/O Ulas Khan
 127. Dr. Capt. Muhammad Alam S/O Jan Alam

Mustafa

- 3 -

On their promotion the following postings/Transfers of the above Medical Officers are hereby ordered with immediate effect against BS-18 post in the Public Interest:-

S.No.	Name	From	To	Remarks
1.	Dr. Fazli Hadi	MO BHU Faqir Killi(Pesh:)	MO CH Sheikhan (Khy:Agency).	Against BS-18 post.
2.	Dr. Mahmood Alam	MO-3rd Health Project, Pesh:	MO Police /Service Hosp; Pesh;	Service. He will continue to work in 3rd Health Project at Peshawar till further orders.
3.	Dr. Gul Zaman	MO RHC Munda Distt: Dir)	MO RHC Munda Distt: Dir.	Against the BS-18 post.
4.	Dr. Munez Khan	ADHO Bannu	ADHO, Bannu	-do-
5.	Dr. Liaqat Ali	MO RHC Gumbat Distt: Kohat)	MO RHC Gumbat Distt: Kohat	-do-
6.	Dr. Altaf Hussain	MO CH Wana	MO CH Wana	-do-
7.	Dr. Fida Azizuddin	MO AH Hosp; Khar, Bajaur	MO AHQ Hosp; Khar, Bajaur	-do-
8.	Dr. sp. Muhammad Sa'im	MO TBC Drosh	MO TBC Drosh Distt: Chitral.	-do-
9.	Dr. Capt. Faisal Ali	MO CH Sarai Neurang, Bannu	MO CH Sarai Neurang, Bannu	-do-
10.	Dr. Capt. Muhammad Hussain	MO Pmb S. Sharif Swat.	MO SG of Hosp; S.S. Swat.	-do-
11.	Dr. Capt. Shimsal Khan	MO BHU Chuprial Distt: Swat	MO 50 Bedded Hosp; Beshem Distt: Swat.	-do-
12.	Dr. Capt. Muhammad Naseem	MO DHQ Hosp; D.I. Khan.	MO DHQ Hosp; D.I. Khan.	-do-
13.	Dr. Capt. Faizur Rehman	MO SG of Hosp; S.S. Swat.	MO SG of Hosp; S.S. Swat.	-do-
14.	Dr. Abdul Rahim	MO PGMI, Peshwar.	MO Govt. LRH Peshwar.	-do-
15.	Dr. Hidayatullah	MO DHQ Hosp; Mardan.	MO DHQ Hosp; Mardan.	-do-
16.	Dr. Hazrat Zaman	MO TBC THQ Hosp; Lakki, Bannu	MO THQ Hosp; Lakki, Bannu	-do-
17.	Dr. Humayun Shah	MO AHQ Hosp; Miranshah	MO AHQ Hosp; Miranshah.	-do-
18.	Dr. Khurshid Ahmed	MO CH Jandola (FR D.I. Khan)	MO CH Jandola (FR D.I. Khan)	-do-
19.		MO CH Pacha Killi, Swat.	MO CH Pacha Killi, Swat	-do-

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20. Dr. Abdul Rehman	TMO PGMI, Peshawar.	MO Govt. LRH, Pesh:	Agains the BS-18 post.
21. Dr. Phag Chand	MO CH Totalai Distt: Swat.	MO CH Totalai Distt: Swat.	-do-
22. Dr. Amanullah Khan	MO DHQ Hosp; D.I. Khan.	MO DHQ Hosp; D.I. Khan.	-do-
23. Dr. Asmatullah Khan	MO DHQ Hosp; Bannu.	MO DHQ Hosp; Bannu.	-do-
24. Dr. Anjum Pervez Khan	MO Govt. LRH Peshawar.	MO Govt. LRH Peshawar.	-do-
25. Dr. S. Amjad Hussain	MO AHQ Hosp; Parachinar.	MO AHQ Hosp; Parachinar.	-do-
26. Dr. An Muhammad	MO DHQ Hosp; Abbottabad (against the post of Pathologist).	MO DHQ Hosp; A. Abad (against the post of Pathologist).	-do-
27. Dr. Ibrahim	MO SG of Hosp; S. Sharif, Swat.	MO SG of Hosp; S. Sharif, Swat.	-do-
28. Dr. Muhammad A. Iam	MO RHC Amakhel Distt: D.I. Khan	MO RHC Amakhel Distt: D.I. Khan	-do-
29. Dr. Muhammad Israel Javed.	MO BHU Dhakki Charsadda (against the post of Leave Reservist).	MO DHQ Hosp; Charsadda.	-do-
30. Dr. Fohd. Aslam	MO DHQ Hosp; D.I. Khan.	MO DHQ Hosp; D.I. Khan.	-do-
31. Dr. Gian Parkash	MO SG of Hosp; S. Sharif, Swat.	MO SG of Hosp; Swat.	+do-
32. Dr. Abdul Waheed Shah	MO AHQ Hosp; Landikotal.	MO AHQ Hospital Landikotal.	-do-
33. Dr. Shah Hoor Khan	MO RHC Gul Imam Distt: D.I. Khan	MO RHC Gul Imam Distt: D.I. Khan	-do-
34. Dr. Muhammed Hakim	MO AHQ Hosp; Khar, Bajaur.	MO AHQ Hosp; Khar, Bajaur.	-do-
35. Dr. Fazal Ahad	MO CH Kalam Distt: Swat.	MO CH Kalam Distt: Swat	-do-
36. Dr. Muhammad Ra'im Jan	ADHO Khyber Landikotal.	ADHO Khyber Landikotal.	-do-
37. Dr. Zahir Shah	MO BHU Tired Distt: Swat	MO CH Alpuri Distt: Swat.	-do-
38. Dr. Mehmoodul Hassan Behngiri.	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	-do-
39. Dr. Khalid Aziz Baloch.	MO I/C D. Khan	MO I/C RHC	-do-

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40. Dr. Capt. Muhammad Zahar Shah.	MO AHQ Hosp; Batkhela.	MO AHQ Hosp; Batkhela.	Against the BS-18 post.
41. Dr. Capt. M. Abdul Majeed Qureshi.	MO Mashoggar Distt: Pesh.)	MO CH Mattani Distt: Peshawar)	-do-
42. Dr. Alamgir Khan	MO BHU Palei Malekand Ag:	MO THQ Hosp; Dargai, Makind Agency.	-do-
43. Dr. Saeed Badshah	MO RHC Amber Kunda, Swabi	MO RHC Amber Kunda District Swabi	-do-
44. Dr. Farsenullah	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	-do-
45. Dr. Jehanzeb Khan.	MO, Govt: LRH, Peshawar.	MO, Govt: LRH, Peshawar.	.do.
46. Dr. Suddat Fauzi.	MO, Govt: Inf: Diseases Hosp: Peshawar. (Leave <i>vese vist</i>)	MO, Govt: Inf: Disease Children Hosp: Peshawar.	.do.
47. D. S. A. Athar.	Demonstrator, KMC, Peshawar.	Demonstrator, KMC, Peshawar.	.do.
48. Dr. Khairul Basha.	MO, BHU: Dev. li (Distt Swat).	MO, Saidu Group of Hospitals, Saidu Sharif.	.do.
49. Dr. Abdul Sattar.	TMO, PG I, Pesh.	MO, Govt: Inf, Peshawar.	.do.
50. Dr. M. A. Khan.	MO, HSTH, Peshawar (Leave <i>vese vist</i>)	MO, HSTH, Peshawar.	.do.
51. Dr. Muhammad Jan.	Demonstrator, KMC, Peshawar.	Demonstrator, KMC, Peshawar.	.do.
52. Dr. Sajjadur Rahman.	TMO, PG II, Pesh;	MO, Govt: LRH, Peshawar.	.do.
53. Dr. Abdul Rashid.	MO, DHQ: Hospital, A. Abad (on deputation in Saudi Arabia).	MO, DHQ: Hospital, Abbottabad.	.do.
54. Dr. S. Hussain Jan.	ADHO, Hangu.	ADHO, Hangu.	.do.
55. Dr. Waheed Khan.	MO, School Health Services, Charsadda.	MO, DHQ: Hospital, Charsadda.	.do.
56. Dr. Abdul Ahad.	ADHO, Swabi.	ADHO, Swabi.	.do.
57. Dr. Khalid Latif.	Demonstrator, KMC, Peshawar.	Demonstrator, KMC, Peshawar.	.do.
58. Dr. Ajmal Khan.	Demonstrator, KMC, Peshawar.	Demonstrator, KMC, Peshawar.	.do.
59. Dr. Liaqat Ali Khan.	MO, CH Mattani		

M. S. Khan

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- 51. Dr. Khalilur Rehman. MO, Govt:LRH, Peshawar. MO, Govt:LRH, Peshawar. Against t vacant po .do.
- 52. Dr. Ismatullah Khan. MO, HSTH, Peshawar. MO, HSTH, Peshawar. .do.
- 53. Dr. Mohammad Rashid. Demonstrator, KMC, Peshawar. Demonstrator, KMC, Peshawar. .do.
- 54. Dr. Capt: Semiullah. CDC, Officer Divl: Health Dir: Saidu Group of Hosp: Saidu Sharif, Swat. MO, S. Group of hosp; Saidu Sharif, Swat. .do.
- 55. Dr. Shahabuddin. MO, S. Group of Hospitals, Saidu Sharif, Swat. .do.
- 56. Dr. Mir Alam Khan. MO, Child Welfare Centre, Parachinar. MO, AHQ: Hospital, Parachinar. .do.
- 57. Dr. Piaz Naseem. Demonstrator KMC Peshawar. Demonstrator KMC Peshawar. .do.
- 58. Dr. Ali Akbar. BHI Muzaffar Kot (K. Ag:) MO CH Alizai (Kurram). .do.
- 59. Dr. Muhammad Ismail. Demonstrator KMC Peshawar. Demonstrator KMC Peshawar. .do.
- 60. Dr. Capt. Abdul Waheed. MO AHQ Dargai Mal kano Ag: MO Tehsil HQ Hosp; Dargai. .do.
- 61. Dr. Hafiz Said Mahmood. MO RHC, Nazir Ghazi, Pesh: MO RHC Manki Sharif, Pesh: .do.
- 62. Dr. Capt. Abdur Rehman. MO Govt. LRH Peshawar. MO Govt. LRH Peshawar. .do.
- 63. Dr. Capt. Jehanzeb Khan. MO CID Hosp; Peshawar. MO CID Hosp; Peshawar. .do.
- 64. Dr. Capt. Shah Nawaz. MO I/C RHC Akora Khattak, Peshawar. MO I/C RHC Akora Khattak, Pesh: .do.
- 65. Dr. Ihsanul Khalid. TMO PGMI, Pesh: MO Govt. LRH., Peshawar. .do.
- 66. Dr. Zainul Ahmed. ADHO, Swat. ADHO, Swat. .do.
- 67. Dr. Capt. Muslim Khan. MO DHQ Hosp; Charsadda. MO CH Tangi, Charsadda. .do.
- 68. Dr. Malik Zafar Iqbal. MO CH Jamrud MO CH Jamrud .do.
- 69. Dr. Gul Hussain Bangash. MO LRH, Pesh: MO LRH, Pesh: .do.
- 70. Dr. Aurengzeb. MO THQ Hosp; Tank, DIK. MO THQ Hosp; Tank, DIK. .do.
- 71. Dr. Capt. Shafi-ur-Rehman. MO SG of Hosp; S.S. Swat. MO SG of Hosp; S.S. Swat. .do.
- 72. Dr. Capt. Shehabuddin. MO DHQ Hosp; Tank, DIK. MO DHQ Hosp; Tank, DIK. .do.

Collected

(15)

83. Dr. Capt. Parvez Ali Shah	MO I/C CH Bslakot: Distt: Mansehra.	MO I/C Balakot Distt: Mansehra	Age: the BS-1 post
84. Dr. Iftikhar Ahmed	MO Jr. Registrar HSTH Peshawar.	MO HST Hosp; Peshawar.	.do.
85. Dr. Capt. Fazlur Rehman	MO DHQ Hospital, Chersadda.	MO DHQ Hosp; Chersadda.	.do.
86. Dr. Capt. Mohd. Zaffar	MO Health Dto. Peshawar.	MO HST Hosp; Peshawar.	.do.
87. Dr. Khalid Farooq	MO DHQ Hosp; Bannu.	MO DHQ Hosp; Bannu.	.do.
88. Dr. Capt. Shafiq Anwar	MO HST Hosp; Peshawar.	MO HST Hosp; Peshawar.	.do.
89. Dr. Capt. Muhammad Younis Khawaja.	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	.do.
90. Dr. Khan Mohd. Khatkhat	MO Police Hosp; Peshawar.	MO Police Hosp; Peshawar.	.do.
91. Dr. Manzoor Ahmed	MO Govt. LRH Peshawar.	MO Govt. LRH Peshawar.	.do.
92. Dr. Jehan Akbar	TMO PGM-I, Pesh:	MO LRH Peshawar	.do.
93. Dr. Saad Badshah	MO AHQ Hosp; Batkheela.	MO AHQ Hosp; Batkheela.	.do.
94. Dr. Zamin Ahmed	MO LRH Peshawar	MO LRH Peshawar	.do.
95. Dr. Zaid Hussain Khalil.	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	.do.
96. Dr. Muhammad Saeed	MO DHQ Hosp; Kohat.	MO, DHQ Hosp; Kohat.	.do.
97. Dr. Ghufuranullah.	MO, DHQ Hosp; Mardan.	DHQ Hosp: (MO) Mardan.	.do.
98. Dr. Abdul Wadood.	MO, HSTH, Pesh:	MO, H. S. T. H., Peshawar.	.do.
99. Dr. Abdul Chafoor.	MO, Govt: LRH, Peshawar.	MO Govt: LRH, Peshawar.	.do.
100. Dr. Fazale Azween.	MO, CH: Dargar District Swat.	MO, Saidu Group of Hosp: Swat.	.do.
101. Dr. Mohammad Ayaz Khan.	MO, I/C CH Terri District Karak.	MO, CH, Terri, Distt: Karak.	.do.
102. Dr. Bahadar Khan.	MO, Saidu Group of Hosp: Swat.	MO, Saidu Group of Hosp: Swat.	.do.
103. Dr. Luqman Ahmad Shah.	MO, Police Hosp: Peshawar.	MO, Civil Hosp: Daraband Distt: Bannu.	.do.
104. Dr. Mohammad Ayaz.	MO, Govt: LRH, Peshawar.	MO, Govt: LRH, Peshawar.	.do.
105. Dr. Farid Anwar			

Copy
5/09/22

(2) (16)

(1)

106. Dr. Muhammad Ajmal Khan	TMO, PGMI, Peshawar.	MO, LRH, Pesh;	Against the BS-13 post.
107. Dr. Nazir Ahmed	MO DHQ Hosp; Chitral.	MO DHQ Hosp; Chitral	.do.
108. Dr. Syed Muhammad Sultan	MO Govt. LRH Peshawar.	MO Govt. LRH Peshawar.	.do.
109. Dr. Mukhtar Ahmed	TMO PGMI Pesh	MO Govt. LRH Peshawar.	.do.
110. Dr. Fazlul Haq	MO BHU Tashma Distt: Swat	MO CH Alpurai Distt: Swat.	.do.
111. Dr. Shaukat Javed	MO LRH Pesh.	MO Govt. LRH Peshawar.	.do.
112. Dr. Muhammad Saleh Shah.	MO BHU Katakatak Distt: Mandera.	MO RHC Pesh Distt: Mandera.	.do.
113. Dr. Gulzar M. Khan	Demonstrator KMC Peshawar	Demonstrator KMC Peshawar.	.do.
114. Dr. Mohd, Tahir Khan	MO LRH Peshawar	MO LRH Peshawar	.do.
115. Dr. Qadar Dad Khan	MO RHC Domel Distt: Bannu.	MO THQ Hosp; Lakki, Bannu.	.do.
116. Dr. Muzanir Hussain	ADMO Kurram (On leave).	AHQ H: Parachinar	.do.
117. Dr. Noor Sahib Khan	MO HSTH Pesh.	MO HSTH Peshawar	.do.
118. Dr. Attaur Rehman	MO RHC Gulabad Distt: Dir.	MO RHC Gulabad Distt: Dir.	.do.
119. Dr. Faqir Muhammad	MO RHC Lalqila Distt: Dir.	MO RHC Lalqila Distt: Dir.	.do.
120. Dr. Fazli Ghani	MO AHQ Hosp; Miranshah.	MO AHQ H: Parachinar	.do.
121. Dr. Gul Samad	MO DHQ Hosp; Chitral.	MO SG of Hosp; S.S. Swat.	.do.
122. Dr. Qamar Zaman	MO HSTH Pesh:	MO HSTH Pesh	.do.
123. Dr. Capt. Muhammad Saadiq.	Jr: Registrar, HSTH Pesh (On deputation to Iran).	MO Loe Shalman Khy: Agency).	.do.
124. Dr. Capt. Attaur Rehman.	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	.do.
125. Dr. Abdur Rahim	MO Govt. LRH Peshawar.	MO Govt. LRH Peshawar.	.do.
126. Dr. Said Muhammad	Demonstrator KMC Peshawar.	Demonstrator KMC Peshawar.	.do.
127. Dr. Capt. Muhammad Alam	TMO PGMI, Pesh:	MO Govt. LRH Peshawar.	.do.

Attended

Ends of Even No. & Date

17

Copy forwarded for information and necessary action to Director Health Service, NWFP Peshawar and other concerned.

Sd/- Sher Muhammad Marwat.
Section Officer.IV, Health Deptt:

OFFICE OF THE DIRECTOR HEALTH SERVICES N.W.F.P., PESHAWAR

No. 7945-85 /E-I, Dated Peshawar the 21.04.1990.

Copy forwarded to the:-

- 1- All Divl.Dy. Director Health Services in the NWFP, for information and necessary action.

It is requested that the Medical Officers (BPS-17) working against BPS-13 posts may please be adjusted some-where-else in their respective Division against the vacant post of Medical Officer (BPS-17).

- 2- All District Health Officers in N.W.F.P.
- 3- Medical Supdtt: Saidu Group of Hospitals, S. Sharif, Swat.
- 4- Medical Supdtt: DHQ Hospital, Abbottabad.
- 5- Medical Supdtt: Civil Hospital, Peshawar.
- 6-13- Medical Supdtt: DHQ Hospitals, General, Sir, D.I. Khan, Bannu, Miranshah, Kohat and Karak.
- 14- Principal, Para Medical Institute, Saidu Sharif, Swat.
- 15-18- Medical Supdtt: AHQ Hosp; Batkhela/Landikotal/Parachinar & Miranshah.
- 19-22- Agency Surgeon, Khyber/Bajaur/S.W. Wana and Kurram.

for information and necessary action.

Director Health Services,
N.W.F. Province, Peshawar.
(DR. SARFARAZ A-LI)

[Signature]

[Signature]

19/4/90

HMAR/1840

[Handwritten signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Annex C

Dated Peshawar the June 25th, 2012

NOTIFICATION

NO. SOH(E-V)1-48/2007 In pursuance of Departmental Promotion Committee meeting held on 16/04/2012, the Competent Authority is pleased to grant move-over benefits from BS-18 to BS-19 w.e.f 01/12/1997 in respect of Dr. Qamar Zaman S.M.O, D.H.Q Hospital, Bannu.

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa

Endst No. & Date even.

Copy to:-

1. The Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Chief Executive, Khalifa Guirawaz Teaching Hospital Bannu.
3. The District Accounts Officer, Bannu.
4. Medical Superintendent, D.H.Q Hospital, District Bannu.
5. PS to Minister for Health.
6. PS to Secretary Health.
7. PA to Spl. Secretary Health.
8. Doctor concerned.
9. Computer Programmer Health Deptt.

(MUHAMMAD IRSHAD)
SECTION OFFICER(E-V)

Musteel
8



GOVERNMENT OF
KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Annex

Dated Peshawar the 21st April-2011

NOTIFICATION.

NO.SOH(EV)1-48/2010 Consequent upon representation appeal to Governor Khyber Pakhtunkhwa and Personal Hearing by the Governor Khyber Pakhtunkhwa against imposition of penalty of withholding of one Annual increment and recovery of loss of amounting to Rs. 1,96,112 upon Dr. Qamar Zaman Senior Medical Officer (BPS-18) under section-3 of the NWFP Removal from Service (Special Powers) Ordinance-2000.

Hence the appeal of the Dr. Qamar Zaman SMO (BPS-18) has been accepted and he has been exonerated of the penalty imposed on him vide this department Notification of even number dated 22.09.2010.

SECRETARY HEALTH

Endst. of even No. & Date.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa.
3. The Executive District Officer (Health) Bannu.
4. MS DHQ Hospital Bannu.
5. The District Accounts Officer Bannu.
6. The PS to Minister for Health.
7. The PS to Secretary Health.
8. Doctor concerned.
9. Computer Programmer Health Department.

21/4
(MUHAMMAD IRSHAD)
SECTION OFFICER-V

Corr.
M. Steel



Dated Peshawar the January 31, 2013

NOTIFICATION

NO. SOH(E-V)1-48/2007

On the recommendation of Provincial Selection Board, the competent authority is pleased to promote Dr. Qamar Zaman, Ex-Senior Medical Officer (BS-18), D.H.Q Hospital, Bannu to the post of Principal Medical Officer (BS-19) w.e.f 14/2/2012 on notional basis, in terms of Para-VII of Promotion Policy contained in Establishment & Administration Department Circular No. SOE-III(E&AD)1-3/2008 dated 28/01/2009, in the public interest.

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa

Encl. No. & Date Even

Copy to the:-

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. D.H.O, Bannu.
3. M.S, D.H.Q Hospital, Bannu.
4. District Accounts Officer, Bannu.
5. PS to Minister for Health
6. PS to Secretary Health.
7. Doctor concerned.
8. Computer Programmer, Health Deptt.

Hina Hafeez
(HINA HAFEEZ)
SECTION OFFICER (E-V)

Alister Steel
S



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Annex F

Dated Peshawar the February 28, 2013

NOTIFICATION

NO.SOH(E-V)1-48/2007

In terms of Rule-20, Sub-Rule (1) of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981 and instructions there under issued from time to time, sanction is hereby accorded to the grant of 365 days leave encashment in lieu of L.P.R in respect of Dr. Qanjar Zaman S/o Fazal Rehman, P.M.O (BS-19) D.H.Q Hospital, Bannu.

2. In terms of Section-13 of the Khyber Pakhtunkhwa Civil Servants Act 1973 the officer star 1 retired from service on 01/01/2013 (Pn) on attaining the age of superannuation.

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date even.

Copy to:-

1. Director General Health Services, Peshawar.
2. Chief Executive, Group of Teaching Hospital, Bannu.
3. M.S. D.H.Q Hospital, Bannu.
4. District Accounts Officer, Bannu.
5. Computer Programmer Health Deptt
6. PS to Secretary Health.
7. Doctor concerned.

[Signature]
SECTION OFFICER (E-V)

[Signature]

Diary No. 112/13
Dated 11/2/13
Reg-II Section 113

Special Secretary
Health Services

22

Amir G
Secy 8/6
F. G. G. G. G. G.
16/2/13

The Chief Secretary
Govt. of Khyber Pakhtunkhwa
Peshawar.

Subject: APPEAL FOR PROMOTION TO BPS-20

Honorable Sir,

With profound regards and humble submission I beg to submit that I joined the Provincial Health Services Department as Medical Officer BPS-17 dated 26/7/1982 on regular basis. I was promoted to BPS-18 on 9th April 1990.

The Promotion of the undersigned to BPS-19 was deferred from time to time due to the pending enquiry (from 1999 up to 2011). Finally the undersigned was exonerated of all the charges by the competent authority vide notification No. SOH(EV)1-48/2010 dated Peshawar the 21/4/2011.

Recently I have been promoted to Principal Medical Officer (BPS-19) vide Notification No. SOH(E-V) 1-48/2007 dated 31/01/2013 w.e.f 14/12/12. My batch mates have already been promoted to BPS-20 since long ago.

Therefore it is very humbly requested that I may kindly be promoted to BPS-20 along with back benefits, so that the undersigned may not kindly be deprived of the basic rights.

I shall be very grateful to you.

Yours faithfully

[Signature]
Dr. Qamar Zaman

Principal Medical Officer BPS-19
DHQ Teaching Hospital Bannu.

Secy. Estt:
06-2-13

S.B.

Please put-up.

[Signature]
M. Steel

23

Amir H

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUN KHWA PESHAWAR



E-Mail Address: nwt@dghs.gov.pk office Ph# 091-9210209
Exchange# 091-9210187, 9210196 Fax # 091-9210230
No. 37739 /AE-I Dated: 31/12/2013

To.

The Secretary to Govt: of
Khyber Pakhtunkhwa Health
Department Peshawar.

**SUBJECT: -1. REPRESENTATION REGARDING PROMOTION TO (BS-19) W.E.F
29.09.2006 / LONG WITH BACK BENEFITS.**

2. APPEAL FOR PROMOTION TO BS-20.

Dear Sir,

With reference to your letter No.SOH(E-V)1-48/2007/QamarZaman, dated 08.09.2013, on the subject noted above, I have the honour to state that Dr.Qamar Zaman, SMC was promoted to BS-19 on 14.12.2012 vide your Notification No.SOH(E-V)1-48/2007, date: 31.01.2013 and thereafter he was retired from service on 01.01.2013.

It is further added that his colleagues were promoted to BS-20 on 01.11.2013 after his retirement.

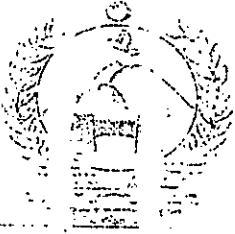
Yours Faithfully.

31/12

DIRECTOR GENERAL HEALTH
SERVICES, KHYBER PAKHTUNKHWA PESHAWAR

01/ 31/12/13

Mustafiz



(24) *[Handwritten initials]*

[Handwritten signature]

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT.

NO. SOH(E-V)148/2002007/ Dr. Qamar Zaman
Dated Peshawar the 30 April 2014

The Director General
Health Services Khyber Pakhtunkhwa
Peshawar.

Subject: REPRESENTATION REGARDING PROMOTION TO (BS-19) W.E.F 29.09.2006 ALONGWITH ALL BACK BENEFITS

I am directed to refer to your letter No.37739/E dated 31/12/2013 on the subject noted above and to state that the appeal of Dr. Qamar Zaman is not covered under promotion policy.

(MINA HAFEEZI)
SECTION OFFICER-V

Encl. No. . Date Even.

Copy to the PS to Secretary Health Department.

SECTION OFFICER-V

[Handwritten signature]

Special Secy
To: 07/01/13

1072
7-2-13
1-47
16-3-13

Amir J
Khyber Pakhtunkhwa
U. S. Khan

The Chief Secretary,
Khyber Pakhtunkhwa.

Subject: REPRESENTATION REGARDING PROMOTION TO (BS-19) W.E.F 29/09/2006) ALONGWITH BACK BENEFITS

Honorable Sir,

With profound regards and humble submission I beg to submit that I have been serving in the Provincial Health Department since 26/07/1982 on regular basis as Medical Officer (BS-17).

As, I was promoted to the post of Senior Medical Officer (BS-18) on 09/04/1990. Similarly, I was due for promotion to BS-19 w.e.f 29/09/2006, but due to an under process enquiry, I was not promoted to (BS-19). Later-on the Governor, Khyber Pakhtunkhwa being Competent Authority exonerated the undersigned of all the charges in the enquiry vide Notification No. SOH(EV)1-49/2010 dated 21/04/2011.

Recently I have been promoted to Principal Medical Officer (BS-19) vide Notification No. SOH(EV)1-48/2007 dated 31/01/2013 (copy attached). However, my promotion was granted very late i.e 31/01/2013 instead of 29/09/2006. Thus I have been deprived of my basic rights promotion

Keeping in view the above facts, it is very humbly requested that I may kindly be promoted to BS-19 w.e.f 29/09/2006 alongwith back benefits. I shall be very grateful to you for this act of kindness.

Yours faithfully,

Qamar Zaman
7/2/13
(DR. QAMAR ZAMAN)
P.M.O (BS-19)
District Headquarter Hospital, Bannu.

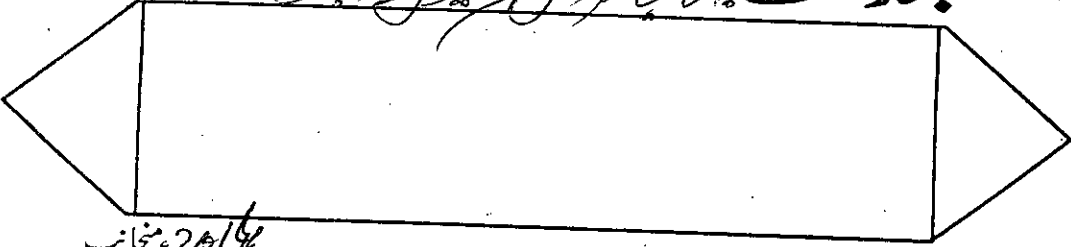
ML
06-2-13
A/R

SSA
7/2/13
D. S. Khan
govt

SA put-up
12-2-13

Amir J

بعد التجدد لیسٹڈ پیروں کے لیے درخواستیں



بنام گورنمنٹ وکیل
2014ء منجانب

طاہر محمد صالح

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام لیسٹڈ اور کیلئے شکایتی درخواستیں جو حال اللہ تعالیٰ
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم _____ ماہ _____ 2014ء

Accepted
Shaukat Ahmad

واہ العیاد _____

کے لئے منظور ہے۔

بمقام

Signature

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No. 838 of 2014 .

PH

Qamar Zaman

Appellant/Petitioner

Versus

through Secretary Health Deptt Pesh.

RESPONDENT(S)

Res No I

Notice to Appellant/Petitioner

Govt of KPK through
Secretary Health Deptt Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 15-10-14 at 8:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

for production of complete
record

www
9/9/14

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No.....

838

of 2014.

PH
FBIII

Amay Zaman

Appellant/Petitioner

Versus

through Secy. Health Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner

AAG

AAG

*Service Tribunal
Peshawar*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *12-5-2015* at *9:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Am
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[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

11

838

James James

James James James

James James
James James
James James

1111

James James 11-2-12

11

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

S.B

No.

Appeal No. 838 of 2011.

Dr. Gamaq Zaman Appellant/Petitioner

Versus

Secy. Health KPK Respondent

Respondent No. 11

Notice to: - Court of KPK through Secy. Finance

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/7/11 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. dated~~

Given under my hand and the seal of this Court, at Peshawar this 2

Day of 6 2011.

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

R. gpd

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No.

Appeal No. *838* of 20 *14*

Dr. Qumay Khan Appellant/Petitioner
Versus

Secy. Health KPK Respondent
Respondent No. *3*

Notice to: - *M.S DHQ Hospital, Bannu.*

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *27-7-2015* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of *6*20 *15*

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

BEFORE SERVICE TRIBUNAL PESHAWAR
Appeal No. 838/2014.

Dr. Qamar Zaman.....Appellant.

Versus.

1. Govt of Khyber Pakhtunkhwa through Secretary Health.
2. Director General Health Services KPK Peshawar....**Respondents**

Parawise comments on behalf of respondent No.1 & 2.

Preliminary Objections:-

1. That the appellant has neither a cause of action nor locus standi.
2. That the appeal is not maintainable in its present form.
3. That the appellant has not come to the Tribunal with clean hands.
4. That the appeal is bad due to non-joinder and mis-joinder of necessary parties.
5. That the appeal is time barred.

FACTS:-

1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. Correct to the extent that the appellant was under disciplinary proceedings in 2006 and a penalty was imposed upon him in 2010 under RSO 2000 (**Flag-A**) and that later on the competent authority exonerated him (**Flag-B**) dated 21.4.2011. However he was not entitled for promotion to (BS-19) in 2006.
5. Incorrect. The appellant was neither due for promotion to (BS-19) in 2006 nor he was eligible to (BS-19) due to the pending inquiry. The appellant has completed his mandatory training in 2012 (**Flag**) while he claim promotion from the 2006. After his exoneration from the inquiry dated 21.4.2011, his promotion case was processed and he was recommended by the PSB in its meeting held on 14.12.2012 for promotion to (BS-19) The appellant attained the age of superannuation on 1.1.2013 and his promotion Notification was issued on 31.1.2013 on notional basis after obtaining approval of the competent authority (**Flag-D**).
6. Incorrect. The appellant was treated according to law, rules and regulation and has got no cause of action to file instant appeal.

GROUND:-

- A. Incorrect. The Notification dated 31.1.2013 and the order dated 30.4.2014 is not illegal and unlawful due to the justification given in Para-5 above.
- B. Incorrect. The promotion dated 31.1.2013 is as per law/rules.
- C. Incorrect. Already explained in Para-5.

F/A

EEI/DDCP
ADP-5

RK
Jmal
28/9

11. MS/18/1
22/9/10

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated Peshawar the 22.09.2010

JJ

NOTIFICATION.

NO.SOH(EV)1-48/2010. WHEREAS, in pursuance of the Judgment dated 5-8-2006 of the Khyber Pakhtunkhwa Services Tribunal Peshawar in service appeal No.796/04, a fresh enquiry/disciplinary proceedings were initiated against Dr. Qamar Zaman (BS-18) Ex-Agency Surgeon Orakzai Agency (now SMO DHQ Hospital Bannu) under the removal from service (Special Powers) Ordinance,2000 for the charges mentioned in the charge sheet/statement of allegations 27-6-2007.

AND WHEREAS, Dr. Hizar Hayat MS Govt. LRH Peshawar was appointed as Enquiry Officer to conduct enquiry against the doctor for the charges leveled against him in accordance with rules.

AND WHEREAS, on completion of enquiry, the Enquiry Officer has submitted his report.

AND WHEREAS, on consideration of the findings of the enquiry report, show cause notice was served upon the accused by the Competent Authority to which he replied.

NOW THEREFORE, the Competent Authority after having considered the charges & evidence on record, in exercise of powers conferred under Section-3 of the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance,2000, is pleased to impose the penalty of withholding of one annual increment and recovery of loss amounting to Rs. 1,96,112/- upon Dr. Qamar Zaman (BS-18) SMO DHQ Hospital Bannu with immediate effect.

23/9/10
29/9

SECRETARY HEALTH

Endst of even No. & Date.

- Copy to:
1. The Director General Health Services, Khyber Pakhtunkhwa.
 2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
 3. EDOs (Health) Bannu.
 4. MS DHQ Hospital Bannu.
 5. District Accounts Officers Bannu..
 6. Computer Programmer Health Deptt.
 7. Doctor concerned.

(Signature)
28/9

**(AKBAR KHAN)
SECTION OFFICER-EV**



GOVERNMENT OF
KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

F B

Dated Peshawar the 21st April-2011

NOTIFICATION

HC.SOH(EV)1-48/2010 Consequent upon representation appeal to Governor Khyber Pakhtunkhwa and Personal Hearing by the Governor Khyber Pakhtunkhwa against imposition of penalty of withholding of one Annual increment and recovery of loss of amounting to Rs. 1,96,112 upon Dr. Qamar Zaman, Senior Medical Officer (BPS-18) under section 3 of the NWFP Removal from Service (Special Powers) Ordinance-2000.


Hence the appeal of the Dr. Qamar Zaman SMO (BPS-18) has been accepted and he has been ~~exonerated of~~ the penalty imposed on him vide this Department Notification of even number dated 22.09.2010.

SECRETARY HEALTH

Indst. of even No. & Date.

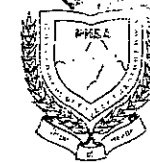
Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa.
3. The Executive District Officer(Health) Bannu.
4. MS DHQ Hospital Bannu.
5. The District Accounts Officer Bannu.
6. The PS to Minister for Health.
7. The PS to Secretary Health.
8. Doctor concerned.
9. Computer Programmer Health Department.


(MUHAMMAD IRSHAD)
SECTION OFFICER-V

ATTN: Dr. Qamar Zaman

Provincial Health Services Academy
Govt. of Khyber Pakhtunkhwa Health Department
Peshawar



This Is To Certify That

Dr. Qamar Zaman

has completed Two Weeks


Mandatory Promotional Course for General Cadre (BPS 18 – BPS 19)


From 6th To 18th February, 2012

At

Provincial Health Services Academy, Peshawar

After completion of 10 weeks
on hand training at Type-A Hospital


Assistant Director (P-I)
Director General Health
Services Khyber Pakhtunkhwa


20.2.2012
Medical Superintendent


Course Director


Director PHSA

Assistant Director (P-I)
Director General Health
Services Khyber Pakhtunkhwa

(EV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar the January 31, 2013

NOTIFICATION

NO. SOH(E-V)1-48/2007

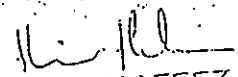
On the recommendation of Provincial Selection Board, the competent authority is pleased to promote Dr. Qamar Zaman, Ex-Senior Medical Officer (BS-18), D.H.Q Hospital, Bannu to the post of Principal Medical Officer (BS-19) w.e.f 14/12/2012 on notional basis, in terms of Para-VII of Promotion Policy contained in Establishment & Administration Department Circular No. SOE III(E&AD)1-3/2008 dated 28/01/2009, in the public interest.

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date Even

Copy to the:-

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. D.H.O, Bannu.
3. M.S, D.H.Q Hospital, Bannu.
4. District Accounts Officer, Bannu.
5. PS to Minister for Health
6. PS to Secretary Health.
7. Doctor concerned.
8. Computer Programmer, Health Deptt.


(HINA HAFEEZ)
SECTION OFFICER (E-V)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar the February 28, 2013

NOTIFICATION

NO.SOH(E-V)1-48/2007

In terms of Rule-20, Sub-Rule (1) of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981 and instructions there under issued from time to time, sanction is hereby accorded to the grant of 365 days leave encashment in lieu of L.P.R in respect of Dr. Qamar Zaman S/o Fazal Rehman, P.M.O (BS-19) D.H.Q Hospital, Bannu.

2. In terms of Section-13 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the officer stand retired from service on 01/01/2013 (f.n) on attaining the age of superannuation.

SECRETARY HEALTH
Govt. of Khyber Pakhtunkhwa

Encst. No. & Date even.

Copy to:-

1. Director General Health Services, Peshawar.
2. Chief Executive, Group of Teaching Hospital, Bannu.
3. M.S, D.H.Q Hospital, Bannu.
4. District Accounts Officer, Bannu.
5. Computer Programmer Health Deptt.
6. PS to Secretary Health.
7. Doctor concerned.

Attested

[Signature]
Medical Superintendent
D.H.Q & Teaching Hospital
Bannu

[Signature]
SECTION OFFICER (E-V)

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

In Re: Service Appeal No 838/2014

Dr. Qamar Zaman

V E R S U S

Government of KPK through Secretary Health others

I N D E X

S NO	DESCRIPTION	ANNEX	PAGE
1.	Rejoinder	-	01 - 02
2.	Affidavit	-	03

Through: Appellant

Zulfiqar Ahmad

(ZULFIQAR AHMAD)
Advocate,
High Court, Peshawar
Office: 17-A the Mall,
Peshawar Cantt
Cell # 0322-9181719

Dated: 20-12-2015

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

In Re: Service Appeal No 838/2014

Dr. Qamar Zaman

VERSUS

Government of KPK through Secretary Health others

Rejoinder to the para-wise comments filed by Respondents
No 1 and 2 is as under:-

REPLY AS TO THE PRELIMINARY OBJECTIONS:

- 1- 4) The Petitioner is possessed with the cause of action and locus standi to file the instant application. There is no estoppel in the way of Petitioner to bring the instant petition. Further, the Petitioner filed the instant petition on the basis of discrimination and is not at all invoking his terms and conditions of service.

ON FACTS:-

- 1-3) Reply to paras No 1 to 3 of the comments needs no reply since admitted as correct by the Respondent No 1 and 2.
- 4) Reply to para No 4 of the comments is totally incorrect, because the department has admitted that Dr. Qamar Zaman was under inquiry and later on imposition of penalty and then exoneration by the competent on 21st April, 2011. In this case, the department has neglected the seniority/ promotion and deferment and in the titled case, the department has superseded the applicant, which is against the promotion policy.
- 5) Reply to para No 5 is totally incorrect, here against the department has taken shelter of the pending inquiry the seniority list has been overthrown. Furthermore, the applicant completed his mandatory training when he was called / selected for it.
- 6) Reply to para No 6 that the rules/law of the seniority and promotion policy has been totally neglected in the applicant's case. Further, stated that the basic thing is the seniority list.

REPLY ON GROUNDS:-

A-G) Grounds A to G are totally incorrect. The notification dated 31-01-2013 to the extent of promoting the applicant w.e.f. 14-12-2012 instead of 29-09-2006 and order dated 30-04-2014 dismissing the departmental appeal of the applicant is illegal, without lawful authority, void ab-initio. It is pertinent to mention here that disciplinary proceedings pending against the civil servant was not sufficient ground to withhold his promotion. Further stated the department has taken shelter of the pending inquiry and the seniority list has been overthrown.

It is, therefore, respectfully prayed that by accepting this Rejoinder, service appeal may kindly be accepted.

Through:

Appellant

Zulfiqar Ahmad

(ZULFIQAR AHMAD)

Advocate,

High Court, Peshawar

Dated: -20-12-2015

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

In Re: Service Appeal No 838/2014

Dr. Qamar Zaman

VERSUS

Government of KPK through Secretary Health others

AFFIDAVIT

I, Dr. Qamar Zaman do hereby solemnly affirm and declare on Oath that the contents of the accompanying Writ Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

DEPONENT

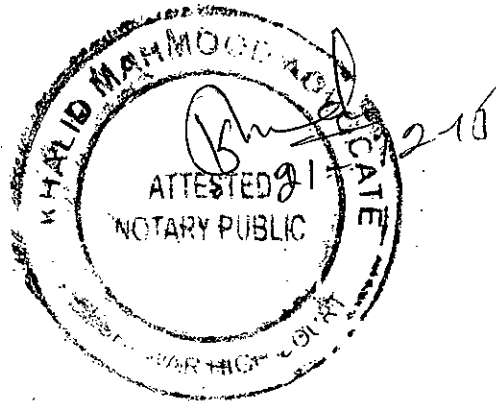
Qamar Zaman

NIC No. 1101-7086764-7

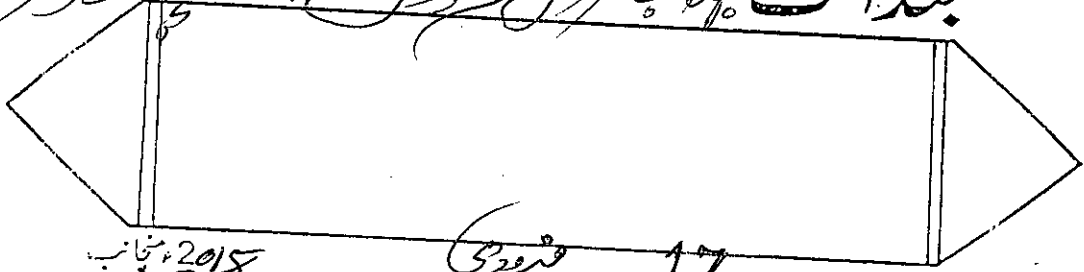
Identified by:-

Zulfiqar Ahmad

(ZULFIQAR AHMAD)
Advocate
High Court, Peshawar



بعد التجدد لیسٹڈ (پبلیک ٹریڈنگ کمپنی) لٹیمٹڈ



17 فروری

2015ء

بنام سکریٹری لائٹ و پاور

طیغ محمد علی

موزعہ

مقدمہ

دعویٰ

جرم

باعث تحریراً نکتہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیردی و جواب دہی وکل کاروائی متعلقہ و ذوالفقار احمد ایڈووکیٹ
آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
دکیل صاحب کو راضی نامہ کرنے و تقریر ثالثہ فیصلہ برحلف ذیجے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیردی یا ڈگری یکطرفہ یا اپیل کی براندگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و انٹرنیٹائی و پیردی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی سے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
پر وائنت منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر بانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی اتاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیردی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سزا ہے۔

المرقوم 17 فروری 2015ء

ARDAR ALI RAZA
Advocate Peshawar
High Court.

Ahmed

Handwritten signature

Before the Honourable Service Tribunal, KP Peshawar

Service Appeal No. 838/2014

Dr. Qamar Zaman

vs

Govt of Khyber Pakhtunkhwa

Application for adjournment of the
above titled service appeal.

Respectfully Sheweth;

- 1) That the above titled service appeal is pending in this honourable tribunal and is fixed for today i.e. 28/4/2017.
- 2) That the counsel representing the appellant is busy in Islamabad due to some family engagements.

It is, therefore, most humbly be prayed that on acceptance of this application the service appeal may please be adjourned to some other date.

Appellant

Through

BEFORE THE KPK SERVICES TRIBUNAL, PESHAWAR

Qamar Zaman..... Appellant

Versus

Govt. and others..... Respondent

APPLICATION FOR ADJOURNMENT

Respectfully Sheweth:-

1. That the above titled case is fixed for today i.e. 19.04.2016 before this Hon'ble Court.
2. That the counsel for appellant is contesting election of Peshawar High Court Bar Association for the post of General Secretary, which is going to be held on 30.04.2016, hence is busy in election campaign, therefore, seeks adjournment.

It is, therefore, humbly prayed that the above noted case may please be adjourned to any other date convenient to this Hon'ble court after 30.04.2016.

Inconvenience is highly regretted.

Clerk of:

Applicant
Kamran Khan



Sardar Ali Raza
Advocate High Court
Counsel for appellant

Dated: 19.04.2016