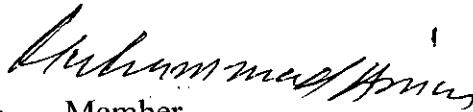
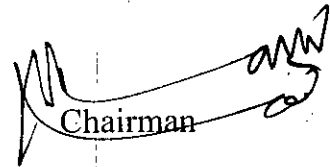


13.11.2017

Counsel for the appellant and Mr. Kabeerullah Khattak, Addl. AG alongwith Faiz Muhammad, Assistant for the respondents present. Arguments heard and record perused.

This appeal is disposed of as per our detailed judgment in connected service appeal No. 678/2013, entitled "Sher Zada Versus the Director Health (FATA) Department, Peshawar and another". Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED

13.11.2017

701/2013

13.12.2016

Counsel for the appellant and Mr. Said Muhammad, Head Clerk alongwith Additional AG for the respondents present. Representative of the respondents submitted before the court that record of the appellant is available with the Agency Surgeon Officer and he will produce the same before the next date. Representative of the respondents is directed to produce the appointment order of the appellant alongwith salary issued to him and other related documents. To come up for record and arguments on 20.4.17 before D.B.


(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

20.04.2017

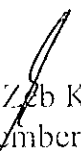
Counsel for the appellant present. Mr. Said Muhammad, Head Clerk alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Representative of the respondent-department submitted record which is placed on file. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.07.2017 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

12.07.2017

Counsel for the appellant and Asstt. AG ~~for~~ with the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 13.11.2017 before the D.B.


(Gul Zeb Khan)
Member(E)


(M. Amin Khan Kundi)
Member(J)

09.07.2015

Counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer alongwith Addl: A.G for respondents present. Rejoinder submitted. Learned counsel for the appellant requested for adjournment that due to rush of work he could not be prepared the arguments. File to come up for arguments on 01-01-2016.



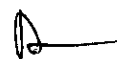
Member



Member

01.01.2016

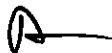
Clerk to counsel for the appellant and Mr. Maaz Madni, Assistant Litigation Officer alongwith Assistant AG for respondents present. Arguments could not be heard due to incomplete Bench. To come up for arguments on 27.5.2016 before D.B.



Member

27.05.2016

Counsel for the appellant and Mr. Maaz Madni, Assistant Litigation Officer alongwith Addl: AG for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned for arguments to 28.9.2016 before D.B.



Member



Member

28.09.2016

Counsel for the appellant and Addl. AG for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 08.02.2017 before D.B.


Member
Chairman

701/13

13.01.2015

Counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer on behalf of respondents with Addl: A.G present. Another request for submission of written reply/comments was made despite the fact that last chance was extended to the respondents on the previous date.

It is noted with concern that the government functionaries do not pay due attention towards direction of the court despite the fact that they are public servants and obliged to adhere to the orders of the Court including defending the interest of the government. Let the respondents be informed that in future, concerned authorities are to be dealt with strictly in accordance with law.

Last chance is extended with the direction to the respondents to submit written reply/comments on 16.01.2015.


Chairman

12. 16.01.2015

Counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer alongwith Addl: A.G for respondents present. Comments submitted. To come up for rejoinder as well as final hearing/arguments before D.B on 9.7.2015 alongwith connected appeals No.678, 679, 680,681, 682,683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693,694,695,696,697,698,699,700,702,703 of 2013.


Chairman

6.3.2014

Counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer on behalf of respondents with AAG present. Written reply has not been received, and request for further time made on behalf of the respondents. Another chance is given for written reply/comments on 5.6.2014.

Chairman

5.6.2014

Counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer on behalf of respondents with AAG present. Request for further time made on behalf of the respondents due to security situation prevailing in the area. Yet another chance is given for written reply/comments alongwith connected appeals on 11.9.2014.

Chairman

11.9.2014

Counsel for the appellant and Mr. Kabirullah Khattak, AAG for the respondents present. Neither representative of the respondents is present nor written reply has been furnished despite yet another chance given for the purpose on the previous date. On the request of learned AAG, a last chance is given for written reply/comments alongwith connected appeals on 13.1.2015.

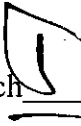
Chairman

5
04.10.2013

Counsel for the appellant present and heard on preliminary. Contended that the appellant has not been treated in accordance with law/rules. The appellant took over charge w.e.f 04.12.2011 since he performed his duty as verified by respondent No.2 vide page No.6 of the instant appeal but he has not paid monthly salary. He filed departmental appeal on 02.01.2013 which has not been responded with statutory period of 90 days, hence the present appeal on 18.04.21013. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections/limitation. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issued to the respondents. Case adjourned to 05.12.2013 for submission of written reply.


Member.

6
04.10.2013

This case be put before the Final Bench  for further proceedings.


Chairman

7
05.12.2013

Clerk of counsel for the appellant and Mr. Muhammad Maaz Madni, Assistant Litigation Officer on behalf of respondents with AAG present. To come up for written reply/comments on 6.3.2014


Chairman

3 18.6.2013

Munshi to Counsel for the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 20.8.2013.


Reader

4 20.08.2013

No one is present on behalf of the appellant. Case is adjourned. To come up for preliminary hearing on 04.10.2013.




Member



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 701/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18/04/2013	<p>The appeal of Mr. Said Anwar Jan presented today by Mr. M. Asif Yousafzai 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	24-4-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>18-6-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No 701 2013

Mr Said Awan Jan

VIS

Agency Surgeon (NWA) & Others

INDEX

S.No	Documents	Annexure	Page
1	Memo of Appeal		1-3
2	Appointment Order / <i>Service Book</i>	A	04 - 4-A
3	Arrival Report	B	05
4	Performance Certificate	C	06
5	Departmental Appeal	D	07
6	Wakalat Nama		

Said Awan Jan
Appellant

Said Awan Jan

Through:

M. Asif Yousafzai
M. ASIF YOUSAFZAI
ADVOCATE

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

Appeal No. 701 /2013

**Khyber Pakhtunkhwa
Service Tribunal**
77
18-04-13

Mr. Said Awar Jan Malaria Supervisor,
North Waziristan Agency,

APPELLANT

VERSUS

1. The Director Health (FATA), Department, Warsak Road, Peshawar.
2. The Agency Surgeon, North Waziristan Agency, Miranshah.

RESPONDENTS

.....

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 FOR GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER, 2012 TILL DATE AND ONWARD AND AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS.

.....

PRAYER:

Handwritten signature and date: 18/4/13

THAT ON ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS MAY BE DIRECTED TO PAY MONTHLY SALARIES TO THE APPELLANT WITH EFFECT FROM SEPTEMBER, 2012 TILL DATE AND ONWARD BEING STILL IN SERVICE AND PERFORMING DUTY. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

That the appellant is still in service performing his duty and has not been terminated so far, therefore, the appellant is entitled for his claim of the monthly salaries illegally.

(B)

That not paying the monthly salaries to the appellant and stoppage of pay without any proper order, actually amounts to an arbitrary act on the part of the respondents which is not tenable in the eyes of law.

(C)

That the appellant has not been treated according to law and rules and has been deprived from the monthly salaries despite proper performance of duty, thus the action of the respondents is totally illegal and without lawful authority.

(D)

That being a civil servant, the appellant is entitled to the salaries of the post in accordance with Section-17 of the Civil Servant Act, 1973.

(E)

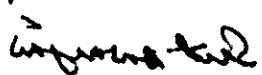
That the appellant has been condemned unheard and no prior chance of defense or hearing was provided to the appellant while stopping his monthly salaries.

(F)

That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

(G)

If it is, therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.


Appellant
Said Awaz Jan

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

- 1- Name (نام) Mr. Said Aswar Jan 4
- 2- Nationality and Religion Pakistani (Islam)
(قومیت اور مذہب)
- 3- Residence Village Tippi Tehsil Miranshah
(مستقل رہائش) North Waziristan Agency.
- 4- Father's name and residence Munawar Jan
(والد کا نام اور پتہ)
- 5- Date of birth by christian era as 02/03/1984
nearly as can be ascertained
(تاریخ پیدائش مطابق سن عیسوی)
- 6- Exact height by measurement 5-5
(قد و قامت)
- 7- Personal mark of identification nil
(نشان شناخت)

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger
(چوٹیا)

Ring
(چھٹے ہاتھ کی انگلی)

Mid. Finger
(میتھ)

Fore Finger
(انگلی)

Thumb
(تھم)

9. Signature of Govt. Servent

(سرکاری ملازم کے دستخط)

10. Signature and designation of the Head of the Office or other Attesting officer

(تصدیق کنندہ افسر کے دستخط اور مہر) Agency Surgeon
N.W.F. Agency
Miranshah

Said

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔

کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں

5) حضرت جناب ایسے کہ ان کا صاحب میرا ان شاہ

صبار علی
جو زیادہ گزارش کی جاتی ہے کہ میری Appointment

ہوگئی ہے ایک کچھالہ 25-2022 بجراہ 14/4/2012

اب سچ ایک دستہ میں Arrival report پیش

کر رہا ہے میرا اگر میرا درخواست قبول

فرمائیے


اپنا بہت شکریہ

15-4-2012 بجراہ

ایک ماہ بعد سید اور جان ملیا سید سید

H/c :
keep on record

Said
A-

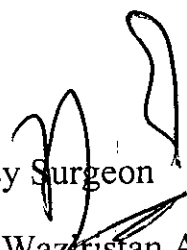

15-4-2012

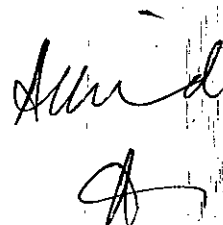
PERFORMANCE CERTIFICATE

Certified that Mr. ~~Mst~~ Said awar Jan S/O ~~D/O~~ Munawar Jan

is performing his/her/ Govt duty regularly from the date of appointment till date.

There is no Complaint agst him/her. He/she has a good moral character.


Agency Surgeon
North Waziristan Agency
Miranshah



جنا - ڈائریکٹر ہیڈ کوارٹرز سرکار خاٹا جوبیل روڈ لہور

بیل و اسٹاکٹ ایجنسی سرکار خاٹا ڈائریکٹر ہیڈ کوارٹرز سرکار خاٹا

معاون - بیل و اسٹاکٹ ایجنسی سرکار خاٹا

بابت آڈیٹ کیلئے گزشتہ سال کی فی ڈیوٹی نوٹس کے ساتھ ساتھ

سے ایجنسی کے بیل و اسٹاکٹ ایجنسی سرکار خاٹا کے ساتھ ساتھ

ڈیوٹی کے لئے ایجنسی کے ساتھ ساتھ

بابت آڈیٹ کیلئے گزشتہ سال کی فی ڈیوٹی نوٹس کے ساتھ ساتھ

الحاج

تاریخ: 13-1-2

سید انوار جاوید
Said Anwar Javid
ایجنسی سرکار خاٹا

Amir

AT

VAKALAT NAMA

NO. _____/2013

IN THE COURT OF SD ICPTC

Said Anwar Jan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Azmy Sugand ad others

(Respondent)
(Defendant)

I/We Said Anwar Jan

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

Said Anwar Jan

(CLIENT)

ACCEPTED

M. Asif Yousafzai

M. ASIF YOUSAFZAI
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

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

Service Appeal No. 701. /2013

Said Anwar Jan VS Director Health (FATA) & anthers:

REJOINDER ON BEHALF OF APPELLANT

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee. Moreover, the appellant attached Service Book with the appeal, wherein page 4 A it is clearly mentioned that the appellant was appointed on dated 14-4-2012
- 2 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant, which is evident from performance certificate which is attached with the appeal.
- 3 Incorrect. The appellant has paid salary up to August 2012 by the concerned official. (Copy of salary slip of August 2012 is attached as Annexure- R3)

4

Incorrect. The appellant has filed departmental appeal which is attached as D on page 6 with main appeal. Besides that the appellant and other colleagues had also filed a joint application / appeal which was properly endorsed and reported back by the concerned office. The denial of the respondents is thus not tenable mere by denying that fact. *(Copy of Joint appeal and report back by the concerned office are attached as R1 & R2).*

GROUND:

- A- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official and after September 2012 stoppage of monthly salaries of the appellant and not taking action on the departmental appeal of the appellant is against the law, rules, norms of justice and material on record. Therefore not tenable and liable to be set aside.
- B- Incorrect. While para B of the appeal is correct.
- C- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official. Therefore the appellant is entitled for salaries after September 2012 till date as the appellant is still in service and has not been terminated so for.
- D- Incorrect. While para D of the appeal is correct.
- E- Incorrect. While para E of the appeal is correct.
- F- Not replied according to para F of the appeal. Moreover para F of the appeal is correct.
- G- No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Said Anwar Jan
APPELLANT

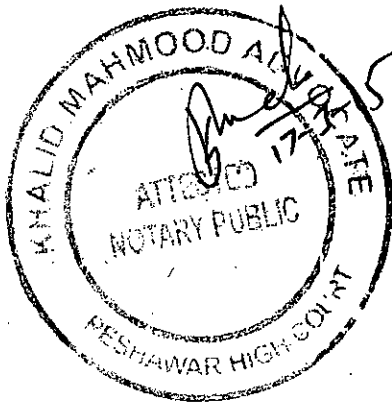
Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.
&

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.



Said Anwar Jan
DEPONENT

K1 (4)

OFFICE OF THE AGENCY SURGOEN NORTH WAZIRISTAN MIRANSHAH.

PHONE & FAX; 0928-300788.

NO 2801

DATED: MIRANSHAH THE 30/9/2011.

To

The Director Health Services.
FATA Warsak Road Peshawar.

SUBJECT:

APPOINTMENT DURING THE LAST THREE(3) YEARS:

Memo:

Reference your Telephonic Message to day on 30-09-2011.

I have the honour to submit herewith the detail list of
appointment during the last three years as follows.

S.NO	NAME	F:/NAME	Domicile	Designation	Date of Arrival
1	Mr. Khaista Rehman	Fateh Said	Bajaur	Medical Tech	3-11-2009
2	Mr. Shaheed Ullah Jan	Jan Behader	NWA	Medical Tech	03-11-2009
3	Mr. Zahid Iqbal	Banat Khan	NWA	Medical Tech	3-11-2009
4	Mr. Akhtar Ayub	Janabat Khan	NWA	Medical Tech	3-11-2009
5	Mr. Safder Elahi	Noor Elahi	NWA	Medical Tech	3-11-2009
6	Mr. Arifullah	Khushal Khan	NWA	Medical Tech	06-12-2009
7	Mr. Naveed Iqbal	Khan Behader	NWA	Medical Tech	12-11-2009
8	Mr. Wadood Ali Shah	Muhammad Nawaz Shah	Bannu	Medical Tech	10-01-2010
9	Mr. Farhad Ullah	Made Jan	NWA	Medical Tech	18-06-2010
10	Mr. Shahid ullah	Muhammad Nawaz	NWA	Dispenser	3-11-2009
11	Mr. Abdul Hanan	Gul Faraz Khan	Bajuar	Dispenser	
12	Mr. Zaheer ud Din	Noor Adil Shah	NWA	Diepsenser	3-11-2009
13	Mr. Inam Ullah	Shahadat Khan	NWA	Dispenser	22-11-2009
14	Namat Rasool	Azad Khan	NWA	Dispenser	25-03-2010
15	Mr. Nazeer Ahmad	Muhammad Younas	Bajaur	Dispenser	20-12-2009
16	Mr. Muhammad Qasim (ADP)	Muhammad Zuman	NWA	Dispenser	22-11-2009
17	Mr. Sayed Nawaz (ADP)	Sahed Nawaz	NWA	Dispenser	18-11-2009
18	Mr. Habib ullah (ADP)	Ber Mullah Khan	NWA	Dispenser	22-11-2009
19	Mr. Imran Ullah (ADP)	Muhammad Niaz	NWA	Diepenser	24-11-2009
20	Mr. Muhammad Zunir (ADP)	Noor Madat Khan	NWA	Dispenser	06-11-2009
21	Mr. Muhammad Akram (ADP)	Muhammad Saleem Shah	NWA	Dispenser, Adjusted Against LHV in ADP	06-11-2009
22	Mr. Rafi Ullah (ADP)	Mir Sahab Khan	NWA	Dispenser, Adjusted Against LHV in ADP	15-11-2009

23	Mustafa Khan (ADP)	Rashid Khan	NWA	Dispenser, Adjusted Against LHV in ADP	25-12-20
24	Hafiz Noor (ADP)	Sayed Manoor	NWA	Dispenser Adjusted Against LHV in ADP	1-1-2010
25	Miss. Basnoor Bibi	Samin Ullah	Bannu	LHV	12-11-20
26	Miss. Tabsuam	Gul Naib Khan	Bannu	LHV	15-11-20
27	Miss Husai	Adil Khan	NWA	LHV	15-11-20
28	Miss. Zubida Khanam	Kari mud Din	D.I. KHAN	LHV	19-12-20
29	Miss. Komal Saba	Palol Khan	NWA	LHV	23-12-20
30	Miss: Romana Akram	Muhammad Akram	D.I.Khan	LHV	23-12-20
31	Faiqa	Habib Ullah	Bannu	LHV	31-12-20
32	Zar Taj	Hukam Zada	Bannu	LHV	6-1-2010
33	Miss Permeen Gul	Gul Shah Zada	BANNU	LHV	30-1-20
34	Miss. Nasima Bibi	Noor Bad Shah	Bannu	LHV	20-02-20
35	Miss Zakishah	Din Bad Shah	NWA	LHV	18-06-20
36	Miss. Waheeda LHV	Aman ullah	NWA	LHV	2-6-2010
37	Mr. Attaur Rehman	Wali Muhammad	NWA	Assistant Superintendent Malaria	25-06-2010
38	Mr. Sajid Khan	Murad Ali	NWA	Dental Tech	18-11-20
39	Mr. Feroz Shah	Hakira Shah	NWA	Lab Asstt Against Dispense	18-11-20
40	Sayel Khan	Zarbab Khan	NWA	EPI Tech Against LHV	12-11-20
41	Mr. Asif Mehmood	Taj Muhammad	NWA	X-Ray Against LHV	3-12-20
42	Mr. Sabghat ullah	Zaffar Ali	NWA	Lab Tech Against LHV	3-12-20
43	Sardar Ayub	Ayub Khan	NWA	EPI Tech Against LHV	6-12-20
44	Mr. Khatib Ullah	Saeed Khan	NWA	EPI Tech Against LHV	3-12-20
45	Mr. Gul Rehman	Inayat Khan	NWA	Dispenser Against LHV	10-12-20
46	Mr. Salim ullah	Hanif ullah	NWA	Lab Asstt Against ECG	17-12-20
47	Mr. Shahid Ullah	Muhammad Noor Gul	NWA	Lab Asstt Against LHV	25-12-20
48	Mr. Noor Hayat	Salim Muhammad	NWA	Dispenser Against LHV	15-01-20
49	Mr. Ajab Noor	Shamaraz	NWA	Lab Asstt Against LHV	2-4-20
50	Mr. Niazam ud Din	Fazal Ghani	NWA	MLT Against LHV	2-4-20
52	Sher Ali BAZ	Niaz Khan	NWA	BR TECH	8-4-20
53	Zia ullah	Abdul Hamid	NWA	Lab Asstt Against Physiotherapist	21-03-2010
54	Asif	Yqoob	NWA	Lab Asstt Against	22-11-20

57	Safdar Ali	Dilawar Khan	NWA	Junior Clerk	06-0
58	Mansoor Ahmad	Qamar Ali	NWA	Junior Clerk	03-0
59	Jamil Ahmad	Nasib Akhtar	NWA	Junior Clerk	01-0
60	Muhammad Niaz	Nawshar Khan	NWA	Junior Clerk	03-0
61	Abdur Rehman	Zainullah	NWA	Malaria Inspector	23-0
62	Noor Ayub		NWA	EPI Tech	
63	Muhammad Tariq	Gul Zarooof	NWA	EPI Tech	
64	Zainullah	Madaraz	NWA	EPI Tech	29-0
65	Azmat ullah	Lair Jan	NWA	EPI Tech	
66	Abdullah	Aslam Khan	NWA	Sweeper	28-0
67	Nazullah Khan	Mather Khan	NWA	Behishty	10-0
68	Manoor Khan	Hajji Adil Mir	NWA	Sweeper	12-0
69	Asmad ud Din	Abdul Hakim	NWA	Mali	2-01
70	Din Faraz	Juma Gul	NWA	Cook	31-0


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHA

R-2
T-132
9/12/2014

OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN MIRANSHAH.

07-Health : Hospitals And Services: 0731-G.H.S. :073101-G.H.S. Demand:No.111

AREAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-(MONTHS).

Dental Tech & Driver Working Against MTech:


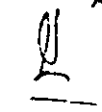
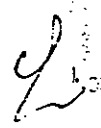
and Labi Tech:EPS-9 & BPS-4

INWCO31

S. No	Name	CATA GARY	AO:151 Pay	1/7/2013 to 30/11/2013 5-Months= Due	Drawn	Diff:	Total	1/12/2013 to 31/10/2014 11-Months= Due	Drawn	Diff:	Total	Grand Total
✓ 1	Mir Ali Shah Dental Tech:THQ Mir Ali	A	17600	2533	1722	851x5=4305/-	4305/-	2640	1760	880x11=9680	9550/-	13915/- ✓
✓ 2	Sahib Noor Driver BPS-4	A	9570	1446	964	482x5=2410	2410/-	1431	987	494x11=5434	5434/-	7244/- ✓
✓ 3	Abdul Nasir Labi Tech:	B	8660	1272	848	424x5=2120/-	2120/-	1329	888	443x11=4873	4873/-	6993/- ✓
✓ 4	Muhammad Zubair MT	A	8250	1272	848	424x5=2120/-	2120/-	1329	888	443x11=4873	4873/-	6993/- ✓
✓ 5	Kamal Hussein Agaist MT	B	8430	1215	810	405x5=2025/-	2025/-	1272	849	424x11=4664	4664/-	6689/- ✓
✓ 6	M. Adood Ali Shah MT	A	7340	1044	696	346x5=1740/-	1740/-	1101	734	367x11=4037	4037/-	5777/- ✓
✓	XXXXXXXXXXXX	B	17390	2532	1688	844x5=4220/-	4220/-	2607	1738	869x11=9559	9559/-	13779/- ✓
Total			78390				13940/-				43125/-	62050/- ✓

CLASSIFICATION	AMOUNT
AR-15%NEW	62060
(62060) G.Total	62060
Deduction:-	0
Net Total -	62060

0. Yes 2015
 29/12/2014


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

REAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).
 Demand: No.111

TEMPERARY BILL
 MWCO31

813

Name	CATA GARY	AO:151 Pay	17/2013 to 30/11/2013 5-Months= Due	Drawn	Diff:	Total	1/12/2013 to 31/10/2014 11-Months= Due	Drawn	Diff:	Total	Grand Total
Feroz Shah Lab Tech. Against Disp. RHC Spinwar	B	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Shahzad Usher Lab Technician Against LHV CH Boya	A	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Sudhat Usher Lab Technician Against LHV CH Hessa Khol	A	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Garbar Ayub EPI Technician Against LHV	A	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Abd Noor Lab Technician Against LHV	A	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Nizamud Din MT Against LHV	A	7700	1107	734	367x5=1835/-	1835	1158	772	386x11=4246	4246	1835
Shahullah Wazaria supervisor against LHV	B	7340	1044	696	348x5=1740/-	1740	1101	734	367x11=4037	4037	1740
Wahed ulan Malaria Supervisor against LHV	B	7340	1044	696	348x5=1740/-	1740	1101	734	367x11=4037	4037	1740
Total		61000				14490				33550	48049

CLASSIFICATION.	Amount.
AO-15% NEA	48049
(00000) G.Total	48049
Deductions:	0
Net Total:-	48049

25/10/2014
 227
 2:14

AGENCY SURGEON,
 NORTH WAZIRISTAN MIRANSHAH

 AGENCY SURGEON,
 NORTH WAZIRISTAN MIRANSHAH

R-3 ①

Sl. No. Acquiescence Roll for the month of August paid in Sept. 2

Sl. No.	Name	Net pay	Signature
1-	Ashraf Ali Khan	14171	Signed
2-	Lal near Jahan	14171	Signed
3-	Saeed Noor	14171	Signed
4-	Tamat Mir	14171	Signed
5-	Shah Muhammad	14171	Signed
6-	Malang Jan	14171	Signed
7-	Haji Arbab	14171	Signed
8-	Gul Rehman	14191	Signed
9-	Pamir Khan	13502	Signed
10-	Mehmedullah	12926	Signed
11-	Muhammad	13561	Signed
12-	Kam Shahmir	15370	Signed
13-	Nazirullah	15370	Signed
14-	Muhammadullah	14790	Signed
15-	Noorullah	6659	Signed
16-	Sherin Taj	14795	Signed
17-	Kalsham Bibi	14286	Signed
18-	Arman Afghani	14966	Signed
19-	Kabirullah	14786	Signed
20-	Shah Zada	14966	Signed
21-	Arman Khan	14966	Signed
22-	Asghar	14966	Signed
23-	Mohd Saka Allah	15780	Signed
24-	Muhammad Yusuf	15280	Signed
25-	Shah Muhammad	15780	Signed
26-	Naimullah	1609	Signed
27-	Shah Nawaz Khan	15950	Signed
28-	Muhammad	15450	Signed
29-	Shabnam Shahab	1768	Signed
30-	Shah Amir	1768	Signed
31-	Muhammad	12688	Signed
32-	Muhammad	1468	Signed
33-	Saima Fat	14939	Signed
		1000	Signed

Ag. auit hana roll. For the month of August. (10)
 Paid in Sept. 22

S.No.	Name.	Net pay	Signature
35	Muhammad	14845	
36	Muhammad	14845	
37	Muhamd. Aslam.	16339	
38	inayatullah.	10339	
39	Shafiqullah.	16339	
40	Noor-ul-Islam.	15780	
41	Mohd. Rahim.	16334	
42	Ishan Afzal.	15809	
43	Mohd Noor.	15980	
44	Pir Mohd Jan.	15152	
45	Mohd Yousof.	15780	
46	Saleemullah.	15780	
47	Arshad Afzal.	15280	
48	Wazir Mohd.	16339	
49	Taskeenullah.	16339	
50	Noor pasham.	18349	
51	Amaid yacqob.	16339	
52	Noor Haliim.	15730	
53	Abdul Hanan.	14191	
54	Fuzal wadood.	15280	
55	Muzrit Jahan.	15800	
56	Tajamullah.	14750	
57	Fari dullah.	14750	
58	Sham sul wahab.	15350	
59	Rhili Sham.	15450	
60	Jahanqir.	14750	
61	Muhammad	14236	
62	Muhammad	14236	
63	Muhammad	13736	
	Total:		
	Total:	477559	

R-4 (17)

مقامی شہرہ سرگودھا ہسپتال، ڈیپارٹمنٹ فنانسنگ اور سٹاک ایکسچینج

مخبر: اسماعیل برائے القادری (دادرسی) تنخواہ میں ویلنٹیرنگ کے احکامات

عناوین عالی

لنہایت اہم کیلئے گزارش ہے کہ ریگس ایچ سرکار نے ہمیں لکھا ہے
تہ لوگری بنڈ کر کے عیادت کے لیے سہ ماہیہ اور سہ ماہیہ اور سہ ماہیہ
کوئی ایچ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ
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ایچ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ

لنہایت اہم کیلئے گزارش ہے کہ ریگس ایچ سرکار نے ہمیں لکھا ہے
تہ لوگری بنڈ کر کے عیادت کے لیے سہ ماہیہ اور سہ ماہیہ اور سہ ماہیہ
کوئی ایچ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ
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Shiraz
سرزادہ خان وغیرہ
ایچ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ اینڈ

- ① عیادت کے لیے گورنر صاحب کے پاس
- ② ریگس ایچ سرگودھا ہسپتال، ڈیپارٹمنٹ فنانسنگ اور سٹاک ایکسچینج

D/S Report Status
of the Care and
reply immediately
2 day 10/3/14

atv SSD
9236
12/14

R.S. (12)

**OFFICE OF THE AGENCY SURGOEN
NORTH WAZIRISTAN AGENCY MIRANSHAH.**

PHONE & FAX: 0928-300788.

NO **574** Date: Miranshah the **18** : 03 2014

To

The Director Health Services,
FATA Warsak Road Peshawar

102588
130314

Subject:
Memo :


COMPLAINT.

Reference your office letter bearing endst. No.4213/DHS/FATA dated 12/03/2014 on the subject noted above. I have the honour to state that as per checking the record of this office there is no such record available of the officials individual concerned like their appointment orders, service books, health & age, even the dispatch register of that time

However photo copies of their service books along with service appeals lodged them in Khyber Pakhtunkhwa Service Tribunal Peshawar against your good office as well as the of the undersigned, received through Mr. Akhtar Nawaz elder brother of Dr. Rahim Nawaz the then Agency Surgeon. This office has checked all the service books with the pay bills for the month of May, 2012. It has pointed out that there is a huge different between the pay fixed in their service book and pay / allowances drawn in the pay bills.

Keeping in view of the above it has also pointed out that their appointment orders were issued as a Malana Supervisor BPS-09 against the vacant post of LHVs and Dispensers during ban period with out advertisement / conducting of proper interview. It is a main cause for withdrawal their names from monthly pay bills by Dr. Azam Wazir, Ex-Agency Surgeon w.e. from 01/09/2012.

Report is submitted for further necessary action as desired please.


Agency Surgeon
North Waziristan Miranshah.

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

Service Appeal No. 701. /2013

Mv. Said Anwar Jan VS Director Health (FATA) & anthers:

REJOINDER ON BEHALF OF APPELLANT

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee. Moreover, the appellant attached Service Book with the appeal, wherein page 4 A it is clearly mentioned that the appellant was appointed on dated 14-4-2012
- 2 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant, which is evident from performance certificate which is attached with the appeal.
- 3 Incorrect. The appellant has paid salary up to August 2012 by the concerned official. (Copy of salary slip of August 2012 is attached as Annexure- R3)

- 4 Incorrect. The appellant has filed departmental appeal which is attached as D on page 6 with main appeal. Besides that the appellant and other colleagues had also filed a joint application / appeal which was properly endorsed and reported back by the concerned office. The denial of the respondents is thus not tenable mere by denying that fact. *(Copy of joint appeal and report back by the concerned office are attached as R1 & R2).*

GROUND:

- A- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official and after September 2012 stoppage of monthly salaries of the appellant and not taking action on the departmental appeal of the appellant is against the law, rules, norms of justice and material on record. Therefore not tenable and liable to be set aside.
- B- Incorrect. While para B of the appeal is correct.
- C- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official. Therefore the appellant is entitled for salaries after September 2012 till date as the appellant is still in service and has not been terminated so far.
- D- Incorrect. While para D of the appeal is correct.
- E- Incorrect. While para E of the appeal is correct.
- F- Not replied according to para F of the appeal. Moreover para F of the appeal is correct.
- G- No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Saif Anwar Khan

APPELLANT

Through:

M. Asif Yousafzai

(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

&

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.

Saif Anwar Khan

DEPONENT

R1 (4)

OFFICE OF THE AGENCY SURGOEN NORTH WAZIRISTAN MIRANSHAH.

PHONE & FAX: 0928-300788.

NO 2801 / DATED: MIRANSHAH THE 30/9 /2011.

To
The Director Health Services.
FATA Warsak Road Peshawan.

SUBJECT: APPOINTMENT DURING THE LAST THREE(3) YEARS.

Memo:
Reference your Telephonic Message to day on 30-09-2011.

I have the honour to submit herewith the detail list of
appointment during the last three years as follows.

S.NO	NAME	F:/NAME	Domicile	Designation	Date of Arrival
1	Mr. Khaista Rehman	Fateh Said	Bajaur	Medical Tech	3-11-2009
2	Mr. Shaheed Ullah Jan	Jan Behader	NWA	Medical Tech	03-11-2009
3	Mr. Zahid Iqbal	Banat Khan	NWA	Medical Tech	3-11-2009
4	Mr. Akhtar Ayub	Janabat Khan	NWA	Medical Tech	3-11-2009
5	Mr. Safder Elahi	Noor Elahi	NWA	Medical Tech	3-11-2009
6	Mr. Arifullah	Khushal Khan	NWA	Medical Tech	06-12-2009
7	Mr. Naveed Iqbal	Khan Behader	NWA	Medical Tech	12-11-2009
8	Mr. Wadood Ali Shah	Muhammad Nawaz Shah	Bannu	Medical Tech	10-01-2010
9	Mr. Farhad Ullah	Made Jan	NWA	Medical Tech	18-06-2010
10	Mr. Shahid ullah	Muhammad Nawaz	NWA	Dispenser	3-11-2009
11	Mr. Abdul Hanan	Gul Faraz Khan	Bajaur	Dispenser	
12	Mr. Zaheer ud Din	Noor Adil Shah	NWA	Diepsenser	3-11-2009
13	Mr. Inam Ullah	Shahadat Khan	NWA	Dispenser	22-11-2009
14	Namat Rasool	Azad Khan	NWA	Dispenser	25-03-2010
15	Mr. Nazeer Ahmad	Muhammad Younas	Bajaur	Dispenser	20-12-2009
16	Mr. Muhammad Qasim (ADP)	Muhammad Zuman	NWA	Dispenser	22-11-2009
17	Mr. Sayed Nawaz (ADP)	Sahed Nawaz	NWA	Dispenser	18-11-2009
18	Mr. Habib ullah (ADP)	Ber Mullah Khan	NWA	Dispenser	22-11-2009
19	Mr. Imran Ullah (ADP)	Muhammad Niaz	NWA	Diepsenser	24-11-2009
20	Mr. Muhammad Zunir (ADP)	Noor Madat Khan	NWA	Dispenser	06-11-2009
21	Mr. Muhammad Akram (ADP)	Muhammad Saleem Shah	NWA	Dispenser Adjusted Against LHV in ADP	06-11-2009
22	Mr. Rafi Ullah (ADP)	Mir Sahab Khan	NWA	Dispenser Adjusted Against LHV in ADP	15-11-2009

3	Mustafa Khan (ADP)	Rashid Khan	NWA	Dispenser Adjusted Against LHV in ADP	25-12-20
24	Hafiz Noor (ADP)	Sayed Manoor	NWA	Dispenser Adjusted Against LHV in ADP	1-1-2010
25	Miss. Basnoor Bibi	Samin Ullah	Bnnu	LHV	12-11-20
26	Miss. Tabsuam	Gul Naib Khan	Bannu	LHV	15-11-20
27	Miss Husai	Adil Khan	NWA	LHV	15-11-20
28	Miss. Zubida Khanam	Kari mud Din	D.I. KHAN	LHV	19-12-20
29	Miss. Komal Saba	Palol Khan	NWA	LHV	23-12-20
30	Miss: Romana Akram	Muhammad Akram	D.I.Khan	LHV	23-12-20
31	Faiqa	Habib Ullah	Bannu	LHV	31-12-20
32	Zar Taj	Hukam Zada	Bannu	LHV	6-1-2010
33	Miss Permeen Gul	Gul Shah Zada	BANNU	LHV	30-1-20
34	Miss. Nasima Bibi	Noor Bad Shah	Bannu	LHV	20-02-20
35	Miss Zakishah	Din Bad Shah	NWA	LHV	18-06-20
36	Miss. Waheeda LHV	Aman ullah	NWA	LHV	2-6-2010
37	Mr. Attaur Rehman	Wali Muhammad	NWA	Assistant Superintendent Malaria	25-06-2010.
38	Mr. Sajid Khan	Murad Ali	NWA	Dental Tech	18-11-20
39	Mr. Feroz Shah	Hakim Shah	NWA	Lab Asstt Against Dispense	18-11-20
40	Sayel Khan	Zarbab Khan	NWA	EPI Tech Against LHV	12-11-20
41	Mr. Asif Mehmood	Taj Muhammad	NWA	X-Ray Against LHV	3-12-20
42	Mr. Sabghat ullah	Zaffar Ali	NWA	Lab Tech Against LHV	3-12-20
43	Sardar Ayub	Ayub Khan	NWA	EPI Tech Against LHV	6-12-20
44	Mr. Khatib Ullah	Saeed Khan	NWA	EPI Tech Against LHV	3-12-20
45	Mr. Gul Rehman	Inayat Khan	NWA	Dispenser Against LHV	10-12-20
46	Mr. Salim ullah	Hanif ullah	NWA	Lab Asstt Against ECG	17-12-20
47	Mr. Shahid Ullah	Muhammad Noor Gul	NWA	Lab Asstt Against LHV	25-12-20
48	Mr. Noor Hayat	Salim Muhammad	NWA	Dispenser Against LHV	15-01-20
49	Mr. Ajab Noor	Shamaraz	NWA	Lab Astt Against LHV	2-4-20
50	Mr. Niazam ud Din	Fazal Ghani	NWA	MT Against LHV	2-4-20
52	Sher Ali Baz	Niaz Khan	NWA	EPITECH	8-4-20
53	Zia ullah	Abdul Hamid	NWA	Lab Asstt Against Physiotherapist	21-03-2010.
54	Asif	Yqoob	NWA	Lab Asstt Against	22-11-20

57	Safdar Ali	Dilawar Khan	NWA	Junior Clerk	06-0
58	Mansoor Ahmad	Qamar Ali	NWA	Junior Clerk	03-0
59	Jamil Ahmad	Nasib Akhtar	NWA	Junior Clerk	01-0
60	Muhammad Niaz	Nawshar Khan	NWA	Junior Clerk	03-0
61	Abdur Rehman	Zainullah	NWA	Malaria Inspector	23-0
62	Noor Ayub		NWA	EPI Tech	
63	Muhammad Tariq	Gul Zaroof	NWA	EPI Tech	
64	Zainullah	Madaraz	NWA	EPI Tech	29-0
65	Azmat ullah	Lair Jan	NWA	EPI Tech	
66	Abdullah	Aslam Khan	NWA	Sweeper	28-0
67	Nazullah Khan	Mather Khan	NWA	Behishty	10-0
68	Manoor Khan	Hajji Adil Mir	NWA	Sweeper	12-0
69	Asmad ud Din	Abdul Hakim	NWA	Mali	2-01
70	Din Faraz	Juma Gul	NWA	Cook	31-0


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHA

R-2
 T-138
 9/12/2014

OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN MIRANSHAH.

97-Health - Hospitals And Services: 0731-G.H.S. :073101-G.H.S. Demand:No.111

AREAR BILL FOR LESS DRAWAL OF A.D-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).

Dental Tech & Driver Working Against M/Tech:

and Lab Tech:EPS-9 & BPS-4

MW0031

S. No	Name	CATAGORY	AG1151 Pay	1/7/2013 to 30/11/2013 5-Months= Due	Drawn	Diff:	Total	1/12/2013 to 31/10/2014 11-Months= Due	Drawn	Diff:	Total	Grand Total
✓ 1	Mir Ali Shah Dental Tech:THQ Mir Ali	A	17650	2533	1722	861x5=4305/-	4305/-	2640	1760	880x11=9680	9680/-	13985/- ✓
✓ 2	Sahib Noor Driver BPS-4	A	9570	1446	964	482x5=2410	2410/-	1481	987	494x11=5434	5434/-	7844/- ✓
✓ 3	Abdul Nasir Lab: Tech:	B	8860	1272	848	424x5=2120/-	2120/-	1329	886	443x11=4873	4873/-	6993/- ✓
✓ 4	Muhammad Zubair MT	A	8860	1272	848	424x5=2120/-	2120/-	1329	886	443x11=4873	4873/-	6993/- ✓
✓ 5	Kamal Hussain Agaist MT	B	8450	1215	810	405x5=2025/-	2025/-	1272	848	424x11=4664	4664/-	6689/- ✓
✓ 6	Wadood Ali Shah MT	A	7340	1044	696	348x5=1740/-	1740/-	1101	734	367x11=4037	4037/-	5777/- ✓
✓	XXXXXXXXXX	B	17380	2532	1688	844x5=4220/-	4220/-	2607	1738	869x11=9559	9559/-	13779/- ✓
	Total		78390				18940/-				43125/-	62060/- ✓

CLASSIFICATION	Amount
AR-15%NEW	62060
(00000) G.Total	62060
Deduction:-	0
Net Total:-	62060

02/10/2015
 29/12/2014

AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

REAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).

AGAINS PAY BILL

TEMPERORY BILL

Sl. No.	Name	CATA GARY	AO:151 Pay	1/7/2013 to 30/10/2013			Total	1/12/2013 to 31/10/2014			Total	Grand Total	
				5-Months= Due	Drawn	Diff:		11-Months= Due	Drawn	Diff:			
1	Feroz Shah Lab Tech. Against Disp. RHC Spinwari	B	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
2	Shahzad Ullah Lab Technician Against LHV CH Boya	A	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
3	Sabbahat Ullah Lab Technician Against LHV CH Haseeb Kholi	A	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
4	Saqib Ayub EPI Technician Against LHV	A	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
5	Alab Noor Lab Technician Against LHV	A	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
6	Nizamud Din MIT Against LHV	A	7720	1101	734	367x5=1835/-	1835	1158	772	388x11=4248 - 4248 -	1835	✓	
7	Shabbullah Malaria supervisor against LHV	B	7340	1044	696	348x5=1740/-	1740	1101	734	367x11=4037 - 4037 -	1740	✓	
8	Wahid ulfar Malaria Supervisor against LHV	B	7340	1044	696	348x5=1740/-	1740	1101	734	367x11=4037 - 4037 -	1740	✓	
Total			61000				14490				33550	48040	✓

8136
5/12/2014

CLASSIFICATION.	Amount.
AO-15% NEW	48040
(00000) G.Total	48040
Deduction:-	0
Net Total:-	48040

17 E.N. 227
25/12/2014

AGENCY SURGEON,
NORTH WAZIRISTAN MIRANSHAH

AGENCY SURGEON,
NORTH WAZIRISTAN MIRANSHAH

Agreement House call for the month of August paid in Sept 12

Name	not pay	Signature
1- Ashraf Ali Khan	14171	
2- Lal Man Jahan	14171	
3- Saeed Noor	14171	
4- Jamat Min	14171	
5- Sar Muhammad	14171	
6- Malang Jan	14171	
7- Pige Hebon	14171	
8- Gail Rehman	14191	
9- Parvaz Khan	13502	
10- Mahmood Khan	12926	
11- Muzammar	13561	
12- Nam Shahary	15370	
13- Muzammar	15370	
14- Nadeem Khan	14790	
15- Noor Ullah	16559	
16- Sherin Fay	14788	
17- Walid Khan	14286	
18- Amir Afshan	14986	
19- Rubina Khan	14986	
20- Sarim Khan	14766	
21- Khawar Riz	14266	
22- Asim Khan	14968	
23- Mord Setai Khan	15780	
24- Muzammar	15780	
25- Muzammar	15780	
26- Nam Shahary	16009	
27- Shah Nawaz Khan	15450	
28- Khawar Khan	15450	
29- Shah Nawaz Khan	17468	
30- Shah Nawaz Khan	17468	
31- Parvaz Khan	12908	
32- Muzammar	17468	
33- Sarim Khan	17468	

Agri-Home roll. For the month of August. (10)
 Paid in Sept 21

S.No.	Name.	Net pay.	Signature.
35	Muhammad	14845	
36	Muhammad	14845	
37	Muham. Aslam.	16339	M. Aslam
38	Inayatullah.	10339	
39	Shafiqullah.	16339	Shafiqullah
40	Noor-ul-Islam.	15780	Noor H.
41	Mohd. Rahim.	16334	M. Rahim
42	Icham Afzal.	15809	
43	Mohd Noor.	15280	M. Noor
44	Fit Mohd Jan.	15152	
45	Mohd Yousaf.	15780	M. Yousaf
46	Salimullah.	15780	Salim.
47	Arshad Afzal.	15280	Arshad
48	Wazir Mohd.	16339	
49	Taslimullah.	16339	
50	Noor Pakistan.	16339	Abdullah
51	Aman Yaqoob.	16339	
52	Noor Halim.	15730	Noor Hakim
53	Abdul Hanan.	14141	
54	Fazal Wadood.	15280	
55	Nusrat Jahan.	15870	Nusrat
56	Zafarullah.	14750	Zafar
57	Fari dullah.	14750	
58	Sham sulwahab.	15350	Shams
59	Rhti Sham.	15450	
60	Jahanqir.	14750	Jahanqir
	Muhammad	16231	Sajid
61	Muhammad	15742	H. Aslam
62	Muhammad	14236	
63	Muhammad	14236	
		13736	
Total:			
Total:		477559	

R-4 (1)

میں نے سٹیٹس رپورٹ فراہم کرنے پر آمادگی ظاہر کی ہے اور اس کے ساتھ ساتھ

مخبروں کے ساتھ ساتھ (اداریہ) میں بھی سٹیٹس رپورٹ فراہم کی ہے

عبارتیں: ہماری سٹیٹس رپورٹ میں یہ لکھا ہے کہ ایک ایسے سرکاری ادارے کے لئے جو
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ

میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ
میں نے سٹیٹس رپورٹ فراہم کی ہے اور اس کے ساتھ ساتھ

محمد شہزاد
Shahzad
محمد شہزاد خان وغیرہ
25

- 1. سٹیٹس رپورٹ فراہم کرنے کے لئے
- 2. سٹیٹس رپورٹ فراہم کرنے کے لئے

D/AS

Report Status
of the case and
reply immediately
2 day

BY SSD
1236
4/11/14

10/3/14

R-5 (12)

**OFFICE OF THE AGENCY SURGOEN
NORTH WAZIRISTAN AGENCY MIRANSHAH.
PHONE & FAX: 0928-300788.**

NO **574** Date: Miranshah the **18** : 03 2014

To The Director Health Services,
FATA Warsak Road Peshawar

102588
18.03.14


Subject: **COMPLAINT.**
Memo :

Reference your office letter bearing endst. No.4213/DHS/FATA dated 12/08/2013 on the subject noted above. I have the honour to state that as per checking the record of this office there is no such record available of the officials individual concerned like their appointment orders, service books, health & age, even the dispatch register of that time

However photo copies of their service books along with service appeals lodged them in Khyber Pakhtunkhwa Service Tribunal Peshawar against your good office as well as the of the undersigned, received through Mr. Akhtar Nawaz elder brother of Dr Rahim Nawaz the then Agency Surgeon. This office has checked all the service books with the pay bills for the month of May.2012. It has pointed out that there is a huge different between the pay fixed in their service book and pay / allowances drawn in the pay bills.

Keeping in view of the above it has also pointed out that their appointment orders were issued as a Malana Supervisor BPS-09 against the vacant post of LHVs and Dispensers during ban period with out advertisement / conducting of proper interview. It is a main cause for withdrawing their names from monthly pay bills by Dr Azam Wazir, Ex-Agency Surgeon with effect from 01/09/2012

Report is submitted for further necessary action as desired please


Agency Surgeon
North Waziristan Miranshah.

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

Service Appeal No. 701. /2013

Mr. Said Anwar Jan VS Director Health (FATA) & anthers:

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

1. Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee. Moreover, the appellant attached Service Book with the appeal, wherein page 4 A it is clearly mentioned that the appellant was appointed on dated 14-4-2012
2. Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant, which is evident from performance certificate which is attached with the appeal.
3. Incorrect. The appellant has paid salary up to August 2012 by the concerned official. (Copy of salary slip of August 2012 is attached as Annexure- R3)

4

Incorrect. The appellant has filed departmental appeal which is attached as D on page 6 with main appeal. Besides that the appellant and other colleagues had also filed a joint application / appeal which was properly endorsed and reported back by the concerned office. The denial of the respondents is thus not tenable mere by denying that fact. *(Copy of Joint appeal and report back by the concerned office are attached as R1 & R2).*

GROUND:

- A- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official and after September 2012 stoppage of monthly salaries of the appellant and not taking action on the departmental appeal of the appellant is against the law, rules, norms of justice and material on record. Therefore not tenable and liable to be set aside.
- B- Incorrect. While para B of the appeal is correct.
- C- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official. Therefore the appellant is entitled for salaries after September 2012 till date as the appellant is still in service and has not been terminated so for.
- D- Incorrect. While para D of the appeal is correct.
- E- Incorrect. While para E of the appeal is correct.
- F- Not replied according to para F of the appeal. Moreover para F of the appeal is correct.
- G- No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Said Amwajan
APPELLANT

Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.
&

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.

Said Amwajan
DEPONENT

K1 (4)

OFFICE OF THE AGENCY SURGOEN NORTH WAZIRISTAN MIRANSHAH.

PHONE & FAX; 0928-300788.

NO 2801 / DATED: MIRANSHAH THE 30/9/2011.

To The Director Health Services,
FATA Warsak Road Peshawar.

SUBJECT: APPOINTMENT DURING THE LAST THREE(3) YEARS.

Memo: Reference your Telephonic Message to day on 30-09-2011.

I have the honour to submit herewith the detail list of
appointment during the last three years as follows.

S.NO	NAME	F:/NAME	Domicile	Designation	Date of Arrival
1	Mr. Khaista Rehman	Fateh Said	Bajaur	Medical Tech	3-11-2009
2	Mr. Shaheed Ullah Jan	Jan Behader	NWA	Medical Tech	03-11-2009
3	Mr. Zahid Iqbal	Banat Khan	NWA	Medical Tech	3-11-2009
4	Mr. Akhtar Ayub	Janabat Khan	NWA	Medical Tech	3-11-2009
5	Mr. Safder Elahi	Noor Elahi	NWA	Medical Tech	3-11-2009
6	Mr. Arifullah	Khushal Khan	NWA	Medical Tech	06-12-2009
7	Mr. Naveed Iqbal	Khan Behader	NWA	Medical Tech	12-11-2009
8	Mr. Wadood Ali Shah	Muhammad Nawaz Shah	Bannu	Medical Tech	10-01-2010
9	Mr. Farhad Ullah	Made Jan	NWA	Medical Tech	18-06-2010
10	Mr. Shahid ullah	Muhammad Nawaz	NWA	Dispenser	3-11-2009
11	Mr. Abdul Hanan	Gul Faraz Khan	Bajuar	Dispenser	
12	Mr. Zaheer ud Din	Noor Adil Shah	NWA	Diepsenser	3-11-2009
13	Mr. Inam Ullah	Shahadat Khan	NWA	Dispenser	22-11-2009
14	Namat Rasool	Azad Khan	NWA	Dispenser	25-03-2010
15	Mr. Nazeer Ahmad	Muhammad Younas	Bajaur	Dispenser	20-12-2009
16	Mr. Muhammad Qasim (ADP)	Muhammad Zuman	NWA	Dispenser	22-11-2009
17	Mr. Sayed Nawaz (ADP)	Sahed Nawaz	NWA	Dispenser	18-11-2009
18	Mr. Habib ullah (ADP)	Ber Mullah Khan	NWA	Dispenser	22-11-2009
19	Mr. Imran Ullah (ADP)	Muhammad Niaz	NWA	Diepenser	24-11-2009
20	Mr. Muhammad Zunir (ADP)	Noor Madat Khan	NWA	Dispenser	06-11-2009
21	Mr. Muhammad Akram (ADP)	Muhammad Saleem Shah	NWA	Dispenser Adjusted Against LHV in ADP	06-11-2009
22	Mr. Rafi Ullah (ADP)	Mir Sahab Khan	NWA	Dispenser Adjusted Against LHV in ADP	15-11-2009

5

3	Mustafa Khan (ADP)	Rashid Khan	NWA	Dispenser Adjusted Against LHV in ADP	25-12-20
24	Hafiz Noor (ADP)	Sayed Manoor	NWA	Dispenser Adjusted Against LHV in ADP	1-1-2010
25	Miss. Basnoor Bibi	Samin Ullah	Bnnu	LHV	12-11-20
26	Miss. Tabsuam	Gul Naib Khan	Bannu	LHV	15-11-20
27	Miss Husai	Adil Khan	NWA	LHV	15-11-20
28	Miss. Zubida Khanam	Kari mud Din	D.I. KHAN	LHV	19-12-20
29	Miss. Komal Saba	Palol Khan	NWA	LHV	23-12-20
30	Miss: Romana Akram	Muhammad Akram	D.I.Khan	LHV	23-12-20
31	Faiqa	Habib Ullah	Bannu	LHV	31-12-20
32	Zar Taj	Hukam Zada	Bannu	LHV	6-1-201
33	Miss Permeen Gul	Gul Shah Zada	BANNU	LHV	30-1-20
34	Miss. Nasima Bibi	Noor Bad Shah	Bannu	LHV	20-02-2
35	Miss Zakishah	Din Bad Shah	NWA	LHV	18-06-2
36	Miss. Waheeda LHV	Aman ullah	NWA	LHV	2-6-201
37	Mr. Attaur Rehman	Wali Muhammad	NWA	Assistant Superintendent Malaria	25-06-2010.
38	Mr. Sajid Khan	Murad Ali	NWA	Dental Tech	18-11-2
39	Mr. Feroz Shah	Hakim Shah	NWA	Lab Asstt Against Dispense	18-11-2
40	Sayel Khan	Zarbab Khan	NWA	EPI Tech Against LHV	12-11-2
41	Mr. Asif Mehmood	Taj Muhammad	NWA	X-Ray Against LHV	3-12-20
42	Mr. Sabghat ullah	Zaffar Ali	NWA	Lab Tech Against LHV	3-12-20
43	Sardar Ayub	Ayub Khan	NWA	EPI Tech Against LHV	6-12-20
44	Mr. Khatib Ullah	Saeed Khan	NWA	EPI Tech Against TSV	3-12-20
45	Mr. Gul Rehman	Inayat Khan	NWA	Dispenser Against LHV	10-12-
46	Mr. Salim ullah	Hanif ullah	NWA	Lab Asstt Against ECG	17-12-
47	Mr. Shahid Ullah	Muhammad Noor Gul	NWA	Lab Asstt Against LHV	25-12-
48	Mr. Noor Hayat	Salim Muhammad	NWA	Dispenser Against LHV	15-01-
49	Mr Ajab Noor	Shamaraz	NWA	Lab Asstt Against LHV	2-4-20
50	Mr. Niazam ud Din	Fazal Ghani	NWA	MT Against LHV	2-4-20
52	Sher Ali BAZ	Niaz Khan	NWA	BP TECH	8-4-20
53	Zia ullah	Abdul Hamid	NWA	Lab Asstt Against Physiotherapist	21-03-2010.
54	Asif	Yqoob	NWA	Lab Asstt Against	22-11-

57	Safdar Ali	Dilawar Khan	NWA	Junior Clerk	06-0
58	Mansoor Ahmad	Qamar Ali	NWA	Junior Clerk	03-0
59	Jamil Ahmad	Nasib Akhtar	NWA	Junior Clerk	01-0
60	Muhammad Niaz	Nawshar Khan	NWA	Junior Clerk	03-0
61	Abdur Rehman	Zainullah	NWA	Malaria Inspector	23-0
62	Noor Ayub		NWA	EPI Tech	
63	Muhammad Tariq	Gul Zaroofo	NWA	EPI Tech	
64	Zainullah	Madaraz	NWA	EPI Tech	29-0
65	Azmat ullah	Lair Jan	NWA	EPI Tech	
66	Abdullah	Aslam Khan	NWA	Sweeper	28-0
67	Nazullah Khan	Mather Khan	NWA	Behishty	10-0
68	Manoor Khan	Hajji Adil Mir	NWA	Sweeper	12-0
69	Asmad ud Din	Abdul Hakim	NWA	Mali	2-01
70	Din Faraz	Juma Gul	NWA	Cook	31-0


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHA

R-2
 T-132
 9/12/2014

OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN MIRANSHAH.

Health: Hospitals And Services: 0731-G.H.S. :073101-G.H.S. Demand No.111

APPEAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).


Dental Tech & Driver Working Against MTech:
 and Lab Tech: EPS-2 & BPS-4


MW0031

S. No	Name	CATA GARY	AG:151 Pay	1/7/2013 to 30/11/2013 5-Months= Due	Drawn	Difu:	Total	1/12 2013 to 31/10/2014 11-Months= Due	Drawn	Difu:	Total	Grand Total
✓ 1	Mirfan Ali Shah Dental Tech:THQ Mir Ali	A	17500/-	2533	1722	851x5=4305/-	4305/-	2640	1760	880x11=9680	9680	13985/- ✓
✓ 2	Sahib Noor Driver BPS-4	A	9570/-	1446	964	482x5=2410	2410/-	1481	987	494x11=5434	5434	7844/- ✓
✓ 3	Abdul Nasir Lab: Tech:	B	8850/-	1272	848	424x5=2120/-	2120/-	1329	888	443x11=4873	4873	6993/- ✓
✓ 4	Muhammad Zubair MT	A	8850/-	1272	848	424x5=2120/-	2120/-	1329	888	443x11=4873	4873	6993/- ✓
✓ 5	Kamal Hussain Against MT	B	8450/-	1215	810	405x5=2025/-	2025/-	1272	848	424x11=4664	4664	6689/- ✓
✓ 6	Madood Ali Shah MT	A	7340/-	1044	696	348x5=1740/-	1740/-	1101	734	367x11=4037	4037	5777/- ✓
✓	XXXXXXXXXXXX	B	17350/-	2532	1688	844x5=4220/-	4220/-	2607	1735	869x11=9559	9559	13779/- ✓
Total			78350				13940/-				43120/-	62060/- ✓

CLASSIFICATION	Amount
AR-15%NEW	62060
(01000) G.Total	62060
Deduction:-	0
Net Total:-	62060

10,000/- 30/5
 29/12/2014


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

REAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).

AGAINST PAY BILL

TEMPERORY BILL
MWCO31

Sl. No.	Name	CATA GARY	AO:151 Pay	1/7/2013 to 30/11/2013			1/12/2013 to 31/10/2014			Grand Total	
				5-Months= Due	Drawn	Diff.	11-Months= Due	Drawn	Diff.		
1	Feroz Shah Lab Tech. Against Diso. RHC Sonwan	B	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
2	Shahzad Ullah Lab Technician Against LHV CH Boya	A	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
3	Sabhat Ullah Lab Technician Against LHV CH Haddu Khol	A	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
4	Sarfar Ayub EPI Technician Against LHV	A	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
5	Alam Noor Lab Technician Against LHV	A	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
6	Nizamud Din MT Against LHV	A	7720	1100	734	367x5=1835	1835	1158	772	366x11=4248 - 4248 -	1835
7	Shahullah Malaria supervisor against LHV	B	7340	1044	699	348x5=1740	1740	1101	734	367x11=4037 - 4037 -	1740
8	Waheed Ullah Malaria Supervisor against LHV	B	7340	1044	699	348x5=1740	1740	1101	734	367x11=4037 - 4037 -	1740
Total			61280				14490				33550 - 148040 -

813

5/12/14

CLASSIFICATION.	Amount.
AO-15% NEW	48040
(00000) G. Total	48040
Deductions:	0
Net Total:-	48040

AGENCY SURGEON,
 NORTH WAZIRISTAN MIRANSHAH

 AGENCY SURGEON,
 NORTH WAZIRISTAN MIRANSHAH

Acquittance Coll. for the month of August paid in Sept. 2

No.	Name	Net pay	Signature
1-	Ashraf Ali Khan.	14171	[Signature]
2-	Lal Mar Jahan.	14171	[Signature]
3-	Saeed Noor.	14171	[Signature]
4-	Tanat Mir.	14171	[Signature]
5-	Sher Muhammad.	14171	[Signature]
6-	Malang Jan.	14171	[Signature]
7-	Haji Aeban	14171	[Signature]
8-	Gul Rehman.	14191	[Signature]
9-	Panwed Khan.	13502	[Signature]
10	Wehedullah	12926	[Signature]
11.	Mohd. Mohd.	13501	[Signature]
12.	Kam Shah naz.	15370	[Signature]
13.	Nasirullah.	15370	[Signature]
14.	Mohd. Zafullah.	14790	[Signature]
15.	Noorullah.	14539	[Signature]
16-	Sherin Taj.	14775	[Signature]
17	Kalboom Bibi.	14288	[Signature]
18.	Amir Afghan.	14986	[Signature]
19.	Zabirullah.	14288	[Signature]
20	Sher Zada.	14266	[Signature]
21	Tanvir Mir.	14266	[Signature]
22	Azizullah.	14968	[Signature]
23.	Mohd. Sohail Khan.	15780	[Signature]
24	Muhammad Yusuf	15780	[Signature]
25.	Baleerullah.	15780	[Signature]
26.	Naimaullah.	16009	[Signature]
27-	Shah Nawaz Khan.	15450	[Signature]
28-	Ahmedullah.	15450	[Signature]
29-	Shabnam Simab.	17068	[Signature]
30-	Sardar Anwar.	17068	[Signature]
31	Panhadullah.	17068	[Signature]
32	Azizullah.	17068	[Signature]
33.	Saima Gul.	17939	[Signature]
		11000	[Signature]

Agri-Hansa roll. For the month of August. (10)
 Paid in Sept. 19

S.No.	Name.	Net pay.	Signature
35	Muhammad Ali	14845	M. Ali
36	Muhammad Ali	14845	M. Ali
37	Muhamd. Aslam.	16339	M. Aslam
38	Inayatullah	10339	Inayatullah
39	Shafiqullah	16339	Shafiqullah
40	Noor-ul-Islam	15780	Noor-ul-Islam
41	Muhamd. Rahim	16334	M. Rahim
42	Ishan Afzal	15803	Ishan Afzal
43	Muhamd Noor	15980	M. Noor
44	Pir Muhamd Jan	15152	Pir Muhamd Jan
45	Muhamd Yousof	15780	M. Yousof
46	Saleemullah	15780	Saleemullah
47	Arshad Afzal	15280	Arshad Afzal
48	Wazir Muhamd	16339	Wazir Muhamd
49	Taskeenullah	16339	Taskeenullah
50	Noor pasham	15809	Noor pasham
51	Amair Yaqoob	16339	Amair Yaqoob
52	Noor Haliim	15780	Noor Haliim
53	Abdul Hamam	14191	Abdul Hamam
54	Razal wadood	15280	Razal wadood
55	Nusrat Jahan	15870	Nusrat Jahan
56	Zafarullah	14750	Zafarullah
57	Fari dullah	14750	Fari dullah
58	Sham sulwahab	15350	Sham sulwahab
59	Rahim Sham	15450	Rahim Sham
60	Jahanqir	14750	Jahanqir
61	Muhammad Ali	14236	Muhammad Ali
62	Rahim Noor	14236	Rahim Noor
63	Safiqullah	13736	Safiqullah
Total:		477559	

(1) R-4

مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی

مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی

مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی

مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
مفتی شریف سید محمد رفیع صاحب مدظلہ العالی

- 1. مفتی شریف سید محمد رفیع صاحب مدظلہ العالی
- 2. مفتی شریف سید محمد رفیع صاحب مدظلہ العالی

D/AS Report Status
of the case and
reply immediately positive
2 day

any SSD
1936
02/03/14

10/3/14

R/S (12)

**OFFICE OF THE AGENCY SURGOEN
NORTH WAZIRISTAN AGENCY MIRANSHAH.**

PHONE & FAX: 0928-300788.

NO 574 Date Miranshah 18 03 2014

To

The Director Health Services,
FATA Warsak Road Peshawar

No. 2588
18.03.14

Subject:
Memo


COMPLAINT.

Reference your office letter bearing endst. No.4213/DHS/FATA dated 12/03/2014 on the subject noted above. I have the honour to state that as per checking the record of this office there is no such record available of the officials individual concerned like their appointment orders, service books, health & age, even the dispatch register of that time

However photo copies of their service books along with service appeals lodged them in Khyber Pakhtunkhwa Service Tribunal Peshawar against your good office as well as the of the undersigned, received through Mr. Akhtar Nawaz elder brother of Dr. Rahim Nawaz the then Agency Surgeon. This office has checked all the service books with the pay bills for the month of May.2012. It has pointed out that there is a huge different between the pay fixed in their service books and pay / allowances drawn in the pay bills.

Keeping in view of the above it has also pointed out that their appointment orders were issued as a Malana Supervisor BPS-09 against the vacant post of LHVs and Dispensers during ban period with out advertisement / conducting of proper interview. It is a main cause for withdrawing their names from monthly pay bills by Dr. Azam Wazir, Ex-Agency Surgeon w.e from 01/09/2012.

Report is submitted for further necessary action as desired please.


Agency Surgeon
North Waziristan Miranshah.

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

Service Appeal No. 701 /2013

Mr. Said Anwar Jan VS Director Health (FATA) & anthers:

.....

REJOINDER ON BEHALF OF APPELLANT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee. Moreover, the appellant attached Service Book with the appeal, wherein page 4 A it is clearly mentioned that the appellant was appointed on dated 14-4-2012
- 2 Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant, which is evident from performance certificate which is attached with the appeal.
- 3 Incorrect. The appellant has paid salary up to August 2012 by the concerned official. (Copy of salary slip of August 2012 is attached as Annexure- R3)

4

Incorrect. The appellant has filed departmental appeal which is attached as D on page 6 with main appeal. Besides that the appellant and other colleagues had also filed a joint application / appeal which was properly endorsed and reported back by the concerned office. The denial of the respondents is thus not tenable mere by denying that fact. *(Copy of Joint appeal and report back by the concerned office are attached as R1 & R2).*

GROUND:

- A- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official and after September 2012 stoppage of monthly salaries of the appellant and not taking action on the departmental appeal of the appellant is against the law, rules, norms of justice and material on record. Therefore not tenable and liable to be set aside.
- B- Incorrect. While para B of the appeal is correct.
- C- Incorrect. The appellant was appointed as Pharmacy Technician (Dispenser) in BPS-9 vide order dated 14-4-2012 on the proper recommendation of the Departmental selection Committee and he continuously performed his duty as a civil servant and has paid salary up to August 2012 by the concerned official. Therefore the appellant is entitled for salaries after September 2012 till date as the appellant is still in service and has not been terminated so for.
- D- Incorrect. While para D of the appeal is correct.
- E- Incorrect. While para E of the appeal is correct.
- F- Not replied according to para F of the appeal. Moreover para F of the appeal is correct.
- G- No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Said Anwar Jan
APPELLANT

Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.
&

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.

Said Anwar Jan
DEPONENT

K 1 (9)

OFFICE OF THE AGENCY SURGOEN NORTH WAZIRISTAN MIRANSHAH.

PHONE & FAX; 0928-300788.

NO 2801 / DATED: MIRANSHAH THE 30/9/2011.

To The Director Health Services,
FATA Warsak Road Peshawar.

SUBJECT: APPOINTMENT DURING THE LAST THREE(3) YEARS.

Memo: Reference your Telephonic Message to day on 30-09-2011,.

I have the honour to submit herewith the detail list of
appointment during the last three years as follows.

S.NO	NAME	F:/NAME	Domicile	Designation	Date of Arrival
1	Mr. Khaista Rehman	Fateh Said	Bajaur	Medical Tech	3-11-2009
2	Mr. Shaheed Ullah Jan	Jan Behader	NWA	Medical Tech	03-11-2009
3	Mr. Zahid Iqbal	Banat Khan	NWA	Medical Tech	3-11-2009
4	Mr. Akhtar Ayub	Janabat Khan	NWA	Medical Tech	3-11-2009
5	Mr. Safder Elahi	Noor Elahi	NWA	Medical Tech	3-11-2009
6	Mr. Arifullah	Khushal Khan	NWA	Medical Tech	06-12-2009
7	Mr. Naveed Iqbal	Khan Behader	NWA	Medical Tech	12-11-2009
8	Mr. Wadood Ali Shah	Muhammad Nawaz Shah	Bannu	Medical Tech	10-01-2010
9	Mr. Farhad Ullah	Made Jan	NWA	Medical Tech	18-06-2010
10	Mr. Shahid ullah	Muhammad Nawaz	NWA	Dispenser	3-11-2009
11	Mr. Abdul Hanan	Gul Faraz Khan	Bajuar	Dispenser	
12	Mr. Zaheer ud Din	Noor Adil Shah	NWA	Diepsenser	3-11-2009
13	Mr. Inam Ullah	Shahadat Khan	NWA	Dispenser	22-11-2009
14	Namat Rasool	Azad Khan	NWA	Dispenser	25-03-2010
15	Mr. Nazeer Ahmad	Muhammad Younas	Bajaur	Dispenser	20-12-2009
16	Mr. Muhammad Qasim (ADP)	Muhammad Zuman	NWA	Dispenser	22-11-2009
17	Mr. Sayed Nawaz (ADP)	Sahed Nawaz	NWA	Dispenser	18-11-2009
18	Mr. Habib ullah (ADP)	Ber Mullah Khan	NWA	Dispenser	22-11-2009
19	Mr. Imran Ullah (ADP)	Muhammad Niaz	NWA	Diepenser	24-11-2009
20	Mr. Muhammad Zunir (ADP)	Noor Madat Khan	NWA	Dispenser	06-11-2009
21	Mr. Muhammad Akram (ADP)	Muhammad Saleem Shah	NWA	Dispenser / Adjusted Against LHV in ADP	06-11-2009
22	Mr. Rafi Ullah (ADP)	Mir Sahab Khan	NWA	Dispenser / Adjusted Against LHV in ADP	15-11-2009

23	Mustafa Khan (ADP)	Rashid Khan	NWA	Dispenser Adjusted Against LHV in ADP	25-12-20
24	Hafiz Noor (ADP)	Sayed Manoor	NWA	Dispenser Adjusted Against LHV in ADP	1-1-2010
25	Miss. Basnoor Bibi	Samin Ullah	Bnnu	LHV	12-11-20
26	Miss. Tabsuam	Gul Naib Khan	Bannu	LHV	15-11-20
27	Miss Husai	Adil Khan	NWA	LHV	15-11-20
28	Miss. Zubida Khanam	Kari mud Din	D.I. KHAN	LHV	19-12-20
29	Miss. Komal Saba	Palol Khan	NWA	LHV	23-12-20
30	Miss: Romana Akram	Muhammad Akram	D.I.Khan	LHV	23-12-20
31	Faiqa	Habib Ullah	Bannu	LHV	31-12-20
32	Zar Taj	Hukam Zada	Bannu	LHV	6-1-2010
33	Miss Permeen Gul	Gul Shah Zada	BANNU	LHV	30-1-20
34	Miss. Nasima Bibi	Noor Bad Shah	Bannu	LHV	20-02-20
35	Miss Zakishah	Din Bad Shah	NWA	LHV	18-06-20
36	Miss. Waheeda LHV	Aman ullah	NWA	LHV	2-6-2010
37	Mr. Attaur Rehman	Wali Muhammad	NWA	Assistant Superintendent Malaria	25-06- 2010.
38	Mr. Sajid Khan	Murad Ali	NWA	Dental Tech	18-11-20
39	Mr. Feroz Shah	Hakim Shah	NWA	Lab Asstt Against Dispense	18-11-20
40	Sayel Khan	Zarbab Khan	NWA	EPI Tech Against LHV	12-11-20
41	Mr. Asif Mehmood	Taj Muhammad	NWA	X-Ray/ Against LHV	3-12-20
42	Mr. Sabghat ullah	Zaffar Ali	NWA	Lab Tech Against LHV	3-12-20
43	Sardar Ayub	Ayub Khan	NWA	EPI Tech Against LHV	6-12-20
44	Mr. Khatib Ullah	Saeed Khan	NWA	EPI Tech Against ESV	3-12-20
45	Mr. Gul Rehman	Inayat Khan	NWA	Dispenser Against LHV	10-12-20
46	Mr. Salim ullah	Hanif ullah	NWA	Lab Asstt Against ECG	17-12-20
47	Mr. Shahid Ullah	Muhammad Noor Gul	NWA	Lab Asstt Against LHV	25-12-20
48	Mr. Noor Hayat	Salim Muhammad	NWA	Dispenser Against LHV	15-01-20
49	Mr. Ajab Noor	Shamaraz	NWA	Lab Asstt Against LHV	2-4-20
50	Mr. Niazam ud Din	Fazal Ghani	NWA	MT Against LHV	2-4-20
52	Sher Ali Baz	Niaz Khan	NWA	EP. TECH	8-4-20
53	Zia ullah	Abdul Hamid	NWA	Lab Asstt Against Physiotherapist	21-03- 2010.
54	Asif	Yqoob	NWA	Lab Asstt Against	22-11-20

57	Safdar Ali	Dilawar Khan	NWA	Junior Clerk	06-0
58	Mansoor Ahmad	Qamar Ali	NWA	Junior Clerk	03-0
59	Jamil Ahmad	Nasib Akhtar	NWA	Junior Clerk	01-0
60	Muhammad Niaz	Nawshar Khan	NWA	Junior Clerk	03-0
61	Abdur Rehman	Zainullah	NWA	Malaria Inspector	23-0
62	Noor Ayub		NWA	EPI Tech	
63	Muhammad Tariq	Gul Zarooq	NWA	EPI Tech	
64	Zainullah	Madaraz	NWA	EPI Tech	29-0
65	Azmat ullah	Lair Jan	NWA	EPI Tech	
66	Abdullah	Aslam Khan	NWA	Sweeper	28-0
67	Nazullah Khan	Mather Khan	NWA	Behishty	10-0
68	Manoor Khan	Hajji Adil Mir	NWA	Sweeper	12-0
69	Asmad ud Din	Abdul Hakim	NWA	Mali	2-01
70	Din Faraz	Juma Gul	NWA	Cook	31-0


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHA

OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN MIRANSHAH.

07-Health: Hospitals And Services: 0731-G.H.S. :073101-G.H.S. Demand:No.111

AREAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).

Dental Tech & Driver Working Against MTech:

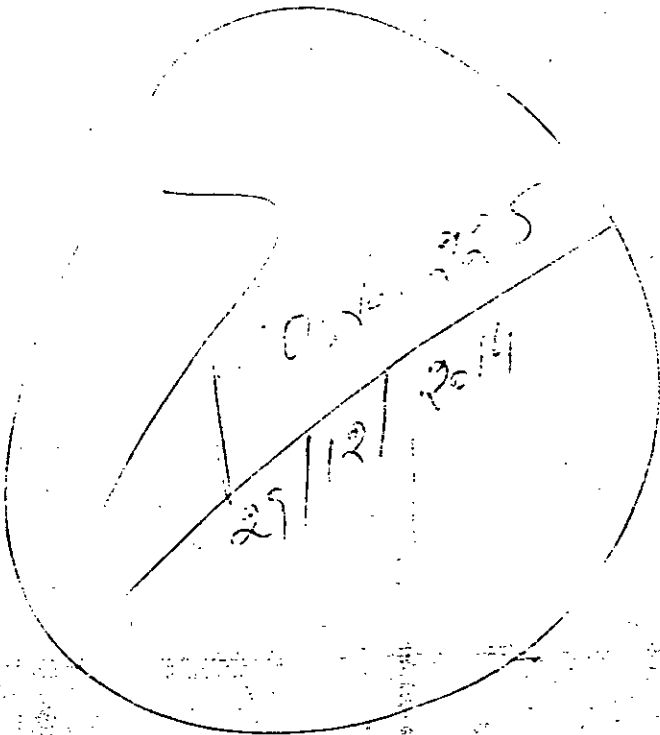
and Lab: Tech:EPS-3 & BPS-4

MWGO31

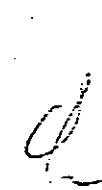
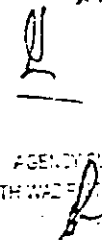
R-2 T-132
9/12/2014

S. No	Name	CATA GARY	AO1151 Pay	1/7/2013 to 30/11/2013 5-Months= Due	Drawn	Diff:	Total	1/12/2013 to 31/10/2014 11-Months= Due	Drawn	Diff:	Total	Grand Total
✓ 1	Mir Ali Shah Dental Tech: THQ Mir Ali	A	17500	2533	1722	831x5=4305/-	4305/-	2640	1760	1880x11=9680	9680/-	13985/- ✓
✓ 2	Sahib Noor Driver BPS-4	A	9570	1446	964	482x5=2410	2410/-	1481	937	494x11=5434	5434/-	7244/- ✓
✓ 3	Abdul Nasir Lab: Tech:	B	8850	1272	846	424x5=2120/-	2120/-	1329	886	443x11=4873	4873/-	6993/- ✓
✓ 4	Muhammed Zubair MT	A	8850	1272	846	424x5=2120/-	2120/-	1329	886	443x11=4873	4873/-	6993/- ✓
✓ 5	Kamal Hussain Agaist MT	B	8430	1215	810	405x5=2025/-	2025/-	1272	848	424x11=4664	4664/-	6989/- ✓
✓ 6	Madood Ali Shah MT	A	7340	1044	696	348x5=1740/-	1740/-	1101	734	367x11=4037	4037/-	5777/- ✓
	XXXXXXXXXXXX	B	17390	2532	1688	844x5=4220/-	4220/-	2607	1738	869x11=9559	9559/-	13779/- ✓
	Total		78390				19940/-				43120/-	62060/- ✓

CLASSIFICATION	Amount
AR-15% NEW	62060
(60000) G.Total	62060
Deduction: .	0
Net Total: .	62060 ✓



 1000000
 29/12/2014


 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

 AGENCY SURGEON
 NORTH WAZIRISTAN MIRANSHAH

REAR BILL FOR LESS DRAWAL OF AD-HOC RELIEF ALLOWANCE W.E.FROM 01/07/2013 TO 31/10/2014=16-MONTHS).

TEMPERARY BILL
MWCO31

813

AGAINS PAY BILL											
Name	CATA GARY	AO:151 Pay	17/2013 to 30/10/2013 5-Months= Due	Drawn	Diff:	Total	11/2/2013 to 31/10/2014 11-Months= Due	Drawn	Diff:	Total	Grand Total
Feroze Shah Lab Tech. Against D sor RHO Scientist	B	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Shahzad Ullah Lab Technician Against LHV CH Bova	A	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Sudhat Ullah Lab Technician Against LHV CH Hassu Khel	A	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Sardar Ayub EPI Technician Against LHV	A	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Ajmal Noor Lab Technician Against LHV	A	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Nizamud Din MT Against LHV	A	7700	1100	734	357x5=1835	1835	1158	772	386x11=4246	4246	1835
Shahzadullah Malaria supervisor against LHV	B	7340	1044	698	348x5=1740	1740	1101	734	357x11=4037	4037	1740
Waheedullah Malaria Supervisor against LHV	B	7340	1044	698	348x5=1740	1740	1101	734	357x11=4037	4037	1740
Total		61000				14490				33560	148040

CLASSIFICATION.	Amount.
AO-15% NE:	48040
(00000) G.Total	48040
Deductions:	0
Net Total:-	48040

Handwritten notes in a circle:
 25
 100
 2:14
 2:27

AGENCY SURGEON,
NORTH WAZIRISTAN MIRANSHAH

AGENCY SURGEON,
NORTH WAZIRISTAN MIRANSHAH

R-3 ①

Acquisition cost for the month of August paid in Sept 2

Name	net pay	Signature
1- Ashraf Ali Khan	14171	
2- Lal Man Khan	14171	
3- Saeed Noor	14171	
4- Jamat Min	14171	
5- Sior Muhammad	14171	
6- Malang Jan	14171	
7- Raja Rehman	14171	
8- Gull Rehman	14191	
9- Farooq Khan	13509	
10- Maheshwar	12926	
11- Iqbal Mehd	13561	
12- Nazim Khan	15370	
13- Nazim Khan	15370	
14- Nazim Khan	14790	
15- Noor Ullah	16559	
16- Sheraf Toy	14785	
17- Labram Bhai	14288	
18- Khuda Afshan	14986	
19- Robert Khan	14288	
20- Sior Saeed	14266	
21- Farooq Khan	14266	
22- Asim Khan	14968	
23- Noor Saeed Khan	15780	
24- Muhammad Yousaf	15780	
25- Saeed Muhammad	15780	
26- Nazim Khan	16509	
27- Sior Nazim Khan	15450	
28- Khuda Khan	15450	
29- Sior Nam Sior	17468	
30- Sior Nam Sior	17468	
31- Sior Nam Sior	17468	
32- Asim Khan	17468	
33- Sior Nam Sior	17468	

Agri. Hall. For the month of August. (10)
Paid in Sept. 20

S.No.	Name.	Net pay.	Signature.
35	Muhammad	14845	Signature
36	Muhammad	14845	Signature
37	Muhamd. Aslam.	16339	Signature
38	inayatullah.	10339	Signature
39	Shafiqullah.	16339	Signature
40	Noor-ul-Islam.	15780	Signature
41	Mohd. Rahim.	16334	Signature
42	Icham Afzal	15809	Signature
43	Mohd Noor.	15980	Signature
44	Pir Mohd Jan.	15152	Signature
45	Mohd Yousof.	15780	Signature
46	Saleemullah.	15780	Signature
47	Arshad Afzal.	15280	Signature
48	Wazim Mohd.	16339	Signature
49	Taslimullah	16339	Signature
50	Noor. pasham.	16339	Signature
51	Amair yaqoob.	16339	Signature
52	Noor Halim.	15780	Signature
53	Abdul Haman.	14191	Signature
54	Fazal wa dood.	15280	Signature
55	Muzrat Yahan.	15870	Signature
56	Zafarullah	14750	Signature
57	Fari dullah.	14150	Signature
58	Sham sul wahab.	15250	Signature
59	Bhiti shan.	15150	Signature
60	Jahangir.	14750	Signature
61	Muhammad	14236	Signature
62	Muhammad	14236	Signature
63	Muhammad	13736	Signature
		Total:	
		Total:	477659

R-4 (1)

میں نے شوشل سیکورٹی ڈیپارٹمنٹ فنانسنگ سیکشن اور سیکرٹریٹ میں درخواستیں کی ہیں اور

مخبران :- اس کے لئے الفان (داد رسی) تنخواہ میں سیکرٹریٹ کے احکامات

عناویہ عالی

لنہایت اوجھل اور کھلی گزرتی ہے کہ ایکس ایچ میں سب سے زیادہ ہیں لیکر کمرے
تے نوکری بند کر کے بیاد علی پر رہنے سے بند پڑے اور سیدے اور ای بیڑوں
کوئی سے induct کیا ہے جس سے نہ ٹرینٹ کیا گیا ہے اور نہ تنخواہیں دے
میں بیرونی گار اور غریب سرکاری نوکریوں اور دیگر سال سے زائد عمر میں سے
میں ان صفتوں کے حکم کارآمد رہے ہیں، لیکن اب تک کوئی شمول نہیں
ہوئی ہے

لہذا احتیاج کی صورت میں مشورہ ہے کہ میں تنخواہ کی سیکرٹریٹ کے احکامات
تعلقہ AS 2007 کو جاری فرمائیں اور ضابطہ عدویہ اور دیگر تازہ ترین دعا گو رہیں

ایک ماہی خان
Shirwal
میرزا خان وغیرہ
ایس ایم ایچ (25)

- گائیڈ لائنیں انفارمیشن
- 1. عہدہ سب سے زیادہ سیکرٹریٹ کے لئے
- 2. رٹائرمنٹ سے پہلے سیکرٹریٹ فنانسنگ سیکشن میں

D/S Report Status
of the Care and
reply immediately
2 days of position
10/3/14

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DSS VIE

R.S. (12)

**OFFICE OF THE AGENCY SURGOEN
NORTH WAZIRISTAN AGENCY MIRANSHAH.**

PHONE & FAX: 0928-300788.

NO **574** Date: **18** / 03 / 2014

To

The Director Health Services,
FATA Warsak Road Peshawar

Handwritten stamp: No. 2588 / 18.03.2014


Subject: COMPLAINT.
Memo :

Reference your office letter bearing endst. No.4213/DHS/FATA dated 12/03/2014 on the subject noted above. I have the honour to state that as per checking the record of this office there is no such record available of the officials individual concerned like their appointment orders, service books, health & age, even the dispatch register of that time

However photo copies of their service books along with service appeals lodged them in Khyber Pakhtunkhwa Service Tribunal Peshawar against your good office as well as the of the undersigned, received through Mr. Akhtar Nawaz elder brother of Dr. Rahim Nawaz the then Agency Surgeon. This office has checked all the service books with the pay bills for the month of May, 2012. It has pointed out that there is a huge different between the pay fixed in their service books and pay / allowances drawn in the pay bills.

Keeping in view of the above it has also pointed out that their appointment orders were issued as a Malana Supervisor BPS-09 against the vacant post of LHVs and Dispensers during ban period with out advertisement / conducting of proper interview. It is a main cause for withdrawing their names from monthly pay bills by Dr. Azam Wazir, Ex-Agency Surgeon w.e from 01/09/2012.

Report is submitted for further necessary action as desired please.


Agency Surgeon
North Waziristan Miranshah.

BEFORE THE SERVICES TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Appeal No. 701/2013

Mr. Said Awar Jan Malaria Supervisor

..... Appellant

Versus

Director Health (FATA) & Others..... Respondents

Para wise joints comments on behalf of respondent No. 1.

Preliminary objections

1. That the appellant has no cause of action/locus standi to file the present appeal.
2. That the appellant is estopped by his own conduct to file the instant appeal.
3. That this Honorable Service Tribunal has got no jurisdiction to entertain the instant appeal.
4. That the instant appeal is bad for mis joinder & non-joinder of necessary parties.
5. That the present appeal is barred by law.
6. That the appeal is not maintainable in its present form.
7. That the present appeal is bad in its present form, hence not maintainable and liable to be dismissed

Respectfully Sheweth;

ON FACTS

1. Incorrect, neither any posts were advertised nor the appellant was selected by the Departmental Selection Committee. Moreover, the appellant have not attached appointment order or NIC with the appeal. Furthermore appointment of para-medics against other post is not admissible under the rules. Further the appellant claims to be appointed as Malaria Supervisor (BPS-9). However, the so called forged documents annexed by the appellant shows him to be posted as against the vacant post of Lady Health Visitor on contract basis.

0-12
16-9-15

(2)

2. Incorrect, the appellant has not been appointed nor did he perform any duty.
3. Incorrect, the official concerned has never been paid any salary as he has not been appointed.
4. Incorrect, no Departmental Appeal has been made.

ON GROUNDS

- A. Incorrect, the appellant has not been appointed so he is not entitled for salary.
- B. Incorrect, as per Paras mentioned in the facts of the reply.
- C. Incorrect, the appellant has not been appointed nor did perform any duty therefore, not entitle for salary.
- D. Incorrect, as per paras mentioned above.
- E. Incorrect, as per paras mentioned above.
- F. Incorrect.
- G. No comments.

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

Respondent No. 01

At 15/1/15
Director Health Services (FATA)
FATA Secretariat, Peshawar

0 12

Dr.
16.01.15

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