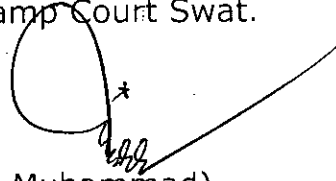


07.09.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 06.10.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (Executive)
Camp Court Swat



(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

06.10.2022

Clerk of Mr. Bakhtoon Wali, Advocate, present and submitted fresh Wakalatnama of Mr. Bakhtoon Wali, Advocate, on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat. Adjourned. To come up for arguments on 10.11.2022 before the D.B at Camp Court Swat.



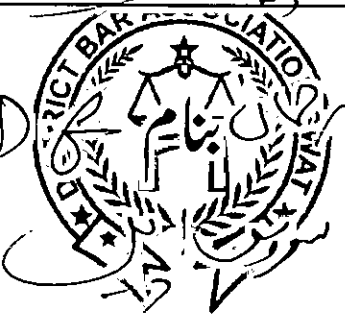
(Rozina Rehman)
Member (J)
Camp Court Swat



(Salah-Ud-Din)
Member (J)
Camp Court Swat

<p>بار کونسل نمبر: 19/1/85</p> <p>بار ایسوسی ایشن نمبر: 438</p> <p>رابطہ نمبر: 0345-3423908</p> <p>ای میل ایڈریس</p>	<p>107144</p>  <p>ڈسٹرکٹ بار ایسوسی ایشن سوات</p>
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بعدالت جناب: سرورس ہر سیفیل حیر پختون خان پساہ ریکس ہوسٹل سوات۔

<p>منجانب: اسلم منیر</p> <p>صفحہ الہامی</p> 	<p>دعویٰ اور خواست:</p> <p>علت نمبر:</p> <p>مورخہ:</p> <p>جرم:</p> <p>تھانہ:</p>
--	--

بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام گلکہہ کیلئے جتوں وی ایٹھ ویکٹ مائی کورٹ کو مقرر کر کے اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ جواب دعویٰ، اقبال دعویٰ اور درخواست برائے سرسبزی مقدمہ منسوخ ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا۔ نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہمزارہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ دہر جانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے، لہذا وکالت نامہ لکھ دیا کہ سندر ہے

مقام گلکہہ سپر و شریف سوات کے لئے منظور ہے۔

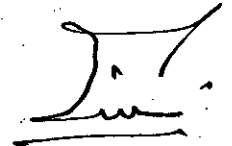
12.05.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Previous two dates were changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for rejoinder, if any, as well as arguments on 06.07.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat



(Salah-ud-Din)
Member (J)
Camp Court Swat

06.07.2022

Appellant in person present.

Noor Zaman Khattak, learned District Attorney for respondents present.

Former requested for adjournment as his counsel is not in attendance today. Adjourned. To come up for arguments on 02.08.2022 before D.B at Camp Court, Swat.



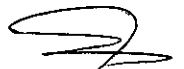
(Fareeha Paul)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

2-8-22

Due to Sammas Vacation the case is adjourned to 7-9-22 for the same.

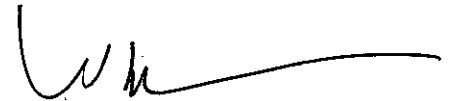


03.11.2020

Appellant in person present.

Muhammad Jan learned Deputy District Attorney alongwith Muhammad Aman Litigation Assistant and Jaffar Shah Assistant for respondents present.

Written reply on behalf of respondents No.1 to 3 already submitted. Respondent No.4 be put on notice for reply/comments by way of last chance. To come up for written reply/comments on 08.12.2020, before S.B at Camp Court, Swat.



Member (E)
Camp Court, Swat

8/12/20

Due to COVID-19 case is
adjourned to 02/02/2021



Reader

P.S

23.09.2021


Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.



Chairman

03.11.2021

Appellant alongwith his counsel present. Mr. Jaffar Ali, Assistant on behalf of respondents No. 1 to 3 and Mr. Jamil-ur-Rehman, Assistant Accounts Officer on behalf of respondent No. 4 alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Reply/comments on behalf of respondents No. 1 to 3 have already been submitted while representative of respondent No. 4 time for submission of reply/comments. Adjourned. To come up for submission of reply/comments on behalf of respondent No. 4 as well as arguments before the D.B on 05.01.2022 at Camp Court Swat.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court Swat


(Salah-Ud-Din)
Member (J)
Camp Court Swat

06/04/2021

Due to COVID-19, the case is adjourned to

08/06/2021 for the same.


READER

26.07.2021

To come up for written reply/comments of respondent No. 4 on 25.08.2021 before S.B at Camp Court, Swat. Notices be issued to appellant/counsel as well as respondents for the date fixed.


Chairman

25.08.2021

Junior to counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Jafar Ali, Asstt and Muhammad Jamil, AAO for respondents present.

Representatives of the respondents seek further time. Respondents No. 2 & 3 are directed to submit written reply/comments in office at Peshawar within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 03.11.2021 before the D.B, at camp court Swat.

Stipulated period has passed and reply has not been submitted.


Chairman
Camp Court Swat.

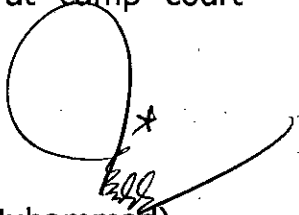
02.02.2021

Nemo for the parties present.

Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

As the case had been adjourned previously on Reader note due to Covid-19, therefore, notice to the parties be issued..

Adjourned to 01.03.2021 before S.B at camp court Swat.

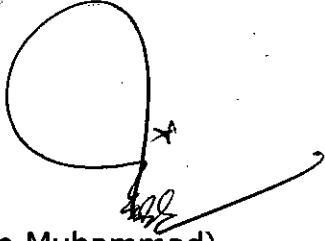


(Mian Muhammad)
Member(E)
Camp Court Swat

01.03.2021

Appellant with counsel present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Muhammad Aman, Litigation Officer for official respondents No. 1 to 3 and Mr. Muhammad Jameel, AAO for respondent No.7 present.

Written reply on behalf of respondents No. 1 to 3 have already been submitted. Representative of respondent No. 4 seeks time to submit written reply on the next date. To come up for written reply of respondent No.4 on 06.04.2021 before S.B at camp court Swat.



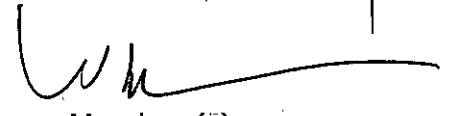
(Mian Muhammad)
Member(E)
Camp Court Swat

03.11.2020

Appellant in person present.

Muhammad Jan learned Deputy District Attorney alongwith Muhammad Aman Litigation Assistant and Jaffar Shah Assistant for respondents present.

Written reply on behalf of respondents No.1 to 3 already submitted. Respondent No.4 be put on notice for reply/comments by way of last chance. To come up for written reply/comments on 08.12.2020, before S.B at Camp Court, Swat.



Member (S)
Camp Court, Swat

8/12/20

Due to COVID-19 case is
adjourned to 02/02/2021




Reader

06.07.2020 Bench is incomplete. Therefore, the case is adjourned.
To come up for the same on 06.08.2020, at camp court
Swat.


Reader

*Due to summer vacation, the
case is adjourned. To come up
for the same on 05-10-2020*


Reader

05.10.2020

Counsel for the appellant is present: Mr. Usman Ghani, District Attorney alongwith M/S Jaffar Shah, Assistant on behalf of respondent No. 1, Muhammad Aman, Litigation Officer on behalf of respondent No. 2 and Amjid Ali, Assistant on behalf of respondent No. 3 are also present.

Para-wise comments on behalf of respondents No. 1 to 3 submitted which is placed on record. Neither written reply on behalf of respondent No. 4 submitted nor anyone on his behalf is present, therefore, notice be issued to him for submission of written reply/comments. File to come up for written reply/comments on behalf of respondent No. 4 on 03.11.2020 before S.B at Camp Court, Swat.


(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT SWAT

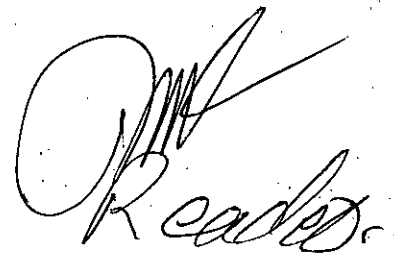
02.03.2020

Toti Khan father of the appellant on behalf of appellant present. Written reply not submitted. M/S Jaffar Ali Assistant (for respondent No.1), Fazal Amin Litigation Assistant (for respondent No.2) and Amjid Ali Assistant (for respondent No.3) present and requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 06.04.2020 before S.B at Camp Court Swat.



Member
Camp Court, Swat.

Due to COVID-19 various
travels to camp court Swat
has been cancelled. To
come up for the same on
01/06/2020



Reader

01.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 06.07.2020 before SB at camp court Swat.



Reader

02.12.2019

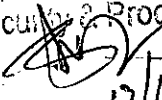
Father of the appellant on behalf of appellant present. Written reply not submitted. No one present on behalf of respondents. Notice be issued to the respondents to furnish written reply/comments. Adjourn. To come up for written reply/comments on 07.01.2020 before S.B at Camp Court, Swat.



Member
Camp Court, Swat

07.01.2020

Counsel for the appellant present and submitted application for permission to deposit security and process fee. The application is accepted and placed on record. Appellant is directed to deposit security and process fee within three days, thereafter, notices be issued to the respondents for written reply/comments for 03.02.2020 before S.B at Camp Court Swat.


Appellant Deposited
Security & Process Fee


13/1/2020


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

03.02.2020

Toti Khan father of the appellant on behalf of appellant present. Written reply not submitted. Muhammad Aman Litigation Assistant representative of respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 02.03.2020 before S.B at Camp Court, Swat.

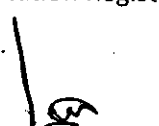

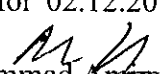

Member
Camp Court, Swat

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1143/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/09/2019	<p>The appeal of Mr. Ghani Rahman presented today by Mr. Khurshid Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/9/19</p>
2-	06.11.2019	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>06-11-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant Ghani Rahman present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Junior Clinical Technician (Surgery) BPS-9 vide order dated 24.02.2009. It was further contended that the respondent-department advertised the post of Junior Clinical Technician (Anesthesia), the appellant applied for the same through proper channel and the appellant was appointed as Junior Clinical Technician (Anesthesia) vide order dated 19.11.2013. It was further contended that the respondent-department was required to count the previous service of the appellant for the purpose of seniority but the respondent-department has counted the seniority with effect from 19.11.2013 therefore, the same is liable to be rectification. It was further contended that the appellant filed departmental appeal but the same was not responded.</p> <p>The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 02.12.2019 before S.B at Camp Court Swat.</p> <p style="text-align: right;"> (Muhammad Amr Khan Kundi) Member Camp Court Swat</p>

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA AT PESHAWAR

APPEAL No 1143 of 2019

Ghani Rahman..... (Appellant)

VERSUS

Director General Health and others..... (Respondents)

INDEX

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4.	Copy of appointment order dated 24-02-2009	A	8
5.	Copy of the appointment order dated 19-11-2013	B	9
6.	Copy of appeal / application <i>Service record</i>	C	10 to 28
7.	Wakalatnama		29

Appellant
Ghani Rahman



KHURSHID ALI
Advocate, High Court
(Counsel for appellant)

Office: New Madyan Road Near Swat
Cinema Shahdara, Mingora, Swat
Cell No: 0346-9417550

①

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA AT PESHAWAR

Appeal No. 11430 of 2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1248

Dated 13/9/2019

Ghani Rahman (JCT Anesthesia at Civil Hospital Kabal,
Swat) son of Toti Rahman resident of Saidu Sharif, Swat

.....Appellant

VERSUS

1. Director General Health Services Khyber Pakhtunkhwa at Peshawar.
2. District Health Officer, Swat
3. Secretary Health Khyber Pakhtunkhwa at Peshawar.
4. District Account Officer, Swat.

.....Respondents

SERVICE APPEAL UNDER SECTION 4, OF
THE KPK SERVICE TRIBUNAL ACT, 1974,
against the action & inaction of respondents
department, whereby the application for
grant of previous service back benefits
toward pay, pension, seniority and gratuity
etc was turn down and Department Appeal
filed by the appellant, which is still
pending before the Respondent No. 1,
hence, the instant appeal.

Filed to-day

Registrar

13/9/19

PRAYER IN APPEAL

On acceptance of this appeal the action / inaction of respondents department be declared as illegal, against law, void ab-initio by setting aside the same and the previous service of the appellant may kindly be considered / counted toward pay, allowance, pension seniority gratuity and all back benefits as per law & regulation from date of first appointment i.e., ~~24-02-2009~~. Any other relief which this Honorable Court deems fit and proper in the circumstances of the case may also be granted.

Respectfully Sheweth,

- 1) That the appellant appointed as JCT Surgical on dated 24-02-2009. (Copy of appointment order is attached as annexure "A")

- 2) That during service the appellant applied for the post of JCT Anesthesia duly advertise by the respondent department.

- 3) That as per recommendation of Department selection / promotion committee appellant was appointed against the post of JCT Anesthesia vide order dated 19-11-2013. (Copy of the appointment order dated 19-11-2013 is attached as annexure "B")

- 4) That during the service the appellant got knowledge that the respondent department not considered the service of the appellant from date of first appointment, so the appellant move an application to respondent No. 1 for their greviances through proper channel. (Copy of appeal/ application is attached as annexure "C")
- 5) That the said Department appeal / application of the appellant is still pending before the forum after lapse of 90 days period, hence the instant appeal.

GROUND:-

- a. That the impugned action & inaction is illegal, against the law, void ab-initio, without lawful authority.
- b. That the impinged action rather denial of the respondents to back benefits toward pay, pension seniority and gratuity etc is arbitrary, perverse, illegal, beyond the scope of its powers and authority and void ab-initio.
- c. That as there is no break in the service of the appellant, so as per rules and regulation the appellant is entitled for all back benefits of his previous service toward pay, pension, seniority and gratuity etc.

4

- d. That, the impugned action & inaction of respondents department is illegal, against the service law, rules and shariah, hence liable to be set aside.
- e. That the impugned action is worst example of colorable exercise of power by the respondent and also against the principle of natural justice, fair play and equity.
- f. That the impugned action is arbitrary, unilateral, and whimsical.
- g. That the appellant has not been treated in accordance with law nor equal protection of law has not been extended to appellant.
- h. That the impugned action of the respondents is not only suffering from law, regulation, rules governing the subject matters but also in violation of principles laid down in various judgments of august Supreme Court of Pakistan on subject matter.
- i. That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

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Therefore in view of the above submissions, it is most humbly prayed that On acceptance of this appeal the action / inaction of respondents department be declared as illegal, against law, void ab-initio by setting aside the same and the previous service of the appellant may kindly be considered / counted toward pay, allowance, pension seniority gratuity and all back benefits as per law & regulation from date of first appointment i.e., ~~24-02-2009~~. Any other relief which this Honorable Court deems fit and proper in the circumstances of the case may also be granted.

Appellant

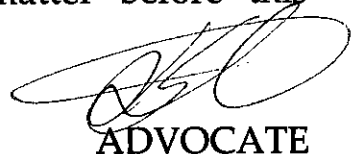
Ghani Rahman



KHURSHID ALI
Advocate, High Court
(Counsel for appellant)

CERTIFICATE:

(As per directions of my client) No such like Appeal earlier has been filed by the appellants on the subject matter before this Honorable Court.



ADVOCATE

6

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA AT PESHAWAR

APPEAL No _____ -M of 2019

Shah Riaz.. (Appellant)

VERSUS

Director General Health Service and others..... (Respondents)

ADDRESSES OF THE PARTIES

APPELLANT

Ghani Rahman (JCT Anesthesia at Civil Hospital Kabal,
Swat) son of Toti Rahman resident of Saidu Sharif, Swat

CNIC No:

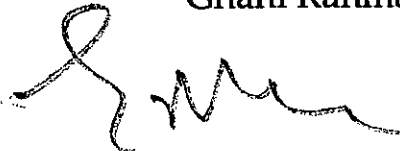
Cell No:

RESPONDENTS

1. Director General Health Services Khyber Pakhtunkhwa at Peshawar.
2. District Health Officer, Swat
3. Secretary Health Khyber Pakhtunkhwa at Peshawar.
4. District Account Officer, Swat.

Appellant

Ghani Rahman



KHURSHID ALI
Advocate, High Court
(Counsel for appellant)

7

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA AT PESHAWAR

APPEAL No _____-M of 2019

Ghani Rahman..... (Appellant)

VERSUS

Director General Health and others..... (Respondents)

AFFIDAVIT

I, Ghani Rahman (appellant), do hereby solemnly affirm
and declare on oath that the contents of the above titled Appeal
is true and correct to the best of my knowledge and belief.

 
DEPONENT

8

A

OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR

No. / /2009 Dated / /2009

OFFICE ORDER.

On the recommendation of the Departmental Selection Committee, meeting held on ~~24-02-2009~~ at the office of the Director General Health Services, NWFP, Peshawar, Mr. Ghani Rehman S/O Mr. Totai Khan Resident Saidu Sharif District Swat, is hereby appointed as Junior Clinical Technician Surgical BPS-09 @ (3S20-230-1-720) on contract basis.

His appointment in the Health Department Govt: of NWFP will be subject to the following term and condition.

- a) He will get pay at the minimum of BPS-09 including usual allowances as admissible under the rules. He will also be entitled to annual increment as per existing policy.
- b) He shall be governed by the NWFP Civil Servants Act 1973 and all the laws applicable to the Civil Servant and Rules made there-under.
- c) He shall for all intents and purpose, be civil servant except for purpose of pension or gratuity in lieu of pension and gratuity, he shall be entitled of receive such amount contributed by him towards contributory provident fund (CPF) alongwith the contributions made by Government to his account in the said fund in the prescribed manner.
- d) His employment in the Saidu Teaching Hospital, Swat is purely temporary and his services are liable to be terminated without assigning any reason at fourteen (14) days notice or on the payment of 14 days salary in lieu of notice. In case he wishes to resign. At any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
- e) He shall, initially, be on probation for a period of two years extendable upto 3 years
- f) He shall produce a medical certificate of fitness from Medical Superintendent Saidu Teaching Hospital, Swat before reporting himself for duty, as required at his own expenses.
- g) In case of in-servant candidate no such right from his pervious services

If he accepts the post on these conditions, he should report for duty to the Said Teaching Hospital, Swat within 14 days of the receipt of this offers and produce original certificate in connection with his qualifications, domicile and age.

Sd/xxxxx
Director General Health Services, NWFP, Peshawar

No: 1690 931 PF dated 26/12/2009.

Copy forwarded to the:-

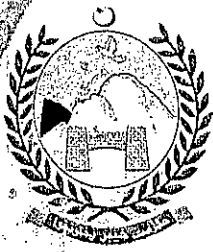
- 1. Deputy Director Admn: DGHS, NWFP, Peshawar. ✓
- 2. District Accounts Officer, Swat.
- 3. Accounts Section Saidu Teaching Hospital, Swat
- 4. Official Concerned.

ATTESTED

Medical Superintendent
Saidu Teaching Hospital, Swat

Alfred

Medical Superintendent
Saidu Group of Hospitals
Saidu Sharif, Swat District



9

DISTRICT HEALTH OFFICER
GULKADA, SAIDU SHARIF SWAT.
Phone No. 0946-9240139,
Fax No. 0946-9240215
Email. edohswat@yahoo.com

B

No. _____ / P.F.

Dated:- 19/11/2013.

OFFICE ORDER

Consequent upon the recommendations of the Departmental Selection committee in its meeting/interview held in the office of the District Health Officer Swat on 17/9/2013, Mr. Ghani Rahman S/O Toti Rahman who is presently working as JCT Surgical SGTH: Swat, is hereby appointed as JCT (Anesthesia) in Civil Hospital Kalam in BPS-09 @ (6200-380-17600) plus usual allowances as admissible under the Government Service Rules, subject to the following terms & conditions.

TERMS AND CONDITIONS:-

- 1- He/She shall initially be on probation for a period of one year under the rules extendable further for a period of one year.
- 2- He/She can be dispensed without any notice during the probation period of their work and conduct found unsatisfactory.
- 3- He/She shall be governed by the Government of Khyber Pakhtunkhwa Civil servants' act 1973 and the laws applicable to the civil servants under the rules made there under.
- 4- He/She shall be entitled to annual increments as per existing policy.
- 5- He/She will produce medical fitness certificate issued by the Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat before submitting the arrival report for duty.
- 6- No TA/DA is admissible for joining the duty.
- 7- He/She will be bound to produce an Affidavit on thirty Rupees stamp paper that he will serve for Two years on present posting station and will not try for his transfer to any other institutions/out District, and will also not pressurizes politically or otherwise for their transfers etc;
- 8- In case anyone wishes to resign from services, one month prior notice shall have to be given or in lieu thereof a month's pay will be forfeited.

If He/ She accept the above mentioned terms & conditions He/She should report to the in Charge Health Institutions mentioned against their names within fourteen days of receipt of this offer and submit original documents along with one set of photocopies verification from concerned Boards/ University/ Medical Faculty. If He/She fails to report for duty within stipulated period of time this appointment order will automatically stands cancelled and the next candidate on the merit list will be offered the same post.

Sd/xxxxx

(DR.ABDUL KHALIQ)

DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA

No. 10621-23 /P.F

Copy forwarded to the:-

- 1- District Account officer Swat.
- 2- Medical Officer In-charge Civil Hospital Kalam Swat.
- ③ The Medical Superintendent SGTH: Swat.
- 4- The above named official.
- 5- Account Section DHO, Office Swat.
- 6- Estt: II Section of the office of DHO, Swat.

For information and compliance.

ATTESTED

(DR.ABDUL KHALIQ)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.

4709
25-11-13



E-2
JW 27/9

MS STH

11

ہے۔ اس نسبت تعیناتی حکم لف ہے۔

۳۔ یہ کہ سائل نے اپنی ڈیوٹی انتہائی ایمانداری اور آفسران بالا کے منشاء کے مطابق

سرا انجام دی ہے۔ اور تا حال کسی کو کوئی اعتراض کا موقع فراہم نہیں کیا ہے۔

۴۔ یہ کہ سائل کو چند دن قبل معلوم ہوا کہ متعلقہ حکام نے سائل کی سینیارٹی کو

مورخہ 24-02-2009 کے بجائے 19-11-2013 سے شمار کرتے ہیں جو کہ

سائل کے ساتھ شرعی و قانونی نا انصافی ہے۔

۵۔ یہ کہ سائل کی ابتدائی تعیناتی یعنی مورخہ 24-02-2009 سے سائل کی سینیارٹی

سائل کا قانونی و شرعی حق ہے۔ اسلئے درخواست ہذا کی ضرورت لاحق ہوئی۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائل کو ابتدائی تعیناتی مورخہ

24-02-2009 سے جملہ مراعات کے ساتھ تعین کرنے کا حکم صادر فرمائی

جاوے۔ نیز دیگر دادرسی جو قرین انصاف ہو بھی بحق سائل مرحمت فرمائی جاوے۔

عریضہ

سائل غنی رحمان ولد طوطی رحمان ساکن سیدو شریف، سوات

(حال متعینہ JCT (Anesthesia) بمقام سول ہسپتال کبل سوات)

موبائل نمبر: 0344-9631029

بوکالت

خورشید علی ایڈووکیٹ ہائی کورٹ

44353
5/12/12
Sd/-

LAST PAY CERTIFICATE P. NO 443554

Last Pay Certificate of MR. Ghanni Rahimov J.C.T. Surgical
of the Saidu Teaching Hospital Swat
proceeding to Transfered To- R.D.O. Health Swat
He has been paid upto 30-11-2013

as the following rates:—

Particulars:

Substantive Pay:—

Officiating Pay:—

Exchange Compensation Allowance:—

0001 Pay Rs. 7720/-
1000 HRA-Rs 1146/-
1210 CA - Rs. 1840/-
1300 MA - Rs. 1000/-
1911 CompA - Rs. 2000/-
1948 Ad-R-2010 Rs. 2140/-
1970 Ad-R-01 Rs. 642/-
2118 Ad-R-02 Rs. 1544/-
2148 Ad-R-13 Rs. 1158/-

Rs. 18190/-

Deductions:— 3009 GPF Rs. 595/-
3501 B/F Rs. 180/-
3604 C.A. Rs. 67/-
Rs. 842/-

ATTESTED

He made over charge of the Office of _____

on the 30-11-2013 At Noon noon of _____

Recoveries are to be made from the pay of the Government servant as detailed on the reverse.

He has ben paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____ to _____ at Rs. _____ a month
From _____ to leave at Rs. _____ a month
From _____ to _____ at Rs. _____ a month

He is entitled to draw the following:—

He is also entitled to joining time for _____ days.

The details to the Income Tax recovered from him upto the date from the beginning of the current year are noted on the reverse.

Be considered after his documents are received from DGHS 14/12/13

Dated at _____ 19 _____

Signature: _____

Designation: _____

Medical Superintendent
Saidu Teaching Hospital
Saidu Shari Swat, P.T.O.

4453
5/12/12
Saidu Shari

17

LAST PAY CERTIFICATE P. NO 443554

Last Pay Certificate of MR. Ghanni Rahuman J.C.T. Surgical
of the Saidu Teaching Hospital Swat
proceeding to Transfered To - B.D.O. Health Swat
He has been paid upto 30-11-2013

as the following rates:—

Particulars:

Substantive Pay:—

Officiating Pay:—

Exchange Compensation Allowance:—

1001 Pay Rs. 7720/-
1001 HRA-Rs. 1146/-
1210 CA - Rs. 1840/-
1300 MA - Rs. 1000/-
1911 ConfA - Rs. 2000/-
1948 AdR-2010 Rs. 2140/-
1970 Ad-R-01 Rs. 642/-
2118 AdR-02 Rs. 1544/-
2148 AdR-13 Rs. 1158/-

Rs. 18190/-

Deductions:— 3009 GPF Rs. 595/-
3501 B/F Rs. 180/-
3604 C.A. Rs. 67/-
Rs. 842/-

ATTESTED

He made over charge of the Office of _____

on the 30-11-2013 After noon of _____

Recoveries are to be made from the pay of the Government servant as detailed on the reverse.

He has been paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____ to _____ at Rs. _____ a month
From _____ to _____ at Rs. _____ a month
From _____ to _____ at Rs. _____ a month

He is entitled to draw the following:—

He is also entitled to joining time for _____ days.

The details to the Income Tax recovered from him upto the date from the beginning of the current year are noted on the reverse.

Handwritten note:
be considered after his documents are received from D.A.S. 140PK

Dated at _____ 19 _____

Signature: _____

Designation: _____

Medical Superintendent
Saidu Teaching Hospital
Saidu Sharif Swat, P.T.O.

4453
5/12/13
Saidu Sharif

LAST PAY CERTIFICATE P. NO 443554

Last Pay Certificate of MR. Ghani Rahmon J.C.T. Surgical
of the Saidu Teaching Hospital Swat
proceeding to Transfered To - E.D.O. Health Swat
He has been paid upto 30-11-2013

as the following rates:—

Particulars:

Substantive Pay:—

Officiating Pay:—

Exchange Compensation Allowance:—

1000 Pay Rs. 7720/-
1000 HRA-Rs. 1146/-
1210 CA - Rs. 1840/-
1300 MA - Rs. 1000/-
1911 ComPA - Rs. 2000/-
1948 AdR-2010 Rs. 2140/-
1970 AdR-01 Rs. 642/-
2118 AdR-02 Rs. 1544/-
2148 AdR-13 Rs. 1158/-

Rs. 18190/-

Deductions:— 3009 GPF Rs. 595/-
3501 B/F Rs. 180/-
3604 CTA Rs. 67/-
Rs. 842/-

ATTESTED

He made over charge of the Office of _____

on the 30-11-2013 At Noon noon of _____

Recoveries are to be made from the pay of the Government servant as detailed on the reverse.

He has ben paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____ to _____ at Rs. _____ a month

From _____ to leave at Rs. _____ a month

From _____ to _____ at Rs. _____ a month

He is entitled to draw the following:—

He is also entitled to joining time for _____ days.

The details to the Income Tax recovered from him upto the date from the beginning of the current year are noted on the reverse.

Handwritten note:
be considered after his documents are received from DGHS
14/11/13
MS/ST/13/13

Dated at _____ 19 _____
Signature: _____
Designation: Medical Superintendent
Saidu Sharif Swat P.T.O.

15

MEDICAL CERTIFICATE.

Name of Official MR GHANI RAHMAN

Caste or race AFGHAN

Father's Name MR TATI RAHMAN

Residence Moh. Balaket Chorbagh
Swat

Date of birth 1-6-1984

Exact height by measurement 5'6"

Personal mark of identification *min*

Signature of the Official *Ghani*

Signature of head of office

ATTESTED

[Signature]
 Medical Superintendent,
 Saidu Group of Hospitals,
 Saidu Sharif, Swat District

I do hereby certify that I have examined Mr. *Ghani Rahman* a candidate for employment in the office of the *M.S. SGT H. Swat* and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except *n.c.*

I do not consider this as disqualification for employment in the office of the *M.S. SGT H. Swat* His age according to his own statement *25* years and by appearance about *Twenty* years.

P.M-1: Scar mark on forehead.

LEFT HAND THUMB AND FINGER IMPRESSIONS..... *28.2.09.*

[Signature]
 Medical Superintendent,
 Civil Hospital
 Medical Superintendent,
 Saidu Teaching Hospital,
 Saidu Sharif Swat.

16

MEDICAL CERTIFICATE.

Name of Official MR GHANI RAHMAN

Caste or race AFGHAN

Father's Name MR TATI RAHMAN

Residence Moh: Balaket Chorbaghi

..... Swat

Date of birth 1-6-1984

Exact height by measurement 5'6"

Personal mark of identification *mm*

Signature of the Official *Ghani*

Signature of head of office

ATTESTED *[Signature]*

[Signature]
 Medical Superintendent,
 Seal of Of Saidu Group of Hospital
 Saidu Sharif, Swat District

I do hereby certify that I have examined Mr. *Ghani Rahman* a candidate for employment in the office of the *M.S.S.G.H. Swat* and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except *M.C.I.*

I do not consider this as disqualification for employment in the office of the ... *M.S.S.G.H. Swat* His age according to his own statement *(25)* years and by appearance about *Twenty* years.

P.M-1: Scar mark on forehead.

LEFT HAND THUMB AND FINGER IMPRESSIONS.....

28.2.09

[Signature]
 Medical Superintendent,
 Civil Hospital
 Medical Superintendent,
 Saidu Teaching Hospital,
 Saidu Sharif Swat.

17

MEDICAL CERTIFICATE.

Name of Official MR GHANI RAHMAN

Caste or race AFGHAN

Father's Name MR. TATI RAHMAN

Residence Moh: Balaket Chorbagh Swat

Date of birth 1-6-1984

Exact height by measurement 5'6"

Personal mark of identification *mm*

Signature of the Official *Ghani*

Signature of head of office

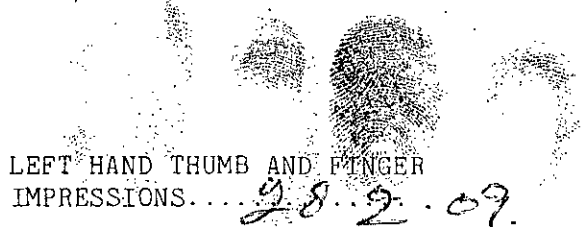
ATTESTED

Ghani
 Medical Superintendent
 Seal of Of Saidu Group of Hospitals
 Saidu Sharif, Swat District

I do hereby certify that I have examined Mr. *Ghani Rahmani* a candidate for employment in the office of the *M.S. SGT/H Swat* and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except *nil*

I do not consider this as disqualification for employment in the office of the ... *M.S. SGT/H Swat* His age according to his own statement *25* years and by appearance about *Twenty* years.

P.M-11. Scar mark on forehead.



Ghani
 Medical Superintendent,
 Civil Hospital
 Medical Superintendent,
 Saidu Teaching Hospital,
 Saidu Sharif Swat. *28/2/09*

19 2

(For use in Police Department only)

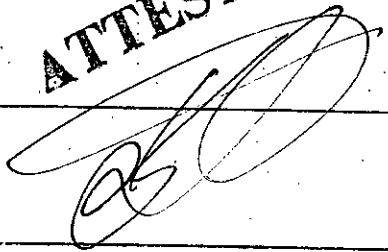
Heirs:

1. _____
2. _____
3. _____

Verification Roll No. _____ dated _____ received back _____

Left Thumb Impression

Qualification	Date	Qualification	Date
		Passed SSC Examinations	
English		First Arts FSC Saidu Bluff Board R.No. 200211	
Pushto		B.L. Or B.A.	
Urdu		Pleadership examination	
Plan-drawing		Training School Final examination	
Finger Print		Other qualification:—	
Drill Instructing		Passed Surgical Technology for NWFP Medical Faculty	
Court Duties		Under Roll No. 937 1st Batch	
Reserve Duties		Session 2004-2005	

ATTESTED


Medical Superintendent,
 Saidu Group of Hospitals,
 Saidu Sharif, Swat District

N.B. — Line to be drawn under the qualification possessed.

80

The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

Name: Mr. Ghani Rahman

Race: Afghan

Residence: Saidu Sharif Swat

Father's name and residence: Toti Rahman

Date of birth by Christian era as nearly as can be ascertained: 1-6-1984


Exact height by measurement: 5-6

Personal marks for identification: unil

Left hand thumb and finger impression of (Non-Gazetted) officer:

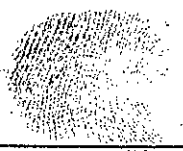
ATTESTED
[Signature]

Little Finger 

Ring Finger 

Middle Finger 

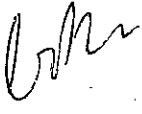
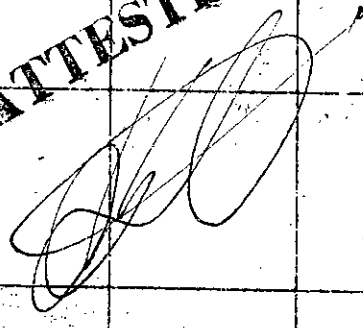

Fore Finger 

Thumb 

9. Signature of Government Servant: [Signature]

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

~~Medical Superintendent~~
~~Saidu Group of Hospital~~
~~Saidu, Sharif, Swat District~~
[Signature]
5/6/84

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant
JET Surgical B-9 3820-236-10720			Rs. 3820/-			1 ³ / ₀₉	
	ATTESTED 						
—  —			Rs. 4050/- PM			1 ¹² / ₀₉	
do			Rs. 4280/-			1 ¹² / ₁₀	

8	9	10	11	12	13	14	15
Signature of Government Servant	Signature and Designation of the head of the office or other attesting officer	Date of termination or appointment	Reason of termination such as promotion, transfer, dismissal, etc.	Signature of the head of the office or other attesting officer	<p style="text-align: center;">Leave</p> <p>Nature and duration of leave taken</p> <p>Specification of period of leave and average pay upto four months for which leave salary is debtable to Government</p> <p>Government to which debtable</p>	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant
					<p style="text-align: right;">Surgical</p> <p>Appointed as J.C.T (Pharmacy) BPS-09 vide D.O. S. Peshawar order No/M.S.M. Swat Endst. No. 1690-3/Att. 26-03-2008 and Arrival for duty on 28-03-09 (AW)</p>		
	<p>Medical Superintendent Saidu Group of Hospitals Saidu Sharif, Swat District</p> <p><i>[Signature]</i> 26/03/09</p>					<p>Medical Superintendent Saidu Group of Hospitals Saidu Sharif, Swat District</p> <p><i>[Signature]</i> 26/03/09</p>	
					<p>CPT-2012 9/4/09</p> <p>S.I & II verified to computerise & adjust pay + allowances of the newly appointed medical staff 1-3-09 at the following rates: Pay 3870, HRA 146, MA 500, UAA 75, CPF 524 BF 35, GI 67 & DEI 7 net Rs. 4908.</p>		
		30/11/08	A. Y. Allowed		<p>Service Verified from 1-12-08 to 30-11-08</p>		
	<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat</p> <p><i>[Signature]</i></p>					<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat</p> <p><i>[Signature]</i></p>	
		30/11/10	A. I. Allowed		<p>Service Verified from 1-12-09 to 30-11-10</p>		
	<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat</p> <p><i>[Signature]</i></p>					<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat</p> <p><i>[Signature]</i></p>	

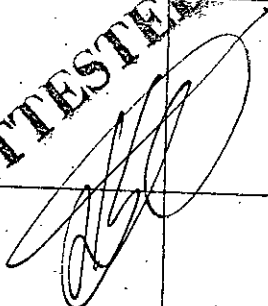
ATTESTED

[Signature]

ADAD

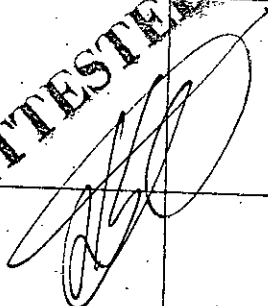
1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant
J.C.T. D/Wag: 13-8 Rs. 6200-380-17600		Pay fixed on 1-7-2011	Rs. 6960/-			7-1-2011	
<hr/>			Rs. 7340/-			12-1-2011	
<hr/>			Rs. 7720/-			1-12-2011	
6/6/011							
<p>Accountant General Khyber Pakhtun Khwa Peshawar Pay Fixed in the Revised Basic Pay Scales R B P S _____ B _____ w.e.f. 01-07-2007 Pay Fixed @ Rs. _____ B _____ w.e.f. 01-07-2008 Add _____ B _____ Pay Fixed @ Rs. _____ B _____ R B P S _____ B _____ Pay Fixed @ Rs. 6200 380 17600 B S w.e.f. 01-07-2011 Pay Fixed @ Rs. 6960/- Date of Next increment is on _____ 01-12-2011</p>		<p>Accounts Officer Pay Fixation 6/7/13</p>					<p>ATTESTED</p>

8	9	10	11	12	13		14	15
					Leave			
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
Signature of Government Servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 6	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Period	Government to which debitabale	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
	<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>						<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>	
		30 ¹¹ / ₂₀₁₁		A. S. Memon				<p>Service Verified from 1-12-2010 to 30¹¹/₂₀₁₁</p>
	<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>						<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>	
		30 ¹¹ / ₂₀₁₂		Annual Increment Allowed				<p>Service Verified from 1-12-2011 to 30¹¹/₂₀₁₂</p>
	<p>Medical Superintendent, Saidu Teaching Hospital, Saidu Sharif Swat.</p>						<p>Medical Superintendent, Saidu Teaching Hospital, Saidu Sharif Swat.</p>	
				Transfer Considered the				<p>3/11/2013</p>
				<p>Contract of DHO Swat vide his order no. 1652-53/12 dated 19-11-2012 received for duty 20-11-2013.</p>				<p>35-11-2013</p>
							<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>	
							<p>ATTESTED</p>	
				<p>Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat.</p>				

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service equals for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "..."	Date of appointment	Signature Government Servant
<p>for fixation on date of appointment as JETC Amroha in B-7.</p>							
JETC Amroha			7720/-			30/11/2013	
B-9(6200-300-17600)			8100/-			12/1/2013	
<p>ATTESTED</p> 							

District Health Officer
Swat Distt: at Gullada.

ATTESTED



9 23

8 Signature of Government Servant	9 Name and Designation of head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
						Period			Government to which debitable
					<p>Appointed as JCT (Administration) in C.M. Kadam B/S 9 vide this office no. 10621-23/PE dated 19/11/2012.</p>				
							<p>District Health Officer Swat Distt. at Gulkada.</p>		
							<p>Rs-355 15/12</p>		
							<p>Pay of Rs 8100/- 24/12/12 to 31/12/13</p>		
							<p>Rs-80 1/12</p>		
							<p>Drawn payable up to 11/12/13 to 31/12/13</p>		
							<p>Transferred to civil Hospital Kadal Swat on the vacant post vide this office order bearing Endst: No. 1936-39/PE Dated: 11/8/2014, & arrival reported to CH, Kadal on 11/8/2014. vide this office Endst: ors. 2258/ dated: 20/8/2014</p>		
							<p>District Health Officer Swat Distt. at Gulkada.</p>		

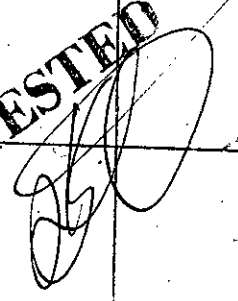
ATTESTED

[Handwritten Signature]

District Health Officer
Swat Distt. at Gulkada.

Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "P"	Date of appointment	Signature Government
Jr T. (Anesthetist) B-9 6200-380-17600		Rs. 8480/- pm			01/12/2014	
Jr T. (Anesthetist) B-9 8015-495-22865		Rs. 10985/- pm			01/7/2015	
<p>Revised Pay Fixation on the basis of Up-gradation from BPS 9 to BPS 12 with effect from 11-08-2015</p> <p>(Rs. 9055-650-2855)</p> <p>Pay on 10-08-2015 9 10985 JPM</p> <p>Pay on 11-08-2015 12 /P10</p> <p>One Pre-mature Increment: /P10</p> <p>Pay fixed: /P15</p>						
<p>Revised Pay Fixation on the basis of Up-gradation from BPS 9 to BPS 12 with effect from 11-08-2015</p> <p>(Rs. 9055-650-2855)</p> <p>Pay on 10-08-2015 9 11480 JPM</p> <p>Pay on 11-08-2015 12 11655 JPM</p> <p>One Pre-mature Increment: 1150 JPM</p> <p>Pay fixed: 12205 11655/-</p>					12/2015 pm	

ATTESTED



PAYROLL SYSTEM
AMENDMENT FORM
MULTIPLE EMPLOYEE ENTRY
OFFICE OF THE

(N.Gazetted)

FORM PAY03

Dated: _____

Page No. _____

DISTRICT HEALTH OFFICER SWAT

FOR THE MONTH OF 01 / 02 / 2014

DPO Code (Cost Center)	S	W	7	0	2	3
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Description: *Other hospitals*

51-69

24

EMPLOYEE DETAILS				General Data Change		Change in Payments/Deduction				Start Stop	Effective date.	Remarks.	
Employee Number	Employee Name	NIC Number	Info Type	Field ID	New Contents	Wedge Type	Amount						
							Rupees			Paise	Adi		
000043554	Ghani Rahmat				Job Started	17	A-AD/20					21/2/2014	The official letter
	JET Double				Job Rate Change	103	SN-6228	076	Val				addition of the
					Job Rate Change	115	JET	Am	15/1/2014				for the
		B. Post	0001	8100	Adj. B. Post	5801	140		16200	=			3 additional
		HRA	1000	1146	Adj. HRA	5002	141		2292	=			pay of
		Comp. All.	1210	1240	Adj. Comp. All.	5011	142		3680	=			for 12/10/13
		Comp. All.	1911	1000	Adj. Comp. All.	5026	143		2000	=			according to the
		M. A.	1300	1000	Adj. M. A.	5012	144		2000	=			Detail
		AA. 35%	1948	2160	Adj. AA. (35%)	5048	145		6230	=			
		AR (1) 15%	1970	642	Adj. AR (1)	5911	146		1290	=			
		AR (2) 20%	2118	1629	Adj. AR (2)	5928	147		3240	=			
		AR (3) 25%	2148	1215	Adj. AR (3)	5937	148		2430	=			
					(Deduction)								
		Car. P.	2009	595	Adj. Car. P.	6075	149		1190	=			
		B. P.	3501	180	Adj. B. P.	6001	150		360	=			
		A/G. h.s.	3511	7	Adj. A/G. h.s.	6115	151		160	=			
		G. h.s.	3601	67	Adj. G. h.s.	6006	152		136	=			

and job of the service work attached.
copy of the h.p.c. Form by Ms SGT H Swat is attached.

Prepared by: _____
District Officer,
Swat Distt. at _____

Audited/Checked by _____

Entered/Verified by _____

Rashid/+

ATTESTED

[Signature]

[Signature]

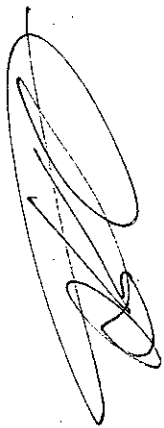
[Signature]

Arrears of Pay and allowances with effect from 01/12/2013 to 31/01/2014 in r/o Mr. Ghani Rahman Junior Clinical Technician (Anaesthesia)
P.No. 00443554 posted at CH:Kalam.

Period.	0001 B.Pay	1000 HRA	1210 CON: ALL:	1300 M:A	1911 Comp: Allow	1948 A:A (2010)50%	1970 AR(2011) 15%	2118 AR(2012) 20%	2148 Ar(13) 15%	Total	3009 GPF	3501 B/F	3511 A/G/Ins	3604 G/Ins	Net
Pay for 12/2013	8100	1146	1840	1000	1000	2140	642	1620	1215	18703	595	180	7	67	17854
Pay for 01/2014	8100	1146	1840	1000	1000	2140	642	1620	1215	18703	595	180	7	67	17854
Total: Rs:-	16200	2292	3680	2000	2000	4280	1284	3240	2430	37406	1190	360	14	134	35708

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Head of the office for attestation of columns 1 to 8
JcT (Anesthesia)	BPS:12		Rs: 14340/2pm			01/07/2016	
11140-800-35140							
do			Rs: 15140/2pm			01/12/2016	
1098579	15	ATTESTED	8215-4P5-22865	109857	11140-800-35140	07-2015	P
14340/2	16		14340/2	07-2018	01-12-2016	12	
JcT (Anesthesia)	BPS:12		Rs: 18120/2pm			01/07/2017	
13320-960-42120							
do			Rs: 19080/2pm			01/12/2017	

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "P"	Date of appointment	Signature of Government Servant
<p>Office of the Accountant General Khyber Pakhtunkhwa Peshawar</p> <p>Pay Fixed in the Revised Basic Pay Scales</p> <p>R.B.P.S _____ B _____</p> <p>Pay Fixed @ Rs _____ w.e.f 01-07-2015</p> <p>Pay Fixed @ Rs _____ B _____ w.e.f 01-07-2016</p> <p>R.B.P.S <u>13320-960-42120</u> (12)</p> <p>Pay Fixed @ Rs <u>18120</u> w.e.f 01-07-2017</p> <p>Date of Next Increment is on _____ 01-12-2017</p> <p>Account Officer Pay Fixation Party Peshawar</p>							
<p>JCT (Anesthesia) BPS:12</p> <p><u>13320-960-42120</u></p>				<p>Rs: 20040/2pm</p>			<p>01/12/2018</p>

ATTESTED





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8	9	10	11	12	13		14	15	
Signature of Government Servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.	
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government.			
						Period			Government to which debitible
-12 2018		30-11-2018							
			Annual increment Allowed						
							Service Verified from 01-12-2017 upto 30-11-2018		
	District Health Officer, Swat Distt. at Gulkade.		District Health Officer, Swat Distt. at Gulkade.				District Health Officer, Swat Distt. at Gulkade.		


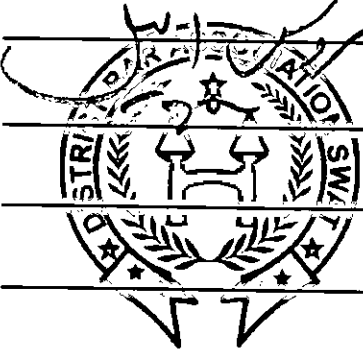
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[Handwritten Signature]

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 <p>بار کونسل نمبر: بار ایسوسی ایشن نمبر: رابطہ نمبر: 03469411755</p>	  <p>46957 ڈسٹرکٹ بار ایسوسی ایشن سوات</p>
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بعدالت جناب: سرورسز ٹریبیونل ضلع ہنمتون خواہ پشاور کلب لارڈ سوات منگورہ

<p>منجانب: ایم اے نیڈا عنی: محترمہ حنیہ حنیبل بیگم وغیرہ</p> 	<p>دعویٰ اور خواست: علت نمبر: مورخہ: جرم: تھانہ:</p> 
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بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ


آن مقام پشاور کلب لارڈ کے لیے خود ختمہ عینی نالہ دسٹ کو مقرر کر کے اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ، اور درخواست برائے سرسبزگی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہزارہ یا اپنے بجائے تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ ذراختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہر جانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے،

لہذا کالت نامہ لکھ دیا کہ سدر ہے

کلب کورٹ سوات منگورہ

مقام کے لئے منظور ہے۔

محکمہ اعلیٰ عدالت ہنمتون خواہ پشاور


ایڈوکیٹ دستخط:

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

SERVICE APPEAL NO. 1143 OF 2019

Ghani Rahman.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others.....Respondents

Respectfully Sheweth:

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS

Preliminary Objections:-

1. That the Appellant has got neither cause of action nor locus standi to file the instant Appeal.
2. That the Appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant Appeal is against the prevailing Law and Rules.
4. That the Appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the Appellant has filed the instant Appeal with mala-fide intention hence liable to be dismissed.
6. That the Appellant has not come to the Tribunal with clean hands.
7. That the Appeal is time barred.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
9. That the instant Appeal is bad for mis-joinder and non-joinder of the necessary parties.

ON FACTS:

1. Para No. 1 Pertains to record needs no comments.
2. In reply to Para No. 2 it is stated that the Appellant applied as Anesthesia candidate and not as Surgical Technology.
3. Para No. 3 it is stated that the Appellant was selected as JCT Anesthesia vide order No.10621-23/P-F dated 19/11/ 2013 (Annex-A).
4. In reply to Para No. 4 it is stated that the Appellant moved an application to Respondent No.1 and was responded with the remarks that seniority has already given from his date of appointment i.e. 19/11/2013 and the request of the Appellant is not covered under the rules as the Appellant has changed his cadre from Surgical to Anesthesia Technology vide letter No. 9177/AE-VII dated 12/6/2019 (Annex-B).


5. Para No. 5 is incorrect. The reply has already been furnished in preceding para.

ON GROUNDS:-


- a. Para-a is wrong, incorrect and misleading, the replying respondents always act according to Law.
- b. Para-b is wrong and incorrect hence denied. No discrimination has been made with the Appellant. The detailed reply has already been given in Para No. 4 of Facts above.
- c. Para-c is wrong and incorrect. The replying respondents exercising their authority in true manners and aspects of law.
- d. Para-d is wrong and incorrect hence denied: The Appellant service cannot be counted towards seniority as per rules (Annex-C).
- e. Para-e is wrong incorrect hence denied. Neither discrimination has been done with the Appellant nor has any violation with respect to basic constitutional rights has been made by the replying respondents. The detail reply has already been given in the preceding Paras.
- f. Para-f is incorrect. The replying respondents always work under the prevailing laws of the land.
- g. Para-g is incorrect. The Appellant has been treated in according with law.
- h. Para-h is incorrect. No violation of law has been committed by the replying respondents.


PRAYER:

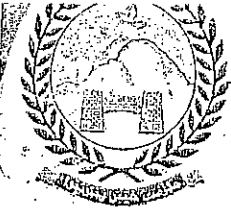
It is therefore humbly prayed that on acceptance of the comments, the instant Appeal may very graciously be dismissed with cost.


Director General Health Services
Khyber Pakhtunkhwa
Respondent No. 01

DD (Clak)


District Health Officer Swat.
Respondent No. 02


Secretary Health, Khyber Pakhtunkhwa.
Respondent No. 03



A (23)

DISTRICT HEALTH OFFICER
GULKADA, SAIDU SHARIF SWAT.
Phone No. 0946-9240139,
Fax No. 0946-9240215
Email. edohswat@yahoo.com

No. _____ / P.F.

Dated; - 19/11/2013.

OFFICE ORDER

Consequent upon the recommendations of the Departmental Selection committee in its meeting/interview held in the office of the District Health Officer Swat on 17/9/2013, Mr. Ghani Rahman S/O Toti Rahman who is presently working as JCT Surgical SGTH: Swat, is hereby appointed as JCT (Anesthesia) in Civil Hospital Kalam in BPS-09 @ (6200-380-17600) plus usual allowances as admissible under the Government Service Rules, subject to the following terms & conditions.

TERMS AND CONDITIONS:-

- 1- He/She shall initially be on probation for a period of one year under the rules extendable further for a period of one year.
- 2- He/She can be dispensed without any notice during the probation period of their work and conduct found unsatisfactory.
- 3- He/She shall be governed by the Government of Khyber Pakhtunkhwa Civil servants' act 1973 and the laws applicable to the civil servants under the rules made there under.
- 4- He/She shall be entitled to annual increments as per existing policy.
- 5- He/She will produce medical fitness certificate issued by the Medical Superintendent Saidu Teaching Hospital Saidu Sharif Swat before submitting the arrival report for duty.
- 6- No TA/DA is admissible for joining the duty.
- 7- He/She will be bound to produce an Affidavit on thirty Rupees stamp paper that he will serve for Two years on present posting station and will not try for his transfer to any other institutions/out District, and will also not pressurizes politically or otherwise for their transfers etc;.
- 8- In case anyone wishes to resign from services, one month prior notice shall have to be given or in lieu thereof a month's pay will be forfeited.

If He/ She accept the above mentioned terms & conditions He/She should report to the in Charge Health Institutions mentioned against their names within fourteen days of receipt of this offer and submit original documents along with one set of photocopies verification from concerned Boards/ University/ Medical Faculty. If He/She fails to report for duty within stipulated period of time this appointment order will automatically stands cancelled and the next candidate on the merit list will be offered the same post.

Sd/xxxxx

(DR.ABDUL KHALIQ)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA

No. 10621-23 / P.F.

Copy forwarded to the:-

- 1- District Account officer Swat.
- 2- Medical Officer In-charge Civil Hospital Kalam Swat.
- ③ The Medical Superintendent SGTH: Swat.
- 4- The above named official.
- 5- Account Section DHO, Office Swat.
- 6- Estt: II Section of the office of DHO, Swat.

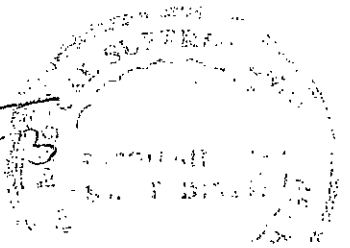
For information and compliance.

ATTESTED

(DR.ABDUL KHALIQ)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.

4709
25-11-13

E-2
JN 11/19
MS STH



post, it would not adversely effect the interest of his seniors in fixation of his seniority in the higher post.

Explanation-II:- If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incomplete record or for any other reason not attributing to his fault or demerit.

Explanation-III:- A junior person shall be deemed to have superseded a senior person only if both the junior and the senior persons were considered for the higher post and the junior person was appointed in preference to the senior person.

(2) Seniority in various cadres of civil servants appointed by initial recruitment vis-à-vis those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

⁵⁷(3) In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post.

⁵⁸(4) The inter-se-seniority of civil servants in a certain cadre to which promotion is made from different lower posts, carrying the same pay scale shall be determined from the date of regular appointment/promotion of the civil servants in the lower post.

Provided that if the date of regular appointment of two or more civil servants in the lower post is the same, the civil servant older in age, shall be treated senior.

18. **General Rules:** - In all matters not expressly provided for in these rules, civil servants shall be governed by such rules as have been or may hereafter be prescribed by Government and made applicable to them.

19. **Repeal:-** The North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

⁵⁷ Sub-rule (3) of Rule 17 added vide Notification No. SOR-I(E&AD)4-1/80/IV, dated 28-5-2002.

⁵⁸ Sub-rule (4) of Rule 17 added vide Notification No. SOR-VI (E&AD) 1-3/2008 dated 19th November, 2009.



B

**DIRECTORATE GENERAL
HEALTH SERVICES KHYBER
PAKHTUNKHWA PESHAWAR**

No. 9/77 /AE-VII

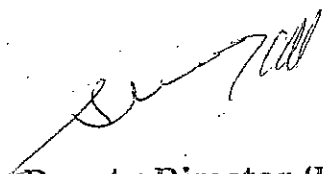
Dated: 12/05/2019

To

The District Health Officer,
Swat.

Subject: **APPLICATION.**

I am directed to refer to your letter No. 11105/PF, Dated: 13/05/2019 on the subject noted above and to state that the seniority has already given from his date of appointment i.e 19/11/2013 and request of the applicant is not covered under the rules.


Deputy Director (Paramedics)

Directorate General Health Services
Khyber Pakhtunkhwa, Peshawar