Form- A

FORM OF ORDER SHEET

| Court of | |
|----------|-------------------|
| Case No | 1452/ 2022 |

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge | | |
|-------|---------------------------|---|--|--|
| 1 | 2 | 3 | | |
| 1- | 06/10/2022 | The appeal of Mr. Noor Paras resubmitted today by Mr. Sajid Amin Advocate. It is fixed for preliminary hearing before touring Single Bench at | | |
| | | A.Abad on Notices be issued to appellant and his counsel for the date fixed. | | |
| | | By the order of Chairman | | |
| | | REGISTRAR | | |
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The appeal of Mr. Noor Paras son of Aqal Khan r/o Khory Banda Post Office Kotkai Malak Khel Tehsil Alpuri District Shangla received today i.e. on 21.09.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned termination order mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal are illegible which may be replaced by legible/better one.
- 3- Address of respondent no.3 is incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 267-2/S.T.

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Wir. Sajid Amin Adv. Pesh.

Respected Sis, he-Submitted after

Necessary completion

Adj: Sajid Amin

BC-202718

06/00/2022

BEFORETHE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

In Service Appeal No-145072022

Noor Paras

Versus

DHO Kohistan& Others

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Dated: __/09/2022

Appellant (M

Through

Sajid Amin

Advocate, Peshawar

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

In Service Appeal No-____/2022

Noor Paras

Versus

DHO Kohistan & Others

ADDRESSES OF PARTIES

ADDRESS OF APPELLANT

Noor Paras S/o Agal Khan R/o Khory Banda, P/O Kotkai, MalakKhel Tehsil Alpuri District Shangla.

ADDRESSES OF RESPONDENTS

- 1. Secretary Health Khyber Pakhtunkhwa, Peshawar.
- 2. Director General Health Khyber Pakhtunkhwa, Peshawar.
- 3. District Health Officer Kohistan

Dated :__/09/2022

Appellant

Through

Sajid Amin

Advocate, High Court,

Peshawar.

SERVICE TRIBUNAL PESHAWAR

In Service Appeal No: 1457/2022

Noor Paras S/o Aqal Khan R/o Khory Banda, P/O Kotkai, Malak Khel Tehsil Alpuri District Shangla.

....Appellant

VERSUS

- 1. Secretary Health Khyber Pakhtunkhwa, Peshawar.
- 2. Director General Health Khyber Pakhtunkhwa, Peshawar.
- 3. District Health Officer Upper Kohistan at Dassu.

.....Respondents

APPEAL UNDER SECTION-4 OF
THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974
FOR SETTING A SIDE IMPUGNED
ORDER DATED 24.05.2022 OF THE
OFFICE OF DISTRICT HEALTH
OFFICER KOHISTAN WHEREBY
THE APPELLANT WAS
TERMINATED FROM HIS SERVICE
IN A CURSORY AND WHIMSICAL
MANNER.

12-

Respectfully Sheweth,

- That the Appellant is the bona-fide citizen and resident of Banda P/O Kotkay tehsil Alporai Shangla and was serving as clinical technician (MP) BPS12 at health department Kohistan Upper.
- 2. That certain posts of clinical technician were advertised by the respondent department in the newspaper of wide circulation vide advertisement No. INF (P) 5409/19. (Copy of the advertisement is attached as annexure "A").
- 3. That the pursuant to the advertisement the appellant along with other Candidates applied for the post of Clinical Technician Via Advertisement No. INF (P) 5409/19 the applicant reward successful after complication of selection process Kohistan consequently DHO upper recommended the applicant appointment as clinical Technician. (Copy of appointment order is attached as annexure "B").

- 4. That after the appointment the applicant regularly continuous to service on daily basis (Copy of order sheet is attached as annexure "C").
- 5. That in Lieu of his services rendered forwards the department, the salary of three months was accordingly disbursed to the applicant.
- Alporai District Shangla for that genuine reason the applicant moved an application to the Director General Health Services Khyber Pakhtunkhwa to transfer applicant from Kohistan to Civil Hospital Karora outcome of his application the respondent hospital granted NOC to the appellant.. (Copies of NOC to the applicant & application NOC are attached as annexure "D & E").
- 7. That it is pertinent to mention here that office of the district health office Kohistan Upper on dated 02.09.2020 also granted NOC to the application and stated that this office his no objection on transfer of Mr. Noor Paras serving as MP technician in BPS 12 to district Kohistan subject to fulfillment of all codal formalities.
- 8. That all of the suddenly / put of the blue the respondents department terminated the appellant from his service without any justification/ reason/ rim. And without any

speaking order or any document in black and white. (Copy of impugned notification is annexed as annexure "F").

- 9. That even the appellant approached the office commissioner right to information (RTI) for his termination order of the appellant which has been shelved by the respondent department.
- 10. That in this respect the appellant moved the departmental representation but till date no action has been taken upon the same. (Copy of Departmental Appeal is annexed as Annexure "G").
- 11. That feeling aggrieved the appellant approached this Hon'ble Tribunal for redressal of his grievances upon the following grounds enter alia:-

GROUNDS:-

- A. That the impugned order termination dated 24.05.2022 is illegal, wrong, unlawful, vide ab initio and is not sustainable at all.
- B. That the impugned order termination unwarranted illegal and against the rolls hence not tenable in the eyes of law.
- C. That no proper inquiry was ever conducted in the case of the appellant nor the appellant was ever heard in person, that was condemn unheard.

- D. That the respondent department have deviated themselves from fulfilling the basic ingredients of law i.e charge sheet, statement of allegation, show cause notice, inquiry dispensation order, final show cause notice and by doing so the respondent department has kept the appellant in dark.
- E. That as the dictum and law governing the land it is a prima facie that where a law requires a things to be done in a particular manner that has to be done in that manner and not otherwise.
- F. That under the mandate of article-4 of the constitution, no one can be treated otherwise then in accordance with law, whereas article-25 postulates that alike are to be treated alike. But here the case of the appellant is Volta facie and totally different yardstick has been used to treat the appellant.
- G. That from every angle, the impugned termination order is wrong, illegal, void against the right of the appellant and it is liable to be set aside by doing so the appellant is in title to reinstated to the service with all back benefits.
- H. That the appellant seeks permission of this Hon'ble Tribunal to advance other relevant grounds will be raised at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, the impugned termination order 1130-33/PF dated 24.05.2022 of the office of the District Officer Kohistan may kindly be set aside and doing so the appellant may very graciously be reinstated into the service with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favor of the Appellant in the circumstances of the

case.

Dated: ___/09/2022

Appellant

Through

Saiid Amin

Advocate

Tahir Khan

AhsanSardar

Advocates, High Court,

Peshawar

Certificate:

No such like Service Appeal for the same Appellant upon the same subject matter has earlier been filed by me, before this Hon'ble Tribunal.

IN THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In S.A No.____/2022

Noor Paras

Versus

DHO Kohistan & others

AFFIDAVIT

I, Noor Paras S/o Aqal Khan R/o Khory Banda, P/o Kotkai, Malak Khel Tehsil Alpuri District Shangla, (Appellant) do hereby solemnly affirm and declare on oath that all the contents of the of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

DEPONENT

IDENTIFIED BY:

CNIC: 15501-8320570-5

Cell: 0344-5468735

Sajid Amin

Advocate Peshawar.

8

زیر بخطی کے زیر محرانی منطع کو ستان ایر بھی منعد جدفہ یا آسامیاں پر کرنے کے لئے درخواتیں مطلوب ہیں ابندا تمام امید داران اس اشاعت کے 15 دن کے اندر درخواتیں کی خرا سکتے ہیں ناکم ل یامٹر رہ تاریخ کے بعد آنے والی درخواستوں مرخور نہیں کما جائے گا۔

| | -02-66-03-40-03-03-03-03-03-03-03-03-03-03-03-03-03 | | | | |
|--|---|------------|--------|-------------------------------------|--------|
| المن المنظر الم | هلیی قابلیت وتجرب | ŗ | بإلال | ابتهای | نبرثار |
| 2 بائرى الميلة يحريكينيون (EPI) عنوال المعالى | میٹرک مائنس سیکنڈ ؤویژن میڈیکل فیکٹی (خیبر پختون خواہ) ہے | | | رِائمری الله کیم کینیعن (MP) | 1 |
| عفاقد هي بي اورال الحراب المرسك الواق المسالة المحدد المسالة المحدد المسائل ا | متعلقه شعبه مين دومالدذ بلومه | | | | |
| علا ما تسری این از از این از | میٹرک مائنس سیکنڈ ڈویژن، میڈیکل فیکلٹی (نیبر بختون خواہ) ہے | 30118 سال | .06/12 | پائمری ایلته کیم ملنیفن (EPI) | 2 |
| عند الشهر على المستعمل المستع | متعلقه شعبه بی و دراله ژباد مه | | | | |
| 4 کلینکل کمکینون (فینل) 12 مال میشرک سائنس بیکنا فرویون ، مید یکل بیکنلی (فیروین فراه) ک معلق کلینکل کمکینون (فینلی (فیروین فراه) ک معلق کمکینون (فینلی کمکینون (فینلی کمکینون (فیاه) کالینکل کمکینون (فارشی) 12 میشرک سائنس بیکنا فرویون ، مید یکل فیکلی (فیرویخون فواه) ک معلق کمکینون (فارشی) 12 معلق شعید شده و مساله فیلوس معلق شعید شده و مساله فیلوس معلق شود می و مساله فیلوس معلق کمکینون (فیاه کمکینکل کمکینون فیاه کمکینکل کمکینون (فیاه کمکینکل کمکینون کمکینکل کمکینون (فیاه کمکینکل کمکینون ک | میٹرک مائنس سیکنڈ ڈویژن مرسک کونسل (خیبر پختون خواہ) ہے | 30118 سال | 12 | رائری بیلته کیمیلنیعن (MCH) | 3 |
| علان المن المن المن المن المن المن المن ا | متعلقه شعبه بيمل دومهالية بلومه | | | | |
| 5 کلینکل کیکیشن (استمیریا) 12 18 100 سال میش سیند دورین ، میڈ یکل فیکل (نیبر پختون نواو) ہے متعلقہ شعبہ شی دوسالد ڈپلوسہ کا انداز کا انداز کیا کی کنینکل کیکیشنیش (فارمی) 12 18 18 سال میش سیند دورین ، میڈ یکل فیکل (نیبر پختون نواو) ہے متعلقہ شعبہ شین دوسالد ڈپلوسہ کا کلینکل کیکنٹیشن (پتمالوتی) 12 18 1700 سال میش سیند دورین ، میڈ یکل فیکٹی (نیبر پختون نواو) ہے متعلقہ شعبہ شین دوسالد ڈپلوسہ کا کلینکل کمکنیشن (ریڈیالوتی) 12 18 1700 سال میش کیکٹر دوریان ، میڈ یکل فیکٹی (نیبر پختون نواو) ہے 8 کلینکل کمکنیشن (ریڈیالوتی) 20 18 18 سال میش کیکٹر دوریان ، میڈ یکل فیکٹری (نیبر پختون نواو) ہے 9 10 10 سال میش کرک سائٹس کیکٹر دوریان ، میڈ یکل فیکٹری کی جائے گ | میٹرک سائنس سیکنڈ ڈویژن میڈیکل ٹیکلٹی (نیبر پختون خواہ) ہے | ال 30118 | 12 | كلينكل ميكنيعن (ؤينل) | 4 |
| متعلقه شعبه على دوساله في لوسي الله المستخدم الله المستخدم المستخدم الله المستخدم الله الله الله الله الله الله الله الل | متعلقه شعبه بیس دومال د ^و پلومه | | | | |
| 6 کلینکل کینیوں (فارشی) 12 18 10 مال میٹرک مائٹس کینڈ ڈورٹ ن، میڈیکل فی کئی (خیبر پختون نواہ) ہے متعلقہ شعبہ میں دو مالد ڈپلو مہ متعلقہ شعبہ میں دو مالد ڈپلو مہ کا منکل کیکئی (خیبر پختون نواہ) ہے متعلقہ شعبہ میں دو مالد ڈپلو مہ متعلقہ شعبہ میں دو مالد ڈپلو مہ کا منکل کینیکل کینیک | میٹرک مائنس سکنڈ ڈویژن ،میڈیکل فیکٹی (خیبر پختون خواد) ہے | 30118 سال | 12 | کلینکاکیکنیفن (آستمیزیا) | 5 |
| متعلقہ شعبہ عمل دوسالہ ڈیلوسہ کے اور اللہ کا | متعلقه شعبه بش دوسال ذبلومه | | | | |
| 7 كلينكل كمكنيفن (يتمالوي) 12 معلقه شعبه على دوسالد فيلوم معلقه شعبه على دوسالد فيلوم على المنتفى والمسال فيلوم على المنتفى والمسال فيلوم على المنتفى والمسال فيلوم على المنتفى والمسال فيلوم على المنتفى في المنتفى والمسال فيلوم المنتفى والمنتفى | میٹرک مائنس سیکنڈ ڈویژن میڈیکل فیکٹی (خیبر پختون خواہ) ہے | 30118 مال | 12 | کلینکل کیکنیفن (فارمی) | 6 |
| متعلقة شعبه مین درمالد و پلوم الله علی متعلقه شعبه مین درمالد و پلوم الله و پرون مید یک فیکلنی (تیبر پختون نواه) نے الله کا | متعلقه شعبه چیل دوسال دژبلومه | | | | |
| 8 کلینکل مکنیفن (ریدیالوتی) 12 مال میرک سائنس کینڈ دویژن میرڈ یکل فیکلٹی (نیبر پختون خواہ) ہے میرک سائنس کینڈ دویژن میرڈ یکل فیکلٹی (نیبر پختون خواہ) ہے میرک سائنس کینڈ دویژن میرڈ یکل فیکلٹی (نیبر پختون خواہ) ہے 9 درائیور میرک کا السس متدر ۱۲ السس میرک کو اعدوضو بالم کے مطابق بحرتی کی جائے گ | میٹرک سائنس سیکنڈ ڈویژن میڈیکل فیکٹی (نیبر پختون خواہ) ہے | F.A. 25. 4 | . 12 | کلینکل کمکنیفن (پتمانوی) | 7 |
| عَلَمْ شَعِد عِن و دِمال وَ يَاوِم وَمَال و 9 أَوْ وَيَ يَوْد وَيَوْم وَ مِنْ السِّسْسِ 6 أَمَا 40 مِنْ السِّسْسِ مِنْ اللَّهِ مِنْ اللَّهِ عِلَى اللَّهِ عَلَى اللَّهُ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهُ عَلَى اللَّهُ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهِ عَلَى اللَّهُ عَلَى اللَّهِ عَلَى اللَّهُ عَلَى اللَّهِ عَلَى اللَّهُ عَلَى الْعَلَى الْمُعَلِّ عَلَى اللَّهُ عَلَى اللَّهُ عَلَى اللَّهُ عَلَى اللَّهُ عَلَى اللَّهُ عَلَى الْعَلَى الْعَلِي الْعَلَى الْعَلَى الْعَلَى الْعَلَى الْعَلَى الْعَلَى الْعَلَ | متعلقه شعبديس دومالدفي بلومه | | | 6.4 | |
| 9 أوراتيور 18 أوراتيور 10 المعتد V الأستس 10 نائب قامد 1 المعتد كتواعد وضوباط كرمطابق بمرتى كى جائے كى | میلرک مائنس میکند دویژن مدیدیکل فیکلی (نیبر پختون خواه) ہے | 30118 مال | 12 | للن کا کمکنیفن (ری <u>ریا</u> لوجی) | 8 |
| 10 نائب تامد 4 مال موبائي مكومت كرقواعد وضوباط كرمطابق بمرتى كى جائے كى | منتقلقه شعبه مين وصالد في بلومه | | | | |
| | منتد LTV الأسنس | JU40118 | 6 | ۇرانچىر ئارانچىر | 9 |
| 11 وارد ارد لي المحت على المحت | صوبائی حکومت کے قواعد وضوباط کے مطابق بحرتی کی جائے گ | JU 40118 | 4 | نائب قامد | 10 |
| | صوبائی حکومت کے قواعد وضوباط کے مطابق بحرتی کی جائے گ | 40118 بال | 4 | פונצונגל | 11 |
| 12 چكىدار 4 100 مال صوبائى حكومت كةواعدو ضوباط كے مطابق بحرتى كى جائے كى | صوبا کی حکومت کے قواعد وضوباط کے مطابق بحرتی کی جائے گ | JL 40t18 | 4 | چكيدار | 12 |
| 13 موبائي مكومت كة العدوشوباط كرمطابق بمرتى كي جائے ك | صوبائی مکومت کے واحد د ضوباط کے مطابق مجرتی کی جائے گ | ال 40t18 | 3 | سوپیرا کلینر | 13 |
| 14 وارد آیادارد النیزند 3 عام کورج دی ما کار الا الا الا الا الا الا الا الا الا ا | پڑھے کھے کوڑ چے دی جائے گ | 40118 مال | 3 | واردُ آیا اواردُ النیندُنت | 14 |

شرافط: -(1) منطح کوہتان اپر سے تعلق رکھے والے مقائی او کول کوتر نے دی جائے گی بصورت ویکرا ملاح کے امید واران کا درخواستوں پرخور کیا جائے۔

(2) مجرق صوبال حکومت کے مروجہ تواعد و مسوال ہے تحت مل میں لائی جائے گی۔ (3) مجرتی کے لئے چنا و تھکانہ سلیٹ کیٹی کر ہے گی۔ (4) انٹرو ہے کے امید واران کا تمام اصل استاد لاٹا لائی ہوگا۔ (5) تقرری متعلقہ کا غذات متعلق اواروں ہے جائج پڑتال کے بعد کی جائے گی، غلط دمتا و بڑات بابت ہونے کی صورت میں قانونی کا روائی کی جائے گی۔

(3) کی دی پرتمام امید واران کا رابطہ نمبر ہونا لازی ہے۔ (7) انٹرو ہو کے لئے شارٹ لسفڈ امید واران کو ان کے گھر کے دیئے گئے بد پرکال لیٹر، کال یا مین مجینا جائے گا۔

(8) ۔ سرکاری ملاز مین کو تکھانہ تو سط ہے ورخواست کے افران میں اسلام میں اور عرف تھا ہے گئے دی ہے کہا تھا ہے گئے اسلام کی انداز میں کے مورک کے دفتہ معلقہ کا زائم کی جاری کردوا میں اور کی نقول درخواست کر ساتھ مسلک کر کے دفتہ ہے اس میں اشاحت کے دفتہ میں درخواست کر ساتھ مسلک کر کے دفتہ ہے اور کی دوران کی انداز کی نقول درخواست کر ساتھ مسلک کر کے دفتہ ہے اور کا دن کا دن کا عربہ تھی کریں۔

OFFICE OF THE DISTRIFT HEALTH OFFICER KOHISTAN

No. 19203-25 IDHO (KH)

Dated 19 / 12 /2019

To

Noor Paras S/O Aqal Khan R/O Banda Kotky, Malik Khel Kotkay Tehsil Alpurai District Shangla

Subject: OFFER OF APPOINTMENT AS PRIMARY HEALTH CARE TECHNICIAN (MP) BPS-12

On the recommendation of Departmental Selection Promotion Committee the competent authority is pleased to appoint you against the vacant post of Primary Health Care Technician (MP BPS-12) in Health Department Kohistan on the following terms and conditions.

- 1. You will produce age and Health Certificate from DHO Kohlston.
- 2. You will be covered by such rules, regulations & orders issued by the Ciovernment from time to time.
- 3. You will report for duty within 15 (fifteen) days of the issuance of this appointment order.
- 4. You will be on probation for a period of one year as per rule.
- 5. It you wish to resign from service one month's notice will be necessary in lieu thereof, on month's pay shall be forfeited.
- 6. Your service is subject to verification of your academic/Liducational decuments from concerned Boards/Institutes

District death Officer. Kohistan

Endorsement No. & Date From.

Copy forwarded to:-

- 1. Director Concret Health Servicus Klayber Pakhtunkhwa Peshawar.
- 2. Deputy Commissioner Kohlston.
- 3. Principal Medical Officer RHC Dussii.
- 4. Deputy District Health Cullear Kuhlstan.
- 5. Muster Pile.

District Health Officer Kohistan

OFFICE OF THE DISTRICT HEALTH OFFICER KOHISTAN

No. 19200.25 /DHO (KH)

Dated 19 1 12 /2019

To

Noor Paras S/O Aqal Khan R/O Banda Kotky, Malik Khel Kotkay Tehsil Alpurai District Shangla

Subject: OFFER OF APPOINTMENT AS PRIMARY HEALTH CARE TECHNICIAN (MP) BPS-12

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District Health Officer
Kohistan

Endorsement No. & Date Even.

Copy forwarded to:-

- 1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2. Deputy Commissioner Kohistan.
- 3. Principal Medical Officer RHC Dassu.
- 4. Deputy District Health Officer Kohistan.
- 5. Master File.

District Health Officer Kohistan



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| Middle Finger: | Fore Finge | n | |
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(13)

NO OBJECTION CERTIFICATE

This office has no objection on transfer of Mr. Noot Paras serving as MP Technicion in BPS 12 to District Kohistan subject to fulfillment of all codal formalities.

District Flealth Officer Kohistan

क्षाकार वास्त्र है। ना वास्त्र and the property of the मा अन्तरक्षा स्थापनी स्थापनी है are conformed a final in a market from the same of t त्याच - - कृत्यान्त्र की विद्यारका जात्वाका व भवन्त्राताः विद्यास्य । प्रतिस्था Tray amount to the first

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OFFICE OF THE DISTRICT HEALTH OFFICER ISTRICT SHANGLA AT ALPURAL

23: 0996- 850653 & - 0996- 850824 E-mail:edohshangla@gmail.com

No. <u>6/72</u>

Dated: 24 /12/2020

OBJECTION/ VACANCY CERTIFICATE

harmacy) BPS-12 is lying vacant at Givil Hospital Karora under the confirm of the ndersigned and this office has no objection over the Transfer of Mr. Noo: Paras 10: Agal Khan PHC Tech: (MP) BPS-12 attached to RHC Dassu District Konistan

September Septem

DISTRICT HEALTH DANGER



OFFICE OF THE DISTRICT HEALTH OFFICER KOHISTAN AT DASSU.

Phone No: 0998-407132 Fax No: 0998-407132

Mail Address: edohkhn@yahoo.com, edohkhn@gmail.com

1138-33 /PF

DatedKohistan the :2/0/2022

To,

The Assistant Registrar Hazara, KP Information Commission, Divisional Office Hazara.

COMPLAINT AGAINST NON- SUPPLY OF INFORMATION

(COMPLAINT NO.9017).

R/Sir,

Reference to your Office letter No. RTIC/ARH/1-9017/2022/178

Dated. 16/05/2022, received today on 24/05/2022.

I have the honour to inform your good office that No recruitment / Appointment done in Health Department Kohistan Upper from 01/07/2019 till date.

So Mr. Noor Paras neither recruited nor remain employee of Health

Department Kohistan Upper as per available record.

District Health Officer, Kohistan at Dassu. 22,

Endost No. & Date even.

Copy forwarded:-

01.PS to Chief Information Commissioner, KP Information Commission, Peshawar.

02.PA to Commissioner, KP Information Commission, Peshawar.

03. Office Copy.

District Health Officer. Kohistan at Dassu.



TO worthy

The Director General Health services Khyberpukhtun khwa. Peshawar.

SUBTECT

Departmental Appeal against impugned Notificationwhere in the appellant has been Terminated/removed from service without any justification.

Respectively sir.

With almost respect, the appeal very humbly solicits as under-

- 1, That the appellant is a bonafide citizen and resident of Banda p/o Kotkay tehsil Alporai Shangla and was serving as clinical technician (MP) BPS 12 at health deportment kohistan upper
- 2, The certain post of MP EPI MCH Clinical technician (Dental) Clinical technician (Anesthesia) Clinical technician (Pathology) Clinical technician (Radiology) deriver Naib Qasid Ward ordaly Chawkidar Sweeper Ward aya ward attendant Was advertised in Vide Advertisement No INF (P) 5409/19 By the District Health office (DHO) Kohistan.
- 3, That pursuant to the Advertisement the Appellant Along with other Candidates Applied for the Post of clinical technician Via Advertisement NO INF (P) 5409/19 the Applicant rewared successful after the Complication of selection process consequently DHO kohistan upper recommended the applicant for appointment as clinical Technician

(MP copy of appointment order is annexed as Annexure A)

4, That after the appointment the applicant regularly continued his service on daily basis and served the honorable deportment for almost three month

(copy of charge sheet is annexed as annexure B)

- 5, That in Lieu of his services rendered towards the deportment, the salary of three months was accordingly disbursed to the applicant
- 6, That the appellant Hails From tehsil Alporai District Shangla for that genuine Reason The Applicant Moved an application to the Director General Health Services KP To transfer applicant from kohistan to Civil Hospital Karora Outcome of his application the respondent hospital granted.

(NOC to the applicant copy of application NOC is attached as annexure C and D)



- 7, That it is pertinent to mention here that office of the district health office kohistan upper on dated 02/09/2020 also granted NOC to the application and stated that this office his no objection on transfer of Mr Noor Paras serving as MP technician in BPS 12 to district kohistan subject to fulfillment of all codal formalities.
- 8, that all of the suddenly / put of the blue the respondent terminated from service without any justification / reason / rim.
- 9, that the applicant approached several Time of the respondent deportment and to your good self-office to inquiry about the matter but all his effort went futile here the instant application.

It is therefore most humbly prayed that on acceptance of the instant departmental appeal. The impugned office order no-19200-25 Dated--19--12---2019 of the office of DHO kohistan may kindly be set-aside and by doing so, the appellant may very gratioasly the reinstated into the service with back benefits.

If Applicant to on record.

Name; Noor Paras

NIC; 15501-8320570-5

Mob; 03445468735

01 06 2022

To

The Worthy Commissioner Right to Information KPK

SUBJECT; Application for requiring documents i.e. Appointment order Dated 19/12/2019 and Documentation order with all other relevant documents of the undersigned.

Respected Sir

1. That the undersigned submit as under.

2. That the undersigned got an appointed onto the roll of clinical technician (MP) BPS 12 on dated 19/12/2019

That after serving the department for almost three months on the specific post.

The undersigned came to know about alleged facts that his record is not available with the department and he is not the employ of the department

3. That it is pertinent to mentioned here that the undersigned submitted his first application on date 22/2/2022 to the worthy respondent department to requiring his documents.

(Copy of his application is attached)

4. That the undersigned approached to the worthy department so many times to give his comments in writing about his necessary documents but all his efforts went futile. Although the said application does not adversely affect anybody.

It is therefore, most humbly prayed that on the acceptance of the instant application the comments /statement of the worthy department may provide in writing to the best interest of justice.

APPLICANT ON RECORD Mr. Noor Paras Clinical Technician MP BPS12

Date: 19 April, 2022



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TO THE WHORTHY COMMISSIONER RIGHT TO INFORMATION, KPK.

SUBJECT: APPLICIATION FOR REQUIRING DOCUMENTS,

i.e APPOINMENT ORDER DATE 19/12/2019 AND TERMINATION ORDER WITH ALL OTHER RELEVANT DOCUMENTS OF THE UNDERSIGNES.

Respected Sir,

That Undersigned Submit as Under

- 1. That the Undersigned, got an appointed onto the rolls of Health Care technician (MP) BPS-12 on date 19/12/2019
- 2. That after serving the Department for three months on the specified post, the undersigned came to know about the alleged fact that his reward is not available with the department and he is not the employee of the department.

It is, therefore requested to kindly provide the appointment and termination order, so that the undersigned might approach the proper forum to meet the end of justice.

Mr. Noor Paras
Health Care Technician
(MP BPS-12)

Date 22,02,2022

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PAKTITOONKHWA MEDICAL RACULTA



(SWAT--PVT)

Name:

NOOR PARAS

Father Name:

AQAL KHAN

| "SEMESTER | | Obtained | 01/2009 (ROL Passing Marks | Result |
|--|------------------------|------------|-------------------------------|--|
| Subject/paper | Total Marks | Marks | | |
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| ontomy | 100 | 56 | 50 | Prissed |
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| Physiology/ Biochemistry | 100 | 50 | | |
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| Paper II | 100 | 50 | 25 | Passed |
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Prepared by

Checked by:

Khyber Pakhtoonkhyla Medical Faculty

SAIDU SHARIF SWAT
NWFP PAKISTAN

R No: 12271 /STH

Dated 3/12/09

CUNICAUTRAINING CERTIFICATE

CERTIFIED THAT

Noor Paras S/o Aqal Khan

STUDENT OF

SWAT PARAMEDICAL INSTITUTE

has successfully completed the hospital training as part of his/her Diploma course of the NWFP Medical Faculty Peshawar, from 01/04/2009 to 30/09/2009 in Saidu Teaching Hospital Swat in the discipline of Health Technology

His/her conduct during this Period remained

MSRS
Registered Medical Procedioner
Ph; 9546-722955

Medical Superintendent Saidu Teaching Hospital Saidu Shari Swai

Saldy Shart Swee



Courd of Intermediate and Secondary Education Saidu Sharif Swat, Chyber Pakhtunkhwa Pakistan Higher Secondary School Certificate

Pre-Medical Group

| Session 2007 (Annual) | | |
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| This is to ordify that NOOR PARAS - | | And the second s |
| Sin of AQAL KHAN | and the same of th | |
| and a student of HIRA SCHOOL & COLLEGE CHARBAGH. | SWAT. | |
| has passed the Higher Secondary School Certificate Examination | | Intermediale - |
| and Gerandry Education, Saidu Sharif, Swat held in | May | CO . |
| a Regular Candidate. He obtained 646 0 | Marks out of 1100 and | has been placed |
| in Grade C Representing Goods | | |
| The Examination Was taken as a Whole | | n.I. |
| Result declaration date: 10-08-2007 | They are minima | 101/30 |
| | SIL | AO C |
| | Registered Medical Practi Ph: 0946-722955 | tioner / / / |

19845 TERMEDIATE AND SECONDARY Saidu Sharif, Swat, N.W.F.P. Pakistan Secondary School Certificate Examination (annual/supplementary) NOOR PARAS THIS IS TO CERTIFY THAT AGAL KHAN Son/Daughter of HIGH SCHOOL KOTKAY SHANGLA and a student of has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in as a Regular/Private candidate. He/She obtained MARCH 1050 and has been placed in Grade Representing_ The Candidate passed in the following subjects: PHYSICS 3. Islamiyat 1. English CHEMISTRY BIOLOGY 4. Pakistan Studies 6. Urdu

Asstt. Secretary

Date of birth according to admission form

one thousand nine hundred and

This certificate is issued without elieration or evenued.

COLLEGE CHARBAGAS

Reg/ No. 11-B/HSCHM-2005

Roll No. ___ 61389

Provisional & Character Certificate

This is to certify that Mr. NOOR PARAS

S/o Mr. AQALKHAN appeared from this institution in ESc.

Annual Examination, held in May, 2007. According to the result "Gazette" BISE, Saidu Sharif, Swat, he has been declared successful in the said examination.

His Date of Birth according to the school record is (in figures). 4-1-1987

(in words) 4TH JANUARY, NINETEEN EIGHTY SEVEN

| | SUBJECT | | |
|---------|-----------|----------|-----------|
| English | Urdu | P. Study | Islamiyat |
| Physics | Chemistry | Math/Blo | |

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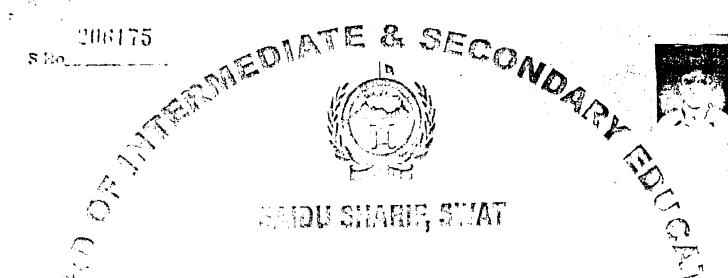
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Checked by:

Date of Issue: 11-08-2007

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PROVISIONAL & DETAILED MARKS CERTIFICATE INTERMEDIATE (ANNUAL) EXAMINATION, 2007 PRE-MEDICAL (Part-II)

| THIS IS TO CERTIFY | THAT | NOOR PARAS | | | 61389 |
|--------------------|------|------------|---|--------------|-------|
| C ! Doughter of | | | • | Roll No: | |

and a candidate of Hira School & College Charbagh, Swat.

has secured the marks shown against each subject in the INTERMEDIATE EXAMINATION of the Board of Intermediate & Secondary Education Saidu Sharif, Swat held in the as Regular month of

| | | Marks Obtained | | | | | | |
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| Section | Marks | Part-l | | Part-II | | Total | Marks in Words | |
| Subjects | | Theory | Pract | Theory | Pract | | | |
| English · | 200 | 77 | - | 42 | | 119 | One Hundred Nineteen | |
| Urdu | 200 | 66 | - | 68 | | 134 | One Hundred Thirty-Four | |
| Islamic Education | 50 | 38 | - | - | - | 38 | Thirty-Eight | |
| Pakistan Studies | 50 | _ | - | 34 | - | 34 | Thirty-Four | |
| | 200 | 36 | 10 | 22 | 19 | 87 | Eighty-Seven | |
| Physics | 200 | 40 | 18 | 35 | 21 | 114 | One Hundred Fourteen | |
| Chemistry | 200 | 34 | 20 | 43 | 23 | 120 | One Hundred Twenty Only | |
| Botany / Zoology | 200 | | | 1 | | 040 5 | Six Hundred Forty-Six Only | |

Chacked By: Result Declaration Date 10-08-2007

Note: Errors / Omissions accepted.

Computer Cell BISE, Swal.

Controller of Examinations BISE, Saidu Sharif, Swat.

Gove High. KOTKAY Distr-Shanols.

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Session 2005 (Annual) Group (Science)

IIS IS TO CERTIFY THAT

| Noor | Paras | | |
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Son of and a candidate of

Govt. High School Kotkay, Shangla.

has secured the marks shown against each subject in the Secondary School Examination held in the

Regular March

Agal Khan

| | Marks | | MARKS OBTAINED | | | | | | |
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| Subject | | | 9Th | | | ,10Th | | | |
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| 1. English | 75 | | 150 | - 38 | - | 47 | - | 85 | Eighty-Five |
| 2. Urdu | 75 | • | 150 | 26 | - | 35 | - | 61 | Sixty-One |
| 3. Pakistan Studies | 75 | - | 75 | _ | - | 43 | - | 43 | Forty-Three |
| 4. islamiyat (Comp) | 75 | | 75. + | 48 | - | ' | 1 | 46 . | Forty-Six |
| 5. Idaths | 75 | , | 150 | 47 | | 55 | [| 102 | One Hundred Two |
| 6. Physics | 60 | 15 | 150 | 27 | 10 | 35 | -11 | 83 | Eighty-Three |
| 7. Chemistry | 60 | 15 | 150 | 28 | 10 | 33 | 10 | 81 | Eighty-One |
| 3. Biology | 60 | 15 | 150 | 27, | 9, | . 45 · | 112 | 92 | Ninety-Two |

Total 1050

593-C | Five Hundred Ninety-Three Only

Date of Birth (In Figures)

04 January , 1987

04th, January , One Thousand Nine Hundred Eighty-Seven

Hote:- Error/Omission accepted. Any Error in Date of Birth & Resignation must be intimated within 30 days after receiving the above certificate.

Computer Cell BISE, Swat

Controller of Examinations

BISE, Saidu Sharif, Swal.

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| 41 | Secondary School Certificate Examination | } |
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| The state of the s | hald in mesch, 2003 As a regular Student. He Obtained _ 1563093 Marks | |
| 2 | Out of 1050 Marks and has been Pleased in grade C. Representing The Candidate passed the following the control of the control | 7 |
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| K | Checked by Head master ? | |
| 5 | Govt: High School, KOTKAY, Distt-Shanala | |
| | | |
| | Registered Medical Practitioner | 27 mg - 17 |
| est ^{er} | Registared Medical Practitioner Pm 1946-722955 | |
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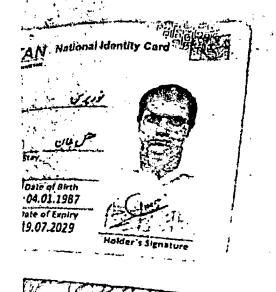
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DOMICILE CERTIFICATE: DECLARATION Declare that I was born of parents who are permanently domiciled in North west Prontier Province by birth / having Settled in It. I belonged to Villago/ Mohallah Banda Ketka ! Tehsil District Shangla having been born in it. Signature of the applicant it is here by certified that is born of Parents who are Permanent residents of NWRP Shangla District belonging to it by Birth/Settled in it I ha ige/verification overleaf that above declaration is

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الم سيكمن سائل مجھے كوانے جانے ميں كافى مشكلات كاسا منا ہا ور كھرين اور كونى و مدارينده مير

کے سیکہ پ صاحبان سے عاجز اندالتماس ہے کمن سائل کوسول سیتال کروڑہ میں Pharmacy

پوسٹ ہے،

کے درخواست اسکے آپ ساخیا فیسر صاحب نے این اوی (NOC) بھی دیا ہے جو کہ درخواست اسکے آپ صاحبان سے ہمدرداند درخواست ہے کہ ہمارے مجبوری کو مدنظر رکھتے ہوئے ممارے فرانسفر کو بستان سے سول بہنتال کروڑہ شلع شانگلہ کردیا جائے تو آپ صاحبان کی بوٹی مہریانی ہوگی۔فقل

آپ كا تا بعدار سمع الله توريس ولد عقل خالي تررسوم كو محكه ملك خيل، ذا كان كو محكه بخصيل البوري ا قوى شناختى كارد نمبر 5-8320570-1 To

The Worthy Commissioner Right to Information KPK

SUBJECT; Application for requiring documents

i.e. Appointment order Dated 19/12/2019 and Documentation order with all other relevant documents of the undersigned.

Respected Sir

1. That the undersigned submit as under.

2. That the undersigned got an appointed onto the roll of clinical technician (MP) BPS 12 on dated 19/12/2019

That after serving the department for almost three months on the specific post.

The undersigned came to know about alleged facts that his record is not available with the department and he is not the employ of the department

- 3. That it is pertinent to mentioned here that the undersigned submitted his first application on date 22/2/2022 to the worthy respondent department to requiring his documents. (Copy of his application is attached)
- 4. That the undersigned approached to the worthy department so many times to give his comments in writing about his necessary documents but all his efforts went futile. Although the said application does not adversely affect anybody.

It is therefore, most humbly prayed that on the acceptance of the instant application the comments /statement of the worthy department may provide in writing to the best interest of justice.

APPLICANT ON RECORD
Mr. Noor Paras
Clinical Technician MP BPS12

Date: 19 April, 2022

THE WHORTHY COMMISSIONER RIGHT TO INFORMATION, KPK

SUBJECT APPLICIATION FOR REQUIRING DOCUMENTS,

WITH ALL OTHER RELEVANT DOCUMENTS OF THE UNDERSIGNES.

Respected Sir.

That Undersigned Submit as Under

- 1. That the Undersigned, got an appointed onto the rolls of Health Care technician (MP) BPS-12 on date 19/12/2019
- 2. That after serving the Department for three months on the specified post, the undersigned came to know about the alleged fact that his reward is not available with the department and he is not the employed of the department.

It is, therefore requested to kindly provide the appointment and termination order, so that the undersigned might approach the proper forum to meet the end of justice.

Mr. Noor Paras

Health Care Technician

(MP BPS-12)

Date 22,02.2022

19200.25 IDHO (KH)

Dated 19 1

To

Noor Paras S/O Aqal Khan R/O Banda Kotky, Malik Khel Kotkay Tehsil Alpurai District Shangla

OFFER OF APPOINTMENT AS PRIMARY HEALTH CARE Subject:-TECHNICIAN (MP) BPS-12

the recommendation of Departmental Selection/Promotion Committee the competent authority is pleased to appoint you against the vacant post of Primary Health Care Technician (MP BPS-12) in Health Department Kohistan on the following terms and conditions.

- 1. You will produce age and Health Certificate from DHO Kohistan.
- 2. You will be covered by such rules, regulations & orders issued by the Government from time to time.
- 3. You will report for duty within 15 (fifteen) days of the issuance of this appointment order.
- 4. You will be on probation for a period of one year as per rule.
- 5. If you wish to resign from service one month's notice will be necessary in lieu thereof, on month's pay shall be forfeited.
- 6. Your service is subject to verification of your academic/Educational documents from concerned Boards Institutes.

Endorsement No. & Date Even Copy forwarded to:-

- 1. Director General Health Services Khyber Pakhtunkhwa Peshawar
- 2. Deputy Commissioner Kohistan
- 3. Principal Medical Officer RHO Dassu.
 4. Deputy District Health Officer Kohistan.
- 5. Master File.

NO OBJECTION CERTIFICATE

This office has no objection on transfer of Mr. Noot Pagas serving as MP Technicion in BPS 12 to District Kohistan subject to fulfillment of oil codal formalities.

District Plealth Officer Kolmstan



OFFICE OF THE DISTRICT HEALTH OFFICER DISTRICT SHANGLA AT ALPURAL.

128 - 1996 - 850653 139 - 0996 - 850824 139 - E-mail:edohshangla@gmail.com

No. 6/72 /DHO/SH

Dated: <u>24</u>/12/2020

40 OBJECTION/ VACANCY CERTIFICATE.

(Pharmacy) BPS-12 is lying vacant at Civil Hospital Karora under the control of the undersigned and this office has no objection over the Transfer of Mr. Noor Paras S/O Agal Khan PHC Tech: (MP) BPS-12 attached to RHC Dassu District Kohistan Upper.

DISTRICT HEALTH OFFICER DISTRICT SHANGLA.

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OFFICE OF THE DISTRICT HEALTH OFFICER KOHISTAN AT DASSU.

Fax No: 0998-407132 Phone No: 0998-407132

Mail Address: edohkhn@yahoo.com, edohkhn@gmail.com

DatedKohistan the :2/0/2022 24/05/2022

To,

The Assistant Registrar Hazara, KP Information Commission, Divisional Office Hazara.

Subject:

COMPLAINT AGAINST NON- SUPPLY OF INFORMATION

(COMPLAINT NO.9017).

R/Sir,

Reference to your Office letter No. RTIC/ARH/1-9017/2022/178 Dated. 16/05/2022, received today on 24/05/2022.

I have the honour to inform your good office that No recruitment / Appointment done in Health Department Kohistan Upper from 01/07/2019 till date.

So Mr. Noor Paras neither recruited nor remain employee of Health Department Kohistan Upper as per available record.

> District Health Officer, Kohistan at Dassu. 22,

<u>Endost No. & Date even.</u>

Copy forwarded:-

01.PS to Chief Information Commissioner, KP Information Commission, Peshawar.

02.PA to Commissioner, KP Information Commission, Peshawar.

03. Office Copy.

District Health Officer, Kohistan at Dassu.



OPSS

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Me Assistant Registrar, Hezare,

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GOVERNMENT OF KHYBER PAKHTUNKHWA RIGHT TO INFORMATION COMMISSION

District Council Hall, Abbottabad Email: <u>Ar.hazara.kprti@kp.gov.pk</u> Email: <u>dmo.hazara.kprti@kp.gov.pk</u>

No: KPIC/ARH/1-9017/2022/221

Dated: 23-06-2022

To

Mr. Noor Paras,
Banday Kotkai Tehsil Apporri,
District Shangla.

Sub:

COMPLAINT AGAINST NON-SUPPLY OF INFORMATION UNDER RTI Act, 2013 (COMPLAINT NO:9017)

I am directed to refer to the subject noted above and requisite information received on 30th May, 2022 vide letter no.1130-33/PF regarding your case. The information has aready been sent to your good self on 15 June, 2022.

You are advised to confirm in writing the receipt of complete and relevant information within Five (5) days of the receipt of this letter.

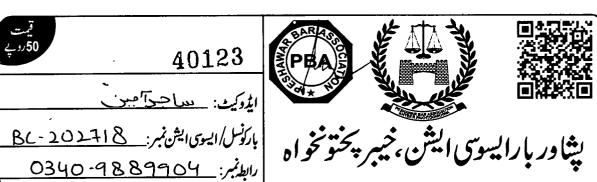
In case we do not receive any response from you, your case will stand disposed of.

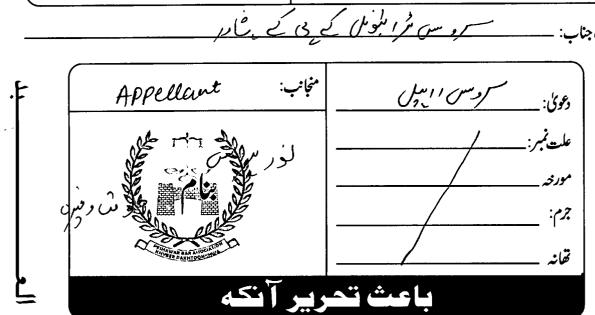
Assistant Registrar Hazara, KP Information Commission, Divisional Office Hazara.

Copy to:-

- 1. PS to Chief Information Commissioner, KP Information Commission, Peshawar
- 2. PA to Commissioner-II, KPIC Peshawar
- 3. Office of the District Health Officer, Health Department, Kohistan (Upper)







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